

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Private School Scholarship Compliance Form

RULE NO.: 6A-6.03315

PURPOSE AND EFFECT: The purpose of the proposed rule development is to review the current deadline of January 1 by which private schools participating in K-12 state scholarship programs must submit compliance reporting requirements to the Florida Department of Education and the incorporated form to determine if changes should be considered. The effect of this development is to provide consistency to private schools, students, and families during the school year to prevent possible disruptions in private school eligibility, in scholarship payments, and in the provision of educational services to children.

SUBJECT AREA TO BE ADDRESSED: Deadline for submitting private school scholarship compliance information.

SPECIFIC AUTHORITY: 1002.38, 1002.39, 1002.42 FS.

LAW IMPLEMENTED: 220.187, 316.615, 381.006, 381.0072, 404.056, 440.02, 443.1216, 607.0128, 617.0128, 623.03, 1002.38, 1002.39, 1003.22, 1003.23, 1002.42 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.

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 AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lynn Abbott, Agency Clerk, Department of Education, 325 West Gaines Street, Room 1514, Tallahassee, Florida 32399-0400

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

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

STATE BOARD OF ADMINISTRATION

Florida Prepaid College Board

RULE TITLE: Payment and Minimum Contributions

RULE NO.: 19B-16.004

PURPOSE AND EFFECT: To revise the financial requirements for the establishment of an account in the Florida College Investment Plan.

SUBJECT AREA TO BE ADDRESSED: The financial requirements for establishing an account in the Florida College Investment Plan.

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

LAW IMPLEMENTED: 1009.981 FS.

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

TIME AND DATE: 2:00 p.m., March 7, 2005

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-16.004 Payment and Minimum Contributions.

(1) through (3) No change.

(4) To establish an account, a benefactor must submit, together with the completed application, one of the following:

(a) A deposit of not less than two-hundred fifty dollars (\$250.00) ~~twenty-five dollars (\$25.00)~~; or

(b) An authorization for a payroll deduction or automatic contribution plan in an amount not less than twenty-five dollars (\$25.00) ~~fifteen dollars (\$15.00)~~.

~~(5) After an account is established, all subsequent contributions to the account shall be:~~

~~(a) In an amount of not less than twenty-five dollars (\$25.00); or~~

~~(b) Made through an authorization for a payroll deduction or automatic contribution plan in an amount not less than fifteen dollars (\$15.00).~~

~~(5)~~(6) A benefactor may make a contribution to the account at any time.

Specific Authority 1009.971(1),(4),(6) FS. Law Implemented 1009.981 FS. History—New 5-30-02, Amended 11-27-02, 12-28-03, \_\_\_\_\_.

**STATE BOARD OF ADMINISTRATION**

**Florida Prepaid College Board**

RULE TITLE: Termination and Withdrawal; Distributions  
 RULE NO.: 19B-16.010

PURPOSE AND EFFECT: To provide for the transition to and application of the revised financial requirements for the establishment and maintenance of an account in the Florida College Investment Plan for accounts established prior to April 1, 2005 and to establish when accounts in the Florida College Investment Plan that were established prior to April 1, 2005, will be subject to termination for failure to comply with the revised requirements for the establishment and maintenance of accounts in the Florida College Investment Plan.

SUBJECT AREA TO BE ADDRESSED: The application of the revised financial requirements for accounts in the Florida College Investment Plan for accounts established prior to April 1, 2005, and when accounts in the Florida College Investment Plan that were established prior to April 1, 2005, will be subject to termination for failure to comply with the revised requirements for the establishment and maintenance of accounts in the Florida College Investment Plan.

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

LAW IMPLEMENTED: 1009.981(3) FS.

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

TIME AND DATE: 2:00 p.m., March 7, 2005

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-16.010 Termination and Withdrawal; Distributions.

(1) through (3) No change.

(4) Notwithstanding the provisions of subsection (3), accounts established prior to April 1, 2005, will not be terminated for failing to comply with the requirements of subsection 19B-16.004(4), F.A.C., until the first day of any calendar month that is more than twenty-seven months following the date on which the Board received the benefactor's application and initial contribution to the Program, unless the Board receives a special petition seeking waiver of this rule pursuant to Rule 19B-12.001 and subsection 19B-12.003(2), F.A.C.

~~(5)~~(4) Upon involuntary termination of a participation agreement, the benefactor will be entitled to a refund of the account balance.

~~(6)~~(5) A benefactor may request a distribution by submitting a written request to the Board. Distributions may be made from an account by any method allowed pursuant to s. 529 of the Internal Revenue Code.

Specific Authority 1009.971(1),(4),(6) FS. Law Implemented 1009.981(3) FS. History--New 5-30-02, Amended 11-27-02, \_\_\_\_\_.

**STATE BOARD OF ADMINISTRATION**

**Florida Prepaid College Board**

RULE TITLE: Fee Schedule  
 RULE NO.: 19B-16.012

PURPOSE AND EFFECT: To revise the circumstances when the termination fee applies to accounts in the Florida College Investment Plan.

SUBJECT AREA TO BE ADDRESSED: The application of the termination fee to accounts in the Florida College Investment Plan.

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

LAW IMPLEMENTED: 1009.971(4)(n), 1009.981 FS.

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

TIME AND DATE: 2:00 p.m., March 7, 2005

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-16.012 Fee Schedule.

The following fee schedule will apply to all participation agreements, benefactors and designated beneficiaries:

(1) through (3) No change.

(4) Termination Fee – Benefactors will automatically be assessed a fifty dollar (\$50.00) fee for the termination of any account pursuant to paragraphs 19B-16.010(1)(a) or (b) ~~or (2)(a) or (c), or subsection (3)~~, F.A.C. The termination fee will not be collected when an account is terminated due to the death or disability of the designated beneficiary or the receipt by the designated beneficiary of a scholarship, provided the Board receives documentation of those circumstances.

Specific Authority 1009.971(1),(4),(6) FS. Law Implemented 1009.971(4)(n), 1009.981 FS. History--New 11-27-02, Amended \_\_\_\_\_.

**WATER MANAGEMENT DISTRICTS**

**St. Johns River Water Management District**

RULE CHAPTER TITLE:                      RULE CHAPTER NO.:

Environmental Resource Permits:

    Surface Water Management Systems                      40C-4

PURPOSE AND EFFECT: The St. Johns River Water Management District gives notice that it is developing rules in Chapters 40C-4, 40C-41, and 40C-42, F.A.C., and the associated Applicant’s Handbooks incorporated by reference, to provide that the post-development recharge volume conditions within the geographic area described as the Wekiva Study Area in subsection 369.318(4), F.S., (2004) approximate pre-development recharge volume conditions.

SUBJECT AREA TO BE ADDRESSED: Requirement that the post-development recharge volume within the geographic area described as the Wekiva Study Area in subsection 369.318(4), F.S., (2004) approximate the pre-development recharge volumes.

SPECIFIC AUTHORITY: 369.318, 373.044, 373.113, 373.415 FS.

LAW IMPLEMENTED: 369.318, 373.413, 373.414, 373.415, 373.416 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, IF AVAILABLE, IS: Norma K. Messer, Rules Coordinator, Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32178-2529, (386)329-4459, Suncom 860-4459, e-mail: nmesser@sjrwmd.com

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

**WATER MANAGEMENT DISTRICTS**

**St. Johns River Water Management District**

RULE CHAPTER TITLE:                      RULE CHAPTER NO.:

Environmental Resource Permits:

    Surface Water Management Systems                      40C-41

PURPOSE AND EFFECT: The St. Johns River Water Management District gives notice that it is developing rules in Chapters 40C-4, 40C-41 and 40C-42, F.A.C., and the associated Applicant’s Handbooks incorporated by reference, to provide that the post-development recharge volume conditions within the geographic area described as the Wekiva Study Area in subsection 369.318(4), F.S., (2004) approximate pre-development recharge volume conditions.

SUBJECT AREA TO BE ADDRESSED: Requirement that the post-development recharge volume within the geographic area described as the Wekiva Study Area in subsection 369.318(4), F.S., (2004) approximate the pre-development recharge volumes.

SPECIFIC AUTHORITY: 369.318, 373.044, 373.113, 373.415 FS.

LAW IMPLEMENTED: 369.318, 373.413, 373.414, 373.415, 373.416 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, IF AVAILABLE, IS: Norma K. Messer, Rules Coordinator, Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32178-2529, (386)329-4459, Suncom 860-4459, e-mail: nmesser@sjrwmd.com

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

**WATER MANAGEMENT DISTRICTS**

**St. Johns River Water Management District**

RULE CHAPTER TITLE:                      RULE CHAPTER NO.:

Environmental Resource Permits:

    Surface Water Management Systems                      40C-42

PURPOSE AND EFFECT: The St. Johns River Water Management District gives notice that it is developing rules in Chapters 40C-4, 40C-41, and 40C-42, F.A.C., and the associated Applicant’s Handbooks incorporated by reference, to provide that the post-development recharge volume conditions within the geographic area described as the Wekiva Study Area in subsection 369.318(4), F.S., (2004) approximate pre-development recharge volume conditions.

SUBJECT AREA TO BE ADDRESSED: Requirement that the post-development recharge volume within the geographic area described as the Wekiva Study Area in subsection 369.318(4), F.S., (2004) approximate the pre-development recharge volumes.

SPECIFIC AUTHORITY: 369.318, 373.044, 373.113, 373.415 FS.

LAW IMPLEMENTED: 369.318, 373.413, 373.414, 373.415, 373.416 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, IF AVAILABLE, IS: Norma K. Messer, Rules Coordinator, Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32178-2529, (386)329-4459, Suncom 860-4459, e-mail: nmesser@sjrwmd.com  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Architecture and Interior Design**

RULE TITLE: Continuing Education for Interior Designers  
 RULE NO.: 61G1-21.001  
 PURPOSE AND EFFECT: The Board proposes to review the existing language in this rule to determine whether changes are necessary.  
 SUBJECT AREA TO BE ADDRESSED: Continuing education for interior designers.  
 SPECIFIC AUTHORITY: 481.2055 FS.  
 LAW IMPLEMENTED: 481.215,(3),(4),(5) 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: Juanita Chastain, Executive Director, Board of Architecture and Interior Design, 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 Architecture and Interior Design**

RULE TITLE: Continuing Education for Architects  
 RULE NO.: 61G1-24.001  
 PURPOSE AND EFFECT: The Board proposes to review the existing language in this rule to determine whether changes are necessary.  
 SUBJECT AREA TO BE ADDRESSED: Continuing Education for architects.  
 SPECIFIC AUTHORITY: 481.2055 FS.  
 LAW IMPLEMENTED: 481.215,(3),(4),(5) 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: Juanita Chastain, Executive Director, Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE TITLE: Examination Grading System and Examination Requirements for Dental Examination  
 RULE NO.: 64B5-2.013  
 PURPOSE AND EFFECT: The Board proposes the amendment to provide dental examination candidates flexibility to assess suitable board patients in order to rule out any significant health problems that might pose a potential risk during the clinical board examination.  
 SUBJECT AREA TO BE ADDRESSED: The proposed rule amendment would allow dental examination candidates under direct supervision to assess suitable patients as board patients.  
 SPECIFIC AUTHORITY: 456.017(1)(b), 466.004(4), 466.006(4) FS.  
 LAW IMPLEMENTED: 456.017(1)(b),(2), 466.006(4), 466.009 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: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

**RULE TITLE:** Licensure Requirements for Applicants from Accredited Schools or Colleges  
**RULE NO.:** 64B5-2.014  
**PURPOSE AND EFFECT:** The Board proposes to review the rule to determine if amendments are necessary.  
**SUBJECT AREA TO BE ADDRESSED:** Requirements for submitting an application for licensure.  
**SPECIFIC AUTHORITY:** 466.004 FS.  
**LAW IMPLEMENTED:** 466.006, 466.007, 466.0075, 466.028, 456.033 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:** Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258  
**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.**

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

**RULE TITLE:** Required Training  
**RULE NO.:** 64B5-16.002  
**PURPOSE AND EFFECT:** The Board proposes to review the rule to determine whether amendments are necessary.  
**SUBJECT AREA TO BE ADDRESSED:** Formal training courses and programs required of dental hygienists and dental assistants in order to perform remediable tasks.  
**SPECIFIC AUTHORITY:** 466.004, 466.024 FS.  
**LAW IMPLEMENTED:** 466.023, 466.024 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:** Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258  
**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.**

**DEPARTMENT OF HEALTH**

**Board of Medicine**

**RULE TITLE:** Examinations  
**RULE NO.:** 64B8-5.001  
**PURPOSE AND EFFECT:** The Board proposes the development of rule amendments intended to clarify criteria with regard to the licensure examination.  
**SUBJECT AREA TO BE ADDRESSED:** Licensure examination.  
**SPECIFIC AUTHORITY:** 456.017(1), 458.309, 458.311(1)(h), 458.313(4) FS.  
**LAW IMPLEMENTED:** 456.017(1), 458.311, 458.313 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:** Larry G. McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253  
**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.**

**DEPARTMENT OF HEALTH**

**Division of Environmental Health**

**RULE CHAPTER TITLE:** Emergency Medical Services  
**RULE CHAPTER NO.:** 64E-2  
**RULE TITLES:** Definitions, Emergency Medical Technician, Paramedic, Voluntary Inactive Certification, Involuntary Inactive Certification, Examinations, Records and Reports  
**RULE NOS.:** 64E-2.001, 64E-2.008, 64E-2.009, 64E-2.0094, 64E-2.0095, 64E-2.010, 64E-2.013  
**PURPOSE AND EFFECT:** Definitions: Provides a definition for “conviction” to help clarify its meaning when used in rule.  
 Emergency Medical Technician and Paramedic: Specifies qualifications and procedures for certification of out of state or military trained individuals. The amendment adds a requirement for applicants to possess a high school diploma or GED. The amendment updates NSC references to “National Standard Curriculum” and, when applicable, updates the reference to reflect the current curriculum. Clarification of testing application deadlines has been revised. Removes the December 2, 2002, requirement for recertifying paramedics to comply with 30 hours of refresher training conducted in accordance with the 2001 U.S. DOT EMT Paramedic Refresher NSC.

Examinations: States that the department shall notify candidates of exam results. Removes the option for requesting exam regrades. Removes the option for the candidate to challenge any questions or subject matter in the review process. The amendment clarifies the examination review process and provides minimum eligibility requirements for candidates who have failed the exam. The amendment removes the current unused reference to the minimum scores required to pass the state developed EMT exam, the NREMT paramedic (Assessment Examination), and the NREMT paramedic (Certification Examination). A new form specifically for requesting a reexamination has been incorporated. The amendment simplifies the process to accommodate exam candidates with documented learning disabilities.

Records: The amendment allows a licensee to meet the personnel record's requirement of maintaining affirmative evidence of current certification status to include forms of documentation other than just a copy of the actual certificate. This amendment permits the use of documentation of certification status from the department's own web certificate lookup system.

SUBJECT AREA TO BE ADDRESSED: Definitions, EMT and Paramedic Certification and Recertification requirements, EMT and Paramedic Certification Examinations, Evidence of current certification status.

SPECIFIC AUTHORITY 401.27, 401.30, 401.35 FS.

LAW IMPLEMENTED: 401.27, 401.30, 401.33, 401.35 FS.

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

TIME AND DATE: 10:00 a.m. (EST), March 9, 2005

PLACE: Marriott Tampa Airport, Tampa International Airport, Tampa, Florida

TIME AND DATE: 10:00 a.m. (EST), March 11, 2005

PLACE: Department of Health, Bureau of Emergency Medical Services, 4025 Esplanade Way, Room 301, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Victoria Parsons, Program Specialist, Bureau of Emergency Medical Services, Department of Health, 4052 Bald Cypress Way, Bin #C18, Tallahassee, Florida 32399-1738, (850)245-4440, Ext. 2768, e-mail: victoria\_parsons@doh.state.fl.us; Fax (850)488-9408

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64E-2.001 Definitions.

(1) through (4) No change.

(5) Department – means the Florida Department of Health (DH), Division of Emergency Medical Operations, Bureau of Emergency Medical Services, 4052 Bald Cypress Way, Bin C18, Tallahassee, Florida 32399-1738.

(6) No change.

(7) Conviction – means a determination of guilt of a felony in any court of competent jurisdiction which is the result of a trial or the entry of a plea of guilty or a plea of nolo contendere, regardless of whether adjudication is withheld.

~~(8)(7)~~ Emergency Medical Services Provider – means any entity licensed in the State of Florida to provide air, or ground ambulance, whether basic life support (BLS) or advanced life support (ALS), and whether a non-transportation or a transportation service.

~~(9)(8)~~ Glasgow Coma Scale Score – means the neurological assessment developed by G. Teasdale and B. Jennitte in “Assessment of Coma and Impaired Consciousness: A Practical Scale” Lancet, 1974; 2: 81-84, which is incorporated by reference and available from the department.

~~(10)(9)~~ ICD-9-CM – means the “International Classification of Disease, 9th Revision, Clinical Modification”, March, 1989, U.S. Department of Health and Human Services Publication No. (PHS) 89-1260; an internationally applied method by which diseases or groups of medical conditions or injuries are coded for the purpose of statistical analyses. This book is incorporated by reference and available for purchase from the American Hospital Association, Central Office on ICD-9-DM, 1(800)242-2626, AHA, Post Office Box 92683, Chicago, IL 67675-2683.

~~(11)(10)~~ Injury Severity Score (ISS) – means the sum of the squares of the highest AIS-90 code in each of the three most severely injured body regions. The method for computing ISS is found in the “Abbreviated Injury Scale 1990 Revisions.”

~~(12)(11)~~ Neonatal Ambulance – means an ALS permitted vehicle which is designated solely to interfacility transports of neonates to a Level II or Level III neonatal intensive care unit.

~~(13)(12)~~ Neonatal Transport – means the transport of any neonate requiring emergency transfer from a hospital licensed under Chapter 395 F.S., to a Level II or Level III neonatal intensive care unit.

~~(14)(13)~~ Neonate – means an infant less than 28 days of life and or less than 5 kg.

~~(15)(14)~~ “Operate”, “Operates” or “Operation” – means providing, offering to provide, soliciting, or advertising prehospital or interfacility ALS services or BLS transportation services as further described in Rule 64E-2.032, F.A.C.

~~(16)(15)~~ Patient Care Record – means the record used by each EMS provider to document patient care, treatment and transport activities that at a minimum includes the information required under paragraphs 64E-2.003(5)(a), (b), Rule 64E-2.013, subsections 64E-2.015(5), 64E-2.017(5), (6), (7), 64E-2.0175(4), F.A.C.

~~(17)(16)~~ Pediatric Trauma Patient – means a trauma patient with anatomical and physical characteristics of a person 15 years of age or younger.

~~(18)(17)~~ Provisional State-Approved Pediatric Trauma Referral Center (SAPTRC) – means a hospital licensed under Chapter 395, F.S., which submits an application indicating that

the hospital meets the trauma center requirements provided in DHP 150-9 and is approved by the department to provide pediatric trauma care services until approval or denial as a SAPTRC.

~~(19)~~(18) Provisional State-Approved Trauma Center (SATC) – means a hospital licensed under Chapter 395, F.S., which submits an application indicating that the hospital meets the requirements provided in DHP 150-9 and is approved by the department to provide trauma care services until approval or denial as a SATC.

~~(20)~~(19) Training Program – means an educational institution having one designated program director, one designated medical director, and single budget entity; for the purposes of providing EMT or paramedic education programs, as approved by the department.

~~(21)~~(20) Trauma – means a blunt, penetrating or burn injury caused by external force or violence.

~~(22)~~(21) Trauma Alert – means a notification initiated by EMS informing a hospital that they are en route with a patient meeting the trauma alert criteria.

~~(23)~~(22) Trauma Alert Patient – means a person whose primary physical injury is a blunt, penetrating or burn injury, and who meets one or more of the adult trauma scorecard criteria in Rule 64E-2.017, F.A.C., or the pediatric trauma scorecard criteria in Rule 64E-2.0175, F.A.C.

~~(24)~~(23) Trauma Patient – means any person who has incurred a physical injury or wound caused by trauma and who has accessed an emergency medical services system.

~~(25)~~(24) Trauma Registry – means a statewide database which integrates medical and system information related to trauma patient diagnosis and the provision of trauma care by prehospital, hospital, SATC, SAPTRC, providers and medical examiners.

~~(26)~~(25) Trauma Transport Protocols (TTPs) – means a document which describes the policies, processes and procedures governing the dispatch of vehicles, and the triage and transport of trauma patients.

Specific Authority 381.0011(13), 395.401, 395.4025(13), 395.405, 401.121, 401.35 FS. Law Implemented 381.0011, 395.401, 395.4015, 395.402, 395.4025, 395.403, 395.404, 395.4045, 395.405, 401.121, 401.211, 401.23, 401.25, 401.35, 401.435 FS. History—New 11-29-82, Amended 4-26-84, 3-11-85, 11-2-86, 4-12-88, 8-3-88, 8-7-89, 6-6-90, Formerly 10D-66.485, Amended 12-10-92, 11-30-93, 10-2-94, 1-26-97, Formerly 10D-66.0485, Amended 8-4-98, 7-14-99, 2-20-00, 11-3-02, \_\_\_\_\_.

64E-2.008 Emergency Medical Technician.

(1) Qualifications and Procedures for Certification in addition to those contained in Section 401.27, F.S. – To be qualified for EMT certification, an individual must:

(a) 1 successfully complete an initial EMT training program ~~that was~~ conducted in accordance with the 1994 U.S. DOT EMT-Basic National Standard Curriculum, NSC, which is incorporated by reference and is available for purchase from the Government Printing Office by telephoning (202)512-1800, or

~~2.(b)~~ If out of state or military trained in accordance with the 1994 U.S. DOT EMT-Basic National Standard Curriculum, currently hold a valid EMT certification from the National Registry of Emergency Medical Technicians or ~~be currently certified in another U.S. state or U.S. territory which has and have~~ the certifying authority to submit to the department DH Form 1164, January 05, January 00, Statement of Good Standing which is incorporated by reference and available from the department, ~~and~~

~~(b)(e)~~ Apply for Florida EMT certification on DH Form 1583, January 05, April 02, Emergency Medical Technicians and Paramedics Certification Application/Examination Scheduling which is incorporated by reference and available from the department, ~~and-~~

(c) Possess a high school diploma or a General Education Development (GED) diploma.

(2) Recertification – To be eligible for recertification as an EMT an individual shall submit DH Form 622, January 05, April 02, EMT/Paramedic Recertification Application, which is incorporated by reference and available from the department; and within 2 years prior to the expiration date of his or her EMT certification complete one of the following:

(a) Complete 30 hours of EMT refresher training based on the ~~1996 1994~~ U.S. DOT EMT-Basic National Standard Refresher Curriculum, NSC, an additional 2 hours of HIV AIDS refresher training, in accordance with Section 381.0034, F.S.; and maintain a current CPR card as provided in Section 401.27(4)(e)2., F.S., and Rule 64E-2.038, F.A.C. CPR shall be included in the 30 hours of refresher training, provided that the CPR training is taken with a continuing education provider recognized by the department pursuant to Section 401.2715, F.S. The ~~1996 1994~~ U.S. DOT EMT-Basic National Standard Refresher Curriculum, NSC shall be the criteria for department approval of refresher training courses. The department shall accept either the affirmation of a licensed EMS provider's medical director; or a certificate of completion of refresher training from a department approved Florida training program or a department approved continuing education provider as proof of compliance with the above requirements. ~~Effective December 2, 2002, the 30 hours of EMT refresher training shall be conducted in accordance with T~~the 1996 U.S. DOT EMT-Basic National Standard Refresher Curriculum, NSC ~~which~~ is incorporated by reference and available for purchase from the Government Printing Office by telephoning (202)512-1800.

(b) Successfully pass the EMT certification examination during the current certification cycle; and complete 2 hours of HIV AIDS refresher training, in accordance with Section 381.0034, F.S.; and maintain a current CPR BLS card for the professional rescuer. Prior to taking the examination, a candidate shall submit DH Form 1583, January 05, April 02, Emergency Medical Technicians and Paramedics Certification Application/Examination Scheduling to the department so as to

be received by the department in accordance with the department's published examination application deadlines, no later than 30 calendar days prior to the date of the certification examination for which the applicant desires to be scheduled, and pay the required fees.

(c) Satisfactorily complete the first semester of the paramedic training course at a department approved Florida training center within the current immediately preceding 2-year certification cycle. Complete 2 hours of HIV AIDS refresher training in accordance with Section 381.0034, F.S., and also maintain a current CPR card for the professional rescuer.

(d) through (4)(b) No change.

Specific Authority 381.0011, 381.0034, 381.0035, 401.23, 401.27, 401.35 FS. Law Implemented 381.001, 401.23, 401.27, 401.34, 401.41, 401.35, 401.411, 401.414 FS. History—New 11-29-82, Amended 4-26-84, 3-11-85, Formerly 10D-66.56, Amended 11-2-86, 4-12-88, 8-3-88, 12-10-92, 11-30-93, 12-10-95, 1-26-97, Formerly 10D-66.056, Amended 8-4-98, 1-3-99, 9-3-00, 4-15-01, 6-3-02, 11-03-02, \_\_\_\_\_.

64E-2.009 Paramedic.

(1) Qualifications and Procedures for Certification in addition to those contained in Section 401.27, F.S. – To be qualified for paramedic certification, an individual must:

(a) 1. Successfully complete an initial paramedic training program that was conducted in accordance with the 1998 U.S. DOT EMT-Paramedic (EMT-P) National Standard Curriculum, (NSC), which is incorporated by reference and is available for purchase from the Government Printing Office by telephoning (202)512-1800, or

2. ~~(b)~~ If out of state or military trained in accordance with the 1998 U.S. DOT EMT-Paramedic (EMT-P) NSC, currently hold a valid paramedic certification from the National Registry of Emergency Medical Technicians or be currently certified in another U.S. state or U.S. territory which has and have the certifying authority to submit to the department DH Form 1164, January 05, January 00, Statement of Good Standing, which is incorporated by reference in Rule 64E-2.008, F.A.C.; ~~and~~

(b) ~~(c)~~ Apply for Florida paramedic certification in accordance with the department's published examination application deadlines on DH Form 1583, January 05, April 02, Emergency Medical Technicians and Paramedics Certification Application/Examination Scheduling which is incorporated by reference in Rule 64E-2.008, F.A.C.; ~~and~~

(c) Possess a high school diploma or a General Education Development (GED) diploma.

(2) Recertification – To be eligible for recertification as a paramedic an individual shall submit DH Form 622, January 05, April 02, EMT/Paramedic Recertification Application which is incorporated by reference in subsection 64E-2.008(2), F.A.C., and within 2 years prior to the expiration date of his or her paramedic certification complete one of the following:

(a) Complete 30 hours of paramedic refresher training based on the 1998 U.S. D.O.T. EMT-Paramedic NSC, an additional 2 hours of HIV AIDS refresher training in accordance with Section 381.0034, F.S., and also maintain a current Advanced Cardiac Life Support (ACLS) card as provided in Section 401.27(4)(e)2., F.S., and Rule 64E-2.038, F.A.C. ACLS shall be included in the 30 hours of refresher training, provided that the ACLS training is taken with a continuing education provider recognized by the department pursuant to Section 401.2715, F.S. The department shall accept either the affirmation of a licensed EMS provider's medical director; or a certificate of completion of refresher training from a department approved Florida training program, or a department approved continuing education provider as proof of compliance with the above requirements. ~~Effective December 2, 2002, the 30 hours of paramedic refresher training shall be conducted in accordance with the 2001 U.S. DOT EMT-Paramedic Refresher NSC which is incorporated by reference and available for purchase from the Government Printing Office by telephoning 202-512-1800.~~

(b) Successfully pass the paramedic certification examination during the current certification cycle; complete 2 hours of HIV AIDS refresher training in accordance with Section 381.0034, F.S.; and also maintain a current ACLS card. Prior to taking the examination, a candidate shall submit DH Form 1583, January 05, April 02, Emergency Medical Technicians and Paramedics Certification Application/ Examination Scheduling to the department so as to be received by the department in accordance with the department's published examination application deadlines, no later than 30 calendar days prior to the date of the certification examination for which the applicant desires to be scheduled, and pay the required fees.

(3) through (4) No change.

Specific Authority 381.0011, 381.0034, 381.0035, 401.27, 401.35 FS. Law Implemented 381.001, 401.23, 401.27, 401.34, 401.35, 401.41, 401.411, 401.414 FS. History—New 11-29-82, Amended 4-26-84, 3-11-85, Formerly 10D-66.57, Amended 4-12-88, 8-3-88, 12-10-92, 11-30-93, 12-10-95, 1-26-97, Formerly 10D-66.057, Amended 8-4-98, 1-3-99, 9-3-00, 4-15-01, 6-3-02, 11-03-02, \_\_\_\_\_.

64E-2.0094 Voluntary Inactive Certification.

An EMT or paramedic who is currently certified can place their certificate on inactive status by sending a written request to the department and paying a fee of \$50. Any EMT or paramedic whose certificate has been placed on inactive status shall not function as an EMT or paramedic until such time as he or she has completed the following requirements for reactivating the certificate:

(1) through (b) No change.

(2) An EMT whose certificate has been on inactive status for more than 1 year can activate his or her certificate by completing the following:

(a) 30 hours of EMT refresher training which shall be based on the ~~1996~~ 1994 U.S. DOT EMT-Basic National Standard Refresher Curriculum NSC and 2 hours of human immunodeficiency virus and acquired immune deficiency syndrome (HIV AIDS) training. ~~Effective December 2, 2002, the 30 hours of EMT refresher training shall be conducted in accordance with~~ the 1996 U.S. DOT EMT-Basic National Standard Refresher Curriculum NSC which is incorporated by reference in Rule 64E-2.008, F.A.C. The training:

1. through (d) No change.

(e) After completion of the above requirements, submit to the department:

1. DH Form 622, ~~January 05, April 02,~~ EMT/Paramedic Recertification Application which is incorporated in subsection 64E-2.008(2), F.A.C.

2. DH Form 1583, ~~January 05, April 02,~~ Emergency Medical Technicians and Paramedics Certification Application/Examination Scheduling, which is incorporated by reference in Rule 64E-2.008, F.A.C.

3. No change.

(3) A paramedic whose certificate has been on inactive status for more than 1 year can activate his or her certificate by completing the following:

(a) 30 hours of paramedic refresher training which shall be based on the 1998 U.S. DOT EMT-Paramedic NSC, which is incorporated by reference in Rule 64E-2.009, F.A.C., and 2 hours of human immunodeficiency virus and acquired immune deficiency syndrome (HIV AIDS) training. ~~Effective December 2, 2002, the 30 hours of EMT Paramedic refresher training shall be conducted in accordance with the 2001 U.S. DOT EMT Paramedic refresher NSC which is incorporated by reference in Rule 64E-2.009, F.A.C.~~ The training:

1. through (d) No change.

(e) After completion of the above requirements, submit to the department:

1. DH Form 622, ~~January 05, April 02,~~ EMT/Paramedic Recertification Application which is incorporated by reference in subsection 64E-2.008(2), F.A.C.

2. DH Form 1583, ~~January 05, April 02,~~ Emergency Medical Technicians and Paramedics Certification Application/Examination Scheduling which is incorporated by reference in Rule 64E-2.008, F.A.C.

3. No change.

Specific Authority 401.27, 401.35 FS. Law Implemented 401.27, 401.34, 401.35 FS. History--New 8-4-98, Amended 1-3-99, 9-3-00, 4-21-02, 6-3-02, 11-3-02, \_\_\_\_\_.

64E-2.0095 Involuntary Inactive Certification.

(1) No change.

