

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND

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

WATER MANAGEMENT DISTRICTS

Tampa Bay Regional Planning Council

RULE TITLE: Future of the Region: A Strategic
Regional Policy Plan
RULE NO.: 29H-9.003

PURPOSE AND EFFECT: Adoption of EAR-based SRPP
amendments.

SUBJECT AREA TO BE ADDRESSED: Strategic Regional
Policy Plan.

SPECIFIC AUTHORITY: 186.507(2), 186.511 FS.

LAW IMPLEMENTED: 186.508, 186.511 FS.

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

TIME AND DATE: 10:00 a.m., June 13, 2005

PLACE: Tampa Bay Regional Planning Council, 4000
Gateway Centre Boulevard, Suite 100, Pinellas Park, FL 33782

THE PERSON TO BE CONTACTED REGARDING THE
PROPOSED RULE DEVELOPMENT IS: H. Gerald Smelt,
AICP, (727)570-5151, Ext. 28, e-mail: gerry@tbrpc.org

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Division of Health Quality Assurance

RULE TITLE: Spontaneous Fetal Demise
RULE NO.: 59A-3.281

PURPOSE AND EFFECT: The Agency proposes to adopt
Rule 59A-3.281, Florida Administrative Code, consistent with
provisions of Section 383.33625, F.S. The statute provides for
adoption of rules to develop forms to be used for notifications
and elections by health care facilities.

SUBJECT AREA TO BE ADDRESSED: The proposed rule
establishes procedures and a form to be used by health care
facilities to provide notification to a mother of the options

available for the disposition of fetal remains in the event of a
spontaneous fetal demise occurring after a gestation period of
less than 20 completed weeks.

SPECIFIC AUTHORITY: 383.33625(6) FS.

LAW IMPLEMENTED: 383.33625 FS.

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

TIME AND DATE: 10:00 a.m., June 20, 2005

PLACE: Agency for Health Care Administration, 2727 Mahan
Drive, Building #3, Conference Room C, Tallahassee, FL
32303

THE PERSON TO BE CONTACTED REGARDING THE
PROPOSED RULE DEVELOPMENT IS: Bill McCort,
Bureau of Health Facility Regulation, 2727 Mahan Drive,
Tallahassee, Florida, (850)487-0641

THE PRELIMINARY TEXT OF THE PROPOSED RULE
DEVELOPMENT IS:

59A-3.281 Spontaneous Fetal Demise.

When a spontaneous fetal demise occurs after a gestation of
less than 20 completed weeks, the health care facility identified
in Section 383.33625, F.S., shall follow the provisions of that
section and shall provide AHCA Form 3100-0006, which is
incorporated by reference, to the mother for her completion. A
copy of the signed and completed form shall be retained in the
mother’s hospital file and shall be available for review by the
Agency or Department of Health.

Specific Authority 383.33625(6) FS. Law Implemented 383.33625 FS.
History–New \_\_\_\_\_.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE CHAPTER TITLE: Clinical Laboratories
RULE CHAPTER NO.: 59A-7

RULE TITLES: Definitions
RULE NOS.: 59A-7.020

General Quality Control Requirements 59A-7.029

Quality Control – Specialties and Subspecialties 59A-7.030

PURPOSE AND EFFECT: Chapter 59A-7, F.A.C., is being
amended to update clinical laboratory licensing requirements
to reflect recent advances in clinical laboratory technology.

SUBJECT AREA TO BE ADDRESSED: Licensure for
clinical laboratories.

SPECIFIC AUTHORITY: 483.051 FS.

LAW IMPLEMENTED: 483.051 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: Patricia L. James, Health Services and Facilities Consultant Supervisor, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #32, Tallahassee, Florida 32308, (850)487-3109  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**AGENCY FOR HEALTH CARE ADMINISTRATION  
 Hospital and Nursing Home Reporting Systems and Other Provisions Relating to Hospitals**

RULE TITLES:	RULE NOS.:
Florida Hospital Uniform Reporting System	59E-5.102
Prior Year Report Requirements	59E-5.201
Notice of Violation or Deemed Not Filed and Response	59E-5.205
Instructions and Specifications for Using the Financial Analysis Data Entry System (FADES) to Prepare and Transmit Hospital Reports in Accordance with the Florida Hospital Uniform Reporting System (FHURS)	59E-5.206

PURPOSE AND EFFECT: The Agency intends to replace the electronic Financial Analysis Data Entry System (FADES) with a new electronic data entry system known as (COMPASS). The Agency proposes to require that COMPASS be used as the method by which all hospitals prepare and transmit the Prior Year actual report electronically to the Agency in accordance with the FHURS.

SUBJECT AREA TO BE ADDRESSED: There will be a demonstration and discussion of COMPASS during the rule development workshop shown below.

SPECIFIC AUTHORITY: 408.15(8) FS.

LAW IMPLEMENTED: 408.061(4) FS.

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

TIME AND DATE: 11:00 a.m. – 2:30 p.m., June 17, 2005

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Chris Augsburger, Health Facility Regulation/Financial Analysis Section, MS 28, Building 1, 2727 Mahan Drive, Tallahassee, Florida 32308, (850)922-7754, e-mail: augsburc@ahca.myflorida.com

A PRE-RELEASE VERSION OF COMPASS IS AVAILABLE TO THE PUBLIC FOR TESTING AND EVALUATION AT THE FOLLOWING WEBSITE: [http://ahca.myflorida.com/MCHQ/CON\\_FA/fa\\_data/compass.shtml](http://ahca.myflorida.com/MCHQ/CON_FA/fa_data/compass.shtml)

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

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE TITLE: Outpatient Hospital Services  
 RULE NO.: 59G-4.160

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to incorporate by reference the revised Florida Medicaid Hospital Services Coverage and Limitations Handbook, June 2005. The revised handbook contains policy and coding changes to comply with the Health Insurance Portability and Accountability Act (HIPAA); revenue center codes, procedure codes, and code descriptions for billing newborn hearing screening services; revisions to the inpatient prior authorization policy; and policy for a recipient coinsurance for using the hospital emergency room for non-emergency services. The effect will be to incorporate in the rule the Florida Medicaid Hospital Services Coverage and Limitations Handbook, June 2005.

This Notice of Rule Development replaces the Notice of Rule Development that was published in the Florida Administrative Weekly on October 31, 2003.

SUBJECT AREA TO BE ADDRESSED: Hospital Services.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.905, 409.908, 409.9081 FS.

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

TIME AND DATE: 10:00 a.m., Monday, June 20, 2005

PLACE: Agency for Health Care Administration, 2728 Fort Knox Boulevard, Building 3, Conference Room B, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Melissa Vergeson, Medical Health Care Program Analyst, Bureau of Medicaid Services, 2727 Mahan Boulevard, MS #20, Tallahassee, Florida 32308, (850)922-7724

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.160 Outpatient Hospital Services.

(1) No change.

(2) All hospital providers enrolled in the Medicaid program must comply with the provisions of the Florida Medicaid Hospital Services Coverage and Limitations Handbook, ~~June 2005~~ ~~March 2003~~, updated January 2005, and the Florida Medicaid Provider Reimbursement Handbook, UB-92, April 2004, both incorporated by reference in this rule. Both handbooks are available from the Medicaid fiscal agent contractor.

Specific Authority 409.919 FS. Law Implemented 409.905, 409.908, 409.9081 FS. History--New 1-1-77, Revised 12-7-78, 1-18-82, Amended 7-1-83, 7-16-84, 7-1-85, 10-31-85, Formerly 10C-7.40, Amended 9-16-86, 2-28-89, 5-21-91, 5-13-92, 7-12-92, 1-5-93, 6-30-93, 7-20-93, 12-21-93, Formerly 10C-7.040, Amended 6-13-94, 12-27-94, 2-21-95, 9-11-95, 11-12-95, 2-20-96, 10-27-98, 5-12-99, 10-18-99, 3-22-01, 8-12-01, 2-25-03, 8-14-03, 11-28-04,

**DEPARTMENT OF MANAGEMENT SERVICES**

**Division of Retirement**

RULE CHAPTER TITLE: Membership  
 RULE TITLE: Participation  
 RULE CHAPTER NO.: 60S-1  
 RULE NO.: 60S-1.004

PURPOSE AND EFFECT: The purpose of the rule amendment is to add visiting international teachers working in Florida under a J-1 visa to the list of exemptions from inclusion in the Florida Retirement System.

SUBJECT AREA TO BE ADDRESSED: The subject area to be discussed is the participation in the Florida Retirement system and those positions that are specifically exempt from participating in the Florida Retirement System.

SPECIFIC AUTHORITY: 121.031 FS.

LAW IMPLEMENTED: 121.011, 121.021, 121.051(1) 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: Garry Green, Operations and Management Consultant Manager, Research and Education Section, Division of Retirement, Department of Management Services, 1317 Winewood Blvd., Bldg. 8, Tallahassee, FL 32315-9000, (850)488-5706

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 Respiratory Care**

RULE TITLES: Licensure by Endorsement  
 Fees for Application and Initial Licensure  
 RULE NOS.: 64B32-2.001  
 64B32-2.003

PURPOSE AND EFFECT: The Board proposes to update the existing language in this rule.

SUBJECT AREA TO BE ADDRESSED: Licensure by Endorsement; Fees for Application and Initial Licensure.

SPECIFIC AUTHORITY: 456.013(2), 456.065, 468.353(1), 468.358(3), 468.364 FS.

LAW IMPLEMENTED: 456.065, 468.358(2),(3), 468.364, 468.365 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Kaye Howerton, Executive Director, Board of Respiratory Care, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

LICENSURE REQUIREMENTS ADMISSION OF REGISTERED RESPIRATORY THERAPISTS

64B32-2.001 Licensure Registration by Endorsement.

(1) Each applicant applying for licensure shall pay an application fee in the form of a check or money order payable to the Department of Health. The initial application must be accompanied by the application fee. The application fee is nonrefundable and may not be used for more than one year from the original submission of the application. After one year from the date of the original submission of an application and application fee, a new application and new fee shall be required from any applicant who desires to be considered for licensure.

(2) Every applicant for licensure registration as a registered respiratory therapist or certified respiratory therapist by endorsement shall demonstrate the following:

(a) 1.(1)(a) That the applicant holds the "Registered Respiratory Therapist" or "Certified Respiratory Therapist" credential issued by the National Board for Respiratory Care, or an equivalent credential acceptable to the Board; or

2.(b) That the applicant holds licensure registration, or the equivalent, to deliver respiratory care in another state and such licensure registration was granted pursuant to requirements determined to be equivalent to, or more stringent than, the requirements in Florida.

(b) (2) That the applicant is not otherwise disqualified by reason of a violation of Chapter 456, or Chapter 468, Part V, Florida Statutes, or the rules promulgated thereunder.

(c) (3) That the applicant has completed a Board approved 2-hour course in medical error prevention meeting the criteria set forth in Rule 64B32-6.006, F.A.C.

Specific Authority 468.353(1), 468.358(3) FS. Law Implemented 468.358(2),(3), 468.365 FS. History--New 4-29-85, Formerly 21M-34.02, 21M-34.002, 61F6-34.002, 59R-71.002, 64B8-71.002, Amended 7-22-02,

64B32-2.003 Fees for Application; and Initial Licensure and Renewal Registration.

(1) The application fee for a person desiring to be granted licensure registration as a registered respiratory therapist shall be \$50.00.

(2) through (3) No change.

Specific Authority 456.013(2), 456.065, 468.364 FS. Law Implemented 456.065, 468.364 FS. History—New 4-29-85, Formerly 21M-34.04, 21M-34.004, Amended 2-15-94, Formerly 61F6-34.004, Amended 9-29-94, Formerly 59R-71.004, 64B8-71.004, Amended 4-27-00,\_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Division of Environmental Health**

RULE CHAPTER TITLE: Standards for Onsite Sewage Treatment and Disposal Systems

RULE CHAPTER NO.: 64E-6

PURPOSE AND EFFECT: Develop rules to incorporate necessary technical changes and incorporate modifications proposed through the Technical Review and Advisory Panel.

SUBJECT AREA TO BE ADDRESSED: Areas to be discussed include: Onsite sewage treatment and disposal system design, permitting, construction, and maintenance; Septic Tank Contractor and Portable Restroom Contractor registration and training standards.

SPECIFIC AUTHORITY: 381.0011(4),(13), 381.006, 381.0065(3)(a),(4)(k), 381.0069, 489.553(2),(3), 489.557(1) FS.

LAW IMPLEMENTED 154.01, 381.001(2), 381.0011(4), 381.006(7), 381.0061, 381.0065, 381.00655, FS.154.06, 381.0011, 381.0012, 381.0025, 381.006, 381.0061, 381.0065, 381.0066, 381.0067, 381.0069, 386.041, 489.552, 489.553, 489.557 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Gerald Briggs, Department of Health, Bureau of Onsite Sewage Programs, HSES, 4042 Bald Cypress Way, Bin #A08, Tallahassee, FL 32399-1713

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

**FLORIDA HOUSING FINANCE CORPORATION**

RULE TITLES:	RULE NOS.:
General	67-55.001
Definitions	67-55.002
Hurricane Housing Recovery Assistance Plans and Distribution of Funds	67-55.003
Uses of and Restrictions Upon Hurricane Housing Recovery Program Funds	67-55.004

Hurricane Housing Recovery

Program Trust Funds	67-55.005
Annual Report	67-55.006
Compliance Monitoring	67-55.007

PURPOSE AND EFFECT: These Rules establish the procedures by which the Florida Housing Finance Corporation shall administer the Hurricane Housing Recovery (HHR) Program which provides funds to eligible counties and municipality's as an incentive to create partnerships to produce and preserve affordable housing. The adoption of these rules will increase the efficiency and effectiveness of local program service delivery and will provide greater clarification of the program.

SUBJECT AREA TO BE ADDRESSED: The Rule Development Workshop will be held to receive comments and suggestions from interested persons relative to program requirements as specified in Rule Chapter 67-55, Florida Administrative Code.

SPECIFIC AUTHORITY: HB 1889, 2005 Legislative Session  
LAW IMPLEMENTED: HB 1889, 2005 Legislative Session

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

TIME AND DATE: 11:00 a.m., June 20, 2005

PLACE: Florida Housing Finance Corporation, Seltzer Room, Sixth Floor, 227 North Bronough Street, Tallahassee, Florida 32301

Any person requiring special accommodations at this workshop because of a disability or physical impairment should contact: Darlene Raker, (850)488-4197. If you are hearing or speech impaired, please use the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-9771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Robert Dearduff, HHR Program Administrator, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE ON FLORIDA HOUSING FINANCE CORPORATION'S WEB SITE: [www.floridahousing.org](http://www.floridahousing.org)

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of State Fire Marshal**

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Uniform Firesafety Standards for Elevators	69A-47
RULE TITLES:	RULE NOS.:
Uniform Elevator Keys	69A-47.012
Regional Access	69A-47.013
Compliance Dates	69A-47.014
Requirements for Elevator Keys	69A-47.015
Access to Elevator Keys	69A-47.016

Duplication of Elevator Keys Prohibited	69A-47.017
Obtaining Elevator Keys	69A-47.018
Lockboxes	69A-47.019
Enforcement	69A-47.020
Administrative Penalties	69A-47.021

PURPOSE AND EFFECT: To adopt firefighter accessible uniform elevator key requirements pursuant to the direction in Section 399.15, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Firefighter accessible uniform keys for elevators in the seven emergency response regions.

SPECIFIC AUTHORITY: 399.15 FS.

LAW IMPLEMENTED: 399.15 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 (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

TIME AND DATE: 9:00 a.m., June 21, 2005

PLACE: Florida Atlantic University, 1515 W. Commercial Blvd., Room 401, Ft. Lauderdale, FL 33309

TIME AND DATE: 9:00 a.m., June 22, 2005

PLACE: North Park Center, 6800 North Dale Mabry Hwy., Conference Room 220, Tampa, FL 33607

TIME AND DATE: 9:00 a.m., June 23, 2005

PLACE: Larson Bldg, Room 116, 200 E. Gaines Street, Tallahassee, FL 32399

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 48 hours before the program by contacting: Kimberly Riordan, (850)413-3170.

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69A-47.012 Uniform Elevator Keys.

(1) As used in Sections 69A-47.012 through 69A-47.021, "these rules" refers to Rules 69A-47.012 through 69A-47.021, F.A.C.

(2) Each lock for all elevators in each region of the seven emergency response regions in this state that permits public access must be keyed for one master elevator key as required in these rules.

(3) The purpose of these rules is to allow all elevators within each of the seven state emergency response regions to be operated by firefighters in a fire emergency.

Specific Authority 399.15 FS. Law Implemented 399.15 FS. History—New

69A-47.013 Regional Access.

Regional emergency elevator access shall be provided for each of the following buildings in this state.

(1) Any building which is six or more stories in height, and which construction was begun after June 30, 2004, or

(2) Any building which is six or more stories in height and has undergone "substantial improvement" as defined in Section 161.54(12), Florida Statutes.

Specific Authority 399.15 FS. Law Implemented 399.15 FS. History—New

69A-47.014 Compliance Dates.

Each existing building which is six stories or more in height must comply with these rules no later than July 1, 2007.

Specific Authority 399.15 FS. Law Implemented 399.15 FS. History—New

69A-47.015 Requirements for Elevator Keys.

(1) All elevator keys within each of the seven emergency response regions as set forth in these rules shall be uniform and specific for that region.

(2) The following elevator keys shall be used in each of the following regions:

(a) Emergency Response Region 1, consisting of the following counties: Escambia, Santa Rosa, Okaloosa, Walton, Holmes, Jackson, Washington, Bay, Gulf, Calhoun, shall use \_\_\_\_\_;

(b) Emergency Response Region 2, consisting of the following counties: Gadsden, Liberty, Leon, Franklin, Wakulla, Taylor, Jefferson, Madison, Lafayette, Hamilton, Suwannee, Columbia, Dixie, shall use \_\_\_\_\_;

(c) Emergency Response Region 3, consisting of the following counties: Nassau, Duval, Clay, St. John, Flagler, Putnam, Bradford, Union, Baker, Levy, Alachua, Gilchrist, shall use \_\_\_\_\_;

(d) Emergency Response Region 4, consisting of the following counties: Citrus, Hernando, Pasco, Pinellas, Hillsborough, Polk, Manatee, shall use \_\_\_\_\_;

(e) Emergency Response Region 5, consisting of the following counties: Marion, Sumter, Lake, Orange, Seminole, Osceola, Brevard, Volusia, shall use \_\_\_\_\_;

(f) Emergency Response Region 6, consisting of the following counties: Hardee, Sarasota, Desoto, Charlotte, Glades, Highland, Okeechobee, Hendry, Lee, Collier, shall use \_\_\_\_\_;

(g) Emergency Response Region 7, consisting of the following counties: Monroe, Miami-Dade, Broward, Palm Beach, Martin, St. Lucie, Indian River, shall use \_\_\_\_\_;

Specific Authority 399.15 FS. Law Implemented 399.15 FS. History—New

69A-47.016 Access to Elevator Keys.

- (1) Uniform elevator keys shall be made available only to
- (a) Elevator owners or their authorized agents,
- (b) Elevator contractors,
- (c) State-certified inspectors,
- (d) Authorized state agency representatives and
- (f) An authorized representative of a local fire department.

(2) Elevator keys shall not be issued to any other emergency response agency or any other person.

Specific Authority 399.15 FS. Law Implemented 399.15 FS. History--New

69A-47.017 Duplication of Elevator Keys Prohibited.

(1) No person may duplicate a master elevator key for issuance to, and no person shall issue a duplicated key to, anyone other than authorized fire department personnel.

(2) Each elevator key subject to these rules must be engraved "DO NOT DUPLICATE."

Specific Authority 399.15 FS. Law Implemented 399.15 FS. History--New

69A-47.018 Obtaining Elevator Keys.

(1) Any person authorized under this rule chapter to have possession of a uniform elevator key shall apply to an authorized vendor selected by the Division of State Fire Marshal on form DFS-Kx.XXX for the issuance of such key.

(2) Upon, the applicant presenting a fully completed and executed copy of form DFS-Kx.XXX to an authorized vendor, the applicant may obtain a key or keys from such vendor.

(3) The issuing vendor must maintain a copy of each form DFS-Kx.XXX following the issuance of each key or keys. This form may be maintained in its original form or in an electronic format.

(4) Copies of executed form DFS-Kx.XXX shall be provided to the State Fire Marshal or the local fire official upon receipt of a written request. Such request may be in the form of electronic mail.

Specific Authority 399.15 FS. Law Implemented 399.15 FS. History--New

69A-47.019 Lockboxes.

(1) If the local fire official determines that it is technically, financially, or physically impossible to bring a building's elevators into compliance with this rule the local fire official may accept as an alternative the installation of a keyed lockbox that accepts the uniform key for that specific region. The lock box shall be installed in accordance with this section.

(2) The local fire official's decision regarding the alternative measure may be appealed to the State Fire Marshal whose decision shall constitute final agency action for purposes of Chapter 120, Florida Statutes.

(3) Alternative installation of Lock Boxes.

(a) The lock box may be installed flush or recessed mounted.

(b) The lock box's front cover shall be hinged on the right side and shall be engraved or painted with the words "Fire Department Use Only – Elevator keys."

(c) The lock box shall be mounted at each elevator bank at the lobby nearest to the lowest level of fire department access.

(d) Only keys used for the operation of the elevator or an elevator component shall be placed inside the lock box.

(4)(a) In buildings subject to alternative provisions of this section and which houses two different elevator banks, a single lock box may be used when such banks are separated by not more than 30 feet.

(b) In buildings with elevators or elevator banks separated by more than 30 feet, separate lockboxes must be used for each elevator or elevator bank so separated.

Specific Authority 399.15 FS. Law Implemented 399.15 FS. History--New

69A-47.020 Enforcement.

(1) The Division of State Fire Marshal of the Department of Financial Services shall have the exclusive authority to enforce these rules.

(2) Upon determination of a violation of this rule regarding the unauthorized possession of a uniform key, the local fire officials shall provide complete written details to the State Fire Marshal for legal action by the Department.

Specific Authority 399.15 FS. Law Implemented 399.15 FS. History--New

69A-47.021 Administrative Penalties.

The Department of Financial Services may assess an administrative penalty of not more than \$1,000, in addition to any other penalty provided by law, for failure to comply with these rules.

Specific Authority 399.15 FS. Law Implemented 399.15 FS. History--New

Section II
Proposed Rules

DEPARTMENT OF LEGAL AFFAIRS

Division of Victim Services and Criminal Justice Programs

RULE TITLE: Adjustments to Reflect Consumer Price Index

RULE NO.: 2A-8.005

PURPOSE AND EFFECT: The proposed rule amendments are intended to reflect changes to the Consumer Price Index for payment of benefits.

SUMMARY: The proposed rule amendments address changes to the Consumer Price Index for payment of benefits.

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: 112.19 FS.
LAW IMPLEMENTED: 112.19 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: Rick Nuss, Chief, Bureau of Criminal Justice Programs, Department of Legal Affairs, PL-01, The Capitol, Tallahassee, Florida 32399-1050

THE FULL TEXT OF THE PROPOSED RULE IS:

2A-8.005 Adjustments to Reflect Consumer Price Index.

(1) Section 112.19(2)(j), Florida Statutes, requires the Bureau to adjust the statutory amount on July 1 of each year based on the Consumer Price Index for all urban consumers published by the United States Department of Labor, using the most recent figures available. The Bureau will utilize the previous March Consumer Price Index published by the United States Department of Labor and the benefits shall be adjusted from the benefit amount of the year before.

(2) The Consumer Price Index amount in March 2005 2004 was 3.1 +.7 percent. Therefore, the statutory amount for the period July 1, 2005 2004 through June 30, 2006 2005, is:

(a) For those benefits paid or to be paid under paragraph (a) of subsection (2); \$53,999.14 \$52,375.50.

(b) For those benefits paid or to be paid under paragraph (b) of subsection (2); \$53,999.14 \$52,375.50.

(c) For those benefits paid or to be paid under paragraph (c) of subsection (2); \$161,997.42 \$157,126.50.

Specific Authority 112.19 FS. Law Implemented 112.19 FS. History--New 12-10-03, Amended 8-17-04, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Rick Nuss, Bureau Chief

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Rodney Doss, Division Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 20, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 6, 2005

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 TITLES: Staff Development - Definitions 33-209.101
Minimum Training Requirements 33-209.102
Firearms Training and Other

Certification Requirements 33-209.103
Training Requests and Assignments 33-209.104
Training Attendance, Performance and Conduct 33-209.105
Contracting for Training Services 33-209.106

PURPOSE AND EFFECT: The purpose and effect of the proposed rule repeal is to eliminate language that is duplicative of statute and unnecessary for implementation of any department program.

SUMMARY: The proposed rule eliminates text that is not required to operate the staff training program.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 20.315, 944.09 FS.
LAW IMPLEMENTED: 20.315, 110.109, 943.10, 943.13, 943.135, 943.17, 943.175, 943.22, 944.09, 944.105 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: 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 RULES IS:

33-209.101 Staff Development – Definitions.

Specific Authority 20.315, 944.09 FS. Law Implemented 20.315, 110.109, 943.10, 943.13, 943.135, 943.17, 943.175, 943.22, 944.09 FS. History–New 8-26-87, Formerly 33-25.001, Repealed.

33-209.102 Minimum Training Requirements.

Specific Authority 20.315, 944.09 FS. Law Implemented 20.315, 110.109, 943.10, 943.13, 943.135, 943.17, 943.175, 943.22, 944.09, 944.105 FS. History–New 8-26-87, Amended 7-4-88, Formerly 33-25.002, Repealed.

33-209.103 Firearms Training and Other Certification Requirements.

Specific Authority 20.315, 944.09 FS. Law Implemented 20.315, 110.109, 943.10, 943.13, 943.135, 943.17, 943.175, 943.22, 944.09 FS. History–New 8-26-87, Amended 11-1-90, Formerly 33-25.003, Repealed.

33-209.104 Training Requests and Assignments.

Specific Authority 20.315, 944.09 FS. Law Implemented 20.315, 110.109, 943.10, 943.13, 943.135, 943.17, 943.175, 943.22, 944.09 FS. History–New 8-26-87, Formerly 33-25.004, Repealed.

33-209.105 Training Attendance, Performance and Conduct.

