

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF STATE

Division of Elections

RULE TITLE: Voter Fraud Complaints
 RULE NO.: 1S-2.025

PURPOSE AND EFFECT: The purpose of this rule amendment is update the rule to reflect changes in the scope of the Division of Elections' expanded authority to conduct preliminary investigations into allegations of irregularities and fraud involving registration, voting, and candidate or issue petition activities.

SUBJECT AREA TO BE ADDRESSED: Elections Fraud Complaint Process and Form.

SPECIFIC AUTHORITY: 106.22(9) FS.

LAW IMPLEMENTED: 97.012(12), 106.22(11) FS.

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

TIME AND DATE: 10:30 a.m., Monday, September 19, 2005

PLACE: Rm 307, R. A. Gray Building, Tallahassee, Florida

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person needing special accommodations to participate in this proposed rule development workshop should contact the Department of State at 1(850)245-6536 no later than September 14, 2005. Any person who is hearing or speech impaired may contact the Department by using the Florida Relay Service with the following toll free numbers: 1(800)955-8770 (voice) or 1(800)955-8771.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Maria I. Matthews, Assistant General Counsel, Office of the General Counsel, Division of Elections, Department of State, 500 S. Bronough Street, Tallahassee, Florida 32399-0250

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

DEPARTMENT OF STATE

Division of Elections

RULE TITLE: Violations of the National Voter Registration Act of 1993 and the Florida Election Code
 RULE NO.: 1S-2.036

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to provide a uniform complaint form that aggrieved persons must use to submit allegations of violations of the National Voter Registration Act (NVRA) or voter registration or removal procedures under the Florida Election Code.

SUBJECT AREA TO BE ADDRESSED: This rule provides a uniform complaint form for alleged violations of the NVRA or the Florida Election Code.

SPECIFIC AUTHORITY: 97.023, 97.026 FS.

LAW IMPLEMENTED: 97.012(2),(7),(9), 97.023 FS.

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

TIME AND DATE: 10:30 a.m., Monday, September 19, 2005

PLACE: Room 307, R. A. Gray Building, Tallahassee, Florida

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person needing special accommodations to participate in this proposed rule development workshop should contact the Department of State at 1(850)245-6536 no later than September 14, 2005. Any person who is hearing or speech impaired may contact the Department by using the Florida Relay Service with the following toll free numbers: 1(800)955-8770 (voice) or 1(800)955-8771.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Maria I. Matthews, Assistant General Counsel, Office of the General Counsel, Division of Elections, Department of State, 500 S. Bronough Street, Tallahassee, Florida 32399-0250

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

DEPARTMENT OF STATE

Division of Elections

RULE TITLE: Reporting Format Requirements
 RULE NO.: 1S-2.043

PURPOSE AND EFFECT: The primary purpose of the proposed new rule is to prescribe paper and/or electronic format in which to submit certain reports on such matters as precinct boundaries, precinct election results, absentee ballot request information, early voting statistics an unofficial elections required to be submitted to the Division of Elections as set forth in Chapters 2005-277 and 2005-278, Laws of Florida.

SUBJECT AREA TO BE ADDRESSED: Paper Forms and/or Electronic Formats to Satisfy Reporting Requirements by Supervisors of Elections and Canvassing Boards.

SPECIFIC AUTHORITY: 101.001(3), 101.573(2), 101.62(3), 101.657(2), 102.141(9) FS.

LAW IMPLEMENTED: 101.001, 101.573, 101.62, 101.657, 102.141(9) FS.

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

TIME AND DATE: 10:30 a.m., Monday, September 19, 2005

PLACE: Rm 307, R. A. Gray Building, Florida Department of State, Tallahassee, Florida

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person needing special accommodations to participate in this proposed rule development workshop should contact the Department of State at 1(850)245-6536 no later than September 14, 2005. Any person who is hearing or speech impaired may contact the Department by using the Florida Relay Service with the following toll free numbers: 1(800)955-8770 (Voice) or 1(800)955-8771.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Maria Matthews, Division of Elections/Office of General Counsel, R. A. Gray Building, 500 S. Bronough Street, Tallahassee, Florida 32399, (850)245-6536; e-mail: mimatthews@dos.state.fl.us

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

DEPARTMENT OF LEGAL AFFAIRS

RULE TITLE: Written Statement Explaining Consumer Rights Under Chapter 681, Florida Statutes;
RULE NO.: 2-30.001

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to provide additional definitions of terms located in Chapter 681, F.S., and to update the forms incorporated by reference in Rule 2-30.001, F.A.C.

SUBJECT AREA TO BE ADDRESSED: Various terms located in Chapter 681, Florida Statutes, and the forms that are incorporated by reference in Rule 2-30.001, F.A.C.

SPECIFIC AUTHORITY: 681.103(3), 681.109(5), 681.1095, 681.118 FS.

LAW IMPLEMENTED: 681.102, 681.103, 681.104, 681.109, 681.1095 FS.

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

TIME AND DATE: 1:00 p.m. – 3:00 p.m., September 21, 2005

PLACE: Office of the Attorney General, The Leroy Collins Building, Room G19, 107 West Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Janet L. Smith, Office of the Attorney General, The Capitol, PL-01, Tallahassee, Florida 32399-1050, (850)414-3300, e-mail: jan_smith@oag.state.fl.us

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

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

STATE BOARD OF ADMINISTRATION

RULE TITLES:	RULE NOS.:
Procedures regarding Employer Contributions Beneficiary Designation for FRS Investment Plan	19-11.001
Excessive Trading in the FRS Investment Plan	19-11.002
FRS Investment Plan Complaint Procedures	19-11.004
Enrollment Procedures for New Hires	19-11.005
Second Election Enrollment Procedures for the FRS Retirement Programs	19-11.006
	19-11.007

PURPOSE AND EFFECT: To discuss a proposed revisions to conform the above-described rules to legislation enacted during the 2004 legislative session.

SUBJECT AREA TO BE ADDRESSED: Employer contributions; beneficiary designations; excessive trading; complaint procedures; enrollment procedures; second election procedures.

SPECIFIC AUTHORITY: 121.4501(8)(a) FS.

LAW IMPLEMENTED: 120.569, 120.57, 120.573, 121.091(8), 121.051, 121.055, 121.35, 121.4501(2),(3),(4),(5), (6),(8)(a),(9),(13),(14),(15), 121.591(3), 121.73, 121.74, 121.78(3)(b), 215.44(8)(b), 1012.875(3) FS.

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

TIME AND DATE: 2:00 p.m. – 4:00 p.m., Tuesday, September 20, 2005

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop is requested to contact Ms. Morea at least 5 calendar days before the workshop.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Cindy Gokel, Assistant General Counsel, Office of the General Counsel, State Board of Administration, 1801 Hermitage Blvd., Tallahassee, FL 32308, (850)413-1199

Copies of the preliminary text of the proposed rule development may be obtained from: Cindy Morea, State Board of Administration, P. O. Box 13300, Tallahassee, FL 32317-3300, (850)413-1491, e-mail: morea_cindy@fsba.state.fl.us.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE FOR DISTRIBUTION ON SEPTEMBER 9, 2005.

STATE BOARD OF ADMINISTRATION

RULE TITLE: Acceptance of Rollovers
 RULE NO.: 19-12.007

PURPOSE AND EFFECT: To discuss proposed revisions to conform the above-described rule to legislation enacted during the 2004 legislative session.

SUBJECT AREA TO BE ADDRESSED: IRS and Florida statutory provisions relating to rollovers.

SPECIFIC AUTHORITY: 121.4501(5)(c) FS.

LAW IMPLEMENTED: 121.4501(5)(c) FS.

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

TIME AND DATE: 2:00 p.m. – 4:00 p.m., Tuesday, September 20, 2005

PLACE: Room 116 (Hermitage Conference Room), 1801 Hermitage Blvd., Tallahassee, Florida

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Cindy Gokel, Assistant General Counsel, Office of the General Counsel, State Board of Administration, 1801 Hermitage Blvd., Tallahassee, FL 32308, (850)413-1199

Copies of the preliminary text of the proposed rule development may be obtained from: Cindy Morea, State Board of Administration, P. O. Box 13300, Tallahassee, FL 32317-3300, (850)413-1491, e-mail: morea_cindy@fsba.state.fl.us.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE FOR DISTRIBUTION ON SEPTEMBER 9, 2005.

PUBLIC SERVICE COMMISSION

UNDOCKETED

RULE TITLE: Firm Capacity and Energy Contracts
 RULE NO.: 25-17.0832

PURPOSE AND EFFECT: To ensure that the rule comports with the 2005 legislative amendments to Chapter 366, F.S.

SUBJECT AREA TO BE ADDRESSED: Use of renewable resources as a source of fuel.

SPECIFIC AUTHORITY: 350.127, 366.05(1) FS.

LAW IMPLEMENTED: 366.051, 366.81, 366.91 FS.

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

TIME AND DATE: 9:30 a.m., September 12, 2005

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Tom Ballinger, Division of Economic Regulation, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862, (850)413-6680

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

RULE CHAPTER TITLE: Cigarette Tax Division Rule
 RULE CHAPTER NO.: 61A-10

RULE TITLES: Definition, Cigarette
 RULE NOS.: 61A-10.001

Excise Tax Stamps, Definition and Sale of
 61A-10.002

Excise Tax, Imposition and Exemption
 61A-10.005

Excise Tax Stamps and Meter Imprints,
 Method of Affixing
 61A-10.006

Excise Tax Stamps and Meter Imprints,
 Limitation of Use
 61A-10.007

Refunds
 61A-10.008

Sample Packages of Cigarettes
 61A-10.009

Sales, Railroads and Other Carriers
 61A-10.010

Wholesale Dealers, Monthly Reports
 61A-10.011

Manufacturers' Representatives,
 Reports and Responsibilities
 61A-10.012

Transactions, Wholesalers and
 Manufacturers' Representatives
 61A-10.013

Wholesalers, Purchase for
 Resale Prohibited
 61A-10.014

Transfer, Unstamped Cigarettes
 61A-10.015

Wholesaler, Distributing Agent or
 Exporter, Permit Changes
 61A-10.016

Drop Shipments, Prohibition
 61A-10.017

Invoices Cigarette Sales to Retail Dealers
 61A-10.018

Invoices, Other Tobacco Products
 Sales to Retail Dealers
 61A-10.0181

Vending Machines, Restrictions 61A-10.020
 Vending Machines Sales and Returns 61A-10.021
 Sale of Stamped, Untaxed Cigarettes by
 Stamping Agents or Wholesale Dealers
 to Indians for Retail Sale, Reporting 61A-10.026
 Interest on Excise Tax; Due Dates 61A-10.027
 New Off Premise Storage of
 Unstamped Cigarettes 61A-10.031

PURPOSE AND EFFECT: The purpose and effect of the proposed rules are to implement statutory provisions and define terms relating to the regulation of cigarette licensing based on Chapter 2005-228, Laws of Florida.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is the implementation of statutory provisions and terms defining the regulation of cigarette licensing.

SPECIFIC AUTHORITY: 210.09, 210.10, 210.11, 210.75, 561.11 FS.

LAW IMPLEMENTED: 210.01, 210.02, 210.03, 210.04, 210.05, 210.06, 210.07, 210.09, 210.11, 210.15, 210.185, 210.25, 210.30, 210.55, 210.60, 210.75, 218.215, 218.23, 218.245, 218.25, 218.26, 569.007 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: Angela Desmond, Assistant Attorney, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, Office of the General Counsel, 1940 North Monroe Street, Suite 42, Tallahassee, Florida 32399, (850)487-2563

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 Medicine

RULE TITLE: Inactive and Retired Licensure Status; Reactivating of Licensure, Delinquent Renewal
 RULE NO.: 64B8-54.002

PURPOSE AND EFFECT: This amendment is necessary to set forth the requirements for returning a retired license to active status and changing status from active to retired status.

SUBJECT AREA TO BE ADDRESSED: Inactive and Retired Licensure Status; Reactivating Licensure Delinquent Renewal.
 SPECIFIC AUTHORITY: 456.036(15), 478.43(1),(4), 478.50 FS.

LAW IMPLEMENTED: 456.036(2),(4)(b),(12), 478.50 FS.

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

TIME AND DATE: 9:00 a.m., September 12, 2005

PLACE: via Telephone Conference, (850)922-2903

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Kaye Howerton, Executive Director, Electrolysis Council, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B8-54.002 Inactive and Retired Licensure Status; Reactivating of Licensure, Delinquent Renewal.

(1) Ninety (90) days prior to the end of the biennium, the Department shall mail a notice of renewal to the last known address of the inactive or delinquent license holder contained in the official records of the Department.

(2) Any person holding an inactive license eligible for reactivation may return his license to active status upon submission of a complete application as set out below, ~~in subsection (3)~~ to the Department, payment of the fees indicated in Section 456.036, Florida Statutes, in the amounts indicated in Rule 64B8-54.004, F.A.C., and compliance with subsection (a) and (b), below the following:

(a) through (b) No change.

(3) If the person holds a Florida retired license eligible for reactivation, he or she may return that license to active status upon submission of a complete application to the Department, payment of the appropriate fees and compliance with the provisions of subsection 456.036(12), F.S.

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

(5) A licensee wishing to change to retired licensure status during the renewal period must pay the retired license fee. If changing to retired licensure status outside the renewal period, the change of status fee shall also be paid.

~~(6)(4)~~ Failure to renew ~~a the~~ delinquent license to either active, ~~or~~ inactive, or retired status by the expiration date of the current renewal period shall render the license null and void without further action of the Council or Department.

Specific Authority ~~456.036(15), 478.43(1),(4), 478.50 FS.~~ Law Implemented 456.036(2),(4)(b),(12), 478.50 FS. History—New 9-29-93, Formerly 61F6-79.002, 59R-54.002, Amended 4-2-98, 9-26-01, _____.

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: RULE NO.:

Applying for an Active License after 64B8-54.0022
 Period of Inactivity

PURPOSE AND EFFECT: Pursuant to statute, this rule is promulgated to set forth the requirements for applying for an active license when your license has been inactive for a period of time.

SUBJECT AREA TO BE ADDRESSED: Applying for an Active License after Period of Inactivity.

SPECIFIC AUTHORITY: 456.036(1),(15), 478.43(1),(4), 478.45(1)(e) FS.

LAW IMPLEMENTED: 456.036(10), 478.45(1)(e), 478.47 FS.

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

TIME AND DATE: 9:00 a.m., September 12, 2005

PLACE: via Telephone Conference, (850)922-2903

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Kaye Howerton, Executive Director, Electrolysis Council, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B8-54.0022 Applying for an Active License after Period of Inactivity.

(1) Any person applying for an active status license who has been on retired status for 5 years or more, or, if licensed elsewhere, has not been active during the past 5 years shall, as a condition of licensure, demonstrate that he or she is able to practice with the care and skill sufficient to protect the health, safety and welfare of the public by:

(a) If inactive for 7-9 years, retake examination.

(b) If inactive 9 or more years, in addition to paragraph (1)(a), take _____ hours of training in _____:

(2) Any person applying for an active status license by endorsement who has not been active during the past 5 years, shall, as a condition of licensure, demonstrate that he or she is able to practice with the care and skill sufficient to protect the health, safety and welfare of the public by:

(a) If inactive for 7-9 years, retake examination.

(b) If inactive 9 or more years, in addition to paragraph (2)(b), take _____ hours of training in _____.

Specific Authority 456.036(1),(10),(15) FS. Law Implemented 456.036(10) FS. History–New _____.

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: RULE NO.:

Fees 64B8-54.004

PURPOSE AND EFFECT: This amendment is necessary to set forth the fees for the initial retired license and the renewal of a retired license and to remove the requirement for a wall certificate license.

SUBJECT AREA TO BE ADDRESSED: Fees.

SPECIFIC AUTHORITY: 456.013(32), 456.036(15), 478.43(1),(4), 478.50, 478.55 FS.

LAW IMPLEMENTED: 456.013, 456.025(2), 456.036(4)(b), 478.50, 578.55 FS.

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

TIME AND DATE: 9:00 a.m., September 12, 2005

PLACE: via Telephone Conference, (850)922-2903

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Kaye Howerton, Executive Director, Electrolysis Council, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B8-54.004 Fees.

(1) through (4) No change.

(5) The initial retired license fee shall be \$50.00.

(6) The renewal of a retired license fee shall be \$50.00.

(5) through (7) renumbered (7) through (9) No change.

(8) The fee for a wall certificate of licensure shall be \$25.

Specific Authority 456.013(2), 456.036(15), 478.43(1),(4), 478.50, 478.55 FS. Law Implemented 456.013, 456.025(2), 455.036(4)(b), 478.50, 478.55 FS. History–New 9-29-93, Formerly 61F6-79.004, Amended 6-29-95, Formerly 59R-54.004, Amended 2-17-00, _____.

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: RULE NO.:

Disciplinary Guidelines 64B8-55.001

PURPOSE AND EFFECT: The proposed to amend this rule to set forth violations and penalties for being terminated from or failing to successfully complete a impaired practitioners treatment program.

SUBJECT AREA TO BE ADDRESSED: Disciplinary Guidelines.

SPECIFIC AUTHORITY: 456.072, 456.079, 478.52(4) FS.

LAW IMPLEMENTED: 456.072, 456.073, 478.52(4) FS.

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

TIME AND DATE: 9:00 a.m., September 12, 2005

PLACE: Telephone Conference, (850)922-2903

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Kaye Howerton, Executive Director, Electrolysis Council, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B8-55.001 Disciplinary Guidelines.

(1) through (3) No change.

VIOLATION

RECOMMENDED RANGE OF PENALTY

(a) through (r) No change.

(s) Being terminated from or failing to successfully complete an impaired practitioners treatment program (456.072(1)(gg))

(s) Suspension until successful completion or receipt of written confirmation from program that further treatment is neither required nor indicated or denial of licensure.

(s) through (nn) renumbered (t) through (oo) No change.

Specific Authority 456.072, 456.079, 478.52(4) FS. Law Implemented 456.072, 456.073, 456.079, 478.52(4) FS. History--New 11-16-93, Formerly 61F6-80.001, Amended 1-2-95, Formerly 59R-55.001, Amended 2-9-98, 10-12-98, 3-1-00, 9-28-00, 5-30-01, 8-8-01, 10-8-02, 7-8-03, _____.

DEPARTMENT OF HEALTH

Board of Psychology

RULE TITLE: Fee for Retired Status

RULE NO.: 64B19-12.013

PURPOSE AND EFFECT: The Board proposes to create this rule in order to implement Section 456.036, F.S., 2005.

SUBJECT AREA TO BE ADDRESSED: Fee for Retired Status.

SPECIFIC AUTHORITY: 456.036 FS.

LAW IMPLEMENTED: 456.036 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN 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: Kaye Howerton, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Psychology

RULE CHAPTER TITLE: Retired Status Licenses

RULE CHAPTER NO.: 64B19-14

PURPOSE AND EFFECT: The Board proposes to create Chapter 64B19-14, F.A.C., entitled Retired Status Licenses in order to implement Section 456.036, F.S., 2005.

SUBJECT AREA TO BE ADDRESSED: Retired Status Licenses.

SPECIFIC AUTHORITY: 456.036 FS.

LAW IMPLEMENTED: 456.036 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN 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: Kaye Howerton, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Psychology

RULE TITLE: Request for Retired Status

RULE NO.: 64B19-14.001

PURPOSE AND EFFECT: The Board proposes to create Chapter 64B19-14, F.A.C., entitled Retired Status Licenses in order to implement Section 456.036, F.S., 2005.

SUBJECT AREA TO BE ADDRESSED: Request for Retired Status.

SPECIFIC AUTHORITY: 456.036 FS.

LAW IMPLEMENTED: 456.036 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN 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: Kaye Howerton, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Psychology

RULE TITLE: RULE NO.:

Reactivation of Retired Status Licenses 64B19-14.003

PURPOSE AND EFFECT: The Board proposes to create Chapter 64B19-14, F.A.C., entitled Retired Status Licenses in order to implement Section 456.036, F.S., 2005.

SUBJECT AREA TO BE ADDRESSED: Reactivation of Retired Status.

SPECIFIC AUTHORITY: 456.036 FS.

LAW IMPLEMENTED: 456.036 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN 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: Kaye Howerton, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

FLORIDA HOUSING FINANCE CORPORATION

RULE TITLES: RULE NOS.:

Definitions 67-21.002

Application and Selection Process
for Developments 67-21.003

Applicant Administrative Appeal Procedures 67-21.0035

Federal Set-Aside 67-21.004

Determination of Method of Bond Sale 67-21.0045

Development Requirements 67-21.006

Fees 67-21.007

Terms and Conditions of MMRB Loans 67-21.008

Interest Rate on Mortgage Loans 67-21.009

Issuance of Revenue Bonds 67-21.010

Non-Credit Enhanced Multifamily

Mortgage Revenue Bonds 67-21.013

Credit Underwriting Procedures 67-21.014

Use of Bonds with Other Affordable

Housing Finance Programs 67-21.015

Transfer of Ownership 67-21.017

Refundings and Troubled

Development Review 67-21.018

Issuance of Bonds for Section

501(c)(3) Entities 67-21.019

PURPOSE AND EFFECT: The purpose of this rule is to establish the procedures by which the Corporation shall: (1) administer the Application process, determine loan amounts, make and service mortgage loans for new construction or

rehabilitation of affordable rental units under the Multifamily Mortgage Revenue Bond (MMRB) Program authorized by Section 142 of the Code and Section 420.509, F.S.

SUBJECT AREA TO BE ADDRESSED: The rule development workshop will be held to receive comments and suggestions from interested persons relative to the development of the 2006 application and program requirements for the MMRB Program, as specified in Rule Chapter 67-21, F.A.C.

SPECIFIC AUTHORITY: 420.507, 420.508 FS.

LAW IMPLEMENTED: 420.509 FS.

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

TIME AND DATE: 1:00 p.m., September 22, 2005

PLACE: Marriott Tampa Airport, Tampa International Airport, Tampa, Florida 33607

Any person requiring special accommodation at this workshop because of a disability or physical impairment should contact: Jean Salmonsens, (850)488-4197. If you are hearing or speech impaired, please use the Florida Dual Party Relay System, 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Wayne Conner, Deputy Development Officer, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE ON FLORIDA HOUSING'S WEB SITE WWW.FLORIDAHOUSING.ORG.

FLORIDA HOUSING FINANCE CORPORATION

RULE TITLES: RULE NOS.:

Purpose and Intent 67-48.001

Definitions 67-48.002

Application and Selection Procedures
for Developments 67-48.004

Applicant Administrative Appeal Procedures 67-48.005

Fees 67-48.007

Credit Underwriting and Loan Procedures 67-48.0072

Miscellaneous Criteria 67-48.0075

SAIL General Program Procedures
and Restrictions 67-48.009

Additional SAIL Application Ranking
and Selection Procedures 67-48.0095

Terms and Conditions of SAIL Loans 67-48.010

Sale, Refinancing or Transfer
of a SAIL Development 67-48.0105

SAIL Construction Disbursements and
Permanent Loan Servicing 67-48.013

HOME General Program Procedures and Restrictions 67-48.014
 Match Contribution Requirement for HOME Allocation 67-48.015
 Eligible HOME Activities 67-48.017
 Eligible HOME Applicants 67-48.018
 Eligible and Ineligible HOME Development Costs 67-48.019
 Terms and Conditions of Loans for HOME Rental Developments 67-48.020
 Sale or Transfer of a HOME Development 67-48.0205
 HOME Disbursements Procedures and Loan Servicing 67-48.022
 Housing Credit General Program Procedures and Requirements 67-48.023
 Qualified Allocation Plan 67-48.025
 Tax-Exempt Bond-Financed Developments 67-48.027
 Carryover Allocation Provisions 67-48.028
 Extended Use Agreement 67-48.029
 Sale or Transfer of a Housing Credit Development 67-48.030
 Termination of Extended Use Agreement and Disposition of Housing Credit Developments 67-48.031

PURPOSE AND EFFECT: The purpose of this rule is to establish the procedures by which the Corporation shall: (1) administer the Application process, determine loan amounts, make and service mortgage loans for new construction or rehabilitation of affordable rental units under the State Apartment Incentive Loan (SAIL) Program authorized by Section 420.5087, F.S., and the HOME Investment Partnerships (HOME) Program authorized by Section 420.5089, F.S.; and (2) administer the Application process, determine Housing Credit (HC) amounts and implement the provisions of the Housing Credit Program authorized by Section 42 of the Code and Section 420.5099, F.S.