(2) Such certificates may be reactivated if the applicant submits the recertification fee required by Section 401.34, F.S., and a late renewal fee of \$25 and the following items to the department:

(a) DH Form 622, ~~January 05, Jan. 00,~~ EMT/Paramedic Recertification Application, which is incorporated by reference in subsection 64E-2.008(2), F.A.C.

(b) through (3) No change.

Specific Authority 401.27, 401.35 FS. Law Implemented 401.27, 401.34, 401.35 FS. History--New 8-4-98, Amended 1-3-99, 9-3-00, 4-15-01, \_\_\_\_\_.

64E-2.010 Examinations.

(1) Grade Notification – The department shall notify each candidate of the examination results. If a candidate fails the state certification examination developed or required by the department, he or she shall will be notified by the department of the requirements for regrade, examination review, and appeal rights and procedures.

~~(2) Examination Regrades — If the candidate desires a regrading of his or her state examination, he or she must submit a written request to the department for a rescore within 30 days of the date indicated on the failure notice.~~

~~(2)(3) Examination Review.~~

(a) A ~~The~~ candidate who failed the examination shall notify the department, in writing, that he or she desires an examination review within 21 ~~30~~ days of the date indicated on the failure notice and include the required review fee of \$50 ~~\$30~~ payable by cashier's check or money order to the department. Upon receipt of payment, the department shall notify the candidate of a review appointment. ~~Upon payment of the fee, an examination review by candidate can be scheduled.~~

(b) Each candidate, who has taken and failed the examination, shall have the right to review the examination booklet and a copy of his or her answer sheet.

(c) The candidate's attorney can be present at the review.

(d) Examination reviews shall be conducted in the presence of a representative of the department and scheduled at a location designated by the department. The review shall be conducted between 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding official state holidays. A candidate shall attend only one review per examination administration. If the candidate is scheduled for an examination review date and fails to appear, the review fee shall be forfeited.

(e) The candidate shall be allowed one-half the time, ~~not to extend beyond the time~~ allowed for the original administration of the examination; to review the examination materials provided. Neither the candidate nor the attorney shall be allowed to bring any material for documenting or recording any test material into the review session.

(f) through (g) No change.

(h) Any candidate who fails the examination and attends an examination review, pursuant to this section, shall not be eligible for reexamination for at least 30 days after the examination review. ~~The department representative shall provide the candidate with a writing utensil and paper to document his or her review questions. The candidate shall not~~

copy questions from the examination booklet. The candidate shall write any objection or question concerning the examination.

(i) ~~The candidate shall leave the written objections and questions with a representative of the department when he or she leaves the review.~~

(j) ~~The candidate's objections shall then be analyzed by a representative of the department. If the representative finds that the original grade awarded was consistent with the grading criteria, then the candidate shall be notified in writing.~~

(k) ~~If the department representative finds that the candidate's objection requires further review, the representative, in conjunction with the Chief, shall review each objection and grade the items in accordance with the standards established to govern the examination.~~

(l) ~~If the department finds that the original grade was not rendered in accordance with the grading criteria, the representative shall re grade the examination. At the conclusion of the reevaluation of the examination, the candidate shall be notified in writing of the decision and the candidate's review fee shall be refunded.~~

(4) Examination Requirements:

(a) No change.

(b) The following grades are the minimum scores required to pass the below-listed examinations:

~~1. State developed EMT Examination, 70 percent or higher.~~

~~1.2. Florida Paramedic Certification Examination, 80 percent or higher.~~

~~3. NREMT paramedic (Assessment Examination), 70 percent or higher.~~

~~4. NREMT paramedic (Certification Examination), 70 percent or higher, and a passing score on each subpart.~~

~~2.5. NREMT EMT-Basic Examination, 70 percent or higher.~~

(5) ~~To be scheduled for a reexamination rescheduled for the state certification examination, the requestor shall submit DH Form 1975 4583, January 05, April 02, Emergency Medical Technicians and Paramedics Certification-Application/Examination Scheduling RE-EXAM which is incorporated by reference and available from the department in Rule 64E-2.008, F.A.C. The request shall be submitted so as to be received by the department in accordance with the department's published deadlines for examinations no later than 30 calendar days prior to the date of the scheduled examination.~~

(6) An EMT candidate must meet all the examinations requirements of the National Registry of Emergency Medical Technicians. The candidate must document successful completion of 24 hours of department-approved refresher training based on the 1994 U.S. DOT EMT-Basic National Standard Curriculum prior to being scheduled for another attempt at the examination after three failures. An EMT

applicant who has failed the examination six times is disqualified from certification and must successfully complete a full EMT training program, pursuant to paragraph 64E-2.008(1)(a), F.A.C., prior to being considered for subsequent examination and certification.

(7) A paramedic candidate must document successful completion of 48 hours of department-approved refresher training based on the 1998 U.S. DOT EMT-Paramedic National Standard Curriculum prior to being scheduled for another attempt at the certification examination after three failures. A paramedic applicant who has failed the examination six times is disqualified from certification and must successfully complete a full paramedic education program, pursuant to paragraph 64E-2.009(1)(a), F.A.C., prior to being considered for subsequent examination and certification.

(8)(6) Persons with documented learning disabilities in the areas of reading decoding or reading comprehension or some form of documented disability or cognitive processing deficit specifically in the reading area which would negatively impact on the candidate's performance on the written examination may be eligible for special accommodations with the written certification examination. The person requesting the accommodation must provide documentation of the diagnosis before any decision shall be made by the department for accommodation in the administration of the paramedic examination and by the National Registry of Emergency Medical Technicians for accommodation in the administration of the EMT examination regarding the request for special accommodation.

(a) Documentation of a specific learning disability shall include one of the following:

1. Diagnosis of a learning disability in the area of reading decoding or reading comprehension based upon the results of standardized psycho educational assessment including an appropriate standardized measure of intelligence and an appropriate standardized measure of achievement in reading decoding or reading comprehension. Two recognized instruments acceptable to the department which provide the disability diagnosis and which are standardized for adults are:

a. Wechsler Adult Intelligence Scale-Revised.

b. Woodcock-Johnson Psycho-Educational Battery-Revised: Tests of Achievement.

2. School or work records which demonstrate that special education services or accommodations were provided due to a learning disability in the area of reading decoding or reading comprehension. Documentation of the learning disability shall be required.

(a)(b) Individuals who qualify for special accommodation on the written examination due to a documented learning disability as described above shall be required permitted to take the standard format of the examination, but shall receive

an additional ~~time~~ hour in which to complete the examination based on the department's assessment of the severity of the learning disability.

(b)(~~e~~) Other types of accommodations to meet the needs of applicant's documented disabilities may be granted with appropriate documentation of disability as determined by the department.

Specific Authority 381.0011, 401.27, 401.35 FS. Law Implemented 381.001, 401.27, 401.35 FS. History--New 4-26-84, Amended 3-11-85, Formerly 10D-66.575, Amended 4-12-88, 12-10-92, 12-10-95, 1-26-97, Formerly 10D-66.0575, Amended 8-4-98, 6-3-02, 11-3-02, \_\_\_\_\_.

64E-2.013 Records and Reports.

(1) through (a) No change.

(b) Personnel records for each employee, to include date of employment, training records, employee application, documentation ~~copy~~ of current certification, ~~card~~, and confirmation that each driver is in compliance with Section 401.281, F.S.

(c) through (13) No change.

Specific Authority 381.0011, 395.405, 401.30, 401.35 FS. Law Implemented 381.001, 381.0205, 395.401-395.405, 401.23, 401.25, 401.27, 401.30, 401.35, 401.411 FS. History--New 11-29-82, Amended 4-26-84, 3-11-85, Formerly 10D-66.60, Amended 11-2-86, 4-12-88, 8-3-88, 12-10-92, 11-30-93, 12-10-95, 1-26-97, Formerly 10D-66.060, Amended 7-14-99, 2-20-00, 4-15-01, 11-3-02, \_\_\_\_\_.

P.O. DO29262

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Family Safety and Preservation Program**

RULE TITLE: Physical Environment  
RULE NO.: 65C-22.002

PURPOSE AND EFFECT: The modifications to the Physical Environment, General Requirements will clarify that the provision which prohibits firearms or weapons as defined in Section 790.001, F.S., in any building or conveyance, or upon any person located on the premises of a child care facility, does not apply to state or federal law enforcement officers.

SUBJECT AREA TO BE ADDRESSED: Child Care Standards.

SPECIFIC AUTHORITY: 402.302, 402.305 FS.

LAW IMPLEMENTED: 402.302, 402.305 FS.

IF REQUESTED 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., March 7, 2005

PLACE: Room 361A, Bldg. 6, 3rd Floor, Department of Children and Family Services, 1317 Winewood Blvd., Tallahassee, Florida 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Abbie Messer, Government Operations Consultant II, 1317 Winewood Blvd., Building 6, Room 388, Tallahassee, FL 32399, (850)488-4900

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

65C-22.002 Physical Environment.

(1) General Requirements.

(a) through (d) No change.

(e) No firearms or weapons as defined in Chapter 790.001, F.S., shall be allowed within any building or conveyance, or upon any person located on the premises, excluding federal or state Law Enforcement Officers.

(f) No narcotics, alcohol, or other impairing drugs shall be present on the premises.

(g) through (h) No change.

(2) through (9) No change.

Specific Authority 402.302, 402.305 FS. History--New 6-1-97, Amended 7-2-98, 3-17-99, 7-26-00,10-10-01, 4-2-02, 7-13-03, 9-12-04, \_\_\_\_\_.

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of State Fire Marshal**

RULE CHAPTER TITLE: Fire Prevention – General Provisions  
RULE CHAPTER NO.: 69A-3

RULE TITLE: Standards of the National Fire Protection  
RULE NO.: 69A-3.012

Association Adopted  
PURPOSE AND EFFECT: The purpose of the rules is to update Chapter 69A-3, Florida Administrative Code, to accommodate revisions in the standards previously adopted which pertain to structures subject to the uniform rules governing the entities and subjects listed in Sections 633.022(1)(a) and (1)(b), Florida Statutes. The effect of this rule development will be to modernize the standards in use for the various entities listed in Section 633.022, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Updated Standards of the National Fire Protection and Other Standards for entities and subjects subject to Section 633.022, Florida Statutes.

SPECIFIC AUTHORITY: 633.01, 633.022 FS.

LAW IMPLEMENTED: 633.022 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., March 14, 2005

PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act and Section 286.26, Florida Statutes, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting Millicent King, (850)413-3619, Fax (850)922-2553, or at the address shown below.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Jim Goodloe, Chief, Bureau of Fire Prevention, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, FL 32399-0342, (850)413-3171, Fax (850)922-2553, e-mail: goodloej@dfs.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69A-3.012 Standards of the National Fire Protection Association Adopted.

(1) Except as specifically modified by statute or by the State Fire Marshal's rules, NFPA 101, Life Safety Code, ~~2003~~ ~~2000~~ edition and NFPA 1, ~~2003~~ ~~2000~~ edition, are hereby adopted and incorporated by reference as a part of the uniform fire safety standards adopted by rule by the State Fire Marshal and are applicable to those buildings and structures specified in paragraphs (a) and (b) of subsection (1) of Section 633.022, F.S. In addition, the following standards as referenced in Chapter 2 of NFPA 101, ~~2003~~ ~~2000~~ edition and Chapter 32 of NFPA 1, ~~2003~~ ~~2000~~ edition, except as specifically modified in the rule chapters in Rule Title 69A, are hereby adopted and incorporated by reference and shall take effect on the effective date of this rule, as a part of the uniform firesafety standards adopted by rule by the State Fire Marshal and are applicable to those buildings and structures specified in paragraphs (a) and (b) of subsection (1) of Section 633.022, F.S.:

NFPA 10-~~2002~~ ~~1998~~, Standard for Portable Fire Extinguishers  
 NFPA 11-~~2002~~ ~~1998~~, Standard for Low-, Medium, and High-Expansion Foam  
 NFPA 11A-1999, Standard for Medium and High Expansion Foam Systems  
 NFPA 12-2000, Standard on Carbon Dioxide Extinguishing Systems  
 NFPA 12A-1997, Standard on Halon 1301 Fire Extinguishing Systems  
 NFPA 13-~~2002~~ ~~1999~~, Standard for the Installation of Sprinkler Systems  
 NFPA 13D-~~2002~~ ~~1999~~, Standard for the Installation of Sprinkler Systems in One- and Two- Family Dwellings and Manufactured Homes  
 NFPA 13R-~~2002~~ ~~1999~~, Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and including Four Stories in Height  
 NFPA 14-~~2003~~ ~~2000~~, Standard for the Installation of Standpipe and Hose Systems, except 2-7 shall be omitted

NFPA 15-~~2001~~ ~~1996~~, Standard for Water Spray Fixed Systems for Fire Protection  
 NFPA 16-~~2003~~ ~~1999~~, Standard ~~for the Installation of on~~ ~~Deluge~~ Foam-Water Sprinkler and Foam-Water Spray Systems  
 NFPA 17-~~2002~~ ~~1998~~, Standard for Dry Chemical Extinguishing Systems  
 NFPA 17A-~~2002~~ ~~1998~~, Standard on Wet Chemical Extinguishing Systems  
 NFPA 20-1999, Standard for the Installation of Stationary Pumps for Fire Protection  
 NFPA 22-~~2003~~ ~~1998~~, Standard for Water Tanks for Private Fire Protection  
 NFPA 24-~~2002~~ ~~1995~~, Standards for the Installation of Private Fire Service Mains and Their Appurtenances  
 NFPA 25-~~2002~~ ~~1998~~, Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems, except that quarterly flow tests shall be required for those systems supplied by a municipal water supply.  
 NFPA 30-~~2000~~ ~~1996~~, Flammable and Combustible Liquids Code  
 NFPA 30A-~~2000~~ ~~1996~~, ~~Code for Motor Fuel Dispensing Facilities and Repair Garages~~ ~~Automotive and Marine Service Station Code~~  
 NFPA 30B-~~2002~~ ~~1998~~, Code for the Manufacture and Storage of Aerosol Products  
 NFPA 31-~~2001~~ ~~1997~~, Standard for the Installation of Oil Burning Equipment  
 NFPA 32-~~2000~~ ~~1996~~, Standards for Drycleaning Plants  
 NFPA 33-~~2000~~ ~~1995~~, Standard for Spray Application Using Flammable and Combustible Materials  
 NFPA 34-~~2000~~ ~~1995~~, Standard for Dipping and Coating Processes Using Flammable or Combustible Liquids  
 NFPA 35-1999, Standard for the Manufacture of Organic Coatings  
 NFPA 36-~~2001~~ ~~1997~~, Standard for Solvent Extraction Plants  
 NFPA 37-~~2002~~ ~~1998~~, Standard for the Installation and Use of Stationary Combustion Engines and Gas Turbines  
 NFPA 40-~~2001~~ ~~1997~~, Standard for the Storage and Handling of Cellulose Nitrate ~~Motion Picture~~ Film  
 NFPA 45-~~2000~~ ~~1996~~, Standard on Fire Protection for Laboratories Using Chemicals  
 NFPA 50-~~2001~~ ~~1996~~, Standard for Bulk Oxygen Systems at Consumer Sites  
 NFPA 50B 1999, Standard for Liquid Hydrogen Systems at Consumer Sites  
 NFPA 51-~~2002~~ ~~1997~~, Standard for the Design and Installation of Oxygen-Fuel Gas Systems for Welding, Cutting and Allied Processes  
 NFPA 51A ~~2001~~ ~~1996~~, Standard for Acetylene Cylinder Charging Plants  
 NFPA 51B-1999, Standard for Fire Prevention During Welding, Cutting and Other Hot Work

- NFPA 52-~~2002~~ 1998, Compressed Natural Gas Vehicular Fuel Systems Code
- NFPA 54-~~2002~~ 1999, National Fuel Gas Code
- NFPA 57-~~2002~~ 1999, Liquefied Natural Gas Vehicular Fuel Systems Code
- NFPA 58-~~2001~~ 1998, Liquefied Petroleum Gas Code
- NFPA 59-~~2001~~ 1998, ~~Utility LP-Gas Plant Code Standard for Storage and Handling of Liquefied Petroleum Gases at Utility Gas Plants~~
- NFPA 59A-~~2001~~ 1996, Standard for the Production, Storage and Handling of Liquefied Natural Gas
- NFPA 61-~~2002~~ 1999, Standard for the Prevention of Fires and Dust Explosions in Agricultural and Food Products Facilities
- NFPA 69-~~2002~~ 1997, Standard on Explosion Prevention Systems
- NFPA 70-~~2002~~ 1999, National Electrical Code
- NFPA 72-~~2002~~ 1999, National Fire Alarm Code
- NFPA 75-~~2003~~ 1999, Standard for the Protection of Electronic Computer/Data Processing Equipment
- NFPA 80-1999, Standard for Fire Doors and Fire Windows
- NFPA 82-1999, Standard on Incinerators and Waste and Linen Handling Systems and Equipment
- NFPA 86-1999, Standard for Ovens and Furnaces
- NFPA 86C-1999, Standard for Industrial Furnaces Using a Special Processing Atmosphere
- NFPA 86D-1999, Standard for Industrial Furnaces Using Vacuum as an Atmosphere
- NFPA 88A-~~2002~~ 1998, Standard for Parking Structures
- ~~NFPA 88B-1997, Standard for Repair Garages~~
- NFPA 90A-~~2002~~ 1999, Standard for the Installation of Air Conditioning and Ventilating Systems
- NFPA 90B-~~2002~~ 1999, Standard for the Installation of Warm Air Heating and Air Conditioning Systems
- NFPA 91-1999, Standard for Exhaust Systems for Air Conveying of Vapors, Gases, Mists, and Noncombustible Particulate Solids
- NFPA 92A-~~2000~~ 1996, Recommended Practice for Smoke-Control Systems
- NFPA 92B-~~2000~~ 1995, Guide for Smoke Management Systems in Malls, Atria, and Large Areas
- NFPA 96-~~2001~~ 1998, Standard for Ventilation Control and Fire Prevention of Commercial Cooking Operations. Subdivision 7-2.2 of NFPA 96 applies prospectively only. Existing installations are permitted to remain in place subject to the approval of the authority having jurisdiction.
- NFPA 99-~~2002~~ 1999, Standard for Health Care Facilities
- NFPA 101A-~~2001~~ 1998, Guide on Alternative Approaches to Life Safety
- NFPA 101B-~~2002~~ 1999, Standard on Means of Egress ~~for Buildings and Structures~~
- NFPA 102-1995, Standard for Grandstands, Folding and Telescoping Seating, Tents and Membrane Structures
- NFPA 105-~~2003~~ 1999, Recommended Practice for the Installation of Smoke-Control Door Assemblies
- NFPA 110-~~2002~~ 1999, Standard for Emergency and Standby Power Systems
- NFPA 111-~~2001~~ 1996, Standard on Stored Electrical Energy Emergency and Standby Power Systems
- NFPA 120-1999, Standard for Coal Preparation Plants
- NFPA 140-1999, Standard ~~on~~ ~~for~~ Motion Picture and Television Production Studio Soundstages and Approved Production Facilities
- NFPA 150-~~2000~~ 1995, Standard on Firesafety in Racetrack Stables
- NFPA 160-~~2001~~ 1998, Standard for Flame Effects Before an Audience
- NFPA 211-~~2003~~ 2000, Standard for Chimneys, Fireplaces, Vents and Solid Fuel Burning Appliances
- NFPA 214-~~2000~~ 1996, Standard on Water-Cooling Towers
- ~~NFPA 220-1999, Standard on Types of Building Construction~~
- NFPA 221-~~2000~~ 1997, Standard on Fire Walls and Fire Barrier Walls
- NFPA 230-~~2003~~ 1999, Standard for the Fire Protection of Storage
- ~~NFPA 231D-1998, Standard for Storage of Rubber Tires~~
- NFPA 232-~~2000~~ 1995, Standard for the Protection of Records
- NFPA 232A-~~1995~~ 1991, ~~Guide Standard~~ for Fire Protection for Archives and Record Centers
- NFPA 241-~~2000~~ 1996, Standard for Safeguarding Construction, Alteration and Demolition Operations
- NFPA 251-1999, Standard Methods of Tests of Fire Endurance of Building Construction and Materials
- NFPA 252-1999, Standard Methods of Fire Tests of Door Assemblies
- NFPA 253-2000, Standard Method of Test for Critical Flux of Floor Covering Systems Using a Radiant Heat Energy Source
- NFPA 255-2000, Standard Method of Test of Surface Burning Characteristics of Building Materials
- NFPA 256-1998, Standard Methods of Fire Tests of Roof Coverings
- NFPA 257-2000, Standard on Fire Tests for Window and Glass Block Assemblies
- NFPA 259-~~2003~~ 1998, Standard Test Method for Potential Heat of Building Materials
- NFPA 260-1998, Standard Method of Test and Classification System for Cigarette Ignition Resistance of Components of Upholstered Furniture
- NFPA 261-1998, Standard Method of Test for Determining Resistance of Mock-Up Upholstered Furniture Material Assemblies to Ignition by Smoldering Cigarettes

- NFPA 265-~~2002~~ 1998, Standard ~~Methods~~ Method of Fire Tests for Evaluating Room Fire Growth Contribution of Textile ~~Wall Coverings on Full Height Panels and Walls~~
- NFPA 266-1998, Standard Method of Test for Characteristics of Upholstered Furniture Exposed to Flaming Ignition Sources
- NFPA 267-1998, Standard Method of Test for Fire Characteristics of Mattresses and Bedding Assemblies Exposed to Flaming Ignition Sources
- NFPA 286-2000, Standard Method of Fire Test for Evaluating Contribution of Wall and Ceiling Interior Finish to Room Fire Growth
- NFPA 303-~~2000~~ 1995, Fire Protection Standards for Marinas and Boatyards
- NFPA 307-~~2000~~ 1995, Standard for the Construction and Fire Protection of Marine Terminals, Piers, and Wharves
- NFPA 312-~~2000~~ 1995, Standard for Fire Protection of Vessels During Construction, Repair and Lay-Up
- NFPA 318-~~2002~~ 1998, Standard for the Protection of Cleanrooms
- NFPA 385-2000, Standard for Tank Vehicles for Flammable and Combustible Liquids
- ~~NFPA 395-1993, Standard for Storage of Flammable and Combustible Liquids at Farms and Isolated Sites~~
- NFPA 407-~~2001~~ 1996, Standard for Aircraft Fuel Servicing
- NFPA 409-~~2001~~ 1995, Standard on Aircraft Hangars
- NFPA 410-1999, Standard on Aircraft Maintenance
- NFPA 415-~~2002~~ 1997, Standard on Airport Terminal Buildings, Fueling Ramp Drainage, and Loading Walkways
- NFPA 418-~~2001~~ 1995, Standard for Heliports
- NFPA 430-2000, Code for Storage of Liquid and Solid Oxidizers
- NFPA 432-~~2002~~ 1997, Code for Storage of Organic Peroxide Formulations
- NFPA 434-~~2002~~ 1998, Code for the Storage of Pesticides
- ~~NFPA 480-1998, Standard for the Storage, Handling and Processing of Magnesium Solids and Powders~~
- ~~NFPA 481-1995, Standard for the Production, Processing, Handling and Storage of Titanium~~
- ~~NFPA 482-1996, Standard for the Production, Processing, Handling, and Storage of Zirconium~~
- NFPA 484-2002, Standard for Combustible Metals, Metal Powders, and Metal Dusts
- ~~NFPA 485-1999, Standard for the Storage, Handling, Processing, and Use of Lithium Metal~~
- NFPA 490-1998, Code for the Storage of Ammonium Nitrate
- NFPA 495-~~2001~~ 1996, Explosive Materials Code
- NFPA 498-~~2001~~ 1996, Standard for Safe Havens and Interchange Lots for Vehicles Transporting Explosives
- NFPA 501-~~2003~~ 1999, Standard on Manufactured Housing
- NFPA 501A-~~2003~~ 1999, Standard for Firesafety Criteria for Manufactured Home Installations, Sites, and Communities
- NFPA 505-~~2002~~ 1999, Fire Safety Standard for Powered Industrial Trucks Including Type Designations, Areas of Use, Conversions, Maintenance, and Operation.
- NFPA 650-1998, Standard for Pneumatic Conveying Systems for Handling Combustible Particulate Solids
- ~~NFPA 651-1998, Standard for the Machining and Finishing of Aluminum and the Production and Handling of Aluminum Powder~~
- NFPA 654-~~2000~~ 1997, Standard for the Prevention of Fire and Dust Explosions from the Manufacturing, Processing, and Handling of Combustible Particulate Solids
- NFPA 655-~~2001~~ 1993, Standard for Prevention of Sulfur Fires and Explosions
- NFPA 664-~~2002~~ 1998, Standard for the Prevention of Fires and Explosions in Wood Processing and Woodworking Facilities
- NFPA 701-1999, Standard Methods of Fire Tests for Flame Propagation of Textiles and Films
- NFPA 703-~~2000~~ 1995, Standard for Fire Retardant Impregnated Wood and Fire Retardant Coatings for Building Materials
- NFPA 704-~~2001~~ 1996, Standard System for the Identification of the Fire Hazards of Materials for Emergency Response
- NFPA 780-~~2000~~ 1997, Installation of Lightning Protection Systems
- NFPA 909-~~2001~~ 1997, Standard for the Protection of Cultural Resources, ~~Including Museums, Libraries, Places of Worship, and Historical Properties~~
- NFPA 1122-~~2002~~ 1997, Code for Model Rocketry
- NFPA 1123-~~2000~~ 1995, Code for Fireworks Display
- NFPA 1124-~~2003~~ 1998, Code for the Manufacture, Transportation, ~~and Storage, and Retail Sale~~ of Fireworks and Pyrotechnic Articles
- NFPA 1125-~~2001~~ 1995, Code for the Manufacture of Model Rocket and High Power Rocket Motors
- NFPA 1126-~~2001~~ 1996, Standard for the Use of Pyrotechnics Before a Proximate Audience
- NFPA 1127-~~2002~~ 1998, Code for High Power Rocketry
- NFPA 1142-~~2001~~ 1999, Standard for Water Supplies for Suburban and Rural Fire Fighting
- NFPA 1194-~~2002~~ 1999, Standard for Recreation Vehicle Parks and Campgrounds
- NFPA 1221-~~2002~~ 1999, Standard for the Installation, Maintenance, and Use of Emergency Communications Systems ~~Communication for Emergency Services~~
- NFPA 1561-~~2002~~ 2000, Standard on Emergency Services Incident Management System
- NFPA 1962-~~2003~~ 1998, Standard for the Inspection, Care, and Use, and Service Testing of Fire Hose Including Couplings and Nozzles; ~~and the Service Testing of Fire Hose~~
- NFPA 1963-1998, Standards for Fire Hose Connections
- NFPA 2001-2000, Standard on Clean Agent Fire Extinguishing Systems

NFPA 8501-1997, Standard for Single Burner Operation  
 NFPA 8502-1999, Standard for the Prevention of Furnace Explosions/Implosions in Multiple Burner Boilers  
 NFPA 8503-1997, Standard for Pulverized Fuel Systems

The portions of 49 Code of Federal Regulations, Parts 100-177 which are referenced in Compressed Gas Association CGA C-1-1996, Methods for Hydrostatic Testing of Compressed Gas Cylinders, Compressed Gas Association CGA C-6-1993, Standards for Visual Inspection of Steel Compressed Gas Cylinders, Seventh Edition, Reaffirmed 1995, Compressed Gas Association CGA C-6.1-1995, Standards for Visual Inspection of High Pressure Aluminum Compressed Gas Cylinders, and Compressed Gas Association CGA C-6.3-1999 Guidelines for Visual Inspection and Requalification of Low Pressure Aluminum Compressed Gas Cylinders, Second Edition, and which pertain to low pressure and high pressure cylinders

The portions of 29 Code of Federal Regulations, Parts 1900-1910 which are referenced in Compressed Gas Association CGA C-1-1996, Methods for Hydrostatic Testing of Compressed Gas Cylinders, Compressed Gas Association CGA C-6-1993, Standards for Visual Inspection of Steel Compressed Gas Cylinders, Seventh Edition, Reaffirmed 1995, Compressed Gas Association

CGA C-6.1-1995, Standards for Visual Inspection of High Pressure Aluminum Compressed Gas Cylinders, and Compressed Gas Association

CGA C-6.3-1999 Guidelines for Visual Inspection and Requalification of Low Pressure Aluminum Compressed Gas Cylinders, Second Edition, and which pertain to low pressure and high pressure cylinders Compressed Gas Association

CGA C-1-1996, Methods for Hydrostatic Testing of Compressed Gas Cylinders

Compressed Gas Association CGA C-6-1993, Standards for Visual Inspection of Steel Compressed Gas Cylinders, Seventh Edition, Reaffirmed 1995

Compressed Gas Association CGA C-6.1-1995, Standards for Visual Inspection of High Pressure Aluminum Compressed Gas Cylinders

Compressed Gas Association CGA C-6.3-1999, Guidelines for Visual Inspection and Requalification of Low Pressure Aluminum Compressed Gas Cylinders, Second Edition

(2) All buildings, structures, establishments, facilities, equipment, or vehicular equipment over which the State Fire Marshal has jurisdiction which are constructed, renovated, expanded, rehabilitated, or in any other way significantly altered on or after the effective date of the adoption of the codes and standards adopted in subsection (1), above, shall conform to the requirements of the codes, standards, recommended practices, and manuals contained therein, unless the structure, establishment, or facility has been exempted from complying because the building, structure, establishment, facility, equipment, or vehicular equipment has been granted an exemption from compliance by act of the Legislature.

(3) All buildings, structures, establishments, facilities, equipment, or vehicular equipment over which the State Fire Marshal has jurisdiction which are in existence on or after the effective date of the adoption of the codes and standards adopted in subsection (1), above, shall conform to the requirements of those codes and standards within a reasonable period of time. It is understood that the correction of some fire safety violations will necessitate the employment of design professionals while other violations can be expeditiously resolved. "Within a reasonable time" is defined as the amount of time it would normally take to correct a specific fire code violation under the assumption that the property owner would begin to correct said violations upon receipt of an official document from the enforcing agency.

(4) The codes and standards published by the National Fire Protection Association may be obtained by writing to the NFPA at: Batterymarch Park, Quincy, Massachusetts 02269. ANSI standards may be obtained from the American National Standards Institute, 1430 Broadway, New York, N.Y. 10018. ANSI/ASME standards may be obtained from the American Society of Mechanical Engineers, 345 East 47th Street, New York, N.Y. 10017. ASTM standards may be obtained from the American Society for Testing and Materials, 1916 Race Street, Philadelphia, PA 19103. UL standards may be obtained from Underwriters Laboratories, Inc., 333 Pfingston Road, Northbrook, IL 60062. All standards incorporated by reference in this rule are also available for public inspection during regular business hours at the Division currently located on the third floor (Room 326) of the Atrium Building, 325 John Knox Road, Tallahassee, Florida.

(5) The Code of Federal Regulations and the Compressed Gas Association (CGA) documents incorporated by reference in this rule are available for public inspection during regular business hours at the Division currently located on the third floor (Room 326) of the Atrium Building, 325 John Knox Road, Tallahassee, Florida.

Specific Authority 633.01(1), 633.022 FS. Law Implemented 633.01, 633.022 FS. History—New 5-14-86, Amended 2-12-87, 4-8-90, 10-30-91, 4-3-95, 11-27-01, Formerly 4A-3.012, Amended.