Specific Authority 20.315, 944.09 FS. Law Implemented 20.315, 110.109, 943.10, 943.13, 943.135, 943.17, 943.175, 943.22, 944.09 FS. History–New 8-26-87, Formerly 33-25.005, Repealed.

33-209.106 Contracting for Training Services.

Specific Authority 20.315, 944.09 FS. Law Implemented 20.315, 110.109, 943.10, 943.13, 943.135, 943.17, 943.175, 943.22, 944.09 FS. History–New 8-26-87, Formerly 33-25.006, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Raul Banasco, Bureau Chief, Bureau of Staff Development

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Tina Hayes, Assistant Secretary of Research, Planning and Support Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 18, 2005

**DEPARTMENT OF CORRECTIONS**

RULE TITLE: Academic Education Program Services RULE NO.: 33-501.101

PURPOSE AND EFFECT: The purpose and effect of the proposed rule repeal is to eliminate language that is duplicative of statute and unnecessary for implementation of any department program.

SUMMARY: The proposed rule eliminates text that is not required to operate the mandatory literacy program.

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, 944.801 FS.

LAW IMPLEMENTED: 944.09, 944.801 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:

33-501.101 Academic Education Program Services.

Specific Authority 944.09, 944.801 FS. Law Implemented 944.09, 944.801 FS. History–New 10-31-01, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Franchatta Barber, Deputy Assistant Secretary of Programs

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: George Sapp, Assistant Secretary of Institutions

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 19, 2005

**DEPARTMENT OF CORRECTIONS**

RULE TITLE: Admissible Reading Material RULE NO.: 33-501.401

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to: amend the definition of “sexual conduct” in the rule and in Form DC5-101, Notice of Rejection or Impoundment of Publications, for consistency with amendments to Section 847.001, F.S.; clarify that publications will not be rejected based upon inclusion of specific advertising that is incidental to, rather than the focus of, the publication; provide for a date-stamped copy of the DC5-101 and attachments to be provided to the literature review committee; allow for denial of a publication to a specific inmate when determined by health services or mental health services to be detrimental to the inmate; revise the composition of the literature review committee; and provide for written notification of the literature review committee’s decision to be sent to the publisher or sender.

SUMMARY: The proposed rule amends definitions for consistency with amendments Florida Statutes; clarifies parameters for rejection of publications based upon content of advertisements contained therein; provides for provision of date-stamped documents to the literature review committee; allows for denial of a publication to a specific inmate based upon recommendations of health services or mental health services; eliminates one member of the literature review committee; and provides for written notification of the literature review committee’s decision to be sent to the publisher or sender.



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, 944.11 FS.

LAW IMPLEMENTED: 944.11 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:

33-501.401 Admissible Reading Material.

(1) through (2) No change.

(3) Inmates shall be permitted to receive and possess publications per terms and conditions established in this rule unless the publication is found to be detrimental to the security, order or disciplinary or rehabilitative interests of any institution of the department, or any privately operated institution under contract with the department, or when it is determined that the publication might facilitate criminal activity. Publications shall be rejected when one of the following criteria is met:

(a) through (h) No change.

(i) It depicts sexual conduct as follows:

1. Actual or simulated sexual intercourse;

2. Deviate sexual intercourse;

3.2. Sexual bestiality;

4.3. Masturbation;

5.4. Sadomasochistic abuse;

6. Actual lewd exhibition of the genitals;

7.5. Actual physical contact with a person's unclothed genitals, pubic area, buttocks, or, if such person is a female, breast with the intent to arouse or gratify the sexual desire of either party;

8.6. Any act or conduct which constitutes sexual battery or simulates that sexual battery is being or will be committed.

(j) It depicts nudity ~~or a lewd exhibition of the genitals~~ in such a way as to create the appearance that sexual conduct is imminent, i.e., display of contact or intended contact with a person's unclothed genitals, pubic area, buttocks or female breasts orally, digitally or by foreign object, or display of sexual organs in an aroused state.

(k) No change.

~~(l) Contains or appears to contain unknown or unidentifiable substances; or~~

~~(1)(m)~~ No change.

(4) Advertising. A publication will not be rejected based upon inclusion of an advertisement promoting any of the following if the publication is otherwise admissible and the advertisement is merely incidental to, rather than being the focus of, the publication.

(a) Three-way calling services;

(b) Pen pal services;

(c) The purchase of products or services with postage stamps; or

(d) Conducting a business while incarcerated.

(4) through (6) renumbered (5) through (7) No change.

~~(8)(7)~~ Incoming publications previously rejected by the literature review committee. An incoming publication that has previously been rejected by the department's literature review committee due to inclusion of subject matter held to be inadmissible per the criteria established in subsection (3) shall not be reviewed again unless the publisher presents proof to the literature review committee that it has been revised and in the revision process the material resulting in the original rejection has been removed. When a rejected publication is received at an institution, it shall be impounded and shall not be issued to inmates. The warden or designee shall notify the inmate in writing on Form DC5-101, Notice of Rejection or Impoundment of Publications, within 15 calendar days of receipt that the publication has been rejected by the department's literature review committee and cannot be received. Form DC5-101 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, Office of Research, Planning and Support Services, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is 12-30-04. For purposes of this subsection, the warden's "designee" may include the mailroom supervisor. A Notice of Rejection or Impoundment of Publications, Form DC5-101, shall address only one publication. If a single mailing notice includes more than one rejected publication, a Notice of Rejection or Impoundment of Publications, Form DC5-101 shall be prepared for each.

(8) through (9) renumbered (9) through (10) No change.

~~(11)(10)~~ Single issues of periodicals and newspapers, any book, and any other printed material addressed to a specific inmate or found in the property of an inmate shall be impounded when circumstances detailed in an individual inmate's criminal conviction, detailed in departmental disciplinary reports, or detailed in prior criminal convictions, indicates it would be a threat to the security, order or rehabilitative objectives of the correctional system or the safety of any person to allow the inmate access to subject matter in that publication.

(a) When a warden or assistant warden believes that an individual should be denied a publication because receipt of same would be contrary to treatment or rehabilitative

objectives or might encourage or contribute to the conduct or commission of acts that violate department rules, he or she shall forward the publication to institutional health or mental health services professionals for review and evaluation. If health or mental health services professionals concur that the inmate should be denied access to the publication, the warden or assistant warden shall impound the publication. The warden or assistant warden shall provide the literature review committee with a copy of the opinion prepared by the health or mental health services professional and any other information that justifies denying the inmate the publication.

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

~~(e)(4)~~ Publications that are impounded pursuant to this subsection shall be handled as provided in subsections ~~(9)(8)~~ and ~~(10)(9)~~ of this rule.

~~(f)(e)~~ Inmates may appeal impoundment decisions undertaken pursuant to this subsection through use of the inmate grievance procedure as provided in subsections ~~(14)(13)~~ and ~~(15)(14)(c)~~ of this rule and Chapter 33-103, F.A.C.

1. through 2. No change.

~~(g)(f)~~ Impoundment decisions that are approved pursuant to this subsection are individualized in nature and do not have affect on any other inmate. If institution staff believe that a publication is inadmissible per the criteria established in subsection (3) of this rule, and should be denied to all inmates, they shall follow the procedures established in subsections ~~(9)(8)~~ and ~~(10)(9)~~ of this rule.

~~(h)(g)~~ No change.

~~(12)(11)(a)~~ Rejected and impounded publications shall be held at the institution for 30 days. Upon receipt of a Form DC5-101, Notice of Rejection or Impoundment of Publications, an inmate shall have 30 days from date of receipt of the form to make arrangements to have the publication picked up by an approved visitor or sent to a relative or friend or the sender at the inmate's expense. If the publication is not picked up or mailed out within 30 days, the institution shall destroy it. The 30 day limit shall not include any time that a grievance appeal is pending provided that the inmate has provided the warden with the written notice required in paragraph ~~(14)(13)(b)~~ of this rule. However, if the inmate fails to provide the warden with written notice of his or her appeal within 15 days of the impoundment or rejection, the institution shall not be required to store the publication beyond 30 days.

(b) No change.

~~(13)(12)~~ No change.

~~(14)(13)~~ Inmates may appeal the impoundment or rejection of reading material through use of the inmate grievance procedure, Chapter 33-103, F.A.C.

(a) No change.

(b) When publications are impounded or rejected pursuant to the criteria established in subsections (3) and ~~(11)(10)~~ this rule, inmates shall bypass the informal and formal institutional

level of review, and file grievances direct to the office of the secretary. A copy of the Form DC5-101, Notice of Rejection or Impoundment of Publications, which documents the impoundment or rejection, must be attached to the grievance. The complaint must be filed within 15 days from the date of impoundment or rejection. The grievance appeal shall be addressed to the office of the secretary and not to the literature review committee or to the library services administrator.

(c) through (f) No change.

~~(15)(14)~~ Literature Review Committee.

(a) There shall be a literature review committee to act as the final reviewing authority for appeals regarding reading material impounded or rejected pursuant to criteria established in this rule. The committee shall be composed of:

1. Chief of bureau of security operations or designee;
2. Chief of bureau of inmate grievance appeals or designee;
3. Library services administrator or designee;
4. ~~Chief of bureau of classification or designee.~~

(b) through (e) No change.

~~(16)(15)(a)~~ No change.

(b) The library services administrator shall forward this information to the literature review committee for review. The library services administrator shall provide ~~If the appeal is approved,~~ the publisher, mail order distributor, bookstore or sender written notification of the literature review committee's ~~shall be notified of the decision.~~ The decision shall also be communicated to all correctional facilities institutions of the department, ~~and all privately operated institutions under contract with the department.~~

~~(17)(16)(a)~~ through (d) No change.

(e) Inmates may only receive and possess print media publications. Incoming publications published on non-print media or print media publications that include non-print media that are an integral part of the publication will be rejected and returned to the sender along with an explanation as to why the material is being rejected. However, unsolicited promotional computer diskettes and CD-ROMs that are mailed with a periodical issue, e.g, the CD-ROMs promoting America Online's Internet service, will be handled as provided in subsection ~~(25)(24)~~ of this rule.

(f) through (g) No change.

(17) through (24) renumbered (18) through (25) No change.

Specific Authority 944.09, 944.11 FS. Law Implemented 944.11 FS. History-- New 10-8-76, Amended 3-3-81, 9-24-81, Formerly 33-3.12, Amended 6-9-87, 3-11-91, 12-17-91, 3-30-94, 11-2-94, 5-10-98, 10-20-98, Formerly 33-3.012, Amended 3-21-00, 8-10-00, 10-13-02, 7-2-03, 12-30-04, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Allen Overstreet, Library Services Administrator

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: George Sapp, Assistant Secretary of Institutions

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 27, 2005  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 13, 2005

**WATER MANAGEMENT DISTRICTS**

**Suwannee River Water Management District**

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Minimum Flows and Levels	40B-8
RULE TITLES:	RULE NOS.:
Policy and Purpose	40B-8.011
Definitions	40B-8.021
Minimum Surfacewater Levels and Flows	40B-8.031

PURPOSE AND EFFECT: The purpose of the proposed rule is to codify a minimum flow for Madison Blue Spring within Chapter 40B-8, F.A.C. The effect of the proposed rule will be to provide protection for Madison Blue Spring from significant harm resulting from uses of water from the Floridan aquifer.

SUMMARY: This proposed rule will establish a minimum flow for Madison Blue Spring, in Madison County, in accordance with Rule 62-40.473, F.A.C., and Sections 373.042, 373.0421, Florida Statutes.

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: 373.044, 373.113 FS.

LAW IMPLEMENTED: 373.042, 373.0421, 373.103 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: Linda Welch, Administrative Assistant, Suwannee River Water Management District, 9225 C.R. 49, Live Oak, Florida 32060, (386)362-1001, 1(800)226-1066 (FL only)

THE FULL TEXT OF THE PROPOSED RULES IS:

40B-8.011 Policy and Purpose.

(1) This chapter establishes minimum flows and levels for surface waters and minimum levels for groundwater at specific locations within the Suwannee River Water Management District.

(2) Where appropriate, minimum flows and levels may reflect seasonal and long-term variations and may include a schedule of variations and other measures appropriate for the protection of non-consumptive uses of a water resource.

(3) In establishing minimum flows and levels, the Governing Board shall use the best information available to establish limits which prevent significant harm to the water resources or ecology. The Governing Board will also consider and, at its discretion, provide for the protection of non-consumptive uses, including navigation, recreation, fish and wildlife habitat, and other natural resources.

(4) Minimum flows and levels prescribed in this chapter are used as a basis for imposing limitations on withdrawals of groundwater and surface water, for reviewing proposed surfacewater management and storage systems and stormwater management systems, and for imposing water shortage restrictions. The limitations and review criteria which relate to these minimum flows and levels are prescribed in other rule chapters of the District.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.042, 373.415 FS. History–New \_\_\_\_\_.

40B-8.021 Definitions.

Unless the context indicates otherwise, the following terms shall have the following meanings:

(1) “Flow Duration Curve” means a statistical representation of flows, actual or synthetic, and their recurrence probabilities over a determined period of record.

(2) “Historic period” means from 1982 to the present date.

(3) “Madison Blue Spring” means the single vent spring system located within Madison County, adjacent to the Withlacoochee River at 30° 28' 48" north latitude and 83° 14' 40" west longitude.

(4) “Minimum surfacewater flow” means a flow, expressed in cubic feet per second combined with a temporal element. The temporal element may be specifically expressed as a duration and return interval.

(5) “Minimum surfacewater level” means an elevation in feet NGVD combined with a temporal element. The temporal element, for purposes of this chapter, may be specifically expressed as a duration and return interval.

(6) “NGVD” means National Geodetic Vertical Datum of 1929.

(7) “Pinetta gauge” means stream flow measuring gauge number 02319000 operated by the United States Geological Survey located on the Withlacoochee River approximately 10 miles upstream from Madison Blue Spring at 30° 35' 43" north latitude and 83° 15' 35" west longitude.

(8) “Withlacoochee River” means the riverine waterbody which originates in south-central Georgia and flows southeast and south into Florida discharging into the Suwannee River at Ellaville.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.042, 373.415 FS. History–New \_\_\_\_\_.

40B-8.031 Minimum Surfacewater Levels and Flows.

The Governing Board hereby establishes the following minimum surfacewater flows and levels. The Governing Board finds that the following minimum surfacewater flows and levels are the limit at which further withdrawals would be significantly harmful to the water resources or ecology.

(1) The minimum surfacewater flow for Madison Blue Spring is 70 cubic feet per second (cfs) for a flow duration frequency of 90 percent when the stage of the Withlacoochee River measured at the Pinetta gauge is 55.0 feet (NGVD) or less.

(2) If the surfacewater flows from Madison Blue Spring are reduced below the levels established in paragraph (1) above, withdrawals will be significantly harmful to the water resources or ecology.

(3) In determining the estimated impact of existing and proposed future withdrawals on the surfacewater flow of Madison Blue Spring, as expressed in paragraphs (1) and (2) above, the following factors shall be considered:

(a) A stage of 55.0 feet (NGVD) at the Pinetta gauge will serve as a modeling boundary condition.

(b) The surfacewater flow for Madison Blue Spring shall not be caused to be reduced to a predicted flow of 70 cfs or less for a flow duration frequency of less than 90 percent as determined by the Flow Duration Curve for the Madison Blue Spring discharge over the historic period.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.042, 373.0421, 373.103, 373.415 FS. History--New

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: May 12, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 17, 2004

**DEPARTMENT OF MANAGEMENT SERVICES**

**Division of Facilities Management**

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Leases for Real Property	60H-1
RULE TITLES:	RULE NOS.:
Definitions	60H-1.001
Division Approval; When Required	60H-1.002
Standard Lease Agreement Form	60H-1.003
Filing of Leases	60H-1.004
Escalation Clauses	60H-1.006
Right-to-Terminate Clause Required	60H-1.007
Notice of Renewal	60H-1.009

Fire Code Compliance in Leased Space	60H-1.013
Leases of 5,000 Square Feet or More	60H-1.015
Turnkey (Lease) Construction Program	60H-1.017
Prior Approval of Space Need	60H-1.022
Disclosure Statement – Private Entities	60H-1.025
Disclosure Statement – Public Officials	60H-1.026
Legal Review	60H-1.027
Information and Forms	60H-1.028
Rental Rate Guidelines for Privately Owned Space	60H-1.030

PURPOSE AND EFFECT: The rule chapter is being amended to incorporate proposed staff objections by JAPC and to revise or delete outdated and/or superfluous language.

SUMMARY: The proposed amendment to subparagraph 60H-1.003(3)(a)1., F.A.C., deletes language that would allow tacit approval of requests by the agency. The proposed amendments to Rules 60H-1.006 and 60H-1.007, F.A.C., provide specific criteria upon which the Division Director may rely in making exceptions to certain leasing requirements. The remaining proposed amendments delete or revise language deemed superfluous or outdated.

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

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

SPECIFIC AUTHORITY: 120.53(1)(a), 255.249(2)(a),(e),(4)(f),(5), 255.25(2), 255.503(11) FS.

LAW IMPLEMENTED: 255.21, 255.25(1),(2)(a),(b),(3), (4),(5),(7), 255.249(1),(2)(b),(e),(h),(i),(j),(k),(3),(4), 255.254, 255.503 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 THIS PROPOSED RULES IS: Ron Goldstein, General Services Manager, Department of Management Services, Division of Facilities Management and Building Construction, 4050 Esplanade Way, Suite 315F, Tallahassee, FL 32399, (850)488-3759, e-mail: goldstr@dms.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

60H-1.001 Definitions.

For the purposes of this chapter, each of these words shall have the following meaning:

(1) through (2) No change.

(3) Agency Lease – As the context of any written agreement requires, an agreement to lease a building or any part thereof other than a Florida Facilities Pool property as identified in Section 255.505, F.S. pool facility.

(4) Division – Division of Facilities Management and Building Construction, Department of Management Services.

(5) ~~Department – Department of Management Services. Bureau – The Division’s Bureau of Property Management.~~

(6) Secretary – The Secretary of the Department of Management Services or his/her designee by written order.

(7) Division Director – The Director of the Division or his/her designee by a written order.

(8) through (9) No change.

~~(10) Pool Facility – A Facility which is a part of the Florida Facilities Pool.~~

~~(10)(11) Warehouse – A structure or room used for files or storing materials as designated by the Division.~~

~~(11)(12) Response – Any responsive reply to a competitive solicitation.~~

~~(12)(13) Competitive Solicitation – Means an invitation to bid, a request for proposals, or an invitation to negotiate.~~

(13) Standard Lease Agreement – The Department’s lease agreement document incorporated by reference in this rule as form FM4054 (05/04).

(14) Agency’s Designated Representative – The individual or entity with the authority to act on behalf of an agency in negotiating lease agreements.

(15) Trailer, Mobile Unit or Hangar Space – Any leased mobile or temporarily stationary unit used to house state sponsored operations/storage or structure to house state-owned aviation vehicles and equipment.

Specific Authority 255.249, 255.25, 255.503(11) FS. Law Implemented 255.25(2), 255.503 FS. History–New 8-11-75, Amended 8-27-75, 4-25-79, Formerly 13D-7.01, Amended 3-18-86, Formerly 13M-1.001, Amended 4-27-04, \_\_\_\_\_.

60H-1.002 Division Approval; When Required.

(1) No change.

(2) Exceptions:

(a) The Division’s approval need not be obtained for a lease of less than 5,000 square feet of space within a privately owned building or renewal of such a lease, provided the agency head has filed with the Division Bureau a certificate of compliance in accordance with Rule 60H-1.003, F.A.C., provided further that such a lease which is for a term extending beyond the end of a fiscal year shall be subject to the provisions of Section 216.311, Florida Statutes.

(b) through (c) No change.

Specific Authority 255.249, 255.25, 255.503(11) FS. Law Implemented 255.249(2)(j),(k),(3), 255.25(2)(b),(7), 255.503 FS. History–New 8-11-75, Amended 4-25-79, Formerly 13D-7.02, Amended 3-18-86, Formerly 13M-1.002, Amended 2-21-96, 5-13-03, \_\_\_\_\_.

60H-1.003 Standard Lease Agreement Form.

(1) All agency leases shall be on the Department’s ~~of Management Services~~ <sup>2</sup> Standard Lease Agreement Form (FM Form 4054, effective August 11, 1975, as revised May, 2001 or May, 2004, incorporated by reference in this rule).

(2) No provision of the Standard Lease Agreement may be changed or additional covenants or conditions added thereto without the prior written approval of the Division’s ~~D~~irector except for articles relating to lessor furnishing janitorial services, replacing light bulbs, and paying utility charges. Any agency request for changes or additions to the Standard Lease Agreement shall be submitted to the Division Bureau in writing and state with reasonable particularity why the change or addition is necessary and in the best interest of the State as defined in subsection 60H-1.003(3), F.A.C. Unless the Division ~~D~~irector’s approval has been obtained in accordance with this rule, any such change or addition shall be null and void.

(3) Certificate of Compliance. Within 30 days after executing a lease of less than 5,000 square feet of space within a privately or publicly owned building, the agency head shall file with the Division Bureau on a form provided by the Division Bureau (FM 4113, effective May 1996, as revised January, 2003 and January, 2004, incorporated by reference in this rule) a certificate stating that the lease is in compliance with all leasing criteria provided by Chapter 255, Florida Statutes. The certificate shall further state that the agency has determined that the lease is in the best interest of the State. As used in this section the phrase “the best interest of the state” shall mean:

(a) No change.

1. The Division has approved the Request ~~or has not responded to the agency’s request within 10 working days of receipt of the request;~~ or

2. If state-owned space is available in the same geographic region, the agency has enunciated reasons why such space would not enable the agency to fulfill its statutory duties;

(b) The rental rate for the space in the privately owned building is within the rental rate guidelines established by the Division Bureau;

(c) No change.

(4) Exceptions. This rule shall not apply to:

(a) No change.

(b) Any agency lease for nominal or no consideration. As used herein, “nominal consideration” means consideration for \$1.00 or less. Nominal or no consideration leases shall be filed with the Division Bureau on a form provided by the Bureau (FM Form No. 4108, effective July 1995, as revised January, 2003, incorporated by reference in this rule).

(5) Change of Ownership. If ownership of a leased facility changes during the term of the lease, the Division Bureau of Property Management must be furnished certain pertinent information; i.e., a copy of the deed or other legal document effecting transfer of facility and disclosure form (FM Form No. 4114, effective June 1995, as revised January, 2003, incorporated by reference in this rule) completed by the new owner.

(6) Trailer, Mobile Unit or Hangar Space. A lease of any square footage for any purpose in a “trailer” or mobile unit must have prior approval of the ~~Division of Motor Pool, Department’s of Management Services~~ Division of Fleet Management, Federal Property Assistance and Correctional Privatization. Prior to leasing privately owned hangar space, an agency must provide a request to and receive a ~~the Bureau with~~ statement from the Division of Fleet Management, Federal Property Assistance and Correctional Privatization ~~Motor Pool~~ that no state owned hangar space is available.

Specific Authority 255.249(5), 255.25(2) FS. Law Implemented 255.249(2)(j),(k),(3), 255.25(2)(a),(b) FS. History–New 8-11-75, Amended 4-25-79, Formerly 13D-7.03, Amended 3-18-86, Formerly 13M-1.003, Amended 9-30-96, 5-13-03, 4-27-04,\_\_\_\_\_.

60H-1.004 Filing of Leases.

A copy of each agency lease shall be filed with the Division Bureau in its office in Tallahassee.

Specific Authority 255.25 FS. Law Implemented 255.25(2) FS. History–New 8-11-75, Amended 4-25-79, Formerly 13D-7.04, 13M-1.004, Amended \_\_\_\_\_.

60H-1.006 Escalation Clauses.

No agency’s lease shall contain an open rate, including Consumer Price Index or rental escalation clause, except upon written approval of the Division Director whom will consider an escalation clause based upon written justification from the User Agency and the Agency’s Designated Representative and in the best interests of the state as defined in subsection 60H-1.003(3), F.A.C. User Agency justification may include, but is not limited to, factors such as the market rate for like properties, reduced costs for Lessor’s provided services, separate utility metering, proximity to client citizens served or programmatic requirements that limit available lease options.

Specific Authority 255.25 FS. Law Implemented 255.25(2) FS. History–New 8-11-75, Amended 4-25-79, Formerly 13D-7.06, 13M-1.006, Amended 4-27-04,\_\_\_\_\_.

60H-1.007 Right-to-Terminate Clause Required.

The Standard Lease Agreement’s right-to-terminate clause, allowing the agency to terminate the lease with notice if public space becomes available, shall be a part of any lease for a term exceeding one year and may not be omitted from an agency’s lease, except upon written approval of the Division Director whom will consider a variation in the Right-to-Terminate clause based upon written justification from the User Agency and the Agency’s Designated Representative. User Agency justification may include, but is not limited to, factors such as a negotiated lower lease rate in a county where no state-owned office facilities exist, proximity to client citizens served with minimal available space options or special programmatic needs not serviceable within local state-owned space.

Specific Authority 255.25 FS. Law Implemented 255.25(2) FS. History–New 8-11-75, Amended 4-25-79, Formerly 13D-7.07, 13M-1.007, Amended 5-13-03, 8-5-03, 4-27-04,\_\_\_\_\_.

60H-1.009 Notice of Renewal.

(1) If an agency elects to renew an agency lease, a copy of the notice of renewal, with the date the notice was received by certified or registered mail by the lessor clearly marked thereon, shall be furnished to the Division Bureau.

(2) No change.

(3) The agency shall obtain the Division’s Bureau’s approval prior to exercising its option to renew in the manner in which it obtains approval to procure a new lease.

Specific Authority 255.249(2), 255.25 FS. Law Implemented 255.25(2) FS. History–New 8-11-75, Amended 4-25-79, Formerly 13D-7.09, Amended 3-18-86, Formerly 13M-1.009, Amended 2-21-96, 5-13-03,\_\_\_\_\_.

60H-1.013 Fire Code Compliance in Leased Space.

(1) through (4) No change.

(5) The cost of all modification or renovations made for the purpose of bringing leased property, other than a Department-managed pool facility, into compliance with uniform fire safety standards shall be borne by the lessor.

(6) No change.

Specific Authority 255.249, 255.25 FS. Law Implemented 255.25(5) FS. History–New 4-25-79, Formerly 13D-7.091, Amended 3-18-86, Formerly 13M-1.013, Amended \_\_\_\_\_.

60H-1.015 Leases of 5,000 Square Feet or More.