SUBJECT AREA TO BE ADDRESSED: The rule development workshop will be held to receive comments and suggestions from interested persons relative to (1) the development of the 2006 application and program requirements for the SAIL, HOME, HC Programs, as specified in Rule Chapter 67-48, F.A.C., and (2) amendments to the Florida Housing Finance Corporation's 2005 Qualified Allocation Plan (QAP).

SPECIFIC AUTHORITY: 420.507 FS.

LAW IMPLEMENTED: 420.5087, 420.5089, 420.5099 FS.

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

TIME AND DATE: 1:00 p.m., September 22, 2005

PLACE: Marriott Tampa Airport, Tampa International Airport, Tampa, Florida 33607

Any person requiring special accommodation at this workshop because of a disability or physical impairment should contact: Jean Salmonsens, (850)488-4197. If you are hearing or speech impaired, please use the Florida Dual Party Relay System, 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Stephen P. Auger, Deputy Development Officer, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE ON FLORIDA HOUSING'S WEBSITE WWW.FLORIDAHOUSING.ORG.

FINANCIAL SERVICES COMMISSION

Office of Insurance Regulation

RULE TITLE: Determination of Eligibility to Operate as an Alien Insurer in Florida pursuant to Subsection 624.402(8), Florida Statutes 690-136.018

RULE NO.:

PURPOSE AND EFFECT: To adopt the form to provide implementation of the Alien Insurer Exception enacted into law in 2005.

SUBJECT AREA TO BE ADDRESSED: Form implementation of being an Alien Insurer in Florida.

SPECIFIC AUTHORITY: 624.308 FS.

LAW IMPLEMENTED: 624.402(8) FS.

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

TIME AND DATE: 9:30 a.m., September 19, 2005

PLACE: Room 142, Larson Building, 200 East Gaines Street, Tallahassee, Florida

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Bob Norris, Life and Health Financial Oversight, Office of Insurance Regulation, e-mail: bob.norris@fldfs.com

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

FINANCIAL SERVICES COMMISSION

Office of Financial Regulation

RULE TITLE: Processing of Applications

RULE NO.: 69W-301.002

PURPOSE AND EFFECT: The purpose of the proposed amendment to Rule 69W-301.002 is to adopt the most current versions of the Form ADV and ADV-W as adopted by the Securities and Exchange Commission. This will make Florida uniform with all state and federal securities regulatory bodies relative to Investment Adviser forms. Additionally, the amendment proposes to adopt the Form BR, Uniform Branch Office Form, a uniform application for branch office applications, amendments, terminations and withdrawals, in lieu of the current OFR Form DA-1-91. The proposed amendment to Rule 69W-301.002 also seeks to adopt the revisions to the Form U-4 and Form U-5 which make technical revisions and conforming changes to the proposed Form BR. Rules in Chapter 69W-600, F.A.C., will be amended, as appropriate, to conform to the changes in Rule 69W-301.002, F.A.C.

SUBJECT AREA TO BE ADDRESSED: Adoption of revised forms relative to the securities industry; deletion of approved forms; adoption of newly created forms; deletion of the revision dates to the forms where redundant to other sections.

SPECIFIC AUTHORITY: 517.03, 517.12 FS.

LAW IMPLEMENTED: 120.53, 120.60, 517.051, 517.081, 517.082, 517.12, 517.1201, 517.1205, 517.161 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., September 19, 2005

PLACE: 101 East Gaines Street, Room 547, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Pamela P. Epting, Bureau Chief, 101 East Gaines Street, 6th Floor, The Fletcher Building, Tallahassee, Florida 32399-0375, (850)410-9805

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

FINANCIAL SERVICES COMMISSION

Office of Financial Regulation

RULE TITLES:	RULE NOS.:
Application for Registration as a Dealer, Issuer/Dealer, or Investment Adviser	69W-600.001
Application for Registration as Associated Person	69W-600.002
Registration of Issuer/Dealers, Principals and Branch Offices	69W-600.004
Changes in Name and Successor Registration Requirements	69W-600.007

Termination of Registration as Dealer, Investment Adviser, Branch Office, Principal or Agent	69W-600.008
Investment Adviser Registration Depository for Federal Covered Advisers	69W-600.0092
Investment Adviser Registration Depository for Investment Advisers	69W-600.0093

PURPOSE AND EFFECT: Rule 69W-301.002, F.A.C., is being amended to adopt the most current versions of the Form ADV and ADV-W as adopted by the Securities and Exchange Commission. This will make Florida uniform with all state and federal securities regulatory bodies relative to Investment Adviser forms. Additionally, the amendment proposes to adopt the Form BR, Uniform Branch Office Form, a uniform application for branch office applications, amendments, terminations and withdrawals, in lieu of the current OFR Form DA-1-91. The proposed amendment to Rule 69W-301.002, F.A.C., also seeks to adopt the revisions to the Form U-4 and Form U-5 which make technical revisions and conforming changes to the proposed Form BR. Rules in Chapter 69W-600, F.A.C. are being amended, as described below, to conform to the changes in Rule 69W-301.002, F.A.C.

The purpose of the proposed amendment to Rule 69W-600.001, F.A.C., is to delete the reference to the revision date for the Form BD, Form ADV and Form U-4, as this information is reflected in Rule 69W-301.002, F.A.C. The purpose of the proposed amendment to Rule 69W-600.002, F.A.C., is to delete the reference to the revision date for the Form U-4, as this information is reflected in Rule 69W-301.002, F.A.C. An additional amendment to Rule 69W-600.002, F.A.C., is to correct a spelling error in the Rule. The purpose of the proposed amendment to Rule 69W-600.004, F.A.C., is to adopt the Form BR and delete reference to the current form OFR-DA-1-91. An additional amendment to Rule 69W-600.004, F.A.C., is to update the Rule with the Office's current internet address. The purpose of the proposed amendment to Rule 69W-600.007, F.A.C., is to delete the reference to the revision date for the Form BD and Form ADV, as this information is reflected in Rule 69W-301.002, F.A.C. The purpose of the proposed amendment to Rule 69W-600.008, F.A.C., is to delete the reference to the revision date for the Form BDW, Form ADV-W and Form U-5, as this information is reflected in Rule 69W-301.002, F.A.C. An additional amendment to 69W-600.008 is to amend the approved branch office form from OFR-DA-1-91 to Form BR. The purpose of the proposed amendments to Rules 69W-600.0092 and 69W-600.0093, F.A.C., is to delete the reference to the revision date for the Form ADV, Form ADV-W, Form U-4 and Form U-5, as this information is reflected in Rule 69W-301.002, F.A.C.

SUBJECT AREA TO BE ADDRESSED: Adoption of revised forms relative to the securities industry; deletion of approved forms; adoption of newly created forms; deletion of the revision dates to the forms where redundant to other sections.
 SPECIFIC AUTHORITY: 517.03, 517.12 FS.
 LAW IMPLEMENTED: 120.53, 120.60, 517.051, 517.081, 517.082, 517.12, 517.1201, 517.1205, 517.161 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., September 19, 2005
 PLACE: 101 East Gaines Street, Room 547, Tallahassee, Florida 32399
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Pamela P. Epting, Bureau Chief, 101 East Gaines Street, 6th Floor, The Fletcher Building, Tallahassee, Florida 32399-0375, (850)410-9805
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABE.

impaired, please contact the Department by using the Florida Relay Service with the following toll free numbers: 1(800)955-8770 (Voice) or 1(800)955-8771
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Maria I. Matthews, Assistant General Counsel, Office of the General Counsel, Tallahassee, Florida 32399-0379, (850)245-6536

THE FULL TEXT OF THE PROPOSED RULE IS:
 1S-2.026 Alternative Procedure for Voting by Absentee Ballot.

Specific Authority 101.015 FS. Law Implemented 101.657 FS. History—New 9-20-00, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dawn K. Roberts, Director, Division of Elections
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Sarah Jane Bradshaw, Assistant Director, Division of Elections
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 24, 2005, by David E. Mann, Assistant Secretary of State

**Section II
 Proposed Rules**

DEPARTMENT OF STATE

Division of Elections

RULE TITLE: Alternative Procedure for Voting by Absentee Ballot
 RULE NO.: 1S-2.026
 PURPOSE AND EFFECT: Rule 1S-2.026, F.A.C., will be repealed to reflect updates to the Florida Election Code which has rendered this rule obsolete. The alternative procedure for voting by absentee ballot in person has been replaced by provisions for early voting as set forth in Chapter 2004-252, Laws of Florida.
 SUMMARY: Repeal of obsolete rule relating to alternative voting procedure.
 SPECIFIC AUTHORITY: 101.015 FS.
 LAW IMPLEMENTED: 101.657 FS.
 A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:
 TIME AND DATE: 10:30 a.m., Monday, September 26, 2005
 PLACE: Heritage Hall, R. A. Gray Building, Tallahassee, Florida
 NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Please contact the Department of State no later than September 14, 2005, if you will be need special accommodations to participate in this workshop. Contact Nancy Whitfield, 1(850)245-6536. If you're hearing or speech

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Office of Agricultural Water Policy

RULE CHAPTER TITLE: Best Management Practices for Florida Vegetable and Agronomic Crops
 RULE CHAPTER NO.: 5M-8
 RULE TITLES: Purpose, Approved BMPS, Presumption of Compliance, Notice of Intent to Implement, Record Keeping
 RULE NOS.: 5M-8.001, 5M-8.002, 5M-8.003, 5M-8.004, 5M-8.005
 PURPOSE AND EFFECT: The purpose of this rule is to effect pollutant reduction through the implementation of non-regulatory and incentive based programs which may be determined to have minimal individual or cumulative adverse impacts to the water resources of the state.
 SUMMARY: The rule establishes a procedure for submitting a "Notice of Intent to Implement," that, when filed with the Florida Department of Agriculture and Consumer Services (FDACS), and implemented, provides a presumption of compliance with state water quality standards and release from the provisions of Section 376.307(5), F.S., for those pollutants addressed by the practices. Once filed with FDACS, the Notice of Intent shall enable the applicant to apply for assistance with implementation as identified in Section 403.067(7)(c)2., F.S. This rule also provides that records maintained by the applicant confirming implementation of non-regulatory and incentive-based programs are subject to inspection.

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

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

SPECIFIC AUTHORITY: 403.067(7)(c)2. FS.

LAW IMPLEMENTED: 403.067(7)(c)2. FS.

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

TIME AND DATE: 1:00 p.m., September 26, 2005

PLACE: Florida Department of Agriculture and Consumer Services, Office of Agricultural Water Policy Conference Room, 1203 Governor's Square Blvd., Suite 200, Tallahassee, FL 32301

If an accommodation is needed for a disability in order to participate in this meeting, please notify the Bureau of Personnel Management, Department of Agriculture and Consumer Services, (850)488-1806, at least seven days prior to the meeting.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Bill Bartnick, Environmental Administrator, Office of Agricultural Water Policy, 1203 Governor's Square Boulevard, Suite 200, Tallahassee, Florida 32301, (850)488-6249, Fax (850)921-2153

THE FULL TEXT OF THE PROPOSED RULES IS:

5M-8.001 Purpose.

The purpose of this rule is to effect pollutant reduction through the implementation of non-regulatory and incentive based programs which may be determined to have minimal individual or cumulative adverse impacts to the water resources of the state.

Specific Authority 403.067(7)(c)2. FS. Law Implemented 403.067(7)(c)2. FS. History-New _____.

5M-8.002 Approved BMPS.

The document titled *Water Quality/Quantity Best Management Practices for Florida Vegetable and Agronomic Crops (Edition 2005)* is hereby incorporated and adopted by reference in this rule for participating vegetable and agronomic crop growers statewide. Copies of the document may be obtained from the local county University of Florida Cooperative Extension Service office or from the Florida Department of Agriculture and Consumer Services (FDACS), Office of Agricultural Water Policy, 1203 Governor's Square Boulevard, Suite 200, Tallahassee, Florida 32301.

Specific Authority 403.067(7)(c)2. FS. Law Implemented 403.067(7)(c)2. FS. History-New _____.

5M-8.003 Presumption of Compliance.

In order to obtain the presumption of compliance with applicable state water quality standards and release from the provisions of Section 376.307(5), F.S., for those pollutants addressed by the practices the applicant must:

(1) Conduct a comprehensive assessment of the subject properties using the Decision Tree Flowchart and associated appendices incorporated in the document titled *Water Quality/Quantity Best Management Practices for Florida Vegetable and Agronomic Crops (Edition 2005)*.

(2) Submit a Notice of Intent to Implement as outlined in Rule 5M-8.004, F.A.C.

(3) Implement all applicable BMPs in accordance with the timeline identified as a result of the assessment of the subject properties and listed in the Notice of Intent to Implement.

(4) Maintain documentation to verify the implementation and maintenance of the identified BMPs.

Specific Authority 403.067(7)(c)2. FS. Law Implemented 403.067(7)(c)2. FS. History-New _____.

5M-8.004 Notice of Intent to Implement.

A Notice of Intent to Implement the BMPs identified in the document titled *Water Quality/Quantity Best Management Practices for Florida Vegetable and Agronomic Crops (Edition 2005)* shall be submitted to the FDACS, Office of Agricultural Water Policy, 1203 Governor's Square Boulevard, Suite 200, Tallahassee, Florida 32301.

(1) Such notice shall identify practices the applicant will implement. The notice shall also include: the name of the property owner; the location of the property; the property tax ID number; a timeline for implementation; the acreage on which each practice will be implemented; the name and contact information of an authorized representative; and the signature of the owner, lease holder, or an authorized agent.

(2) Once filed, the Notice of Intent to Implement shall enable the applicant to apply for assistance with implementation as identified in Section 403.067(7)(b)b., F.S.

Specific Authority 403.067(7)(c)2. FS. Law Implemented 403.067(7)(c)2. FS. History-New _____.

5M-8.005 Record Keeping.

All participants must preserve sufficient documentation to confirm implementation of the practices identified in the Notice of Intent to Implement. All documentation is subject to inspection.

Specific Authority 403.067(7)(c)2. FS. Law Implemented 403.067(7)(c)2. FS. History-New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Bill Bartnick, Environmental Administrator, Office of Agricultural Water Policy

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Chuck Aller, Director, Office of Agricultural Water Policy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 13, 2005
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 8, 2004

**DEPARTMENT OF TRANSPORTATION
 Florida Seaport Transportation and Economic Development Council**

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Small County Dredging Grant Program	14B-2
RULE TITLES:	RULE NOS.:
Definitions	14B-2.001
Port Project Funding Application Procedures and Requirements	14B-2.002
Measuring Economic Benefits	14B-2.003
Determination of Funding; Project Review Group/Agency Review	14B-2.004
Project Review Group Procedures	14B-2.005
Eligible Port Funding Requirements	14B-2.006
Reporting Requirements	14B-2.007

PURPOSE AND EFFECT: To implement the provisions of Section 311.115, F.S., by creating an administrative process to review and approve or disapprove applications for dredging grants.

SUMMARY: This rule implements the provisions of Section 311.115, F.S., by providing procedural and applicant requirements to seek and receive state funding for dredging projects located in small counties.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No regulatory costs on any parties are estimated with this proposed rule.

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

SPECIFIC AUTHORITY: 311.115 FS.

LAW IMPLEMENTED: 311.115 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Michael L. Rubin, Assistant Secretary, Florida Seaport Transportation and Economic Development Council, 502 East Jefferson Street, Tallahassee, Florida 32301

THE FULL TEXT OF THE PROPOSED RULES IS:

14B-2.001 Definitions.

(1) "Council" means the Florida Seaport Transportation and Economic Development Council as defined in Section 311.09(1), F.S.

(2) "Dredging Project" means a project to dredge or deepen channels, turning basins, or harbors.

(3) "Eligible Costs" means costs that may be incurred and paid by program funds. Eligible costs include: dredging and dredging machinery costs, design and engineering, permitting costs, environmental mitigation, and other infrastructure costs associated with the dredging project. Costs associated with preparation of the application or administration of the project are not eligible costs.

(4) "Eligible Port" means a port authority, as defined in Section 315.02(2), F.S., in a county having a population of less than 300,000 according to the last official census that complies with the permitting requirements in Part IV of Chapter 373, F.S., and the local financial management and reporting provisions of Part III of Chapter 218, F.S.

(5) "Matching Funds" means those funds provided by the eligible port from any source other than the Florida Department of Transportation which shall, at a minimum, be an amount equal to the program funds allocated to the eligible port for a dredging project.

(6) "Program Funds" means those funds appropriated specifically for small county dredging projects in the annual appropriations bill passed by the Legislature and approved by the Governor.

(7) "Project Review Group" means the review group designated by the Council to review, approve and allocate program funds to applications. Such group must include one voting representative from the Department of Transportation, one voting representative from the Department of Community Affairs, one voting representative from the Governor's Office of Tourism, Trade and Economic Development, and two voting seaport representatives from the Council. Seaport representatives on the group for purposes of this program may not include representatives from eligible ports.

Specific Authority 311.115 FS. Law Implemented 311.115 FS. History—New

14B-2.002 Port Project Funding Application Procedures and Requirements.

(1) An application shall be accepted only from an eligible port. The eligible port shall apply for the grant by electronically submitting to the Council an application entitled "Small County Seaport Dredging Project Application", Form FSTED-2, hereby incorporated by reference, effective August, 2005. Applications shall be submitted by the authorized representative of such port.

(2) Applications must be submitted to the Council during the time period designated by the Project Review Group pursuant to Rule 14B-2.005, F.A.C., of these rules. Application forms are available via the following website: www.flaports.org, or by contacting the Florida Ports Council at their offices at 502 East Jefferson Street, Tallahassee, Florida 32301 – (850)222-8028.

(3) The applicant must provide information in application format so that it may be determined whether the proposed dredging project is eligible for funding pursuant to Section 311.115, F.S.

(4) The application must be accompanied by a drawing or map which depicts the dredging project in relation to the port and the local community, clearly identifying the dredging project location.

(5) The application must be accompanied by any requisite dredging, dredge material disposal site, and/or other environmental permit approvals from the U.S. Corp of Engineers and/or the Florida Department of Environmental Protection that clearly state that the dredging project can be undertaken.

(6) The applicant must be accompanied by an economic analysis so that it may be determined whether the project provides an economic benefit.

(7) The Project Review Group will have fifteen (15) days from the application submission deadline to examine the application and notify the applicant of any apparent errors or omissions and to request any needed additional information. The applicant shall then have fifteen (15) days from receipt of the request to provide the additional information. The application shall not be considered to be properly completed if the additional information is not provided.

(8) The project information required to be submitted by the applicant port is contained in the application Form FSTED-2, consisting of the following parts

(a) Part A – Summary Page. Incorporated herein by reference is a copy of Part A., the cover sheet summary of the Council’s application containing the summary information: name of applicant, authorized representative, project name, project number, amount requested/fiscal year, and summary of project approval history.

(b) Part B – Project Description and Means of Financing. Incorporated herein by reference is a copy of Part B which requires a detailed description of the project, and method and amount of matching funds provided by the applicant for the project.

(c) Part C – Permit Information. Incorporated herein by reference is Part C which requires information from the applicant port about applicable permits for the dredging project.

(d) Part D – Economic Benefit Analysis. Incorporated herein by reference is Part D which requires economic benefit information related to the project so that the Office of Tourism, Trade, and Economic Development may determine whether the project provides an economic benefit.

(e) Eligible ports must provide the information required by Parts A through D in order to be reviewed by the Project Review Group pursuant to Rule 14B-2.004, F.A.C. Applications missing requisite information will be deemed incomplete and ineligible for funding.

(9) All forms and form instructions are incorporated herein by reference and are available by writing to the address provided in subsection (2) above.

Specific Authority 311.115 FS. Law Implemented 311.115 FS. History–New

14B-2.003 Measuring Economic Benefits.

Each eligible and complete application shall be reviewed to determine the economic benefit of the dredging project measured by the potential for the proposed project to increase or maintain cargo flow, domestic and international commerce, port revenues, and the number of jobs for the port’s local community.

Specific Authority 311.115 FS. Law Implemented 311.115 FS. History–New

14B-2.004 Determination of Funding: Project Review Group/Agency Review.

(1) The Project Review Group, or staff designated by the Group to review applications, shall review and determine whether each application is complete and eligible for program funds within one hundred twenty (120) days of the application deadline. After such determination, complete and eligible applications shall be submitted to the Secretary of Transportation, the Office of Tourism, Trade, and Economic Development, and the Secretary of Community Affairs for their review pursuant to this subsection.

(2) Upon receipt of the applications and appropriate project information, the Department of Transportation, Department of Community Affairs, and the Office of Tourism, Trade, and Economic Development shall review the projects to determine whether there are any conflicts with state transportation and/or growth management plans, local approved local government comprehensive plans of the units of local government in which the port is located, or with any pertinent port master plan. The Office of Tourism, Trade, and Economic Development shall review the projects to evaluate the economic benefit of each project based upon the information required by Rule 14B-2.003, F.A.C., and, in so doing, may conduct any appropriate investigation to determine the accuracy of the information. Within forty-five (45) days from receipt of the applications, the Department of Transportation, Department of Community Affairs, and Office of Tourism, Trade and Economic Development shall notify the Project Review Group whether the projects are eligible for funding or ineligible due to a conflict or lack of economic benefit. Should additional information be requested from one or more applicants to evaluate conflicts or economic benefit, the time limit for the review and notice to the Project Review Group shall be extended fifteen (15) days following receipt of the requested information.

(3) The Project Review Group shall review the findings of the Department of Community Affairs, the Office of Tourism, Trade, and Economic Development, and the Department of

Transportation, and cast a vote to approve or disapprove funding for projects found eligible and not in conflict by the above agencies. Projects found to be in conflict pursuant to subsections (2), (3), and/or lacking an economic benefit pursuant to subsection (4) shall not be eligible for program funds. If enough appropriated funds are available to provide program funds to all eligible projects, the Project Review Group may recommend funding for all projects found eligible and not in conflict pursuant to this rule section. If an adequate amount of appropriated funds are not available, the Project Review Group may recommend a pro-rata share for all eligible and not in conflict projects, or the Project Review Group may prioritize appropriated funds to those projects providing the greatest economic benefit.

(4) The Project Review Group shall submit to the Department of Transportation a list of approved projects for funding. Additionally, the Project Review Group may submit to the department a list of unfunded or partially funded eligible projects that could receive additional program funds if such funds were made available in the next fiscal year.

Specific Authority 311.115 FS. Law Implemented 311.115 FS. History—New

14B-2.005 Project Review Group Procedures.

(1) A majority vote of the voting Council members present is sufficient to approve funding for a specific port dredging project and is sufficient for the Council to allocate funding for all approved projects. A majority vote of the voting Project Review Group members present is also sufficient to disapprove funding for a specific port dredging project.

(2) Contingent upon the available appropriated funds, the Project Review Group shall publish in the Florida Administrative Weekly the period for submitting applications for program funds. The publication in the Florida Administrative Weekly, must occur at least one (1) month prior to the application submission period. The application submission period must be for a period of not less than sixty (60) days. The Project Review Group may provide for more than one (1) application submission period in a fiscal year.

(3) Applicants whose dredging projects are not recommended for funding in any given year may reapply for subsequent funding consideration by the Project Review Group.

(4) The Project Review Group may elect to provide an administrative staff, by contract or otherwise, to provide services to the Project Review Group on matters relating to the program.