**DEPARTMENT OF FINANCIAL SERVICES**

**Office of Insurance Regulation**

RULE TITLE: Forms Adopted  
 RULE NO.: 690-149.022  
 PURPOSE AND EFFECT: To update existing forms and to adopt new form checklists to be used in the review of life and health form filings.  
 SUBJECT AREA TO BE ADDRESSED: Adoption of form checklists.  
 SPECIFIC AUTHORITY: 624.308 FS.  
 LAW IMPLEMENTED: 624.424(1)(c), 627.410, 636.216 FS.

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

TIME AND DATE: 9:30 a.m., March 22, 2005

PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida

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

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

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

TIME AND DATE: 9:00 a.m., Monday, March 14, 2005

PLACE: Division of Cultural Affairs, 1001 DeSoto Park Drive, Tallahassee, Florida

Should any person wish to appeal any decision made with respect to any matter considered at the above-referenced meeting, he/she may need to ensure verbatim recording of the proceeding in order to provide a record for judicial review. The Division of Cultural Affairs will not record these meeting. Pursuant to the provisions of the Americans with Disabilities Act, persons with disabilities are asked to contact the Division office by March 7, 2005, if you need an accommodation. Accommodations can be arranged through Dana DeMartino, ADA Coordinator for the Division of Cultural Affairs, (850)245-6477, Fax (850)245-6492, e-mail: ddemartino@dos.state.fl.us.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Morgan Barr, Division of Cultural Affairs, 1001 DeSoto Park Drive, Tallahassee, Florida 32301

THE FULL TEXT OF THE PROPOSED RULE IS:

## Section II Proposed Rules

### DEPARTMENT OF STATE

#### Division of Cultural Affairs

RULE TITLE: Division of Cultural Affairs

RULE NO.: IT-1.001

PURPOSE AND EFFECT: The purpose of this amendment will be to establish a procedure for the Division's programs that foster the development of individual artists.

SUMMARY: The proposed rule describes the eligibility requirements and panel review procedures for the Individual Artist Fellowship Program and Artist Enhancement Grant Program.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: There are no regulatory costs associated with this proposed rule.

Any person who wishes to provide information regarding the statement of 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: 255.043(4), 265.284(5)(d), 265.285(1)(c), 265.286(1),(4),(6), 265.2861(2)(b),(d), 265.2865(6), 265.51, 265.605(1), 265.608, 265.609, 265.701(4), 265.702(8) FS.

LAW IMPLEMENTED: 215.97, 255.043, 265.284, 265.285, 265.286, 265.2861, 265.2865, 265.51-56, 265.601-603, 265.605-606, 265.608, 265.609, 265.701, 265.702, 286.011, 286.012, 286.25 FS.

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

IT-1.001 Division of Cultural Affairs.

(1) through (17) No change.

(18) Programs for Individual Artists. The purpose of this program area is to foster the development of individual artists. There are two funding categories as outlined below:

(a) Individual Artist Fellowship Program. This program is designed to recognize the creation of new artworks by individuals of exceptional talent and demonstrated ability. Fellowship awards support the general artistic and career advancement of the individual artist.

1. To be eligible for a fellowship, an applicant must: be a legal resident of Florida, as defined by Section 196.015, Florida Statutes, or Section 22.17, Florida Statutes, and agree to maintain Florida residency for the duration of the fellowship period; be at least 18 years of age; not be enrolled in any undergraduate or graduate degree-seeking program during the fellowship period; have not received a fellowship award during the five-year period preceding the new award period; and not serve as a grant review panelist if he/she has an application before the same discipline panel.

2. Eligible applicants must submit a completed Fellowship application form (CA2E012, eff. 8/02, incorporated by reference and available from the Division, 1001 DeSoto Park Drive, Tallahassee, Florida 32301); with all required samples of work in the discipline appropriate formats described in the program guidelines, on or before the announced postmark deadline. Samples of work must be original and authentic representations of the applicant's work.

3. The panel reviews for the disciplines of dance, interdisciplinary, media arts, and folk arts are based on a combined rating of the following criteria: the quality and consistency in the body of work, as evidenced by each

applicant’s submission samples, professional achievements, reputation, and peer support and respect as evidenced through the application form and support materials. Folk art applicants are also evaluated on the “traditionality” of the art form.

4. Samples of work submitted by applicants in the visual arts and crafts, music, literature, and theatre categories are initially evaluated through a blind review process, which means that examples of the applicant’s work are presented to the panelists without revealing the applicant’s identity.

5. During the first phase of all panel reviews the applications are rated on a scale of one (1) to ten (10). Only applications ranked eight (8) or higher are eligible for fellowship awards during the second phase of review.

6. Fellowship awards are made based on the panel’s recommendations. Funds are available through a grant agreement on a non-matching basis.

(b) Artist Enhancement Grants. This program is designed to assist practicing, professional and emerging artists residing in Florida. This program provides support for artists to take advantage of specific, professional development, skill-building opportunities, or equipment purchases of significance to adnce their work and careers.

1. To be eligible for an Artist Enhancement Grant, an applicant must: be a legal resident of Florida as defined by Section 196.015, Florida Statutes or Section 22.17, Florida Statutes, and agree to maintain Florida residency for the duration of the grant period; be at least 18 years of age; not be a non-professional student enrolled in any undergraduate or graduate degree-seeking program during the grant period; and not serve as a grant review panelist if he/she has an application before the same panel.

2. Eligible applicants must submit a completed Artist Enhancement Application (CA2E105, eff. 4/05, which is hereby incorporated by reference and available from the Division, 1001 DeSoto Park Drive, Tallahassee, Florida 32301); with all required support material as described in the program guidelines, on or before the announced postmark deadline.

3. The panel review is based on a combined rating of the following criteria: professional growth/career advancement, as evidenced by experience that made a significant contribution to the applicant’s professional growth and/or career advancement; professional commitment to the art form, as evidenced through documentation, including but not limited to the applicant’s resume, newspaper articles and exhibition catalogs; and planning/confirmation as evidenced by advanced planning for the proposed activity, and invitation or registration for the activity, and/or appropriate budget and timeline for the activity.

4. During the first phase of the panel review the applications are rated on a scale of (one) 1 to 10 (ten). Only applications ranked (eight) 8 or higher are eligible for artist enhancement grants during the second phase of review.

5. Artist Enhancement grants are awarded based on the panel’s recommendations. Each application recommended will be funded at full request. Funds are available through a grant agreement on a non-matching basis.

(18) through (20) renumbered (19) through (21) No change.

Specific Authority 255.043(4), 265.284(5)(d), 265.285(1)(c), 265.286(1),(4),(6), 265.2861(2)(b),(d), 265.2865(6), 265.51, 265.605(1), 265.608, 265.609, 265.701(4), 265.702(8) FS. Law Implemented 215.97, 255.043, 265.284, 265.285, 265.286, 265.2861, 265.2865, 265.51-56, 265.601-603, 265.605-606, 265.608, 265.609, 265.701, 265.702, 286.011, 286.012, 286.25 FS. History–New 11-23-82, Formerly 11-1.01, Amended 10-1-96, 2-2-97, 6-2-97, 7-17-97, 9-10-97, 1-4-98, 7-26-98, 8-2-98, 10-5-98, 10-25-98, 8-17-99, 8-1-02, 12-29-02, 10-14-03(17), 10-14-03(20), 11-16-03, 2-5-05.

NAME OF PERSON ORIGINATING PROPOSED RULE: Morgan Barr, Division of Cultural Affairs

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Linda Downey, Director, Division of Cultural Affairs

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 8, 2005

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

**DEPARTMENT OF COMMUNITY AFFAIRS**

**Florida Building Commission**

RULE CHAPTER TITLE: Florida Building Commission –

RULE CHAPTER NO.:

Operational Procedures

9B-3

RULE TITLES:

RULE NOS.:

State Minimum Plumbing Code Adopted

9B-3.048

State Minimum Electrical Code Adopted

9B-3.049

Statewide Amendments to the

Florida Building Code

9B-3.050

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

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

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

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

TIME AND DATE: 9:05 a.m., March 16, 2005

PLACE: Radisson Mart Plaza Hotel & Convention Center, 711 N. W. 72 Avenue, Miami, Florida 33126

Any person requiring special accommodations at the workshop because of a disability or physical impairment should contact Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824, at least seven days prior to the date of the workshop using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-9771 (TDD).

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

THE FULL TEXT OF THE PROPOSED RULES IS:

9B-3.048 State Minimum Plumbing Code Adopted.

Specific Authority 553.06(1) FS. Law Implemented 553.06(1) FS. History--New 1-26-95, Repealed.

9B-3.049 State Minimum Electrical Code Adopted.

Specific Authority 553.19 FS. Law Implemented 553.19 FS. History--New 9-19-99, Repealed.

9B-3.050 Statewide Amendments to the Florida Building Code.

(1) through (3) No change.

(4) For the purpose of amending the Florida Building Code, each proposed amendment to the Florida Building Code shall be submitted on the Code Amendment Proposal, Form No. 9B-3.047-2004 available from form adopted by, and include the information required by, subsection 9B-3.047(6), F.A.C., through the Building Code Information System at [www.floridabuilding.org](http://www.floridabuilding.org), or by contacting the Codes and Standards Section, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399.

(5) through (9) No change.

Specific Authority 553.73(3),(6) FS. Law Implemented 553.73(3),(6) FS. History--New 11-20-01, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Janice Browning, Director, Division of Housing and Community Development, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 8, 2005

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

**DEPARTMENT OF COMMUNITY AFFAIRS**

**Florida Building Commission**

RULE CHAPTER TITLE: Florida Building Commission –

RULE CHAPTER NO.: 9B-70

Building Code Training Program

9B-70

RULE TITLES:

RULE NOS.:

Building Code Core Education

9B-70.001

Commission Approval and Accreditation of

Advanced Building Code Training Courses 9B-70.002

PURPOSE, EFFECT AND SUMMARY: To provide for accreditation of advanced building code related continuing education courses.

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: 553.841(2) FS.

LAW IMPLEMENTED: 553.841 FS.

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

TIME AND DATE: 9:00 a.m., March 16, 2005

PLACE: Radisson Mart Plaza Hotel & Convention Center, 711 N. W. 72 Avenue, Miami, Florida 33126

Any person requiring special accommodations at the workshop because of a disability or physical impairment should contact Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824, at least seven days prior to the date of the workshop using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-9771 (TDD).

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

THE FULL TEXT OF THE PROPOSED RULES IS:

9B-70.001 Building Code Core Education Training Program.

(1) through (2) No change.

~~(3) Voluntary Accreditation of Advanced Building Code Training Courses.~~

~~(a) The Commission shall approve individual persons to serve as accreditors of advanced building code training courses. Individuals desiring to be accreditors shall apply using Form FBCED-2003-001 adopted herein by reference and~~

available from the Building Code Information System at [www.floridabuilding.org](http://www.floridabuilding.org). Applications shall be accompanied by an application fee of \$100.00. Applications shall be approved by the Commission if the applicant has demonstrated sufficient expertise in the field for which approval is sought.

(b) ~~Accreditors shall review courses submitted by course developers, and providers approved by the Department of Business and Professional Regulation to determine if the course contains the following:~~

- ~~1. Goals and measurable objectives;~~
- ~~2. Topical outline of the course components in order of presentation;~~
- ~~3. Teaching methods can include one or more, but not limited to: exercises, quizzes, discussion groups, reading assignments, projects, simulations, and presentations; and~~
- ~~4. Teaching resources and course references cited in the course materials.~~

Specific Authority 553.84(2) FS. Law Implemented 553.841 FS. History—New 4-20-00, Amended 10-14-01, 6-13-04, \_\_\_\_\_.

#### 9B-70.002 Commission Approval and Accreditation of Advanced Building Code Training Courses.

(1) Approval of Course Accreditors. The Commission shall approve persons or entities to serve as accreditors of advanced training courses. Persons or entities desiring to be accreditors shall apply using Form FBCED 2003-001 adopted herein by reference and available from the Building Code Information System at [www.floridabuilding.org](http://www.floridabuilding.org). Applications shall be accompanied by an application fee of \$100.00. Applications shall be approved by the Commission if the applicant has demonstrated sufficient expertise in the field for which approval is sought.

(2) Accreditor Review of Courses. Accreditors shall review courses submitted by course developers and providers approved by the Department of Business and Professional Regulation to determine if the course contains the following:

- (a) Goals and measurable objectives;
- (b) Topical outline of the course components in order of presentation;
- (c) Teaching methods can include one or more, but not limited to: exercises, quizzes, discussion groups, reading assignments, projects, simulations, and presentations; and
- (d) Teaching resources and course references cited in the course materials.
- (e) Course materials accurately reflect the Florida Building Code and other topics under the jurisdiction of the Florida Building Commission.

(3) Course Accreditation by the Florida Building Commission. Accredited Courses are to effectively and accurately address the technical and administrative responsibilities in the effective execution of the Florida Building Code. In the event the Commission identifies areas or topics of advanced Building Code education with insufficient

number of courses available through existing resources, the Commission shall report the areas or topics to the appropriate licensing board. If additional courses do not become available within six months of notification to the licensing board, upon a finding that the absence of course work in the identified subject area is detrimental to the effective administration and enforcement of the Florida Building Code, and funds are available in the Commission's budget for course development, the Commission will develop a minimum of one (1) course that will be made available to training providers.

(a) Training providers approved by the Department of Business and Professional Regulation who desire Commission approval and accreditation for advanced Building Code courses shall register with the Building Code Information System Form FBCED 2003-002, Provider Registration, adopted herein by reference and available from the Building Code Information System at [www.floridabuilding.org](http://www.floridabuilding.org), and pay a registration fee \$25.00.

(b) Registered training providers shall submit materials and information pertaining to courses for which Commission accreditation and approval is sought utilizing Form FBCED 2003-003, Course Accreditation Application, adopted herein by reference and available from the Building Code Information System at [www.floridabuilding.org](http://www.floridabuilding.org).

(c) The provider shall select an approved accreditor and shall provide payment for services directly to the accreditor. The accreditor selected shall meet the criteria for independence identified in paragraph (d).

(d) Upon submittal by a training provider, the selected accreditor shall receive an e-mail notification and shall review the materials provided by the provider in accordance with the criteria identified herein. The accreditor shall complete the application by providing comments containing the results of the accreditor's review and updating the Accreditation Approval Status on the Building Code Information System. The accreditor shall also provide a certification of independence that attests the person or entity does not have, nor does it intend to acquire or will acquire, a financial interest the training provider seeking accreditation.

(e) The Building Code Information System shall assign an accreditation number to the application and the application shall be scheduled for review by the Florida Building Commission. The application shall be reviewed and action taken on the accreditation and approval of the materials at the regularly scheduled meeting of the Florida Building Commission which occurs more than 30 days from the date the accreditation number is assigned.

(f) Accreditation of revisions to accredited courses shall be accomplished in the same manner as described in paragraphs (a) through (d) hereof, except that only the revision submitted shall be subject to review.

Specific Authority 553.841(2) FS. Law Implemented 553.841 FS. History—New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Janice Browning, Director, Division of Housing and Community Development, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 8, 2005  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 10, 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 CORRECTIONS**

RULE TITLE: Inmate Drivers  
RULE NO.: 33-601.605  
PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to eliminate language that prevents the placement of some inmates in the work release program by deleting the requirement that an inmate must have been in an outside minimum custody assignment for 90 days prior to being selected for a work release job that involves driving an employer’s vehicle.  
SUMMARY: The proposed rule removes the requirement that an inmate must have been in an outside minimum custody assignment for 90 days prior to being selected for a work release job that involves driving an employer’s vehicle.  
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, 945.091 FS.  
LAW IMPLEMENTED: 20.315, 322.03, 322.04, 322.15, 944.09, 945.091 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:

- 33-601.605 Inmate Drivers.
- (1) through (2) No change.
- (3) Selection Criteria for Paid Employment Inmate Drivers.
- (a) through (b) No change.
- (c) The inmate must be in community custody ~~and have proven his or her trustworthiness by performing in an outside minimum custody assignment ninety days prior to his or her selection.~~
- (d) through (9) No change.

Specific Authority 944.09, 945.091 FS. Law Implemented 20.315, 322.03, 322.04, 322.15, 944.09, 945.091 FS. History–New 8-29-00, Amended 1-1-01, 12-30-03, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: George Sapp  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: James V. Crosby, Jr.  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 19, 2005  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 28, 2005

**WATER MANAGEMENT DISTRICTS**

**Suwannee River Water Management District**

RULE CHAPTER TITLE: Environmental Resource and Works  
RULE CHAPTER NO.: 40B-4  
of the District Permits  
RULE TITLE: Unlawful Use of Works of the District  
RULE NO.: 40B-4.3040  
PURPOSE AND EFFECT: The purpose of the rule development is to update this section of Chapter 40B-4, Florida Administrative Code, based on the regulatory experience of the District and input from local law enforcement and county officials. The effect of the proposed rule amendments will allow for more effective enforcement of the rule.  
SUMMARY: These proposed amendments will address the enforcement of unlawful use of Works of the District.  
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of estimated regulatory cost has been prepared.  
Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative, must do so within 21 days of this notice.  
SPECIFIC AUTHORITY: 373.044, 373.113, 373.171 FS.  
LAW IMPLEMENTED: 120.60, 373.084, 373.085, 373.086 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.

Anyone requiring special accommodation to participate in this meeting is requested to advise the District at least five (5) work days before the meeting by contacting: Linda Smith, (386)362-1001.

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

THE FULL TEXT OF THE PROPOSED RULE IS:

Part I Administrative and General Provisions

40B-4.3040 Unlawful Use of Works of the District.

(1) through (2) No change.

(3) It is prohibited for any person to operate any motorized vehicle within the channel of a stream as defined by the normally recognized bank that is within a work of the district. Law enforcement officers, during the normal course of their duties, are exempt from this rule. It shall be unlawful for any person to cause damage to occur to or within a work of the district by the operation of motorized vehicles. This is not intended to prohibit the lawful use of motorized watercraft.

(4) Damage to works of the district resulting from violations specified in subsections 40B-4.3040(1) through (3), F.A.C., above shall be repaired by the violator to the satisfaction of the district. In lieu of making repairs, the violator may deposit with the district a sufficient sum to insure such repair.

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.084, 373.085, 373.086 FS. History—New 9-25-85, Amended 9-13-04, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jon Dinges, Director, Resource Management, Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida 32060, (386)362-1001

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Governing Board of the Suwannee River Water Management District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 8, 2005

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE TITLE: Payment Methodology for Outpatient Hospital Services

RULE NO.: 59G-6.030

PURPOSE AND EFFECT: The purpose of the proposed amendment is to incorporate changes to the Florida Title XIX Outpatient Hospital Reimbursement plan (the Plan) payment methodology, effective October 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 (2004-268 Laws of Florida).

Hospital Outpatient Upper Payment Limit Program and Outpatient Special Medicaid Payments

The Agency may provide for supplemental payments to hospitals under the Medicaid hospital outpatient upper payment limit program. For each class of hospitals (non-State government-owned or operated facilities and privately owned and operated facilities), the outpatient upper payment limit is calculated as the difference between hospital outpatient Medicaid costs and hospital outpatient Medicaid payments.

Effective October 1, 2004, Special Medicaid Payments in the interim amount of \$8,383,500 will be made to Rural Hospitals participating in the Rural Disproportionate Share Hospital (DSH) program, in the same proportion as the rural DSH payments.

Effective October 1, 2004, Special Medicaid Payments in the interim amount of \$7,829,815 will be made on a quarterly basis to hospitals providing enhanced services to low-income individuals through agreements with local county or other governmental entities. The amount of the Special Medicaid Payment to each hospital is proportional to the amount of the intergovernmental transfer received from the local county or governmental entity.

SUMMARY: The proposed amendment to Rule 59G-6.030, F.A.C., incorporates revisions to the Medicaid Outpatient Hospital Reimbursement Plan. The amendment seeks to provide for an outpatient hospital upper payment limit program and supplemental payments for specific outpatient hospitals.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A statement of estimated regulatory cost has not been prepared.

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

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED 409.908 FS.

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

TIME AND DATE: 9:00 a.m., March 16, 2005  
PLACE: 2727 Mahan Drive, Building 3, Conference Room E, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Edwin Stephens, Medicaid Program Analysis, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop 21, Tallahassee, Florida 32308, (850)414-2759

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-6.030 Payment Methodology for Outpatient Hospital Services.

Reimbursement to participating outpatient hospitals for services provided shall be in accordance with the Florida Title XIX Outpatient Hospital Reimbursement Plan, Version XIII~~XII~~, Effective date: \_\_\_\_\_ ~~October 12, 2004~~, and incorporated herein by reference. A copy of the Plan as revised may be obtained by writing to the Office of the Deputy Secretary for Medicaid, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Mail Stop 8, Tallahassee, Florida 32308.

Specific Authority 409.919 FS. Law Implemented 409.908 FS. History--New 10-31-85, Amended 12-31-85, Formerly 10C-7.401, Amended 10-1-86, 3-26-90, 9-30-90, 10-13-91, 7-1-93, Formerly 10C-7.0401, Amended 4-10-94, 9-18-96, 9-6-99, 9-20-00, 12-6-01, 11-10-02, 2-16-04, 10-12-04, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mr. Robert Butler

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mr. Robert Butler

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 7, 2005

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

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

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

PURPOSE AND EFFECT: The purpose of the proposed amendment is to incorporate changes to the Florida Title XIX Outpatient Hospital Reimbursement plan (the Plan) payment methodology, effective November 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 (2004-268 Laws of Florida).

Beginning November 1, 2004, revenue code 510, Clinic/General (see Appendix A) is reimbursable by Medicaid, in accordance with the Medicaid Outpatient Hospital Coverage and Limitations Handbook, for health care services, in outpatient clinic facilities where a public hospital assumed the fiscal and operating responsibilities of one or more primary care centers previously operated by the Florida Department of Health or the local county government.

SUMMARY: The proposed amendment to Rule 59G-6.030, F.A.C., incorporates revisions to the Medicaid Outpatient Hospital Reimbursement Plan. The amendment seeks to provide reimbursement for outpatient hospital primary care clinics.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A statement of estimated regulatory cost has not been prepared.

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

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED 409.908 FS.

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

TIME AND DATE: 10:00 a.m., March 16, 2005  
PLACE: 2727 Mahan Drive, Building 3, Conference Room E, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THIS PROPOSED RULE IS: Edwin Stephens, Medicaid Program Analysis, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop 21, Tallahassee, Florida 32308, (850)414-2759

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-6.030 Payment Methodology for Outpatient Hospital Services.

Reimbursement to participating outpatient hospitals for services provided shall be in accordance with the Florida Title XIX Outpatient Hospital Reimbursement Plan, Version XIV~~XIII~~, Effective date: \_\_\_\_\_, and incorporated herein by reference. A copy of the Plan as revised may be obtained by writing to the Office of the Deputy Secretary for Medicaid, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Mail Stop 8, Tallahassee, Florida 32308.

Specific Authority 409.919 FS. Law Implemented 409.908 FS. History--New 10-31-85, Amended 12-31-85, Formerly 10C-7.401, Amended 10-1-86, 3-26-90, 9-30-90, 10-13-91, 7-1-93, Formerly 10C-7.0401, Amended 4-10-94, 9-18-96, 9-6-99, 9-20-00, 12-6-01, 11-10-02, 2-16-04, 10-12-04, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Mr. Robert Butler  
NAME OF SUPERVISOR OR PERSON WHO APPROVED  
THE PROPOSED RULE: Mr. Robert Butler  
DATE PROPOSED RULE APPROVED BY AGENCY  
HEAD: February 7, 2005  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
PUBLISHED IN FAW: January 14, 2005

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: 455.2273, 492.104(1), 492.113(2) FS.

LAW IMPLEMENTED: 455.227, 455.2273, 492.104(1), 492.113(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John Knap, Executive Director, Board of Professional Geologists, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Geologists**

RULE TITLE: Disciplinary Guidelines  
RULE NO.: 61G16-9.001

PURPOSE AND EFFECT: This rule is promulgated to set forth disciplinary offenses and range of possible penalties for the violations.

SUMMARY: This rule sets forth pursuant to statute, the disciplinary offenses, penalty range for first offenses and penalty range for additional offenses.

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

THE FULL TEXT OF THE PROPOSED RULE IS:

61G16-9.001 Disciplinary Guidelines.

(1) Whenever the Board finds a licensee guilty of violating a provision of Chapter 492, F.S., the following Penalty Guidelines shall be followed:

<u>Statutory Violation</u>	<u>Description of Violation (This description is a general summary. It is not designed to be used in charging documents. Reference should be made to the statute identified for a complete statement of the substance of the violation)</u>	<u>Penalty Range for First Violation</u>	<u>Penalty Range for Subsequent Violation</u>
<u>(a) Violation of: 492.109</u>	<u>Failure to file changes of address with the Department.</u>	<u>Fine up to \$1000 + Costs; Plus Reprimand, Probation or Suspension – all with Usual Conditions</u>	<u>Fine up to \$1000 + Costs; Plus Probation or Suspension, Revocation or Deny License – all with Usual Conditions</u>
<u>(b) Violation of: 492.111(1)</u>	<u>Failure of business enterprise to have name and license number of current geologist of record on file with the Department.</u>	<u>Fine up to \$1000 + Costs; Plus Reprimand, Probation or Suspension all with Usual Conditions</u>	<u>Fine up to \$1000 + Costs; Plus Probation, Suspension, Revocation or Denial of License all with Usual Conditions</u>
<u>(c) Violation of: 492.111(2)</u>	<u>Operating a Business without a Certificate of Authorization from the Department.</u>	<u>Fine up to \$1000 + Costs; Plus Reprimand, Probation or Suspension all with Usual Conditions</u>	<u>Fine up to \$1000 + Costs; Plus Probation, Suspension, Revocation or Denial of License all with Usual Conditions</u>
<u>(d) Violation of: 492.111(3)</u>	<u>Failure to have final papers or documents dated, signed and sealed by the professional geologist who prepared or approved the papers, prior to delivery to anyone for public record.</u>	<u>Fine up to \$xxx + Costs; Plus Reprimand, Probation or Suspension all with Usual Conditions</u>	<u>Fine up to \$1000 + Costs; Plus Probation, Suspension, Revocation or Denial of License all with Usual Conditions</u>
<u>(e) Violation of: 492.112(1)(a)</u>	<u>Knowing Unlicensed practice.</u>	<u>Fine up to \$500 + Costs; Probation or Suspension – all with Usual Conditions</u>	<u>Fine up to \$1000 + Costs; Suspension or Revocation – all with Usual Conditions</u>

(f) Violation of: 492.112(1)(b)	<u>Knowingly use "PG" or other title, designation or letters to indicate licensure under Chapter 492, F.S.</u>	<u>Fine up to \$500 + Costs; Reprimand or Probation – all with Usual Conditions</u>	<u>Fine up to \$1000 + Costs; Suspension or Revocation – all with Usual Conditions. Plus referral to the state attorney for prosecution of the first degree misdemeanor</u>
(g) Violation of: 492.112(1)(c)	<u>Knowingly present as ones own the license of another.</u>	<u>Fine up to \$1000 + Costs; Plus Probation or Suspension – all with Usual Conditions; Plus referral to the state attorney for prosecution of the first degree misdemeanor</u>	<u>Fine up to \$1000 + Costs; Plus Suspension or Revocation – all with Usual Conditions; Plus referral to the state attorney for prosecution of the first degree misdemeanor</u>
(h) Violation of: 492.112(1)(d)	<u>Knowing give false or forged evidence to DBPR.</u>	<u>Fine up to \$1000 + Costs; Plus Probation, Suspension or Revocation – all with Usual Conditions. Plus referral to the state attorney for prosecution of the first degree misdemeanor</u>	<u>Fine up to \$1000 + Costs; Plus Suspension or Revocation – all with Usual Conditions. Plus referral to the state attorney for prosecution of the first degree misdemeanor</u>
(i) Violation of: 492.112(1)(e)	<u>Knowing use or attempt to use a suspended, revoked, inactive or delinquent license.</u>	<u>Fine up to \$500 + Costs; Plus Reprimand, Probation or Suspension – all with Usual Conditions</u>	<u>Fine up to \$1000 + Costs; Plus Suspension or Revocation – all with Usual Conditions. Plus referral to the state attorney for prosecution of the first degree misdemeanor</u>
(j) Violation of: 492.112(1)(f)	<u>Knowingly employ unlicensed person to practice geology.</u>  <u>Aid or abet practice contrary to Chapter 492 or 455, F.S., or Rules of the Department or Board.</u>  <u>Delegate performance to one unqualified to do the act or provide the service to be performed.</u>	<u>Fine up to \$500 + Costs; Plus Probation, Suspension or Revocation – all with Usual Conditions. Plus referral to the state attorney for prosecution of the first degree misdemeanor</u>	<u>Fine up to \$1000 + Costs; Plus Suspension or Revocation – all with Usual Conditions; Plus referral to the state attorney for prosecution of the first degree misdemeanor</u>
(k) Violation of: 492.112(1)(g)	<u>Knowingly conceal information about violation of Chapter 492, F.S., the chapter regulating the violator or rules of the Department or Board.</u>	<u>Fine up to \$500 + Costs; Plus Probation with Usual Conditions</u>	<u>Fine up to \$1000 + Costs; Plus Probation, Suspension or Revocation – all with Usual Conditions; Plus referral to the state attorney for prosecution of the first degree misdemeanor</u>
(l) Violation of: 492.113(1)(a)	<u>Violation of any provision of Chapter 492, F.S. (Use only if no statutory specific provision in this rule.)</u>	<u>Fine up to \$1000 + Costs; Plus Reprimand, Probation or Suspension all with Usual Conditions</u>	<u>Fine up to \$1000 + Costs Probation, Suspension, Revocation or Deny License – all with Usual Conditions</u>
(m) Violation of: 492.113(1)(b)	<u>Attempting to procure a license by bribery or fraudulent misrepresentations or through an error of the Board.</u>	<u>Fine up to \$1000 + Costs; Plus Probation, Suspension, Revocation or Deny License – all with Usual Conditions</u>	<u>Fine up to \$1000 + Costs; Plus Probation, Suspension, Revocation or Deny License – all with Usual Conditions</u>