(1)(a) No change.

(b) No change.

1. through 3. No change.

4. This rule shall not apply to buildings or facilities of any size leased for the purpose of providing care and living space for persons, provided the agency has filed with the Division Bureau a certificate of exemption demonstrating that the lease is exempt from competitive solicitation under Section 255.249 or 255.25, Florida Statutes.

5. The Division may approve extensions of an existing lease of 5,000 square feet or more space if such extensions are determined to fit the needs of the agency, but in no case shall the total of such extensions exceed 11 months. If at the end of the period granted by the extension(s), the time of such extension(s) equal(s) 11 months, and the agency still needs space, the agency shall solicit competitive responses in accordance with this chapter. All agency requests for an extension under this clause shall be submitted in writing to the Division Bureau within sixty (60) days a reasonable period of time before a lease is to end. The agency shall furnish a statement of justification for the extension. The Division Director shall review the request and issue a written decision.

6. No change.

7. Notwithstanding subparagraph 5. above, an agency may enter into a replacement lease or may renegotiate the terms and conditions of an existing lease for more than 5,000 square feet upon approval by the Division Director, if the replacement lease or modification is in the best interests of the state as

defined in subsection 60H-1.003(3), F.A.C., and complies with the requirements established in Section 255.25(3)(b), Florida Statutes.

(2) Solicitation.

(a) A public solicitation for responses will be widely publicized using newspapers (a minimum of twice, with a week between notices), through ~~and~~ personal contact with owners, developers or licensed real estate brokers in the city or area in which space is desired and may be published in on a centralized website.

(b) Solicitation shall set forth the following:

1. through 4. No change.

(3) Specifications.

(a) through (b) No change.

1. through 5. No change.

6. Services required which shall ~~to~~ include parking, dining and transportation requirements.

7. Acceptable Energy Performance Index as defined in Section 255.253, Florida Statutes.

(c) No change.

1. through 12. No change.

(d) Specifications shall provide a date and time in which responses are to be submitted to a designated individual. An announcement of award shall be posted following negotiations with respondents.

(e) Suggested formats and guidelines for specifications may be obtained from the Division Bureau of Property Management, Department of Management Services.

(4) Responses.

(a) No change.

(b) Each response shall be signed by the owner(s), or corporate officers, or legal representative(s). The corporate, trade, or partnership name must be either stamped, written or typewritten, beside the actual signature(s). If the response is signed by the owner(s), or corporate officers, or legal representative(s)' ~~an~~ agent, written evidence of his authority must accompany the response. If a corporation foreign to the State of Florida is the owner, written evidence of authority to conduct business in Florida must accompany the response. Lessor must include proof of the lessor's authority to offer the facility, i.e., copy of lessor's option to purchase (if the lessor is not the owner or owner's representative). This option must be valid through the time period stated in the solicitation for which responses may not be withdrawn.

(5) Evaluation.

(a) through (e) No change.

(e) 1. through 4. No change.

(f) Selection shall be publicly announced by the user agency, in conjunction with its designated representative at the time and manner designated in the solicitation.

(6) Lease preparation and approval.

(a) After the selection has been announced, a lease shall be properly executed by the lessor and the user agency and submitted to the Division Bureau for approval.

(b) No change.

1. No change.

2. A synopsis of the user agency's findings made in conjunction with its Agency's D~~e~~signated R~~e~~presentative for all responses received.

3. No change.

Specific Authority 255.249(4) FS. Law Implemented 255.21, 255.249(2)(b),(4), 255.25(3),(5), 255.254 FS. History--New 4-25-79, Amended 4-19-83, Formerly 13D-7.092, Amended 3-18-86, Formerly 13M-1.015, Amended 2-21-96, 5-13-03, 4-27-04, \_\_\_\_\_.

60H-1.017 Turnkey (Lease) Construction Program.

(1) Concept. The turnkey system is a concept whereby the builder is usually a commercial developer and the procedure should provide for design of the building by the developer's architect on the basis of performance specifications, concurrent design review, use of a developer-owned site and private financing.

The turnkey system may include several features which can be expected to motivate effective performance. Under ~~this system, the entire design and construction effort is usually carried out by a developer. A major motivation is the requirement that he finance the project until the building is accepted. This provides an incentive to expedite construction in order to minimize the cost of financing. A further motivation is the fact that T~~the State will not accept ~~a~~ the building if it does not meet the requirements of the performance specifications. It is recommended that the turnkey (lease) construction system be used whenever and wherever State User Agency need arises and a determination has been made that existing space is not available. To implement use of this system, the Department ~~of Management Services~~ requires the User Agency or the Agency's D~~e~~signated R~~e~~presentative to set forth its program construction requirements in a competitive solicitation, which will then be used by the User Agency or the its Agency's D~~e~~signated R~~e~~presentative in the solicitation of responses from Developers' responses shall ~~will~~ be made by the User Agency or its designated representative. This solicitation will be widely publicized using newspapers, trade papers, and personal contact with leading Developers in the project city or area. In carrying out the public solicitation, all parties should be clearly informed that the User Agency, in conjunction with its designated representative, may conduct extensive negotiations with each Developer submitting a response within a competitive range, prior to the selection of an a~~A~~pproved Developer.

(2) Criteria. The State User Agency in conjunction with ~~the its Agency's Designated Representative~~ will perform the program in accordance with the Department's ~~of Management Services~~ guidelines, as presented herein.

User Agency Responsibilities:

(a)1. No change.

2. No change.

a. The Division has approved the request ~~or has not responded to the agency's request within 10 working days of receipt of the request~~; or

b. No change.

3. Agency notifies the Department ~~of Management Services~~, in a letter of transmittal, of their intent to seek lease-build proposal(s), based on subparagraphs 1. and 2. above.

(b) through (c) No change.

(d) Agency will advise Developers that responses submitted should be based on private financing and that no State payments for use of space being developed will be made to the Developer prior to final acceptance and approval of the completed building and its site, in accordance with the terms and conditions set forth in the Department's ~~of Management Services~~ Standard Lease Agreement form.

(e) No change.

(f) The User Agency will set the response period depending upon the complexity of the needed facility. The Developer's requirements as requested by the User Agency and the Department ~~of Management Services~~:

1. Agreement to enter into a lease-build contract on the Department's ~~of Management Services~~ Standard Lease Agreement form setting forth the terms and conditions therein.

2. No change.

3.a. through d. No change.

4. No change.

5. Developers shall indicate the period of time that a response will remain open; such period shall be a minimum of ~~sixty (60)~~ days.

6. No change.

a. through g. No change.

7. Building information which will enable the Division ~~of Facilities Management~~ to review both the functional and aesthetic aspects of the building including:

a. through b. No change.

8. A response submitted by a Developer shall be signed by the Developer or his duly authorized representative. Corporate, trade, or partnership titles may be stamped, written or type-written, but the actual signature of the authorized representative must appear on the response. If the response is signed by ~~Developer's an~~ agent, evidence of authority of the agent to sign must accompany the response. Evaluation of responses will be made by the User Agency in conjunction with ~~the its Agency's Designated Representative~~ on the basis

of price, design, characteristics of construction, completion date, location (including environment or characteristics of surrounding neighborhood), public transportation availability, availability of parking facilities, and availability of satisfactory dining facilities, and conformance to the User Agency program, performance specifications, and floor layout plan, and any other subjective criteria. The User Agency or ~~the its Agency's Designated Representative~~ then presents the entire "project review package" to the Division of Facilities Management. The project review package shall contain:

a. No change.

(i) No change.

(ii) No change.

b. through d. No change.

9. No change.

10. User Agency's recommendation with justification. The Division ~~of Facilities Management~~ will review the project. If it concurs with the User Agency's recommendation, it will give approval and return to the User Agency for execution. The User Agency and the Department ~~of Management Services~~ must be in joint agreement on the response before approval is granted. A physical inspection of completed buildings and sites will be made by the various User Agencies who will, in turn, supply the Division ~~of Facilities Management~~ with a Certificate of Acceptance, and a certificate citing the date of occupancy.

Specific Authority 255.249, 255.25 FS. Law Implemented 255.25(1),(2)(a) FS. History--New 8-11-75, Formerly 13D-7.10, Amended 3-18-86, Formerly 13M-1.017, Amended 2-21-96, 4-27-04, \_\_\_\_\_.

60H-1.022 Prior Approval of Space Need.

The Division shall not authorize any agency to enter into a lease agreement in a privately owned building when suitable space is available in a state owned or other publicly owned building located in the same geographic region, unless the agency files with the ~~Division Bureau~~ a statement explaining why the public space does not fit the needs of the agency. If the Division ~~Director~~ approves the request, ~~or does not respond to the agency's request within 10 working days of receipt of the request~~, the agency may then proceed to:

(1) through (4) No change.

Specific Authority 255.249, 255.25 FS. Law Implemented 255.25(2)(b),(3),(4) FS. History--New 3-18-86, Formerly 13M-1.022, Amended 2-21-96, 5-13-03, 4-27-04, \_\_\_\_\_.

60H-1.025 Disclosure Statement – Private Entities.

(1) A statement by the owner providing for full disclosure of the names and the extent of interest of the owners holding 4% or more interest in any privately owned property leased to the state or in the entity holding title to the property, shall accompany all new leases, renewal leases, modifications to approved leases and the notification or renewal under an existing lease option, when submitted for approval to the



Department of Management Services. This statement shall be submitted on a prescribed format as provided by the Division Bureau of Property Management.

(2) No change.

(3) It is not necessary to make disclosure under section (1) and (2) of any beneficial interest which is represented by stock in any corporation registered with the Securities and Exchange Commission or registered pursuant to Chapter 517, F.S., which stock is for sale to the general public. A statement certifying the registration shall be provided the Division Bureau of Property Management.

(4) No change.

Specific Authority 255.249(2) FS. Law Implemented 255.249(2)(h) FS. History–New 4-5-76, Amended 4-25-79, Formerly 13D-7.15, 13M-1.025, Amended \_\_\_\_\_.

60H-1.026 Disclosure Statement – Public Officials.

(1) A statement by the owner providing for full disclosure of the names of all public officials, agents, or employees holding any interest in any privately owned property leased to the state, or in the entity holding title to the property, and the nature and extent of their interest, shall accompany all new leases, renewal leases, modifications to approved leases and notifications of renewal under a lease option when submitted for approval to the Department of ~~Management Services~~. The statement shall be submitted on a prescribed format as provided by the Division Bureau of Property Management.

(2) No change.

(3) It is not necessary to make disclosure under sections (1) and (2) of any beneficial interest which is represented by stock in any corporation registered with the Securities and Exchange Commission or registered pursuant to Chapter 517, F.S., which stock is for sale to the general public. A statement certifying the registration shall be provided the Division Bureau of Property Management.

(4) No change.

Specific Authority 255.249(2) FS. Law Implemented 255.249(2)(i) FS. History–New 4-5-76, Amended 4-25-79, Formerly 13D-7.16, 13M-1.026, Amended \_\_\_\_\_.

60H-1.027 Legal Review.

(1) No change.

(2) A lease of 5,000 square feet or greater of space in a privately owned building shall be approved by the Department of Management Services Office of General Counsel and approval thereof indicated on the lease.

(3) No change.

Specific Authority 255.249(2)(a),(e) FS. Law Implemented 255.249(1),(3), 255.25(2) FS. History–New 4-25-79, Formerly 13D-7.17, 13M-1.027, Amended 2-21-96, 5-13-03, \_\_\_\_\_.

60H-1.028 Information and Forms.

Information and copies of all forms named in this Chapter may be obtained from:

Department of Management Services  
 Division of Facilities Management  
~~Bureau of Property Management~~  
 4050 Esplanade Way, Suite 315  
~~Building 4030, Suite 380~~  
 Tallahassee, Florida 32399-0950

Specific Authority 120.53(1)(a), 255.249(2)(a) FS. Law Implemented 255.21, 255.249, 255.25, 255.254 FS. History–New 4-25-79, Formerly 13D-7.18, 13M-1.028, Amended 2-21-96, \_\_\_\_\_.

60H-1.030 Rental Rate Guidelines for Privately Owned Space.

(1) The maximum rental rates are established by the Division Bureau for space in privately owned ~~and in publicly owned~~ buildings according to the local market rates for space having acceptable qualities and amenities and to the category of services furnished. These rates are provided to each Agency immediately upon development and are available to other interested parties upon request.

(2) If the rental rate for any proposed lease of 5,000 square feet or greater or any proposed lease of less than 5,000 square feet is more than 10% above the maximum local market rental rate and category of services furnished, then that lease shall be presented by the user agency for approval by the Department of ~~Management Services~~.

Specific Authority 255.249(4)(f) FS. Law Implemented 255.249(2)(e), 255.25(2) FS. History–New 4-1-85, Formerly 13D-7.20, Amended 3-18-86, Formerly 13M-1.030, Amended 2-21-96, 9-30-96, 5-13-03, 4-27-04, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Randall Baker, Real Property Administrator, Department of Management Services, Division of Facilities Management and Building Construction, 4050 Esplanade Way, Suite 315, Tallahassee, FL 32399, (850)488-6519

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Cindi Marsiglio, Deputy Secretary, Department of Management Services, 4040 Esplanade Way, Suite 135, Tallahassee, FL 32399, (850)488-6285

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 25, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 29, 2005

DEPARTMENT OF MANAGEMENT SERVICES

Division of Facilities Management

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Space Allocations In State-Owned Buildings and Privately-Owned Buildings 60H-2

RULE TITLES: RULE NOS.:

Definitions 60H-2.001

Space Allocation 60H-2.002

Space Allocation and Configuration Standards 60H-2.0021

Space Measurement 60H-2.003

Rental Rates 60H-2.005

PURPOSE AND EFFECT: The Department proposes the rule amendments to delete or revise superfluous and/or outdated language.

SUMMARY: The proposed amendments to Chapter 60H-2, F.A.C., which addresses space allocation in state and privately-owned buildings, revise and/or delete superfluous or outdated language in the rules.

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

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

SPECIFIC AUTHORITY: 255.249(4)(d), 255.25, 255.503(11), 272.04, 288.18 FS.

LAW IMPLEMENTED: 255.249(1),(2)(c),(g),(4)(d), 255.25(2), 255.503(2), 272.04, 288.18(2),(3) 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: Ron Goldstein, General Services Manager, Department of Management Services, Division of Facilities Management and Building Construction, 4050 Esplanade Way, Suite 315F, Tallahassee, FL 32399, (850)488-3759, e-mail: goldstr@dms.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

60H-2.001 Definitions.

For the purpose of this chapter, each of these words shall have the following meanings:

(1) through (3) No change.

(4) Division – Division of Facilities Management and Building Construction.

(5) No change.

(6) Secretary – the Secretary of the Department of Management Services or his/her designee by written order.

(7) Division Director – the Director of the Division or his/her designee by written order.

(8) No change.

Specific Authority 255.249, 255.503(11) FS. Law Implemented 255.249(1),(2), 255.503, 272.04, 288.18(2) FS. History–New 8-11-75, Amended 4-25-79, Formerly 13D-8.01, Amended 3-18-86, Formerly 13M-2.001, Amended 2-21-96, 4-27-04,\_\_\_\_\_.

60H-2.002 Space Allocation.

(1) General. The Department shall be the agency responsible for administering office space allocation in all state-owned buildings and private sector space leased to an agency.

(2) Specific. The Division shall act as the centralized point of contact with specific responsibility to allocate and re-allocate office space in all state-owned buildings and private sector space leased to an agency.

(3) Request. Requests for office space allocation or re-allocation and information should be directed to:

Department of Management Services
Division of Facilities Management
Bureau of Property Management
40530 Esplanade Way, Suite 31580
Tallahassee, Florida 32399-0950

Specific Authority 255.249, 255.503(11) FS. Law Implemented 255.249(1),(2),(4)(d), 255.503, 272.04, 288.18(2) FS. History–New 8-11-75, Amended 4-25-79, Formerly 13D-8.02, Amended 3-18-86, Formerly 13M-2.002, Amended 2-21-96, 4-27-04,\_\_\_\_\_.

60H-2.0021 Space Allocation and Configuration Standards.

The Department of Management Services’ Space Allocation and Configuration Standards shall be used by agencies for all office space and in preparing Space Allocation Plans.

(1) through (3) No change.

(4) No change.

(a) To the extent possible without sacrificing critical public or client services, agencies are directed to obtain an average allocation of space, not to exceed, 180 usable square feet per full-time employee measured as usable square feet in Rule 60H-2.003, F.A.C., Space Measurement.

(b) through (c) No change.

Specific Authority 255.249(4)(d), 255.503(11), 272.04 FS. Law Implemented 255.249(1),(4)(d), 255.503(2) FS. History–New 4-27-04, Amended\_\_\_\_\_.

60H-2.003 Space Measurement.

The Department’s Standard Method of Space Measurement shall be used by agencies in measuring building space, state-owned or private sector leased.

(1) User agencies shall pay rent as lessees of Department-managed pool buildings or privately owned buildings only on usable space as defined below.

(2) through (4) No change.

Specific Authority 255.249, 255.25, 272.04, 288.18 FS. Law Implemented 255.249(2)(c), 255.25(2), 272.04, 288.18(2) FS. History–New 8-11-75, Amended 4-25-79, Formerly 13D-8.03, 13M-2.003, Amended 2-21-96, 4-27-04,\_\_\_\_\_.

60H-2.005 Rental Rates.

Rates to be assessed agencies occupying space in Department-managed pool facilities shall be determined by the Division in accordance with Rule 60H-7.007, F.A.C., and shall be made known to the agencies for assistance in their planning and budgeting for such occupancy.

Specific Authority 255.249, 255.503(11) FS. Law Implemented 255.249(2)(g), 255.503, 288.18(3) FS. History--New 8-11-75, Amended 4-25-79, Formerly 13D-8.05, Amended 3-18-86, Formerly 13M-2.005, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Randall Baker, Real Property Administrator, Department of Management Services, Division of Facilities Management and Building Construction, 4050 Esplanade Way, Suite 315, Tallahassee, FL 32399, (850)488-6519

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Cindi Marsiglio, Deputy Secretary, Department of Management Services, 4040 Esplanade Way, Suite 135, Tallahassee, FL 32399, (850)488-6285

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 25, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 29, 2005

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

RULE TITLE: Initial Licensure or Registration Requirement for Instruction on Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome; Course Content and Approval Requirements

RULE NO.:

61G5-18.011

PURPOSE AND EFFECT: The amendment requires that educational courses taught to fulfill the initial licensure or registration requirement are 4 hours in length.

SUMMARY: The amendment specifies the number of hours required for educational courses taught to fulfill the initial licensure or registration requirement.

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

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

SPECIFIC AUTHORITY: 455.2228(5), 477.016 FS.

LAW IMPLEMENTED: 455.2228 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: Robyn Barineau, Executive Director, Board of Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE FULL TEXT OF THE PROPOSED RULE IS:

61G5-18.011 Initial Licensure or Registration Requirement for Instruction on Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome; Course Content and Approval Requirements.

(1) through (2) No change.

(3) All educational courses on HIV and AIDS which are taught to fulfill the requirements for initial licensure or registration under Chapter 477, F.S., shall be approved by the Board. To be considered for the Board's approval, courses on HIV and AIDS shall consist of 4 hours combined education of:

(a) Education on the modes of transmission, infection control procedures, clinical management, and prevention of HIV and AIDS;

(b) Discussion of attitudes towards HIV and AIDS as well as appropriate behavior in dealing with persons who may have the virus or syndrome.

(4) through (7) No change.

Specific Authority 455.2228(5), 477.016 FS. Law Implemented 455.2228 FS. History--New 9-2-90, Amended 4-9-91, 10-27-91, 6-14-93, Formerly 21F-18.011, Amended 2-1-95, 12-21-97, 1-31-99, 3-8-00, 5-10-01, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Cosmetology

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 10, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 6, 2005

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

RULE TITLE: Salon Requirements

RULE NO.:

61G5-20.002

PURPOSE AND EFFECT: The amendment adds a requirement for compliance with local building and fire codes.

SUMMARY: The amendment specifies the requirement prior to opening a salon.

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

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

SPECIFIC AUTHORITY: 477.016, 477.025(2) FS.  
 LAW IMPLEMENTED: 477.025 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: Robyn Barineau, Executive Director, Board of Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE FULL TEXT OF THE PROPOSED RULE IS:

- 61G5-20.002 Salon Requirements.
  - (1) Prior to opening a salon, the owner shall:
    - (a) through (c) No change.
    - (d) Submit proof of compliance with all local building and fire codes.
  - (2) through (6) No change.

Specific Authority 477.016, 477.025(2) FS. Law Implemented 477.025 FS. History—New 4-22-81, Amended 9-11-81, 1-17-83, 8-10-83, 6-28-84, 10-6-85, Formerly 21F-20.02, Amended 6-18-86, 10-18-87, 8-20-90, 5-19-91, 1-30-92, 5-11-92, 4-15-93, 5-31-93, Formerly 21F-20.002, Amended 1-19-95, 4-5-95, 8-8-95, 2-28-96, 6-16-97, 8-27-98, 4-13-99. \_\_\_\_\_

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Cosmetology  
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Cosmetology  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 10, 2005  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 6, 2005

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Veterinary Medicine**

RULE TITLE: Examination and Licensure  
 RULE NO.: 61G18-11.002  
 PURPOSE AND EFFECT: The Board proposes the amendments to update the rule with the correct number of examinations for licensure, and the requirements of these examinations.

SUMMARY: The proposed rule amendments set forth the required examinations 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: 474.206, 474.2065, 474.207, 455.217 FS.  
 LAW IMPLEMENTED: 455.217, 474.2065, 474.207 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: Juanita Chastain, Executive Director, Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G18-11.002 Examination and Licensure.

(1) An applicant for any of the required examinations must apply to the Department and pay the appropriate examination fee ~~at least 60 days prior to the examination date.~~ An applicant will have completed Section 474.207(2)(b), Florida Statutes, or be enrolled in the last year of the veterinary medical curriculum of a college of veterinary medicine accredited by the American Veterinary Medical Association’s Council on Education. This application will remain valid for twelve (12) months.

(2) No change.

(3) Effective on November 1, 2000, there shall be two examinations. The first examination will be the North American Veterinary Licensing Examination (NAVLE) developed by the National Board of Veterinary Medical Examiners. ~~There are three examinations. Two examinations have been developed by the National Board Examination Committee. The first, a written examination; the second, a clinical competency test. The second third examination concerns laws and rules related to the practice of veterinary medicine. The context of the second third test shall include the following subjects: The Veterinary Medical Practice Act, Chapter 474, F.S.; Chapter 455, F.S., relating to the Department of Business and Professional Regulation; Chapter 61G18, F.A.C., the rules promulgated by the Board of Veterinary Medicine; Chapters 465, 499, 585, 828 and 893, F.S.; and the most recent revision of the “Physician’s Manual,” an informational outline of the Controlled Substances Act of 1970, published by the Drug Enforcement Administration of the United States Department of Justice.~~

(4) ~~Effective on November 1, 2000, there shall be two examinations. The first examination will be the North American Veterinary Licensure Examination (NAVLE) developed by the National Board Examination Committee. The second examination concerns the laws and rules related to the practice of veterinary medicine.~~ In order to obtain licensure, the candidate must receive a passing score on each portion of the examination based on the laws and rules in effect at the time the application is being acted upon. A candidate who fails to achieve a passing score on any part of the examination will only be required to retake the parts failed so long as those scores remain valid.

(5) A passing score on the National Board Examination of Veterinary Medicine is equivalent to or higher than 1.0 standard deviation below the mean score. The mean score and standard deviation are statistically arrived at on the basis of the performance of the criterion population taking the examination on the common testing date. The criterion population is defined as candidates from American Veterinary Medical Association accredited schools or colleges of veterinary medicine in the United States and Canada who are taking the National Board Examination for the first time. For applicants taking the National Board Examination (NBE) after December 1, 1992, a passing score on the NBE shall be a scaled score of four hundred twenty five (425) on a scale ranging from two hundred (200) to eight hundred (800). To be valid, a passing score on the written portion of the National Board Examination must have been achieved on an examination taken within the five year period prior to the date of the administration of the first examination offered in Florida subsequent to the filing of the application for licensure.

(6) A passing score on the Clinical Competency Test portion is equivalent to or higher than the mean score minus 1.0 deviation below the mean score or converted score which is four hundred (400) statistically arrived at on the basis of the performance of the national candidate population taking the Clinical Competency Test on that testing date, the common testing date. The candidate population is defined as candidates, who are graduates of American Veterinary Medical Association accredited schools or colleges of veterinary medicine who graduated in the year in which they are taking the Clinical Competency Test and are taking it for the first time. For applicants taking the Clinical Competency Test (CCT) after December 1, 1992, a passing score on the CCT shall be a scaled score of four hundred twenty five (425) on a scale ranging from two hundred (200) to eight hundred (800). To be valid, a passing score on the written portion of the Clinical Competency Test must have been achieved on an examination taken within the five year period prior to the date of the administration of the first examination offered in Florida subsequent to the filing of the application for licensure.

(5)(7) No change.

(6)(8) The North American Veterinary Licensing Examination (NAVLE) National Board examination and the Clinical Competency Test may be taken in another state or Canada and the scores may, upon submission of an application for licensure and the application fee, be transferred to Florida for purposes of satisfying the North American Veterinary Licensing Examination's (NAVLE's) National Board portion or the Clinical Competency Test portion of the examination for licensure. The concerned North American Veterinary Licensing Examination's (NAVLE) Such National Board examination and Clinical Competency Test must have been taken and successfully completed as outlined above within five

years prior to the date of the administration of the first examination offered in Florida subsequent to the filing of the application for licensure.

Specific Authority 474.206, 474.2065, 474.207, 455.217 FS. Law Implemented 455.217, 474.2065, 474.207 FS. History--New 11-14-79, Amended 5-11-80, 7-9-80, 5-4-81, 12-10-81, 12-5-82, 5-15-83, 11-5-84, 5-7-85, 11-5-85, Formerly 21X-11.02, Amended 3-1-88, 11-24-88, 4-3-89, 4-13-92, 3-30-93, 7-13-93, Formerly 21X-11.002, Amended 7-4-94, 3-20-95, 3-29-95, 5-1-95, 5-27-99, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Veterinary Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 1, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 1, 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 HEALTH**

**Board of Acupuncture**

RULE TITLE: Probable Cause Determination

RULE NO.: 64B1-9.004

PURPOSE AND EFFECT: The Board proposes to remove some unnecessary provisions, specify the membership of the probable cause panel and specify who is empowered to convene a probable cause panel meeting.