Specific Authority 311.115 FS. Law Implemented 311.115 FS. History—New

14B-2.006 Eligible Port Funding Requirements.

(1) The Department of Transportation shall subject any project that receives funds pursuant to this section to a final audit. The Department may adopt rules and perform such other

acts as are necessary or convenient to ensure that the final audits are conducted and that any deficiency or questioned costs noted by the audit are resolved.

(2) Funds received by eligible ports shall be expended on eligible costs only. If program funds are not expended on eligible costs, then the port shall immediately reimburse the program for the portion of the ineligible expenditures.

(3) Eligible ports awarded program funds shall enter into a written Joint Participation Agreement (JPA) with the Department of Transportation. The Department of Transportation will reimburse the eligible port an amount equal to 50 percent of eligible costs incurred on an approved project. This reimbursement will be made upon receipt of an invoice showing total eligible costs incurred to date, less the port's 50 percent share, less reimbursements received to date. These reimbursements will be made in compliance with the payment requirements set forth in Section 215.422, F.S. The final reimbursement to the port will be released upon the satisfactory completion of a final audit conducted by the Florida Department of Transportation.

(4) Eligible ports awarded program funds shall pay an administrative fee to the Council for the administration of the small county dredging program. The Council shall vote on and set such fee at a properly noticed public hearing of the Council.

Specific Authority 311.115 FS. Law Implemented 311.115 FS. History—New

14B-2.007 Reporting Requirements.

The eligible port shall enter into the Department of Transportation's Joint Participation Agreement, as prescribed by the Department pursuant to Section 339.137, F.S., which sets forth the duties and obligations of the parties thereto regarding the expenditure and receipt of funds prior to any expenditure of state funds. The recipient port also shall provide a signed letter stating that the port accepts total responsibility and ownership of the dredging project.

Specific Authority 311.115 FS. Law Implemented 311.115 FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Michael L. Rubin

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Nancy J. Leikauf

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 9, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 19, 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 TITLE: Notification of Release Procedures
 RULE NO.: 33-107.101

PURPOSE AND EFFECT: The purpose and effect of the proposed rule repeal is to eliminate a rule that reiterates statutory requirements.

SUMMARY: The rule addressing notifications of inmate releases is being repealed as it provides only internal management memoranda and repetition of statutory language.

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, 944.605, 944.606, 960.001 FS.

LAW IMPLEMENTED: 944.09, 944.605, 944.606, 960.001 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:

33-107.101 Notification of Release Procedures.

Specific Authority 944.09, 944.605, 944.606, 960.001 FS. Law Implemented 944.09, 944.605, 944.606, 960.001 FS. History—New 9-23-85, Formerly 33-20.02, Amended 3-27-90, 2-17-93, 8-10-97, Formerly 33-20.002, Repealed

NAME OF PERSON ORIGINATING PROPOSED RULE: Trisha Redd, Chief, Bureau of Policy 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: August 18, 2005

DEPARTMENT OF CORRECTIONS

RULE TITLE: Rules of Prohibited Conduct and Penalties for Infractions
 RULE NO.: 33-601.314

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to add additional disciplinary charges for gang-related activities.

SUMMARY: The proposed rule provides specific disciplinary charges for gang activities and possession of gang related paraphernalia.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09, 944.14, 944.279, 944.28 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.314 Rules of Prohibited Conduct and Penalties for Infractions.

The following table shows established maximum penalties for the indicated offenses. As used in the table, “DC” means the maximum number of days of disciplinary confinement that may be imposed and “GT” means the maximum number of days of gain time that may be taken. Any portion of either penalty may be applied.

Maximum
Disciplinary
Actions

SECTION 1 through SECTION 2 – No change.

SECTION 3 – CONTRABAND – ANY ARTICLE NOT SOLD IN THE CANTEEN, OR ISSUED BY THE INSTITUTION, OR FOR WHICH YOU DO NOT HAVE A SPECIFIC PERMIT AUTHORIZED BY THE INSTITUTION WHERE PRESENTLY HOUSED

3-1 through 3-14 No change.

3-15 Possession of gang related paraphernalia or related material, gang symbols, logos, gang colors, drawings, hand signs, or gang related documents **30 DC + 30 GT**

SECTION 4 through SECTION 8 – No change.

SECTION 9 – MISCELLANEOUS INFRACTIONS

9-1 through 9-35 No change.

9-36 Gang related activities, including recruitment, organizing, display of symbols, groups, or group photos, promotion or participation **30 DC + 60 GT**

SECTION 10 through SECTION 11 – No change.

Specific Authority 944.09 FS. Law Implemented 20.315, 944.09, 944.14, 944.279, 944.28 FS. History--New 3-12-84, Amended 1-10-85, Formerly 33-22.12, Amended 12-30-86, 9-7-89, 11-22-90, 6-2-94, 10-1-95, 3-24-97, 7-9-98, 8-13-98, Formerly 33-22.012, Amended 9-30-99, 6-7-00, 4-18-02, 10-10-04, 1-9-05, 4-17-05, 6-5-05,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Franchatta Barber, Deputy Assistant Secretary – Programs
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: George Sapp, Assistant Secretary of Institutions
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 19, 2005
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 5, 2005

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE TITLES:	RULE NOS.:
Implementation	40C-2.031
General Permit by Rule	40C-2.042
Exemptions	40C-2.051
Publications Incorporated by Reference	40C-2.101
Limiting Conditions	40C-2.381
Forms and Instructions	40C-2.900

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to: (1) amend the General Consumptive Use Permit by Rule regulating small irrigation uses below consumptive use permit thresholds in subsection 40C-2.041(1), F.A.C., to allow for no more than two days per week for landscape irrigation and to add clarifying revisions; (2) clarify that certain permitted consumptive uses are subject to the limitations in subsections 40C-2.042(1) and (2), F.A.C.; (3) repeal two exemptions and convert them to a new general permit by rule; (4) amend the limiting conditions rule to clarify that the permit conditions adopted by rule are also applicable to General Permits by Rule; (5) authorize local governments to enforce subsection 40C-2.042(2), F.A.C., upon adoption of an ordinance; (6) adopt a new standard general permit application form for small landscape irrigation uses to irrigate three days per week; and (7) revise the Applicant’s Handbook: Consumptive Uses of Water, to reflect related changes.

SUMMARY: Amendments to General Permit by Rule and related consumptive use rules regarding regulation of landscape irrigation.

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

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

SPECIFIC AUTHORITY: 373.044, 373.113, 373.118, 373.171 FS.

LAW IMPLEMENTED: 373.109, 373.118, 373.216, 373.219, 373.223, 373.250, 373.609 FS.

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

TIME AND DATE: 1:00 p.m. following the regularly scheduled Regulatory/Governing Board Meeting, October 11, 2005

PLACE: St. Johns River Water Management District Headquarters, 4049 Reid Street, Palatka, Florida 32177-2529

If a person decides to appeal any decision with respect to any matter considered at the above listed public hearing, such person may need to ensure that a verbatim record of the proceeding is made to include testimony and evidence upon which the appeal is to be based.

Anyone requiring special accommodations to participate in this meeting is requested to advise the District at least 5 work days before the meeting by contacting: Ann Freeman, (386)329-4101 or (386)329-4450 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Norma K. Messer, Rules Coordinator, Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32178-2529, (386)329-4459, Suncom 860-4459, e-mail: address nmesser@sjrwm.com

THE FULL TEXT OF THE PROPOSED RULES IS:

40C-2.031 Implementation.

(1) through (3) No change.

~~(4) In conjunction with the general consumptive use permit by rule program implemented under paragraph 40C-2.031(1)(d), F.A.C., all persons with individual consumptive use permits on 7-23-91 shall be limited to irrigating between the hours of 4:00 p.m. and 10:00 a.m. subject to the exceptions specified in Rule 40C-2.042, F.A.C., unless a permit modification is obtained which specifies otherwise.~~

Specific Authority 373.044, 373.113 FS. Law Implemented 373.219, 373.223, 373.224, 373.226 FS. History--New 1-1-83, Formerly 40C-2.031, 40C-2.0031, Amended 7-23-91, 12-6-93, 2-15-95, 1-7-99,_____.

40C-2.042 General Permit by Rule.

A general consumptive use permit by rule is hereby established for ~~landscape, golf course, recreation, agriculture and nursery irrigation, and for aquaculture, ornamental and aerating fountains, and all other types of uses.~~ This section shall apply to ~~all~~ consumptive uses of water listed below that which do not meet or exceed any an individual permitting threshold under subsection 40C-2.041(1), F.A.C., except as provided in subsection (8). However, this section shall not apply to

domestic uses of water by individuals, i.e., water used for the household purposes of drinking, bathing, cooking or sanitation. Persons using or proposing to use water in a manner not authorized under this section, must ~~obtain~~ apply for a general permit pursuant to Chapters 40C-2, 40C-20, or 40C-22, F.A.C., or a modification of their individual permit pursuant to this chapter.

(1) The Board hereby grants a general permit to each person located within the District to use, withdraw or divert water to irrigate ~~landscape~~, agricultural crops, nursery plants, golf courses and recreational areas, provided the irrigation does not occur between the hours of 10:00 a.m. 4:00 p.m. and 4:00 p.m. 10:00 a.m. daily. Such water use shall be subject to the following exceptions ~~and alternative water conservation practices:~~

(a) Irrigation using a micro-irrigation system is allowed anytime.

(b) The use of water for irrigation from a reclaimed water system is allowed anytime provided appropriate visible signs are placed on the property sufficient to inform ~~the general public and District~~ enforcement personnel of such use. For the purpose of this paragraph, a reclaimed water system includes systems in which the primary source is reclaimed water, which may or may not be supplemented by water from another source during peak demand periods.

(c) No change.

(d) Irrigation ~~of, or in preparation for planting, sod, agricultural crops, or nursery stock,~~ is allowed at any time of day for one 30 day period following planting of agricultural crops or nursery stock, provided that the irrigation is limited to the minimum amount necessary for crop or plant establishment. Irrigation of new recreational areas landscape and newly seeded or sprigged golf course areas is allowed at any time of day for one 60 day period.

(e) through (l) No change.

(m) Irrigation using a ~~one~~ hand-held hose equipped with an automatic shut-off nozzle is allowed anytime.

(n) Discharge of water from a water-to-air air conditioning unit or other water dependent cooling system is not limited by this permit.

(2)(a) The Board hereby grants a general permit to each person located within the District to use, withdraw or divert water for landscape irrigation, provided the irrigation does not occur more than two days per week and does not occur between the hours of 10:00 a.m. and 4:00 p.m. daily. An irrigator may select the two irrigation days unless a local government adopts an ordinance identifying the specific two days irrigation is allowed pursuant to subsection (b). Additionally, any person who irrigates landscape with an automatic lawn sprinkler system installed after May, 1991, shall install, maintain and operate a rain sensor device or switch that overrides the irrigation system when adequate rainfall has occurred. For the purpose of this rule, "landscape

irrigation" means the outside watering of plants in a landscape such as shrubbery, trees, lawns, grass, ground covers, plants, vines, gardens and other such flora that are situated in such diverse locations as residential areas, cemeteries, public, commercial, and industrial establishments, and public medians and rights of way. For the purpose of this rule, "landscape irrigation" does not include golf course greens, tees, fairways, primary roughs, and vegetation associated with intensive recreational areas such as, but not limited to, playgrounds, football, baseball and soccer fields. Landscape irrigation shall be subject to the following exceptions:

1. Irrigation using a micro-irrigation system is allowed anytime.

2. Irrigation of new landscape is allowed at any time of day on any day for the initial 30 days and every other day for the next 30 days for a total of one 60-day period, provided that the irrigation is limited to the minimum amount necessary for such landscape establishment.

3. Watering in of chemicals, including insecticides, pesticides, fertilizers, fungicides, and herbicides when required by law, the manufacturer, or best management practices is allowed anytime within 24 hours of application.

4. Irrigation systems may be operated anytime for maintenance and repair purposes not to exceed ten minutes per hour per zone.

5. Irrigation using a hand-held hose equipped with an automatic shut-off nozzle is allowed anytime.

6. Discharge of water from a water-to-air air conditioning unit or other water dependent cooling system is not limited by this permit.

7. The use of water from a reclaimed water system is allowed anytime provided that appropriate visible signs are placed on the property sufficient to inform enforcement personnel of such use. For the purpose of this paragraph, a reclaimed water system includes systems in which the primary source is reclaimed water, which may or may not be supplemented from another source during peak demand periods.

8. The use of recycled water from wet detention treatment ponds for irrigation is allowed anytime provided the ponds are not augmented from any ground or off-site surface water, or public supply sources.

(b) A local government may enforce paragraph (2)(a) within its jurisdiction by adopting an ordinance incorporating these provisions. If the local government chooses to identify specific days on which landscape irrigation will occur, then the schedule within the ordinance shall be:

1. Landscape irrigation at odd numbered addresses must only occur on Wednesday and Saturday; and

2. Landscape irrigation at even numbered addresses or no address must only occur on Thursday and Sunday.

3. Non-residential landscape irrigation may be designated on two alternative days other than those combinations in subparagraphs 1. or 2. above to address utility system-related demands.

(c) Local governments with a jurisdiction divided between the St. Johns River Water Management District and another water management district may propose an alternative schedule of days, from subsection (b) above, when necessary for the local government to achieve a uniform schedule within its jurisdiction. The local government shall submit its proposed alternative schedule for this District's review and approval prior to introducing the ordinance for adoption.

(d) At least thirty (30) days prior to the adoption of an ordinance to enforce paragraph (2)(a), the local government shall provide a copy of the proposed ordinance to the District.

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

~~(6)(5)~~ The Board hereby grants a general permit ~~by rule~~ to each person located within the District to use water for the augmentation of any pond which is ~~under~~ 1/2 acre or smaller in size, provided the following conditions are met:

(a) through (c) No change.

~~(6) All of the consumptive uses authorized under this section are presumed to meet the conditions for issuance of permits in Rule 40C-2.301, F.A.C. Note: Individual and general (Chapter 40C-20, F.A.C.), consumptive use permittees may be subject to different irrigation and conservation requirements than those established above when necessary to meet the applicable criteria of Rule 40C-2.301, F.A.C. Specific requirements will be listed as conditions of these permits.~~

(7) The Board hereby grants a General Permit to each person located within the District to withdraw or divert water for uses other than those identified in subsections (1)-(6) provided the amount is limited to only that necessary for efficient utilization.

(8) The Board hereby grants a general permit to each person located within the District to withdraw groundwater from a well solely to irrigate a total of one acre or less of landscape on contiguous property, provided the withdrawal does not meet or exceed any thresholds of paragraphs 40C-2.041(1)(a)-(c), F.A.C. This permit is subject to all the requirements in paragraph (2)(a) and the exceptions in subparagraphs (2)(a)1.-8.

Specific Authority 373.044, 373.113, ~~373.118~~, 373.171 FS. Law Implemented 373.103, 373.171, 373.216, 373.219, 403.501 et seq., 288.501 et seq. FS. History--New 1-1-83, Formerly 40C-2.051, 40C-2.0051, Amended 8-18-87, 11-19-87, 9-12-89, 12-6-93, 8-18-94, 4-25-96, 10-2-96, 11-11-03, _____.

40C-2.051 Exemptions.

No permit shall be required under the provisions of this ~~chapter rule~~ or Chapters 40C-20 or 40C-22, F.A.C., for the following water uses:

(1) Domestic consumption of water by individual users as defined by Section 373.019(4)(~~6~~), Florida Statutes.

(2) through (5) No change.

~~(6) Withdrawals of ground water to irrigate residential landscape areas less than one acre in size, which withdrawals would otherwise require an individual consumptive use permit under paragraph 40C-2.041(1)(c), F.A.C., only.~~

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

~~(10) Withdrawal of ground water from a well with a water bearing casing six inches or greater in diameter to irrigate residential or commercial landscape areas less than one acre in size, provided the withdrawal does not exceed the threshold of paragraph 40C-2.041(1)(a), F.A.C.~~

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.103, 373.171, 373.216, 373.219, 403.501 et seq., 288.501 et seq. FS. History--New 1-1-83, Formerly 40C-2.051, 40C-2.0051, Amended 8-18-87, 11-19-87, 9-12-89, 12-6-93, 8-18-94, 4-25-96, 10-2-96, 11-11-03, _____.

40C-2.101 Publications Incorporated by Reference.

(1) The Governing Board hereby adopts by reference Parts I, II and III, and the "Water Conservation Public Supply" requirements in Appendix I of the document entitled "Applicant's Handbook, Consumptive Uses of Water", ~~4-10-02~~. The purpose of the document is to provide information regarding the policy, procedure, criteria, and conditions ~~that which~~ pertain to the District's administration of the consumptive use permitting program.

(2) No change.

Specific Authority 373.044, 373.113, 373.118, 373.171 FS. Law Implemented 373.109, 373.219, 373.223, 373.229, 373.236, 373.239, 373.250 FS. History--New 1-1-83, Amended 5-31-84, Formerly 40C-2.101, 40C-2.0101, Amended 10-1-87, 1-1-89, 8-1-89, 10-4-89, 7-21-91, 7-23-91, 11-12-91, 9-16-92, 1-20-93, 12-6-93, 2-15-95, 7-10-95, 4-25-96, 10-2-96, 1-7-99, 2-9-99, 4-10-02, _____.

40C-2.381 Limiting Conditions.

(1) No change.

(2)(a) The Board hereby determines and finds that the inclusion of the following limiting conditions on general permits issued under Chapter 40C-20, F.A.C., and ~~individual~~ permits issued under this chapter are necessary in order to meet the requirements set forth in subsection 40C-2.381(1), F.A.C., and will be imposed at the time that a consumptive use permit is issued or granted by rule:

1. through 8. No change.

(b) No change.

Specific Authority 373.044, 373.113 FS. Law Implemented ~~373.216~~, 373.219(1) FS. History--New 1-1-83, Amended 5-31-84, Formerly 40C-2.381, 40C-2.0381, Amended 8-1-89, 7-23-91, _____.

40C-2.900 Forms and Instructions.

(1) Individual and Standard General Consumptive Use Permit Application, form number 40C-2-1082-1, effective 1-7-99, is hereby incorporated by reference.

(2) Standard General Consumptive Use Permit For Landscape Irrigation Three Days Per Week, form number 40C-2-1082-2 effective (effective date), is hereby incorporated by reference.

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

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.109, 373.116, 373.118, 373.219, 373.229 FS. History—New 5-30-90, Amended 7-21-91, 7-23-91, 1-20-93, 2-15-95, 4-25-96, 10-2-96, 1-7-99, _____.

APPLICANT'S HANDBOOK SECTION

2.0 Definitions

(a) through (p) No change.

(q) Landscape Irrigation – The outside watering of plants in a landscape such as shrubbery, trees, lawns, grass, ground covers, plants, vines, gardens and other such flora ~~that which~~ are ~~planted and are~~ situated in such diverse locations as residential and recreation areas, cemeteries, public, commercial, and industrial establishments, and public medians and rights of way.

(r) through (mm) No change.

3.4.1 The following types of use are exempt from the requirements to obtain a consumptive use permit:

(a) through (e) No change.

~~(f) Withdrawals of ground water to irrigate residential landscape areas less than one acre in size, which withdrawals would otherwise require an individual consumptive use permit under 3.2.2 only.~~

(g) through (i) renumbered (f) through (h) No change.

~~(j) Withdrawals of ground water from a well with a water bearing casing six inches or greater in diameter to irrigate residential or commercial landscape areas less than one acre in size, provided the withdrawals do not exceed the threshold of paragraph 40C-2.041(1)(a), F.A.C.~~

6.2.3 Type of Use Classes: Each permit shall be identified with one or more of the following use classifications:

(a) through (b) No change.

(c) Agricultural use – the use of water for the commercial production of crops, commercial nursery production, or the growing of farm products, including, but not limited to, vegetables, citrus and other fruits, pasture, sod, rice and other commodities for human consumption or domestic animal feed.

(d) through (l) No change.

(m) Landscape irrigation – the outside watering of plants in a landscape such as shrubbery, trees, lawns, grass, ground covers, plants, vines, gardens and other such flora that are situated in such diverse locations as residential and recreation areas, cemeteries, public, commercial, and industrial establishments, and public medians and rights of way.

(m) through (s) renumbered (n) through (t) No change.

~~(t) Urban landscape irrigation—the outside watering or sprinkling of shrubbery, trees, lawns, grass, ground covers, plants, vines, gardens and other such flora which are situated in such diverse locations as residential landscapings, recreation areas, cemeteries, public, commercial and industrial establishments, public medians and rights of way.~~

(u) through (w) No change.

10.3 Reasonable-beneficial Use Criteria

Based upon the statutory guidance and the delineation of factors found in State Water Policy, the Governing Board has determined that the following criteria must be met in order for a use to be considered reasonable-beneficial:

(a) through (d) No change.

(e) All available water conservation measures including those in subsection 40C-2.042(1) or (2), F.A.C., as applicable must be implemented unless the applicant demonstrates that implementation is not economically, environmentally or technologically feasible. Satisfaction of this criterion may be demonstrated by implementation of an approved water conservation plan as required in section 12.0 of Applicant's Handbook: Consumptive Uses of Water. Appendix I provides an outline of water conservation measures which the applicant may undertake to meet this requirement. Individual provisions in Appendix I are not requirements per se, and do not exclude alternative conservation measures the applicant may wish to propose to the District.

(f) through (k) No change.

12.2.5 Water Conservation Plan

All permit applicants for a public supply-type water use who satisfy the following water conservation requirements at the time of permit application are deemed to meet the criterion in 10.3(3):

(a) through (d) No change.

(e) A customer and employee water conservation education program which includes all of the elements listed below as nos. 1 through 10 ~~9~~ must be implemented. The frequency and extent to which each of the elements must be implemented will depend upon the size of the applicant's utility, the financial means of the applicant, the degree to which excess water use is identified as a problem, the particular types of uses which are identified as responsible for the excess water use, and any other relevant factors. Implementation of these may be achieved through collaboration with other entities, including the District.

1. through 9. No change.

10. Provide water conservation information to customers regarding landscape irrigation, including the requirements contained within Rule 40C-2.042, F.A.C.

17.0 General Conditions by Type of Use

17.1 Public Supply-Type Uses

The following general conditions are generally applied to permits for public supply-type uses:

(a) through (d) No change.

(e) Landscape irrigation is prohibited between the hours of 10:00 a.m. and 4:00 p.m., and shall not occur more than two days per week except as follows:

1. No change.

2. The use of reclaimed water for irrigation is allowed anytime, provided appropriate visible signs are placed on the property sufficient to inform ~~the general public and District~~ enforcement personnel of such use. Such signs must be in accordance with local restrictions.

3. Irrigation of, ~~or in preparation for planting,~~ new landscape is allowed any time of day or any day for the initial one 30 days and every other day for the next 30 days for a total of one 60 day period provided that the irrigation is limited to the minimum amount necessary for such landscape plant establishment.

4. through 5. No change.

(f) No change.

17.2 and 17.3 No change.

17.4 Agricultural Uses

The following conditions are generally applied to individual permits for agricultural-type uses:

(a) No change.

(b) Irrigation of agricultural crops is prohibited between the hours of 10:00 a.m. and 4:00 p.m., except as follows:

1. Irrigation using a micro-irrigation system is allowed anytime.

2. The use of reclaimed water for irrigation is allowed anytime provided appropriate visible signs are placed on the property sufficient to inform ~~the general public and District~~ enforcement personnel of such use. Such signs must be in accordance with local restrictions.

3. No change.

4. Irrigation of, ~~or in preparation for planting,~~ new ~~agricultural crops~~ is allowed any time of day for one 30 day period following planting of agricultural crops, provided that the irrigation is limited to the minimum amount necessary for crop or plant establishment.

5. through 11. No change.

(c) No change.