(n) Violation of: <u>492.113(1)(c)</u>	<u>Having a geology license revoked, suspended, denied or acted against in another state, territory or country.</u>	<u>Fine up to \$1000 + Costs; Plus Reprimand, Probation, Suspension, Revocation or Deny License – all with Usual Conditions</u>	<u>Fine up to \$1000 + Costs; Plus Reprimand, Probation, Suspension, Revocation or Deny License – all with Usual Conditions</u>
(o) Violation of: <u>492.113(1)(d)</u>	<u>Being convicted, found guilty, pleading nolo to a crime, in any jurisdiction, that directly relates to the practice or ability to practice.</u>	<u>Fine up to \$1000 + Costs; Plus Suspension, Revocation or Deny License – all with Usual Conditions</u>	<u>Fine up to \$1000 + Costs; Plus Revocation or Deny License – all with Usual Conditions</u>
(p) Violation of: <u>492.113(1)(e)</u>	<u>Making or filing a known false report, willfully failing to file a required record or report, willfully impeding or obstructing such filing. Includes only those records signed in capacity as a professional geologist.</u>	<u>Fine up to \$1000 + Costs; Plus Suspension, Revocation or Deny License – all with Usual Conditions</u>	<u>Fine up to \$1000 + Costs; Plus Revocation or Deny License – all with Usual Conditions</u>
(q) Violation of: <u>492.113(1)(f)</u>	<u>False, fraudulent, deceptive or misleading advertising.</u>	<u>Fine up to \$1000 + Costs; Plus Reprimand, Probation or Suspension – all with Usual Conditions</u>	<u>Fine up to \$1000 + Costs; Plus Reprimand, Probation, Suspension, Revocation, or Deny License – all with Usual Conditions</u>
(r) Violation of: <u>492.113(1)(g)</u>	<u>Committing fraud, deceit, negligence, incompetence, or misconduct in the practice.</u>	<u>Fine up to \$1000 + Costs; Plus Reprimand, Probation, Suspension, Revocation, or Deny License – all with Usual Conditions</u>	<u>Fine up to \$1000 + Costs; Plus Reprimand, Probation, Suspension, Revocation, or Deny License—all with Usual Conditions</u>
(s) Violation of: <u>492.113(1)(h)</u>	<u>Violation of Chapter 455, F.S., (Use only when no reference to the 455 provisions is found in subsection (2).)</u>	<u>Fine up to \$1000 + Costs; Plus Reprimand, Probation or Suspension – all with Usual Conditions</u>	<u>Fine up to \$1000 + Costs; Plus Probation, Suspension, Revocation or Deny License – all with Usual Conditions</u>
(t) Violation of: <u>492.113(1)(i)</u>	<u>Practicing on a revoked, suspended, inactive or delinquent license.</u>	<u>Fine up to \$1000 + Costs; Plus Probation, Suspension, Revocation or Deny License – all with Usual Conditions</u>	<u>Fine up to \$1000 + Costs; Plus Probation, Suspension, Revocation or Deny License—all with Usual Conditions</u>
(u) Violation of: <u>492.113(1)(j)</u>	<u>Affixing or permitting same of his name to geological papers, reports or documents neither prepared by licensee or under his responsible supervision, direction or control.</u>	<u>Fine up to \$1000 + Costs; Plus Probation or Suspension, all with Usual Conditions</u>	<u>Fine up to \$1000 + Costs; Plus Suspension, Revocation or Deny License – all with Usual Conditions</u>
(v) Violation of: <u>492.113(1)(k)</u>	<u>Violating a rule or violating any order previously entered in a disciplinary hearing.</u>	<u>Fine up to \$1000 + Costs; Plus Probation or Suspension – all with Usual Conditions</u>	<u>Fine up to \$1000 + Costs; Plus Suspension, Revocation or Deny License – all with Usual Conditions</u>

(2) Whenever the Board finds a licensee guilty of violating a provision of Chapter 455, F.S., the following Penalty Guidelines shall be followed:

(a) Violation of: <u>455.227(1)(a)</u>	<u>False, fraudulent, deceptive or misleading representations in or related to the practice of professional geology.</u>	<u>Fine up to \$1000 + Costs; Plus Reprimand, Probation or Suspension – all with Usual Conditions</u>	<u>Fine up to \$1000 + Costs; Plus Reprimand, Probation, Suspension, Revocation, or Deny License – all with Usual Conditions</u>
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<u>(b) Violation of: 455.227(1)(b)</u>	<u>Intentional violation of any Board Rule.</u>	<u>Fine up to \$1000 + Costs; Plus Probation or Suspension – all with Usual Conditions</u>	<u>Fine up to \$1000 + Costs; Plus Suspension, Revocation or Deny License – all with Usual Conditions</u>
<u>(c) Violation of: 455.227(1)(c)</u>	<u>Being convicted, found guilty, pleading nolo to a crime, in any jurisdiction, that relates to the practice or ability to practice professional geology.</u>	<u>Fine up to \$1000 + Costs; Plus Suspension, Revocation or Deny License – all with Usual Conditions</u>	<u>Fine up to \$1000 + Costs; Plus Revocation or Deny License – all with Usual Conditions</u>
<u>(d) Violation of: 455.227(1)(f)</u>	<u>Having a geology license revoked, suspended, denied or acted against in another state, territory or country.</u>	<u>Fine up to \$1000 + Costs; Plus Reprimand, Probation, Suspension, Revocation or Deny License – all with Usual Conditions</u>	<u>Fine up to \$1000 + Costs; Plus Reprimand, Probation, Suspension, Revocation or Deny License – all with Usual Conditions</u>
<u>(e) Violation of: 455.227(1)(g)</u>	<u>Having been found civilly liable for knowingly filing false report or complaint with DBPR against another licensee.</u>	<u>Fine up to \$1000 + Costs; Plus Probation or Suspension – all with Usual Conditions</u>	<u>Fine up to \$1000 + Costs; Plus Suspension, Revocation or Deny License – all with Usual Conditions</u>
<u>(f) Violation of: 455.227(1)(h)</u>	<u>Attempting or succeeding to procure or renew a license by bribery or fraudulent misrepresentation or through an error of the Board or Department.</u>	<u>Fine up to \$1000 + Costs; Plus Probation, Suspension, Revocation or Deny License – all with Usual Conditions</u>	<u>Fine up to \$1000 + Costs; Plus Probation, Suspension, Revocation or Deny License – all with Usual Conditions</u>
<u>(g) Violation of: 455.227(1)(i)</u>	<u>Knowingly conceal information about violation of Chapter 492, F.S., or the rules of the Department or Board.</u>	<u>Fine up to \$500 + Costs; Plus Probation with Usual Conditions</u>	<u>Fine up to \$1000 + Costs; Plus Probation, Suspension or Revocation – all with Usual Conditions</u>
<u>(h) Violation of: 455.227(1)(j)</u>	<u>Aid, assist, procure, employ or advise unlicensed person or entity to practice profession contrary to Chapters 492 or 455, F.S., or Rules of the Board.</u>	<u>Fine up to \$500 + Costs; Plus Probation, Suspension or Revocation – all with Usual Conditions</u>	<u>Fine up to \$1000 + Costs; Plus Suspension or Revocation – all with Usual Conditions</u>
<u>(i) Violation of: 455.227(1)(k)</u>	<u>Failing to perform any statutory or legal obligation of licensee.</u>	<u>Fine up to \$1000 + Costs; Plus Probation, Suspension or Revocation – all with Usual Conditions</u>	<u>Fine up to \$1000 + Costs; Plus Suspension or Revocation – all with Usual Conditions</u>
<u>(j) Violation of: 455.227(1)(l)</u>	<u>Making or filing a known false report, willfully failing to file a required record or report, willfully impeding or obstructing such filing. Includes only those records or reports signed in capacity as a professional geologist.</u>	<u>Fine up to \$1000 + Costs; Plus Suspension, Revocation or Deny License – all with Usual Conditions</u>	<u>Fine up to \$1000 + Costs; Plus Revocation or Deny License.</u>
<u>(k) Violation of: 455.227(1)(m)</u>	<u>Making deceptive, untrue or fraudulent representations in or related to practice of professional geology.</u>	<u>Fine up to \$1000 + Costs; Plus Suspension, Revocation or Deny License – all with Usual Conditions</u>	<u>Fine up to \$1000 + Costs; Plus Revocation or Deny License.</u>
<u>(l) Violation of: 455.227(1)(n)</u>	<u>Exercise influence on client for improper financial gain of licensee or third party.</u>	<u>Fine up to \$1000 + Costs; Plus Reprimand, Probation, Suspension, Revocation or Deny License – all with Usual Conditions</u>	<u>Fine up to \$1000 + Costs; Plus Reprimand, Probation, Suspension, Revocation or Deny License – all with Usual Conditions</u>

(m) Violation of: 455.227(1)(o)	Practicing beyond the scope of license.	Fine up to \$1000 + Costs; Plus Probation or Suspension – all with Usual Conditions	Fine up to \$1000 + Costs; Plus Suspension, Revocation or Deny License – all with Usual Conditions
(n) Violation of: 455.227(1)(p)	Accepting and performing or delegating responsibilities licensee knows or should know he or the delegee is not competent to perform.	Fine up to \$1000 + Costs; Plus Probation or Suspension – all with Usual Conditions	Fine up to \$1000 + Costs; Plus Suspension, Revocation or Deny License – all with Usual Conditions
(o) Violation of: 455.227(1)(q)	Violating any provision of Chapters 492 or 455, F.S., rules of the Department or Board, or any lawful Order of the Board.	Fine up to \$500 + Costs; Plus Reprimand, Probation or Suspension – all with Usual Conditions	Fine up to \$2500 + Costs; Plus Probation or Suspension – all with Usual Conditions.
(p) Violation of: 455.227(1)(r)	Interfering with investigation, inspection or disciplinary proceeding.	Fine up to \$1000 + Costs; Plus Reprimand, Probation or Suspension – all with Usual Conditions	Fine up to \$1000 + Costs; Plus Suspension, Revocation or Deny License – all with Usual Conditions

(3) The Usual Conditions.

(a) Provisions which are included in all Orders.

1. This Order shall be effective upon filing by the Clerk of the Department of Business and Professional Regulation.

2. Failure to comply with the provisions of this Order shall result in further disciplinary action by the Board.

(b) Conditions imposed whenever fine and costs are imposed:

1. Fine and costs shall be paid by cashiers check or money order payable to the Department of Business and Professional Regulation, Board of Professional Geologists, 1940 North Monroe Street, Tallahassee, Florida 32399, and received by the Department within 30 days of the effective date of the Order, or within a set period of time after probation or suspension as reflected in the Order.

(c) Conditions, all or any of which may be imposed with Probation are:

1. Licensee is placed on probation for a period of time as determined by the board.

2. Failure to comply with any provision of this Order shall result in the filing of a new complaint and if you are found to be in violation, your license will be suspended until you are compliant.

3. Licensee shall appear before the Board, in person, at a defined frequency or set number of Board meetings during the course of the probation. The number of appearances will depend on the severity of the underlying violation.

4. At each appearance the licensee shall provide the following documents to the Board: Some or all of the following provisions may be included: (Those items designated in each case shall relate to the violation charged)

i. Copies of all contracts in which documents have been signed and sealed since the last appearance before the Board, and/or.

ii. A list of the type of those documents, including the following information to whom the document was presented, including the address, and the date the document was mailed or otherwise presented, and/or

iii. A list of all contracts worked upon since the last appearance with the name and address of the person or entity for whom the contract is to be performed.

5. At the final appearance the licensee shall demonstrate compliance with all the conditions of the Probationary Order, prior to the lifting of probation.

6. Licensee shall retake the following section(s) \_\_\_\_\_ of the licensing examination prior to lifting the probation. (The section designated will be that most likely to cover the underlying violation(s))

7. Licensee must attend \_\_\_\_\_ Board meetings, the number shall be based on the severity of the underlying violation, to observe the Board’s Disciplinary Proceedings.

8. Licensee’s practice during this period of probation is limited as follows: (Limitations will depend on the severity and nature of the underlying violation)

(d) Conditions all or any of which may be imposed when suspension is imposed.

1. Licensee shall surrender license to Board office within five (5) days of the effective date of the Order.

2. Licensee shall provide the Board, within 30 days of the effective date of the Order of Suspension, a list of all clients with whom he/she/it is contracted to perform professional geological services in the state of Florida, that is not or will not be completed on the 30th day following the effective date of the Order of Suspension. The list shall include the name of a contact person, a mailing address and phone number of the client.



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: 456.077, 464.006 FS.

LAW IMPLEMENTED: 456.077 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: Dan Coble, Executive Director, Department of Health, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B-10.001 Citation Penalties for Certified Nursing Assistants.

(1) “Citation” means an instrument which meets the requirements set forth in Section 456.077, F.S., and which is served upon a licensee for the purpose of assessing a penalty in an amount established by this rule.

(2) In lieu of the disciplinary procedures contained in Section 456.073, F.S., the Department may issue a citation to the subject within six months after the filing of the complaint which is the basis for the citation. All citations will include a requirement that the respondent correct the violation, if remediable, within a specified period of time and impose whatever obligations will remedy the offense.

(3) The Department designates the following as citation violations, which shall result in the Board imposing a penalty of (\$25.00):

(a) False, deceptive or misleading advertising provided no criminal prosecution resulted and no practice issue was involved.

(b) Issuance of a worthless bank check to the Department or to the Board provided the licensee does not continue to practice on an inactive license or the check was not in payment of a Board ordered administrative fine.

(c) Failure to report address change in violation of Section 464.203(6), F.S., provided the licensee was not ordered to do so in a Board disciplinary order.

(d) Improper use of a certified nursing assistant title under Section 464.201(3), F.S., provided no practice issue was involved or no criminal prosecution resulted.

(e) Failure to pay a Board ordered administrative fine by the time ordered, provided payment had been made by the time the citation issues.

(f) Failure to complete a Board ordered inservice education course by the time ordered, provide the course had been completed by the time the citation issues.

(g) Failure when requested to document full compliance with the inservice education requirements, provided that all inservice education courses had been timely completed.

(4) The Department designates the following a citation violation, which shall result in the Board imposing a penalty of \$50.00: First-time failure to complete inservice education hours within the biennium. In addition to the fine, the licensee will be required to complete the number of hours necessary to meet the biennial requirements not completed within 6 months of the issuance of the citation.

Specific Authority 456.077, 464.006 FS. Law Implemented 456.077 FS. History—New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dan Coble, Executive Director

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Amy Jones, Division Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 11, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 21, 2005, but due to clerical error, developed as Chapter 64B-9, F.A.C.

**DEPARTMENT OF HEALTH  
Board of Chiropractic Medicine**

RULE TITLES:	RULE NOS.:
Guidelines for the Disposition of Disciplinary Cases	64B2-16.003
Citations	64B2-16.0075

PURPOSE AND EFFECT: The Board proposes to add new guidelines on fines that apply to failure to update information in writing after the occurrence of an event or attainment of a status required to be reported.

SUMMARY: The proposed rule amendment adds new guidelines on fines that apply to failure to update information in writing after the occurrence of an event or attainment of a status required to be reported.

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

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

SPECIFIC AUTHORITY: 456.039(3), 456.072, 456.077, 456.079, 460.405, 460.413 FS.

LAW IMPLEMENTED: 456.035, 456.039(3), 456.072, 456.073, 456.079, 460.413(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULES IS:

64B2-16.003 Guidelines for the Disposition of Disciplinary Cases.

(1) through (yy) No change.

(zz) Section 456.039(3), F.S.: failing to update information pursuant to Section 456.039(1), F.S., in writing within 45 days after the occurrence of an event or attainment of a status required to be reported – from a minimum \$2,500 fine to a maximum of suspension to be followed by probation and \$5,000 for a first offense. After the first offense, from a minimum of probation and \$5,000 fine, to maximum of revocation and \$10,000.

(2) No change.

Specific Authority 456.039(3), 456.072, 456.079, 460.405, 460.413 FS. Law Implemented 456.039(3), 456.072, 456.079, 460.413(4) FS. History–New 1-10-80, Formerly 21D-16.03, Amended 1-28-87, 1-28-90, 6-24-93, Formerly 21D-16.003, Amended 10-26-93, Formerly 61F2-16.003, Amended 7-18-95, Formerly 59N-16.003, Amended 11-4-98, 6-6-02, 5-23-04,\_\_\_\_\_.

64B2-16.0075 Citations.

(1) through (5) No change.

(6) Failure to update information pursuant to Section 456.039(1), F.S., in writing within 45 days after the occurrence of an event or attainment of a status required to be reported; Section 456.039(3), F.S., shall result in a fine of \$50 per day not in compliance, not to exceed \$5,000.

(6) through (8) renumbered (7) through (9) No change.

Specific Authority 456.039(3), 456.077, 460.405 FS. Law Implemented 456.035, 456.039(3), 456.072(3), 456.073 FS. History–New 1-19-92, Amended 4-26-93, Formerly 21D-16.0075, 61F2-16.0075, Amended 7-18-95, Formerly 59N-16.0075, Amended 2-11-99, 5-31-00, 10-7-02, 11-30-03, 11-1-04,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Chiropractic Medicine

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

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

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

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE TITLE: Licensure Requirements for Applicants from Non-Accredited Schools or Colleges  
RULE NO.: 64B5-2.0146

PURPOSE AND EFFECT: The Board proposes the rule amendments to clarify the academic curriculum necessary for completion by licensure applicants as dental or general dental programs.

SUMMARY: The proposed rule amendments add the words “general” and “dental” to describe educational requirements for 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 regulatory cost alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 466.004 FS.

LAW IMPLEMENTED: 456.033(6), 466.006, 466.0075 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: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-2.0146 Licensure Requirements for Applicants from Non-Accredited Schools or Colleges.

(1) An applicant who otherwise meets the requirements of Section 466.006(3), F.S., and chooses to apply pursuant to Section 466.006(3)(c)1., F.S., will be required to:

(a) Complete, at an accredited American dental school, a matriculated general dental program which consists of either 4 years of dental subjects or 2 years of predental education followed by 3 years of dental subjects.

(b) through (c) No change.

(2) An applicant who otherwise meets the requirements of Section 466.006(3), F.S., and chooses to apply pursuant to Section 466.006(3)(b), F.S., will be required to:

(a) through (b) No change.

(c) Present to the Board the following documents:

1. through 2. No change.

3. A letter addressed to the Board from the dean of the sponsoring institution’s dental school stating that the applicant successfully completed the sponsored supplemental general dental education program and attained the educational equivalency of a graduating senior at the sponsoring institution’s dental school and completed the requirements of two academic years in a general dental program providing educational remediation to the level of a D.D.S. or D.M.D. recipient.

(3) through (4) No change.

Specific Authority 466.004 FS. Law Implemented 456.033(6), 466.006, 466.0075 FS. History–New 10-15-92, Formerly 21G-2.0146, 61F5-2.0146, Amended 9-24-96, Formerly 59Q-2.0146, Amended 8-19-97, 5-20-01,

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Dentistry  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Dentistry  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 7, 2005  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 9, 2004

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE TITLE: Standard of Care for Office Surgery  
PURPOSE AND EFFECT: The proposed rule amendment is intended to delete the requirement for an anesthesiologist in Level III office surgery pursuant to the ruling in the *Ortiz* case.  
SUMMARY: The proposed rule amendment deletes the requirement for an anesthesiologist in Level III office surgery pursuant to the ruling in the *Ortiz* case.  
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 458.309(1), 458.331(1)(v) FS.  
LAW IMPLEMENTED: 458.331(1)(g),(t),(v),(w), 458.351 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-9.009 Standard of Care for Office Surgery.

NOTHING IN THIS RULE RELIEVES THE SURGEON OF THE RESPONSIBILITY FOR MAKING THE MEDICAL DETERMINATION THAT THE OFFICE IS AN APPROPRIATE FORUM FOR THE PARTICULAR PROCEDURE(S) TO BE PERFORMED ON THE PARTICULAR PATIENT.

- (1) through (5) No change.
- (6) Level III Office Surgery.
- (a) No change.

(b) Standards for Level III Office Surgery. In addition to the standards for Level II Office Surgery, the surgeon must comply with the following:

- 1. Training Required.
  - a. The surgeon must have staff privileges at a licensed hospital to perform the same procedure in that hospital as that being performed in the office setting or must be able to document satisfactory completion of training such as Board certification or Board qualification by a Board approved by the American Board of Medical Specialties or any other board approved by the Board of Medicine or must be able to demonstrate to the accrediting organization or to the Department comparable background, training and experience. In addition, the surgeon must have knowledge of the principles of general anesthesia. ~~If the anesthesia provider is not an anesthesiologist, there must be a licensed M.D., or D.O., anesthesiologist, other than the surgeon, to provide direct supervision of the administration and maintenance of the anesthesia.~~
  - b. No change.
- 2. through 4. No change.

Specific Authority 458.309(1), 458.331(1)(v) FS. Law Implemented 458.331(1)(g),(t),(v),(w), 458.351 FS. History–New 2-1-94, Amended 5-17-94, Formerly 61F6-27.009, Amended 9-8-94, 11-15-94, Formerly 59R-9.009, Amended 2-17-00, 12-7-00, 2-27-01, 8-1-01, 8-12-01, 3-25-02,

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Medicine  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Medicine  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 5, 2005  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 21, 2005

**DEPARTMENT OF HEALTH**

**Board of Psychology**

RULE TITLE: Rule Governing Time Limits and Conditions for the Maintenance of an Active Application File  
RULE NO.: 64B19-11.007

PURPOSE AND EFFECT: The Board has voted to repeal this rule.

SUMMARY: This is a repeal of a rule.  
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: 490.004 FS.  
LAW IMPLEMENTED: 490.005 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, Psychology Board, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B19-11.007 Rule Governing Time Limits and Conditions for the Maintenance of an Active Application File.

Specific Authority 490.004 FS. Law Implemented 490.005 FS. History—New 1-16-92, Formerly 21U-11.009, Amended 6-14-94, Formerly 61F13-11.009, Amended 1-7-96, Formerly 59AA-11.007, Amended 8-5-01, Repealed

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Psychology  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Psychology  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 21, 2005

Section III  
Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Plant Industry

RULE NO.: 5B-54.014  
RULE TITLE: Issuance of Compliance Agreements and Certificates

NOTICE OF CORRECTION TO RULE DEVELOPMENT

Notice is hereby given that the changes to subsection (2)(a) were incorrectly printed in the Notice of Proposed Rule Development for the above rule, which was published in Vol. 31, No. 6, February 11, 2005, issue of the Florida Administrative Weekly.

5B-54.014 Issuance of Compliance Agreements and Certificates.

(2) Certificates of Inspection.

(a) A certificate is required on each sale or movement of honeybees and other regulated articles within the state unless such regulated articles are identified as specified in Rule 5B-54.013, F.A.C. Forms DACS-08061, revised 8/99 Certificate of Inspection for Out of State Shipments and Re-entry Into Florida, and incorporated herein by reference, or a Queen Certificate, DACS-08057, revised 10/99, and incorporated herein by reference, may be used for this purpose. ~~A copy of forms DACS-08061 and DACS-08057 or a Varroa~~

~~Mite Certification, DACS-08165, revised 10/99, and incorporated herein by reference, may be used for this purpose.~~ A copy of Forms DACS-08061, DACS-08057 and DACS-080165 may be obtained from the Division of Plant Industry, Bureau of Plant and Apiary Inspection, Post Office Box 147100, Gainesville, Florida 32614-7100.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-5.001  
RULE TITLE: Examinations

NOTICE OF WITHDRAWAL

Notice is hereby given that the above-referenced rule amendments, as noticed in Vol. 29, No. 26, of the Florida Administrative Weekly on June 27, 2003, have been withdrawn.

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

DEPARTMENT OF HEALTH

Board of Medicine

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

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. 48, of the November 24, 2005, issue of the Florida Administrative Weekly. The changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The Board, at its meeting held on February 4, 2005, in Miami voted to change subsection (10) of the proposed rule. When changed, subsection (10) shall read as follows:

(10) In addition to the continuing medical education credits authorized above, a physician who serves as a supervising physician for a licensed physician who is under direct supervision for a period of at least one year, shall be entitled to receive 6 hours of continuing medical education credit in the area of risk management. Any physician who serves as a monitoring physician for a licensed physician who is under indirect supervision for a period of at least one year, shall be entitled to receive 3 hours of continuing medical education credit in the area of risk management.

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

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

RULE NO.: 64B16-26.300                      RULE TITLE: Consultant Pharmacist Registration  
 NOTICE OF CHANGE

Pursuant to subparagraph 120.54(3)(d)1., F.S., notice is hereby given that the following changes have been made to the proposed rule published in Vol. 31, No. 1, January 7, 2005, issue of the Florida Administrative Weekly. Upon review, the Rules Committee voted to make the following changes at its December 5, 2004 meeting.

The introductory paragraph of paragraph (2)(c) now reads as follows:

(c) Successfully complete a period of assessment and evaluation under the supervision of a preceptor within one (1) year of completion of the course set forth in paragraph (b) above. This period of assessment and evaluation shall be completed over no more than three (3) consecutive months and shall include at least 40 hours training in the following practice areas, 60% of which shall occur on-site at an institution that holds a pharmacy permit. The training shall include:

Subparagraph 2. of the Minimum Skills Required now reads as follows:

2. Facility Review.

Paragraph (3)(c) now reads as follows:

(c) Maintain all pharmacist licenses in good standing with the Board.

Subsections (4) and (5) now read as follows:

(4) Upon completion of the requirements set forth above, the applicant's preceptor shall confirm that the applicant's assessment and evaluation have met the requirements and that the applicant has successfully completed all required assignments under the preceptor's guidance and supervision.

~~(5)(4) After licensure a consultant pharmacist's license shall be renewed biennially upon payment of the fee set forth in Rule 64B16-26.1003, F.A.C., and upon completing twenty-four (24) Proof satisfactory that a consultant pharmacist, certified pursuant to this section, has met the requirements necessary for initial or biennial renewal certification, which shall be constituted by the following: the applicant for initial certification has completed, at a minimum, a twelve (12) hours of board approved continuing education based upon the provisions of Rule 64B16-26.302, F.A.C. course of an in-depth analysis of approved subject matter based upon the provisions of Rule 64B16-26.301, F.A.C., (initial certification) or a twelve (12) hour course of an in-depth analysis of approved subject matter each calendar year based upon the provisions of Rule 64B16-26.302, F.A.C., (renewal certification) developed by the Tripartite Continuing Education Committee.~~

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Danna Droz, Executive Director, Board of Pharmacy/MQA, 4052 Blad Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

**DEPARTMENT OF HEALTH**

**Board of Psychology**

RULE NO.: 64B19-17.002                      RULE TITLE: Disciplinary Guidelines  
 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. 45, of the November 5, 2004, Florida Administrative Weekly. The changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The Board, at its meeting held on January 21, 2005, in Tampa, Florida, determined that changes should be made to the rule.

When changed, subsection (1) shall read as follows:

(1) When the Board finds that an applicant or a licensee has committed any of the acts set forth in Sections 456.072(1) or 490.009(2), F.S., it shall issue a final order imposing one or more of the penalties listed in Section 456.072(2), F.S., as recommended in the following disciplinary guidelines. The descriptions of violations are only a summary; the full language of each statutory provision cited must be consulted in order to determine the conduct involved. The guidelines are presented as a range of penalties that may be imposed from minimum to maximum.

PENALTY RANGE			
VIOLATION	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE
(a) Attempting to obtain, or renewing a license by bribery or fraudulent misrepresentation. (490.009(1)(a), and 456.072(1)(h), F.S.)	Revocation or permanent denial of licensure and \$10,000 fine.  If unintentional, then from granting licensure with Probation to Suspension or denial of licensure for a minimum of 2 years to Revocation or permanent denial of licensure, and fine up to \$10,000.	Revocation or permanent denial of licensure, and \$10,000 fine.  If unintentional, then from granting licensure with Probation to Suspension or denial of licensure for a minimum of 2 years to Revocation or permanent denial of licensure, and fine up to \$10,000.	Revocation or permanent denial of licensure, and \$10,000 fine.  If unintentional, then from granting licensure with Probation to Suspension or denial of licensure for a minimum of 2 years to Revocation or permanent denial of licensure, and fine up to \$10,000.
(b) License disciplined by another jurisdiction. (490.009(1)(b), and 456.072(1)(f), F.S.)	Imposition of discipline that would have been imposed had the violation occurred in Florida and fine of up to \$10,000.	Imposition of discipline that would have been imposed had the violation occurred in Florida and fine of up to \$10,000.	Revocation and a \$10,000 fine.
Case of Applicant	From granting licensure with Probation or denial of licensure for up to 2 years to permanent denial of licensure, and fine up to \$10,000.	From granting licensure with Probation or denial of licensure for up to 2 years to permanent denial of licensure, and fine up to \$10,000.	Permanent denial of license.
(c) Criminal conviction relating to psychology. (490.009(1)(c), and 456.072(1)(c), F.S.)	From Suspension and a fine up to \$10,000 to Revocation.	From Suspension and a \$10,000 fine to Revocation.	Revocation.
Case of Applicant	From granting licensure with Probation or denial of licensure for up to 2 years to permanent denial of licensure, and fine up to \$10,000.	From granting licensure with Probation or denial of licensure for up to 2 years to permanent denial of licensure, and fine up to \$10,000.	Permanent denial of license.
(d) False, deceptive or misleading advertising. (490.009(1)(d), and 456.072(1)(m), F.S.)	From Reprimand and Probation to Suspension, and a \$10,000 fine.  If unintentional, from Reprimand and a \$1,000 fine to Probation and a fine up to \$5,000.	From Reprimand and Suspension to Revocation, and a \$10,000 fine.  If unintentional, from Reprimand, Probation and a \$5,000 fine to Suspension and a fine up to \$10,000.	Revocation and a \$10,000 fine.  If unintentional, from Suspension to Revocation, and a \$10,000 fine.

(e) Advertising, practicing, or attempting to practice under another name. (490.009(1)(e), F.S.)	From Reprimand and Probation to Suspension, and a \$10,000 fine.  If unintentional, from Reprimand and a \$1,000 fine to Probation and a fine up to \$10,000.	From Reprimand and Suspension to Revocation, and a \$10,000 fine.  If unintentional, from Reprimand, Probation, and a \$1,000 fine to Suspension and a fine up to \$10,000.	Revocation and a \$10,000 fine.  If unintentional, from Reprimand, Suspension, and a \$10,000 fine to Revocation.
(f) Maintaining a wrongful professional association. (490.009(1)(f), F.S.)	From Reprimand and a \$1,000 fine to Revocation and a fine up to \$10,000.	From Reprimand, Probation, and a \$5,000 fine to Revocation and a fine up to \$10,000.	From Reprimand and Suspension to Revocation, and a \$10,000 fine.
(g) Knowingly aiding, assisting, procuring, or advising a non-licensed person. (490.009(1)(g), and 456.072(1)(j), F.S.)	From Reprimand, Probation, and a \$1,000 fine to Revocation and a fine up to \$10,000.	From Reprimand, Suspension, and a \$5,000 fine to Revocation and a fine up to \$10,000.	Revocation and a \$10,000 fine.
(h) Failing to perform any statutory or legal obligation. (490.009(1)(h), and 456.072(1)(k), F.S.)	From Reprimand and a \$1,000 fine to Revocation and a fine up to \$10,000.	From Reprimand, Suspension, and a \$5,000 fine to Revocation and a fine up to \$10,000.	Revocation and a \$10,000 fine.
(i) Willingly making or filing a false report, etc. (409.009(1)(i), and 456.072(1)(l), F.S.)	From Reprimand to Revocation, and a \$10,000 fine.	From Reprimand and Suspension to Revocation, and a \$10,000 fine.	Revocation and a \$10,000 fine.
(j) Paying or receiving a kickback, etc. (490.009(1)(j), F.S.)	From Reprimand and a \$1,000 fine to Revocation and a fine up to \$10,000.	From Reprimand, Suspension, and a \$5,000 fine to Revocation and a fine up to \$10,000.	Revocation and a \$10,000 fine.
(k) Sexual misconduct or battery on a patient. (490.009(1)(k), F.S.)	From Suspension followed by Probation to Revocation, and a fine from \$5,000 up to \$10,000.	Revocation and a fine from \$5,000 up to \$10,000.	Revocation and a \$10,000 fine.
Case of Applicant	Permanent denial of licensure.	Permanent denial of licensure.	Permanent denial of licensure.
(l) Making misleading, deceptive, untrue, or fraudulent representations, etc. (409.009(1)(l), and 456.072(1)(m), F.S.)	Reprimand, Probation and a \$10,000 fine.  If unintentional, Reprimand and a fine from \$1,000 up to \$10,000.	From Reprimand and Suspension to Revocation, and a \$10,000 fine.  If unintentional, Reprimand and Probation, and a fine from \$1,000 up to \$10,000.	Revocation and a \$10,000 fine.  If unintentional, Reprimand and Suspension, and a fine from \$5,000 up to \$10,000.
(m) Soliciting through fraud, intimidation, undue influence, etc. (490.009(1)(m), F.S.)	From Reprimand to Revocation, and a \$10,000 fine.	From Reprimand and Suspension to Revocation, and a \$10,000 fine.	Revocation and a \$10,000 fine.
(n) Failing to provide records, etc. (490.009(1)(n), F.S.)	From Reprimand to Suspension, and a fine from \$1,000 up to \$10,000.	From Reprimand to Suspension, and a fine from \$5,000 up to \$10,000.	From Reprimand and Suspension to Revocation, and a \$10,000 fine.