SUMMARY: The rule clarifies the membership of the probable cause panel, removes unnecessary language, clarifies who appoints the panel chair and who is authorized to convene a panel meeting.

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: 456.073(4) FS.

LAW IMPLEMENTED: 456.073(4) FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B1-9.004 Probable Cause Determination.

(1) The determination as to whether probable cause exists to believe that a violation of the provisions of Chapter 456 or 457, F.S., or of the rules promulgated thereunder has occurred, shall be made by a majority vote of a probable cause panel of the Board.

(2) The probable cause panel shall be composed of membership authorized under Section 456.073, F.S., and may include one former board member whose term of service shall not exceed one year, unless reappointed by the Board Chairperson, two (2) members of the Board. One (1) member of the panel shall be a licensed Acupuncturist, and the other member shall not be. A former Board member may serve on the probable cause panel.

(3) The probable cause panel shall be selected by the Chairperson of the Board.

(4) The probable cause panel shall meet at such times as called by the Board Chairperson or the Board Executive Director presiding officer of the panel.

(5) The presiding officer of the panel shall be selected by the Board Chairperson panel.

Specific Authority 456.073(4) FS. Law Implemented 456.073(4) FS. History--New 10-15-97, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Acupuncture

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 8, 2005

**DEPARTMENT OF HEALTH  
Board of Chiropractic Medicine**

RULE TITLE: Solicitation  
RULE NO.: 64B2-15.002

PURPOSE AND EFFECT: The Board proposes to update the existing language in this rule and add new guidelines.

SUMMARY: The proposed rule amendment amends and further clarifies the definition of what is impermissible solicitation.

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: 460.413(1)(I), 460.405 FS.

LAW IMPLEMENTED: 460.413(1)(I) 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: 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 RULE IS:

64B2-15.002 Solicitation.

(1) No change.

(2) A chiropractor, or an employee or agent of a chiropractor, shall not conduct impermissible solicitation of solicit, in person or otherwise, a prospective patient with whom a chiropractor has no family or prior professional relationship, when a significant motive for such solicitation is the chiropractor's pecuniary gain. A chiropractor shall not permit employees or agents of the chiropractor to solicit in the chiropractor's behalf. A chiropractor shall not enter into an agreement, charge, or collect a fee for professional services obtained in violation of this rule. The term "solicit" includes contact in person or by telephone.

(a) Solicitation of a prospective patient involved in an accident or disaster within 30 days of the accident or disaster constitutes impermissible solicitation.

(b)(a) A written communication to a prospective patient constitutes impermissible solicitation soliciting if:

1. through 3. No change.

(c)(b) No change.

(d) A telephone communication or telemarketing campaign constitutes impermissible solicitation if it includes:

1. Fraud, or the use of threats, intimidation, undue influence, or profane or obscene language in telephone communication;

2. Repeated calls that annoy, harass, or abuse the person at the called number. For puposes of this rule, return call(s) to a called number wherein the previous call(s) were routed to an answering machine or voice mail are not considered repeated calls;

3. Calling a person who has previously stated that he or she does not wish to receive a telephone call made by or on behalf of the seller whose chiropractic goods or services are being offered. Every seller of chiropractic goods or services must maintain a "do not call" phone number list in compliance with 16 C.F.R. §310.4(b)(iii)(B) and 47 C.F.R. §64.1200(c)(2);

4. Calling a prospective patient at any time other than between 8:00 a.m. and 8:00 p.m. local time Monday through Saturday of the prospective patient;

5. Requirements for an immediate response from the prospective patient to any offer made during the solicitation;

6. A failure to first disclose at the beginning of the phone call the solicitor’s identity and the chiropractor, the chiropractor’s license number, and practice on whose behalf the solicitation is being made, the purpose of the call, a statement of the chiropractic goods or services being sold; and that no purchase or payment is necessary to participate in a promotion if a promotion is offered;

7. A failure to recite the disclaimer required by Section 456.062, Florida Statutes, when offering a free, discounted fee or reduced fee service, examination, or treatment;

8. Representations that the solicitation is approved or endorsed by the Board of Chiropractic Medicine;

9. Communications with prospective patients in a way that invade the privacy of the prospective patient, or interfere with an existing doctor/patient relationship; or

10. Communications with prospective patients otherwise prohibited by Chapters 456 and 460, Florida Statutes, or otherwise prohibited by rule or law.

(e) A record of the telephone numbers called and the script(s) used by a solicitor shall be maintained by the chiropractor for two years from the date of last use.

(f) Nothing contained in this rule is intended to authorize any chiropractor to conduct telephone solicitation in violation of Section 817.234(8)(a), (b) or (c), Florida Statutes, or Section 456.072(1)(x), Florida Statutes.

(3) No change.

Specific Authority 460.413(1)(l), 460.405 FS. Law Implemented 460.413(1)(l) FS. History—New 1-10-80, Formerly 21D-15.02, Amended 6-24-93, Formerly 21D-15.002, 61F2-15.001, Amended 7-18-95, Formerly 59N-15.002, Amended 7-12-99,\_\_\_\_\_.

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: May 13, 2005  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 24, 2004

**DEPARTMENT OF HEALTH**

**Board of Athletic Training**

RULE TITLE: Fees  
RULE NO.: 64B33-3.001

PURPOSE AND EFFECT: The proposed amendments are intended to clarify the fee for change of status and to implement a fee for a duplicate wall certificate.

SUMMARY: The proposed rule amendments require a change of status fee in the amount of \$25 to be paid any time (other than at licensure renewal) a licensee wants to change his or her licensure status. The proposed rule amendment also requires a \$25 fee for a duplicate wall certificate.

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: 456.025, 468.705, 468.709 FS.

LAW IMPLEMENTED: 456.025, 456.036, 468.709 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 Athletic Training/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B33-3.001 Fees.

The following fees are prescribed for athletic trainers:

(1) through (6) No change.

(7) At any time other than renewal, the ~~The~~ change of status fee shall be \$25.

(8) No change.

(9) The fee for a duplicate wall certificate shall be \$25.

Specific Authority 456.025, 468.705, 468.709 FS. Law Implemented 456.025, 456.036, 468.709 FS. History—New 7-12-95, Amended 5-29-96, Formerly 61-25.001, 64B30-25.001, Amended 8-22-00,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Athletic Training  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Athletic Training  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 15, 2005  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 6, 2005

**DEPARTMENT OF HEALTH**

**Board of Athletic Training**

RULE TITLES: Citations  
RULE NOS.: 64B33-5.003  
Mediation 64B33-5.005

PURPOSE AND EFFECT: The proposed amendments to Rule 64B33-5.003, F.A.C., are intended to address additional violations appropriate for issuance of citations. The proposed new Rule 64B33-5.005, F.A.C., is intended to address mediation as an acceptable process for resolution of a legally sufficient complaint for a specified offense.

SUMMARY: The proposed amendments to Rule 64B33-5.003, F.A.C., set forth additional violations which are appropriate for the issuance of citations. The proposed new Rule 64B33-5.005, F.A.C., defines “mediation” and specifies that violation of

Section 468.719(1), F.S., which is the failure to include the athletic trainer’s name and license number in any advertising, constitutes an offense which is appropriate for mediation.

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: 456.077, 456.078, 468.705, 468.719 FS.

LAW IMPLEMENTED: 456.077, 456.078, 468.705, 468.719 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULES IS:

64B33-5.003 Citations.

(1) through (2) No change.

~~(3) Citations shall be issued for first offense violations only.~~

~~(3)(4)~~ The Board hereby designates the following as citation violations, which shall result in the indicated penalty:

(a) Failing to complete the continuing education requirements prescribed in Section 468.711(2), F.S., and the rules promulgated thereto; ~~\$25.00 fine~~ \$25.00 fine per continuing education hour plus proof of completing the continuing education within three months;

(b) Failing to include the athletic trainer’s name and license number in any advertising, including, but not limited to, business cards and letterhead, related to the practice of athletic training pursuant to Section 468.719(1)(b), F.S.; ~~\$50.00 fine, plus proof of compliance within 30 days, and costs;~~ \$50.00 fine, plus proof of compliance within 30 days, and costs;

(c) Failure to notify the Department of a change in the licensee’s current mailing address as required by Section 456.035, F.S.; ~~\$50.00 fine, plus proof of compliance within 30 days, and costs;~~ \$50.00 fine, plus proof of compliance within 30 days, and costs;

(d) Practice on an inactive license for less than four months; ~~\$100.00 fine~~ \$100.00 fine for each month or fraction thereof, plus proof of compliance within 30 days, and costs;

~~(e) Failure to timely pay required fees and fines: \$100.00 fine, plus proof of compliance within 30 days, and costs;~~

~~(f) First time issuance of a bad check to the Department for the payment of a fee or fine if not satisfied within 45 days: \$100.00 fine, plus proof of compliance, and costs;~~

~~(g) First time failure to respond to a continuing education audit within 30 days: \$50.00 fine, plus proof of compliance, and costs;~~

~~(h) First time failure to notify the Board in writing within 60 days of action taken against one’s license in another jurisdiction or of a criminal felony conviction within 30 days: \$250.00 fine, plus proof of compliance, and costs;~~

~~(i) First time falsely certifying completion of required continuing education: \$100.00 fine, plus proof of completing the continuing education within three months, and costs;~~

~~(j) Failure to sign, file or render any report required by statute as part of a licensee’s responsibility: \$50.00 fine, plus proof of compliance, and costs;~~

~~(k) Failure to report to the Department any person whom the licensee knows is in violation of the laws and rules of the Department: \$50.00 fine, and costs; and~~

~~(l) Improper use of practice title or credentials: \$50.00 fine, plus proof of compliance, and costs.~~

~~(4)(5)~~ If the subject does not dispute the matter in the citation in writing within 30 days after the citation is served by personal service or within 30 days after receipt by certified mail, the citation shall become a public final order of the Board of Athletic Training and does not constitute discipline for a first offense, but does constitute discipline for a second subsequent offense. The subject has 30 days from the date the citation becomes a final order to pay the fine and costs. All fines and costs are to be made payable to “Board of Athletic Training – Citation.”

~~(6) Prior to issuance of the citation, the investigator must confirm that the violation has been corrected or is in the process of being corrected. If the violation is a substantial threat to the public health, safety and welfare, such potential for harm must be removed prior to issuance of the citation.~~

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

Specific Authority 456.077, 468.705, 468.719 FS. Law Implemented 456.077, 468.705, 468.719 FS. History–New 5-9-02, Amended \_\_\_\_\_.

64B33-5.005 Mediation.

~~(1) “Mediation” means a process whereby a mediator appointed by the Department acts to encourage and facilitate resolution of a legally sufficient complaint. It is an informal and non-adversarial process with the objective of assisting the parties to reach a mutually acceptable agreement.~~

~~(2) For the purpose of Section 456.078, F.S., the Board designates as being appropriate for mediation first time violations of the following provision of subsection 468.719(1), F.S.: failing to include the athletic trainer’s name and license number in any advertising, including, but not limited to, business cards and letterhead, related to the business of athletic training.~~

~~(3) Such violations are appropriate for mediation only if:~~

~~(a) The economic harm caused by an act or omission is not due to intentional misconduct;~~



(b) There is no allegation of physical harm or injury to a patient related to such violation:

(c) The violation does not result in an adverse incident as defined in Section 456.078(2), F.S.

Specific Authority 456.078 FS. Law Implemented 456.078 FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Athletic Training  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Athletic Training  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 15, 2005  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 6, 2005

**FINANCIAL SERVICES COMMISSION**

**Office of Insurance Regulation**

RULE TITLES:	RULE NOS.:
Title Insurance Rates	69O-186.003
Premium Schedule Applicable to “Truth In Lending” and Other Endorsements	69O-186.005

PURPOSE, EFFECT AND SUMMARY: To set appropriate rates for junior loan title insurance. Junior loan title insurance is directed to equity lines of credit and second mortgages.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: None.

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

SPECIFIC AUTHORITY: 624.308, 626.9611, 627.777, 627.782, 627.793 FS.

LAW IMPLEMENTED: 624.307(1), 626.9541(1)(h)3.a., 627.777, 627.782, 627.783, 627.7831, 627.7841, 627.7845, 697.04(1) 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: 9:30 a.m., July 13, 2005  
PLACE: 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 above.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Steve Alexander, Actuary, Property and Casualty Product Review, Office of Insurance Regulation, e-mail: [steve.alexander@fldfs.com](mailto:steve.alexander@fldfs.com)

THE FULL TEXT OF THE PROPOSED RULES IS:

69O-186.003 Title Insurance Rates.

The following are risk rate premiums to be charged by title insurers in this state for the respective types of title insurance contracts. To compute any insurance premium on a fractional thousand of insurance (except as to minimum premiums), multiply such fractional thousand by the rate per thousand applicable, considering any fraction of \$100.00 as a full \$100.00.

(1)(a) through (b) No change.

(c) For junior loan title insurance:

1. The premium for junior loan title insurance shall be:

a. \$0.86 per \$1,000.00 of liability written;

b. The minimum premium shall be \$50.00;

c. The minimum insurer retention shall be 30%.

2. This rate is approved for use with the following junior loan title insurance policy forms, copies of which are available on the Office’s website [www.fldfs.com](http://www.fldfs.com):

a. ALTA Residential Limited Coverage Junior Loan Policy (10/19/96) (with Florida Modifications) and ALTA Endorsement JR 1 (10/19/96);

b. ALTA Short Form Residential Limited Coverage Junior Loan Policy (10/19/96) (with Florida Modifications), and ALTA Endorsement JR 1 (10/19/96); and

c. Any substantially similar product that insures the same type risk.

3. This rate does not include the \$25.00 premium that shall be charged when issuing the optional ALTA Endorsement JR 2 (Revolving Credit/Variable Rate) (10/19/96) on a junior loan title insurance policy, as provided for in Florida Administrative Code Rule 69O-186.005(6)(c).

4. Eligibility for the junior loan policy shall be restricted to the following:

a. The insured title is for land having 1-4 residential units;

b. The junior loan must be a second or subsequent mortgage loan and must meet the definitional requirements of a “federally related mortgage loan”, as defined in the Real Estate Settlement Procedures Act of 1974, 12 U.S.C. s. 2601 et seq., which is incorporated by reference and a copy is available from the Office;

c. The junior mortgage loan amount is less than or equal to \$500,000;

d. No junior loan policy may be issued for an amount less than the full junior loan principal debt.

(2) through (12) No change.

Specific Authority 624.308(1), 626.9611, 627.782, 627.793, 627.7825 FS. Law Implemented 624.307(1), 626.9541(1)(h)3.a., 627.777, 627.782, 627.7825, 627.783, 627.7831, 627.7841, 627.7845 FS. History—New 9-17-71, Amended 12-28-73, Repromulgated 12-24-74, Amended 4-12-82, 12-23-82, Formerly 4-21.03, Amended 6-25-86, 2-26-90, 7-26-90, 2-27-91, Formerly 4-21.003, Amended 2-13-95, 1-27-02, Formerly 4-186.003, Amended \_\_\_\_\_.

69O-186.005 Premium Schedule Applicable to “Truth in Lending” and Other Endorsements.

(1) through (5) No change.

(6)(a) through (b) No change.

(c) In recognition of the increased risk in issuing optional ALTA Endorsement JR 2 (Revolving Credit/Variable Rate) (10/19/96) on a junior loan title insurance policy as provided for in paragraph 69O-186.003(1)(c), F.A.C., the premium shall be \$25.00 for issuing ALTA Endorsement JR 2 (Revolving Credit/Variable Rate) (10/19/96) on any such junior loan title insurance policy issued. ALTA Endorsement JR 2 (Revolving Credit/Variable Rate) (10/19/96) is the only optional endorsement available for issue with any such junior loan title insurance policy and this endorsement shall be itemized on the closing statement furnished to the insured. Irrespective of whether the ALTA Endorsement JR 2 (Revolving Credit/Variable Rate) (10/19/96) is issued, no additional premium shall apply to the ALTA Endorsement JR 1 (10/19/96), which must accompany any junior loan title insurance policy issued. Copies of these forms are available on the Office’s website at [www.fldfs.com](http://www.fldfs.com).

(7)(a) Both endorsements and affirmative type coverages and their applicable risk rate premium must be approved by the ~~Office Department~~ prior to their issuance in this state. Accordingly, endorsements and affirmative type coverages are categorized as follows:

1. through 2. No change.

3. Endorsements and/or affirmative type coverages with no specific ~~Office Department~~ approval required when there is no increased risk resulting to the insurer.

(b)1. No change.

2. If there is a change in a current adopted endorsement and the change results in a further limitation of coverage, the endorsement may be submitted to the ~~Office Department~~ for approval without an amendment to these rules.

(c) through (e) No change.

(8) through (15) No change.

(16) The following endorsements can be issued or affirmative language is permitted with no specific approval required from the Office:

(a) through (h) No change.

(i) Endorsements modifying the standard owner’s and mortgagee policy to convert to a leasehold policy previously approved by the ~~Office department~~.

(j) No change.

Specific Authority 624.308, 627.777, 627.782, 627.793 FS. Law Implemented 624.307(1), 627.777, 627.782, 697.04(1) FS. History—New 9-17-71, Repromulgated 12-24-74, Formerly 4-21.05, Amended 6-25-86, 2-26-90, 2-27-91, Formerly 4-21.005, Amended 2-13-95, Formerly 4-186.005, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Steve Alexander, Actuary, Property and Casualty Product Review, Office of Insurance Regulation

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Tom Streukens, Deputy Commissioner, Office of Insurance Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 25, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 1, 2003

### Section III Notices of Changes, Corrections and Withdrawals

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

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

#### **DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

##### **Board of Accountancy**

RULE NOS.:

61H1-33.003

61H1-33.00342

RULE TITLES:

Obligations of CPA Ethics Course Continuing Education Providers

CPA Ethics Courses – Standards for Approval of Classes

##### NOTICE OF CORRECTION

The above-proposed rules were published in the May 13, 2005 issue of the Florida Administrative Weekly, Vol. 31, No. 19, on page(s) 1765-66. The Notice of Proposed Rulemaking incorrectly stated that the Notice of Proposed Rule Development had published on April 22, 2005 but should have said April 8, 2005. The History note should have reflected amendment dates of 3-21-05, and 5-10-05.

The foregoing changes do not affect the substance of the proposed rules.

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

#### **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 NOS.:	RULE TITLES:
64B8-31.001	Definitions
64B8-31.003	Application for Licensure and Licensure Requirements for Anesthesiologist Assistants
64B8-31.004	Requirements for Approval of Training Programs
64B8-31.005	Anesthesiologist Assistant Protocols and Performance
64B8-31.006	Financial Responsibility
64B8-31.007	Anesthesiologist Assistant Licensure Renewal and Reactivation
64B8-31.009	Citation Authority
64B8-31.012	Fees Regarding Anesthesiologist Assistants

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rules in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 30, No. 52, of the December 23, 2004, 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 Anesthesia Assistants Committee recommended to the Board that changes be made to the proposed rules. The Board of Medicine, at its meeting held on April 2, 2005, in Tampa, Florida voted to make the following changes to the rules:

1. The proposed Rule 64B8-31.001, F.A.C., will be withdrawn in its entirety.

2. Paragraph (2)(a) of proposed Rule 64B8-31.003, F.A.C., shall read as follows:

“(a) All applicants for licensure as an anesthesiologist assistant must submit an application as set forth in paragraph (1) above. Applicants must provide a sworn statement of any prior felony convictions and a sworn statement of any prior discipline or denial of licensure or certification in any state. The applicant must meet all of the requirements of Section 458.3475, F.S., and the applicant must submit two personalized and individualized letters of recommendation from anesthesiologists. Letters of recommendation must be composed and signed by the applicant’s supervising anesthesiologist, or, for recent graduates, the faculty anesthesiologist, and give details of the applicant’s clinical skills and ability. Each letter must be addressed to the Board and must have been written no more than six months prior to the filing of the application for licensure.”

3. Sub-paragraph (2)(d)1., of proposed Rule 64B8-31.003, F.A.C., shall now read as follows:

(d) The applicant must provide documentation of the following:

1. Completion of three hours of all Category I, American Medical Association Continuing Medical Education which includes the topics of Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome: the disease and its spectrum of clinical manifestations; epidemiology of the disease; related infections including TB; treatment, counseling, and prevention; clinical management; transmission from healthcare worker to patient and patient to healthcare worker; universal precautions and isolation techniques; and legal issues related to the disease. If the applicant has not already completed the required continuing medical education, upon submission of an affidavit of good cause, the applicant will be allowed six months to complete this requirement.

4. Sections 456.013(7), 456.031, 456.033, F.S., shall be added to the Law Implemented citation in proposed Rule 64B8-31.003, F.A.C.

5. In proposed Rule 64B8-31.004, F.A.C., the phrase “or its successor” shall be deleted.

6. Rule 64B8-31.005, F.A.C., shall read as follows:

64B8-31.005 Anesthesiologist Assistant Protocols and Performance.

(1) Every anesthesiologist or group of anesthesiologists, upon entering into a supervisory relationship with an anesthesiologist assistant must file with the Board a written protocol, to include, at a minimum, the criteria set forth in Section 458.3475(2)(b), Florida Statutes.

(2) Anesthesiologist assistants may perform duties set forth in Section 458.3475(3)(a), Florida Statutes, under the direct supervision of an anesthesiologist and as set forth in the protocol required by subsection (1) above.

(3) The supervising anesthesiologist shall delegate only tasks and procedures to the anesthesiologist assistant which are within the supervising physician’s scope of practice. The anesthesiologist assistant may work in any setting that is within the scope of practice of the supervising anesthesiologist’s practice.

(4) Continuity of Supervision in practice settings requires the anesthesiologist assistant to document in the anesthesia record any change in supervisor.

(5) All tasks and procedures performed by the anesthesiologist assistant must be documented in the appropriate medical record.

Specific Authority 458.309, 458.3475 FS. Law Implemented 458.3475, 458.331(1)(m) FS.

7. In the proposed Rule 64B8-31.006, F.A.C., the second sentence of the introductory paragraph shall read as follows: “Any applicant for licensure shall submit proof of compliance

with Section 456.048, F.S., or submit proof that the applicant meets the criteria to be granted an exemption to the Board office prior to licensure.”

8. Subsection (2)(a) of proposed Rule 64B8-31.007 shall read as follows: “(a) Completion of the anesthesiologist assistant licensure renewal application on the appropriate form provided by the Department.”

9. Subsection (3)(h) of proposed Rule 64B8-31.007 shall read as follows: “(h) Pay the appropriate fees, as set forth in Rule 64B8-31.012, F.A.C.”

10. In Rule 64B8-31.007, F.A.C., subsection 456.036, F.S., shall be added to the Law Implemented citation.

11. In Rule 64B8-31.009, F.A.C., the proposed subsection (7) shall be deleted.

12. Subsection (4) of proposed Rule 64B8-31.012, F.A.C., shall read as follows: “(4) The reactivation fee for an inactive anesthesiologist assistant licensure pursuant to Section 458.3475, F.S., shall be \$100. Reactivation shall require payment of the \$500 renewal fee and the \$100 reactivation fee.”

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

**DEPARTMENT OF HEALTH**

**Board of Nursing**

RULE NO.:	RULE TITLE:
64B9-8.006	Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances

**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. 30, July 23, 2004, issue of the Florida Administrative Weekly. The changes are being made in response to comments from the Joint Administrative Procedures Committee. The changes are as follows:

Subsection (3)(kk) is amended to read:

Failing to comply with the requirements for profiling and credentialing, including, but not limited to, failing to provide initial information, failing to timely provide updated information, or making misleading, untrue, deceptive, or fraudulent representations on a profile, credentialing, or initial or renewal licensure application; or failing to verify the profile contents and to correct any factual errors in his or her profile within the 30-day period.

(Section 456.072(1)(v) or 456.041(7), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	\$250 fine	\$500 fine and suspension to be followed by probation
SECOND OFFENSE	\$500 fine and probation	\$750 fine and suspension followed by probation

For failure to verify the profile contents and to correct any factual errors in his or her profile within the 30-day period in Section 456.041(17), F.S., a fine of \$50 per day.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dan Coble, Executive Director, Board of Nursing/MQA, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3252

**DEPARTMENT OF HEALTH**

**Board of Osteopathic Medicine**

RULE NOS.:	RULE TITLES:
64B15-7.001	Definitions
64B15-7.003	Application for Licensure and Licensure Requirements for Anesthesiologist Assistants
64B15-7.004	Requirements for Approval of Training Programs
64B15-7.005	Anesthesiologist Assistant Protocols and Performance
64B15-7.006	Financial Responsibility
64B15-7.007	Anesthesiologist Assistant Licensure Renewal and Reactivation
64B15-7.009	Citation Authority
64B15-7.012	Fees Regarding Anesthesiologist Assistants

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rules in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 30, No. 52, of the December 23, 2004, 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 Anesthesia Assistants Committee recommended to the Board that changes be made to the proposed rules. The Board of Osteopathic Medicine, at its meeting held on May 19, 2005, in Jacksonville, Florida voted to make the following changes to the rules:

1. The proposed Rule 64B15-7.001, F.A.C., will be withdrawn in its entirety.

2. Paragraph (2)(a) of proposed Rule 64B15-7.003, F.A.C., shall read as follows:

“(a) All applicants for licensure as an anesthesiologist assistant must submit an application as set forth in paragraph (1) above. Applicants must provide a sworn statement of any prior felony convictions and a sworn statement of any prior discipline or denial of licensure or certification in any state. The applicant must meet all of the requirements of Section 459.023, F.S., and the applicant must submit two personalized and individualized letters of recommendation from anesthesiologists. Letters of recommendation must be composed and signed by the applicant’s supervising anesthesiologist, or, for recent graduates, the faculty anesthesiologist, and give details of the applicant’s clinical skills and ability. Each letter must be addressed to the Board and must have been written no more than six months prior to the filing of the application for licensure.”

3. Subsection (2)(d)1., of proposed Rule 64B15-7.003 shall now read as follows:

(d) The applicant must provide documentation of the following:

1. Completion of three hours of all Category I, American Medical Association Continuing Medical Education or American Osteopathic Association approved Category I-A continuing education related to the practice of osteopathic medicine or under the auspices which includes the topics of Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome: the disease and its spectrum of clinical manifestations; epidemiology of the disease; related infections including TB; treatment, counseling, and prevention; clinical management; transmission from healthcare worker to patient and patient to healthcare worker; universal precautions and isolation techniques; and legal issues related to the disease. If the applicant has not already completed the required continuing medical education, upon submission of an affidavit of good cause, the applicant will be allowed six months to complete this requirement.