17.5 Nursery Use

The following conditions are generally applied to individual permits for nursery-type uses:

(a) Irrigation of nursery plants is prohibited between the hours of 10:00 a.m. and 4:00 p.m., except as follows:

1. No change.

2. The use of reclaimed water for irrigation is allowed anytime, provided appropriate visible signs are placed on the property sufficient to inform ~~the general public and District~~ enforcement personnel of such use. Such signs must be in accordance with local restrictions.

3. No change.

4. Irrigation of, ~~or in preparation for planting,~~ new ~~nursery stock,~~ is allowed any time of day for one 30 day period following planting of nursery stock provided that the irrigation is limited to the minimum amount necessary for plant establishment.

5. through 9. No change.

(b) Irrigation sites using reclaimed water must include signs designed and located to sufficiently inform ~~the general public and District~~ enforcement personnel of such use. Such signs must be in accordance with local restrictions.

(c) No change.

17.6 No change.

17.7 Golf Course/Recreation Use

The following conditions are generally applied to individual permits for golf course-type uses and recreation-type uses:

(a) Golf course and recreational irrigation is prohibited between the hours of 10:00 a.m. and 4:00 p.m., except as follows:

1. No change.

2. Facilities using reclaimed water for irrigation may do so ~~at~~ anytime provided appropriate visible signs are placed on the property sufficient to inform ~~enforcement the general public and District~~ personnel of such use. Such signs must be in accordance with local restrictions.

3. through 8. No change.

(b) No change.

NAME OF PERSON ORIGINATING PROPOSED RULE: Alfred Canepa, Assistant Department Director, Department of Resource Management, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, (386)329-4382, Suncom 860-4382

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 9, 2005

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE TITLE: Responsible Supervising Control Over Architectural Practice Outside of the Architect's Office

RULE NO.:

61G1-23.015

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify what documentation of work must be maintained by the architect in order to demonstrate responsible supervising control over the architectural practice outside of the architect's office.

SUMMARY: Documentation of responsible supervising control over the architectural practice outside of the architect's office is classified.

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: 481.2055 FS.

LAW IMPLEMENTED: 481.221(4), 481.223, 481.225 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 Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE FULL TEXT OF THE PROPOSED RULE IS:

61G1-23.015 Responsible Supervising Control Over Architectural Practice Outside of the Architect's Office.

An architect may seal and sign any documents, instruments of service, specifications, reports or other work which requires the seal and signature of a registered architect prepared outside of the architect's office, so long as all of the procedures set forth below are met. This Rule (61G1-23.015, F.A.C.) does not address the procedures required of an architect in sealing and signing work which falls within the definition of "interior design" as that term is defined in Section 481.203(8), F.S.

(1) The architect accepts professional responsibility for all architectural design activities of a project performed outside of the architect's office throughout design development and the production of all documents and instruments of service. The architect shall prepare and maintain as evidence of the architect's continuing effort in such work: to include written calculations, correspondence, time records, check prints, telephone logs, site visit logs or research done for the project and shall provide such evidence to state or local authorities upon their request.

(2) The architect maintains written documentation that the architect has directly personally supervised the preparation of all documents and instruments of service, reviewed all project data, directly personally inspected the project site and entered into an written agreement with the persons preparing the documents accepting professional responsibility for such work.

(3) The architect makes certain, if the work which the architect intends to seal and sign has been prepared by another person outside the architect's office, that whenever such final work is submitted to a client, building owner or building user, the architect is present during such submissions in order to respond to questions from the client, owner or user. ~~The architect shall maintain written minutes of such a submission meeting.~~

~~(4) Reviewing, or reviewing and correcting, technical submissions after they have been prepared by others does not constitute the exercise of responsible supervising control over, nor detailed professional knowledge of, the content of such submissions throughout their preparation. If an architect fails to maintain written documentation of the items set forth in subsections (1)-(3) above, when such are applicable, then the architect shall be considered to be in violation of Section 481.221(4) and (5), F.S., and the architect shall be subject to disciplinary penalties as provided in paragraph 61G1-12.004(2)(c), F.A.C., "Plan Stamping."~~

Specific Authority 481.2055 FS. Law Implemented 481.221(4), (5), 481.223, 481.225 FS. History--New 11-21-94, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Architecture and Interior Design

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Architecture and Interior Design

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 26, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 19, 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 Medicine

RULE TITLES:	RULE NOS.:
Disciplinary Guidelines	64B8-31.010
Mediation	64B8-31.011

PURPOSE AND EFFECT: The proposed rules address disciplinary guidelines for anesthesiologist assistants and those violations which are appropriate for mediation.

SUMMARY: The proposed Rule 64B8-31.010, F.A.C., sets forth the penalties for violation of the practice act with regard to anesthesiologist assistants. The proposed Rule 64B8-31.011, F.A.C., sets forth those violations which the Board deems 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: 456.078, 456.079, 458.309, 458.331(4), 459.005, 459.023 FS.

LAW IMPLEMENTED: 456.072, 456.078, 456.079, 458.331(4), 458.3475, 459.005, 459.023 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: Larry McPherson, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULES IS:

64B8-31.010 Disciplinary Guidelines.

(1) Purpose. Pursuant to Section 456.072, F.S., the Boards provide within this rule disciplinary guidelines which shall be imposed upon anesthesiologist assistant applicants or licensees whom it regulates under Chapters 458 and 459, F.S. The purpose of this rule is to notify such applicants and licensees of the ranges of penalties which will routinely be imposed unless the Boards find it necessary to deviate from the guidelines for the stated reasons given within this rule. The ranges of

penalties provided below are based upon a single count violation of each provision listed; for multiple counts of the violated provisions or a combination of the violations the Boards shall consider a higher penalty than that for a single, isolated violation. Each range includes the lowest and highest penalty and all penalties falling between. The purposes of the imposition of discipline are to punish the applicants or licensees for violations and to deter them from future violations; to offer opportunities for rehabilitation, when appropriate; and to deter other applicants or licensees from violations.

(2) Violations and Range of Penalties. In imposing discipline upon anesthesiologist assistant applicants and licensees, in proceedings pursuant to Section 120.57(1) and (2), Florida Statutes, the Board shall act in accordance with the following disciplinary guidelines and shall impose a penalty within the range corresponding to the violations set forth below. The verbal identification of offenses are descriptive only; the full language of each statutory provision cited must be consulted in order to determine the conduct included.

VIOLATIONS

RECOMMENDED PENALTIES

First Offense

Subsequent Offenses

(a) Attempting to obtain a license by bribery, fraud or through an error of the Department or the Board. (458.331(1)(a), F.S.) (456.072(1)(h), F.S.)

(a) From suspension of license to revocation, or certificate with ability to reapply, or denial of licensure.

(a) From denial of license to revocation of license with ability to reapply in not less than three years and a fine up to \$5,000.00 to denial of license without ability to reapply.

(b) Action taken against license by another jurisdiction. (458.331(1)(b), F.S.) (456.072(1)(f), F.S.)

(b) From imposition of discipline comparable to the discipline which would have been imposed if the substantive violation had occurred in Florida to reprimand through suspension and or denial of the license until the license is unencumbered in the jurisdiction in which disciplinary action was originally taken and an administrative fine ranging from \$1,000.00 to \$2,500.00.

(b) From imposition of discipline comparable to the discipline which would have been imposed if the substantive violation had occurred in Florida to suspension and revocation until the license is unencumbered in the jurisdiction in which disciplinary action was originally taken and an administrative fine ranging from \$2,500.00 to \$5,000.00.

1. Action taken against license by another jurisdiction relating to healthcare fraud in dollar amounts in excess of \$5000.

1. From revocation with leave to reapply in three (3) years, and an administrative fine ranging from \$1,000.00 to \$5,000.00, or in the case of application for licensure, denial of licensure.

1. From permanent revocation and an administrative fine ranging from \$2,500.00 to \$5,000.00, or in the case of application for licensure, denial of licensure.

2. Action taken against license by another jurisdiction relating to healthcare fraud in dollar amounts of \$5,000.00 or less.

(c) Guilty of crime directly relating to practice or ability to practice. (458.331(1)(c), F.S.); (456.072(1)(c), F.S.)

1. Involving a crime directly related to healthcare fraud in dollar amounts in excess of \$5,000.00.

2. Involving a crime directly related to healthcare fraud in dollar amounts of \$5,000.00 or less.

(d) False, deceptive, or misleading advertising. (458.331(1)(d), F.S.)

(e) Failure to report another licensee in violation. (458.331(1)(e), F.S.); (456.072(1)(i), F.S.)

(f) Aiding unlicensed practice. (458.331(1)(f), F.S.); (456.072(1)(j), F.S.)

(g) Failure to perform legal obligation. (458.331(1)(g), F.S.); (456.072(1)(k), F.S.)

2. From an administrative fine ranging from \$1,000.00 to \$5,000.00, and a reprimand through suspension of the license, or in the case of application for licensure, denial of licensure.

(c) From reprimand to revocation or denial of license, and an administrative fine of \$1,000.00 to \$5,000.00.

1. From revocation with leave to reapply in three (3) years, and an administrative fine ranging from \$1,000.00 to \$5,000.00, or in the case of application for licensure, denial of licensure.

2. From an administrative fine ranging from \$1,000.00 to \$5,000.00, and a reprimand through suspension of the license, or in case of application for licensure, denial of licensure.

(d) From a letter of concern to reprimand, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$2,500.00.

(e) From a letter of concern to probation and an administrative fine ranging from \$1,000.00 to \$2,500.00, or denial of licensure.

(f) From reprimand to suspension, followed by probation, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$5,000.00.

(g) For any offense not specifically listed herein, based upon the severity of the offense and the potential for patient harm, from a reprimand to revocation or denial of licensure and an administrative fine from \$1,000.00 to \$ 5,000.00.

2. From an administrative fine ranging from \$2,500.00 to \$5,000.00, and suspension of the license, followed by a period of probation to revocation, or in the case of application for licensure, denial of licensure.

(c) From probation to revocation or denial of the license, and an administrative fine of \$2,500.00 to \$5,000.00.

1. From permanent revocation and an administrative fine ranging from \$ 2,500.00 to \$5,000.00, or in the case of application for licensure, denial of licensure.

2. From an administrative fine ranging from \$2,500.00 to \$5,000.00, and suspension of the license, followed by a period of probation to revocation, or in case of application for licensure, denial of licensure.

(d) From a letter of concern to reprimand, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$2,500.00.

(e) From reprimand to suspension or denial of licensure, and an administrative fine from \$2,500.00 to \$ 5,000.00.

(f) From probation to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.

(g) For any offense not specifically listed herein, based upon the severity of the offense and the potential for patient harm, from a reprimand to revocation or denial and an administrative fine from \$2,500.00 to \$5,000.00.

1. Continuing medical education (CME) violations.
(456.072(1)(e), F.S.);
(456.072(1)(s), F.S.);
(456.033(9), F.S.)

a. Failure to document required HIV/AIDS, or end of life care, or palliative health care.

b. Failure to document required domestic violence CME or substitute end-of-life care CME, or CME on the prevention of medical errors.

(h) Filing a false report or failing to file a report as required.
(458.331(1)(h), F.S.);
(456.072(1)(l), F.S.)

1. Involving healthcare fraud in dollar amounts in excess of \$5,000.00.

2. Involving healthcare fraud in dollar amounts of \$5,000.00 or less.

(i) Kickbacks or split fee arrangements.
(458.331(1)(i), F.S.)

(j) Sexual Misconduct.
(458.331(1)(j), F.S.);
(458.329, F.S.);
(456.072(1)(u), F.S.)

(k) Deceptive, untrue, or fraudulent representations in the practice of medicine.
(458.331(1)(k), F.S.);
(456.072(1)(a), (m), F.S.)

1. Document compliance with the CME requirements for the relevant period; AND:

a. An administrative fine ranging from \$250.00 to \$500.00.

b. An administrative fine ranging from \$250.00 to \$500.00.

(h) From a letter of concern to revocation, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$5,000.00.

1. From revocation with leave to reapply in three (3) years, and an administrative fine ranging from \$1,000.00 to \$5,000.00, or in the case of application for licensure, denial of licensure.

2. From an administrative fine ranging from \$1,000.00 to \$5,000.00, and a reprimand through suspension of the license, or in case of application for licensure, denial of licensure.

(i) A refund of fees paid by or on behalf of the patient and from a reprimand and an administrative fine of \$1,000.00 to a reprimand and an administrative fine of \$5,000.00, or denial of licensure.

(j) From probation to revocation, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$5,000.00.

(k) From a letter of concern to revocation, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$5,000.00.

1. Document compliance with the CME requirements for the relevant period; AND:

a. An administrative fine ranging from \$500.00 to \$1,000.00.

b. An administrative fine of \$500.00 to \$1,000.00.

(h) From probation to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.

1. From permanent revocation and an administrative fine ranging from \$2,500.00 to \$5,000.00, or in the case of application for licensure, denial of licensure.

2. From an administrative fine ranging from \$2,500.00 to \$5,000.00, and suspension of the license, followed by a period of probation to revocation, or in case of application for licensure, denial of licensure.

(i) A refund of fees paid by or on behalf of the patient and from suspension to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.

(j) From suspension to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.

(k) From probation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00 to revocation.

1. Deceptive, untrue, or fraudulent representations in the practice of medicine relating to healthcare fraud in dollar amounts in excess of \$5,000.00.

2. Deceptive, untrue, or fraudulent representations in the practice of medicine relating to healthcare fraud in dollar amounts of \$5,000.00 or less.

(l) Improper solicitation of patients. (458.331(1)(l), F.S.)

(m) Failure to keep legible written medical records. (458.331(1)(m), F.S.)

1. Failure to keep legible written medical records relating to healthcare fraud in dollar amounts in excess of \$5,000.00.

2. Failure to keep legible written medical records relating to healthcare fraud in dollar amounts of \$5,000.00 or less.

(n) Exercising influence on patient for financial gain. (458.331(1)(n), F.S.); (456.072(1)(n), F.S.)

(o) Performing professional services not authorized by patient. (458.331(1)(p), F.S.)

1. From revocation with leave to reapply in three (3) years, and an administrative fine ranging from \$1,000.00 to \$5,000.00, or in the case of application for licensure, denial of licensure.

2. From an administrative fine ranging from \$1,000.00 to \$5,000.00, and a reprimand through suspension of the license, or in the case of application for licensure, denial of licensure.

(l) From an administrative fine ranging from \$1,000.00 to \$5,000.00, and a reprimand to probation, or denial of licensure.

(m) From letter of concern to a reprimand, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$5,000.000.

1. From revocation with leave to reapply in three (3) years, and an administrative fine ranging from \$1,000.00 to \$5,000.00, or in the case of application for licensure, denial of licensure.

2. From an administrative fine ranging from \$1,000.00 to \$5,000.00, and a reprimand through suspension of the license, or in the case of application for licensure, denial of licensure.

(n) Payment of fees paid by or on behalf of the patient and from a reprimand to probation, or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.

(o) From a letter of concern to revocation, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$5,000.00.

1. From permanent revocation and an administrative fine ranging from \$2,500.00 to \$5,000.00, or in the case of application for licensure, denial of licensure.

2. From an administrative fine ranging from \$2,500.00 to \$5,000.00, and suspension of the license, followed by a period of probation to revocation, or in the case of application for licensure, denial of licensure.

(l) From suspension to revocation or denial of licensure, and an administrative fine from \$2,500.00 to \$5,000.00.

(m) From a reprimand to suspension followed by probation, and an administrative fine ranging from \$2,500.00 to \$5,000.00, or denial of licensure.

1. From permanent revocation and an administrative fine ranging from \$2,500.00 to \$5,000.00, or in the case of application for licensure, denial of licensure.

2. From an administrative fine ranging from \$2,500.00 to \$5,000.00, and suspension of the license, followed by a period of probation to revocation, or in the case of application for licensure, denial of licensure.

(n) Payment of fees paid by or on behalf of the patient and from probation to revocation, or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.

(o) From a reprimand to revocation, or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.

<p><u>(p) Inability to practice medicine with skill and safety.</u> <u>(458.331(1)(s), F.S.);</u> <u>(456.072(1)(y), F.S.)</u></p>	<p><u>(p) From reprimand to suspension, which may be stayed to allow a period of probation with supervision, and a demonstration by the licensee of the ability to practice with reasonable skill and safety, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$2,500.00.</u></p>	<p><u>(p) From probation to revocation, until the licensee is able to demonstrate ability to practice with reasonable skill and safety, followed by probation, or denial of licensure, and an administrative fine from \$2,500.00 to \$ 5,000.00.</u></p>
<p><u>(q)1. Malpractice: practicing below acceptable standard of care.</u> <u>(458.331(1)(t), F.S.)</u></p>	<p><u>(q)1. From a letter of concern to revocation, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$5,000.00.</u></p>	<p><u>(q)1. From reprimand to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.</u></p>
<p><u>2. Gross Malpractice</u></p>	<p><u>2. From probation to revocation or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$2,500.00.</u></p>	<p><u>2. From suspension followed by probation to revocation or denial, and an administrative fine ranging from \$2,500.00 to \$5,000.00.</u></p>
<p><u>3. Repeated Malpractice</u></p>	<p><u>3. From a reprimand to revocation, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$5,000.000.</u></p>	<p><u>3. From probation to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.</u></p>
<p><u>(r) Performing of experimental treatment without informed consent.</u> <u>(458.331(1)(u), F.S.)</u></p>	<p><u>(r) From a letter of concern to suspension, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$5,000.00.</u></p>	<p><u>(r) From suspension to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.</u></p>
<p><u>(s) Practicing beyond scope permitted.</u> <u>(458.331(1)(v), F.S.);</u> <u>(456.072(1)(o), F.S.)</u></p>	<p><u>(s) From a letter of concern to reprimand and probation, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$5,000.00.</u></p>	<p><u>(s) From probation to suspension or revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.</u></p>
<p><u>(t) Delegation of professional responsibilities to unqualified person.</u> <u>(458.331(1)(w), F.S.);</u> <u>(456.072(1)(p), F.S.)</u></p>	<p><u>(t) From reprimand to suspension, followed by probation, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$5,000.00.</u></p>	<p><u>(t) From probation to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.</u></p>
<p><u>(u)1. Violation of law, rule, or failure to comply with subpoena.</u> <u>(458.331(1)(x), (nn), F.S.);</u> <u>(456.072(1)(b), (q), (cc), F.S.)</u></p>	<p><u>(u)1. For any offense not specifically listed herein, based upon the severity of the offense and the potential for patient harm, from a reprimand to revocation, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$5,000.00.</u></p>	<p><u>(u)1. From probation to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.</u></p>

<u>2. Violation of an order of the Board.</u>	<u>2. From a letter of concern and an administrative fine of \$1,000.00 to a letter of concern and an administrative fine of \$5,000.00.</u>	<u>2. From a reprimand and an administrative fine of \$2,500.00 to a reprimand and an administrative fine of \$5,000.00 and probation.</u>
<u>(v) Conspiring to restrict another from lawfully advertising services. (458.331(1)(y), F.S.)</u>	<u>(v) From a letter of concern to a reprimand and an administrative fine ranging from \$1,000.00 to \$2,500.00.</u>	<u>(v) From a reprimand and an administrative fine of \$2,500.00 to a reprimand and an administrative fine of \$5,000.00.</u>
<u>(w) Aiding an unlawful abortion. (458.331(1)(z), F.S.)</u>	<u>(w) From probation to revocation, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$5,000.00.</u>	<u>(w) From suspension to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.</u>
<u>(x) Failure to adequately supervise assisting personnel. (458.331(1)(dd), F.S.)</u>	<u>(x) From a reprimand to probation, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$2,500.00.</u>	<u>(x) From probation to suspension followed by probation, or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.</u>
<u>(y) Improper use of substances for muscle building or enhancement of athletic performance. (458.331(1)(ee), F.S.)</u>	<u>(y) From a reprimand to suspension, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$5,000.00.</u>	<u>(y) From suspension to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.</u>
<u>(z) Use of amygdaline (laetrile). (458.331(1)(ff), F.S.)</u>	<u>(z) From a reprimand to probation, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$2,500.00.</u>	<u>(z) From suspension to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.</u>
<u>(aa) Misrepresenting or concealing a material fact. (458.331(1)(gg), F.S.)</u>	<u>(aa) From a reprimand to probation, and an administrative fine ranging from \$500.00 to \$2,500.00, or the denial of licensure with the ability to reapply, upon payment of a \$500.00 fine.</u>	<u>(aa) From probation to revocation or denial of licensure without the ability to reapply, and an administrative fine ranging from \$500.00 to \$5,000.00.</u>
<u>(bb) Improperly interfering with an investigation or a disciplinary proceeding. (458.331(1)(hh), F.S.); (456.072(1)(r), F.S.)</u>	<u>(bb) From a reprimand to probation, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$2,500.00.</u>	<u>(bb) From probation to revocation or denial of licensure without ability to re-apply, and an administrative fine ranging from \$2,500.00 to \$5,000.00.</u>
<u>(cc) Failing to report any licensee who is in violation of law. (458.331(1)(ii), F.S.); (456.072(1)(i), F.S.)</u>	<u>(cc) From a letter of concern to probation, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$2,500.00.</u>	<u>(cc) From probation to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.</u>
<u>(dd) Providing medical opinion without reasonable investigation. (458.331(1)(jj), F.S.)</u>	<u>(dd) From a letter of concern to a reprimand, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$2,500.00.</u>	<u>(dd) From probation to revocation or denial of licensure, and an administrative fine from \$2,500.00 to \$ 5,000.00.</u>

<u>(ee) Theft or reproduction of an examination.</u> <u>(456.018, F.S.)</u>	<u>(ee) Suspension to revocation, or denial of licensure without an ability to reapply.</u>	<u>(ee) Revocation or denial of licensure without ability to reapply.</u>
<u>(ff) Using laser device or product without complying with rules adopted pursuant to s. 501.122(2), F.S.</u> <u>(456.072(1)(d), F.S.)</u>	<u>(ff) From a letter of concern to a reprimand and an administrative fine ranging from \$1,000.00 to \$2,500.00.</u>	<u>(ff) From probation to revocation and an administrative fine from \$2,500.00 to \$5,000.00.</u>
<u>(gg) Having been found liable in a civil proceeding for filing a false complaint against another licensee.</u> <u>(456.072(1)(g), F.S.)</u>	<u>(gg) From probation to suspension or denial of licensure, and an administrative fine from \$1000.00 to \$2,500.00.</u>	<u>(gg) From suspension to revocation and an administrative fine from \$2,500.00 to \$5,000.00.</u>
<u>(hh) Failure to provide patients with information regarding their patient rights.</u> <u>(456.072(1)(t), F.S.);</u> <u>(458.331(1)(mm), F.S.)</u>	<u>(hh) From a letter of concern to probation and an administrative fine ranging from \$500.00 to \$2,500.00.</u>	<u>(hh) From probation to revocation and an administrative fine from \$2,500.00 to \$5,000.00.</u>
<u>(ii) Using accident information for solicitation purposes.</u> <u>(456.072(1)(x), F.S.)</u>	<u>(ii) From a reprimand to suspension and an administrative fine ranging from \$1,000.00 to \$2,500.00.</u>	<u>(ii) From probation to revocation and an administrative fine from \$2,500.00 to \$5,000.00.</u>
<u>(jj) Testing positive on a preemployment or employee ordered drug screening.</u> <u>(456.072(1)(z), F.S.)</u>	<u>(jj) From a letter of concern to probation or a denial of licensure and an administrative fine ranging from \$500.00 to \$2,500.00.</u>	<u>(jj) From probation to revocation and an administrative fine from \$2,500.00 to \$5,000.00.</u>
<u>(kk) Performing health care services on the wrong patient, wrong site, wrong procedure.</u> <u>(456.072(1)(aa), F.S.)</u>	<u>(kk) From a reprimand to suspension and an administrative fine ranging from \$1000.00 to \$2,500.00.</u>	<u>(kk) From probation to revocation and an administrative fine from \$2,500.00 to \$5,000.00.</u>
<u>(ll) Leaving a foreign body in a patient.</u> <u>(456.072(1)(bb), F.S.)</u>	<u>(ll) From a letter of concern to probation and an administrative fine ranging from \$1000.00 to \$2,500.00.</u>	<u>(ll) From a reprimand to suspension and an administrative fine ranging from \$1000.00 to \$2,500.00.</u>
<u>(mm) Intentionally submitting a personal injury protection claim, statement, or bill that has been "upcoded," or claim, statement, or bill for services not rendered.</u> <u>(456.072(1)(dd), (ee), F.S.)</u>	<u>(mm) From a reprimand to probation and an administrative fine ranging from \$1000.00 to \$2,500.00.</u>	<u>(mm) From probation to revocation and an administrative fine from \$2,500.00 to \$5,000.00.</u>
<u>(nn) Failing to report within 30 days action taken against one's license in another jurisdiction.</u> <u>(458.331(1)(kk), F.S.)</u>	<u>(nn) From a reprimand to suspension or a denial of licensure and an administrative fine ranging from \$1000.00 to \$2,500.00.</u>	<u>(nn) From probation to revocation and an administrative fine from \$2,500.00 to \$5,000.00.</u>

(3) Aggravating and Mitigating Circumstances. Based upon consideration of aggravating and mitigating factors present in an individual case, the Board may deviate from the penalties recommended above. The Board shall consider as aggravating or mitigating factors the following:

(a) Exposure of patients or public to injury or potential injury, physical or otherwise; none, slight, severe, or death;

(b) Legal status at the time of the offense; no restraints, or legal constraints;

(c) The number of counts or separate offenses established;

(d) The number of times the same offense or offenses have previously been committed by the licensee or applicant;

(e) The disciplinary history of the applicant or licensee in any jurisdiction and the length of practice;

(f) Pecuniary benefit or self-gain inuring to the applicant or licensee;

(g) Any other relevant mitigating factors.