(o) Failing to respond to Department within 30 days, etc. (490.009(1)(o), F.S.)	Suspension until compliance and a fine from \$1,000 up to \$10,000.	Suspension until compliance and a fine from \$5,000 up to \$10,000.	From Suspension until compliance to Revocation, and a \$10,000 fine.
(p) Incompetence (mental or physical impairment), etc. (490.009(1)(p), F.S.)	From Suspension, followed by Probation, mental and physical evaluations to Revocation and a fine from \$1,000 up to \$10,000.	From Suspension, followed by Probation, mental and physical evaluations to Revocation and a fine from \$1,000 up to \$10,000.	Revocation.
(q) Violating provisions of Chapter 490 or 456, F.S. (490.009(1)(w), and 456.072(1)(b), F.S.)	From Reprimand and a \$1,000 fine to Revocation and a fine up to \$10,000.	From Reprimand, Suspension, and a \$5,000 fine to Revocation and a fine up to \$10,000.	Revocation and a \$10,000 fine.
(r) Experimentation without informed consent. (490.009(1)(q), F.S.)	From Reprimand and a \$1,000 fine to Revocation and a fine up to \$10,000.	From Reprimand, Suspension, and a \$5,000 fine to Revocation and a fine up to \$10,000.	Revocation and a \$10,000 fine.
(s) Negligence. (490.009(1)(r), F.S.)	From Reprimand and a \$1,000 fine to Revocation and a fine up to \$10,000.	From Reprimand, Suspension, and a \$5,000 fine to Revocation and a fine up to \$10,000.	Revocation and a \$10,000 fine.
(t) Delegating professional responsibilities. (490.009(1)(s), and 456.072(1)(p), F.S.)	From Reprimand and a \$1,000 fine to Revocation and a fine up to \$10,000.	From Reprimand, Suspension, and a \$5,000 fine to Revocation and a fine up to \$10,000.	Revocation and a \$10,000 fine.
(u) Violating any lawful order. (490.009(1)(t), and 456.072(1)(q), F.S.)	Suspension until compliance and a fine from \$1,000 up to \$10,000.	Suspension until compliance and a fine from \$1,000 up to \$10,000.	Revocation.
(v) Failing to maintain confidence. (490.009(1)(u), F.S.)	Reprimand and a fine from \$1,000 up to \$5,000.	From Reprimand to Revocation, and a fine from \$5,000 up to \$10,000.	Revocation and \$10,000 fine.
(w) Identifying or damaging research clients. (490.009(1)(v), F.S.)	From Reprimand and a \$1,000 fine to Revocation and a fine up to \$10,000.	From Reprimand, Suspension, and a \$5,000 fine to Revocation and a fine up to \$10,000.	Revocation and a \$10,000 fine.
(x) Failure to comply with continuing education for domestic violence. (456.072(1)(s), F.S.)	\$250 fine and Suspension until compliance.	Reprimand, \$500 fine and Suspension until compliance.	Reprimand, \$1,000 fine and Suspension until compliance.
(y) Exercising influence on the patient or client for financial gain. (456.072(1)(n), F.S.)	From Reprimand and a \$1,000 fine to Revocation and a fine up to \$10,000.	From Reprimand, Suspension, and a \$5,000 fine to Revocation and a fine up to \$10,000.	Revocation and a \$10,000 fine.
(z) Improperly interfering with an investigation. (456.072(1)(r), F.S.)	From Reprimand and a \$1,000 fine to Revocation and a fine up to \$10,000.	From Reprimand, Suspension, and a \$5,000 fine to Revocation and a fine up to \$10,000.	Revocation and a \$10,000 fine.

Case of Applicant	From granting licensure with Probation or denial of licensure for up to 2 years to permanent denial of licensure, and fine up to \$10,000.	From granting licensure with Probation or denial of licensure for up to 2 years to permanent denial of licensure, and fine up to \$10,000.	Permanent denial of license.
(aa) Performing or attempting to perform wrong health care services. (456.072(1)(aa), F.S.)	From Reprimand and a \$1,000.00 fine to Revocation and a fine up to \$10,000.	From Reprimand, Suspension, and a \$5,000 fine to Revocation and a fine up to \$10,000.	Revocation and a \$10,000 fine.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE CHAPTER TITLE: Gear Specifications and Prohibited Gear

RULE TITLE: Statewide Net Gear Specifications; Soaking Requirements; Definitions; Cast Net Specifications

RULE NO.: 68B-4.0081

**NOTICE OF CHANGE**

The Fish and Wildlife Conservation Commission announces a change to the above-referenced proposed rule published in Vol. 30, No. 53, December 30, 2004 issue of the Florida Administrative Weekly, as a result of the final public hearing on the rule held on February 3, 2005, in Panama City Beach, Florida. Although the text of the rule has not changed, the Commission has decided to include a proposed effective date of July 1, 2005.

The rule will now read as follows:

68B-4.0081 Statewide Net Gear Specifications; Soaking Requirements; Definitions; Cast Net Specifications.

(1) This rule is intended to implement prohibitions and restrictions of Article X, Section 16 of the Florida Constitution. As used there and in this rule, the term “net” or “netting” shall be broadly construed to include all manner or combination of mesh or webbing or any other solid or semisolid fabric or other material used to comprise a device that is used to take or harvest marine life.

(2)(+) The following gear specifications shall apply in all state waters:

(a) The use or placement in the water of any gill or entangling nets of any size is prohibited. No person shall fish with, set, or place in Florida waters any gill or entangling net.

(b) Any net constructed wholly or partially of monofilament or multistrand monofilament material, other than a hand thrown cast net, or a handheld landing or dip net, shall be considered an entangling net prohibited by Article X, Section 16 of the Florida Constitution, and this rule, unless otherwise authorized by rule of the Commission. The term “multistrand monofilament” does not include braided or twisted twines made of nylon, cotton, linen, or polypropylene.

(c) No person shall take or harvest, or attempt to take or harvest, any marine life in Florida waters with any net that is larger than 500 square feet in mesh area that has not been authorized by rule of the Commission. The use of a shrimp trawl, purse seine, jellyfish paired trawl, or calico scallop otter trawl that is larger than 500 square feet in mesh area, outside nearshore and inshore waters, shall be considered so authorized for purposes of this paragraph.

(d) No person shall fish with, set, or place in the water any net, other than a cast net, landing or dip net, jellyfish paired trawl, or calico scallop otter trawl with a mesh size greater than 2 inches stretched mesh. Any such net, with a mesh size greater than 2 inches stretched mesh shall be considered an entangling net for purposes of paragraph (a).

(e)(b) No person shall soak a net beach or haul seine for more than one hour, beginning when the first mesh is placed in the water and ending when the first mesh is retrieved back aboard the vessel or on shore. Once the first mesh is retrieved, the net seine operation shall be continuous until the net is completely removed from the water. This prohibition shall not apply to shrimp trawls, purse seines, jellyfish paired trawls, or calico scallop otter trawls.

(3)(2) The following net gear specifications shall apply in nearshore and inshore Florida waters:

(a) No person shall fish with, set, or place in the water any net with a mesh area greater than 500 square feet.

(b) The mesh area of a net of uniform construction, other than a cast net or net in the form of an elongated bag, is determined by multiplying the maximum length by the maximum width of the net. The maximum length of such a net is determined by multiplying the number of meshes along the corkline of the net by the bar measurement of the mesh in the net. The number of meshes along the corkline is determined by

counting the number of meshes per tie and multiplying that by the total number of ties along the corkline. The maximum width, or depth, of such a net is determined by multiplying the number of meshes between the corkline and leadline of the net by the bar measurement of the mesh in the net. If a net, other than a cast net or net in the form of an elongated bag, is constructed in a nonuniform manner, the mesh area shall be determined by adding together the mesh area of the component parts.

~~(c)(b)~~ No more than two nets shall be fished with, set, or placed in the water from a single vessel at any one time. No more than one net shall be fished with, set, or placed in the water by any person not on a vessel.

~~(d)(e)~~ No person shall connect, tie, or otherwise fasten together two or more nets in any manner so as to fish with, set, or place in the water a net exceeding the 500 square feet limit specified in paragraph (a). Two nets sharing the same corkline or leadline with a combined mesh area exceeding 500 square feet shall be considered connected and a violation of Article X, Section 16 of the Florida Constitution and this rule.

~~(d) Beginning January 1, 1998, No person shall fish with, set, or place in the water any seine with a mesh size larger than 2 inches stretched mesh.~~

(e) No net may have more meshes attached per foot of corkline or leadline than 14 divided by the bar measurement of the mesh in the net. A net with more than this number of meshes attached per foot of corkline or leadline shall be considered an entangling net for purposes of this rule and Article X, Section 16 of the State Constitution.

~~(4)(3)~~ Cast Nets.

(a) The Fish and Wildlife Conservation Commission finds that the maximum specifications established for cast nets in paragraph (b) are appropriate to allow the largest cast nets that can be reasonably, practically, and effectively thrown by hand to take marine species in nearshore and inshore Florida waters, within the 500-square foot limit imposed by Article X, Section 16(b) of the State Constitution.

(b) No person shall fish with, set, or place in nearshore and inshore Florida waters any cast net with a stretched length (the distance from the horn at the center of the net, with the net gathered and pulled taut, to the lead line) greater than 14 feet. No more than two cast nets shall be fished in such waters from a single vessel at any time.

PROPOSED EFFECTIVE DATE: July 1, 2005.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Art. X, Sec. 16, Fla. Const. History—New 11-26-92, Amended 4-12-93, 1-1-97, 4-27-98, Formerly 46-4.0081, Amended 12-2-99, 7-1-05.

**DEPARTMENT OF FINANCIAL SERVICES**

**Office of Insurance Regulation**

RULE NO.:  
69O-170.013

RULE TITLE:  
Filing Procedures for Property and  
Casualty Insurance Rates, Rules,  
Underwriting Guidelines, and  
Forms

**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. 14, April 2, 2004, of the Florida Administrative Weekly. These changes are being made in response to written material received on or before the date of the final public hearing.

Subsection (7) of Rule 69O-170.013, F.A.C., is changed to read:

(7) This rule applies to that portion of a rate filing relating to terrorism coverage required under the Terrorism Risk Insurance Act of 2002. The Office recognizes the difficulty facing an individual insurer in demonstrating that its rates related to terrorism are not excessive, inadequate, or unfairly discriminatory. An insurer is free to use any methodology the insurer believes demonstrates that the rates requested or implemented are in compliance with Section 627.062, Florida Statutes. If an insurer is unable to demonstrate through its own methodology that the rate requested or implemented complies with Section 627.062, Florida Statutes, then the insurer may, at its option, adopt the methodology, data, and/or rates or loss costs of another insurer or rating or advisory organization that have been previously approved by the Office for similar risks. Section 627.314, F.S., is added as Law Implemented.

**Section IV  
Emergency Rules**

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

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

**DEPARTMENT OF THE LOTTERY**

RULE TITLE: GROUPER™ Retailer Bonus Sales Commission  
 RULE NO.: 53ER05-28

SUMMARY OF THE RULE: Effective January 31, 2005 through May 1, 2005, the Florida Lottery will award on-line retailers a five percent bonus sales commission in addition to the regular five percent sales commission on the purchase price of each GROUPER play sold by them.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER05-28 GROUPER™ Retailer Bonus Sales Commission.

(1) Effective January 31, 2005 through May 1, 2005, the Florida Lottery will pay retailers a five percent bonus sales commission (“bonus sales commission”), in addition to the regular five percent sales commission set forth in Emergency Rule 53ER05-14, Florida Administrative Code, on the purchase price of each GROUPER play sold by them.

(2) The bonus sales commission will be combined with the regular five percent sales commission and will be reflected on the retailer’s weekly Settlement Report.

(3) Bonus sales commissions will be considered compensation to the retailer for Internal Revenue Service purposes.

Specific Authority 24.105(9)(i), 24.109(1), 24.112(1) FS. Law Implemented 24.105(9)(i), 24.112(1) FS. History—New 2-3-05.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.  
 EFFECTIVE DATE: February 3, 2005

**DEPARTMENT OF THE LOTTERY**

RULE TITLE: GROUPER™ Retailer Bonus Sales Commission  
 RULE NO.: 53ER05-29

SUMMARY OF THE RULE: Effective January 31, 2005, through May 1, 2005, the Florida Lottery will award on-line retailers a five percent bonus sales commission in addition to the regular five percent sales commission on the purchase price of each GROUPER play sold by them.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER05-29 GROUPER™ Retailer Bonus Sales Commission.

(1) Effective January 31, 2005 through May 1, 2005, the Florida Lottery will pay retailers a five percent bonus sales commission (“bonus sales commission”), in addition to the regular five percent sales commission set forth in Emergency Rule 53ER05-14, Florida Administrative Code, on the purchase price of each GROUPER play sold by them.

(2) The bonus sales commission will be included in the retailer’s first weekly settlement the month after it is earned and will be reflected as an on-line adjustment on the retailer’s weekly Settlement Report.

(3) Bonus sales commissions will be considered compensation to the retailer for Internal Revenue Service purposes.

Specific Authority 24.105(9)(i), 24.109(1), 24.112(1) FS. Law Implemented 24.105(9)(i), 24.112(1) FS. History—New 2-4-05, Replaces 53ER05-28.

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

EFFECTIVE DATE: February 4, 2005

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Insurance Agents and Agency Services**

RULE TITLE: Guidelines for the Extension of Emergency Adjuster Licenses Issued as a Result of Hurricane and Tropical Storm Damage  
 RULE NO.: 69BER05-02

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: The Department of Financial Services hereby states that the following circumstances constitute an immediate danger to the public health, safety, or welfare: The 2004 hurricane season has been particularly destructive for Florida. Substantial damage in southwest and central Florida was caused by Hurricane Charley, which hit the Punta Gorda and Port Charlotte area on August 13, 2004 as a category 4 hurricane with sustained winds up to 145 miles per hour. Hurricane Charley crossed northeast through the center of the state exiting near Daytona Beach. In a 10-mile wide path extending from the southwest coast there was widespread major damage to homes, loss of personal belongings and corresponding temporary loss of employment.

Additional damage was caused by Hurricane Frances, which hit the east coast of Florida on September 4, 2004, as a category 2 hurricane, and slowly crossed the peninsula. Hurricane Frances, though less intense than Charley, caused damage over a much wider area of the state.

On September 16, 2004, category 4 Hurricane Ivan caused massive damage in the Florida Panhandle. Hurricane Ivan impacted the Gulf Coast as a category 4 hurricane with sustained winds up to 130 miles per hour. The eye made landfall just west of the western Florida line, bringing hurricane force winds to much of the Florida Panhandle. The hurricane also produced tornados that destroyed and damaged structures in the Florida Panhandle. There was extensive damage in the Pensacola area, which was hit by the strong northeast quadrant of the storm as it made landfall.

This emergency rule is also necessitated by the damage resulting in Florida from Hurricane Jeanne, which made landfall near Stuart, Florida the night of September 25, 2004, as a category 3 hurricane with sustained winds up to 120 miles per hour. On September 26, the storm made a path northwest across the state. The Governor of Florida has declared a state of emergency (Executive Order # 04-217). The President of the United States has declared 19 Florida counties a federal disaster area.

The Governor of Florida declared states of emergency as a result of each of the hurricanes.

Insured losses have been estimated at \$6.8 billion for Charley and at \$3 to \$10 billion for Frances. Preliminary damage estimates for Hurricane Ivan are \$2 to \$10 billion. Initial damage estimates for Hurricane Jeanne are \$4 billion in insured losses. This emergency rule supplements subparagraph 69B-220.001(4)(b)2., F.A.C., by setting forth a streamlined procedure for extending emergency adjuster licenses for emergency adjusters that are adjusting claims resulting from Hurricanes Charley, Frances, Jeanne, Ivan and Tropical Storm Bonnie.

As of this date, a significant number of structures damaged or destroyed by the Hurricanes are still being adjusted. Additionally, a significant number of claims with insureds have yet to be settled. A number of insurers have employed or contracted with a large number of emergency adjusters to resolve the widespread claims resulting from Hurricanes Charley, Frances, Jeanne, Ivan and Tropical Storm Bonnie. Since August, the Department has processed over 17,000 emergency adjuster applications. The continued availability of the services of emergency adjusters is necessary to complete needed claims adjustments in a timely manner. Failure to resolve claims for widespread damage and destruction caused by the hurricanes and tropical storms during 2004 and the resultant inability of residents to complete repairs or obtain funds necessary to pay for alternative housing presents a continuing threat to the public health, welfare and safety.

Emergency adjuster licenses are initially valid for only 180 days. The Department began issuing licenses on or about August 18, 2004 and unless the duration of the licenses is extended as authorized by subparagraph 69B-220.001(4)(b)2., F.A.C., licenses will be expiring at a time when continued availability of emergency adjusters is necessary to complete the adjustment of claims for damages caused by hurricanes and tropical storms during 2004. The Department has determined that, with regard to claims settlement and facilitation, an emergency exists at the present time and that the conditions described in subparagraph 69B-220.001(4)(a)2., F.A.C., continue to exist.

Extending the duration of emergency adjuster licenses issued in 2004 for a limited time will allow ready access to qualified emergency adjusters. The Department finds that ready access to qualified emergency adjusters will facilitate timely claims settlement practices. The filing of this rule reflects the continued need for this stabilization effect as claims processing in the affected area slowly return to normal.

**REASONS FOR CONCLUDING THAT THE PROCEDURE USED IS FAIR UNDER THE CIRCUMSTANCES:** The Department of Financial Services believes that adopting an emergency rule is the fairest method to establish procedures and provide guidance to the insurance community because the nature of the destruction caused by the Hurricanes require an immediate and massive response from insurers and other licensed insurance representatives. A Department bulletin addressed to all insurers and other licensed insurance representatives would reach them but would not be legally binding. Department responses to individual requests for information would not make the information generally available. The Department has received various input from affected persons regarding this mechanism.

**SUMMARY OF THE RULE:** This emergency rule establishes guidelines for the extension of licenses for emergency adjusters that are adjusting claims filed as a result of Hurricanes Charley, Frances, Ivan and Jeanne and Tropical Storm Bonnie for Florida authorized insurers.

**THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS:** Audrey Huggins, Bureau Chief, Licensing, Division of Agent and Agency Services Department of Financial Services, 200 East Gaines Street, Tallahassee, FL 32399-0320, (850)413-5802

**THE FULL TEXT OF THE EMERGENCY RULE IS:**

69BER05-02 Guidelines for the Extension of Emergency Adjuster Licenses Issued as a Result of Hurricane and Tropical Storm Damage.

(1) General provisions.

(a) This emergency rule sets forth specific limits on extension of emergency adjuster licenses.

(b) The provisions of this emergency rule are intended to provide guidance as to procedure for the extension of licenses issued as a result of Hurricanes Charley, Frances, Jeanne, Ivan and Tropical Storm Bonnie.

(c) This rule applies only to emergency adjuster licenses expiring during the months of February and March 2005.

(d) This rule applies only to losses occurring as a result of Hurricanes Charley, Frances, Jeanne, Ivan and Tropical Storm Bonnie.

(e) This rule applies for 90 days from the date filed with the Secretary of State, Bureau of Administrative Code.

(f) The provisions of this rule are licensing requirements binding upon emergency adjusters, in addition to those requirements established in Chapter 69B-220, Florida Administrative Code.

(2) Definitions.

(a) "Emergency Adjuster" is defined for purposes of this rule as defined in Section 626.859, Florida Statutes.

(b) "Emergency Adjusting" is the activity described in Section 626.859, Florida Statutes.

(3) Licensing Extensions. Any extensions granted pursuant to this rule shall apply only to emergency adjusters adjusting claims resulting from Hurricane Charley, Frances, Jeanne, Ivan or Tropical Storm Bonnie for Florida authorized insurers. Extensions or licenses described in this rule will be granted automatically pursuant to the following guidelines.

(a) The emergency adjuster licensee must have a valid and unexpired license.

(b) The expiration date for all Emergency Adjuster licenses used to adjust claims described in this rule and expiring during the months of February and March 2005 is extended until May 31, 2005.

(c) The licensee will not be required to submit an application for extension of the license.

(d) There shall be no fee to extend the emergency adjuster license.

Specific Authority 624.308 FS, Law Implemented 624.307, 626.611, 626.621, 626.859 FS, History—New 2-8-05.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: February 8, 2005

## Section V Petitions and Dispositions Regarding Rule Variance or Waiver

### DEPARTMENT OF LAW ENFORCEMENT

Notice is hereby given that the Officer Professionalism Program, Florida Department of Law Enforcement has received on February 8, 2005, from Craig Smith and the Region VIII Training Council, a petition for Waiver of paragraph 11B-18.005(5)(d), Florida Administrative Code, pursuant to Section 120.542, Florida Statutes. Petitioners have requested that the Department waive the requirement that no more than two voting officers from one agency may be on a Regional Training Council at one time.

Comments on this Petition should be filed with: Office of General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, Florida 32302, Attention: Assistant General Counsel Grace A. Jaye.

A copy of the Petition may be obtained by contacting Assistant General Counsel Grace A. Jaye at the above address, or by calling (850)410-7676.

### 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 BellSouth Telecommunications, Inc. in Docket No. 050095-TL, filed February 1, 2005, seeking waiver from subsection 25-4.066(2), paragraphs 25-4.070(3)(a), 25-4.070(1)(b), and 25-4.073(1)(d), Florida Administrative Code. These rules define the service standards applicable to local exchange companies regarding service availability, trouble reports, and answer time. A copy of the petition can be obtained from the Division of the Commission Clerk and Administrative Services.

Comments on the petition should be filed with the Commission's Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850, within 14 days of publication of this notice. For additional information, please contact Kira Scott, Office of the General Counsel, at the above address or telephone (850)413-6216.

**WATER MANAGEMENT DISTRICTS**

The St. Johns River Water Management District hereby gives notice that it received a petition for variance on January 25, 2005, from Pulte Home Corporation for a project known as Harbour Island. The project is located in Section 36, Township 24 South, Range 36 East, Brevard County, Florida. Pursuant to Section 373.414(17), F.S., Pulte Home Corporation is seeking a variance from paragraph 40C-4.302(1)(c), F.A.C., and the associated portions of the Applicant's Handbook: Management and Storage of Surface Waters, including Sections 10.1.1(c), 12.1.1(d) and 12.2.5(c), with respect to Environmental Resource Permit Application 4-009-89095-1, for the installation of a series of culverts to provide a connection between two mosquito impoundments and a portion of the Banana River, that is categorized as a Class II water classified by the Department of Agriculture and Consumer Services as conditionally restricted for shellfish harvesting.

Comments on this petition should be filed with Sandra Bertram, District Clerk, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, within 14 days of publication of this notice. The petition has been assigned F.O.R. Number 2005-10.

For a copy of the petition or additional information, contact: Mary Ellen Winkler, Assistant General Counsel, Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, (386)312-2340.

NOTICE IS HEREBY GIVEN that on February 8, 2005 South Florida Water Management District (District) received an Amended Petition for Waiver from Stellar Biscayne LP, Application No. 04-1222-1, for utilization of Works or Lands of the District known as the Arch Creek Canal, Miami-Dade County for a proposed eight-foot high concrete block wall and a chain cross link fence with sixteen-foot wide vehicular gate within the west right of way of Arch Creek at the rear of 1822 Northeast 142nd Street along the Arch Creek Canal, Miami-Dade County, Sections 21, Township 52 South, Range 42 East. The Amended Petition seeks relief from subsections 40E-6.011(4),(6), Fla. Admin. Code, which governs the placement of permanent and/or above-ground structures within 40 feet of top of canal bank and the placement of drainage treatment facilities, within Works or Lands of the District.

A copy of the Amended Petition may be obtained from Kathie Ruff, (561)682-6320, e-mail: kruff@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn: Kathie Ruff, Office of Counsel.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF HEALTH**

NOTICE IS HEREBY GIVEN that on January 31, 2005, the Department of Health received an amended petition from Gerard Curran, MSc., representing Bord Na Mona Environmental Products US Inc., requesting a waiver pursuant to Section 120.542, Florida Statutes. Specifically, the petitioner seeks a waiver from paragraphs 64E-6.013(1)(g),(1)(e), (3)(f),(5), Florida Administrative Code, which requires receptacle tank lids for non-traffic residential installations to be designed for a dead load of 12 inch earth cover or two 1750-pound live loads at 60 inch spacing or one 1750-pound live load in the center of the tank lid, whichever is greater; structural design of receptacles to be varified by vacuum load or hydrostatic tests in accordance with department policy; all receptacles to withstand tank category 3 or 4 field conditions; and annual inspection at the manufacturer's facility.

Comments on this petition should be filed with the Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin #A02, Tallahassee, Florida 32399-1734.

A copy of the petition may be obtained from: Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin #A02, Tallahassee, Florida 32399-1734.

The Board of Acupuncture hereby gives notice that it has received a petition filed on January 26, 2005, by Paul Sweeney, seeking a waiver from subsections 64B1-4.001(1) and 64B1-4.0011(1), F.A.C., Acupuncture Program Requirements; Documentation Necessary for License Application. The petitioner seeks a waiver of subsections 64B1-4.001(1) and 64B1-4.0011(1), F.A.C., and other minimum requirements governing acupuncture licensure in Florida.

Comments on this petition should be filed with the Board of Acupuncture, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, within 14 days of publication of this notice.

For a copy of the petition, contact: Pamela King, Executive Director, Board of Acupuncture, at the above address.

The Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling hereby gives notice that it has received a Petition for Variance or Waiver filed on January 18, 2005 on behalf of Alejandro Rotter, M.D.. Pursuant to Chapter 28-104, F.A.C., and Section 120.542, F.S., petitioner seeks a waiver of the provisions of paragraph 64B8-5.001(2)(a), F.A.C. Specifically, the Petitioner requests that the Board waive the requirement of 7 years to successfully complete all 3 steps of the USMLE and accept the petitioner having completed the 3 steps within 7 years and approximately 2 months. This request is made considering hardship circumstances facing the petitioner.

Copies of the petition may be obtained by writing: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

The Board of Physical Therapy hereby gives notice that it has received a petition filed by Enisa Begic, on January 4, 2005, seeking a waiver from subsections 64B17-3.001(4),(5) and 64B17-3.002(4), F.A.C., with regard to credentials evaluation, the required minimum number of general education credits, and the requirement to pass the laws and rules examination.

Comments on this petition should be filed with the Board of Physical Therapy/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, within 14 days of publication of this notice.

For a copy of the petition, contact: Kaye Howerton, Executive Director, Board of Physical Therapy Practice, at above address or telephone (850)245-4131.

The Board of Physical Therapy hereby gives notice that it has received a petition filed by Allan R. Millier, on January 27, 2005, seeking a waiver from Rules 64B17-3.001 and 64B17-3.003, F.A.C., with regard to the required minimum number of professional education credit hours and licensure by endorsement.

Comments on this petition should be filed with the Board of Physical Therapy/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, within 14 days of publication of this notice.

For a copy of the petition, contact: Kaye Howerton, Executive Director, Board of Physical Therapy Practice, at above address or telephone (850)245-4131.

The Board of Psychology hereby gives notice that it has received a petition, filed on February 3, 2005 on behalf of Starr Michael Berdell, PsyD., seeking a permanent waiver or variance of paragraph 64B19-13.003(2)(g), Florida Administrative Code, allowing home study courses not approved by the American Psychological Association to be counted for continuing psychological education credit.

Comments on this petition should be filed with the Board of Psychology/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, within 14 days of publication of this notice.

For a copy of the petition, contact Kaye Howerton, Executive Director, Board of Psychology, at the above address or telephone (850)245-4373, Ext. 3480.

The Board of Psychology hereby gives notice that it has received a petition, filed on February 2, 2005 on behalf of Ann Moliver Ruben, Ph. D., seeking a waiver or variance of Rule 64B19-12.0085, Florida Administrative Code, that imposes a delinquency licensure renewal fee of \$400.00.

Comments on this petition should be filed with the Board of Psychology/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, within 14 days of publication of this notice.

For a copy of the petition, contact Kaye Howerton, Executive Director, Board of Psychology, at the above address or telephone (850)245-4373, Ext. 3480.

The Board of Psychology hereby gives notice that it has received a petition, filed on January 28, 2005 on behalf of Barbara L. Cohen, PsyD., seeking a waiver or variance of Rule 64B19-12.0085, F.A.C., that imposes a delinquency licensure renewal fee of \$400.00.

Comments on this petition should be filed with the Board of Psychology/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, within 14 days of publication of this notice.

For a copy of the petition, contact Kaye Howerton, Executive Director, Board of Psychology, at the above address or telephone (850)245-4373, Ext. 3480.

## Section VI Notices of Meetings, Workshops and Public Hearings

### DEPARTMENT OF STATE

The **Department of State, Division of Library and Information Services** announces the State Library Council Meeting to which all interested persons are invited to attend.

DATE AND TIME: Wednesday, March 16, 2005, 9:00 a.m. – 1:00 p.m.

PLACE: Archives Conference Room, State Library and Archives of Florida, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The council will review and discuss programs and issues related to the Division of Library and Information Services.

For additional information contact: Judith Ring, State Librarian, (850)245-6600, Suncom 205-6600.

Any person requiring special accommodations due to a disability or physical impairment should contact the agency at least five days prior to the meeting in order to request any special assistance by calling (850)245-6600 or (850)922-4085 TDD.

The **Department of State, Division of Cultural Affairs** announces the International Cultural Exchange panel meeting, to which all persons are invited. This meeting is subject to cancellation, please call to confirm the meeting date and time.

DATE AND TIME: March 16, 2005, 9:00 a.m. – 5:30 p.m.

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

For more information regarding the International Cultural Exchange panel meeting, contact: Mack Paschall, Division of Cultural Affairs, 1001 DeSoto Park Drive, Tallahassee, Florida 32301, (850)245-6484.

To request special aids or services contact the Division staff 72 hours prior to the above stated schedule at (850)245-6470 or TT (850)488-5779.

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

The **Animal Industry Technical Council (AITC)** announces a meeting to which all interested persons are invited to participate.

DATE AND TIME: March 17, 2005, 1:00 p.m. – 4:00 p.m.

PLACE: Terry Rhodes Bldg., Apalachee Parkway, Tallahassee, FL

The meeting is open to the public.

The Florida **Department of Agriculture and Consumer Services** announces a regular business meeting of the Florida Coordinating Council on Mosquito Control to which all persons are invited.

DATE AND TIME: March 8, 2005, 10:00 a.m. – 12:00 Noon

PLACE: Doyle Conner Building, Eyster Auditorium, 3125 Conner Blvd., Tallahassee, Florida 32399-3125, (850)488-7447

Questions and Comments may be directed to: Tom Loyless, Chairman, (850)922-7011, e-mail: loylest@doacs.state.fl.us.

The **Department of Agriculture and Consumer Services** announces a meeting of the Pest Control Enforcement Advisory Council.

DATE AND TIME: April 19, 2005, 9:00 a.m.

PLACE: Alachua Regional Service Center, East Building, Suite 800, 14101 Northwest U.S. Hwy 441, Alachua, Florida 32615

GENERAL SUBJECT MATTER TO BE DISCUSSED: To discuss the business of the Council.

A copy of the agenda may be obtained by calling: Steven Dwinell, Florida Department of Agriculture and Consumer Services, (850)488-7447.

The Florida **Department of Agriculture and Consumer Services, Division of Forestry** announces a meeting of the Silviculture Best Management Practices Technical Advisory Committee, to which all persons are invited.

DATE AND TIME: March 7, 2005, 10:00 a.m.