4. Sections 456.013(7), 456.031, 456.033, F.S., shall be added to the Law Implemented citation in proposed Rule 64B15-7.003.

5. In proposed Rule 64B15-7.004, the phrase “or its successor” shall be deleted.

6. Rule 64B15-7.005 shall read as follows:

64B15-7.005 Anesthesiologist Assistant Protocols and Performance.

(1) Every anesthesiologist or group of anesthesiologists, upon entering into a supervisory relationship with an anesthesiologist assistant must file with the Board a written protocol, to include, at a minimum, the criteria set forth in Section 459.023(2)(b), Florida Statutes.

(2) Anesthesiologist assistants may perform duties set forth in Section 459.023(3)(a), Florida Statutes, under the direct supervision of an anesthesiologist and as set forth in the protocol required by paragraph (1) above.

(3) The supervising anesthesiologist shall delegate only tasks and procedures to the anesthesiologist assistant which are within the supervising physician’s scope of practice. The anesthesiologist assistant may work in any setting that is within the scope of practice of the supervising anesthesiologist’s practice.

(4) Continuity of Supervision in practice settings requires the anesthesiologist assistant to document in the anesthesia record any change in supervisor.

(5) All tasks and procedures performed by the anesthesiologist assistant must be documented in the appropriate medical record.

Specific Authority 459.005, 459.023 FS. Law Implemented 459.023, 459.015(1)(o) FS.

7. In the proposed Rule 64B15-7.006, the second sentence of the introductory paragraph shall read as follows: “Any applicant for licensure shall submit proof of compliance with Section 456.048 or submit proof that the applicant meets the criteria to be granted an exemption to the Board office prior to licensure.”

8. Subsection (2)(a) of proposed Rule 64B15-7.007 shall read as follows: “(a) Completion of the anesthesiologist assistant licensure renewal application on the appropriate form provided by the Department.”

9. Subsection (3)(h) of proposed Rule 64B15-7.007 shall read as follows: “(h) Pay the appropriate fees, as set forth in Rule 64B15-7.012, F.A.C.”

10. In Rule 64B15-7.007, subsection 456.036, F.S., shall be added to the Law Implemented citation.

11. In Rule 64B15-7.009, the proposed subsection (7) shall be deleted.

12. Subsection (4) of proposed Rule 64B15-7.012 shall read as follows: “(4) The reactivation fee for an inactive anesthesiologist assistant licensure pursuant to Section 458.3475 or 459.023, F.S., shall be \$100. Reactivation shall require payment of the \$500 renewal fee and the \$100 reactivation fee.”

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pamela King, Executive Director, Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

RULE NOS.:	RULE TITLES:
64B16-27.100	Display of Wall Certificate and Renewal Certificates
64B16-27.1003	Transmission of Prescription Orders
64B16-27.104	Conduct Governing Registered Pharmacists and Pharmacy Permittees
64B16-27.210	General Terms and Conditions to be Followed by a Pharmacist When Ordering and Dispensing Approved Medicinal Products

**NOTICE OF CORRECTION OF NOTICE OF CHANGE**

Notice is hereby given of a correction to the Notice of Change published in Vol. 31, No. 20, May 20, 2005, issue of the Florida Administrative Weekly. The reference to the publication of the proposed rules in Vol. 30, No. 50, December 19, 2004, issue of the Florida Administrative Weekly, should have been Vol. 30, No. 50, December 10, 2004, issue of the Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Lucy Gee, Acting Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

**Section IV  
Emergency Rules**

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

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

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

**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 by the Florida Public Service Commission that BellSouth Telecommunications, Inc.’s petition for extension and modification of existing Service Guarantee Program and limited waiver from subsection 25-4.066(2), paragraphs 25-4.070(1)(b), 25-4.070(3)(a), and 25-4.073(1)(d), F.A.C., filed February 2, 2005, in Docket No. 050095-TL was approved by the Commission by Order No. PSC-05-0440-PAA-TL, issued April 25, 2005, consummated by Order No. PSC-05-0550-CO-TL, issued May 20, 2005. The rules address service quality. The petition was approved on the basis that the purpose of the underlying statute would be achieved by other means and application of the rule would create substantial hardship. Notice of the petition was published in the FAW on February 18, 2005.

A copy of the order can be obtained from: Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770.

**WATER MANAGEMENT DISTRICTS**

NOTICE IS HEREBY GIVEN that on May 23, 2005, South Florida Water Management District (District) received a petition for waiver from Robert V. Courant, Vice-President of The Hollows of Deer Creek Condominium Association, Inc. Application Number 05-0418-3 for issuance of a Modification to Right of Way Occupancy Permit Number 7999, for utilization of Works or Lands of the District known as the Hillsboro Canal, Broward County, for the proposed installation of a buried pump with at-grade vault within the south right of way of the Hillsboro Canal at the location of the existing 4” PVC suction line, west of the District’s G-56 Water Control Structure, Section 35, Township 47 South, Range 42 East. The petition seeks relief from subparagraph 40E-6.221(2)(a)(j), F.A.C., which governs the placement of pumping facilities within Works or Lands of the District.

A copy of the petition may be obtained from: Kathie Ruff, (561)682-6320, e-mail: kruff@sfwmd.gov.

The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn: Kathie Ruff, Office of Counsel.

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NOTICE IS HEREBY GIVEN that on May 6, 2005, South Florida Water Management District (District) received a petition for waiver from Southern Homes of Davie, II, LLC, Application Number 05-0506-4 for issuance of a Right of Way Occupancy Permit, for utilization of Works or Lands of the District known as the C-11 Canal, Broward County, for the proposed installation of approximately 125 linear feet of guardrail within the north right of way of C-11, west of Flamingo Road, Section 26, Township 50 South, Range 40 East. The petition seeks relief from paragraph 40E-6.221(2)(j), F.A.C., which governs the placement of above-ground permanent and/or semi-permanent encroachments within Works or Lands of the District.

A copy of the petition may be obtained from: Kathie Ruff, (561)682-6320, e-mail: kruff@sfwmd.gov.

The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn: Kathie Ruff, Office of Counsel.

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NOTICE IS HEREBY GIVEN that on May 19, 2005, South Florida Water Management District (District) received a petition for waiver from Palm Beach County, Application No. 05-0516-1, for utilization of Works or Lands of the District known as the C-18 Canal, Palm Beach County for bridge widening within the rights of way of C-18 at Indiantown Road (SR 706), Palm Beach County, Section 4 & 33, Township 40 & 41 South, Range 42 East. The petition seeks relief from paragraph 40E-6.221(2)(j) Fla. Admin. Code, which governs bridge low member elevation within Works or Lands of the District.

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

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## DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that on May 13, 2005, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(7), F.A.C., from Panhandle Bakery Café located in Panama City. The above referenced F.A.C. states ...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.... They are requesting a variance to add an additional fifteen (15) seats for a total of twenty-five (25) seats which exceeds the seating capacity with only one accessible bathroom facility accessible to customers.

A copy of the Petition can be obtained from: Xenia Bailey, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

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NOTICE IS HEREBY GIVEN that on May 13, 2005, the Division of Hotels and Restaurants received a Petition for Emergency Variance for subsection 61C-4.010(7), F.A.C., from T Rays Grill at the Mill in Fernandina Beach. This facility is an existing facility that has undergone extensive remodeling and is now required to meet current standards. The above referenced F.A.C. states that all bathrooms shall be of easy and convenient access to both patrons and employees, and shall be located on the same floor of the premises served. They are requesting a variance to use bathroom facilities on the north end of the building that is approximately 100 feet away for employees and customers.

The variance was approved May 20, 2005 and is contingent upon Petitioner ensuring the public bathroom has hot and cold running water at all times, operating in a clean and sanitary manner, provided with soap and an approved method to dry hands. Petitioner will also provide directional signage on where the bathroom facilities are located. Seating will not be permitted inside of this establishment. If seating is requested in the future, the Division will need to be notified in writing and it will be re-evaluated at that time. Any violation of the variance is the equivalent of a violation of the rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, F.S.

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NOTICE IS HEREBY GIVEN that on May 16, 2005, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(7), F.A.C., from Cold Stone Creamery #1164 located in Indialantic. The above referenced F.A.C. states ...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.... They are requesting a variance to add 10 additional seats which exceeds the seating capacity with only one accessible bathroom facility accessible to customers.

The variance was approved May 20, 2005, and approval is contingent upon the Petitioner ensuring the public bathroom has hot and cold running water at all times, operating in a clean and sanitary manner, provided with soap and an approved method to dry hands. Petitioner will have no more than twenty-four (24) seats, which includes outside seating, in the establishment. Any violation of the variance is the equivalent of a violation of the rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, F.S.

NOTICE IS HEREBY GIVEN that on May 12, 2005, the Division of Hotels and Restaurants received a Petition for Emergency Variance for paragraph 61C-1.004(1)(d), F.A.C., from Dippin Dots Ice Cream (Rio Concession Inc.) located in Tampa. The above referenced F.A.C. states that sewage shall be disposed of in a public sewerage system or other approved sewerage system in accordance with the provisions of Chapter 64E-6 or 62-601, F.A.C. Petitioner is requesting a variance to not have hard plumbing in their kiosk and use alternative methods for sewage disposal.

The variance was approved May 20, 2005, and is contingent upon Petitioner using an eleven (11) gallon or greater potable water tank and utilizing a wastewater holding tank that is at least 15% larger than the potable water holding tank. Water and wastewater holding tanks are to be emptied at least twice a day. Petitioner must adhere strictly to the following operating procedures: supply for potable water tank must be from an approved source with written documentation provided; sanitize the fresh water tank at least once every 24 hours; sanitize the wastewater holding tank by pouring 1/4 cup of bleach or other approved sanitizer in the sink drain. Petitioner must store the in-use utensils on a clean, sanitized dry surface, and those utensils are to be washed, rinsed, sanitized and air-dried at least once every two hours. Handwashing procedures are to be strictly adhered to as specified in the Federal Food and Drug Administration 2001 Food Code Section 2-301.14. If the menu changes or expands in any manner, the Petitioner must notify the Division in writing and this variance request will be

re-evaluated. Any violation of the variance is the equivalent of a violation of the rule and may result in a recession of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, F.S.

NOTICE IS HEREBY GIVEN that on May 12, 2005, the Division of Hotels and Restaurants received a Petition for Emergency Variance for paragraph 61C-1.004(1)(d), F.A.C., from Dippin Dots Ice Cream (Rio Concession Inc.) located in Tampa. The above referenced F.A.C. states that sewage shall be disposed of in a public sewerage system or other approved sewerage system in accordance with the provisions of Chapter 64E-6 or 62-601, F.A.C. Petitioner is requesting a variance to not have hard plumbing in their kiosk and use alternative methods for sewage disposal.

The variance was approved May 20, 2005, and is contingent upon Petitioner using an eleven (11) gallon or greater potable water tank and utilizing a wastewater holding tank that is at least 15% larger than the potable water holding tank. Water and wastewater holding tanks are to be emptied at least twice a day. Petitioner must adhere strictly to the following operating procedures: supply for potable water tank must be from an approved source with written documentation provided; sanitize the fresh water tank at least once every 24 hours; sanitize the wastewater holding tank by pouring 1/4 cup of bleach or other approved sanitizer in the sink drain. Petitioner must store the in-use utensils on a clean, sanitized dry surface, and those utensils are to be washed, rinsed, sanitized and air-dried at least once every two hours. Handwashing procedures are to be strictly adhered to as specified in the Federal Food and Drug Administration 2001 Food Code Section 2-301.14. If the menu changes or expands in any manner, the Petitioner must notify the Division in writing and this variance request will be re-evaluated. Any violation of the variance is the equivalent of a violation of the rule and may result in a recession of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, F.S.

#### **DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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



**DEPARTMENT OF HEALTH**

The Board of Medicine hereby gives notice that it has issued an Order on the Petition for Waiver and Variance filed by Maria J. Paricio, M.D., seeking a waiver or variance from Rule 64B8-5.001, F.A.C., with regard to the time frames imposed for completion of the USMLE. The Petition was filed on June 23, 2004, and the Notice was published in Vol. 30, No. 28, of the July 9, 2004, Florida Administrative Weekly. The Board considered the Petition at its telephone conference meeting held on November 3, 2004, and the Board voted to deny the Petition for the following reasons: the Petitioner failed to demonstrate a hardship and failed to demonstrate that she meets the purpose of the underlying statute. The Board's Order denying the Petition was filed on November 19, 2004.

A copy of the Board's Order may be obtained by contacting: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3753.

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The Board of Medicine hereby gives notice that it has issued an Order on the Petition for Waiver and Variance filed by Ashraf M. Sakr, M.D., seeking a waiver or variance from paragraph 64B8-5.001(2)(a), F.A.C., with regard to the time frames imposed for completion of the USMLE. The Petition was filed on August 4, 2004, and the Notice was published in Vol. 30, No. 34, of the August 20, 2004, Florida Administrative Weekly. The Board considered the Petition at its telephone conference meeting held on November 3, 2004, and the Board voted to deny the Petition for the following reason: the Petitioner failed to demonstrate a hardship. The Board's Order denying the Petition was filed on November 19, 2004.

A copy of the Board's Order may be obtained by contacting: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3753.

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The Board of Medicine hereby gives notice that it has issued an Order on the Petition for Waiver and Variance filed by Vinod N. Mungalpara, M.D., seeking a waiver or variance from subsection 64B8-4.009(5) and paragraph 64B8-5.001(2)(a), F.A.C., with regard to official verification of medical education and the time frames imposed for completion of the USMLE. The Petition was filed on August 25, 2004, and the Notice was published in Vol. 30, No. 37, of the September 10, 2004, Florida Administrative Weekly. The Board considered the Petition at its telephone conference meeting held on November 3, 2004, and the Board voted to deny the Petition for the following reasons: the Petitioner failed to demonstrate a hardship or that the purpose of the underlying statute has been met. The Board's Order denying the Petition was filed on November 19, 2004.

A copy of the Board's Order may be obtained by contacting: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3753.

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The Board of Medicine hereby gives notice that it has issued an Order on the Petition for Variance/Waiver, which was filed on February 7, 2005 by Ashraf Anani, M.D. The Notice of Petition for Variance/Waiver was published in Vol. 31, No. 8, of the February 25, 2005, Florida Administrative Weekly. The Petitioner sought a Variance/Waiver with regard to the 7 year period required to pass all 3 steps of the United States Medical Licensing Examination as provided under Rule 64B8-5.001, F.A.C., entitled "Examinations." The Board of Medicine considered the Petition at its meeting held on March 19, 2005, in Miami, Florida. The Board's Order, filed on May 4, 2005, granted the Petition for waiver of Rule 64B8-5.001, F.A.C., finding that Petitioner presented evidence of a substantial hardship and met the purpose of the underlying statute.

A copy of the Board's Order may be obtained by contacting: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

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NOTICE IS HEREBY GIVEN that on May 20, 2005, the Department of Health received a Petition for Variance from paragraph 64E-16.007(2)(e), F.A.C., from William B. Taylor IV, Esq., on behalf of Titan Medical Processing, Inc. That rule requires that spores of *Bacillus stearothermophilus* used to evaluate effectiveness of treatment of biomedical waste shall be placed at the center of the waste load. The Petition indicates that the treatment process used by Titan Medical Processing, Inc., does not facilitate the placement of spores at the center of the waste load and requests use of an alternative.

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 32399-1703, within 14 days of publication of this notice.

A copy of the Petition may be obtained from: Edith Coulter, Bureau of Community Environmental Health, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1710, (850)245-4277, Extension 2335.

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Section VI  
Notices of Meetings, Workshops and Public Hearings

**DEPARTMENT OF STATE**

The **Department of State, Division of Historical Resources** announces a Historic Marker Conference Call to which all interested persons are invited to participate.

DATE AND TIME: Wednesday, June 15, 2005, 10:00 a.m. (EDT)

PLACE: Room 409, R. A. Gray Building, 500 S. Bronough St., Tallahassee, FL 32399-0250

GENERAL SUBJECT MATTER TO BE CONSIDERED: To Review Historical Marker applications.

A copy of the agenda may be obtained by writing: Florida State Historical Marker Program, Bureau of Historic Preservation, Division of Historical Resources, 500 S. Bronough St., Tallahassee, FL 32399-0250.

Should any person wish to appeal any decision made with respect to the above referenced meeting, she or he may need to ensure verbatim recording of the proceedings in order to provide a record for judicial review. "Pursuant to Section 286.26, Florida Statutes, people with disabilities wishing to attend this meeting should contact the agency at least 48 hours prior to the meeting in order to request any special assistance.

**DEPARTMENT OF LEGAL AFFAIRS**

The Florida **Commission on the Status of Women** will hold telephone conference calls to which all interested persons are invited to participate.

COMMITTEE: NACW Committee

DATE AND TIME: June 14, 2005, 10:00 a.m.

COMMITTEE: WHOF Committee

DATE AND TIME: June 15, 2005, 10:00 a.m.

COMMITTEE: Executive Committee

DATE AND TIME: June 16, 2005, 10:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss general issues.

Note: If a quorum of members does not attend, items on this agenda will be discussed as a workshop by those present, and notes will be recorded although no formal action will be taken. If you have any questions, please call (850)414-3300.

If you need an accommodation because of disability in order to participate, please notify FCSW 5 days in advance at Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050.

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

The Florida **Department of Agriculture and Consumer Services** announce a meeting with the Florida Shrimp Working Group to which all interested persons are invited to participate. DATE AND TIME: Wednesday, June 15, 2005, 9:30 a.m.

PLACE: Hilton University of Florida, Conference Center, 1714 S. W. 334th Street, Gainesville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Shrimp Industry Meeting.

The purpose of this meeting is to receive recommendations from the industry regarding marketing and education efforts.

For additional information, or if you need special accommodations due to disability, please call: Casie Oliver, (850)488-0163.

The Florida **Department of Agriculture and Consumer Services** announces a meeting with the Florida Seafood and Aquaculture Marketing Advisory Committee to which all interested persons are invited to participate.

DATE AND TIME: Thursday, June 16, 2005, 10:00 a.m.

PLACE: Hilton University of Florida, Conference Center, 1714 S. W. 34th Street, Gainesville, FL 32607, (352)371-3600

GENERAL SUBJECT MATTER TO BE CONSIDERED: Seafood and Aquaculture Marketing Advisory Committee.

To identify promotional and educational activities beneficial to the seafood and aquaculture industries.

For additional information, or if you need special accommodations due to disability, please call: Casie Oliver, (850)488-0163.

Notice is hereby given that the Florida **Department of Agriculture and Consumer Services, Division of Food Safety** will conduct a public meeting of the Florida Food Safety and Food Security Advisory Council to which all interested persons are invited.

DATE AND TIME: June 15, 2005, 10:00 a.m.

PLACE: Florida Department of Agriculture and Consumer Services, Conner Complex, George Eyster Auditorium, 3125 Conner Boulevard, Tallahassee, Florida, (850)488-0295

GENERAL SUBJECT MATTER TO BE CONSIDERED: Organizational meeting, discussion of suggested priorities of the Florida Food Safety and Food Security Advisory Council. Presentations: Food Safety Institute of the Americas; Substitution of Fish Species; Cyclospora.

THE PERSON TO BE CONTACTED REGARDING THIS MEETING IS: Dr. Marion F. Aller, Director, Division of Food Safety, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650, (850)488-0295.

An agenda of the meeting is available at no charge from the contact person listed above.

The **Private Investigation, Recovery and Security Advisory Council** announces two public meetings to which all persons are invited.

DATE AND TIME: Thursday, September 22, 2005, 9:00 a.m.

PLACE: Edgewater Beach Resort, 11212 Front Beach Road, Panama City Beach, Florida, 1(800)874-8686

DATE AND TIME: Thursday, December 8, 2005, 9:00 a.m.

PLACE: Sheraton Studio City Hotel, 5905 International Drive, Orlando, Florida, (407)351-2100

GENERAL SUBJECT MATTER TO BE CONSIDERED: The quarterly meeting of the Council pursuant to the requirement of Section 493.6104(4), Florida Statutes. The Council will conduct a general business meeting.

A copy of the agenda may be obtained by writing: Department of Agriculture and Consumer Services, Division of Licensing, Attention: April Howard, Post Office Box 6687, Tallahassee, Florida 32314-6687, (850)245-5500.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to attend the meeting should contact the Director, Division of Licensing not later than 48 hours prior to the meeting at the address given on the notice.

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#### DEPARTMENT OF EDUCATION

The **K-20 Education Safety Partnership** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 15, 2005 10:00 a.m. – 4:00 p.m.

PLACE: Eckerd College, 4200 54th Avenue, South, St. Petersburg, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the K-20 Education Safety Partnership.

The K-20 Education Safety Partnership welcomes participation from any interested members of the public.

Any person who desires a copy of the proceedings should arrange to tape the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is requested to advise Lorraine Allen, Office of Safe Schools, (850)245-0416, at least five calendar days before the meeting.

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The **Florida Atlantic University**, Board of Trustees announces a meeting to which all persons are invited:

DATE AND TIME: Wednesday, June 29, 2005, 10:00 a.m.

PLACE: Majestic Palm Room, University Center, Florida Atlantic University, 777 Glades Road, Boca Raton, FL 33431

PUBLIC COMMENT: A public comment segment is scheduled immediately following the board meeting. Public comment will be taken on items on the board agenda.

Presenters will be required to complete a public comment request card prior to the public hearing. Comment cards will be available at the meeting.

A copy of the agenda may be obtained by contacting: Ms. Annette Sisti, Florida Atlantic University, 777 Glades Road, Boca Raton, Florida 33431, (561)297-4030.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting: Ms. Paula Behul, (561)297-3004. If you are hearing or speech impaired, please contact the agency by calling TDD via TDD No. (561)297-2130.

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#### DEPARTMENT OF LAW ENFORCEMENT

The **Criminal Justice Professionalism Program** announces the following meeting dates, times and location for the August 2005 Criminal Justice Standards and Training Commission meeting and related meetings:

Training Center Directors' Committee Meetings

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

Probable Cause Determination Hearings

DATE AND TIME: Wednesday, August 3, 2005, 8:30 a.m.

Training Center Directors' Business Meeting

DATE AND TIME: Wednesday, August 3, 2005, 8:30 a.m.

Commission Workshop

DATE AND TIME: Wednesday, August 3, 2005, 1:30 p.m.

Regional Criminal Justice Selection Center Directors' Association

DATE AND TIME: Wednesday, August 3, 2005, 3:00 p.m.

CJS&T Commission meeting business agenda

DATE AND TIME: Thursday, August 4, 2005, 8:30 a.m.

Officer Discipline Informal Hearings

DATE AND TIME: Thursday, August 4, 2005, 10:30 a.m.

PLACE: Coral Springs Marriott, 11775 Heron Bay Boulevard, Coral Springs, Florida 33076

GUESTROOM RATE: \$69.00 for single or double occupancy from July 31, 2005 to August 6, 2005

TELEPHONE NUMBER FOR HOTEL RESERVATIONS: Phone: (954)753-5598, Fax (954)753-2888

GENERAL SUBJECT MATTER TO BE CONSIDERED: The above meetings are held to discuss issues relating to standards, training, examinations, certification, de-certification, record management for law enforcement, correctional, and correctional probation officers, Commission rules, officer discipline penalty guidelines, and certification and recertification of criminal justice training schools. All parties are invited to attend.

COMMISSION MEETING AND WORKSHOP AGENDA: A copy of the August 2005 Commission Meeting agenda may be obtained by contacting: Donna Hunt, (850)410-8615, e-mail: donnahunt@fdle.state.fl.us.

The agenda and Commission issues will be posted to the FDLE website on July 18, 2005, and may be accessed at www.fdle.state.fl.us, (click on Criminal Justice Resource Center, click on "Rules, Policies, and Commission Information, click on "Commission" and then click on "agenda.")

OFFICER DISCIPLINE AGENDA: A copy of the August 2005 Officer Discipline Case Agenda may be obtained by contacting: Brenda Presnell, (850)410-8648, e-mail: brennapresnell@fdle.state.fl.us.

If you wish to write the Commission for a copy of the above meeting agendas, please write: Florida Department of Law Enforcement, Criminal Justice Professionalism Program, Post Office Box 1489, Tallahassee, Florida 32302, Attention: Donna Hunt or Brenda Presnell. TRAINING CENTER DIRECTOR ASSOCIATION AGENDA: If you wish to write, call, or e-mail the Chairman for a copy of the Training Center Directors' Association agenda, please write: Training Center Director Association, Chairman Jim Hague, Seminole Community College, 100 Weldon Boulevard, Sanford, Florida 32773-6199, (407)328-2316, e-mail: haguec@scc-fl.edu.

SPECIAL ACCOMMODATIONS: Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact: Donna Hunt, (850)410-8615, at least 5 days prior to the meeting.

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## DEPARTMENT OF REVENUE

The **Department of Revenue** announces a public hearing to which all persons are invited.

DATE AND TIME: June 16, 2005, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

PLACE: Harborside Event Center, 1375 Monroe Street, Ft. Myers, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of the adoption of new Rule 12C-1.0191, and the adoption of amendments to Rule 12C-1.022, Florida Administrative Code. Notice of these proposed adoptions was published in the Florida Administrative Weekly on April 1, 2005 (Vol. 31, No. 13, pp. 1201-1203).

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this hearing is asked to advise the Department at least 48 hours before the hearing by contacting: Larry Green, (850)922-4830. If you are hearing-impaired or speech-impaired, please contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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## DEPARTMENT OF TRANSPORTATION

The Florida **Wildflower Advisory Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 6, 2005, 9:30 a.m. – 4:30 p.m.

PLACE: Marion County Extension Office Conference Room, 2232 N. E. Jacksonville Road, Ocala, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to continue development of educational programs.

For information please contact: Mr. Jeff Caster, State Transportation Landscape Architect, Florida Department of Transportation, 605 Suwannee Street, MS #37, Tallahassee, Florida 32399-0450, (850)414-5267, e-mail: jeff.caster@dot.state.fl.us.

Anyone needing special accommodations under the Americans with Disabilities Act of 1990 should contact Jeff Caster, (850)414-5267, prior to the meeting.