(4) The anesthesiologist assistant shall be disciplined by the Board when, after due notice and a hearing in accordance with the provisions of this rule, it shall find: that the anesthesiologist assistant has held himself out or permitted another to represent him as a licensed physician. If any person addresses the anesthesiologist assistant in a medical setting as "Doctor," the anesthesiologist assistant must immediately inform that person that the anesthesiologist assistant is not a doctor. Upon a finding by the Board of failure to immediately inform the person, the following penalty shall be imposed: a letter of concern, a reprimand, a 60-day suspension and/or a fine up to \$2,500.00; and for any subsequent offense, a fine up to \$5,000.00 and/or revocation of the certificate.

Specific Authority 456.079, 458.309, 458.331(4), 459.005, 459.023 FS. Law Implemented 456.072, 456.079, 458.331(4), 458.3475, 459.005, 459.023 FS. History--New _____.

64B8-31.011 Mediation.

(1) For purposes of Section 456.078, F.S., the Board designates as being appropriate for mediation, violations of the following provisions:

(a) Failing to comply with the requirements of Sections 381.026 and 381.0261, F.S., to provide patients with information about their patient rights and how to file a patient complaint;

(b) Negligently failing to file a report or record required by state or federal law;

(2) The above-outlined provisions shall qualify for mediation only when the violation can be remedied by the licensee, there is no allegation of intentional misconduct, no patient injury, and the allegations do not involve any "adverse incidents" as defined by Section 456.078(2), F.S.

Specific Authority 456.078 FS. Law Implemented 456.078 FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Anesthesiologist Assistant Committee

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Medicine
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 3, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 25, 2004

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE TITLE: Definitions
RULE NO.: 64B14-3.001

PURPOSE AND EFFECT: The Board proposes to update the existing language in this rule to more specifically define the term "direct supervision" and to define the term "support personnel."

SUMMARY: The proposed rule amendment more specifically defines the term "direct supervision" and defines the term "support personnel."

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: 468.802 FS.

LAW IMPLEMENTED: 468.802, 468.803, 468.807, 468.808, 468.809 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 Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B14-3.001 Definitions.

As used in this chapter, the following terms shall mean:

(1) through (11) No change.

(12) Direct Supervision means: supervision while the qualified supervisor is on the premises.

(a) The licensed orthotist, prosthetist, orthotist/prosthetist, or pedorthist will provide a physical evaluation of each patient's orthotic and or prosthetic needs and may delegate appropriate duties to support personnel. However, the licensed practitioner shall physically evaluate the effectiveness, appropriateness and fit of all devices within the scope of the licensed practitioner's licensure practice requirements, including those repaired devices in which the repairs affect the fit, physical structure or biomechanical function of the device, on every patient, prior to patient use of the device;

(b) For the purpose of replacement of worn or broken components which do not in any way alter the fit, physical structure or biomechanical functioning of the existing device, direct supervision of support personnel providing repairs to orthoses or prostheses means the aforementioned repair must be approved by the appropriately licensed practitioner prior to beginning of repairs. The responsible licensed practitioner must at all times be accessible by two way communication, enabling the supervisor to respond to questions relating to the repair.

(13) through (27) No change.

(28) Support Personnel – any person who is not licensed by the Board of Orthotists and Prosthetists to perform a given task, procedure or service.

~~(29)~~(28) Therapeutic – applying forces to the body to modify structural alignment, correct a deformity or alleviate pain.

Specific Authority 468.802 FS. Law Implemented 468.802, 468.803, 468.807, 468.808, 468.809 FS. History–New 10-21-99, Amended 2-19-04, 5-5-04, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Orthotists and Prosthetists
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Orthotists and Prosthetists
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 15, 2005
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 24, 2005

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE TITLE: Documentation of Eligibility for Licensure
RULE NO.: 64B14-4.003
PURPOSE AND EFFECT: The Board proposes to update the existing language in this rule to clarify requirements for licensure.

SUMMARY: The proposed rule amendment updates the existing language in this rule to clarify requirements for licensure.

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

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

SPECIFIC AUTHORITY: 468.802 FS.

LAW IMPLEMENTED: 456.013(1),(7), 468.803 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 Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B14-4.003 Documentation of Eligibility for Licensure.

(1) No change.

(2) In order to establish eligibility for licensure as an orthotic fitter under Section 468.803(3)(c), F.S., the applicant must provide at a minimum:

(a) through (b) No change.

(c) Verification of Employment Form(s) demonstrating two years ~~supervised~~ ~~of~~ ~~experience~~ ~~in~~ ~~orthotics~~ ~~that~~ ~~meets~~ ~~the~~ ~~requirements~~ ~~of~~ ~~paragraph~~ ~~64B14-4.110(1)(b)~~ ~~F.A.C.~~ ~~as~~ ~~an~~ ~~orthotic~~ ~~fitter~~ ~~assistant~~ signed by the applicant’s qualified supervisor(s).

(d) No change.

(3) In order to establish eligibility for licensure as an orthotic fitter assistant under Section 468.803(3)(d), F.S., the applicant must provide at a minimum:

(a) through (c) No change.

(4) In order to establish eligibility for licensure as a pedorthist under Section 468.803(3)(e), F.S., the applicant must provide at a minimum:

(a) through (c) No change.

(5) No change.

Specific Authority 468.802 FS. Law Implemented 456.013(1),(7), 468.803 FS. History–New 12-10-98, Amended 11-11-02,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Orthotists and Prosthetists
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Orthotists and Prosthetists
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 15, 2005
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 20, 2005

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE TITLE: Requirements for Orthotic Fitter, Orthotic Fitter Assistant and Pedorthic
RULE NO.: 64B14-4.110

PURPOSE AND EFFECT: The Board proposes to update the existing language to require persons who acquire their experience in Florida to be supervised by a Florida licensee, and clarify that this rule is not intended to authorize the aiding or assisting of the unlicensed practice of orthotics or prosthetics or to authorize practice beyond the scope of any individual’s license.

SUMMARY: The proposed rule amendment updates the existing language to require persons who acquire their experience in Florida to be supervised by a Florida licensee, and clarify that this rule is not intended to authorize the aiding or assisting of the unlicensed practice of orthotics or prosthetics or to authorize practice beyond the scope of any individual's license.

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: 468.802, 468.803 FS.

LAW IMPLEMENTED: 468.803 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 Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B14-4.110 Requirements for Orthotic Fitter, Orthotic Fitter Assistant and Pedorthic.

(1) Requirements for Licensure as an Orthotic Fitter. The applicant must demonstrate:

(a) No change.

(b) Two years experience in orthotics as an orthotic fitter assistant under the direct supervision of a Florida licensed orthotist, licensed fitter, or an orthotist certified by ABC. Candidates licensed by the Board as an orthotic fitter assistant may earn the two years of experience under the direct supervision of a Florida licensed orthotic fitter. Experience in orthotics earned outside of Florida may also be earned under the direct supervision of an ABC certified orthotist. This paragraph shall not be construed to authorize any person to supervise, assist or engage in the unlicensed practice of orthotics, prosthetics or pedorthics. The education required by paragraph (1)(a) above shall be completed prior to earning the experience required by this sub-section, except that the required custom molded shoe course may be completed no less than one year prior to the end of the two year period of orthotics experience the applicant relies on to qualify for licensure. This paragraph shall not be construed to authorize any person licensed by the Board to practice beyond the scope of their license, unless supervised pursuant to the requirements of Chapter 468, Part XIV, F.S. and rules of the Board.

(2) through (3) No change.

Specific Authority 468.802, 468.803 FS. Law Implemented 468.803 FS. History—New 11-1-99, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Orthotists and Prosthetists

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Orthotists and Prosthetists

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 15, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 20, 2005

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE TITLE: Continuing Education Requirement

RULE NO.: 64B14-5.002

PURPOSE AND EFFECT: The Board proposes to update the existing language in this rule to add an additional authorized provider for obtaining registration as a competent health care provider.

SUMMARY: The proposed rule amendment updates the existing language in this rule to add an additional authorized provider for obtaining registration as a competent health care provider.

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: 468.802, 468.806 FS.

LAW IMPLEMENTED 456.013, 456.024, 468.806 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 Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B14-5.002 Continuing Education Requirement.

(1) As a condition of license renewal or recertification, each licensee must complete approved continuing education.

(a) through (b) No change.

(c) For each biennium ending after May 31, 2001, each licensee's continuing education must include one hour of continuing education on cardiopulmonary resuscitation; one hour on infectious diseases including HIV/AIDS, two hours of continuing education relating to prevention of medical errors which shall include a study of root-cause analysis, error reduction and prevention, and patient safety and two hours on

Chapters 456, 468, Part XIV, F.S., and Rule Chapter 64B14, F.A.C. The two hour course relating to the prevention of medical errors shall count toward the total number of continuing education hours required and shall be a course approved by the Board. For the biennium beginning December 1, 2005, each licensee's continuing education must include one hour of infectious diseases including HIV/AIDS; two hours on Chapters 456, 468, Part XIV, F.S., and Rule Chapter 64B14, F.A.C.; an up to date registration showing competency as a Healthcare Provider by the American Heart Association, the American Safety and Health Institute or the American Red Cross; and two hours of continuing education relating to the prevention of medical errors, which shall include a study of root cause analysis, error reduction and prevention, and patient safety. The two hour medical errors course shall be a course approved by the Board and shall count toward the total number of continuing education hours required for the biennium.

(2) through (9) No change.

Specific Authority 468.802, 468.806 FS. Law Implemented 456.013, 456.024, 468.806 FS. History--New 7-1-98, Amended 5-18-00, 7-18-02, 11-11-02, 2-15-05, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Orthotists and Prosthetists
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Orthotists and Prosthetists
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 15, 2005
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 20, 2005

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE TITLE: Standards of Practice
RULE NO.: 64B14-7.001

PURPOSE AND EFFECT: The Board proposes to amend the existing language in this rule to include failure to appropriately delegate to unlicensed personnel as practicing below the standards of practice.

SUMMARY: The proposed rule amendment amends the existing language in this rule to include failure to appropriately delegate to unlicensed personnel as practicing below the standards of practice.

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: 468.802 FS.

LAW IMPLEMENTED: 456.063(1), 456.072(1)(o),(u), 468.802 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 Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B14-7.001 Standards of Practice.

(1) through (4) No change.

(5) It is below the standard of practice and prohibited under this section for any person licensed under this chapter to delegate or assign activities, tasks or procedures that fall within the scope of any practice defined in Section 468.80, F.S., to support personnel, without providing direct supervision for the performance of the activities, tasks or procedures.

Specific Authority 468.802 FS. Law Implemented 456.063(1), 456.072(1)(o),(u), 468.802 FS. History--New 7-1-98, Amended 10-24-04, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Orthotists and Prosthetists
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Orthotists and Prosthetists
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 15, 2005
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 20, 2005

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE TITLES: Disciplinary Guidelines
RULE NOS.: 64B15-7.010
64B15-7.011

PURPOSE AND EFFECT: The proposed rules address disciplinary guidelines for anesthesiologist assistants and those violations which are appropriate for mediation.

SUMMARY: The proposed Rule 64B15-7.010, F.A.C., sets forth the penalties for violation of the practice act with regard to anesthesiologist assistants. The proposed Rule 64B15-7.011, F.A.C., sets forth those violations which the Board deems 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: 456.078, 456.079, 459.005, 459.015(5), 459.023 FS.

LAW IMPLEMENTED: 456.072, 456.078, 456.079, 459.015(5), 459.023 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: Pamela King, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULES IS:

64B15-7.010 Disciplinary Guidelines.

(1) Purpose. Pursuant to Section 456.072, F.S., the Boards provide within this rule disciplinary guidelines which shall be imposed upon anesthesiologist assistant applicants or licensees whom it regulates under Chapters 458 and 459, F.S. The purpose of this rule is to notify such applicants and licensees of the ranges of penalties which will routinely be imposed unless the Boards find it necessary to deviate from the guidelines for the stated reasons given within this rule. The ranges of penalties provided below are based upon a single count violation of each provision listed; for multiple counts of the

violated provisions or a combination of the violations the Boards shall consider a higher penalty than that for a single, isolated violation. Each range includes the lowest and highest penalty and all penalties falling between. The purposes of the imposition of discipline are to punish the applicants or licensees for violations and to deter them from future violations; to offer opportunities for rehabilitation, when appropriate; and to deter other applicants or licensees from violations.

(2) Violations and Range of Penalties. In imposing discipline upon anesthesiologist assistant applicants and licensees, in proceedings pursuant to Section 120.57(1) and (2), F.S., the Board shall act in accordance with the following disciplinary guidelines and shall impose a penalty within the range corresponding to the violations set forth below. The verbal identification of offenses are descriptive only; the full language of each statutory provision cited must be consulted in order to determine the conduct included.

VIOLATIONS

RECOMMENDED PENALTIES

First Offense

Subsequent Offenses

(a) Attempting to obtain a license by bribery, fraud or through an error of the Department or the Board. (459.015(1)(a), F.S.); (456.072(1)(h), F.S.)

(a) From suspension of license to revocation, or certificate with ability to reapply, or denial of licensure.

(a) From denial of license to revocation of license with ability to reapply in not less than three years and a fine up to \$5,000.00 to denial of license without ability to reapply.

(b) Action taken against license by another jurisdiction. (459.015(1)(b), F.S.) (456.072(1)(f), F.S.)

(b) From imposition of discipline comparable to the discipline which would have been imposed if the substantive violation had occurred in Florida to reprimand through suspension and or denial of the license until the license is unencumbered in the jurisdiction in which disciplinary action was originally taken and an administrative fine ranging from \$1,000.00 to \$2,500.00.

(b) From imposition of discipline comparable to the discipline which would have been imposed if the substantive violation had occurred in Florida to suspension and revocation until the license is unencumbered in the jurisdiction in which disciplinary action was originally taken and an administrative fine ranging from \$2,500.00 to \$5,000.00.

1. Action taken against license by another jurisdiction relating to healthcare fraud in dollar amounts in excess of \$5000.

1. From revocation with leave to reapply in three (3) years, and an administrative fine ranging from \$1,000.00 to \$5,000.00, or in the case of application for licensure, denial of licensure.

1. From permanent revocation and an administrative fine ranging from \$2,500.00 to \$5,000.00, or in the case of application for licensure, denial of licensure.

2. Action taken against license by another jurisdiction relating to healthcare fraud in dollar amounts of \$5,000.00 or less.

(c) Guilty of crime directly relating to practice or ability to practice. (459.015(1)(c), F.S.) (456.072(1)(c), F.S.)

1. Involving a crime directly related to healthcare fraud in dollar amounts in excess of \$5,000.00.

2. Involving a crime directly related to healthcare fraud in dollar amounts of \$5,000.00 or less.

(d) False, deceptive, or misleading advertising. (459.015(1)(d), F.S.)

(e) Failure to report another licensee in violation. (459.015(1)(e), F.S.); (456.072(1)(i), F.S.)

(f) Aiding unlicensed practice. (459.015(1)(f), F.S.); (456.072(1)(j), F.S.)

(g) Failure to perform legal obligation. (459.015(1)(g), F.S.); (456.072(1)(k), F.S.)

2. From an administrative fine ranging from \$1,000.00 to \$5,000.00, and a reprimand through suspension of the license, or in the case of application for licensure, denial of licensure.

(c) From reprimand to revocation or denial of license, and an administrative fine of \$1,000.00 to \$5,000.00.

1. From revocation with leave to reapply in three (3) years, and an administrative fine ranging from \$1,000.00 to \$5,000.00, or in the case of application for licensure, denial of licensure.

2. From an administrative fine ranging from \$1,000.00 to \$5,000.00, and a reprimand through suspension of the license, or in case of application for licensure, denial of licensure.

(d) From a letter of concern to reprimand, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$2,500.00.

(e) From a letter of concern to probation and an administrative fine ranging from \$1,000.00 to \$2,500.00, or denial of licensure.

(f) From reprimand to suspension, followed by probation, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$5,000.00.

(g) For any offense not specifically listed herein, based upon the severity of the offense and the potential for patient harm, from a reprimand to revocation or denial of licensure and an administrative fine from \$1,000.00 to \$ 5,000.00.

2. From an administrative fine ranging from \$2,500.00 to \$5,000.00, and suspension of the license, followed by a period of probation to revocation, or in the case of application for licensure, denial of licensure.

(c) From probation to revocation or denial of the license, and an administrative fine of \$2,500.00 to \$5,000.00.

1. From permanent revocation and an administrative fine ranging from \$2,500.00 to \$5,000.00, or in the case of application for licensure, denial of licensure.

2. From an administrative fine ranging from \$2,500.00 to \$5,000.00, and suspension of the license, followed by a period of probation to revocation, or in case of application for licensure, denial of licensure.

(d) From a letter of concern to reprimand, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$2,500.00.

(e) From reprimand to suspension or denial of licensure, and an administrative fine from \$2,500.00 to \$5,000.00.

(f) From probation to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.

(g) For any offense not specifically listed herein, based upon the severity of the offense and the potential for patient harm, from a reprimand to revocation or denial and an administrative fine from \$2,500.00 to \$5,000.00.

1. Continuing medical education (CME) violations.
(456.072(1)(e), F.S.);
(456.072(1)(s), F.S.);
(456.033(9), F.S.)

a. Failure to document required HIV/AIDS, or end of life care, or palliative health care.

b. Failure to document required domestic violence CME or substitute end-of-life care CME, or CME on the prevention of medical errors.

(h) Filing a false report or failing to file a report as required.
(459.015(1)(i), F.S.);
(456.072(1)(l), F.S.)

1. Involving healthcare fraud in dollar amounts in excess of \$5,000.00.

2. Involving healthcare fraud in dollar amounts of \$5,000.00 or less.

(i) Kickbacks or split fee arrangements.
(459.015(1)(j), F.S.)

(j) Sexual Misconduct.
(459.015(1)(l), F.S.);
(450.0141, F.S.);
(456.072(1)(u), F.S.)

(k) Deceptive, untrue, or fraudulent representations in the practice of medicine.
(459.015(1)(m), F.S.);
(456.072(1)(a), (m), F.S.)

1. Document compliance with the CME requirements for the relevant period; AND:

a. An administrative fine ranging from \$250.00 to \$500.00.

b. An administrative fine ranging from \$250.00 to \$500.00.

(h) From a letter of concern to revocation, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$5,000.00.

1. From revocation with leave to reapply in three (3) years, and an administrative fine ranging from \$1,000.00 to \$5,000.00, or in the case of application for licensure, denial of licensure.

2. From an administrative fine ranging from \$1,000.00 to \$5,000.00, and a reprimand through suspension of the license, or in case of application for licensure, denial of licensure.

(i) A refund of fees paid by or on behalf of the patient and from a reprimand and an administrative fine of \$1,000.00 to a reprimand and an administrative fine of \$5,000.00, or denial of licensure.

(j) From probation to revocation, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$5,000.00.

(k) From a letter of concern to revocation, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$5,000.00.

1. Document compliance with the CME requirements for the relevant period; AND:

a. An administrative fine ranging from \$500.00 to \$1,000.00.

b. An administrative fine of \$500.00 to \$1,000.00.

(h) From probation to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.

1. From permanent revocation and an administrative fine ranging from \$2,500.00 to \$5,000.00, or in the case of application for licensure, denial of licensure.

2. From an administrative fine ranging from \$2,500.00 to \$5,000.00, and suspension of the license, followed by a period of probation to revocation, or in case of application for licensure, denial of licensure.

(i) A refund of fees paid by or on behalf of the patient and from suspension to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.

(j) From suspension to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.

(k) From probation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00 to revocation.

1. Deceptive, untrue, or fraudulent representations in the practice of medicine relating to healthcare fraud in dollar amounts in excess of \$5,000.00.

1. From revocation with leave to reapply in three (3) years, and an administrative fine ranging from \$1,000.00 to \$5,000.00, or in the case of application for licensure, denial of licensure.

1. From permanent revocation and an administrative fine ranging from \$2,500.00 to \$5,000.00, or in the case of application for licensure, denial of licensure.

2. Deceptive, untrue, or fraudulent representations in the practice of medicine relating to healthcare fraud in dollar amounts of \$5,000.00 or less.

2. From an administrative fine ranging from \$1,000.00 to \$5,000.00, and a reprimand through suspension of the license, or in the case of application for licensure, denial of licensure.

2. From an administrative fine ranging from \$2,500.00 to \$5,000.00, and suspension of the license, followed by a period of probation to revocation, or in the case of application for licensure, denial of licensure.

(l) Improper solicitation of patients. (459.015(1)(n), F.S.)

(l) From an administrative fine ranging from \$1,000.00 to \$5,000.00, and a reprimand to probation, or denial of licensure.

(l) From suspension to revocation or denial of licensure, and an administrative fine from \$2,500.00 to \$5,000.00.

(m) Failure to keep legible written medical records. (459.015(1)(o), F.S.)

(m) From letter of concern to a reprimand, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$5,000.000.

(m) From a reprimand to suspension followed by probation, and an administrative fine ranging from \$2,500.00 to \$5,000.00, or denial of licensure.

1. Failure to keep legible written medical records relating to healthcare fraud in dollar amounts in excess of \$5,000.00.

1. From revocation with leave to reapply in three (3) years, and an administrative fine ranging from \$1,000.00 to \$5,000.00, or in the case of application for licensure, denial of licensure.

1. From permanent revocation and an administrative fine ranging from \$2,500.00 to \$5,000.00, or in the case of application for licensure, denial of licensure.

2. Failure to keep legible written medical records relating to healthcare fraud in dollar amounts of \$5,000.00 or less.

2. From an administrative fine ranging from \$1,000.00 to \$5,000.00, and a reprimand through suspension of the license, or in the case of application for licensure, denial of licensure.

2. From an administrative fine ranging from \$2,500.00 to \$5,000.00, and suspension of the license, followed by a period of probation to revocation, or in the case of application for licensure, denial of licensure.

(n) Exercising influence on patient for financial gain. (459.015(1)(q), F.S.); (456.072(1)(n), F.S.)

(n) Payment of fees paid by or on behalf of the patient and from a reprimand to probation, or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.

(n) Payment of fees paid by or on behalf of the patient and from probation to revocation, or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.

(o) Performing professional services not authorized by patient. (459.015(1)(s), F.S.)