PLACE: Division of Forestry, State Office Headquarters, 3125 Conner Blvd., Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Silviculture Best Management Practices Technical Advisory.

For more information about the meeting, for a copy of the agenda, or if special accommodations are needed to attend this meeting because of a disability, please contact: Jeff Vowell, Division of Forestry, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650, (850)414-9935.

The **Department of Agriculture and Consumer Services** announces a meeting of the Florida Aquaculture Review Council.

DATE AND TIME: March 10, 2005, 9:30 a.m.

PLACE: Division of Aquaculture Conference Room, 1203 Governor’s Square Boulevard, Fifth Floor, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss issues affecting the growth of aquaculture in Florida.

A copy of the agenda can be obtained by contacting: Karen Metcalf, Division of Aquaculture, 1203 Governor’s Square Boulevard, Fifth Floor, Tallahassee, FL 32301, (850)488-4033.

If special accommodations are needed to attend this meeting because of disability, please contact Karen Metcalf as soon as possible.

**DEPARTMENT OF EDUCATION**

The State of Florida, **Department of Education, Education Practices Commission** announces a Teacher Hearing Panel; all persons are invited.

Teacher Hearing Panel

DATES AND TIME: February 24-25, 2005, 9:00 a.m.

PLACE: Embassy Suites Tampa Airport/Westshore, 555 North Westshore Boulevard, Tampa, Florida 33609, (813)875-1555

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Hearing Panel of the Education Practices Commission will consider final agency action in matters dealing with the disciplining of certified educators.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this hearing, he or she will need to ensure that a verbatim record of the proceeding is made. The record will include the testimony and evidence upon which the appeal is to be based.

Additional information may be obtained by writing: Education Practices Commission, 325 W. Gaines Street, 224 Turlington Building, Tallahassee, Florida 32399-0400.

**SPECIAL ACCOMMODATION:** Any person requiring a special impairment accommodation should contact Kathleen M. Richards, (850)245-0455, at least five (5) calendar days prior to the hearing. Persons who are hearing or speech impaired can contact the Commission using the Florida Dual Party Relay System, 711.

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The **Department of Education, Division of Blind Services** announces a Selection Panel meeting: all persons are invited.

**DATES AND TIMES:** February 22, 2005, 1:30 p.m. – 4:00 p.m.; February 23-25, 2005, 8:30 a.m. – 5:00 p.m.

**PLACE:** The Division of Blind Services, 415 S. Armenia Avenue, Tampa, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Review and interview applicants for the business opportunities announced in January 2005.

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The **Commission for Independent Education** announces meetings to which all persons are invited.

Rules Committee Meeting

**DATE AND TIME:** Thursday, March 10, 2005, 9:00 a.m.

Accountability/Methodology Committee

**DATE AND TIME:** Thursday, March 10, 2005, upon adjournment of Rules Committee Meeting

Commission meeting

**DATE AND TIME:** Thursday, March 10, 2005, 1:00 p.m.

Commission meeting

**DATE AND TIME:** March 11, 2005, 8:00 a.m.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct the business of the Rules Committee and Accountability/Methodology Committee as well as to conduct the general business of the Commission including informal hearings, motions, discipline, petitions for variance and waivers and applications for provisional licensure, program additions and modifications, annual licensure and institutions ordered to appear back before the Commission.

**DATE AND TIME:** Friday, March 11, 2005

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct the general business of the Commission including applications for Annual Renewal, Licensure Extensions, Extensions of Annual License, License by Means of Accreditation, Review of License by Means of Accreditation, Substantive Change, Name Change, Elective Clerkships,

Sworn Affidavits for Religious Colleges, reports for School Closure, Agent Licenses, report of licenses sent, motions, petitions for variance and waivers, and committee reports.

**PLACE:** Keiser College, 1700 Halstead Road, Tallahassee, Florida, (850)906-9494, web cast: www.fldoe.org

Any person who decides to appeal a decision of the Commission with respect to any matter considered at this meeting or hearing may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be based.

A copy of the agenda may be obtained by writing: Commission for Independent Education, 2650 Apalachee Parkway, Suite A, Tallahassee, Florida 32301.

Any person requiring a special accommodation for this meeting because of a disability or physical impairment should contact the Area of Critical State Concern, (850)388-4925, at least five calendar days prior to the meeting being held. If you are hearing impaired please contact the Area of Critical State Concern using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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The Florida **Community College System** announces a conference call of the Foundation for Florida's Community Colleges, Inc. to which all persons are invited.

**DATE AND TIME:** March 3, 2005, 11:00 a.m. – 1:00 p.m.

**PLACE:** Dial-In Numbers (850)487-9454, Suncom 277-9454

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Meeting of the Foundation for Florida's Community Colleges, Inc., Board of Directors.

**NOTE:** If you need special services to attend the meeting or need additional information, write: Division of Community Colleges, 325 West Gaines Street, Suite 1314, Tallahassee, Florida 32399-0400.

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## DEPARTMENT OF REVENUE

The **Department of Revenue**, Property Tax Administration Program announces a tangible personal property life expectancy guidelines public workshop to which all interested persons are invited.

**DATE AND TIME:** March 3, 2005, 9:00 a.m. – 5:00 p.m. or earlier if business is completed

**PLACE:** Holiday Inn Plantation/Sawgrass, Plantation A & B Meeting Room, 1711 North University Dr., Plantation, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This will be the second workshop conducted to discuss and to receive public comment on a study on tangible personal property asset lives conducted by Mr. Steve Barreca of BCRI, Inc. The study was conducted as a beginning point to assist the Department in updating the Tangible Personal Property Appraisal Guidelines. The study was based on Florida data retrieved from tangible personal property tax returns filed from 1998 through 2003 in several counties. Assets for utilities or

integrated industries, including the electric, cable and telecommunications industries, were not included in the study and are not under consideration at this time.

The study and the workshop agenda may be found at <http://www.myflorida.com/dor/property/> then click on the first item under "Important Dates and Information for 2005."

The Department encourages participation in this workshop and invites anyone to share comments or data with the Department prior to and at the workshop. Comments may be submitted prior to the workshop to: Sharon Gallops, Florida Department of Revenue, 725 S. Calhoun St., Room G14F, Tallahassee, FL 32399-0100, e-mail: [gallopss@dor.state.fl.us](mailto:gallopss@dor.state.fl.us). Once received, these comments become public record. In order to share any comments or data with participants at the workshop, the Department requests submission to Ms. Gallops no later than February 28, 2005.

A copy of the agenda may also be obtained from Ms. Gallops.  
**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: Larry Green, (850)922-4830. Any person who is hearing or speech-impaired should contact the Department using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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**DEPARTMENT OF TRANSPORTATION**

**NOTICE OF CANCELLATION – The Department of Transportation**, Notice of Project Review Group Meeting of the Florida Seaport Transportation and Economic Development Council announces cancellation of the following meeting.

**DATE AND TIME:** February 23, 2005, 10:00 a.m. – 12:00 Noon

That meeting has been canceled.

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The Florida **Department of Transportation** invites you to attend and participate in a Public Hearing for the State Road 60 (SR 60) Project Development and Environment (PD&E) Study. The proposed project involves improving SR 60 from west of 50th Street to east of Falkenburg Road in Hillsborough County, FPN: 405525-1-22-01, FAP No.: 1812-18-U. The Public Hearing will be held at the following location:

**DATE AND TIME:** Monday, March 14, 2005, 5:00 p.m. – 7:00 p.m. (formal portion beginning at 6:00 p.m.)

**PLACE:** Palm River Elementary, 805 Maydell Drive, Tampa, Florida 33619

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This Hearing is being held to allow interested persons the opportunity to provide comments concerning the recommended "Build" Alternatives for the project. The project proposes improving SR 60 from four to six lanes between 50th Street and US 301 and from four lanes to either six or eight lanes between US 301 and Falkenburg Road.

This Public Hearing is being conducted pursuant to Chapter 339 Florida Statutes, 23 CFR 771, 23 U.S.C. 128, Chapter 120 Florida Statutes and Title VI and Title VIII of the United States Civil Rights Acts of 1964 and 1968. Individuals requiring special considerations under the Americans with Disabilities Act of 1990 should contact Mark Clasgens, Project Manager, (813)975-6450.

The Department will receive verbal and written comments at the Public Hearing. Written comments not received at the Hearing may be returned to the Department via mail but must be postmarked by Thursday, March 24, 2005 to become part of the official public hearing record. Written comments should be addressed to: Robert M. Clifford, Modal Planning and Development Manager, Florida Department of Transportation, District Seven, 11201 N. McKinley Drive, MS 7-500, Tampa, Florida 33612.

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The **Florida Seaport Transportation and Economic Development Council** announces a meeting of the Project Review Group in which all interested persons are invited to participate.

**DATE AND TIME:** March 3, 2005, 10:00 a.m. – 12:00 Noon

**PLACE:** Florida Department of Transportation, Burns Building, Executive Conference Room, 605 Suwannee Street, Tallahassee, Florida 32399-0450,

**PLACE:** Call In Number (850)922-2904, Suncom 292-2904, Confirmation Number: 60E0209

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General Business.

Information on the meeting may be obtained by contacting: Toy Keller, Florida Ports Council, 502 E. Jefferson Street, Tallahassee, Florida 32301, (850)222-8028.

Any person wishing to appeal any decision made with respect to any matter considered at the above cited meeting will need a record of the proceedings, and for such purpose that person 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.

In accordance with provisions of the Americans with Disabilities Act, persons requiring special accommodations to participate in this public meeting should advise: Toy Keller, (850)222-8028.

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**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."

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**STATE BOARD OF ADMINISTRATION**

NOTICE IS HEREBY GIVEN by the **State Board of Administration** of three public meetings to which all persons are invited.

DATE AND TIME: Wednesday, March 23, 2005, 9:00 a.m. (EST)

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and evaluate responses to the Florida Hurricane Catastrophe Fund's Invitation to Negotiate for Loss Reimbursement Examination Services.

DATES AND TIMES: Thursday, March 31, 2005, 9:00 a.m. – 3:00 p.m. (EST); Friday, April 1, 2005, 9:00 a.m. – 3:00 p.m. (EST)

PLACE: Room 116, Hermitage Centre, 1801 Hermitage Blvd., Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: If the State Board of Administration determines that oral presentations by any of those responding to the Florida Hurricane Catastrophe Fund's Invitation to Negotiate are necessary, such presentations will take place on March 31, 2005, and if not completed on that date, on April 1, 2005.

Anyone wishing to receive additional information on any of the meetings noticed above should contact: Marcie Vernon, State Board of Administration, P. O. Box 13300, Tallahassee, FL 32317-3300, (850)413-1345.

In compliance with the Americans with Disabilities Act, anyone needing special accommodation, to participate in any of these meetings is requested to call Marcie Vernon, (850)413-1345, five days prior to the meeting so that appropriate arrangements can be made.

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**PUBLIC SERVICE COMMISSION**

The Florida **Public Service Commission** announces a prehearing to be held in the following docket, to which all interested persons are invited.

Docket No. 040130-TP – Joint petition by NewSouth Communications Corp., NuVox Communications, Inc., KMC Telecom V, Inc., KMC Telecom III LLC, and Xspedius Communications, LLC, on behalf of its operating subsidiaries Xspedius Management Co. Switched Services, LLC and Xspedius Management Co. of Jacksonville, LLC, for

arbitration of certain issues arising in negotiation of interconnection agreement with BellSouth Telecommunications, Inc.

DATE AND TIME: March 7, 2005, 9:30 a.m.

PLACE: Commission Hearing Room 152, The Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider (1) the simplification of the issues; (2) the identification of the positions of the parties on the issues; (3) the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) the identification of the exhibits; (5) the establishment of an order of witnesses; and (6) such other matters as may aid in the disposition of the action.

Any person requiring some accommodation at this prehearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the prehearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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The Florida **Public Service Commission** announces a hearing to be held in the following docket, to which all interested persons are invited.

Docket No. 010503-WU – Application for increase in water rates for Seven Springs System in Pasco County by Aloha Utilities, Inc.

DATE AND TIME: March 8, 2005, 9:30 a.m.

PLACE: Commission Hearing Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To permit parties and staff to present testimony and exhibits relative to the protest of three customers to the portion of Proposed Agency Action Order No. PSC-04-0712-PAA-WU that requires Aloha Utilities, Inc. to meet the Tampa Bay Water standard as the water leaves the treatment facilities of the utility and the methodology upon which compliance with the standard shall be determined. All witnesses shall be subject to cross-examination at the conclusion of their testimony on the issues identified by the parties at the prehearing conference held on February 24, 2005. The proceedings will be governed by the provisions of Chapter 120, F.S., and Chapter 25-28, F.A.C.

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

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**EXECUTIVE OFFICE OF THE GOVERNOR**

The **Florida Sports Foundation** announces it's quarterly Board of Directors meeting to which all persons are invited.

DATE AND TIME: Friday, March 18, 2005, 9:00 a.m. – 4:00 p.m.

PLACE: Marriott Orlando Airport, 6677 Sea Harbor Drive, Orlando, Florida 32821

Please make note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

**REGIONAL PLANNING COUNCILS**

The District XI, **Local Emergency Planning Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, February 23, 2005, 10:00 a.m.

PLACE: Miami-Dade County Emergency Operation Center, 9300 N. W. 41 Street, Miami, Florida 33178

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the LEPC's ongoing regional hazardous materials training and planning activities for FY 2004/05.

A copy of the agenda may be obtained by writing: South Florida Regional Planning Council, 3440 Hollywood Blvd., Suite 140, Hollywood, FL 33021, (954)985-4416 in Broward, Suncom 473-4416, 1(800)985-4416 toll-free statewide.

**WATER MANAGEMENT DISTRICTS**

NOTICE OF CANCELLATION – The **Northwest Florida Water Management District** has canceled the District Lands Public Hearing which was scheduled for:

DATE AND TIME: February 24, 2005, 3:15 p.m.

PLACE: Jackson County Commission Chambers, Marianna, Florida

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited.

DATE AND TIME: Wednesday, March 2, 2005, 9:00 a.m. – complete

PLACE: SFWMD, Lower West Coast Regional Service Center, 2301 McGregor Boulevard, Fort Myers, FL 33901

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Governing Board Audit and Finance Committee to discuss and consider District business including regulatory and non-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 by contacting: South Florida Water Management District, Mail Stop 1130, P. O. Box 24680, West Palm Beach, FL 33416-4680, District Website: <http://www.sfwmd.gov/agenda.html>.

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, (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, District Headquarters, 3301 Gun Club Road, Mail Stop Code 1130, West Palm Beach, FL 33406, (561)682-6371.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited.

DATE AND TIME: Tuesday, March 3, 2005, 9:00 a.m. – complete

PLACE: SFWMD Headquarters, B-1 Building, 3301 Gun Club Road, West Palm Beach, Florida 33416

GENERAL SUBJECT MATTER TO BE CONSIDERED: Water Resources Advisory Commission (WRAC) regular monthly meeting.

A copy of the agenda may be obtained by contacting: South Florida Water Management District, Mail Stop 1130, P. O. Box 24680, West Palm Beach, FL 33416-4680, District Website: <http://www.sfwmd.gov/agenda.html>.

Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact the District Clerk, (561)682-2087, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact: Rick Smith, District Headquarters, 3301 Gun Club Road, Mail Stop Code 1130, West Palm Beach, FL 33406, (561)682-6517.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited.

DATES AND TIME: Tuesday, March 8, 2005; Wednesday, March 9, 2005, 9:00 a.m. – complete

PLACE: SFWMD Headquarters, B-1 Building, 3301 Gun Club Road, West Palm Beach, Florida 33416

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Governing Board Workshop/Meeting/Audit and Finance Committee/Human Resources and Outreach Committee to discuss and consider District business including regulatory and non-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 by contacting: South Florida Water Management District, Mail Stop 1130, P. O. Box 24680, West Palm Beach, FL 33416-4680, District Website: <http://www.sfwmd.gov/agenda.html>.

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, (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, District Headquarters, 3301 Gun Club Road, Mail Stop Code 1130, West Palm Beach, FL 33406, (561)682-6371.

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The **South Florida Water Management District** announces a public meeting to which all interested parties are invited.

DATE AND TIME: Wednesday, March 16, 2005, 9:00 a.m. – completed

PLACE: SFWMD, Okeechobee Service Center, 205 North Parrott Avenue, Suite 201, Okeechobee, FL 34972 (All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members.)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting to discuss Human Resource and Outreach matters.

A copy of the agenda may be obtained by contacting: South Florida Water Management District, Mail Stop 1130, P. O. Box 24680, West Palm Beach, FL 33416-4680, District Website: <http://www.sfwmd.gov/agenda.html>.

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: Director, Governing Board and Executive Services, (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, District Headquarters, 3301 Gun Club Road, Mail Stop Code 1130, West Palm Beach, FL 33406, (561)682-6371.

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#### DEPARTMENT OF ELDER AFFAIRS

The Florida **Department of Elder Affairs** has cancelled the stakeholders' meeting, which was previously published in the FAW on February 4, 2005.

DATE AND TIME: February 21, 2005, 1:00 p.m. – 4:00 p.m.

PLACE: Department of Elder Affairs, Room 225F, 4040 Esplanade Way, Tallahassee, FL 32399-7000

GENERAL SUBJECT MATTER TO BE CONSIDERED: A stakeholders' meeting hosted by the Office of Long-Term Care Policy to discuss special needs shelters in Florida and methods for improvement.

For questions concerning the cancellation, please contact: Jennifer Sindt, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2091, e-mail: [Sindtj@elderaffairs.org](mailto:Sindtj@elderaffairs.org).

If you are hearing or speech impaired, please contact the department by calling (850)414-2001.

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The Florida **Department of Elder Affairs** announces a public hearing to which all persons are invited.

DATE AND TIME: February 28, 2005, 1:00 p.m. – 4:00 p.m.

PLACE: Department of Elder Affairs, Room 225F, 4040 Esplanade Way, Tallahassee, FL 32399-7000

GENERAL SUBJECT MATTER TO BE CONSIDERED: A stakeholders' meeting hosted by the Office of Long-Term Care Policy to discuss special needs shelters in Florida and methods for improvement.

To obtain a copy of the agenda, please contact: Jennifer Sindt, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2091, e-mail: [Sindtj@elderaffairs.org](mailto:Sindtj@elderaffairs.org).

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 department at least 48 hours before the meeting by contacting: Jennifer Sindt, (850)414-2091. If you are hearing or speech impaired, please contact the department by calling (850)414-2001.

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The **Area Agency on Aging of Pasco-Pinellas, Inc. (AAAPP)** announces public meetings for the year of 2005 to which all persons invited:

DATES AND TIME: Monday, January 24, 2005, 9:30 a.m.; Friday, February 25, 2005, 9:30 a.m. (Annual Meeting)

PLACE: Dunedin Arts Center, Dunedin, Florida

DATES AND TIME: Monday, March 21, 2005; Monday, April 18, 2005; Monday, May 16, 2005; Monday, June 20, 2005; Monday, July 18, 2005; Monday, August 15, 2005; Monday, September 19, 2005; Monday, October 17, 2005; Monday, November 21, 2005, 9:30 a.m., No Meeting in December

(Please call to confirm date, time, and location)

PLACE: Area Agency on Aging of Pasco-Pinellas, Inc., 9887 4th Street, North, Suite 100, St. Petersburg, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Area Agency on Aging of Pasco-Pinellas, Inc. – Board Meetings.

Please note that if any person decides to appeal any decision made by AAAPP Board with respect to any matter considered at the above cited meeting or hearing, they will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

The **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, February 21, 2005, 11:00 a.m. – 4:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room A, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: Hospital CON Workgroup Meeting required by Chapter 2004-382, Laws of Florida.

To be included in the Hospital CON Workgroup “Interested Parties”, please mail, e-mail or fax your e-mail address to: Linda Colvin, e-mail: COLVINL@fdhc.state.fl.us, Fax (850)413-7955.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the agency sending the notice not later than five working days prior to the proceeding at the address given on the notice. Telephone: (850)922-0791.

The **Agency for Health Care Administration** announces a meeting of the Comprehensive Health Information System Advisory Council to which all interested parties are invited.

DATE AND TIME: Monday, February 28, 2005, 9:30 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, First Floor Conference Room C, Tallahassee, FL 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: To study and make recommendations on the collection, analysis and dissemination of health care data.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Barbara Lenczewski, (850)922-5569, at least five calendar days prior to the meeting.

A copy of the agenda may be obtained by writing: Lisa Eaton, Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, Mail Stop #16, Tallahassee, FL 32308-5403. The agenda will also be posted at <http://www.fdhc.state.fl.us/SCHS/chismetings.shtml> seven (7) days prior to the meeting.

The **Agency for Health Care Administration** announces a meeting of the Comprehensive Health Information System Advisory Council Health Care Facility Web Site Technical Workgroup, to which all interested parties are invited.

DATE AND TIME: Tuesday, March 1, 2005, 10:00 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive Building #3, First Floor Conference Room A, Tallahassee, FL 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Health Care Facility Web Site Technical Workgroup to discuss reporting health care data on the AHCA web site.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Barbara Lenczewski, (850)922-5569, at least five calendar days prior to the meeting.

A copy of the agenda may be obtained by writing: Lisa Eaton, Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, Mail Stop #16, Tallahassee, FL 32308-5403. The agenda will also be posted at <http://www.fdhc.state.fl.us/SCHS/chismetings.shtml>, seven (7) days prior to the meeting.

The **Agency for Health Care Administration** announces a telephone conference call to which all persons are invited to call in.

DATE AND TIME: Wednesday, February 23, 2005, 6:00 p.m. – 8:00 p.m.

PLACE: To access the “Meet-Me” number call (850)921-5230, Suncom 291-5230

GENERAL SUBJECT MATTER TO BE CONSIDERED: Hospital CON Workgroup Conference Call required by Chapter 2004-382, Laws of Florida.

For additional information contact: Linda Colvin, Agency for Health Care Administration, 2727 Mahan Drive, MS #28A, Tallahassee, Florida 32308, (850)922-0791, e-mail: COLVINL@fdhc.state.fl.us.

**DEPARTMENT OF MANAGEMENT SERVICES**

The **State Technology Office**, Wireless 911 Board announces the following meeting schedule information:

**CORRECTION**

Wireless 911 Board Meeting

DATE AND TIME: March 23, 2005, 9:00 a.m. – 5:00 p.m.

PLACE: Wyndham Casa Marina, Key West, Florida

Rural County Grant Committee

DATE AND TIME: March 24, 2005, 9:00 a.m. – 12:00 Noon

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss 2005 Rural County Grant Applications.

**CORRECTION**

Rural County Grant Committee

DATE AND TIME: April 12, 2005, 2:00 p.m. – 5:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss 2005 Rural County Grant Applications.

Wireless 911 Board Meeting

DATES AND TIME: April 13-14, 2005, 9:00 a.m. – 5:00 p.m.

PLACE: Homewood Suites by Hilton, Tallahassee, Florida

If accommodation due to disability is needed in order to participate, please notify the State Technology Office/Wireless 911 Board in writing at least five (5) days in advance at 4050 Esplanade Way, Tallahassee, Florida 32399-0950.

The State of **Florida Retirement Commission** announces public hearings to which all persons are invited.

DATES AND TIME: February 21-22, 2005, 8:30 a.m.

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Room 180, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct hearings pursuant to Section 121.23, Florida Statutes, and to consider other matters related to the business of the Commission.

A copy of the agenda may be obtained by writing: State Retirement Commission, Department of Management Services, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950, (850)487-2410.

A party who decides to appeal any decision made at such hearings will need a verbatim record of the hearing and may need to ensure that one is made, including the testimony and evidence, upon which the appeal is to be based.

Persons requiring accommodation because of a physical, visual, auditory or speech impairment should contact the Commission Clerk at least ten days prior to the hearing. If you are hearing or speech impaired, call by using the Florida Relay Service, 1(800)955-8771 (TDD). Hearing rooms and facilities are wheelchair accessible.

The Florida **Commission on Human Relations** announces a public meeting to which all persons are invited. The meeting is being conducted by communications media technology (CMT), i.e., by utilizing a telephone conference hookup.

DATE AND TIME: March 4, 2005, 9:00 a.m.

PLACE: Florida Commission on Human Relations, 2009 Apalachee Parkway, Suite 100, Tallahassee, Florida 32301, (850)488-7082, Ext. 1032 (The meet-me telephone number is (850)414-6477, Suncom 994-6477)

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will be held to deliberate cases that have come before the Commission for determination.

A copy of the agenda may be obtained by contacting: Ms. Denise Crawford, Clerk of the Commission, Florida Commission on Human Relations, 2009 Apalachee Parkway, Suite 100, Tallahassee, Florida 32301, (850)488-7082, Ext. 1032.

VERBATIM RECORD OF MEETING: If any person decided to appeal any decision made during the meeting, he or 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 based.

ADA NOTICE: Any person requiring special accommodation at this meeting because of a disability or physical impairment should contact the Clerk of the Commission, (850)488-7082, Ext. 1032, at least five working days prior to the meeting.

The **Florida Black Business Investment Board**, Inc. (FBBIB) and the Florida Black Business Support Corporation (FBBSC) announce meetings of their board of directors to which all interested persons are invited.

DATE AND TIME: Thursday, March 10, 2005, 10:00 a.m. – 2:00 p.m.

PLACE: Miami International Airport Hotel, Airport Terminal Concourse “E”, Miami, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To further 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, 1711 South Gadsden Street, Tallahassee, FL 32301, (850)487-4850.

If a person decides to take an appeal with respect to any matter considered at these meetings, he/she will need a record of the proceedings and, for such purpose, he/she may need to ensure that verbatim record of the proceedings is made, which record should include the testimony and evidence upon which the appeal is to be based.

If an accommodation is needed for a disability in order to attend this meeting, please notify the FBBIB office, (850)487-4850, at least seven (7) days prior to the meeting.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

The Probable Cause Panel of the **Construction Industry Licensing Board** announces a meeting.

DATE AND TIMES: February 22, 2004, 9:00 a.m. and 10:00 a.m. or soon thereafter

PLACE: Dept. of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32309, (850)488-0062

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review complaints in which a determination of the existence of probable cause has already been made.

A copy of the public portion of the agenda may be obtained by writing: Patrick Creehan, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 60, Tallahassee, Florida 32399-2202, (850)488-0062.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Construction Prosecution Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required. The Construction Prosecution Section may be contacted at the address and phone number listed above.

The Florida **Board of Landscape Architecture** announces the following meeting to be held by telephone conference call, to which all persons are invited to attend.

DATE AND TIME: March 4, 2005, 2:00 p.m.

PLACE: Access Phone # (850)414-5775, Suncom 994-5775, Toll Free 1(888)461-8118

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board and Business Meeting.

To obtain a copy of the agenda, further information, or submit written or other physical evidence, contact in writing: Board of Landscape Architecture, 1940 N. Monroe St., Tallahassee, Florida 32399.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board office, (850)487-8304, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Pilot Commissioners** announces a telephone conference call to which all persons are invited to participate.

DATE AND TIME: March 7, 2005, 9:00 a.m.

PLACE: Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, FL (Telephone Number To Call: (850)245-5725, Suncom 205-5725)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Deputy Pilot Advancement.

Any person deciding to appeal a decision made with respect to any matter considered at this meeting will need to ensure that a verbatim record of the proceeding is made. Such record must include testimony and evidence upon which the appeal is to be based.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact Department of Business and Professional Regulation, Board of Pilot Commissioners, (850)922-5012, at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the board office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Pilot Commissioners** announces a telephone conference call to which all persons are invited to participate.

DATE AND TIME: April 4, 2005, 9:00 a.m.

PLACE: Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, FL (Telephone Number To Call: 1(800)416-4254, outside of Tallahassee only, (850)922-2903, Suncom 292-2903)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Deputy Pilot Advancement.

Any person deciding to appeal a decision made with respect to any matter considered at this meeting will need to ensure that a verbatim record of the proceeding is made. Such record must include testimony and evidence upon which the appeal is to be based.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact Department of Business and Professional Regulation, Board of Pilot Commissioners, (850)922-5012, at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the board office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Mobile Home Relocation Corporation** announces a meeting of its Board of Directors. The board will consider mobile home applications for abandonment and relocation compensation due to evictions as a result of a change in land use.

DATE AND TIME: Thursday, February 24, 2005, 9:30 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 land use, and such other business as may come before the board. A schedule for the next meeting will be determined.

Additional information may be obtained by contacting: Mandy Lemons, Executive Director, FMHRC, P. O. Box 14125 Tallahassee, FL 32317-4125, 1(888)862-7010.

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#### 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."

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The **Florida Center for Solid and Hazardous Waste Management Advisory Board** will hold a Research Selection Committee meeting to which all interested persons are invited to participate.

DATE AND TIME: April 25, 2005, 8:30 a.m. – 4:00 p.m.  
PLACE: Courtyard Marriott, Gainesville, Florida  
More information or updates can be obtained by calling the Center, (352)392-6264, or visiting the web page: [www.floridacenter.org](http://www.floridacenter.org).

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The Florida Alliance for Diabetes Prevention and Care, Steering Committee Members, **Department of Health**, Diabetes Prevention and Control Program will hold their next Alliance Steering Committee meeting via conference call. All interested persons are invited to participate.

DATE AND TIME: Tuesday, March 8, 2005, 12:00 Noon – 1:00 p.m.

PLACE: Conference Call

If you would like to join the conference call, have questions or require additional information, please contact: M. R. Street, (850)245-4330.

All requests for special accommodations must be received by Friday, March 4, 2005, 5:00 p.m., Eastern Time.

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The **Department of Health**, Bureau of Emergency Medical Services announces two public meetings to which all persons are invited.

DATES AND TIME: March 8-9, 2005, 8:30 a.m. each day, ending at varied times (Specific information on the schedule will be presented each day during the meeting.)

PLACE: Florida State Fire College, 11655 Northwest Gainesville Road, Ocala, Florida 34482

DATES AND TIME: March 15-16, 2005, 8:30 a.m. each day, ending at varied times (Specific information on the schedule will be presented each day during the meeting.)

PLACE: Broward County Emergency Operations Center, 201 N. W. 84th Avenue, Plantation, Florida 33324

GENERAL SUBJECT MATTER TO BE CONSIDERED: To assess Emergency Medical Services matching grant applications submitted to the Department of Health, Bureau of Emergency Medical Services to determine funding recommendations.

An agenda can be obtained by contacting: Donna Bruce, Department of Health, Bureau of Emergency Medical Services, 4052 Bald Cypress Way, Bin #C18, Tallahassee, FL 32399-1738, (850)245-4440, Ext. 2782, Fax (850)245-4385, e-mail: [Donna\\_Bruce@doh.state.fl.us](mailto:Donna_Bruce@doh.state.fl.us).

SPECIAL ACCOMMODATIONS: Any person requiring special accommodations because of a disability or physical impairment must contact this agency at least 48 hours prior to the date of attendance at the above address and telephone number. If you are hearing or speech impaired, you may use the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

P. O. # DO29262

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The **Department of Health, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling** announces a telephone conference call in which reconsiderations will be heard.

DATE AND TIME: March 3, 2005, 3:00 p.m. – 4:00 p.m.

PLACE: Call (850)245-4474 to inquire about call-in number

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting.

A copy of the agenda may be obtained by writing: Sue Foster, Executive Director, Department of Health, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin #C08, Tallahassee, FL 32399-3258.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

Those who are hearing or speech impaired, using TDD equipment, can call the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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The **Board of Nursing Home Administrators** will hold a duly noticed meeting and telephone conference call, to which all persons are invited to attend.

DATE AND TIME: Friday, March 4, 2005, 9:00 a.m.