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The Florida **Department of Transportation** invites you to attend and participate in one of the Public Hearings being held for the Tampa Bay Intermodal Center(s) Study. The proposed project involves conducting an analysis of the Tampa Bay region in order to determine potential locations for one or more multi-modal transit centers. The identification of viable center locations is the first step in the enhancement of transit services between the Bay area and the neighboring counties that affect this region. The Public Hearings will be held at the following locations:

DATE AND TIME: Tuesday, June 28, 2005, 5:00 p.m. – 7:00 p.m.

PLACE: Holiday Inn Select, 3535 Ulmerton Road, Clearwater, Florida 33762

DATE AND TIME: Wednesday, June 29, 2005, 5:00 p.m. – 7:00 p.m.

PLACE: Stetson University, 1700 N. Tampa Street, Tampa, Florida 33602

GENERAL SUBJECT MATTER TO BE CONSIDERED: These Hearings are being held to allow interested persons the opportunity to provide comments concerning the proposed location(s), conceptual design, social, economic, and environmental effects of the project and are 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 Mr. Jerry Comellas, Project Manager, (813)975-6449, prior to the Hearings.

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 Saturday, July 9, 2005 to become part of the official public hearing record. Written comments should be addressed to: Mr. Don Skelton, P.E. District Secretary, Attn: Mr. 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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#### **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."

Notice is hereby given that the **Board of Trustees of the Internal Improvement Trust Fund** of the State of Florida, or designee, is proposing the establishment of an Erosion Control Line, pursuant to Section 161.161, Florida Statutes, and will hold a public Hearing to which all interested persons are invited to participate.

DATE AND TIME: June 15, 2005, 6:00 p.m.

PLACE: Palm Beach City Council Chambers, 360 South Country Road, Boca Raton, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: For the purpose of considering evidence bearing on the location of a proposed Erosion Control Line for the beach erosion control project known as Phipps Ocean Park (Reach 7) Beach Nourishment Project. The location of the proposed Erosion Control line is as follows:

The proposed Erosion Control Line lies along Palm Beach Barrier Island fronting the Atlantic Ocean at the line of mean high water. The Erosion Control Line lies in Section 14 and 23, Township 44 South, Range 43 East.

Written objections to, or inquires regarding, the proposed Erosion Control Line should be submitted to the Bureau of Beaches and Coastal Systems, Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station 300, Tallahassee, Florida 32399-3000, prior to the date mentioned above. The Board of Trustees of the Internal Improvement Trust Fund of the State of Florida reserves the right to deny establishment of the Erosion Control Line.

BY ORDER OF THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA

JEB BUSH, GOVERNOR

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#### **STATE BOARD OF ADMINISTRATION**

The **State Board of Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 15, 2005, 9:00 a.m. – conclusion

PLACE: Hermitage Room, Plaza Level, Hermitage Centre, 1801 Hermitage Boulevard, Tallahassee, FL 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled quarterly meeting of the Audit Committee.

A copy of the agenda may be obtained by writing: Keeta M. Ray, State Board of Administration, 1801 Hermitage Boulevard, Suite 600, Tallahassee, Florida 32308, (850)413-1248.

In compliance with the Americans with Disabilities Act, anyone needing special accommodations should call James Linn, (850)488-4406, at least five (5) days prior to the meeting.

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#### **DEPARTMENT OF CITRUS**

The **Department of Citrus** announces a public meeting of the Florida Citrus Commission to which all persons are invited.

DATE AND TIME: Wednesday, June 15, 2005, 9:00 a.m.

PLACE: Florida Department of Citrus, 1115 East Memorial Blvd., Lakeland, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will convene for the purpose of standing committee meetings and the regular monthly meeting of the Florida Citrus Commission. The Commission will address issues pertaining to budget items and revisions, contracts, advertising programs, balanced scorecards, licensing, rulemaking, and other matters addressed during monthly meetings of the Commission. The Commission may also go into closed session pursuant to the provisions of Section 286.011(8), F.S., to address issues related to the Tampa Juice, et. al. & Graves Brothers, et. al. vs. FDOC and The Lakeland Ledger Publishing Company, Publisher of The Ledger vs. FDOC. The parties attending the closed session will be John R. Alexander, Patrick Carlton, Michael L. Carrere, Tristan G. Chapman, W. Cody Estes, Sr., Harry H. Falk, William J. Ferrari, George T. Pantuso, Anina C. McSweeney, Stephen W. Ryan, Ray Smith, Andrew R. Taylor, Dan Gunter, Hank B. Campbell, Esq., Monterey Campbell, Esq., Barry Richard, Esq., and Kenneth O. Keck, Esq.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting Mr. Bill Jones at the above address or by telephone at (863)499-2500.

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**FLORIDA PAROLE COMMISSION**

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 15, 2005, 9:00 a.m.

PLACE: Florida Parole Commission, 2601 Blair Stone Road, Bldg. C., Third Floor, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly Scheduled Meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery and Control Release Matters.

Any person who decides to appeal a decision of the Florida Parole Commission with respect to a matter considered at this meeting may need to ensure that a verbatim record of the proceedings is made, Chapter 80-150, Laws of Florida (1980).

A copy of the agenda may be obtained by writing: Florida Parole Commission, 2601 Blair Stone Road, Building C, Tallahassee, Florida, 32399-2450.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the agency sending the notice not later than five working days prior to the proceeding at the address given on the notice. Telephone: (850)488-3417.

**PUBLIC SERVICE COMMISSION**

The Florida **Public Service Commission** announces its Internal Affairs Meeting to which all interested persons are invited.

DATE AND TIME: \*June 20, 2005, 9:30 a.m.

PLACE: The Betty Easley Conference Center, 4075 Esplanade Way, Conference Room 140, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and make decisions on matters which affect the operation of the Commission.

A copy of the agenda of the Internal Affairs Meeting may be obtained by contacting: Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

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

\* In the event of a scheduling conflict, this meeting may be rescheduled to June 21, 2005, in Room 140, immediately preceding or immediately following the Commission Conference.

\*\*THIS MEETING IS SUBJECT TO CANCELLATION WITHOUT NOTIFICATION.\*\*

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

Docket No. 041144-TP – Complaint against KMC Telecom III LLC, KMC Telecom V, Inc., and KMC Data LLC for alleged failure to pay intrastate access charges pursuant to its interconnection agreement and Sprint's tariffs and for alleged violation of Section 364.16(3)(a), F.S., by Sprint-Florida, Incorporated.

DATE AND TIME: June 20, 2005, 1:30 p.m.

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

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

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

The Florida **Public Service Commission** announces its regularly scheduled conference to which all interested persons are invited.

DATE AND TIME: June 21, 2005, 9:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider those matters ready for decision.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350, 364, 366 and 367, F.S.

Persons who may be affected by Commission action on certain items on this agenda for which a hearing has not been held will be allowed to address the Commission concerning those items when taken up for discussion at this conference.

A copy of the agenda may be obtained by any person who requests a copy, and pays the reasonable cost of the copy (\$1.00 per copy, Statement of Agency Organization and Operations), by contacting: Division of the Commission Clerk and Administrative Services, (850)413-6770, or writing: Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. The agenda and recommendations are also accessible on the PSC Homepage: <http://www.floridapsc.com>, at no charge.

If a person decides to appeal any decisions made by the Commission with respect to any matter considered at this conference, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which appeal is based.

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

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

Docket No. 030696-TI – Compliance investigation of 9278 Communications, Inc. for apparent violation of Sections 364.02 and 364.04, Florida Statutes.

DATE AND TIME: June 22, 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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#### **EXECUTIVE OFFICE OF THE GOVERNOR**

The **Governor's Ex-offender's Task Force** announces their first meeting to which all interested persons are invited to participate.

DATE AND TIME: Thursday, June 9, 2005, 8:30 a.m. – 5:00 p.m.

PLACE: Reed Hall, House Office Building, Tallahassee, FL  
Reception for the Task Force members only

DATE AND TIME: Wednesday, June 8, 2005, 5:30 p.m. – 7:30 p.m.

Meeting of the Chairman and Casey Foundation Members

DATE AND TIME: Wednesday, June 8, 2005, 2:30 p.m. – 5:30 p.m.

PLACE: Doubletree Hotel, Tallahassee, FL

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The **Florida Sports Foundation** announces its quarterly Grant Committee meeting to which all persons are invited.

DATE AND TIME: Monday, June 6, 2005 10:00 a.m. – 11:30 a.m.

PLACE: Florida Sports Foundation, 2930 Kerry Forest Parkway, Suite 101, Tallahassee, FL 32309; Call In Numbers (877)651-3473 (toll free), (850)413-9245 (Tallahassee)

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

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The **Governor's Commission on Volunteerism and Community Service**, Volunteer Florida, Grants Committee is pleased to announce a conference call to which all persons are invited.

DATE AND TIME: Tuesday, June 9, 2005, 2:00 p.m.

PLACE: Please call (850)921-5172 for call-in number and pass-code

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review and approval of the AmeriCorps Program proposals for formula funding.

Please contact Gwen Erwin, (850)921-5172, for a meeting agenda.

If you require a reasonable accommodation to participate, please contact Gwen Erwin, (850)921-5172, Voice/TTY, 72 hours in advance with your request.

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#### **REGIONAL PLANNING COUNCILS**

The **Withlacoochee Regional Planning Council** announces a meeting of its Budget Committee.

DATE AND TIME: Thursday, June 16, 2005, 6:00 p.m.

PLACE: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34474-2798

GENERAL SUBJECT MATTER TO BE CONSIDERED: To formulate the Council's Budget for Fiscal Year 2005-2006.

A copy of the agenda may be obtained by writing: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34474-2798.

Affected persons are advised that it may be necessary for them to ensure that a verbatim record of the meeting is made, including the testimony and evidence upon which the appeal is to be based.

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The **Withlacoochee Regional Planning Council** announces a public meeting of its Board of Directors to which all persons are invited.

DATE AND TIME: Thursday, June 16, 2005, 7:00 p.m.

PLACE: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34474-2798

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Council.

A copy of the agenda may be obtained by writing: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34474-2798.

Affected persons are advised that it may be necessary for them to ensure that a verbatim record of the meeting is made, including the testimony and evidence upon which the appeal is to be based.

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The **Tampa Bay Regional Planning Council** announces the following meetings to which all persons are invited.

MEETING: Executive/Budget Committee

DATE AND TIME: Monday, July 11, 2005, 9:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Executive/Budget Committee.

MEETING: Tampa Bay Regional Planning Council

DATE AND TIME: Monday, July 11, 2005, 10:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Tampa Bay Regional Planning Council.

MEETING: TBRPC Legislative Committee

DATE AND TIME: Monday, July 11, 2005, 11:30 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the TBRPC Legislative Committee.

MEETING: Agency On Bay Management

DATE AND TIME: Thursday, July 14, 2005, 9:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Agency On Bay Management.

MEETING: Clearinghouse Review Committee

DATE AND TIME: Monday, July 25, 2005, 9:30 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Clearinghouse Review Committee

PLACE: 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782 (Please call to confirm date, time and location)

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

The **Southwest Florida Regional Planning Council** announces that its regular meeting has been canceled.

DATE AND TIME: June 16, 2005, 9:30 a.m.

PLACE: SWFRPC Offices, 1st Floor Conference Room, 1926 Victoria Avenue, Fort Myers, Florida 33901

The next regular meeting is scheduled for July 21, 2005, 9:30 a.m.

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The **Southwest Florida Regional Planning Council** announces that its Executive Committee will be meeting:

DATE AND TIME: June 16, 2005, 9:30 a.m.

PLACE: SWFRPC Offices, 1st Floor Conference Room, 1926 Victoria Avenue, Fort Myers, Florida 33901

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review the SWFRPC's Budget for FY 05/06.

The next regular meeting is scheduled for July 21, 2005, 9:30 a.m.

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The **Regional Business Alliance** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 8, 2005, 2:00 p.m.

PLACE: Sun-Sentinel, 3333 South Congress Avenue, Delray Beach, Florida 33445

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting to discuss regional issues impacting South Florida including transportation.

A copy of the agenda may be obtained by writing: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021, (954)985-4416.

The Regional Business Alliance is comprised of business leaders from Southeast Florida, including members of the South Florida Regional Transportation Authority.

If you are hearing or speech impaired, please contact the South Florida Regional Planning Council, (954)967-4152 Ext. 40 (TDD), if you require additional information regarding the meeting above. If you require special accommodations because of a disability or physical impairment, please contact the Council, (954)985-4416, at least five calendar days prior to the meeting.

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The **Treasure Coast Regional Planning Council** announces a meeting of its Budget Personnel Committee.

DATE AND TIME: June 3, 2005, 9:30 a.m.

PLACE: Treasure Coast Regional Planning Council, 301 East Ocean Boulevard, Suite 300, Stuart, FL 34994

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to discuss Council's proposed budget for Fiscal Year 2005-2006.

A copy of the Agenda may be obtained by contacting: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, Florida 34994.



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

Any persons needing special accommodations at this meeting because of a disability or physical impairment should contact Liz Gulick (772)221-4060, at least 48 hours before the meeting.

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The **Treasure Coast Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: June 17, 2005, 9:30 a.m.

PLACE: Wolf High – Technology Center, Indian River Community College Chastain Campus, 2400 S. E. Salerno Road, Stuart, FL 34997

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the monthly meeting of the Council.

A copy of the Agenda may be obtained by contacting: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, Florida 34994.

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

Any persons needing special accommodations at this meeting because of a disability or physical impairment should contact Liz Gulick, (561)221-4060, at least 48 hours before the meeting.

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## REGIONAL TRANSPORTATION AUTHORITIES

The **Hillsborough Area Regional Transit Authority** (HART) announces the following public meetings of the Governing Board of the Authority to which all persons are invited:

Public Hearing

DATE AND TIME: June 6, 2005, 8:00 a.m.

PLACE: HARTline, County Center, 601 E. Kennedy Boulevard, 2nd Floor, BOCC Board Room, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Scheduled Board of Directors Meeting.

AGENDA: 1. Call to order; 2. Approval of Minutes; 3. Introductions, Recognition and Awards; 4. Consumer Advisory Committee Report; 5. Public Comment on Action Items; 6. Consent Action Items; 7. Other Action Items; 8. Chairman's Report; 9. Reports from HART Representatives; 10. HART Committee Reports; 11. Other Board Member's Report; 12. Executive Director's Report; 13. Employee Comment; 14.

General Public Comment; 15. Discussion and Presentations; 16. Monthly Information Reports; 17. Other Information Items; 18. Other Business.

A copy of the detailed agenda may be obtained by contacting: Lena Zaretskaya, Executive Administrative Assistant III, Hillsborough Area Regional Transit Authority, 201 E. Kennedy Boulevard, Suite 900, Tampa, FL 33602-5829, (813)223-6831, Ext. 2111.

Section 286.0105, Florida Statutes, states that if a person decided to appeal any decision made by a board, agency, or commission with respect to any matter considered at a meeting or hearing, he will need a record of the proceedings, and that for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act of 1990, persons needing a special accommodation at this meeting because of a disability or physical impairment should contact Lauren Skiver, (813)623-5835, at least 48 hours before the meeting. If the caller is hearing impaired, contact the Authority, (813)626-9158 (TTD).

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## WATER MANAGEMENT DISTRICTS

The **Suwannee River Water Management District** announces the following public meetings to which all interested persons are invited.

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

PLACE: District Headquarters, 9225 CR 49, Live Oak, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Meeting – to consider District business, and conduct public hearings on regulatory and land acquisition matters.

Public hearing in accordance with Section 373.59, F.S., concerning the proposed Sale of 1,615 acres +/- of Sandlin Bay property located in Columbia County, Florida, to USDA Forest Service; also the proposed acquisition of the Walker/Deep Creek Addition Conservation Easement, 570 acres +/- located in Columbia County, Florida, in exchange for 473 acres +/- of SRWMD/Deep Creek lands to be encumbered by a conservation easement.

A copy of the agenda(s) may be obtained by writing: SRWMD, 9225 CR 49, Live Oak, Florida 32060.

If any person decides to appeal any decision with respect to any matter considered at the above cited meeting, such person may need to ensure that a verbatim record of the proceedings is made to include the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance in order to participate in this meeting may contact Lisa Cheshire, (386)362-1001, or 1(800)226-1066 (Florida only), at least two business days in advance to make appropriate arrangements.

The **St. Johns River Water Management District** announces a Southern Recreational Public Meeting to which all persons are invited.

TOUR: Management Review Team Tour, Ft. Drum Marsh Conservation Area

DATE AND TIME: Thursday, June 16, 2005, 11:00 a.m. – 2:00 p.m.

PLACE: Meet at entrance off of SR 60

MEETING: Southern Recreational Public Meeting

DATE AND TIME: Thursday, June 16, 2005, 3:00 p.m. – 5:00 p.m.

PLACE: Indian River County Commission Chambers, 1840 25th Street, Vero Beach, FL 32960

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review land management and land acquisition activities in the Southern Region.

If any person decides to appeal any decision with respect to any matter considered at the above listed meeting such person may need to ensure that a verbatim record of the proceeding is made to include testimony and evidence upon which the appeal is to be based.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in the meeting is asked to advise Linda Lorenzen, (386)329-4262, (386)329-4450 (TDD), at least five work days before the date of the meeting.

The **Southwest Florida Water Management District** (SWFWMD) announces the following public meetings to which all interested parties are invited to attend.

NATURE'S CLASSROOM VISITATION DAY

DATE AND TIME: Saturday, June 11, 2005, 9:30 a.m. – 12:00 Noon

PLACE: Nature's Classroom, 11301 Verges Road, Thonotosassa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Some members of the District's Governing and Basin Boards may attend this construction progress celebration and visitation day.

WITHLACOOCHIEE RIVER BASIN BOARD MEETING

Note: This meeting, originally scheduled for Monday, June 13, 2005, has been rescheduled to Monday, June 20, 2005. Time and place will be advertised at a later date.

HILLSBOROUGH RIVER BASIN BOARD MEETING

DATE AND TIME: Tuesday, June 14, 2005, 9:00 a.m.

PLACE: SWFWMD, Tampa Service Office, 7601 Highway 301, North, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business including discussion of the Fiscal Year 2006 budget and adoption of proposed millage.

MANASOTA BASIN BOARD MEETING

DATE AND TIME: Wednesday, June 15, 2005, 9:00 a.m.

PLACE: SWFWMD, Sarasota Service Office, 6750 Fruitville Road, Sarasota, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business including discussion of the Fiscal Year 2006 budget and adoption of proposed millage.

These are public meetings and agendas are available by contacting: Southwest Florida Water Management District, 2379 Broad Street, Brooksville, FL.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should contact 1(800)423-1476 (Florida only), Extension 4609, TDD only 1(800)231-6103 (Florida only), Fax (352)754-6874.

The **Southwest Florida Water Management District** announces the following public meeting to which all interested persons are invited:

CITRUS COUNTY TSALA-APOPKA CHAIN OF LAKES TASK FORCE OF THE CITRUS/HERNANDO WATERWAYS RESTORATION COUNCIL

DATE AND TIME: Monday, June 13, 2005, 3:00 p.m.

PLACE: Lecanto Government Building, 3600 West Sovereign Path, Room 166, Lecanto, Florida 34461

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of Task Force business.

These are public meetings and agendas are available by contacting: Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34604, (352)796-7211 or 1(800)423-1476 (Florida only), Extension 4227.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should contact 1(800)423-1476 (Florida) or (352)796-7211, Extension 4226, Fax (352)797-5806, TDD ONLY 1(800)231-6103 (Florida).

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

DATES AND TIME: June 22-23, 2005, TBA

PLACE: Community Foundation, 700 South Dixie Highway, Suite 200, West Palm Beach, FL 33401

GENERAL SUBJECT MATTER TO BE CONSIDERED: Peer Review Kick Off for the Regional Simulation Model

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 4540, P. O. Box 24680, West Palm Beach, FL 33416-4680 or the District Website: [http://gwmftp.jacobs.com/Peer\\_Review/web\\_page/peer\\_review\\_sfwm.htm](http://gwmftp.jacobs.com/Peer_Review/web_page/peer_review_sfwm.htm).

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: Rich Sands, District Headquarters, 3301 Gun Club Road, Mail Stop Code 4540, West Palm Beach, FL 33406, (561)682-2902.

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### REGIONAL UTILITY AUTHORITIES

The **Tampa Bay Water** announces the following Public Hearing and Regular Board Meeting to which all persons are invited.

DATE AND TIME: Monday, June 20, 2005, 9:00 a.m.

PLACE: The meeting will be held at an alternate location – the Pinellas County Board of County Commissioners Assembly Room, 315 Court Street, 5th Floor, Clearwater, FL 33756

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Hearing prior to the adoption of the Tampa Bay Water FY 2005/2006 Budget, followed immediately by the Regular Board Meeting.

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

A copy of the proposed budget and the regular meeting agenda may be obtained by writing Tampa Bay Water or can be accessed on the Web at [www.tampabaywater.org](http://www.tampabaywater.org) within 7 days of the meeting.

If an accommodation is needed for a disability, in order to participate in this activity, please notify Holly Wells, (727)796-2355, at least 3 business days prior to the meeting.

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The **Withlacoochee Regional Water Supply Authority** announces that the Authority will hold its regular June monthly board meeting as scheduled. This is a public meeting to which all persons are invited:

DATE AND TIME: June 15, 2005, 4:30 p.m.

PLACE: Laurel Manor Recreation Center, 1895 Laurel Manor Drive, Monroe Room, The Villages, Florida 32162

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct regular business of the Authority.

A copy of the agenda may be obtained by writing: Withlacoochee Regional Water Supply Authority, P. O. Drawer 190, Tallahassee, Florida 32302.

Although these board meetings are normally recorded, affected persons are advised that it may be necessary for them to make their own arrangements if a verbatim record of the meeting is needed, including testimony and evidence upon which any appeal is to be based.

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### DEPARTMENT OF MANAGEMENT SERVICES

The State of Florida, **State Technology Office** announces a Chief Information Officer (CIO) Council Meeting to which all persons are invited.

DATE AND TIME: Monday, June 20, 2005, 10:00 a.m. – 12:00 Noon

PLACE: Betty Easley Conference Center, Conference Room 166, 4075 Esplanade Way, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To enhance communication among the Chief Information Officers of state agencies and assist in identifying critical statewide information technology issues.

If you would like an agenda for this meeting or require special accommodations due to disability or physical impairment, please contact: Elaine Womble, (850)922-2680, e-mail: [Elaine.womble@myflorida.com](mailto:Elaine.womble@myflorida.com).

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The Florida **Black Business Investment Board, Inc. (FBBIB)** announces a workshop and committee/board meetings of its board of directors to which all interested persons are invited.

Committee Meetings/Workshop

DATE AND TIME: Thursday, June 16, 2005, 8:30 a.m. – 5:00 p.m.

Workshop/Board Meeting

DATE AND TIME: Friday, June 17, 2005, 8:30 a.m. – 1:00 p.m.

PLACE: Disney/SBA National Entrepreneur Center, 315 E. Robinson Street, Orlando, 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.

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#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Florida **Board of Professional Surveyors and Mappers** announces the following meeting, to which all persons are invited to attend.

DATE AND TIME: July 12, 2005, 2:00 p.m.

PLACE: Renaissance Tampa Hotel International Plaza, 4200 Jim Walter Blvd., Tampa, Florida 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel meeting portions which, are closed to the public. Agenda available on request.

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

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

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board office, (850)922-7154, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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The **Board of Professional Surveyors and Mappers** announces a Probation Review Committee, Continuing Education Committee, Application Review Committee, Privatization Committee, Rules Workshop, and a General Business Meeting. All interested parties are invited to attend at the address listed below.

DATES AND TIMES: July 13, 2005, 8:30 a.m., Continuing Education Committee meeting followed by a Application Review Committee meeting, followed by a Privatization Committee meeting, followed by a Rules Workshop followed by a General Business Meeting, if time allows; July 14, 2005, 8:00 a.m., Probation Review Committee meeting followed by a General Business meeting

PLACE: Renaissance Tampa Hotel International Plaza, 4200 Jim Walter Blvd., Tampa, Florida 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct board business.

A copy of the agenda may be obtained by writing: John Knap, Executive Director, Department of Business and Professional Regulation, Board of Professional Surveyors and Mappers, 1940 North Monroe Street, Tallahassee, FL 32399-0756, (850)487-1395.

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

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System, 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact John Knap by Monday, July 11, 2005.

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The Probable Cause Panel of the **Florida Real Estate Commission** announces a meeting to which all interested persons are invited.

DATE AND TIME: Monday, June 13, 2005, 2:00 p.m. or the soonest thereafter (Portions of the probable cause proceedings are not open to the public.)

PLACE: Zora Neale Hurston Building, North Tower, Suite 901N, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases to determine probable cause and to conduct a public meeting to review cases where probable cause was previously found.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Commission members or its counsel.

Any person who desires a special accommodation at this meeting because of a disability or physical impairment should contact the Division of Real Estate, (407)245-0800 (between the hours of 8:30 a.m. – 4:00 p.m.), at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call the Real Estate Division using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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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: Wednesday, June 15, 2005, 9:30 a.m.

PLACE: Shady Lane Oaks, 15777 Bolesta Rd., Clearwater, FL 33760

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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#### DEPARTMENT OF HEALTH

The **Department of Health, Board of Dentistry** announces a meeting of the Rules Committee/Rules Development Workshop, an official meeting to be held via telephone conference call. All interested parties are invited to attend the telephone conference call, which is open to the public.

DATE AND TIME: June 14, 2005, 5:30 p.m.

PLACE: Telephone Number (850)410-0967

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss proposed rule changes.

A copy of the agenda may be obtained by writing: Sue Foster, Executive Director, Department of Health, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

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

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System, 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact: Sue Foster, (850)245-4474.

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The **Department of Health, Board of Dentistry** will hold a general business meeting to which all persons are invited:

DATES AND TIME: June 24, 2005, 8:00 a.m.; June 25, 2005, 8:00 a.m. if necessary

PLACE: Marriott Renaissance Tampa Hotel, 4200 Jim Walter Blvd., Tampa, FL 33607, (813)877-9200

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general board business.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she may need to ensure that a verbatim record of the proceedings is made, which records include 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 Sarah Walls, (850)245-4474, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired, can contact Ms. Walls using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771(TDD).