(o) From a letter of concern to revocation, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$5,000.00.

(o) From a reprimand to revocation, or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.

(p) Inability to practice medicine with skill and safety.
(459.015(1)(w), F.S.);
(456.072(1)(y), F.S.)

(p) From reprimand to suspension, which may be stayed to allow a period of probation with supervision, and a demonstration by the licensee of the ability to practice with reasonable skill and safety, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$2,500.00.

(p) From probation to revocation, until the licensee is able to demonstrate ability to practice with reasonable skill and safety, followed by probation, or denial of licensure, and an administrative fine from \$2,500.00 to \$ 5,000.00.

(q)1. Malpractice: practicing below acceptable standard of care.
(459.015(1)(x), F.S.)

(q)1. From a letter of concern to revocation, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$5,000.00.

(q)1. From reprimand to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.

2. Gross Malpractice

2. From probation to revocation or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$2,500.00.

2. From suspension followed by probation to revocation or denial, and an administrative fine ranging from \$2,500.00 to \$5,000.00.

3. Repeated Malpractice

3. From a reprimand to revocation, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$5,000.000.

3. From probation to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.

(r) Performing of experimental treatment without informed consent.
(459.015(1)(y), F.S.)

(r) From a letter of concern to suspension, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$5,000.00.

(r) From suspension to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.

(s) Practicing beyond scope permitted.
(459.015(1)(z), F.S.);
(456.072(1)(o), F.S.)

(s) From a letter of concern to reprimand and probation, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$5,000.00.

(s) From probation to suspension or revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.

(t) Delegation of professional responsibilities to unqualified person.
(459.015(1)(aa), F.S.);
(456.072(1)(p), F.S.)

(t) From reprimand to suspension, followed by probation, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$5,000.00.

(t) From probation to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.

(u)1. Violation of law, rule, or failure to comply with subpoena.
(459.015(1)(bb), (pp), F.S.);
(456.072(1)(b), (q), (cc), F.S.)

(u)1. For any offense not specifically listed herein, based upon the severity of the offense and the potential for patient harm, from a reprimand to revocation, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$5,000.00.

(u)1. From probation to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.

<u>2. Violation of an order of the Board.</u>	<u>2. From a letter of concern and an administrative fine of \$1,000.00 to a letter of concern and an administrative fine of \$5,000.00.</u>	<u>2. From a reprimand and an administrative fine of \$2,500.00 to a reprimand and an administrative fine of \$5,000.00 and probation.</u>
<u>(v) Conspiring to restrict another from lawfully advertising services. (459.015(1)(cc), F.S.)</u>	<u>(v) From a letter of concern to a reprimand and an administrative fine ranging from \$1,000.00 to \$2,500.00.</u>	<u>(v) From a reprimand and an administrative fine of \$2,500.00 to a reprimand and an administrative fine of \$5,000.00.</u>
<u>(w) Aiding an unlawful abortion. (459.015(1)(dd), F.S.)</u>	<u>(w) From probation to revocation, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$5,000.00.</u>	<u>(w) From suspension to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.</u>
<u>(x) Failure to adequately supervise assisting personnel. (459.015(1)(hh), F.S.)</u>	<u>(x) From a reprimand to probation, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$2,500.00.</u>	<u>(x) From probation to suspension followed by probation, or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.</u>
<u>(y) Improper use of substances for muscle building or enhancement of athletic performance. (459.015(1)(ii), F.S.)</u>	<u>(y) From a reprimand to suspension, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$5,000.00.</u>	<u>(y) From suspension to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.</u>
<u>(z) Use of amygdaline (laetrile). (458.331(1)(ff), F.S.)</u>	<u>(z) From a reprimand to probation, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$2,500.00.</u>	<u>(z) From suspension to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.</u>
<u>(aa) Misrepresenting or concealing a material fact. (459.015(1)(jj), F.S.)</u>	<u>(aa) From a reprimand to probation, and an administrative fine ranging from \$500.00 to \$2,500.00, or the denial of licensure with the ability to reapply, upon payment of a \$500.00 fine.</u>	<u>(aa) From probation to revocation or denial of licensure without the ability to reapply, and an administrative fine ranging from \$500.00 to \$5,000.00.</u>
<u>(bb) Improperly interfering with an investigation or a disciplinary proceeding. (459.015(1)(kk), F.S.); (456.072(1)(r), F.S.)</u>	<u>(bb) From a reprimand to probation, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$2,500.00.</u>	<u>(bb) From probation to revocation or denial of licensure without ability to re-apply, and an administrative fine ranging from \$2,500.00 to \$5,000.00.</u>
<u>(cc) Failing to report any licensee who is in violation of law. (459.015(1)(ll), F.S.); (456.072(1)(i), F.S.)</u>	<u>(cc) From a letter of concern to probation, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$2,500.00.</u>	<u>(cc) From probation to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.</u>
<u>(dd) Providing medical opinion without reasonable investigation. (459.015(1)(mm), F.S.)</u>	<u>(dd) From a letter of concern to a reprimand, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$2,500.00.</u>	<u>(dd) From probation to revocation or denial of licensure, and an administrative fine from \$2,500.00 to \$ 5,000.00.</u>

<u>(ee) Theft or reproduction of an examination.</u> <u>(456.018, F.S.)</u>	<u>(ee) Suspension to revocation, or denial of licensure without an ability to reapply.</u>	<u>(ee) Revocation or denial of licensure without ability to reapply.</u>
<u>(ff) Using laser device or product without complying with rules adopted pursuant to Section 501.122(2), F.S.</u> <u>(456.072(1)(d), F.S.)</u>	<u>(ff) From a letter of concern to a reprimand and an administrative fine ranging from \$1,000.00 to \$2,500.00.</u>	<u>(ff) From probation to revocation and an administrative fine from \$2,500.00 to \$5,000.00.</u>
<u>(gg) Having been found liable in a civil proceeding for filing a false complaint against another licensee.</u> <u>(456.072(1)(g), F.S.)</u>	<u>(gg) From probation to suspension or denial of licensure, and an administrative fine from \$1000.00 to \$2,500.00.</u>	<u>(gg) From suspension to revocation and an administrative fine from \$2,500.00 to \$5,000.00.</u>
<u>(hh) Failure to provide patients with information regarding their patient rights.</u> <u>(456.072(1)(t), F.S.);</u> <u>(459.015(1)(oo), F.S.)</u>	<u>(hh) From a letter of concern to probation and an administrative fine ranging from \$ 500.00 to \$2,500.00.</u>	<u>(hh) From probation to revocation and an administrative fine from \$2,500.00 to \$5,000.00.</u>
<u>(ii) Using accident information for solicitation purposes.</u> <u>(456.072(1)(x), F.S.)</u>	<u>(ii) From a reprimand to suspension and an administrative fine ranging from \$1,000.00 to \$2,500.00.</u>	<u>(ii) From probation to revocation and an administrative fine from \$2,500.00 to \$5,000.00.</u>
<u>(jj) Testing positive on a preemployment or employee ordered drug screening.</u> <u>(456.072(1)(z), F.S.)</u>	<u>(jj) From a letter of concern to probation or a denial of licensure and an administrative fine ranging from \$500.00 to \$2,500.00.</u>	<u>(jj) From probation to revocation and an administrative fine from \$2,500.00 to \$5,000.00.</u>
<u>(kk) Performing health care services on the wrong patient, wrong site, wrong procedure.</u> <u>(456.072(1)(aa), F.S.)</u>	<u>(kk) From a reprimand to suspension and an administrative fine ranging from \$1000.00 to \$2,500.00.</u>	<u>(kk) From probation to revocation and an administrative fine from \$2,500.00 to \$5,000.00.</u>
<u>(ll) Leaving a foreign body in a patient.</u> <u>(456.072(1)(bb), F.S.)</u>	<u>(ll) From a letter of concern to probation and an administrative fine ranging from \$1000.00 to \$2,500.00.</u>	<u>(ll) From a reprimand to suspension and an administrative fine ranging from \$1000.00 to \$2,500.00.</u>
<u>(mm) Intentionally submitting a personal injury protection claim, statement, or bill that has been "upcoded," or claim, statement, or bill for services not rendered.</u> <u>(456.072(1)(dd),(ee), F.S.)</u>	<u>(mm) From a reprimand to probation and an administrative fine ranging from \$1000.00 to \$2,500.00.</u>	<u>(mm) From probation to revocation and an administrative fine from \$2,500.00 to \$5,000.00.</u>
<u>(nn) Failing to report within 30 days action taken against one's license in another jurisdiction.</u> <u>(456.072(1)(w), F.S.)</u>	<u>(nn) From a reprimand to suspension or a denial of licensure and an administrative fine ranging from \$1000.00 to \$2,500.00.</u>	<u>(nn) From probation to revocation and an administrative fine from \$2,500.00 to \$5,000.00.</u>

(3) Aggravating and Mitigating Circumstances. Based upon consideration of aggravating and mitigating factors present in an individual case, the Board may deviate from the penalties recommended above. The Board shall consider as aggravating or mitigating factors the following:

- (a) Exposure of patients or public to injury or potential injury, physical or otherwise; none, slight, severe, or death;
- (b) Legal status at the time of the offense; no restraints, or legal constraints;
- (c) The number of counts or separate offenses established;
- (d) The number of times the same offense or offenses have previously been committed by the licensee or applicant;
- (e) The disciplinary history of the applicant or licensee in any jurisdiction and the length of practice;
- (f) Pecuniary benefit or self-gain inuring to the applicant or licensee;
- (g) Any other relevant mitigating factors.

(4) The anesthesiologist assistant shall be disciplined by the Board when, after due notice and a hearing in accordance with the provisions of this rule, it shall find: that the anesthesiologist assistant has held himself out or permitted another to represent him as a licensed physician. If any person addresses the anesthesiologist assistant in a medical setting as "Doctor," the anesthesiologist assistant must immediately inform that person that the anesthesiologist assistant is not a doctor. Upon a finding by the Board of failure to immediately inform the person, the following penalty shall be imposed: a letter of concern, a reprimand, a 60-day suspension and/or a fine up to \$2,500.00; and for any subsequent offense, a fine up to \$5,000.00 and/or revocation of the certificate.

Specific Authority 456.079, 459.005, 459.015(5), 459.023 FS. Law Implemented 456.072, 456.079, 459.015(5), 459.023 FS. History--New

64B15-7.011 Mediation.

(1) For purposes of Subsection 456.078, F.S., the Board designates as being appropriate for mediation, violations of the following provisions:

- (a) Failing to comply with the requirements of Sections 381.026 and 381.0261, F.S., to provide patients with information about their patient rights and how to file a patient complaint;
- (b) Negligently failing to file a report or record required by state or federal law;

(2) The above-outlined provisions shall qualify for mediation only when the violation can be remedied by the licensee, there is no allegation of intentional misconduct, no patient injury, and the allegations do not involve any "adverse incidents" as defined by Section 456.078(2), F.S.

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

NAME OF PERSON ORIGINATING PROPOSED RULE:
Anesthesiologist Assistant Committee

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Osteopathic Medicine
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 19, 2005
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 28, 2004

**DEPARTMENT OF HEALTH
Board of Osteopathic Medicine**

RULE TITLE: Inactive Status License
RULE NO.: 64B15-12.007

PURPOSE AND EFFECT: The proposed rule amendment is intended to address the criteria for reactivation of an inactive license.

SUMMARY: The proposed rule amendments set for the criteria for reactivation of an inactive license.

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: 456.036 FS.

LAW IMPLEMENTED: 456.036 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B15-12.007 Inactive Status License.

(1) No change.

(2) An inactive status licensee may change to active status at any time provided the licensee meets the continuing education requirements of Rule 64B15-13.001, F.A.C. Inactive status licensees choosing active status at the time of renewal must pay the active status renewal fee and the reactivation fee. Inactive status licensees choosing active status at any other time than at the time of license renewal shall pay the difference between the inactive status renewal fee and the active status renewal fee, the reactivation fee and the fee to change licensure status. However, a licensee whose license has been in inactive status for more than two consecutive biennial licensure cycles and who has not been practicing medicine on a full-time basis in another jurisdiction during such period of time, shall be required to appear before the board before the license can be placed into active status. The board at the time of the appearance shall impose upon the licensee reasonable

conditions necessary to insure that the licensee can practice with the care and skill sufficient to protect the health, safety and welfare to the public. For purposes of this rule, "full-time basis" shall be defined as working as a physician for over 20 hours per week.

Specific Authority 456.036 FS. Law Implemented 456.036 FS. History--New 11-28-94, Amended 3-28-95, Formerly 59W-12.007, Amended 12-30-01, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Osteopathic Medicine

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

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

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

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE TITLE: Continuing Education for Biennial Renewal RULE NO.: 64B15-13.001

PURPOSE AND EFFECT: The proposed rule amendment is intended to address risk management credit for attendance at Board meetings.

SUMMARY: The proposed rule amendment clarifies the risk management credit which may be obtained at attendance at a Board 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: 459.005, 459.008(4) FS.

LAW IMPLEMENTED: 456.013(5),(6),(7), 459.008, 459.008(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 King, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B15-13.001 Continuing Education for Biennial Renewal.

- (1) through (2) No change.
- (3)(a) through (c) No change.

(d) The one hour of Risk Management may be fulfilled by attending at least three (3) hours of ~~disciplinary hearings~~ at a regular meeting of the Board of Osteopathic Medicine in compliance with the following:

1. through 4. No change.

(e) No change.

(4) through (8) No change.

Specific Authority 459.005, 459.008(4) FS. Law Implemented 456.013(5),(6),(7), 459.008, 459.008(4) FS. History--New 10-23-79, Amended 1-29-86, Formerly 21R-13.01, Amended 12-5-89, 4-8-91, 2-16-92, Formerly 21R-13.001, Amended 1-10-94, Formerly 61F9-13.001, Amended 10-25-95, Formerly 59W-13.001, Amended 1-19-98, 6-3-98, 4-14-99, 5-26-02, 5-10-04, 7-27-04, 2-9-05, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Osteopathic Medicine

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 18, 2005

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE TITLE: Standard of Care for Office Surgery RULE NO.: 64B15-14.007

PURPOSE AND EFFECT: The proposed rule amendment is intended to clarify the revised requirements with regard to medications to be stocked on the crash cart in office surgery settings.

SUMMARY: The proposed rule amendments set forth the revised list of medications required to be stocked on the crash cart in office surgery settings.

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: 459.005(1), 459.015(1)(z), 459.026 FS.

LAW IMPLEMENTED: 459.015(1)(g),(x),(z),(aa), 459.026 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 King, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B15-14.007 Standard of Care for Office Surgery.
 NOTHING IN THIS RULE RELIEVES THE SURGEON OF THE RESPONSIBILITY FOR MAKING THE MEDICAL DETERMINATION THAT THE OFFICE IS AN APPROPRIATE FORUM FOR THE PARTICULAR PROCEDURE(S) TO BE PERFORMED ON THE PARTICULAR PATIENT.

- (1) through (3) No change.
- (4) Level II Office Surgery.
 - (a) No change.
 - (b) Standards for Level II Office Surgery.
 - 1. through 2. No change.
 - 3. Equipment and Supplies Required.
 - a. Full and current crash cart at the location the anesthetizing is being carried out. The crash cart must include, at a minimum, the following resuscitative medications:
 - I. Adenosine 6 mg/2 ml x3 ~~Adrenalin (epinephrine) 1:10,000 dilution; 10ml~~
 - II. Albuterol Inhaler ~~Adrenalin (epinephrine) 1:1000 dilution; 1ml~~
 - III. Amiodarone 150 mg x2IV
 - IV.~~III~~. Atropine 0.4 mg/ml; 3 ml ~~0.1mg/ml; 5ml~~
 - IV. ~~Benadryl (diphenhydramine)~~
 - V. Calcium chloride 10%; 10ml
 - VI. Dextrose 50%; 50 ml
 - VII. Diphenhydramine 50 mg ~~Dilantin (phenytoin)~~
 - VIII. Dopamine 200 mg minimum
 - IX. Epinephrine 1:10,000 dilution; 10 ml ~~Heparin~~
 - X. Epinephrine 1:1000 dilution; 1ml x 3 ~~Isradrol (propranolol)~~
 - XI. Flumazenil 0.1 mg/ml; 5 ml x 2 ~~Isuprel~~
 - XII. Furosemide 40 mg ~~Lanoxin (digoxin)~~
 - XIII. Hydrocortisone or Methylprednisolone or Dexamethasone ~~Lasix (furosemide)~~
 - XIV. Lidocaine 100 mg ~~Xylocaine (lidocaine)~~
 - XV. Magnesium sulfate 1 gm x 2 ~~50%~~
 - XVI. Narcan (naloxone) 0.4 mg/ml; 3 ml
 - XVII. Propranolol 1 mg x 1 ~~Pronestyl (procainamide)~~
 - XVIII. Sodium bicarbonate 50mEq/50ml
 - XIX. Succinylcholine 1 vial ~~Solu-medrol (methylprednisolone)~~
 - XX. Vasopressin 20 units x 2XXI
 - XXI.~~XX~~. Verapamil hydrochloride 5 mg x 2
 - XXI. ~~Romazicon~~
 - b. A Benzodiazepine must be stocked, but not on the crash cart.
 - c.~~b~~. Suction devices, endotracheal tubes, laryngoscopes, etc.

- ~~d.e~~. Positive pressure ventilation device (e.g. Ambu) plus oxygen supply.
- ~~e.d~~. Double tourniquet for the Bier block procedure.
- ~~f.e~~. Monitors for blood pressure/EKG/Oxygen saturation.
- ~~g.f~~. Emergency intubation equipment.
- ~~h.g~~. Adequate operating room lighting.
- ~~i.h~~. Emergency power source able to produce adequate power to run required equipment for a minimum of two (2) hours.
 - ~~j.i~~. Appropriate sterilization equipment.
 - ~~k.j~~. IV solution and IV equipment.
- 4. No change.
- (5) through (6) No change.

Specific Authority 459.005(1), 459.015(1)(z), 459.026 FS. Law Implemented 459.015(1)(g),(x),(z),(aa), 459.026 FS. History--New 11-29-01, Amended 2-23-03,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Osteopathic Medicine
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Osteopathic Medicine
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 19, 2005
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 8, 2005

**DEPARTMENT OF HEALTH
 Board of Osteopathic Medicine**

RULE TITLE: Probationary Conditions and Definitions
 RULE NO.: 64B15-19.005
 PURPOSE AND EFFECT: The proposed rule amendment is intended to address supervisors or monitors of physicians on probation.
 SUMMARY: The proposed rule amendment provides that an physician licensed under Chapter 458, F.S., may supervise an osteopathic physician on probation when there is no physician licensed under Chapter 459, F.S., to supervise.
 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: 459.005 FS.
 LAW IMPLEMENTED: 459.015(2)(g) 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 King, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B15-19.005 Probationary Conditions and Definitions.

(1) through (2) No change.

(3) Provisions governing all supervised or monitored physicians.

(a) through (c) No change.

(d) The supervisor/monitor must be a licensee under Chapter 459, F.S., in good standing and without restriction or limitation on his license. However, when no physician licensed under Chapter 459, F.S., is available to supervise/monitor a licensee, the Board shall approve a physician licensed under Chapter 458, F.S., provided that said licensee is willing to serve as a supervisor/monitor. In addition, the Board may reject any proposed supervisor/monitor on the basis that he or she has previously been subject to any disciplinary action against his or her license to practice osteopathic medicine in this or any other jurisdiction. The supervisor/monitor must be actively engaged in the same or similar specialty area unless otherwise provided by the Board. The Board may also reject any proposed supervisor/monitor for good cause shown.

(4) No change.

Specific Authority 459.005 FS. Law Implemented 459.015(2)(g) FS. History--New 4-18-89, Formerly 21R-19.005, 61F9-19.005, Amended 9-5-94, Formerly 59W-19.005, Amended 11-27-97, 10-20-98, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Osteopathic Medicine

NAME OF SUPERVISOR OR PERSON WHO APPROVED

THE PROPOSED RULE: Board of Osteopathic Medicine

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: August 19, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

PUBLISHED IN FAW: July 8, 2005

Section III
Notices of Changes, Corrections and
Withdrawals

DEPARTMENT OF STATE

Division of Elections

RULE NO.:

1S-2.031

RULE TITLE:

Recount Procedures

NOTICE OF CHANGE

Notice is hereby given that proposed Rule 1S-2.031, published in the FAW, Page 1835, Vol. 31, No. 20, on May 20, 2005, has been changed to reflect comments received from JAPC and the public during the hearing held on June 13, 2005. The summary of the major changes made to the proposed rule text is as follows:

(1) In subsection (1)(d) of the Rule, the word "recounts" is changed to "recount" to correct a grammatical error.

(2) In subsection (4), paragraphs (a) and (b), all references to Form DS-DE 72 is changed to "Form DS-DE 72 (Rev. ___/___), entitled 'Samples of Ballot Image Reports for the following certified voting systems: ES& S iVotronic Touchscreen Voting System; Sequoia Touchscreen Voting System; and Diebold Touchscreen Voting System.'" Additionally, the phrase "and as may be amended" in each reference to the form throughout the rule is removed.

(3) Subsection (2)(b)1. is revised to include a procedure for testing the accuracy of the printed vote total before a touchscreen ballot machine recount is done. Therefore, the following new language is added: The county canvassing board shall test the accuracy of the printed vote totals from each precinct and early voting site by comparing the total number of votes for the affected race or races with the total number of voters who signed in to vote at each precinct and early voting site. If an error is detected, the cause therefore shall be ascertained and corrected. The corrected printed vote totals shall then be used as set forth in paragraph 2.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Maria Matthews, Division of Elections, Office of General Counsel, R. A. Gray Building, 500 S. Bronough Street, Tallahassee, Florida 32399, (850)245-6536

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

Southwest Florida Water Management District

RULE NO.:

40D-1.659

RULE TITLE:

Forms and Instructions

NOTICE OF CHANGE

Notice is hereby given in accordance with subparagraph 120.54(3)(d)1., F.S., that the following changes have been made to the proposed Rule 40D-1.659, F.A.C. published in Vol. 31, No. 23, June 10, 2005, issue of the Florida Administrative Weekly:

The following changes are made in response to comments from the Joint Administrative Procedures Committee.

In addition to the statutory authority cited in the Statements of Purpose and Effect and of Facts and Circumstances Justifying Rule, the proposed rule amendment is required by subsections 62-531.300(1) and (2), F.A.C., which addresses continuing education requirements for water well contractor licensure, and subsections 62-531.330(2),(3) and (4), F.A.C., concerning continuing education requirements for license renewal.

Furthermore, an addition is proposed to Form 42.00-44(5/00), to acknowledge an applicant may provide proof of equivalent experience as provided by paragraph 62-531.300(6)(b), F.A.C. The form is also modified to delete the word “drilled” on page 3 and substitute the phrase “constructed, repaired or abandoned.”

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Margaret M. Lytle, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, Extension 4651

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-31.007
 RULE TITLE: Anesthesiologist Assistant
 Licensure Renewal and
 Reactivation

SECOND 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. 52, of the December 23, 2004, issue of the Florida Administrative Weekly. The changes are in response to continued written comments submitted by the staff of the Joint Administrative Procedures Committee. The Board published a Notice of Change in Vol. 31, No. 22, of the June 3, 2005, Florida Administrative Weekly. The following changes were approved by the Anesthesiologist Assistants Committee at its meeting held on July 22, 2005, and the Board approved the Committee’s recommendation at its meeting held on August 5, 2005. The additional changes to the rule are as follows:

1. Subparagraph (3)(c)2. of the rule shall now read:
 “2. Re-take and successfully complete the NCCAA certification examination.”
2. Subsection (4) of the rule shall now read:
 “(4) Licensure Renewal or Reactivation.

(a) Application for renewal as a licensed anesthesiologist assistant must be made upon a form supplied by the Board, and incorporated in Rule 64B8-1.007, F.A.C.