PLACE: Department of Health, Capital Circle Office Complex, 4042 Bald Cypress Way, Room 301, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board, (850)245-4355, at least 48 hours prior to the meeting. If you are a hearing or speech impaired, please contact the Board office using the Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

A copy of the agenda item may be obtained by writing: Joe Baker, Jr., Executive Director, Board of Nursing Home Administrators, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257, website: [www.doh.state.fl.us/mqa/nurshome/nha\\_home.html](http://www.doh.state.fl.us/mqa/nurshome/nha_home.html).

The **Department of Health, Board of Respiratory Care** announces a conference call of the board.

DATE AND TIME: March 30, 2005, 11:00 a.m. or soon thereafter

PLACE: The meet me number may be obtained by contacting: Ivy Shivers, (850)245-4372

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting.

A copy of the agenda may be obtained by writing: Department of Health, Board of Respiratory Care, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, (850)245-4373.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the board office, (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Department of Health**, Diabetes Prevention and Control Program, Florida Alliance for Diabetes Prevention and Care, Community Partnerships Workgroup will hold a workgroup meeting via conference call to which all interested persons are invited to participate.

DATE AND TIME: February 24, 2005, 10:00 a.m. – 11:00 a.m.

If you would like to join the conference call, have questions, or require additional information, please contact: M. R. Street, (850)245-4330. All requests for special accommodations must be received by Tuesday, February 22, 2005, 5:00 p.m. Eastern Time.

The **Department of Health**, Diabetes Prevention and Control Program, Florida Alliance for Diabetes Prevention and Care, Data Workgroup will hold a workgroup meeting via conference call to which all interested persons are invited to participate.

DATE AND TIME: March 7, 2005, 10:00 a.m. – 11:00 a.m.

If you would like to join the conference call, have questions, or require additional information, please contact: M. R. Street, (850)245-4330. All requests for special accommodations must be received by Tuesday, February 22, 2005, 5:00 p.m. Eastern Time.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

The Florida **Department of Children and Family Services** announces a meeting to which all interested persons are invited to participate.

DATE AND TIME: Friday, February 25, 2005, 10:00 a.m. – 12:00 Noon

PLACE: 1313 Winewood Boulevard, Building 4, Conference Center, Tallahassee, Florida 32399-0700; Contact: Kim Shaver, (850)487-8448

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of Economic Self-Sufficiency Modernization Plan.

Pursuant to Section 286.26, Florida Statutes, any disabled person wishing to access this meeting, who may be in need of special assistance, should contact the Office of the Secretary, (850)487-1111, at least 48 hours in advance of the meeting.

The **Council on Homelessness** announces a meeting of the Full Council to which all interested persons are invited to participate.

DATE AND TIME: February 23, 2005, 9:00 a.m. – 3:00 p.m.

PLACE: The call number is (850)414-1708, Suncom 994-1708

A copy of the agenda may be obtained by contacting: Thomas Pierce, State Office on Homelessness, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700, (850)922-9850, e-mail: [tom\\_pierce@dcf.state.fl.us](mailto:tom_pierce@dcf.state.fl.us).

Pursuant to Section 286.26, Florida Statutes, any disabled person wishing to access this meeting, who may be in need of special assistance, should contact the Office on Homelessness, (850)922-4691, at least 48 hours in advance of the meeting.

The Office on Homelessness, within the **Department of Children and Family Services**, hereby notices a conference call for the Application and Rulemaking Committee of the Council on Homelessness. All interested persons are invited to participate.

DATE AND TIME: March 4, 2005, 10:00 a.m. – 11:00 a.m.

PLACE: (850)921-8788, Suncom 291-8788

Please contact the Office on Homelessness, (850)922-4691, if you have any questions. The committee will continue to discuss provisions of the Homeless Housing Assistance Grant related to past performance.

Pursuant to Section 286.26, Florida Statutes, any disabled person wishing to access this meeting who may be in need of special assistance should contact the Office on Homelessness, (850)922-4691, at least 48 hours in advance of this meeting.

The **Department of Children and Family Services**, District 7, Substance Abuse and Mental Health Program Office announces a public meeting to which all persons are invited.

DATE AND TIME: March 10, 2005, 10:00 a.m. – 12:00 Noon

PLACE: Hurston Building (South Tower), Conference Room D, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department is seeking public input and information regarding the fiscal year 2005-2006 Plan for Implementing Section 394.4574, F.S., Assisted Living Facility with Limited Mental Health License.

AGENDA – I. Introductions; II. Purpose; III. Open Floor for Public Comment/Imput regarding Substance Abuse and Mental Health Service Provision in District 7; IV. Adjourn.

NOTE: Persons with disabilities, requiring accommodations, in order to participate in this event should contact the following person(s) by telephone or in writing: Geovanna Dominguez, 400 West Robinson Street, S930, Orlando, Florida 32801, (407)245-0420, Ext. 114, 1(800)955-8771 (TDD/TTY) or 1(800)955-8770 (Voice), by close of business (5:00 p.m.) on Friday, March 4 2005.

FOR FURTHER INFORMATION CONTACT: Geovanna Dominguez, 400 West Robinson Street, Suite S930, Orlando, Florida 32801, (407)245-0420, Ext. 114.

#### DEPARTMENT OF FINANCIAL SERVICES

The **Florida Financial Management Information System (FFMIS) Coordinating Council**, Enterprise Resource Planning Integration Task Force announces the following public meeting to which all persons are invited.

DATE AND TIME: March 3, 2005, 10:00 a.m.

PLACE: Chief Financial Officer's Conference Room, PL12, The Capitol Building, Tallahassee, Florida (Please Note: The above date, time and place of the meeting are tentative.)

GENERAL SUBJECT MATTER TO BE CONSIDERED: This a regularly scheduled Enterprise Resource Planning Integration Task Force meeting.

Please visit: <http://erpitf.fldfs.com>, for information.

A copy of the agenda may be obtained by contacting: Don Northam, Department of Financial Services, 200 E. Gaines Street, Tallahassee, FL 32399-0352, (850)413-2822, Fax (850)487-0453, e-mail: [northamd@dfs.state.fl.us](mailto:northamd@dfs.state.fl.us).

#### FLORIDA INSURANCE GUARANTY ASSOCIATION

The **Florida Insurance Guaranty Association** announces a Nominating Committee meeting to which all interested parties are invited to attend.

DATE AND TIME: February 24, 2005, 8:00 a.m. – 8:30 a.m. (Eastern Time) or as soon as business has been concluded

PLACE: DoubleTree Hotel, Adams Park Room, 101 South Adams Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Nominating Committee of the Florida Insurance Guaranty Association will meet to discuss and nominate officers for the 2005-06 year.

A copy of the agenda may be obtained by contacting: Mr. Anthony Grippa, (850)386-9200.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate the meeting is asked to advise the Association by contacting Mr. Anthony Grippa, (850)386-9200, at least 48 hours before the session if the person wishes to participate. A person who is hearing or speech impaired may also contact: 1(800)955-1339 TDD.

#### VISIT FLORIDA

The **VISIT FLORIDA**, Board of Directors announces a public meeting as follows:

MEETING: Advertising and Internet Committee

DATE AND TIME: February 24, 2005, 2:00 p.m.

PLACE: Orlando/Orange County Convention and Visitors Bureau, 6700 Forum Drive, Orlando, Florida 32821, (407)363-5872

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting.

For further information contact: Bennie Strange, VISIT FLORIDA, P. O. Box 1100, Tallahassee, Florida 32302-1100, (850)488-5607, Ext. 319.

Any person requiring special accommodations at this meeting because of a disability should contact VISIT FLORIDA at least five business days prior to the meeting. Persons who are hearing or speech impaired can contact VISIT FLORIDA by using the Florida Relay Service, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

The Florida Commission on Tourism announces a public meeting of the **VISIT FLORIDA**, Board of Directors and the Florida Commission on Tourism as follows:

MEETING: Marketing Steering Committee

DATE AND TIME: Monday, March 8, 2004, 8:30 a.m. – 10:00 a.m.

PLACE: University Center Club, Tallahassee, (850)644-8528

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss old business, marketing programs and strategies.

MEETING: Finance Committee

DATE AND TIME: Monday, March 8, 2004, 8:30 a.m. – 10:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee will review quarterly budgets and financial statements.

MEETING: VISIT FLORIDA Board of Directors Meeting

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors will discuss committee reports, on-going and developing issues and other matters.

MEETING: Florida Commission on Tourism

DATE AND TIME: Monday, March 8, 2004, Upon adjournment of the Board of Directors meeting

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will ratify actions of the Board of Directors and discuss other matters as necessary.

For further information contact: Susan Gale, VISIT FLORIDA, P. O. Box 1100, Tallahassee, Florida 32302-1100, (850)488-5607, Ext. 334.

Any person requiring special accommodations at this meeting because of a disability should contact VISIT FLORIDA at least five business days prior to the meeting. Persons who are hearing or speech impaired can contact VISIT FLORIDA by using the Florida Relay Service, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

**FLORIDA DEVELOPMENTAL DISABILITIES COUNCIL**

The **Florida Developmental Disabilities Council**, Inc. announces a regularly scheduled business meeting.

Committee Meetings

DATE AND TIME: Thursday, March 3, 2005, 10:00 a.m. – 5:00 p.m.

Full Council Meeting

DATE AND TIME: Friday, March 4, 2005, 8:30 a.m. – 2:00 p.m.

PLACE: Hilton Orlando/Altamonte Springs, 350 South North Lake Boulevard, Altamonte Springs, FL 32701

Please Note: Meeting times are subject to change.

To receive a copy of the agenda, or request special accommodations for participation in the meeting, please contact: Debra Dowds, 124 Marriott Drive, Suite 203, Tallahassee, FL 32301-2981, (850)488-4180, toll free 1(800)580-7801, TDD 1(888)488-8633.

**COMMISSION ON MARRIAGE AND FAMILY SUPPORT INITIATIVES**

The **Commission on Marriage and Family Support Initiatives** announces the following meeting of the commission to which all persons are invited to attend.

MEETING TYPE: Public Awareness Committee

DATE AND TIME: Friday, March 4, 2005, 9:00 a.m. – 11:00 a.m.

PLACE: Via conference call at 111 N. Gadsden Street, Suite 100, Tallahassee, FL 32301-1507

For a copy of the agenda and more information about how to attend the meeting contact: Heidi Rodriguez, (850)488-4952, Ext. 135, e-mail: hrodriguez@ounce.org.

Persons with disabilities who require assistance to participate in the meeting are requested to notify the commission office at the same address or telephone number above at least seven days in advance so that their needs can be accommodated.

The **Commission on Marriage and Family Support Initiatives** announces the following meeting of the commission to which all persons are invited to attend.

MEETING TYPE: Program Committee

DATE AND TIME: Monday, March 14, 2005, 1:00 p.m. – 3:00 p.m.

PLACE: Via conference call at 111 N. Gadsden Street, Suite 100, Tallahassee, FL 32301-1507

For a copy of the agenda and more information about how to attend the meeting contact: Heidi Rodriguez, (850)488-4952, Ext. 135, e-mail: hrodriguez@ounce.org.

Persons with disabilities who require assistance to participate in the meeting are requested to notify the commission office at the same address or telephone number above at least seven days in advance so that their needs can be accommodated.

The **Commission on Marriage and Family Support Initiatives** announces the following meeting of the commission to which all persons are invited to attend.

MEETING TYPE: Policy Committee

DATE AND TIME: Thursday, March 17, 2005, 9:00 a.m. – 11:00 a.m.

PLACE: Via conference call at 111 N. Gadsden Street, Suite 100, Tallahassee, FL 32301-1507

For a copy of the agenda and more information about how to attend the meeting contact: Heidi Rodriguez, (850)488-4952, Ext. 135, e-mail: hrodriguez@ounce.org.

Persons with disabilities who require assistance to participate in the meeting are requested to notify the commission office at the same address or telephone number above at least seven days in advance so that their needs can be accommodated.

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**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: March 10, 2005, 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.

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**FLORIDA LEAGUE OF CITIES**

The **Florida Municipal Pension Trust Fund** announces a public meeting to which all persons are invited:

DATE AND TIME: Thursday, March 17, 2005, 11:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Florida Municipal Pension Trust Fund to discuss general business of the Trust.

Joint meeting of the Florida Municipal Pension Trust Fund and the Florida Municipal Investment Trust

DATE AND TIME: March 17, 2005, 1:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to receive reports from investment manager and performance monitor.

PLACE: Casa Monica Hotel, 95 Cordova Street, St. Augustine, Florida, (904)827-1888

A copy of the meeting agenda may be obtained by contacting: Jeannie Garner, Director of Financial Services, Florida League of Cities, Inc., Post Office Box 1757, Tallahassee, Florida 32302-1757, 1(800)616-1513, Ext. 277.

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The **Florida Municipal Investment Trust (FMIvT)** announces a public meeting to which all persons are invited:

DATE AND TIME: Thursday, March 17, 2005, 2:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Florida Municipal Investment Trust (FMIvT) to discuss general business of the Trust.

Joint meeting of the Florida Municipal Pension Trust Fund and the Florida Municipal Investment Trust

DATE AND TIME: March 17, 2005, 1:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to receive reports from investment manager and performance monitor.

PLACE: Casa Monica Hotel, 95 Cordova Street, St. Augustine, Florida, (904)827-1888

A copy of the meeting agenda may be obtained by contacting: Jeannie Garner, Director of Financial Services, Florida League of Cities, Inc., Post Office Box 1757, Tallahassee, Florida 32302-1757, 1(800)616-1513, Ext. 277.

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The **Florida Municipal Loan Council** announces a public meeting to which all persons are invited:

DATE AND TIME: Thursday, March 17, 2005, 2:30 p.m. or immediately upon adjournment of FMIvT which begins at 2:00 p.m.

PLACE: Casa Monica Hotel, 95 Cordova Street, St. Augustine, Florida, (904)827-1888

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Board of Directors for the Florida Municipal Loan Council to discuss general business of the Council.

A copy of the meeting agenda may be obtained by contacting: Jeannie Garner, Director of Financial Services, Florida League of Cities, Inc., Post Office Box 1757, Tallahassee, Florida 32302-1757, 1(800)616-1513, Ext. 277.

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**FLORIDA SURPLUS LINES SERVICE OFFICE**

The **Florida Surplus Lines Service Office**, Board of Governors' announces a public meeting to which all interested parties are invited:

BOARD OF GOVERNORS' QUARTERLY MEETING

DATE AND TIME: Monday, April 18, 2005, 1:00 p.m.

PLACE: Florida Surplus Lines Service Office, 1441 Maclay Commerce Drive, Suite 200, Tallahassee, FL 32312

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Matters.

A copy of the agenda may be obtained by sending a faxed request to: Georgie Barrett, (850)513-9624.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this meeting should contact Georgie a week prior to the meeting, (850)224-7676, Ext. 301.

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**Section VII**  
**Notices of Petitions and Dispositions**  
**Regarding Declaratory Statements**

**DEPARTMENT OF COMMUNITY AFFAIRS**

NOTICE IS HEREBY GIVEN that the Petition for Declaratory Statement received from City Glass and Mirror, Inc., on January 11, 2005 has been withdrawn. Notice of receipt of this petition, which was assigned the number DCA05-DEC-010, appeared in the January 28, 2005 edition of the Florida Administrative Weekly.

A copy of the withdrawal may be obtained by writing: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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## **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 MANAGEMENT SERVICES**

NOTICE IS HEREBY GIVEN THAT the Public Employees Relations Commission has received a Petition for Declaratory Statement in the matter of James R. Ervin, Case No. DS-2005-002. Ervin alleges that the Department of Corrections acted illegally when it conducted an investigation of him for alleged misconduct, revoked his use of flex time, and dismissed him from employment as an architect. Ervin asks the Commission to rule on the legality of his treatment by the Department of Corrections under numerous statutes and rules, the applicability of such statutes and rules to him and other similarly situated career service employees, and what authority such statutes and rules give specified state agencies. The statutes include: Sections 110.126, 110.127, 110.1521, et seq., 110.221, 110.227(5)(a), 112.531-.534, 120.569, 120.57, 447.205(11), 447.207, 447.208(3), 447.2085, 447.503, 447.5035, 447.504, and Chapter 448, Florida Statutes (2004). The rules include: Florida Administrative Code Chapters 33-208, 60L-34, and 60L-36. Ervin also asks what legal effect the Public Employees Relations Commission's published handbook entitled "Career Service Appeals Under Service First" has and whether there are other statutes and rules not mentioned that give certain agencies specified authority.

A copy of the Petition for Declaratory Statement may be obtained by writing: Clerk, Public Employees Relations Commission, 4050 Esplanade Way, Tallahassee, Florida 32399-0950.

Any person desiring to submit a statement regarding the petition may do so by filing such statement at the above address within 20 days of the date of this publication.

## **DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has issued an Order Dismissing Petition for Declaratory Statement In Re: Petition for Declaratory Statement, William Schnell & Louise Genovese, Unit Owners, Yardarm Condominium Association, Inc., and Yardarm Development, Inc., Docket Number 2004027705.

Because the factual dispute between the parties as to the status of the property being converted to boat slips could not be resolved in a declaratory statement proceeding.

A copy of the Order Dismissing Petition for Declaratory Statement, Docket Number 2004027705, may be obtained by writing: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

NOTICE IS HEREBY GIVEN that the Division of Pari-Mutuel Wagering, Department of Business and Professional Regulation, has issued a Declaratory Statement in response to a petition for a declaratory statement from Gulfstream Park Racing Association, Inc., Petitioner, in DBPR Case No. DS 2004-034. The Petition lists Sections 550.155(1) and 550.3551(3), Florida Statutes, and subsection 61D-7.001(9) and Rule 61D-7.020, Florida Administrative Code, as the statutory/administrative provisions upon which a declaratory statement is being sought. The Declaratory Statement advises that: the device, whose functions and operating details are set forth in paragraphs five through thirty-one of the Petition, is permissible for use at the Petitioner's licensed pari-mutuel facility. However, this Declaratory Statement is exclusively limited to devices of the same configuration and using the same operating protocols as those the Petitioner has described in paragraphs five through thirty-one of the Petition.

A copy of the Declaratory Statement may be obtained by writing: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399.

## **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 Financial Services, Division of State Fire Marshal, has received a Petition for Declaratory Statement filed January 25, 2005, from Robert Paul Brown, Jr., Petitioner. The Petition is seeking the Department's interpretation of the Florida Fire Prevention Code as it relates to a definition of "bar-be-que."

A copy of the Petition may be obtained by writing to, calling or faxing: Gabriel Mazzeo, Attorney, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (850)413-3604, Fax (850)922-1235 (please advise if you would like it mailed or faxed to you and please include your phone number on your request in case any question arises), e-mail: [Gabe.Mazzeo@fldfs.com](mailto:Gabe.Mazzeo@fldfs.com).

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:

Carlton Palms Education Center vs. Department of Children and Family Services, N/K/A Agency for Persons with Disabilities; Case No.: 05-0392RP; Rule No.: 65B-6.014

Laboratory Corporation of America Holdings vs. Agency for Health Care Administration; Case No.: 05-0389RU

Quest Diagnostics Clinical Laboratories, Inc. vs. Agency for Health Care Administration; Case No.: 05-0394RU

Bonnie Siegel and Gayle Knight vs. Agency for Health Care Administration; Case No.: 05-0399RU

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

Calder Race Course, Inc. vs. Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering; Case No.: 04-3026RP; Rule No.: 61D-7.021; Dismissed

Florida Chiropractic Association, Inc. and Marc H. Kalmanson, d/b/a Holistic Healthcare Consultants, Inc. vs. Department of Health, Division of Medical Quality Assurance; Case No.: 04-4477RP; Rule No.: 64B-5.001; Dismissed

Rural Healthcare, Inc. vs. Agency for Health Care Administration; Case No.: 03-0334RU; Dismissed

Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges

NONE

Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF EDUCATION

REQUEST FOR BID

The University of Florida, Purchasing Division will receive sealed bids for the following: ITB05MW-244, DHRE #HS05202-20, Reid Hall Fire Sprinkler Installation and Fire Alarm System Upgrade, estimated budget: \$525,000, to be opened March 22, 2005, at 2:00 p.m. Local Time. Scope of work: Provide a complete fire sprinkler system, including fire pump. Electrical support for sprinkler system work shall include fire alarm upgrade for monitoring flow, tamper and pressure switches. Specifications and Plans are available in Purchasing Division, Elmore Hall, Radio Road, Gainesville, FL 32611, Telephone (352)392-1331.

A Mandatory Pre-Bid Meeting will be held March 8, 2005, at 9:00 a.m. in the Reid Library, Gainesville, FL. All questions should be directed to Jennifer Gresh, 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 DESIGN/BUILD TEAMS

The Florida State University, announces that Qualifications Based Design/Build Services for the design and construction of a new residence hall, will be required for the project listed below:

Project Number: FS-215

PROJECT AND LOCATION: DeGraff Hall, Florida State University, Tallahassee, Florida

The project consists of the demolition of the current facility and the design and construction, of a new residence hall. The site is the current location of DeGraff Hall, an approximately 5.25 acre parcel in the northwest quadrant of the intersection between West Tennessee Street (U.S. 90) and Dewey Street. The new construction shall accommodate approximately 600 students in double occupancy suite style rooms with semi-private baths (two rooms sharing one bath). The facility must be available for occupancy no later than July 1, 2007; the site will be available for construction on May 15, 2005.

The Design/Build Team shall be responsible for the 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 Team shall facilitate the needs of University Housing, accomplishing those needs within the mandatory project schedule and budget for occupancy requirements.

The Design/Build Services contract shall be in compliance with the qualifications based Design/Build selection provisions in Section 287.055, F.S. and Rule 6C-14.007, F.A.C., including pre-construction fees, construction related service costs and a guaranteed maximum price. It is the University's responsibility to negotiate a fair, competitive, and reasonable compensation per Section 287.055, F.S. A fair, competitive and reasonable compensation shall be evaluated based upon the following information: (1) compensation on similar projects, and (2) other compensation reference data.

The University will contract with a single contract entity whose Design/Build Team shall provide all services including, but not necessarily limited to professional services, budgeting, construction services, labor, materials, and equipment required to design and construct the project. The selected team will be required to provide computer drawings according to the standards of Florida State University, including computer record drawings reflecting as-built conditions.

Blanket professional design liability insurance will be required for this project in the amount of \$1,000,000 and will be provided as a part of Basic Services.

The proposed contractual value of this project is approximately \$33,000,000.00. 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, Class IX. Project development including professional services is contingent upon availability of funds.

#### INSTRUCTIONS:

Teams desiring to apply for consideration shall submit a letter of interest, a completed "Design/Build Services Qualification Supplement" form (DBSQS), dated February 2005, with attachments, and additional information required as described in the DBSQS. Applications submitted in any other format may not be considered. The Design/Build Services Qualifications Supplement form dated February 2005, project information and selection criteria, may be obtained on line at [www.fpc.fsu.edu](http://www.fpc.fsu.edu) or by contacting: Lynetta Mills, Facilities Design and Construction, 109 Mendenhall Maintenance Building A, Florida State University, Tallahassee, Florida 32306-4152, (850)644-2843, Fax (850)644-8351. For further information on the project, contact: Lisa Durham, Senior Project Manager, at the address and phone listed above.

All teams must be properly licensed and registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, or a joint venture, it must be registered by the Department of State to do business in the State of Florida at the time of application. If the applicant is the contract entity and has a consultant to perform the design or construction services, the contract entity and consultant must have an agreement at the time of application to formally contract for consulting services. Firms applying as

"Associations" without a registered joint venture agreement or a contract entity and consultant without an agreement will not be considered.

Selection of finalists for interview will be made on the basis of qualifications of the proposed design/build team, including team qualifications, team experience and ability to provide service in meeting the project requirements. Florida State University strongly encourages the use of certified Minority and Women-owned Business Enterprises ("MBEs") in the provision of design and construction-related services by providing a fair and equal opportunity to compete for, or for participation in, design and/or construction related services.

Applications that do not comply with the above instructions may be disqualified. Submittals are part of the public record and no submittal material will be returned. The plans and specifications for The Florida State University 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) bound copies of the required proposal data shall be submitted. Submittals must be received in the FSU Facilities Design & Construction Office, 109 Mendenhall Maintenance Building A, Florida State University, Tallahassee, Florida 32306-4152 by 2:00 p.m., local time, on Monday, March 21, 2005. Facsimile (FAX) or electronic 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 of Design/Build proposals without obligation to the respondent. The award of this contract is subject to availability of funds. If additional funding is realized, the University has the option to incorporate additional scope/funding under this contract.

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#### CALL FOR BIDS:

Made by the "University of North Florida Board of Trustees, a public body corporate"

PROJECT NAME, NUMBER AND LOCATION: Photo Lab, University of North Florida, 4567 St. Johns Bluff Road, Jacksonville, Florida 32245.

GENERAL SCOPE: New one-story educational facility of approximately 5,000 sq. ft. Construction to be bearing masonry exterior walls on spread footings, slab-on-grade, steel roof joists, metal roof deck, standing seam metal roofing. Interior

finishes include painted drywall partitions, vinyl base, VCT, carpet, suspended acoustical ceilings and laminate finish millwork.

**QUALIFICATIONS:** All Bidders must be qualified at the time of bid opening in accordance with the Instructions to Bidders, Article B-2. Sealed bids will be received on:

**DATE AND TIME:** March 15, 2005, 3:00 p.m.

**PLACE:** University of North Florida, Building 6, Training Room #1225, 4567 St. Johns Bluff Road, South, Jacksonville, Florida 32224, at which time and place they will be publicly opened and read aloud.

**PROPOSAL:** Bids must be submitted in full and in accordance with the requirements of the drawings and Project Manual, which may be obtained or examined at the office of the:

**ARCHITECT/ENGINEER:** Smith-McCrary Architects Inc., 9845 Regency Square Blvd., Suite 410, Jacksonville, FL 32225, (904)724-2216.

**MINORITY PROGRAM:** Bidders are encouraged to utilize Minority Business Enterprises certified by the Commission on Minority Economic and Business Development (formerly certification done by Department of Management Services.)

**PRE-SOLICITATION/PRE-BID MEETING:** The Bidder is required to attend the pre-solicitation/pre-bid meeting. Minority Business Enterprise firms are invited to attend to become familiar with the project specifications and to become acquainted with contractors interested in bidding the project. The meeting has been scheduled for:

**DATE AND TIME:** March 2, 2005, 3:00 p.m.

**PLACE:** University of North Florida, Building 6, Training Room #1225, 4567 St. Johns Bluff Road, Jacksonville, Florida 32224

**DEPOSIT:** A deposit of \$75.00 per Project Manual and drawings is required with a limit of three (3) sets per General Contractor or Prime Bidder.

**REFUND:** The deposit shall only be refunded to those General Contractors, Prim Bidders, who after having examined the drawings and specifications:

- a. submit a bona fide bid, or
- b. provide written evidence that they have submitted bids as subcontractors for plumbing, heating/ventilating/air conditioning or electrical work.

And who return the drawings and Project Manual in good condition within fifteen (15) days after receipt of bids.

**PURCHASE:** Full sets of Bidding Documents may be examined at the Architect/Engineer's office and local plan rooms. Full sets may be purchased through the Architect/Engineer for \$75.00 per set for the printing and handling cost.

**PUBLIC ENTITY CRIMES:** As required by Section 287.133, Florida Statutes, a contractor may not submit a bid for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The successful contractor must warrant that it will neither utilize the services

of, nor contract with any supplier, subcontractor, or consultant in excess of \$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.

#### NOTICE TO DESIGN/BUILD FIRMS

Duval County Public Schools  
Request for Qualifications (RFQ)

FOR

Selection of the Design/Build Firm  
On the Basis of Qualifications

The Office of Facilities Design and Construction announces that Design/Build services are required for the project(s) listed below. Applications are to be sent to:

Kevin Trussell, Project Manager  
Duval County Public Schools

Facilities Design and Construction  
1701 Prudential Drive, 5th Floor  
Jacksonville, FL 32207-8182

**PROJECT NO.:** C-90650

**PROJECT NAME:** New High School "AAA" No. 268

**PROJECT LOCATION:** Duval County, Florida

**PROJECT BUDGET:** This project's budget is Multi-Year Funded. The current appropriated construction budget is \$39.2 million and is anticipated to be increased by \$5.1 million in July 2005 and by \$10.3 million in July 2006 for a Total Projected Construction Budget of \$54.6 million.

**SERVICES TO BE PROVIDED:** Design/Build services to include Preconstruction, Complete Design and Engineering, Construction Documents, Specifications, Procurement, Permitting, Bidding, and Construction Management. Preconstruction Services shall include Programming, Schematic Designs, Detailed Line-Item Construction Cost Estimates, Phase Reviews, and Constructability Reviews. This High School is anticipated to include approximately 340,000 square feet and have a student capacity between 1800 and 2200. The selected Design/Build Firm is required to deliver a final Design and GMP within the final approved construction budget.

Proposed Construction Start Date: April 2006

Proposed Occupancy Date: May 2008

DCPS PROJECT MANAGER: Kevin Trussell

PHONE NO.: (904)390-2279

**RESPONSE DUE DATE:** RFQ's ARE DUE ON OR BEFORE March 22, 2005, AND WILL BE ACCEPTED UNTIL 4:30 P.M.

**MBE GOALS:** For Design 20% overall and Construction 15% overall

DCPS MBA Office will only accept certified MBE's with DCPS and COJ on the construction of this project.

Information on the selection process can be found at [www.educationcentral.org/facilities](http://www.educationcentral.org/facilities) under Forms and Standards, General Documents, Selection of Design Build Firm.

Applicants are advised that all plans, drawings and specifications for this project may be reused by the Owner as a prototype for future projects in the District.

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#### **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."

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#### **DEPARTMENT OF ELDER AFFAIRS**

##### REQUEST FOR INFORMATION

##### BREVARD COUNTY CCE LEAD AGENCY AND CASE MANAGEMENT SERVICES

The Area Agency on Aging of Central Florida, Inc. dba Senior Resource Alliance, requests information from organizations who are interested in providing social services for the elderly in Brevard County. The designated Lead Agency will provide Case Management services, and coordinate provision of social services to targeted clients. Estimated funding available for Brevard County is \$169,000 for Case Management and \$769,991 for client services. Services to be coordinated by the Lead Agency include, but are not limited to: Adult Day Care, Homemaker, Personal Care, and Respite. The Lead Agency will administer and manage the Community Care for the Elderly program (CCE), the Home Care for the Elderly program (HCE), the Aged and Disable Adult Waiver program, and case management for the Assisted Living for the Elderly Waiver program and provision of or subcontract for direct client services. The contract period is July 1, 2005-June 30, 2006. Parties interested in bidding must respond no later than 3:00 p.m. EDT, February 28, 2005 and should be sent to the Senior Resource Alliance, 988 Woodcock Rd., Suite 200, Orlando, FL 32803.

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#### **AGENCY FOR HEALTH CARE ADMINISTRATION**

##### REQUEST FOR INFORMATION

##### Near-Miss Reporting System

The Florida Patient Safety Corporation is requesting submission of information related to a Near-Miss Reporting System for health care facilities in Florida. The Corporation was created by Chapter 2004-297, Laws of Florida, to serve as a learning organization assisting health care providers in Florida to improve the quality and safety of health care

rendered and to reduce harm to patients. That legislation authorized creation of the near-miss reporting system, intended to identify potential systemic problems that could lead to adverse incidents, to enable publication of systemwide alerts of potential harm, and to facilitate development of facility-specific and statewide options to avoid adverse incidents and improve patient safety.

Information related to the establishment of and criteria for this reporting system can be obtained by writing to the Agency for Health Care Administration, 2727 Mahan Drive, MS #28A, Tallahassee, Florida 32308 and can also be requested via e-mail: [COLVINL@ahca.myflorida.com](mailto:COLVINL@ahca.myflorida.com). To be included in e-mail notices of the Florida Patient Safety Corporation Board, please mail/e-mail or fax your e-mail address to the address above or fax to (850)413-7955.