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NOTICE OF CANCELLATION – The **Department of Health, Board of Hearing Aid Specialists** announces a cancellation of a Probable Cause Panel Meeting via telephone conference call which was published in the May 27, 2005, Florida Administrative Weekly, Vol. 31, No. 21.

DATE AND TIME: June 16, 2005, 10:00 a.m.

PLACE: Conference Call (850)921-6513

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting.

The meeting above has been cancelled and will be rescheduled for a later date.

For questions, please contact: Board Office, (850)245-4474.

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The Florida **Board of Medicine**, Probable Cause Panel (South) announces a telephone conference call to be held via meet me number.

DATE AND TIME: June 10, 2005, 2:00 p.m.

PLACE: Meet Me Number (850)922-2903, Suncom 292-2903, Toll Free 1(800)416-4254

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases for which a determination of probable cause is to be made and to conduct a public meeting to review cases on which probable cause has been made.

A copy of the agenda may be obtained by writing: Gaynetta Rosier, Regulation Specialist II, Agency for Health Care Administration, Medical Services, Palmer Building, P. O. Box 14229, Tallahassee, Florida 32317-4229.

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

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Medical Litigation Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required. The Medical Litigation Section may be contacted at P. O. Box 14229, Tallahassee, Florida 322317-4229, (850)922-2414, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice) via Florida Relay Service.

The **Board of Nursing**, North Probable Cause Panel will hold a duly noticed teleconference call meeting, to which all persons are invited to attend.

DATE AND TIME: June 13, 2005, 5:30 p.m.

PLACE: Department of Health, Tallahassee, Meet Me Number (850)921-5400

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board, (850)245-4125, at least 48 hours prior to the meeting. If you are a hearing or speech impaired, please contact the Board office using the Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

A copy of the agenda item may be obtained by writing: Dan Coble, Executive Director, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3257.

The **Board of Nursing Home Administrators** hereby gives notice that a public workshop for the purposes of rule development on Rule 64B10-15.001, F.A.C., Continuing Education for Licensure Renewal and a Full-Board meeting to which all interested persons are invited to participate.

Public Workshop

DATE AND TIME: July 8, 2005, 9:00 a.m.

Full Board Meeting

DATE AND TIME: July 8, 2005, 10:00 a.m.

PLACE: Embassy Suites, 1100 S. E. 17th Street, Ft. Lauderdale, Florida

A notice of rule development was published in Vol. 31, No. 8 of the Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE RULE DEVELOPMENT WORKSHOP IS: Joe Baker, Jr., Executive Director, Board of Nursing Home Administrators/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

The **Board of Nursing Home Administrators** hereby gives notice that a public workshop for the purposes of rule development on Rules 64B10-16.0021, Change of Status of Preceptor and 64B10-16.005, F.A.C., Domains of Practice, Objectives, Reports and a Full Board Meeting to which all interested persons are invited to participate.

Public Workshop

DATE AND TIME: July 8, 2005, 9:00 a.m.

Full-Board meeting

DATE AND TIME: July 8, 2005, 10:00 a.m.

PLACE: The Embassy Suites, 1100 S. E. 17th Street, Ft. Lauderdale, Florida

A notice of rule development was published in Vol. 31, No. 8 of the Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE RULE DEVELOPMENT WORKSHOP IS: Joe Baker, Jr., Executive Director, Board of Nursing Home Administrators/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

The **Board of Optometry** will hold a duly noticed telephone conference call, to which all persons are invited to attend.

DATE AND TIME: Wednesday, June 15, 2005, 2:00 p.m.

PLACE: Department of Health, 4042 Bald Cypress Way, Bin #C07, Tallahassee, at Meet Me Number (850)414-6477

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 Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257, website: [www.doh.state.fl.us/mqa/optometry/op\\_home.html](http://www.doh.state.fl.us/mqa/optometry/op_home.html).

The **Department of Health, Board of Physical Therapy** announces a conference call of the board to which all interested persons are invited to participate.

DATE AND TIME: August 9, 2005, 11:30 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 Psychology, 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.

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The **Board of Podiatric Medicine** will hold a duly noticed meeting and telephone conference call to which all persons are invited to attend.

DATE AND TIME: Friday, June 24, 2005, 9:00 a.m.

PLACE: Hyatt Regency, 9300 Airport Boulevard, Orlando, FL 32827, (407)825-1234

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 Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257, website: [www.doh.state.fl.us/mqa/podiatry/index.htm](http://www.doh.state.fl.us/mqa/podiatry/index.htm).

The **Council of Licensed Midwifery** announces a meeting to which all interested persons are invited to attend.

DATE AND TIME: Friday, June 24, 2005, 9:00 a.m. or soon thereafter

PLACE: Meet me Number: Contact the Council of Licensed Midwifery, (850)245-4161, for the meet me number

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Board.

Any person requiring special accommodations at this meeting due to disability or physical impairment should contact the Council of Licensed Midwifery, (850)245-4161, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Council of Licensed Midwifery, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256.

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

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The **Department of Health, Board of Respiratory Care** announces a meeting of the board to which all persons are invited:

DATE AND TIME: July 15, 2005, 8:30 a.m. or soon thereafter

PLACE: Omni Jacksonville Hotel, 245 Water Street, Jacksonville, FL 32202, (904)791-4812

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

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 **Florida Emergency Medical Services Advisory Council**, Sub-Committee will hold the Disciplinary sub-committee meeting.

DATE AND TIME: June 9, 2005, 9:00 a.m. – 4:30 p.m.

PLACE: Sunstar EMS, 12490 Ulmerton Road, Largo, FL 33774-2700

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the sub-committee.

An agenda may be obtained by contacting: Desi Lassiter, Bureau of Emergency Medical Services, (850)245-4055.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment, should contact the Bureau of Emergency Medical Services, (850)245-4055, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please call the Bureau of Emergency Medical Services using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

For further information, write: Desi Lassiter, 4052 Bald Cypress Way, Bin #C18 (HEMS), Tallahassee, Florida 32399-1738, (850)245-4440.

The Florida **Emergency Medical Services Advisory Council** announces a telephone conference call to which all interested persons are invited to participate.

DATE AND TIME: June 14, 2005, 2:00 p.m. – 3:00 p.m. (EST)

PLACE: Florida Bureau of Emergency Medical Services, 4052 Bald Cypress Way, Bin #C18, Tallahassee, FL 32399, Via meet me number 1(800)647-7427

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the council. Any other related issues will also be discussed.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment, should contact the Bureau of Emergency Medical Services, (850)245-4440, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please call the Bureau of Emergency Medical Services using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

For further information, write: Desi Lassiter, 4052 Bald Cypress Way, Bin #C18 (HEMS), Tallahassee, Florida 32399-4881, (850)245-4055.

P.O. # D029262

The **Department of Health**, Florida Alliance for Diabetes Prevention and Care, Data Workgroup: Diabetes Prevention and Control Program will hold a workgroup meeting via conference call to which all interested persons are invited to participate.

DATE AND TIME: Thursday, June 9, 2005, 12:00 Noon – 1:00 p.m.

PLACE: Toll Free No. provided by moderator

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, June 7, 2005, 5:00 p.m. Eastern Time.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

The Shared Services Alliance of Okeechobee and the Treasure Coast of The **Department of Children and Family Services**, District 15 announces the following public meeting to which all persons are invited:

Executive Committee

DATE AND TIME: June 8, 2005, 9:00 a.m. – 11:00 a.m.

PLACE: Clem C. Benton Bldg., Room 335, 337 N. US Hwy #1, Ft. Pierce, FL 34950

For more information, please contact: Linda Poston, Personal Secretary 1, 337 North US Hwy. 1, Room 327, Fort Pierce, Florida 34950, (772)467-4178

SPECIAL ACCOMMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact Pearlie Clark, ADA Coordinator, (772)467-4184, at least five days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Shared Services Alliance of Okeechobee and the Treasure Coast of The **Department of Children and Family Services**, District 15 announces the following public meeting to which all persons are invited:

ALLIANCE MEETING

DATE AND TIME: June 24, 2005, 8:30 a.m. – 10:30 a.m.

PLACE: St. Lucie County Public School, School Board Office, 4204 Okeechobee Road, Fort Pierce, Florida 34947-5414

For more information, please contact: Linda Poston, Personal Secretary 1, 337 North US Hwy. 1, Room 327, Fort Pierce, Florida 34950, (772)467-4178.

SPECIAL ACCOMMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact Pearlie Clark, ADA Coordinator, (772)467-4184, at least five days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

**FLORIDA HOUSING FINANCE CORPORATION**

The **Affordable Housing Study Commission** announces a meeting to which all interested parties are invited.

DATES AND TIMES: June 20, 2005, 12:00 Noon – 5:00 p.m.; June 21, 2005, 8:30 a.m. – 12:30 p.m. (Times subject to change)



PLACE: Hyatt Regency Orlando International Airport, 9300 Airport Boulevard, Orlando, FL 32827, (407)825-1234

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will be reviewing the draft 2005 Annual Report and receiving testimony on tools for preserving multifamily affordable housing.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring a special accommodation at these meetings because of a disability or physical impairment should contact Sheila Freaney, Florida Housing Finance Corporation, (850)488-4197, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact Florida Housing using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

For questions, please contact: Odetta MacLeish-White, Florida Housing Finance Corporation, (850)488-4197.

For agendas and updates, please visit our website at [www.floridahousing.org/ahsc](http://www.floridahousing.org/ahsc).

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#### **FISH AND WILDLIFE CONSERVATION COMMISSION**

The **Fish and Wildlife Conservation Commission** announces a two-day public meeting of a live collection marine life fishery working group, to which all interested persons are invited.

DATES AND TIME: July 7-8, 2005, 8:30 a.m. – 5:00 p.m. each day

PLACE: Sombrero Resort and Lighthouse Marina, 19 Sombrero Boulevard, Marathon, Florida Keys 33050

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Fish and Wildlife Conservation Commission is holding this meeting to bring together a workgroup of commercial marine life interests to gather information on various species concerns in the marine life fishery.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least five calendar days before the workshop/meeting by contacting: ADA Coordinator, (850)488-6411. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

For further information, contact: Jessica McCawley, Division of Marine Fisheries, 2590 Executive Center Circle, East, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

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The **Florida Fish and Wildlife Conservation Commission** announces a facilitated stakeholder meeting to discuss and examine manatee issues.

DATES AND TIMES: June 7, 2005, 9:30 a.m. – 6:00 p.m.; June 8, 2005, 8:30 a.m. – 4:00 p.m.

PLACE: Hilton St. Petersburg, 331 1st Street, South, St. Petersburg, FL 33701, (727)894-5000

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is fact finding, to solicit input from stakeholders to the agency and its federal partners in evaluating current issues concerning the manatee. The public can attend the meeting; however, space is limited. This meeting will be structured and facilitated. No public comments will be taken.

Questions about the meeting should be directed to: Ms. Carol Knox, Florida Fish and Wildlife Conservation Commission, Imperiled Species Management Section (6A), 620 South Meridian Street, Tallahassee, Florida 32399, (850)922-4330.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to attend this meeting is asked to advise the agency at least 48 hours before the meeting by contacting: ADA Coordinator, (850)488-6411. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD) or (850)488-9542, within the Tallahassee area.

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#### **DEPARTMENT OF FINANCIAL SERVICES**

The **Department of Financial Services, Division of State Fire Marshal** announces a public meeting to which all persons are invited.

DATE AND TIME: June 24, 2005, 9:00 a.m.

PLACE: Hillsborough Community College, Ybor City Campus, Public Service Technical Building, Room 325, 2112 N. 15th St., Tampa, FL 33605

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting of the Florida Fire Safety Board.

A copy of the agenda may be obtained by writing: Nancy Ray, Division of State Fire Marshal, Bureau of Fire Prevention, Regulatory Licensing Section, 200 East Gaines Street, Tallahassee, FL 32399-0342, (850)413-3622.

In accordance with the American Disabilities Act and Section 286.26, Florida Statutes, persons needing a special accommodation to participate in this meeting or workshop should contact the person listed above no later than 48 hours prior to the meeting or workshop.

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**VISIT FLORIDA**

The **VISIT FLORIDA**, Marketing Council announces a public meeting to which all persons are invited to participate.

MEETING: The Advertising and Internet Committee  
 DATE AND TIME: Friday, June 10, 2005, 10:00 a.m. – 11:00 a.m.

PLACE: VISIT FLORIDA, Corporate office, 661 E. Jefferson Street, Suite 300, Tallahassee, Florida 32301, (850)488-5607  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: 4th Quarter Advertising and Internet Committee 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).

**FLORIDA SELF-INSURERS GUARANTY ASSOCIATION**

The **Florida Self-Insurers Guaranty Association**, Inc. announces a meeting of its Board of Directors. All interested persons are invited to attend.

DATE AND TIME: Friday, June 10, 2005, 12:00 Noon  
 PLACE: Florida Hotel and Motel Association Building, 200 W. College Avenue, 2nd Floor Conference Room, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business. Information on the meeting may be obtained by contacting: Brian Gee, Florida Self-Insurers Guaranty Association, 200 W. College Avenue, Suite 115, Tallahassee, Florida 32301, (850)222-1882.

**FLORIDA TELECOMMUNICATIONS RELAY**

The **Florida Telecommunications Relay**, Inc. announces a regular meeting of the Board of Directors to which all interested persons are invited to participate.

DATE AND TIME: Friday, June 10, 2005, 1:00 p.m.  
 PLACE: 1820 E. Park Avenue, Suite 101, Tallahassee, Florida  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Board of Directors.

A copy of the agenda may be obtained by writing: Mr. James Forstall, Executive Director, 1820 E. Park Avenue, Suite 101, Tallahassee, Florida 32301.

The meeting is subject to cancellation for lack of a quorum or unavailability of an interpreter.

**FLORIDA LEAGUE OF CITIES**

The **Florida Municipal Loan Council** announces a public meeting to which all persons are invited:

DATE AND TIME: Tuesday, June 14, 2005, 11:00 a.m.  
 PLACE: Hialeah City Hall, 501 Palm Avenue, Hialeah, FL 33010, (305)883-5800

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.

**FLORIDA DEVELOPMENTAL DISABILITIES COUNCIL**

The **Florida Developmental Disabilities Council**, Inc. announces it's regularly scheduled business meeting.  
 Committee Meetings

DATE AND TIME: Thursday, June 16, 2005, 9:00 a.m. – 5:00 p.m.

Full Council Meeting  
 DATE AND TIME: Friday, June 17, 2005, 8:30 a.m. – 2:00 p.m.

PLACE: Hilton Tampa Airport Westshore, 2225 North Lois Avenue, Tampa, FL 33607

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 toll free 1(888)488-8633.

**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: Wednesday, July 27, 2005, 1:00 p.m.  
 PLACE: The Biltmore Hotel, 1200 Anastasia Avenue, Coral Gables, FL 33134

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.

## Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

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

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

### **DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, State of Florida, received a Petition for Declaratory Statement In Re: Petition for Declaratory Statement, Paul Block and Adam Underwood, Unit Owners, Brickell Townhouse Association, Inc., Docket Number 2005020057.

Whether the association violated Sections 718.113(5), 718.115(1)(e) and 718.114(2), Florida Statutes, which it required each unit owner to contract individually for hurricane shutters and when it contracted for shutters on behalf of any unit owners who did not do so and assessed those unit owners directly for the hurricane shutters.

A copy of the Petition for Declaratory Statement, Docket Number 2005020057, may be obtained by writing: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, State of Florida, received a Petition for Declaratory Statement In Re: Petition for Declaratory Statement, Rancy F. Snyder, Petitioner, Oriole Gardens Three Condominium Association, Inc.; Docket No. 2005026154.

Whether board members and an employed manager, all of whom are unit owners, have access to official records that are exempt from unit owner access under Section 718.111(12)(c), Florida Statutes, when acting in their official capacity.

A copy of the Petition for Declaratory Statement, Docket Number 2005026154, may be obtained by writing: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

### **DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

### **DEPARTMENT OF HEALTH**

The Board of Psychology hereby gives notice that it has issued an Order on the Petition for Declaratory Statement, that was filed on February 15, 2005 by David Horenstein, Ph.D. The Notice of Petition for Declaratory Statement was published in Vol. 31, No. 9, of the March 4, 2005, Florida Administrative Weekly. Petitioner sought the Board's interpretation of Section 490.012(1)(a), Florida Statutes, entitled "Psychological Services Violations; penalties; injunction," in connection with work he had been performing for the Social Security Administration (SSA) through the provision of psychological assessments and testimony as an expert at related hearings. The Board of Psychology considered the Petition at its meeting held on April 22, 2005, in Tampa, Florida. The Board's Order, filed on May 5, 2005, answered the Petition for Declaratory Statement, finding that the work that Petitioner had been performing for the SSA does constitute the practice of psychology under Chapter 490, Florida Statutes and Petitioner would need to be licensed in Florida if he were to continue this type of work from his Florida residence.

A copy of the Board's Order may be obtained by contacting: Kaye Howerton, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

**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 March 29, 2005, from Ben Buckner, Fire Code Official for the City of Newberry, Petitioner. The Petition is seeking the Department's interpretation of Section 633.025, Florida Statutes, and certain Subdivisions of NFPA 1. Specifically, Petitioner asks:

A. Due to the fact that a development is a residential development, is the developer required to comply with 16.4.3.1.3?

B. Are the access road width and height clearances, as stated in the NFPA 1, Chapter 18, Subdivision 18.2.2.5.2 (surface) and 18.2.3.1.1 (obstruction and control of fire department access road), required to be maintained at all times?

A copy of the Petition may be obtained by writing, calling or sending a fax to: 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.

NOTICE IS HEREBY GIVEN that the Department of Financial Services, Division of State Fire Marshal, has received a Petition for Declaratory Statement filed March 7, 2005, from Mr. Rocky Sneed, Petitioner. The Petition is seeking the Department's interpretation of the Florida Fire Prevention Code and NFPA 72 relating to fire alarm system strobe lights. Specifically, Petitioner asks:

- A. Which code takes precedence, the Florida Building Code, Chapter 11-4.28, requiring 75 minimum candela fire alarm system strobe lights, or the Florida Fire Prevention Code which follows NFPA 72 requirements and allows multi-candela ratings?
- B. Who is responsible for the plan review of these devices?
- C. Who is responsible for issuing the permits?
- D. Who is responsible for inspection and approval?
- E. Who is responsible for enforcing the conflicting code requirements?

A copy of the Petition may be obtained by writing, calling or sending a fax to: 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.

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**Section VIII**  
**Notices of Petitions and Dispositions**  
**Regarding the Validity of Rules**

**Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:**

**NONE**

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**Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:**

**NONE**

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**Section IX**  
**Notices of Petitions and Dispositions**  
**Regarding Non-rule Policy Challenges**

**NONE**

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**Section X**  
**Announcements and Objection Reports of**  
**the Joint Administrative Procedures**  
**Committee**

**NONE**

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## Section XI Notices Regarding Bids, Proposals and Purchasing

### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

#### INVITATION TO BID

As a Contractor, you are invited to submit a bid to the FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, DIVISION OF ANIMAL INDUSTRY, hereinafter referred to as Owner.

For the construction and installation of: One (1) modular laboratory building which shall include all labor, equipment, materials necessary to deliver, install and anchor of the modular laboratory building. The bidder must be able to provide proof of experience in the design, the manufacture, the delivery, the set up and the operational certification for a modular laboratory unit similar to the unit specified in the Invitation to Bid or suitable for use and certification as a BSL 2 or BSL 3 level environment in a significant research or diagnostic facility within the past two years.

**PROJECT NAME AND LOCATION:** Modular Laboratory Building located at the Animal Diagnostics Laboratory, 2700 N. John Young Parkway, Kissimmee, Florida 34741.

**SOLICITATION DOCUMENT:** The entire solicitation document, which includes specifications, may be viewed and downloaded from the Vendor Bid System at <http://myflorida.com>, click on Business, Doing Business with the State of Florida, Everything for Vendors and Customers, Vendor Bid System, Search Advertisements, Bid Number ITB/AI-04/05-111, or by calling the Purchasing Office, (850)487-3727.

**MANDATORY SITE VISIT:** Each bidder must, before submitting a bid, inspect the site where the project is to be completed to satisfy questions regarding all general and local conditions that may affect the preparation of their bid and cost of Contractors performance. Appointments for site inspection must be arranged with Mark Markley, Project Manager, Animal Diagnostics Laboratory, 2700 N. John Young Parkway, Kissimmee, Florida 34741, and Telephone (850)251-2519. Appointments will be scheduled between the hours of 8:30 a.m. to 4:00 p.m., Monday through Friday. It is the bidders' responsibility to consider any and all site conditions or requirements for the project.

**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, for Category Two for a period of 36 months from the date of being placed on the convicted vendor list.

**DISCRIMINATION; DENIAL OR REVOCATION FOR THE RIGHT TO TRANSACT BUSINESS WITH PUBLIC ENTITIES:** An entity or affiliate who had been placed on the discriminatory vendor list 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.

**PERFORMANCE BOND AND LABOR AND MATERIAL PAYMENT BOND:** If the construction contract award amount is \$100,000.00 or less, a Performance Bond and a Labor and Material Payment Bond are not required.

Sealed bids will be received, publicly opened and read aloud on:

**DATE AND TIME:** June 24, 2005, 3:00 p.m.

**PLACE:** Department of Agriculture and Consumer Services, 407 S. Calhoun Street, SB8 Mayo Building, Tallahassee, Florida 32399, (850)487-3727

**CONTRACT AWARD:** The official Notice of Award Recommendation will be by electronic posting at [http://fcn.state.fl.us/owa\\_vbs/owa/vbs\\_www.main\\_menu](http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu). Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. If no protest is filed the contract will be awarded to the qualified, responsive low bidder in accordance with Chapter 60D-5, F.A.C., by the Owner.

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### DEPARTMENT OF EDUCATION

#### NOTICE TO CONSTRUCTION MANAGERS

Florida Atlantic University, on behalf of its Board of Trustees, announces that CONSTRUCTION MANAGEMENT services will be required for minor projects.

**Project(s):** All Construction Minor Projects

**Project(s) Location:** All of Florida Atlantic University campuses.

The construction manager will be a single point of responsibility for performance of multiple construction contracts up to \$1,000,000 individually, functioning as an independent contractor, publicly bidding trade contracts. Three Construction Management contracts will be awarded, for an initial period of one year with an option to renew for one additional year.

Selection of finalists for interview will be made on the basis of Construction Manager qualifications including experience and ability; record keeping; project administration; scheduling; cost estimating; cost control; quality control; and qualifications of the firm's personnel. Finalists will be provided with a copy of a list of the final interview evaluation criteria, and a copy of the standard Florida Atlantic University construction manager agreement for minor projects. The final ranking for each category shall be determined based on the oral presentations and references.

The Selection Committee may reject all proposals and stop the selection process at any time.

Proximity of location will be a prime factor in the selection of the firm.

#### INSTRUCTIONS:

Firms desiring to provide Construction Management services for this project shall apply for consideration by submitting four (4) bound copies of a completed FAU "Construction Manager Qualifications Supplement" completed by the applicant. Applications on any other form will not be considered. Proposals must not exceed 40 pages, including the Construction Manager Qualification Supplement and letter of application. Pages should be numbered consecutively. Submittals which do not comply with these requirements or do not include the requested data will not be considered. Submittal materials will not be returned.

All applicants must be licensed to practice as General Contractor or Building Contractor in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application.

The FAU "Construction Manager Qualifications Supplement" forms, project fact sheet information, and selection criteria may be obtained by contacting: Keyla Thamsten, Facilities Planning Department, Florida Atlantic University, 777 Glades Road, COB 69, Room 107, Boca Raton, Florida 33431, (561)297-3039. FAU "Construction Manager Qualifications Supplement" forms are available on the Florida Atlantic University Division of the University Architect web pages at <http://uavp.fau.edu/fp>.

Submittals must be received in the Facilities Planning Department in attention to Keyla Thamsten, Florida Atlantic University, 777 Glades Road, COB 69, Room 107, Boca Raton, Florida 33431, by 5:00 p.m. local time, on July 8, 2005. Facsimile (FAX) submittals are NOT acceptable and will NOT be considered.

#### NOTICE TO STADIUM MANUFACTURERS AND ASSOCIATED CONSULTANTS

The UCF Athletics Association, Inc. announces that Professional Services in the disciplines of Stadium Manufacturing and Construction will be required for the project listed below:

Project No. AD-507

Project and Location: UCF Stadium, University of Central Florida, Orlando, Florida 32816-3555.

The project consists of the manufacturing and construction of a new stadium that will seat approximately 45,000 in Phase I and potentially an additional 20,000 seats in a future Phase II.

The project cost has yet to be determined and is dependent upon a master plan amendment, approval of funding and all required permitting for manufacturing and construction. There may be multiple contracts for this project to include the Stadium Manufacturer and the required consultants.

#### FORM OF PROPOSALS

It is the Association's intention to have professionals in the disciplines of stadium manufacturing, and the required consultants to submit proposals as a team. These teams should be exclusive.

The proposal must be divided into one Stadium Manufacturing section, and one section for the required consultants not to exceed a total of 40 pages including one letter of application and a qualification statement. Each proposal must include an explanation of the relationship of the team members in order to be considered. Pages must be numbered consecutively.

Blanket professional liability insurance will be required for this project in the amount of \$2,500,000 and will be provided as a part of Basic Services.

Five (5) bound copies of the required proposal data shall be submitted to: Mr. Steve Orsini, Executive Vice President, UCF Athletics Association, Inc., 4000 Central Florida Blvd., Wayne Densch Sports Complex Bldg. 38, Suite 130D, Post Office Box 163555, Orlando, FL 32816-3555. Submittals must be received by 5:00 p.m. local time on Wednesday, July 6, 2005. Facsimile (FAX) submittals are not acceptable and will not be considered. Late submissions will not be accepted.

#### INSTRUCTIONS

Teams desiring to apply for consideration must submit one letter of joint application. The letter of application should have attached:

1. A proposal describing the manufacturing and construction of the proposed stadium.
2. A copy of the team member's current Professional Registration Certificates from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Applications that do not comply with all instructions may be disqualified. Application materials will not be returned.

Selection of finalist teams for interviews will be made on the basis of qualifications of the stadium manufacturer and required consultants including experience and ability; past experience; bonding capacity; cost estimating; qualification of the firm’s personnel, staff and consultants; and ability to include minority business enterprise participation. The Selection Committee may reject all proposals and stop the selection process at any time.