(b) Renewal application forms submitted to the Board must be complete in every detail and must be typed or legibly printed in black ink.

(c) Application for reactivation shall be made in writing and in accordance with Section 456.036, F.S.”

3. Subparagraph (6)(b)1. shall now read:

“1. File with the Department the completed application for inactive status as required by Section 456.036, F.S., or apply for licensure reactivation as required by Section 456.036, F.S.;”

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 Osteopathic Medicine

RULE NO.: 64B15-7.007
 RULE TITLE: Anesthesiologist Assistant
 Licensure Renewal and
 Reactivation

SECOND 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. 52, of the December 23, 2004, issue of the Florida Administrative Weekly. The changes are in response to continued written comments submitted by the staff of the Joint Administrative Procedures Committee. The Board published a Notice of Change in Vol. 31, No. 22, of the June 3, 2005, Florida Administrative Weekly. The following changes were approved by the Anesthesiologist Assistants Committee at its meeting held on July 22, 2005, and the Board approved the Committee’s recommendation at its meeting held on August 19, 2005. The additional changes to the rule are as follows:

1. Subparagraph (3)(c)2. of the rule shall now read:
 “2. Re-take and successfully complete the NCCAA certification examination.”
2. Subsection (4) of the rule shall now read:
 “(4) Licensure Renewal or Reactivation.

(a) Application for renewal as a licensed anesthesiologist assistant must be made upon a form supplied by the Department.

(b) Renewal application forms submitted to the Board must be complete in every detail and must be typed or legibly printed in black ink.

(c) Application for reactivation shall be made in writing and in accordance with Section 456.036, F.S.”

3. Subparagraph (6)(b)1. shall now read:

“1. File with the Department the completed application for inactive status as required by Section 456.036, F.S., or apply for licensure reactivation as required by Section 456.036, F.S.;”

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 FINANCIAL SERVICES

Division of Workers' Compensation

RULE NO.: 69L-7.602
RULE TITLE: Florida Workers' Compensation Medical Services Billing, Filing and Reporting Rule

SECOND NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed Rule 69L-7.602, F.A.C., in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 31, No. 24, June 17, 2005, of the Florida Administrative Weekly, with the first Notice of Change having been published in Vol. 31, No. 30, on July 29, 2005, of the Florida Administrative Weekly. These changes are being made to address concerns expressed at the public hearing conducted on July 11, 2005, and to provide clarity to the rule.

- (1) No change.
- (2)(a)1. through 2. No change.

3. A copy of the Form DFS-F5-DWC-11 can be obtained from ~~by contacting~~ the American Dental Association web site: <http://www.ada.org/>. Completion instructions can be obtained from the DFS/DWC web site: <http://www.fldfs.com/WC/forms.html#7>.

- 4. through 5. No change.
- (b) No change.
- (3) through (4) No change.
- (5)(a) through (k) No change.

~~(l)(m)~~ An insurer, service company/TPA or any entity acting on behalf of the insurer, when reporting paid medical claims data to the division, shall report the ~~actual~~ dollar amount paid by the insurer to the health care provider or reimbursed to the employee for healthcare service(s) or supply(ies). ~~When reporting On~~ disallowed or denied charges, the dollar amount paid ~~shall should~~ be reported as \$0.00.

- (m) through (q) No change.
- (6) through (7) No change.

The remainder of the rule reads as previously published.

FINANCIAL SERVICES COMMISSION

Office of Insurance Regulation

RULE NOS.: 69O-144.003
69O-144.005
RULE TITLES: Disclosures
Credit for Reinsurance

NOTICE OF WITHDRAWAL

Notice is hereby given that the above as Proposed Rules noticed in Vol. 31, No. 24, June 17, 2005, of the Florida Administrative Weekly, have been withdrawn.

**Section IV
Emergency Rules**

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

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

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Department of Community Affairs received a Petition for Waiver on August 15, 2005, from the City of Florida City. The petitioner seeks a waiver of Rule 9B-43.003 and subsection 9B-43.003(31), F.A.C., with respect to the requirement that the notice of hearing must be published no more than twenty (20) days prior to the date of the hearing. This petition for waiver is being applied for under Chapter 120.542, F.S.

A copy of the Petition, which has been assigned the number DCA05-WAI-164, may be obtained by writing: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

DEPARTMENT OF TRANSPORTATION

NOTICE IS HEREBY GIVEN that, on August 22, 2005, the Florida Department of Transportation issued a Clerk's Order of Dismissal dismissing the Petition of Collier Area Transit (CAT), seeking a variance from the provisions of Rule 14-90.007, F.A.C. The Petition for Variance was received by the Public Transit Office on June 20, 2005, and filed by the Clerk of Agency Proceedings on June 28, 2005. The Department of Transportation published its notice of receipt of the petition in the July 8, 2005, edition of the Florida Administrative Weekly. Rule 14-90.003, F.A.C. establishes minimum height above ground for the mounting of outside rear vision mirrors on buses. The Department of Transportation entered an Order of Dismissal on July 26, 2005, dismissing the Petition without prejudice to filing an amended Petition. The

Petitioner withdrew the Petition for Waiver and the Department of Transportation entered the Clerk's Order of Dismissal in DOT Case No. 05-344.

A copy of the Clerk's Order of Dismissal may be obtained from: Clerk of Agency Proceedings, Department of Transportation, 605 Suwannee Street, M.S. 58, Tallahassee, Florida 32399-0458.

For additional information, contact: James C. Myers, (850)414-5393.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

WATER MANAGEMENT DISTRICTS

The St. Johns River Water Management District hereby gives notice that it received a petition for variance on August 1, 2005, from the Florida Department of Environmental Protection (FDEP), Office of Coastal and Aquatic Managed Areas (CAMA) for work proposed to occur at the Guana Tolomato Matanzas National Estuarine Research Reserve (GTMNERR) Environmental Education Center in St. Johns County. Pursuant to Section 373.414(17), F.S., FDEP/CAMA/GTMNERR is seeking a variance from paragraph 40C-4.302(1)(c), F.A.C., and the associated portions of the Applicant's Handbook: Management and Storage of Surface Waters, including Sections 10.1.1(c), 12.1.1(d) and 12.2.5(c), with respect to Environmental Resource Permit Application 40-109-85170-5, to construct one floating dock to provide access to the water for research, resource management, law enforcement, and public education activities, and to conduct a shoreline restoration project to restore an eroding shoreline with native vegetation. The dock and shoreline restoration project is proposed to occur directly in the Guana River, which is a Class II water that is classified by the Department of Agricultural and Consumer Services as conditionally restricted for shellfish harvesting.

Comments on this petition should be filed (received) by hand delivery or mail with: District Clerk, Sandy Bertram, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177, within 14 days of publication of this notice. Filings will not be accepted at other District offices. No filings will be accepted by facsimile transmission or email. The filing date for a document filed by hand delivery or mail shall be the date the District Clerk receives the complete document. Documents received after regular business hours will be deemed

received the next regular business day. No additional days shall be added for mailing. The petition has been assigned F.O.R. Number 2005-44.

For a copy of the petition or additional information, contact: Tara Boonstra, Assistant General Counsel, Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177, (386)329-4448.

DEPARTMENT OF ELDER AFFAIRS

NOTICE IS HEREBY GIVEN that on August 22, 2005, the Department of Elder Affairs received a Petition for Variance from or Waiver of paragraph 58A-5.030(3)(b), F.A.C., from North Florida Retirement Village, Inc. The Petitioner requests a variance from or waiver of the requirements regarding the configuration of bathrooms, specifically, bathtubs and showers which are shared by residents, under extended congregate care services.

A copy of the Petition can be obtained from: Susan Rice, Department of Elder Affairs, 4040 Esplanade Way, Suite 315, Tallahassee, Florida 32399-7000.

The Department 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 5:00 p.m., on the 14th day at the Department of Elder Affairs, 4040 Esplanade Way, Suite 315, Tallahassee, Florida 32399-7000, Attn: Susan Rice.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that on August 4, 2005, Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 100.3a and 101.6 and, ASME A17.2, Section 2.29.2, as adopted by Rule 61C-5.001, F.A.C., which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. The petition was received from Steve Powell of KONE Inc, requesting a variance to allow the installation of MonoSpace® elevator systems in the following location: Royal Seafarer Condominium (Petition VW 2005-123).

A copy of the Petition can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on August 16, 2005, the Bureau of Elevator Safety received Petition for Variance from Rules 101.1a (2), 101.1a (3), 101.6, 212.1, 212.9a, A.S.M.E. 17.1, 1996 edition with 1997 Addenda, as adopted by Rule 61C-5.001, F.A.C., which require a machine room, steel ropes and non welded terminations, from Tim Hawthorne of Otis Elevator Company. The Petitioner is requesting a variance to allow the installation of Gen2™ elevator systems in the following location: Michelina Condominiums (VW 2005-124). A copy of the Petition can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on August 17, 2005, Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 100.3a and 101.6 and, ASME A17.2, Section 2.29.2, as adopted by Rule 61C-5.001, F.A.C., which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. The petition was received from Steve Powell of KONE Inc, requesting a variance to allow the installation of MonoSpace® elevator systems in the following location: Castella at the Colony (Petition VW 2005-126).

A copy of the Petition can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on August 17, 2005, Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 100.3a and 101.6 and, ASME A17.2, Section 2.29.2, as adopted by Rule 61C-5.001, F.A.C., which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. The petition was received from Steve Powell of KONE Inc, requesting a variance to allow the installation of MonoSpace® elevator systems in the following location: 801 North Uptown (Petition VW 2005-128).

A copy of the Petition can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

The Board of Clinical Laboratory Personnel hereby gives notice that it has issued an Order on the Petition for Variance/Waiver, which was filed on June 15, 2005 on behalf of Kanithahalli Satya-Prakash. The Notice of Petition for Variance/Waiver was published in Vol. 31, No. 27, of the July 8, 2005, Florida Administrative Weekly. The Petitioner sought a Variance/Waiver with regard to the requirement that he have Board Certification to be licensed as a Clinical Laboratory Director as provided under Rule 64B3-5.007, F.A.C., which is entitled "Director; Limitations and Qualifications." The Board of Clinical Laboratory Personnel considered the Petition at its meeting held on August 2, 2005, via teleconference. The Board's Order, filed on August 16, 2005, denied the Petition for waiver of Rule 64B3-5.007, F.A.C., finding that Petitioner would not meet the purpose of the underlying statute and did not show a substantial hardship.

A copy of the Board's Order may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259.

The Board of Medicine hereby gives notice that it has received a petition filed by Joseph Di Salvo, M.D., on August 11, 2005, seeking a variance from Rule 64B8-4.009, F.A.C., with regard to verification of medical school education.

Comments on this petition should be filed with Board of Medicine, MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253, within 14 days of publication of this notice.

For a copy of the petition, contact: Larry G. McPherson, Jr., Executive Director, Board of Medicine, at above address or telephone (850)245-4131.

NOTICE IS HEREBY GIVEN that the Department of Health issued a Final Order on August 1, 2005, in response to a petition for a waiver filed on May 3, 2005, by Michael S. Price, R.S., representing Norweco Norwalk Wastewater Equipment Company. Petitioner sought a waiver of paragraph 64E-6.013(11)(d), F.A.C., which requires that tanks with seams below the invert of the outlet shall be watertightness tested in accordance with ASTM C 1227-98, Standard Specification for Precast Concrete Septic Tanks, paragraph 9.2.2, after

installation in the field. Notice of the petition was published in the May 20, 2005, edition of the Florida Administrative Weekly.

The Department found that the Petitioner failed to demonstrate that the underlying intent of the statute could be achieved by alternative means. Therefore, pursuant to the requirements of Section 120.542(2), F.S., the Department DENIED Petitioner's request for a waiver.

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

Section VI Notices of Meetings, Workshops and Public Hearings

The following state governmental agencies, boards and commissions announce a public meeting to which all persons are invited:

- State Board of Administration
- Division of Bond Finance
- Financial Services Commission:
 - Office of Insurance Regulation
 - Office of Financial Regulation
- Financial Management Information Board
- Department of Veterans' Affairs
- Department of Highway Safety and Motor Vehicles
- Department of Law Enforcement
- Department of Revenue
- Administration Commission
- Florida Land and Water Adjudicatory Commission
- Board of Trustees of the Internal Improvement Trust Fund
- Department of Environmental Protection

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

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular scheduled meeting of the Governor and Cabinet to act on all executive branch matters provided by law and to act on any agendas submitted for their consideration. The Governor and Cabinet will proceed through each agenda, item by item.

The State Board of Administration will take action on matters duly presented on its agenda, which may include such matters as Executive Director's reports; approval of fiscal sufficiency of state bond issues; approval of sale of local bonds at an interest rate in excess of statutory interest rate limitation; report on investment performance; designation of banks as depositories for state funds; adoption of rules and regulations; investment of state funds pursuant to Chapter 215, F.S.; and consideration of other matters within its authority pursuant to

Chapters 215 and 344, F.S., and Section 16 of Article IX of the Florida Constitution of 1885, as continued by subsection 9(c) of Article XII of the Florida Constitution of 1968.

The Division of Bond Finance of the State Board of Administration will take action on matters duly presented on its agenda, which will deal with the issuance of State bonds, arbitrage compliance and related matters.

The Financial Services Commission will take action on matters duly presented on its agenda which may include, but not be limited to; matters relating to rulemaking for all activities of the Office of Insurance Regulation concerning insurers and other risk bearing entities, including licensing, rates, policy forms, market conduct, claims, adjusters, issuance of certificates of authority, solvency, viatical settlements, premium financing, and administrative supervision, as provided under the Insurance Code or Chapter 636, F.S., and matters related to rulemaking for all activities of the Office of Financial Regulation relating to the regulation of banks, credit unions, other financial institutions, finance companies, and the securities industry.

The Department of Veterans' Affairs will take action on matters duly presented on its agenda which may include the administration of the Department as well as actions taken to further the Department's mission of providing assistance to veterans and their dependents, pursuant to Section 292.05, F.S.

The Department of Highway Safety and Motor Vehicles will take action on matters duly presented on its agenda, which may include such matters as approval of agency policies, taking agency action with regard to administrative procedure matters, and considering other matters within its authority pursuant to Florida Statutes.

The Department of Law Enforcement will take action on matters duly presented on its agenda which may include but not be limited to such matters as transfer of agency funds or positions, formulation of Departmental Rules, administrative procedure matters, submittal of reports as required, enter into contracts as authorized and to consider other matters within its authority pursuant to Chapters 20, 23, 120 and 943, F.S.

The Department of Revenue will act on matters duly presented on its agenda which may include approval of rules, legislative concept proposals, contracts over \$100,000, Departmental budgets, taking final action on formal and informal hearings under Chapter 120, F.S., and consideration of other matters within its authority.

The Administration Commission will take action on matters duly presented on its agenda which may include such matters as to create or transfer agency funds or positions, approve Career Service rules, administrative procedure matters, environmental matters arising under Chapter 380, F.S., comprehensive planning issues pursuant to Section 163.3184, F.S., determine sheriffs' budget matters, and consider other matters within its authority pursuant to various statutes including Chapters 110, 215 and 216, F.S.

The Florida Land and Water Adjudicatory Commission will take action on matters duly presented on its agenda including appeals of local government development orders in areas of critical state concern or of developments of regional impact under Section 380.07, F.S.; and review of water management matters under Chapter 373, F.S. The Commission will also review Department of Environmental Protection's rules and orders which, prior to July 1, 1993, the Governor and Cabinet, sitting as the head of the Department of Natural Resources, had authority to issue or promulgate.

The Board of Trustees of the Internal Improvement Trust Fund will take action on matters duly presented on its agenda which may include such matters as aquacultural issues as presented by the Division of Aquaculture in the Department of Agriculture and Consumer Services mineral leases or sales, state or sovereign land leases, sales, exchanges, dedications, and easements, conservation and preservation lands and other land purchases; land planning matters and other matters within its authority. Additionally, the Board will take action on matters pertaining to the Office of Greenways and Trails for lands acquired through the Greenways and Trails land acquisition program and lands managed by the Office of Greenways and Trails. The Department of Environmental Protection, as staff to the Board of Trustees of the Internal Improvement Trust Fund in addition to the above, will also present for consideration on its agenda those matters required by law to be reviewed by the Governor and Cabinet and those pertaining to the siting of power plants, electric and natural gas transmission lines and hazardous waste facilities; coastal zone management consistency and standards adopted by the Environmental Regulation Commission.

A copy of any of the above agendas submitted to the Governor and Cabinet for this meeting may be obtained by viewing the website of the Governor and Cabinet at <http://www.myflorida.com/myflorida/cabinet/index.html> or by contacting each individual agency.

Accommodations can be made for persons with disabilities provided several days' notification is received. Please notify the Governor's Cabinet Office, (850)488-5152.

CABINET AIDES BRIEFING: On the Wednesday of the week prior to the above meeting, there will be a meeting of the aides to the Governor and Cabinet Members at 9:00 a.m., Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida. The purpose of this briefing is to review and gather information regarding each agenda to be considered by the Governor and Cabinet.

DEPARTMENT OF LEGAL AFFAIRS

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

COMMITTEE: Executive Committee

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

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 at Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

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

DATE AND TIME: September 15, 2005, 3:30 p.m. – 5:00 p.m.
PLACE: Mid-Florida Research and Education Center, 2725 Binion Road, Apopka, Florida

GENERAL SUBJECT MATTER TO BE DISCUSSED: Various ongoing research projects, status of the Dixon fund and funding for UF's Termite Research and Training Center.

For additional information, contact: Michael J. Page, 1203 Governors Square Blvd., Suite 300, Tallahassee, Florida 32301, (850)921-4177.

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

DATE AND TIME: October 18, 2005, 9:00 a.m. – 3:00 p.m.
PLACE: Hampton Inn, West Palm Beach Florida Turnpike, 2025 Vista Parkway, West Palm Beach, Florida 33411, (561)682-9990

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

A copy of the agenda may be obtained by calling: Michael J. Page, Chief, Bureau of Entomology and Pest Control, (850)921-4177.

The Florida **Department of Agriculture and Consumer Services, Division of Forestry (DOF)** and the Ross Prairie State Forest Management Plan Advisory Group announce two public meetings and a public hearing to which all persons are invited.

Public Meeting – Ross Prairie State Forest Management Plan Advisory Group

DATE AND TIME: Wednesday, September 14, 2005, 5:15 p.m.

PLACE: Marion County Public Library – Meeting Room, 2720 East Silver Springs Blvd., Ocala, FL 34470

GENERAL SUBJECT MATTER TO BE CONSIDERED: To allow the Ross Prairie State Forest Management Plan Advisory Group to prepare for a public hearing the evening of September

14, 2005 and provide recommendations to the DOF to help in preparation of a management plan for the Ross Prairie State Forest

Public Hearing

DATE AND TIME: Wednesday, September 14, 2005, 5:30 p.m.

PLACE: Marion County Public Library – Meeting Room, 2720 East Silver Springs Blvd., Ocala, FL 34470

GENERAL SUBJECT MATTER TO BE CONSIDERED: To solicit comments on management of the Ross Prairie State Forest.

Comments may be presented orally or in writing at the hearing. Written comments may also be submitted to the DOF's Ocala Office, 2735 N. E. Silver Springs Blvd., Ocala, FL 34470, to the attention of Gary Beauchamp and should be mailed so as to arrive at the office by the date of the public hearing.

Public Meeting – Ross Prairie State Forest Management Plan Advisory Group

DATE AND TIME: Wednesday, September 14, 2005, 6:00 p.m.

PLACE: Marion County Public Library – Meeting Room, 2720 East Silver Springs Blvd., Ocala, FL 34470

GENERAL SUBJECT MATTER TO BE CONSIDERED: To allow the Ross Prairie State Forest Management Plan Advisory Group to review comments from the public hearing of September 14, 2005 and provide recommendations to the DOF to help in preparation of a management plan for the Ross Prairie State Forest.

Copies of a working draft on the plan and the management plan prospectus are available by contacting the Ross Prairie State Forest in writing at the above address or contacting Gary Beauchamp, (352)732-1201.

Special accommodations for persons with a disabling condition should be requested in writing to the DOF's Ocala Office at the above listed address at least 48 hours in advance of these proceedings.

You are hereby notified in accordance with Section 286.0105, Florida Statutes, should you decide to appeal any decision made as a result of, or take exception to any findings of fact with respect to any matter considered at the hearing and meeting referred to above, you may need to ensure that a verbatim record of the proceedings is made. Such record shall include the testimony and evidence upon which the appeal is to be based.

DEPARTMENT OF EDUCATION

The **Florida Center for Nursing** will conduct a Board of Directors meeting to which all interested persons are invited to participate.

DATE AND TIME: Friday, September 9, 2005, 9:30 a.m. – 2:30 p.m.

For further information contact: Cathy, (407)823-0981.

The **Commission for Independent Education** announces committee meetings and a commission meeting to which all persons are invited.

Health Science Curriculum Committee followed by the Accreditation Review Committee, Accountability/Methodology Committee and Rules Committee

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

Commission Meeting

DATE AND TIME: September 22, 2005, 2:30 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission for Independent Education will consider disciplinary matters, Informal Hearings, Institutions ordered to appear back before the Commission, New Applications for Licensure, and Institutional Applications for Program Modifications and Additional Programs, as well as other Commission business.

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

PLACE: Keiser College, 1700 Halstead Boulevard, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the general business of the Rules Committee, Accountability/Methodology Committee, Accreditation Review Committee and Health Science Curriculum Committee. All other licensure applications and other general Commission business will be considered include Committee reports, Annual Licensure, Annual Renewals, Extension of Annual License, Licenses by Means of Accreditation, Annual Reviews of License By Means of Accreditation, Licensure Extensions, Requests for Extension of Time and Extension to Comply with Contingencies, Substantive Change Applications, Name Change Applications, and Elective Clerkships Applications, Attorney and Executive Director reports, as well as Applications for Exemptions for Religious Colleges, Reports of School Closures, Reports of Licenses Sent and Agent Program Applications.

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

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Area of Critical State Concern, (850)488-4925, at least five calendar days prior to the meeting being held. If you are hearing impaired please contact the Area of Critical State Concern using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

DATE AND TIME: Friday, September 16, 2005, 10:00 a.m. – 4:00 p.m.

PLACE: Casa Monica Hotel, 95 Cordova Street, St. Augustine, FL 32084

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 and Healthy Schools, (850)245-0416, at least five calendar days before the meeting.

Education Commissioner, John Winn, announces the fall adoption meetings of the **State Instructional Materials Committees** to which all interested persons are invited to participate. The Committees will evaluate instructional materials that were submitted for consideration by publishers in May of 2005 and will recommend titles to be placed on the state-adopted list of instructional materials for use by public schools beginning with the 2006-2007 school year.

DATES AND TIME: September 20-23, 2005, 8:30 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: 9-12 Science, Committee A and 9-12 Science, Committee B –

DATES AND TIME: October 4-6, 2005, 8:30 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: 6-8 Science, Committee A and 6-8 Science, Committee B

DATES AND TIME: October 18-19, 2005, 8:30 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: K-5 Science.

DATES AND TIME: October 18-21, 2005, 8:30 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: 9-12 Science, Committee C.

PLACE: Embassy Suites Hotel, 9300 Baymeadows Road, Jacksonville, Florida

The meetings are open to the public. Copies of the agenda and committee rosters, and further information about the meetings may be obtained by contacting: Department of Education, Instructional Materials Office, (850)245-0425.

The Region XII, **Training Council and Assessment Center** Board of Directors announces a public meeting to which all interested persons are invited.

DATE AND TIME: Thursday, September 22, 2005, 10:00 a.m.

PLACE: Palm Beach Community College, Criminal Justice Room 101, 4200 Congress Avenue, Lake Worth, FL 33461

GENERAL SUBJECT MATTER TO BE CONSIDERED: The agenda will include but is not limited to FDLE/CJSTC updates; Palm Beach Community College/Criminal Justice Institute Assessment Center update; Region XII Budget Approval and any other business.