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#### **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."

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#### **FLORIDA HOUSING FINANCE CORPORATION**

##### Request for Proposals 2005-01

##### For Cash Flow Verification Agent Services

The Florida Housing Finance Corporation invites all qualified and interested parties wishing to provide Cash Flow Verification Agent services to submit proposals for consideration. Written, sealed proposals shall be accepted until 2:00 p.m., Eastern Time, Friday, March 18, 2005, to the attention of Robin Grantham, Contracts Administrator, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329. For questions or additional information, please contact: Robin Grantham, (850)488-4197, e-mail: [robin.grantham@floridahousing.org](mailto:robin.grantham@floridahousing.org). To obtain a copy of the Request for Proposals, which outlines selection criteria and offeror's responsibilities, please submit your request to the attention of Robin Grantham, or you can download the Request for Proposals from the Florida Housing Finance Corporation web site at <http://www.floridahousing.org/Home/BusinessLegal/CurrentSolicitations/RequestForProposals.htm>. Any modifications that occur to the Request for Proposals will be posted at the web site and may result in an extension of the deadline.

## **POLK COUNTY WORKFORCE DEVELOPMENT BOARD**

### **LEGAL NOTICE REQUEST FOR PROPOSALS**

The Polk County Workforce Development Board, Inc. is soliciting separate proposals from qualified entities to provide the following services as required under the Workforce Investment Act of 1998:

One-Stop System Operator services and/or  
Out-of-School Youth services.

Proposers' conferences are scheduled for Monday, February 28, 2005. Letters of Intent to Propose are due in the Board's administrative office before 5:00 p.m., ET on, Tuesday, March 8, 2005. All proposals are due in the Board's administrative office before 4:00 p.m., ET on Monday, March 28, 2005. Copy of these Requests for Proposals may be obtained from the Board's web site [www.polkworks.org](http://www.polkworks.org), by clicking on <Business Opps> then clicking on <Procurements> or by contacting: Tom Hornack, (863)519-0100, Ext. 116, e-mail: [tom\\_hornack@polkworks.org](mailto:tom_hornack@polkworks.org).

## **DEPARTMENT OF MILITARY AFFAIRS**

### **ADVERTISEMENT FOR BIDS**

PROPOSALS ARE REQUESTED FROM QUALIFIED GENERAL OR BUILDING CONTRACTORS, LICENSED BY THE STATE OF FLORIDA, FOR THE CONSTRUCTION OF:

PROJECT NO: CFMO-204044 ACCOUNTING CODE: NA  
PROJECT NAME AND LOCATION: RENOVATION  
BONIFAY NATIONAL GUARD ARMORY, BONIFAY,  
FLORIDA

PROJECT DESCRIPTION: RENOVATION OF EXISTING  
BUILDINGS INTERIOR AND EXTERIOR TO INCLUDE  
EXTERIOR SITE WORK AS DEFINED IN THE  
ARCHITECT/ENGINEERS SPECIFICATIONS.

FOR: Department of Military Affairs, Construction and  
Facility Management Office

MINORITY PROGRAM: Utilization of MBE participation is  
highly encouraged from all Bidders.

MANDATORY PRE-BID MEETING: a Mandatory Pre-Bid  
Meeting will be held for all interested Prime Bidders and  
MBE's certified by the Minority Business Advocacy and  
Assistance Office On: March 8, 2005 at 11:00 a.m., Local time  
at the Bonifay National Guard Armory, 308 West North  
Avenue, Bonifay, Florida 32425. All Prime Bidders interested  
in bidding on this project are required to attend and address  
subcontracting opportunities for MBE's.

PUBLIC ENTITY CRIME INFORMATION STATEMENT: A  
person, or affiliate, who has been placed on the convicted  
vendor list following a conviction for a public entity crime may  
not submit a bid on a contract to provide any goods or services

to a public entity, may not submit a bid on a contract with a  
public entity for the construction or repair of a public building  
or public work, may not submit bids on leases of real property  
to a public entity, may not be awarded or perform work as a  
contractor, supplier, subcontractor, or consultant under a  
contract with any public entity, and may not transact business  
with any public entity in excess of the threshold amount  
provided in Section 287.017, F.S., for Category Two for a  
period of 36 months from the date of being placed on the  
convicted vendor list.

BID SECURITY: If the bid proposal amount is \$100,000 or  
less, a bid security (5%) is not required.

PERFORMANCE BOND AND LABOR AND MATERIAL  
PAYMENT BOND: If the construction contract award amount  
is \$100,000 or less, a Performance Bond and Labor and  
Material Payment Bond are not required.

Sealed bids will be received and publicly opened and read  
aloud on:

DATE AND TIME: March 22, 2005 until 11:00 a.m., local  
time

PLACE: Bonifay National Guard Armory, 308 West North  
Avenue, Bonifay, Florida 32425

PROPOSAL: Bids may be submitted prior to bid opening date  
if received by the Department of Military Affairs, NO LATER  
THAN MARCH 21, 2005, BEFORE CLOSE OF BUSINESS.  
CFMO ATTN: Mr. Kenneth Hersey, Robert F. Ensslin, 2305  
State Road 207, St. Augustine, Florida 32086, (904)823-0282,  
in full accordance with the requirements of the Drawings,  
Specifications, Bidding Conditions, and Contractual  
Conditions, which may be examined and obtained, as of  
February 18, 2005 from CALDWELL ASSOCIATES  
ARCHITECTS, INC.

All Technical questions shall be directed to the A/E until close  
of business March 21, 2005.

ARCHITECT-ENGINEER: Caldwell Associates Architects,  
Inc., 116 North Tarragona Street, Pensacola, Florida 32502.

TELEPHONE: (850)432-9500, Fax (850)438-6537, e-mail:  
[office@caldwell-assoc.com](mailto:office@caldwell-assoc.com), Attn: David Yorman

CONTRACT AWARD: The Bid Tabulation and Notice of  
Award Recommendation will be posted at the location where  
the bids were opened as well as the [myflorida.com](http://myflorida.com) website  
under [myfloridamarketplace](http://myfloridamarketplace) e-pro, vendor sourcing/  
solicitations. In the event that the Bid tabulation and Notice of  
Award Recommendation can not be posted in this manner, then  
all bidders will be notified by certified United States Mail,  
return receipt requested. If no protest is filed per Section B-21  
of the Instructions To Bidders, "Notice and Protests  
Procedures", the contract will be awarded to the qualified,  
responsive low bidder in accordance with Rule 60D-5, F.A.C.,  
by the Owner. AWARD OF CONTRACT IS CONTINGENT  
UPON THE AVAILABILITY OF FUNDS.

**MANATEE COUNTY TAX COLLECTOR**

The Manatee County Tax Collector seeks interested companies to bid on the following remittance processor with software.

NCR 7780-3311 Sit Dn 500 dpm HW AS

Front Image w/Encoder, Endorser, E13B, MICR.OCR

Rear Imaging

Front Binary

Two-Four Pocket Module w/o Listers sit-down (Total = eight)

IPSNET SCSI Board (PCI/ISA controllers)

NCR Scan Station – PIII667 MHz, 256MBRAM, 20GB HD

Windows XP

SW WISE IP imaging NCR G625-8000 3.01

Hardware Installation and Shipping cost must be included.

Request Bid Package by February 28, 2005.

Mike Murphy, MIS Director, Manatee County Tax Collector, P. O. 25300, Bradenton, Florida 34206-5300.

**THE CROSSINGS AT FLEMING ISLAND  
COMMUNITY DEVELOPMENT DISTRICT**

**NOTICE OF REQUEST FOR  
QUALIFICATIONS AND PROPOSALS**

District Management Services

The Board of Supervisors (“Board”) of the CROSSINGS AT FLEMING ISLAND COMMUNITY DEVELOPMENT DISTRICT (“District”), a community development district (“CDD”) established in accordance with Chapter 190, Florida Statutes, gives notice that it is requesting qualifications and proposals for the provision of district management services (“Proposals”). All Proposers should be experienced in the professional management of CDDs and/or other units of special purpose government in the State of Florida. Any Proposer that is a corporation or other business entity and not an individual must be registered with the Florida Department of State, Division of Corporations, authorized to do business in the State of Florida, and currently in good standing.

Interested persons and firms should submit the original and six copies of a Proposal containing the information and materials described in the Board’s Request for Qualifications and Proposals no later than Monday, March 28, 2005 at 5:00 p.m. Proposals in response to the Request should be submitted to:

Robert M. Bradley, Jr.

Kopelousos & Bradley, P.A.

1279 Kingsley Avenue, Suite 118

Orange Park, FL 32073

Phone: (904)269-1111

Fax: (904)269-1115

Email: rob@claylawyers.com

Attorney for CROSSINGS AT FLEMING ISLAND

COMMUNITY DEVELOPMENT DISTRICT

Copies of the Request for Qualifications and Proposals and additional information are available from the Attorney for the District at the address listed above.

**FLORIDA DEVELOPMENTAL DISABILITIES  
COUNCIL**

The Consumers and Families Leadership  
Development Assistance  
RFP 2005-IP-1900

The Florida Developmental Disabilities Council (FDDC) announces the availability of a Request for Proposal (RFP). Copies of the RFP can be downloaded from the FDDC website (www.fddc.org) or copies may be requested by writing or calling FDDC, 124 Marriott Drive, Suite 203, Tallahassee, Florida 32301, (850)488-4180 or Toll Free 1(800)580-7801 or TDD toll free 1(888)488-8633. Register for electronic (email) notice of future FDDC Invitations to Negotiate (ITN) or RFPs by going to the website (www.fddc.org) and click on the “RFP/ITN” button near the top of the page. Then, click on the “Sign up” line and follow the instructions.

The Consumers and Families Leadership Development Assistance RFP 2005-IP-1900 is being issued by FDDC to provide individuals with developmental disability and family members residing in Florida with funds to participate in conferences, training events, public forums, focus groups, committees, task forces, hearings and other similar forums where they can obtain information; become aware of effective practices; learn about laws, policies, and issues; receive training and technical assistance; and develop leadership and other needed skills to participate more meaningfully in decisions that affect their lives. The amount of funds available for this RFP will be approximately \$50,000.

The deadline for submitting written questions for RFP 2005-IP-1900 is 4:00 p.m. (EST) on March 18, 2005. The answers to the written questions will be posted on FDDC website on or before March 28, 2005. The deadline for submitting letters of intent is 4:00 p.m. (EST) on March 18, 2005. Letters of Intent will only be accepted by fax, mail, or hand delivery. Letters of Intent by e-mail will not be accepted. The deadline for submitting proposals is 4:00 p.m. (DST) on April 25, 2005.

**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.: BLID-805-004  
 DATE RECEIVED: February 4, 2005  
 DEVELOPMENT NAME: Hopewell Mine Extension  
 DEVELOPER/AGENT: Mosaic Phosphates Co./  
 Thomas E. Meyers, III  
 DEVELOPMENT TYPE: 28-24.019, F.A.C.  
 LOCAL GOVERNMENT: Hillsborough County

FLORIDA SMALL CITIES COMMUNITY  
 DEVELOPMENT BLOCK GRANT PROGRAM/  
 ECONOMIC DEVELOPMENT CATEGORY

NOTICE OF FUND AVAILABILITY

The Department of Community Affairs (DCA) announces anticipated funding availability under the Florida Small Cities Community Development Block Grant (CDBG) Program for Economic Development job creation/retention activities. Subject to the receipt of funding from the U.S. Department of Housing and Community Development (HUD), the Department will allocate an estimated \$9.7 million of Federal Fiscal Year 2005 Small Cities CDBG funds for job-creating economic development activities with an initial application deadline of 5:00 p.m. on Thursday, May 19, 2005. In the event that funds remain available after this initial deadline, contracts will be received and reservations of funding made on a first received, first eligible basis, pursuant to paragraph 9B-43.006(2)(b), Florida Administrative Code.

Eligible local governments must meet specific population requirements and cannot be participants in a CDBG Urban Entitlement Program. The population requirements are: cities with not more than 50,000 residents and counties with not more than 200,000 residents. The application process is conducted in accordance with Sections 290.0401-.048, Florida Statutes, and Chapter 9B-43, Florida Administrative Code.

Applications must be submitted on forms required by and in the format specified in Chapter 9B-43, Florida Administrative Code, and should be either hand delivered or sent by U.S. Mail or other carrier. Applications must be received in the Florida Small Cities CDBG Program Office, Department of Community Affairs, The Sadowski Building, Room 260, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, by 5:00 p.m. on the deadline date.

Should funds remain available after the initial application deadline, applications for economic development funding will continue to be accepted until the funds are depleted. Funds for applications received after May 19, 2005, will be reserved on a first come, first eligible basis pursuant to subsection 9B-43.006(10), Florida Administrative Code.

Fifty-one percent (51%) of the created or retained jobs must be held by, taken by, or made available to low and moderate income persons, and at least seventy percent (70%) of the requested funds must benefit low and moderate income persons.

Interested parties may access information about the CDBG Program and instructions at the CDBG web site: <http://www.dca.state.fl.us/fhcd/programs/cdbgp/MtIsFrmsRpts.htm>.

You may also contact Millie Schroeder, Program Manager, (850)922-1885, e-mail: [millie.schroeder@dca.state.fl.us](mailto:millie.schroeder@dca.state.fl.us).

Applications may be obtained by calling the Department of Community Affairs, (850)487-3644, or by Internet <http://www.dca.state.fl.us/fhcd/programs/cdbgp/index>.

The Department cannot execute contracts for the applications until state fiscal year 2005-06 budgetary authority is effective on July 1, 2005. Further, timing of the execution of contracts by the Department is subject to completion and acceptance of the Federal Fiscal Year 2005 Annual Action Plan by HUD and the execution by HUD of the contract under which the funding will be made available to the state.

To assist local governments in the application process, the Department will conduct two workshops. The first workshop will be held in Avon Park, Florida on April 5 and 6, 2005 at the Avon Park Community Center, located at 310 West Main Street. The second workshop will be held in Tallahassee, Florida on April 11 and 12, 2005 at the Homewood Suites located on the Apalachee Parkway. Registration forms, as well as application forms and instructions, may be obtained by calling the CDBG Program, (850)487-3644, or accessing the forms on our website at [floridacommunitydevelopment.org/cdbg](http://floridacommunitydevelopment.org/cdbg), or by writing:

Florida Small Cities CDBG Program  
 Department of Community Affairs  
 2555 Shumard Oak Boulevard  
 Tallahassee, Florida 32399-2100

Any person requiring a special accommodation at the workshop because of a disability or physical impairment should contact Mrs. Pat Harvey at the Department of Community Affairs, (850)487-3644, at least seven days before the workshop to request the accommodation. If you are hearing or speech impaired, please contract the Department of Community Affairs using the Florida Dual Party Relay System, 1(800)955-8771 (TDD).

NOTICE OF FUNDING AVAILABILITY AND  
WORKSHOP

FLORIDA SMALL CITIES CDBG PROGRAM

The Department of Community Affairs (DCA) announces anticipated funding availability under the Florida Small Cities Community Development Block Grant (CDBG) Program. Subject to the receipt of funding from the U.S. Department of Housing and Community Development (HUD), the Department will allocate an estimated \$21.3 million for housing rehabilitation, commercial revitalization and neighborhood revitalization projects with an application deadline of 5:00 p.m. on Thursday, May 19, 2005. In order to be eligible to apply, applicants cannot have an open grant in any of these three (3) program categories.

Eligible local governments must meet specific population requirements and cannot be participants in a CDBG Urban Entitlement Program. The population requirements are: cities with not more than 50,000 residents and counties with not more than 200,000 residents. The application process is conducted in accordance with Sections 290.0401-.048, Florida Statutes, and Chapter 9B-43, Florida Administrative Code.

The federal fiscal year 2005 application cycle for the above mentioned categories of funding (housing rehabilitation, commercial revitalization and neighborhood revitalization) will begin ("open") April 4, 2005 and end ("close") at 5:00 p.m. on May 19, 2005 ("the deadline date"). Applications must be submitted on forms required by and in the format specified in Chapter 9B-43, Florida Administrative Code, and should be either hand delivered or sent by U.S. Mail or other carrier. Applications must be received in the Florida Small Cities CDBG Program Office, Department of Community Affairs, The Sadowski Building, Room 260, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100 by 5:00 p.m. on the deadline.

To be eligible to apply for funding, local governments that currently have an open housing rehabilitation, commercial revitalization or neighborhood revitalization grant must submit a closeout to the Department by Friday, April 1, 2005. Closeouts must be received in the CDBG Program office by 5:00 p.m. on April 1, 2005.

The Department cannot execute contracts for the applications until state fiscal year 2005-06 budgetary authority is effective on July 1, 2005. Further, timing of the execution of contracts by the Department is subject to completion and acceptance of the Federal Fiscal Year 2005 Annual Action Plan by HUD and the execution by HUD of the contract under which the funding will be made available to the state.

Applications will be scored, ranked, site visits made, and an award list announced by October 2005. Awards are contingent upon budget authority and the receipt of the funds from HUD. Interested parties may access information about the Florida Small Cities CDBG Program, application forms, and instructions at the CDBG web site: <http://www.dca.state.fl.us/>

[fhcd/programs/cdbgp/MtIsFrmsRpts.htm](http://fhcd/programs/cdbgp/MtIsFrmsRpts.htm). You may also contact Millie Schroeder, Program Manager, (850)922-1885 or by e-mail: [millie.schroeder@dca.state.fl.us](mailto:millie.schroeder@dca.state.fl.us).

To assist local governments in the application process, the Department will conduct two workshops. The first workshop will be held in Avon Park, Florida on April 5 and 6, 2005 at the Avon Park Community Center, located at 310 West Main Street. The second workshop will be held in Tallahassee, Florida on April 11 and 12, 2005 at the Homewood Suites located on the Apalachee Parkway. Registration forms, as well as application forms and instructions, may be obtained by calling the CDBG Program at 850/487-3644, or accessing the forms on our website at [floridacommunitydevelopment.org/cdbg](http://floridacommunitydevelopment.org/cdbg), or by writing:

Florida Small Cities CDBG Program  
Department of Community Affairs  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100

Any person requiring a special accommodation at the workshop because of a disability or physical impairment should contact Mrs. Pat Harvey at the Department of Community Affairs, (850)487-3644, at least seven days before the workshop to request the accommodation. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System, 1(800)955-8771 (TDD).

The Department of Community Affairs (DCA) announces the availability of \$100,915,626 in Community Development Block Grant Disaster Relief Funding made available to the State of Florida by the U. S. Department of Housing and Urban Development (HUD), [Docket No. FR-4959-N-01, Federal Register, Vol. 69, No. 237], pursuant to the Military Construction Appropriations and Emergency Hurricane Supplemental Appropriations Act. Congress allocated the funding to assist in the recovery from federally declared disasters that occurred between August 31, 2003 and October 1, 2004 as described in the disaster declarations mentioned in the Federal Register. Funds are for disaster relief, long-term recovery and mitigation activities that are directly related to the effects of the disasters. Congress has directed that the funds go "to areas facing the greatest need."

Cities and counties, both entitlement and non-entitlement, as well as federally recognized Indian Tribes, are eligible to apply for assistance. The application cycle for the funding will open (begin) on March 7, 2005, and will close (end) at 5:00 p.m. on March 28, 2005 (deadline date).

Applications must be submitted on forms required by and in the format specified by the Department of Community Affairs and should be either hand delivered or sent by U.S. mail or other carrier. Applications must be received in the Florida Small Cities CDBG Program office, Department of

Community Affairs, The Sadowski Building, Room 260, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100 by 5:00 p.m. on the deadline date in order to be considered.

Execution of the awards by the Department is subject to HUD's approval of the State's Disaster Recovery Action Plan. Interested parties may access information about the Florida Small Cities CDBG Program, application forms, and instructions at the CDBG web site: [www.floridacommunitydevelopment.org/disasterrecovery.cfm](http://www.floridacommunitydevelopment.org/disasterrecovery.cfm) or by calling the CDBG Program, (850)487-3644.

A workshop will be conducted on March 7, 2005, to cover the requirements set out by the federal government and the State of Florida for Community Development Block Grant Disaster Relief Funding. Registration is required.

DATE AND TIME: March 7, 2005, 8:30 a.m. – 4:30 p.m.

PLACE: Hilton University Conference Center Gainesville, 1714 Southwest 24th Street, Gainesville, Florida 32607, For hotel reservations (352)371-3600

A workshop registration form as well as a copy of applicable regulations and the Action Plan may be obtained at: Florida Small Cities CDBG Program, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-3644, Website: <http://www.floridacommunitydevelopment.org/disasterrecovery.cfm> or e-mail: [rick.miller@dca.state.fl.us](mailto:rick.miller@dca.state.fl.us) or [judy.peacock@dca.state.fl.us](mailto:judy.peacock@dca.state.fl.us).

Any person requiring a special accommodation at the workshop because of a disability or physical impairment should contact Mrs. Pat Harvey, Department of Community Affairs, (850)487-3644, at least seven days before the workshop to request the accommodation. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System, 1(800)955-8771 (TDD).

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## 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:

Dugger Field, a private airport, in Walton County, at Latitude 30° 29' 47.1" and Longitude 86° 05' 37.8", to be owned and operated by Mr. Fred Bogle, 259 Sanjuan Ave., Seagrove Beach, FL 32459.

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, e-mail: [aviation.fdot.state.fl.us](mailto:aviation.fdot.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.

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## 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, Bourget's Bike Works, Inc., intends to allow the establishment of Space Coast Bourget's Bike Works, LLC., as a dealership for the sale of Bourget's motorcycles, at 3355 N. Courtney Parkway, Merritt Island, Florida 32952, on or after March 1, 2005.

The name and address of the dealer operator(s) and principal investor(s) Space Coast Bourget's Bike Works, LLC., are dealer operator: Gregory Pulitano, 3355 N. Courtney Parkway, Merritt Island, Florida 32952; principal investor(s): Gregory Pulitano, 74 Fulham Lane, Holbrook, New York 11741; Eric Danoy, 808 Bayside Drive, Cape Canaveral, Florida 32920.

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: Brigitte M. Bourget, VP, Bourget's Bike Works, Inc., 21407 N. Central Avenue, Phoenix, Arizona 85024-5100.

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 STR Motorsports, Inc., intends to allow the establishment of Tri-County Cycles, Inc., as a dealership for the sale of Kymco motorcycles, at 1007 S. 14th Street, Leesburg (Lake County), Florida 34748, on or after February 3, 2005.

The name and address of the dealer operator(s) and principal investor(s) of Tri-County Cycles, Inc., are dealer operator: Jude Kyle, 1007 S. 14th Street, Leesburg, Florida 34748; principal investor(s): Judy Kyle, 1007 S. 14th Street, Leesburg, Florida 34748.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Bruce Ramsey, VP of Sales/Marketing, STR Motorsports, Inc., 1770 Campton Road, Inman, South Carolina 29349.

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, Triumph motorcycles (America) Ltd., intends to allow the establishment of Gulf Coast Motorcycles, LLC., d/b/a Triumph of Ft. Myers, as a dealership for the sale of Triumph motorcycles, at 16090 S. Tamiami Trail, Ft. Myers, Florida 33908, on or after January 21, 2005.

The name and address of the dealer operator(s) and principal investor(s) of Gulf Coast Motorcycles, LLC., are dealer operator: Edward Gallo, 968 Glen Lake Circle, Naples, Florida 34119; principal investor(s): Edward Gallo, 968 Glen Lake Circle, Naples, Florida 34119.

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 Lashley, Dealer Development, Triumph Motorcycles (America), Limited, 385 Walt Sanders Memorial Drive, Suite 100, Newnan, Georgia 30265.

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, Ridley Motorcycle Company, intends to allow the establishment of Highlander Boss Hoss, as a dealership for the sale of Ridley Motorcycles, at 2324 Bellevue Avenue Extension, Daytona Beach (Volusia County), Florida 32114, on or after January 18, 2005.

The name and address of the dealer operator(s) and principal investor(s) of Highlander Boss Hoss are dealer operator: Roby R. Epling, 2657 Slow Flight Drive, Daytona Beach, Florida 32128; principal investor(s): Roby R. Epling, 2657 Slow Flight Drive, Daytona Beach, Florida 32128.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Jay Ridley, Vice President, Ridley Motorcycle Company, 35 Northwest 42nd Street, Oklahoma City, Oklahoma 73118.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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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, Hellbound Steel Motorcycles, LLC., intends to allow the establishment of Bruce Rossmeyer Harley Davidson, as a dealership for the sale of Hellbound Steel Motorcycles, at 2871 N. Federal Highway, Ft. Lauderdale (Broward County), Florida 33306, on or after January 31, 2005.

The name and address of the dealer operator(s) and principal investor(s) Bruce Rossmeyer Harley Davidson are dealer operator: Jeffrey W. Cheek, 2871 N. Federal Highway, Ft. Lauderdale, Florida 33306; principal investor(s): Bruce Otto Rossmeyer, 421 Oceanshore Boulevard, Ormond Beach, Florida 32176.

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: Mike Molloy, President, Hellbound Steel Motorcycles, LLC., 11031-B Jersey Boulevard, Rancho Cucamonga, California 91730.

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.

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**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**

**CERTIFICATE OF NEED EXEMPTIONS**

The Agency for Health Care Administration authorized the following exemptions pursuant to Section 408.036(3), Florida Statutes:

County: Collier District: 8  
ID # 0400018 Decision: A Issue Date: 2/4/2005  
Facility/Project: The Willough At Naples  
Applicant: Willough Health Care, Inc.  
Project Description: Add 38 adult inpatient psychiatric beds  
Proposed Project Cost: \$14,900

County: Sarasota District: 8  
ID # 0400019 Decision: A Issue Date: 1/31/2005  
Facility/Project: Sarasota Memorial Hospital  
Applicant: Sarasota County Public Hospital Board  
Project Description: Add 10 comprehensive medical rehabilitation beds  
Proposed Project Cost: \$100,000

County: Broward District: 10  
ID # 0400020 Decision: A Issue Date: 1/31/2005  
Facility/Project: Plantation General Hospital  
Applicant: Plantation General Hospital, L.P.  
Project Description: Establish adult inpatient diagnostic cardiac catheterization program  
Proposed Project Cost: \$600,000

County: Leon District: 2  
ID # 0400022 Decision: A Issue Date: 2/7/2005  
Facility/Project: Eastside Psychiatric Hospital  
Applicant: Apalachee Center, Inc.  
Project Description: Add 16 mental health beds (eight adult and eight child/adolescent)  
Proposed Project Cost: \$2,000,000

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF HEALTH**

On February 7, 2005, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Stephen Chiarello, M.D., license number ME 34901. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On February 7, 2005, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Willard Martz, M.D., license number ME 9837. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On February 7, 2005, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Albert R. Cioffi, M.D. license number ME 41820. 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.

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On February 7, 2005, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Helen T. Donatelli, M.D. license number ME 62701. 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.

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On February 4, 2005, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Kristen Lynn Kelly, L.P.N., license number PN 5151036. 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.

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On February 4, 2005, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Sally Ann Gear Varela, R.N, license number RN 2635792. 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.

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**FLORIDA HOUSING FINANCE CORPORATION**

**NOTICE OF PROPOSED ISSUANCE  
SINGLE FAMILY HOME OWNER MORTGAGE  
REVENUE BONDS**

Pursuant to Rule 67-25.005, Florida Administrative Code, notice is hereby given that the Florida Housing Finance Corporation (the "Corporation") intends to issue bonds in an amount not to exceed \$150,000,000 in order to provide funding for qualified mortgage loans for owner-occupied residences within the State of Florida. Proceeds of the bonds are expected to be available to eligible home buyers in any county of the State of Florida subject to the participation of lending institutions and the counties they elect to serve.

Any home mortgage lending institution that is a qualified FHA, VA, GNMA, FannieMae, FHLMC or USDA Rural Development (RD) originator and servicer or seller and servicer as required by the program documents and approved as a participant for the Single Family Mortgage Revenue Bond Program interested in receiving an Invitation and Application to Participate in this issue should notify the Corporation by telephone (850)488-4197, by facsimile (850)922-7253, or writing to Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329. Any questions or comments regarding the proposed issuance of bonds should be directed to: David J. Draper, Single Family Bonds Manager, (850)488-4197.

**DEPARTMENT OF FINANCIAL SERVICES**

**NOTICE OF FILINGS**

Notice is hereby given that the Office of Financial Regulation has received the following applications.

Comments may be submitted to the 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 69U-105, Florida Administrative Code. Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., March 11, 2005):

**APPLICATION FOR A NEW FINANCIAL INSTITUTION**  
Applicant and Proposed Location: First Capital Bank, 4701 Highway 90, Marianna, Florida 32446  
Correspondent: Robert Calvert, Jr., 2619 Pilgrim Rest Church Road, Alford, Florida 32420  
Received: January 31, 2005

**APPLICATION FOR A NEW FINANCIAL INSTITUTION**  
Applicant and Proposed Location: Seaside Bank & Trust, 301 East Pine Street, Suite 650, Orlando, Florida 32801  
Correspondent: Nancy E. LaFoy, 3650 Mansell Road, Suite 200, Alpharetta, Georgia 30022  
Received: February 1, 2005

**APPLICATION FOR AUTHORITY TO  
EXERCISE TRUST POWERS**  
Applicant and Location: Seaside Bank & Trust, Orlando, Florida 32801  
Received: February 1, 2005

**Section XIII**  
**Index to Rules Filed During Preceding Week**

RULES FILED BETWEEN January 31, 2005  
 and February 4, 2005

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF EDUCATION**  
**State Board of Education**

6A-3.0291	2/2/05	2/22/05	30/51	
6A-22.002	2/2/05	2/22/05	30/51	

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Surveyors and Mappers**

61G17-1.010	2/3/05	2/23/05	29/4	30/52
61G17-2.006	2/3/05	2/23/05	29/39	30/52
61G17-9.007	2/3/05	2/23/05	29/39	30/52

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

62-40.110	2/3/05	2/23/05	28/51	
62-40.120	2/3/05	2/23/05	28/51	
62-40.210	2/3/05	2/23/05	28/51	
62-40.310	2/3/05	2/23/05	28/51	
62-40.410	2/3/05	2/23/05	28/51	
62-40.411	2/3/05	2/23/05	28/51	
62-40.412	2/3/05	2/23/05	28/51	
62-40.416	2/3/05	2/23/05	28/51	
62-40.422	2/3/05	2/23/05	28/51	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
62-40.425	2/3/05	2/23/05	28/51	
62-40.430	2/3/05	2/23/05	28/51	
62-40.431	2/3/05	2/23/05	28/51	
62-40.432	2/3/05	2/23/05	28/51	
62-40.450	2/3/05	2/23/05	28/51	
62-40.458	2/3/05	2/23/05	28/51	
62-40.470	2/3/05	2/23/05	28/51	
62-40.473	2/3/05	2/23/05	28/51	
62-40.475	2/3/05	2/23/05	28/51	
62-40.510	2/3/05	2/23/05	28/51	
62-40.520	2/3/05	2/23/05	28/51	
62-40.531	2/3/05	2/23/05	28/51	
62-40.540	2/3/05	2/23/05	28/51	
62-40.610	2/3/05	2/23/05	28/51	

**DEPARTMENT OF HEALTH**

**Board of Speech-Language Pathology and Audiology**

64B20-4.003	2/1/05	2/21/05	30/39	30/52
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**Division of Family Health Services**

64F-12.024	2/4/05	2/24/05	30/48	
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**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Treasury**

69C-6.003	2/1/05	2/21/05	30/48	
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