The plans and specifications are subject to reuse by the Association. A consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of placement on the convicted vendor list.

Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, before commencing the work.

An information packet regarding the proposed stadium will be made available to view by contacting: Mr. Steve Orsini, Executive Vice President, UCF Athletics Association, Inc., (407)823-2261, Fax (407)823-5293, e-mail: sorsini@mail.ucf.edu.

**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**

**REQUEST FOR QUOTES**

The State Board of Administration (SBA) is soliciting competitive responses from firms or individuals offering exposure examination and consulting services to the Florida Hurricane Catastrophe Fund (FHCF) and consulting services to the Florida Commission on Hurricane Loss Projection Methodology. The request for quotes information will be available by May 30, 2005 on the FHCF website: [www.sbafla.com/fhcf](http://www.sbafla.com/fhcf) (under “What’s New”). The deadline for submitting a complete resume with compensation requirements is 3:00 p.m. EDT on June 14, 2005.

**WATER MANAGEMENT DISTRICTS**

To ensure a consistent level of quality in appraisal reports and reduce administrative costs, the Suwannee River Water Management District maintains a list of appraisers who are pre-qualified for District assignments.

After qualifications are received and reviewed by District staff, a list of appraisers will be submitted to the District’s Governing Board for approval. These approved appraisers will receive Requests for Bids for appraisal work to be done during the upcoming Fiscal Year 2005-2006. This list can be re-approved on a yearly basis for up to two additional years upon mutual agreement of District and Appraisers.

Appraisers interested in being considered for District appraisal work should complete an Appraiser Respondent Form and mail it to District headquarters prior to 4:00 p.m., June 21, 2005.

**SECTION 2 – Proposed Schedule**

May 20, 2005	Release of Request for Qualifications (RFQ).
June 21, 2005	Statement of Qualifications due prior to 4:00 p.m. at District Headquarters in Live Oak. Statement of Qualifications will be received and logged. *
July 6, 2005	Selection Committee meeting at 3:00 p.m. at District Headquarters
August 9, 2005	Governing Board Approval of Selected Appraisers at 9:00 a.m. at District Headquarters. *

\* Denotes a public meeting.

Additional information and request packages may be obtained by logging on to [www.mysuwanneeriver.com](http://www.mysuwanneeriver.com), or by contacting: Gwen Lord, Administrative Assistant, (386)362-1001 or 1(800)226-1066 (Florida only).

**EXPRESSWAY AUTHORITIES**

**NOTICE OF INVITATION TO BID**

**MDX PROCUREMENT NO.: ITB-05-01**

**MDX WORK PROGRAM NO.: 30013.060**

The Miami-Dade Expressway Authority (“MDX”) is seeking the services of a contractor pre-qualified by the Florida Department of Transportation in accordance with Rule Chapter 14-22, Florida Administrative Code, for Roadway Construction or specialty category of Painting, or certified with Miami-Dade County as a General Contractor or a General Engineering Contractor for MDX WP# 30013.060, Pressure Washing and Application of Class V Coating to Concrete Bridges Surfaces of bridges at various mile post locations within the MDX System. The MDX System is comprised of State Road (SR) 836, SR 874, SR 878, SR 112 and SR 924. The Work for the Project consists of, but is not limited to, providing all Labor, Maintenance of Traffic schemes, Materials, Equipment and incidentals necessary for the pressure washing and application of Class V coating to

concrete surfaces of bridges. MDX notifies all Bidders and individuals that it requires and encourages small, minority and women-owned businesses to have full opportunity to submit a response to any solicitation document issued by MDX. MDX requires satisfaction of a 15% small business participation goal in this project. Please refer to the Small Business Participation Policy (available on MDX's website). For complete information, on the scope of the project as well as submittal requirements, please log onto our site: [www.mdx-way.com](http://www.mdx-way.com) or call MDX, (305)637-3277. A MANDATORY Pre-Bid Conference for this project is scheduled for June 7, 2005, at 10:30 a.m. Deadline for submitting a sealed Bid is June 28, 2005 by 2:00 p.m., Eastern Time.

**DEPARTMENT OF ELDER AFFAIRS**

REQUEST FOR INFORMATION

ORANGE, OSCEOLA, SEMINOLE & BREVARD  
COUNTIES

The Area Agency on Aging of Central Florida, Inc. d/b/a Senior Resource Alliance, requests information from an organization who is interested in providing community outreach health promotion/disease prevention education services weekly, at senior sites in Orange, Osceola, Seminole and Brevard Counties to include, health screenings, nutrition, mental health issues, medication management, diabetes, cardiovascular disease, fall and injury prevention and other health related topics. Adequate General Liability Insurance and compliance with State laws governing Worker's Compensation is required. A minimum of 20 health promotion events per month are required. These services will also include dental exams in the communities. A Permit issued by the Florida State Board of Dentistry is required. A mobile medical clinic is required to provide dental exams, by a Florida Licensed dentist (with Malpractice Insurance), in the communities. In addition, required services will include arranging and providing for complete dental/denture treatment for low income elderly at designated dental offices. Also included in the services will be continuous Senior Exercise Programs conducted by Certified Instructors, once or twice weekly, at a minimum of 25 senior sites in the four county area. Funding available for the four-county area is \$82,598.00, which includes paying for dental and denture treatment for approximately 50 low-income elders. The contract period is for July 1, 2005-December 31, 2005. Parties interested in bidding must submit a letter of intent to bid no later than 3:00 p.m. EDT, June 7, 2005 and should be sent to the Senior Resource Alliance, 988 Woodcock Rd, Suite 200, Orlando, FL 32803.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**FLORIDA HOUSING FINANCE CORPORATION**

Request for Proposals 2005-02

For Auditing Services

The Florida Housing Finance Corporation invites all qualified and interested parties wishing to provide Auditing services to submit proposals for consideration. Written, sealed proposals shall be accepted until 2:00 p.m., Eastern Time, Friday, July 1, 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 website: <http://www.floridahousing.org/Home/BusinessLegal/CurrentSolicitations/RequestForProposals.htm>. Any modifications that occur to the Request for Proposals shall be posted at the web site and may result in an extension of the deadline.

Request for Proposals 2005-03

For Refinancing of Section 202 Program Housing

The Florida Housing Finance Corporation invites all owners of Section 202 Program Housing that wish to rehabilitate and improve these properties for the benefit of tenants and to make these properties more marketable to prospective tenants and comparable to other similar types of housing to submit proposals for consideration. Written, sealed proposals shall be accepted until 2:00 p.m., Eastern Time, Friday, June 24, 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 website: <http://www.floridahousing.org/Home/BusinessLegal/CurrentSolicitations/RequestForProposals.htm>. Any modifications that occur to the Request for Proposals shall be posted at the web site and may result in an extension of the deadline.

**SARASOTA MEMORIAL HOSPITAL**

ANNOUNCEMENT OF REQUEST  
FOR STATEMENTS of QUALIFICATIONS  
for  
Firms engaged in the development  
of  
Medical Office Buildings

The Sarasota County Public Hospital Board of Sarasota County, Florida is accepting statements of qualifications from firms engaged in the development of Medical Office Buildings. Services required may include site selection, architect selection, contractor selection, design development, planning and zoning review coordination, space planning, contracting for and oversight of construction, certificate of occupancy coordination, design and construction negotiation, master program budgeting, master program scheduling, equipment coordination, change order management, lease analysis, escalation reconciliation, and market assessments.

Firms qualified to submit include experienced commercial Medical Office Building development firms or an experienced association of firms under the direction of the developer. Firms interested in being considered as candidates are required to submit five bound submittals of qualifications that include at least the following data, to be organized in the following order:

1. A copy of Florida professional and corporate registration certificates.
2. Completed GSA Standard Forms 254 and 255.
3. Proof of General and Professional Liability insurance coverage.
4. A separate statement as to whether the firm is a certified Small and/or Minority Business Enterprise as defined by the Florida Small and Minority Business Assistance Act of 1985.
5. Examples of related projects in which the firm has been significantly involved.
6. Any additional information to be included at the discretion of the submitting firm.

Comments:

1. The Hospital reserves the right at any time, to reject any or all submittals, to request new submittals or to elect not to proceed with the projects. No fewer than three qualified firms will be short listed, after which the Hospital will

issue a statement of its general desires and competitive negotiations will be conducted pursuant to the provisions of Section 287.055, Florida Statutes.

2. Considerations in the selection of candidates include, but not limited to the firm's recent related design and construction experience, the firms physical location and ability to respond rapidly, and qualifications of personnel.
3. The final product of all design services shall include digital data in the form of compact disks AutoCad 2002 compatible, including plot set-up files. All other documents shall be standard Microsoft Windows Office compatible.
4. Questions regarding submissions shall be directed to Thomas Perigo, Construction Manager, (941)917-2048 or Bill Shevlin, Construction Manager, (941)917-1899.
5. Submissions shall be titled STATEMENTS of QUALIFICATIONS of firms engaged in the development of medical office buildings, and shall be submitted no later than 3:30 p.m., Friday, June 24, 2005 to:  
Sarasota Memorial Hospital  
1700 South Tamiami Trail  
Sarasota, FL 34239-3555  
Attn: Tom Perigo, Construction Manager, Construction Renovations Dept.  
And  
Bill Shevlin, Construction Manager

**Section XII  
Miscellaneous**

**DEPARTMENT OF COMMUNITY AFFAIRS**

DCA Final Order No.: DCA05-OR-086

STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

In re: LAND DEVELOPMENT REGULATIONS  
ADOPTED BY CITY OF KEY WEST  
ORDINANCE NO. 05-09

**FINAL ORDER**

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6) and (11), Fla. Stat., (2004), approving a land development regulation adopted by a local government within the City of Key West Area of Critical State Concern as set forth below.

**FINDINGS OF FACT**

1. The City of Key West is a designated area of critical state concern.
2. On April 20, 2005, the Department received for review City of Key West Ordinance No. 05-09, which was adopted by the City of Key West City Commission on April 20, 2005

(“Ord. 05-09”). Ord. 05-09 amends Chapter 122 of the Key West Code of Ordinances entitled “Zoning” by re-establishing Sections 122-1336 through 122-1345 in order to allow and regulate the transfer of transient units or licenses; adding Section 122-1346 to provide a sunset date; providing for severability; providing for repeal of inconsistent provisions; and providing for an effective date.

3. Ord. 05-09 is consistent with the City’s Comprehensive Plan.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern based upon consistency with the Principles for Guiding Development applicable to that area of critical state concern. §§ 380.05(6) and 380.05(11), Fla. Stat., (2004).

5. The City of Key West is an Area of Critical State Concern. § 380.05, Fla. Stat. (2004) and Rule 28-36.001, Fla. Admin. Code.

6. “Land development regulations” include local zoning, subdivision, building and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2004). The regulations adopted by Ord. 05-09 are land development regulations.

7. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the principles for guiding development for the particular area (the “Principles”). § 380.05(6), Fla. Stat.; see *Rathkamp v. Department of Community Affairs*, 21 F.A.L.R. 1902 (Dec. 4, 1998), *aff’d*, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles for the City of Key West Area of Critical State Concern are set forth in subsection 28-36.003(1), Fla. Admin. Code.

8. Ord. 05-09 promotes and furthers the following Principles in subsection 28-36.003(1), Fla. Admin. Code:

(a) To strengthen local government capabilities for managing land use and development.

(e) Protection of the historical heritage of Key West and the Key West Historical Preservation District.

(f) Protection of the value, efficiency, cost-effectiveness and amortized life of existing and proposed major public investments, including . . . (5) The maintenance and expansion of transportation facilities because the units to be transferred under this ordinance must have been counted as a unit for the purposes of calculating hurricane evacuation time under the hurricane evacuation model.

(h) Protection of the public health, safety, welfare and economy of the City of Key West, and the maintenance of Key West as a unique Florida resource.

9. Ord. 05-09 is not inconsistent with the remaining Principles. Ord. 05-09 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 05-09 is found to be consistent with the Principles for Guiding Development of the City of Key West Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

James L. Quinn, State Planning Administrator  
 Division of Community Planning  
 Department of Community Affairs  
 2555 Shumard Oak Boulevard  
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY’S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT’S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT’S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED

REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

**CERTIFICATE OF FILING AND SERVICE**

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 19th day of May, 2005.

\_\_\_\_\_  
Paula Ford, Agency Clerk

By U.S. Mail:

The Honorable Jimmy Weekley  
Mayor, City of Key West  
P. O. Box 1409  
Key West, Florida 33041

Cheryl Smith  
Clerk to the City Commission  
P. O. Box 1409  
Key West, Florida 33041

Robert Tischenkel  
City Attorney  
P. O. Box 1409  
Key West, FL 33041

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of Less  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Hyundai Motor America, intends to allow the establishment of DRJ Property Holdings, LLC, d/b/a Jenkins Hyundai of Leesburg, as a dealership for the sale of Hyundai vehicles at

PARCEL A:

Begin at a point the East Line of Lot 5, Block 52, according to the Plat of SILVER LAKE ESTATES, recorded in Plat Book 10, Page 66-69, Public Records of Lake County, Florida, that is 17 feet North of the South line of Section 15; Township 19 South, Range 25 East, run thence North 73°10'57" West 375.09 feet to the West boundary of said Lot 5, thence Southwesterly along the West line of said Lot to the Southwest corner of said Lot, thence Southeasterly along the Southerly line of said Lot to the Southeast corner thereof, thence North to the Point of Beginning; LESS right-of-way for State Road;

TOGETHER WITH:

PARCEL B:

Begin at a point 17 feet North of the Southeast corner of the Southwest 1/4 of the Southwest 1/4 of Section 15, Township 19 South, Range 25 East, Lake County, Florida, said point being on the East line of Lot 5 in Block 52 of Revised and Corrected Plat of Re-Subdivision of SILVER LAKE ESTATES, according to the plat thereof as recorded in Plat Book 10, Pages 66 to 69 inclusive, Public Records of Lake County, Florida, run North 73°10'57" West 375.09 feet, more or less, to the West line of said Lot 5, thence North 25°05'30" East along said West line 5 feet, thence South 74°42'50" East 352.16 Feet, more or less, to a point on the East line of said Lot 5, thence South along said East line 15 feet to the Point of Beginning.

Leesburg, (Lake County), Florida, on or after February 1, 2005.

The name and address of the dealer operator(s) and principal investor(s) of DRJ Property Holdings, LLC, d/b/a Jenkins Hyundai of Leesburg, are dealer operator: Donald R. Jenkins, 9145 US Highway 441, Leesburg, Florida 34788; principal investor(s): Donald R. Jenkins, 2025 Southwest College Road, Ocala, Florida 34474.

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: Tim Wallwork, Market Representation Manager, Hyundai Motor America, 270 Riverside Parkway, Suite A, Austell, Georgia 30168.

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 Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Kawasaki Motors Corp., U.S.A., intends to allow the establishment of Clermont Cycle Center, Inc., as a dealership for the sale of Kawasaki motorcycles, at a new facility to be built in Clermont, Florida on the property located 4.1 miles North of the intersection of Highway 50 and Highway 27 directly across the highway from 17736 US Highway 27 North, Clermont, Florida 34711. The legal description is The North 165 feet of the South 990 feet of Government Lot 1, lying Westerly of U.S. Highway No. 27, In Section 1, Township 22 South, Range 25 East, Lake County, Florida, on or after July 31, 2005.

The name and address of the dealer operator(s) and principal investor(s) of Clermont Cycle Center, Inc., are dealer operator: Robert McClelland, 2625 North Narcoossee Road, St. Cloud, Florida 34771; principal investor(s): Robert McClelland, 2625 North Narcoossee Road, St. Cloud, Florida 34771.

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: Jim Capps, Regional Sales Manager, Kawasaki Motors Corp., U.S.A., 6110 Boat Rock Boulevard, Southwest, Atlanta, Georgia 30378.

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."

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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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**DEPARTMENT OF JUVENILE JUSTICE**

The Florida Department of Juvenile Justice has posted draft revisions to two (2) existing policies for review and comment on MyFlorida.com at:

[http://www.djj.state.fl.us/djj/djjservices/administration/policies\\_procedures/policyreview.shtml](http://www.djj.state.fl.us/djj/djjservices/administration/policies_procedures/policyreview.shtml).

Department Uniforms and Appearance Policy (FDJJ – 5900, department-wide policy type A) – establishes policy and guidelines for uniformed personnel for the Department of Juvenile Justice in state operated Detention facilities. It is the policy of the Department of Juvenile Justice to establish standards for Department uniforms that are to be worn by Department personnel to enhance public recognition, maintain safety, and to foster professionalism through uniformity in dress and appearance. The uniform will clearly identify to the public the presence of a Department of Juvenile Justice employee.

Juvenile Criminal Street Gangs (FDJJ – 6108.09, replaces FDJJ 8.09, department-wide policy type B) – recognizing the negative influence of juvenile criminal street gangs on Florida's youth, and the resulting threat to public safety, and in compliance with Florida Statutes, the Department of Juvenile Justice will make the identification and suppression of juvenile criminal street gangs and criminal street gang activity a priority within the juvenile justice continuum.

These policies are posted for a single 20 working day review and comment period, with the closure date for submission of comments on this policy of June 30, 2005. Responses to comments received will be posted during the review period to the extent possible, but no later than 10 working days after the end of the review period on the above Website.

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**DEPARTMENT OF HEALTH**

On May 20, 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 Michael Robert Hochberg, D.C. license number CH 4756. 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 May 18, 2005, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Restriction with regard to the license of Bruce E. Platzek number ME 30383. This Emergency Restriction Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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**NOTICE OF THE POSTING OF INTENDED AWARDS  
FOR EMERGENCY MEDICAL SERVICES GENERAL  
MATCHING GRANTS (75% GRANTS)**

AGENCY: Florida Department of Health, Bureau of Emergency Medical Services

GRANT TITLE: Florida Emergency Medical Services Matching Grant Program

The list of intended grant recipients and those not intended for awards is posted outside of Conference Room 335N, third floor of the state office building at 4025 Esplanade Way, Tallahassee, Florida 32311-7829 and will be posted on the Internet at <http://www.doh.state.fl.us/demoEMS/Grants/Grants.html> and in the EMS newsletter at <http://www.doh.state.fl.us/demo/EMS/Newsletter/newsletter.html>.

The list also will be provided by mail, e-mail, or facsimile (fax) by making a request directed to: State EMS Matching Grant Administrator, Bureau of Emergency Medical Services, Department of Health, 4052 Bald Cypress Way, Bin #C18, Tallahassee, Florida 32399-1738, (850)245-4440, Extension 2737, Fax (850)245-4385, e-mail: [Ed\\_Wilson@doh.state.fl.us](mailto:Ed_Wilson@doh.state.fl.us).

Any entity whose substantial interests have been affected by this decision may file a petition for an administrative hearing as provided in Sections 120.569 and 120.57, F.S.

The petition must be in writing and conform to the requirements of Rule 28-106.201 or 28-106.301, F.A.C., as applicable.

Mediation pursuant to Section 120.573, F.S., is not available for this action. A written petition must be filed within twenty-one (21) days of the date of award posting. The term "filed" means received by the Agency Clerk, Department of Health, 4052 Bald Cypress Way, Bin #A02, Tallahassee, FL 32399-1703. Written petitions may be hand-delivered to the Agency Clerk, 2585 Merchants Row Blvd., Prather Building, Suite 110, Tallahassee, FL. Failure to file a written petition within 21 days of posting constitutes a waiver of hearing rights. If you have any questions regarding the procedure, contact an attorney.

P.O. #DO36378

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NOTICE OF THE POSTING OF INTENDED AWARDS  
FOR RURAL EMERGENCY MEDICAL  
SERVICES MATCHING GRANTS (90% GRANTS)

AGENCY: Florida Department of Health, Bureau of  
Emergency Medical Services

GRANT TITLE: Florida Emergency Medical Services  
Matching Grant Program

The list of intended grant recipients and those not intended for  
awards is posted outside of Conference Room 335N, third  
floor of the state office building at 4025 Esplanade Way,  
Tallahassee, Florida 32311-7829 and will be posted on the  
Internet: <http://www.doh.state.fl.us/demo/EMS/Grants/Grants.html>, and in the state EMS newsletter at <http://www.doh.state.fl.us/demo/EMS/Newsletter/newsletter.html>.

The list also will be provided by mail, e-mail, or facsimile by  
making a request directed to: State EMS Matching Grant  
Administrator, Bureau of Emergency Medical Services,  
Department of Health, 4052 Bald Cypress Way, Bin #C18,  
Tallahassee, Florida 32399-1738, (850)245-4440, Extension  
2737, Fax (850)245-4385, e-mail: [Ed\\_Wilson@doh.state.fl.us](mailto:Ed_Wilson@doh.state.fl.us).

Any entity whose substantial interests have been affected by  
this decision may file a petition for an administrative hearing  
as provided in Sections 120.569 and 120.57, F.S. The petition  
must be in writing and conform to the requirements of Rule  
28-106.201 or 28-106.301, F.A.C., as applicable. Mediation  
pursuant to Section 120.573, F.S., is not available for this  
action. A written petition must be filed within twenty-one (21)  
days of the date of award posting. The term "filed" means  
received by the Agency Clerk, Department of Health, 4052  
Bald Cypress Way, Bin #A02, Tallahassee, FL 32399-1703.

Written petitions may be hand-delivered to the Agency Clerk,  
2585 Merchants Row Blvd., Prather Building, Suite 110,  
Tallahassee, FL. Failure to file a written petition within 21 days  
of posting constitutes a waiver of hearing rights. If you have  
any questions regarding the procedure, contact an attorney.

P. O. #DO36378

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**DEPARTMENT OF FINANCIAL SERVICES**

**NOTICE OF FILINGS**

Notice is hereby given that the Office of Financial Regulation  
has received the following application.

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., June 24, 2005):

**APPLICATION WITHDRAWN**

Application for a New Financial Institution

Applicant: County Community Bank of South Florida, North  
Miami Beach, Miami-Dade County, Florida

Withdrawn: May 18, 2005

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**Section XIII**  
**Index to Rules Filed During Preceding Week**

RULES FILED BETWEEN May 16, 2005  
 and May 20, 2005

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF COMMUNITY AFFAIRS**  
**Division of Housing and Community Development**

9B-3.048	5/19/05	6/8/05	31/7	
9B-3.049	5/19/05	6/8/05	31/7	
9B-3.050	5/19/05	6/8/05	31/7	
9B-70.001	5/19/05	6/8/05	31/7	
9B-70.002	5/19/05	6/8/05	31/7	

**DEPARTMENT OF CORRECTIONS**

33-601.314	5/16/05	6/5/05	31/15	
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**WATER MANAGEMENT DISTRICTS**  
**Southwest Florida Water Management District**

40D-1.1023	5/16/05	6/5/05	31/14	
40D-1.602	5/16/05	6/5/05	31/14	
40D-1.604	5/16/05	6/5/05	31/14	
40D-1.607	5/16/05	6/5/05	31/14	
40D-1.608	5/16/05	6/5/05	31/14	
40D-1.659	5/16/05	6/5/05	31/14	
40D-8.624	5/16/05	6/5/05	31/13	

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineers**

61G15-24.001	5/16/05	6/5/05	30/50	
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**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

62-710.201	5/20/05	6/9/05	31/9	
62-710.210	5/20/05	6/9/05	31/9	
62-710.300	5/20/05	6/9/05	31/9	
62-710.401	5/20/05	6/9/05	31/9	
62-710.500	5/20/05	6/9/05	31/9	
62-710.510	5/20/05	6/9/05	31/9	
62-710.600	5/20/05	6/9/05	31/9	
62-710.800	5/20/05	6/9/05	31/9	
62-710.850	5/20/05	6/9/05	31/9	
62-710.901	5/20/05	6/9/05	31/9	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF HEALTH**  
**Division of Medical Quality Assurance Boards**

64B-4.002	5/17/05	6/6/05	31/8	31/16
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**Board of Dentistry**

64B5-2.0146	5/18/05	6/7/05	31/7	
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**Board of Medicine**

64B8-5.001	5/20/05	6/9/05	31/15	
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**Board of Optometry**

64B13-18.002	5/18/05	6/7/05	30/21	30/29
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**Division of Environmental Health and Statewide Programs**

64E-2.001	5/20/05	6/9/05	31/3	31/15
64E-2.015	5/20/05	6/9/05	31/3	
64E-2.016	5/20/05	6/9/05	31/3	
64E-2.018	5/20/05	6/9/05	31/3	
64E-2.019	5/20/05	6/9/05	31/3	
64E-2.021	5/20/05	6/9/05	31/3	
64E-2.022	5/20/05	6/9/05	31/3	
64E-2.023	5/20/05	6/9/05	31/3	
64E-2.024	5/20/05	6/9/05	31/3	31/15
64E-2.025	5/20/05	6/9/05	31/3	
64E-2.026	5/20/05	6/9/05	31/3	
64E-2.027	5/20/05	6/9/05	31/3	
64E-2.028	5/20/05	6/9/05	31/3	
64E-2.029	5/20/05	6/9/05	31/3	
64E-2.031	5/20/05	6/9/05	31/3	

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

68B-14.0045	5/20/05	5/20/05	31/17	
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**Vessel Registration and Boating Safety**

68D-36.004	5/20/05	6/9/05	31/10	
68D-36.008	5/20/05	6/9/05	31/10	
68D-36.009	5/20/05	6/9/05	31/10	
68D-36.101	5/20/05	6/9/05	31/10	
68D-36.102	5/20/05	6/9/05	31/10	
68D-36.103	5/20/05	6/9/05	31/10	
68D-36.104	5/20/05	6/9/05	31/10	
68D-36.105	5/20/05	6/9/05	31/10	
68D-36.106	5/20/05	6/9/05	31/10	
68D-36.107	5/20/05	6/9/05	31/10	
68D-36.108	5/20/05	6/9/05	31/10	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Insurance Fraud**

69D-1.001	5/17/05	6/6/05	30/43	
69D-1.002	5/17/05	6/6/05	30/43	
69D-1.003	5/17/05	6/6/05	30/43	31/16
69D-1.004	5/17/05	6/6/05	30/43	

**OIR Insurance Regulation**

69O-162.201	5/19/05	6/8/05	31/10	
69O-162.202	5/19/05	6/8/05	31/10	
69O-164.020	5/19/05	6/8/05	31/10	
69O-196.010	5/19/05	6/8/05	31/2	