A copy of the agenda may be obtained by contacting: Sue Voccola, Secretary, Criminal Justice Institute, Palm Beach Community College, 4200 Congress Avenue, Lake Worth, FL 33461, (561)868-3403.

The public is invited to Committee meetings and the regular meeting of the Florida **Board of Governors**. The Facilities Committee, the Performance and Accountability Committee and the Strategic Planning/Educational Policy Committee will meet. The regular meeting of the Board will follow the Committee meetings.

DATE AND TIME: September 15, 2005, 8:00 a.m. – 6:00 p.m.

PLACE: Cape Florida Room, Student Union, University of Central Florida, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion and consideration of the 2006-2007 State University System Fixed Capital Outlay Legislative Budget Request, continued discussion of performance and accountability measures, and of the Board's Strategic Plan. Discussion of the Board's legislative issues for the 2006 Legislative Session; discussion of teacher education in Florida; presentation on Computer Science at UCF; Resolution of the Board of Governors authorizing the issuance of State University System Improvement Revenue Bonds to Finance Capital Improvement Fee Trust Fund projects, and presentation; approval of the State University System 2005-2006 Operating Budgets. Consideration: Bachelor of Landscape Architecture, FIU, to exceed 120 credit hours; Engineering programs, UWF, to exceed 120 credit hours; Engineering Programs, FGCU, to exceed 120 credit hours; \$30 million State of Florida, Florida Education System University System Improvement Revenue Refunding Bonds, Series 2005A; release of funds from the University Concurrency Trust Fund in accordance with the Campus Development Agreement between the UWF Board of Trustees and Escambia County; release of funds from the University Concurrency Trust Fund in accordance with the Campus Development Agreement between the FSU Board of Trustees and the City of Tallahassee; release of funds from the University Concurrency Trust Fund in accordance with the Campus Development Agreement between the USF Board of Trustees on behalf of USF Sarasota/Manatee and Manatee County; adoption of the five-year enrollment plan; and other matters pertaining to the Florida Board of Governors.

A copy of the agenda may be obtained from: Department of Education's website: <http://www.fldoe.org>, Board of Governors website: <http://www.flbog.org>.

Persons with disabilities who require assistance to participate in the meeting are requested to notify the Office of Access and Equity, (850)245-9531 (Voice), at least 7 days in advance, so that their needs can be accommodated.

DEPARTMENT OF COMMUNITY AFFAIRS

The **Florida Building Commission** will conduct a workshop to which all interested persons are invited to attend.

DATE AND TIME: September 13, 2005, 8:30 a.m. – 4:00 p.m.

PLACE: Okaloosa County Regional Airport, 1701 SR 85 N, Eglin AFB, Florida 32542

GENERAL SUBJECT MATTER TO BE CONSIDERED: Windborne Debris Workshop to discuss the requirements for the Florida Panhandle Regions.

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

DEPARTMENT OF LAW ENFORCEMENT

The Florida **Department of Law Enforcement**, Missing Children Information Clearinghouse Advisory Board announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, September 12, 2005, 12:30 p.m. – 3:00 p.m.

PLACE: Florida State Capitol, Governor Conference Room, Plaza Level, Tallahassee, Florida 32301

QUARTERLY MCIC ADVISORY BOARD MEETING

A copy of the agenda may be obtained by writing: The Florida Department of Law Enforcement, Post Office Box 1489, Tallahassee, Florida 32302, Attention: Gwen Johnson, Missing Children Information Clearinghouse.

A meeting, for the purpose of notice herein, is limited to a gathering for the purpose of conducting public business by members of a collegial body constituting the agency head.

The Florida **Department of Law Enforcement** announces a public meeting to which all persons are invited.

DATES AND TIMES: Wednesday, September 14, 2005, 1:00 p.m. – 5:00 p.m.; Thursday, September 15, 2005, 8:30 a.m. – 3:00 p.m.

PLACE: The meeting will take place at the Sawgrass Marriott Resort & Beach Club, 1000 PGA Tour Boulevard, Ponte Vedra Beach, Florida 32082

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Violent Crime and Drug Control Council and any other interested individuals will meet to hear presentations and discuss issues relating to violent crime, and multi-agency or statewide drug control or illicit money laundering investigative or task force efforts.

A copy of the agenda may be obtained by writing: Government Analyst Joyce Gainous-Harris, Florida Department of Law Enforcement, Division of Criminal Investigations and Forensic Science Services, Office of Statewide Intelligence, Post Office Box 1489, Tallahassee, Florida 32302, (850)410-7096.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Persons needing an accommodation to participate in any proceeding should call (850)410-7900 (Voice) or (850)656-9597 (TDD), at least five working days before such proceeding.

DEPARTMENT OF TRANSPORTATION

The **Florida Scenic Highways Program** announces a Scenic Highways Advisory Committee meeting to which all persons are invited.

DATE AND TIME: Tuesday, September 20, 2005, 1:30 p.m. – 4:30 p.m.

PLACE: Haydon Burns Building, 605 Suwannee Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to review and provide a recommendation on the William Bartram Scenic Highway Designation Application, the Green Mountain Scenic Byway Extension Application, and the Big Bend-Wakulla County Scenic Highway Eligibility Application.

SPECIAL ACCOMMODATIONS: Special accommodation requests should be made at least seven (7) days prior to the meeting.

INFORMATION: Contact Mr. Mariano Berrios, State Scenic Highways Coordinator, Environmental Management Office, Florida Department of Transportation, 605 Suwannee Street, MS-37, Tallahassee, Florida 32399-0450, (850)414-5250, e-mail:mariano.berrios@dot.state.fl.us, Fax (850)414-4443.

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

The **State Board of Administration** (SBA) announces a public meeting of the Investment Advisory Council (IAC) to which all persons are invited.

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

PLACE: The Hermitage Centre, 1801 Hermitage Boulevard, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled quarterly meeting of the Investment Advisory Council. The IAC is a six-member advisory council, which reviews the investments made by the staff of the State Board of Administration and makes recommendations to the board regarding investment policy, strategy, and procedures. The IAC operates under Section 215.444, F.S.

In compliance with the Americans with Disabilities Act, anyone needing special accommodations to attend the meeting is requested to call James Linn, (850)413-1166, five days prior to the meeting so that appropriate arrangements can be made.

If you would like to have a copy of the agenda, please contact: Diane Bruce, State Board of Administration of Florida, 1801 Hermitage Blvd., Suite 100, Tallahassee, FL 32308, (850)413-1253.

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

DATE AND TIME: Wednesday, September 21, 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: State Board of Administration, Attention Keeta M. Ray, 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.

NOTICE IS HEREBY GIVEN by the **State Board of Administration** of Florida (SBA) of a meeting of the SBA regarding the Invitation to Negotiate for financial custodial services for the Public Employee Optional Retirement Program, printed on August 12, 2005, to which all persons are invited.

DATE AND TIME: Monday, September 26, 2005, 2:30 p.m. – conclusion of meeting

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: At this meeting, the Evaluation Team will discuss the responses received, will rank the responses, and will discuss the oral interview process.

At the conclusion of the meeting, a decision will be made regarding whether, and if so, where and when, on-site visits will be conducted. Persons wishing to participate in the on-site visits are encouraged to remain to the end of the meeting in order to ascertain which companies will be visited. The SBA

anticipates that these visits will occur between September 27 and October 7, 2005. Actual dates and sites will be posted on the SBA's website: www.sbafla.com.

The SBA will not pay any travel expenses except for members of the on-site visit team.

DATE AND TIME: Friday, October 28, 2005, 2:30 p.m. – conclusion of the meeting

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: At this meeting, the Evaluation Team will announce the selection of the custodian for the Public Employee Optional Retirement Program.

Anyone wishing further information should contact: Joan Haseaman, Defined Contribution Program, P. O. Drawer 13300, Tallahassee, FL 32317-3300, e-mail: morea_cindy@fsba.state.fl.us.

In compliance with the Americans with Disabilities Act, anyone needing special accommodation to attend these meetings is requested to call Cindy Morea, (850)413-1491, five days prior to the meeting so that appropriate arrangements can be made.

The Investment Committee of the **Florida Prepaid College Board** announces a public hearing to which all interested parties are invited to attend.

DATE AND TIME: Wednesday, September 14, 2005, 9:30 a.m. or soon thereafter

PLACE: Hilton Garden Inn, 3333 Thomasville Road, Tallahassee, FL 32312

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Florida Prepaid College Board Investment Committee, to which all persons are invited.

A copy of the agenda may be obtained by writing: Thomas J. Wallace, Executive Director, Florida Prepaid College Program, 1801 Hermitage Blvd., Suite 210, Tallahassee, Florida 32308, (850)488-8514.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he may need to ensure that a verbatim record of the proceedings is made, which will include the testimony and evidence upon which the appeal is based.

SPECIAL ACCOMMODATION: Any person requiring special accommodations at the meeting because of a disability should fax a written request for same to Thomas J. Wallace, Executive Director, Florida Prepaid College Board, (850)488-3555, no later than five (5) days prior to the meeting.

The **Florida Prepaid College Program Board** announces a public hearing to which all interested parties are invited to attend.

DATE AND TIME: Wednesday, September 14, 2005, 11:00 a.m. or soon thereafter

PLACE: Hilton Garden Inn, 3333 Thomasville Road, Tallahassee, FL 32312

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Florida Prepaid College Board to which all persons are invited.

A copy of the agenda may be obtained by writing: Thomas J. Wallace, Executive Director, Florida Prepaid College Program, 1801 Hermitage Blvd, Suite 210, Tallahassee, Florida 32308, (850)488-8514.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he may need to ensure that a verbatim record of the proceedings is made, which will include the testimony and evidence upon which the appeal is based.

SPECIAL ACCOMMODATION: Any person requiring special accommodations at the meeting because of a disability should fax a written request for same to Thomas J. Wallace, Executive Director, Florida Prepaid College Board, (850)488-3555, no later than five (5) days prior to the meeting.

FLORIDA PAROLE COMMISSION

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

DATE AND TIME: Wednesday, September 14, 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: September 19, 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 September 20, 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 its regularly scheduled conference to which all interested persons are invited.

DATE AND TIME: September 20, 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: Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770. 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).

EXECUTIVE OFFICE OF THE GOVERNOR

The **Governor's Faith-Based and Community Advisory Board** announces a public meeting to which all persons and interested media are invited, except as provided under Section 288.9551, F.S. (2003).

DATE AND TIME: Monday, September 19, 2005, 1:00 p.m.

PLACE: Conference call (850)410-0966, Leader: John Brabson, Chair

GENERAL SUBJECT MATTER TO BE CONSIDERED: At this meeting, the Board subcommittees will provide an overview of their activities.

Pursuant to Section 286.26, F.S., any disabled person wishing to participate in this meeting in order to request any needed special assistance should contact jennie.hopkins@myflorida.com, at least 48 hours in advance of the meeting.

REGIONAL PLANNING COUNCILS

The **North Central Florida Regional Planning Council** announces a teleconference meeting of the Nominating Committee to which all persons are invited.

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

PLACE: North Central Florida Regional Planning Council Office, 2009 N. W. 67 Place, Suite A, Gainesville, Florida

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

Any person deciding to appeal any decision of the Committee with respect to any matter considered at the meeting may need to ensure that a verbatim record of the proceedings are made.

A copy of the agenda may be obtained by writing: North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Suite A, Gainesville, Florida 32653-1603.

Persons with disabilities who need assistance may contact us at (352)955-2200, at least two business days in advance to make appropriate arrangements.

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

DATE AND TIME: Thursday, September 15, 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: Administrative matters of the Council.

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

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

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

DATE AND TIME: Thursday, September 15, 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.

The **Southwest Florida Regional Planning Council** announces a public hearing to which all persons are invited.

DATE AND TIME: September 15, 2005, 9:30 a.m.

PLACE: Southwest Florida Regional Planning Council, 1st Floor Conference Room, 1926 Victoria Avenue, Fort Myers, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Regional Planning Council.

A copy of the proposed agenda may be obtained by writing: Mr. David Burr, Executive Director, Southwest Florida Regional Planning Council, 1926 Victoria Avenue, Fort Myers, FL 33901.

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

All Council Subcommittee meetings/workshops will immediately follow the Council meeting.

Any person requiring special accommodation due to disability or physical impairment should contact Mr. David Burr, (239)338-2550, at least five calendar days prior to the meeting. Persons who are hearing impaired should contact Mr. Burr using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

WATER MANAGEMENT DISTRICTS

The **Suwannee River Water Management District** announces the following public meetings to which all interested persons are invited.

DATE AND TIME: September 13, 2005, 3:00 p.m.
 PLACE: District Headquarters, 9225 CR 49, Live Oak, FL
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Meeting – to consider District business, and conduct public hearings on regulatory and land acquisition matters. Public hearing in accordance with Section 373.59, F.S., concerning the proposed purchase of property from Charles and Joanne Roland and Shane and Lisa Roland, 42 acres +/- located in Greenville, Madison County, Florida, using funds from the Florida Forever Trust Fund; also, the proposed purchase of property from James E. and Carl Douglas consisting of a subdivision lot in Starke, Bradford County, Florida, using funds from the Legislature’s appropriated Upper Santa Fe Basin Storm Water Account.

A Public hearing is being held to offer interested persons the opportunity to provide comments concerning the annual revision and changes to the District’s Florida Forever Work Plan.

DATE AND TIME: September 13, 2005, following the Board Meeting
 PLACE: District Headquarters, 9225 CR 49, Live Oak, FL
 GENERAL SUBJECT MATTER TO BE CONSIDERED: First Public Hearing on FY 2005-2006 budget and proposed millage rate.

A copy of the agenda(s) may be obtained by writing: Lisa M. Cheshire, Adm./Board Coordinator, SRWMD, 9225 CR 49, Live Oak, Florida 32060.

A copy of the 2005 Florida Forever Work Plan may be obtained by writing: Gwendolyn Lord, Administrative Assistant.

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 M. Cheshire, (386)362-1001 or 1(800)226-1066 (Florida only), at least two business days in advance to make appropriate arrangements.

The **Southwest Florida Water Management District** (SWFWMD) announces the following public meeting(s) to which all interested persons are invited.

LAKE PANASOFFKEE RESTORATION COUNCIL MEETING

DATE AND TIME: Monday, September 12, 2005, 5:00 p.m.
 PLACE: Sumter County Courthouse, Historic Courtroom, 209 North Florida Street, Bushnell, FL
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Council business.

TAMPA SERVICE OFFICE RIBBON CUTTING CEREMONY

DATE AND TIME: Tuesday, September 13, 2005, 4:00 p.m.
 PLACE: SWFWMD Tampa Service Office, 7601 U.S. Highway 301, North, Tampa, FL
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Dedication of new building. Governing and Basin Board members will be invited.

GOVERNING BOARD TENTATIVE BUDGET HEARING

DATE AND TIME: Tuesday, September 13, 2005, 5:01 p.m.
 PLACE: SWFWMD, Tampa Service Office, 7601 U.S. Highway 301, North, Tampa, FL
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board adoption of preliminary millage rate and budget for Fiscal Year 2006 budget.

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.

WELL DRILLERS ADVISORY COMMITTEE

DATE AND TIME: Wednesday, September 14, 2005, 1:30 p.m.
 PLACE: District Headquarters, 2379 Broad Street, Brooksville, FL
 GENERAL SUBJECT MATTER TO BE DISCUSSED: Consideration of Committee Business.
 Some members of the District’s Governing and Basin Boards may attend the meeting.

A copy of the agenda for the above meeting may be obtained by writing: the Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34604-6899.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should call 1(800)423-1476 (Florida) or (352)796-7211, Extension 4604, Fax (352)754-6874, TTD ONLY 1(800)231-6103 (Florida).

The **Southwest Florida Water Management District** announces a public meeting, hearing or workshop to which all persons are invited.

ENVIRONMENTAL ADVISORY COMMITTEE MEETING
DATE AND TIME: Wednesday, September 15, 2005, 4:00 p.m.

PLACE: Tampa Service Office, 7601 Highway 301, North, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Conduct Committee Business.

Some members of the District's Governing and Basin Boards may attend the meetings.

A copy of the agenda may be obtained by writing: Southwest Florida Water Management District, 2379 Broad Street (U.S. 41 South), Brooksville, Florida 34604, (352)796-7211 or 1(800)231-6103, Suncom 628-4150, TDD ONLY 1(800)231-6103.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the agency at least 48 hours before the workshop/hearing/meeting by calling (352)796-7211, Extension 4402, 1(800)423-1476, Extension 4402, Suncom 628-4150. If you are hearing or speech impaired, please contact the District by calling TDD ONLY 1(800)231-6103.

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

The **Southwest Florida Water Management District** (SWFWMD) announces the following public meeting to which all interested persons are invited.

THE HERNANDO COUNTY WEEKI WACHEE RIVER AND SPRINGS TASK FORCE MEETING
DATE AND TIME: Tuesday, September 20, 2005, 6:00 p.m.

PLACE: Weeki Wachee Area Club, 7442 Shoal Line Boulevard, Weeki Wachee, Florida

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, FL 34604, (352)796-7211 or 1(800)423-1476 (Florida only), Extension 4400.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should contact 1(800)423-1476 (Florida only), or (352)796-7211, Extension 4400, Fax (352)754-6749, TDD ONLY 1(800)231-6103 (Florida only).

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, September 19, 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:

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

PLACE: South Florida Water Management District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Regular Governing Board meeting for consideration of regulatory and non-regulatory matters, conduct meeting of the Human Resources Committee and Audit and Finance Committee, including public meetings, adopt a resolution amending the FY 2004-05 Budget as follows:

South Florida Water Management District
Proposed FY 2004-05 Budget Amendment

The South Florida Water Management District will consider a proposed Amendment to its FY 2004-05 Budget at its regularly scheduled meeting on September 14, 2005, 9:00 a.m. The meeting will be held in the District’s Auditorium, 3301 Gun Club Road, West Palm Beach, FL. All concerned citizens are invited to attend. For further information on these proposed changes, please contact: Doug Bergstrom, Director, Budget Division, (561)686-8800, Toll Free 1(800)432-2045. The amendment is intended to address the areas listed below.

	General Fund	Special Revenue Funds	Capital Projects Funds	Internal Service Fund	Total
FY 2004-05 Amended Revenues and Balances	\$121,024,245	\$251,214,172	\$493,881,840	\$3,952,243	\$870,072,500
Amendments:					
Undesignated Fund Balance		(1,692,927)	(17,921,024)		(\$19,613,951)
Operating Transfers In		5,131,347			5,131,347
Operating Transfers Out	(5,131,347)				(5,131,347)
Total Amended Revenues and Balances	\$115,892,898	\$254,652,592	\$475,960,816	\$3,952,243	\$850,458,549
Encumbrances Funded by Fund Balance	10,489,797	73,054,509	59,593,277		143,137,583
Encumbrances Funded by Future Revenue		11,994,088	69,084,752	10,586	81,089,426
Total Amended Sources	\$126,382,695	\$339,701,189	\$604,638,845	\$3,962,829	\$1,074,685,558
FY 2004-05 Amended Appropriations	\$121,024,245	\$251,214,172	\$493,881,840	\$3,952,243	\$870,072,500
Amendments:					
Managerial Reserves	(5,131,347)	3,438,420	(17,921,024)		(19,613,951)
Total Amended Appropriations	\$115,892,898	\$254,652,592	\$475,960,816	\$3,952,243	\$850,458,549
Reserved for Encumbrances	10,489,797	85,048,597	128,678,029	10,586	224,227,009
Total Amended Appropriations & Encumbrances	\$126,382,695	\$339,701,189	\$604,638,845	\$3,962,829	\$1,074,685,558

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members.

Persons with disabilities who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance to make appropriate arrangements.

Those who desire more information may contact: District Clerk, 3301 Gun Club Road, West Palm Beach, Florida 33416-4680.

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

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

PLACE: A.R.M. Loxahatchee National Wildlife Refuge, Everglades Program Team Conference Room, 10216 Lee Rd., Boynton Beach, Florida 33437

GENERAL SUBJECT MATTER TO BE CONSIDERED: Everglades Technical Oversight Committee (TOC) Working Group Meeting to examine Refuge TP Concentrations in May and June 2005.

A copy of the agenda may be obtained by contacting: Dr. Mike Waldon, A.R.M. Loxahatchee National Wildlife Refuge, 10216 Lee Rd., Boynton Beach, Florida 33437, (561)735-6006.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact: Dr. Mike Waldon, A.R.M. Loxahatchee National Wildlife Refuge, 10216 Lee Rd., Boynton Beach, Florida 33437, (561)735-6006.

REGIONAL UTILITY AUTHORITIES

The **Peace River/Manasota Regional Water Supply Authority** announces the following Board of Directors meeting to which the public is invited.

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

PLACE: DeSoto County Administration Building, 201 East Oak Street, Arcadia, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors will convene to conduct regular business of the Authority.

A copy of the agenda may be obtained by writing: Peace River/Manasota Regional Water Supply Authority, 1645 Barber Road, Suite A, Sarasota, Florida 34240.

Although Authority board meetings are normally recorded, affected persons are advised it may be necessary for them to ensure a verbatim record of the meeting is made, including testimony and evidence upon which an appeal is to be based.

Persons with disabilities who need assistance may call, (941)316-1776, at least two business days in advance to make appropriate arrangements.

FLORIDA SPACE AUTHORITY

The **Florida Space Authority** announces a Board of Supervisors meeting to which the public is invited.

DATE AND TIME: September 15, 2005, 10:00 a.m. – 1:00 p.m. (EDT)

PLACE: Florida Space Authority Conference Center, 100 Spaceport Way, Cape Canaveral, Florida 32920-4003

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will discuss the status of Authority programs in the areas of business development, space transportation and planning, construction and facilities, education, policy coordination and any other administrative issues that may need to be considered relating to the business of the Authority and other state agencies.

For more information, contact: Glenn Vera, (321)730-5301, Ext. 244.

To obtain a copy of the agenda, write to the Florida Space Authority, 100 Spaceport Way, Cape Canaveral, Florida 32920-4003, website: www.floridaspaceauthority.com.

Any person requiring special accommodation at this meeting because of a disability or physical impairment should contact Florida Space Authority at least seven (7) days prior to the meeting.

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

DEPARTMENT OF MANAGEMENT SERVICES

The State of Florida, **Department of Management Services** announces a Chief Information Officers (CIO) Council Meeting to which all persons are invited.

DATE AND TIME: Monday, September 19, 2005, 10:00 a.m. – 12:00 Noon

PLACE: Betty Easley Conference Center, Room 166, 4075 Esplanade Way, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To enhance communication among the Chief Information Officers of all 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 email: Elaine.womble@myflorida.com or call (850)922-2680. If you would like information on any meetings related to the Council, please go to our website: <http://eits.myflorida.com/cio/>.

The **Department of Management Services** announces a public meeting of the Joint Task Force on State Agency Law Enforcement Communications to which all interested persons are invited.

DATE AND TIME: September 19, 2005, 1:30 p.m.

PLACE: Department of Highway Safety and Motor Vehicles, Neil Kirkman Building Room A427, 2900 Apalachee Parkway, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and take action on the items in the meeting agenda.

A copy of the agenda may be obtained by writing: Linda Fuchs, Enterprise Information Technology Services, 4030 Esplanade Way, Suite 125, Tallahassee, Florida 32399-0950, e-mail: linda.fuchs@myflorida.com.

If a person decided to appeal any decision made by the Joint Task Force with respect to any matter considered at the meeting, he/she will need a record of the proceedings and may need to ensure 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 some accommodation at this hearing because of a physical impairment should call the Enterprise Information Technology Services, (850)922-7435, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Enterprise Information Technology Services by using the Florida Relay Service, 1(800)955-8771 (TDD).

The conference call number for the meeting is (850)921-6613 or Suncom 291-6613.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Notice is hereby given by the **Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes**, of a meeting of the Advisory Council on Condominiums.

DATES AND TIMES: Wednesday, September 7, 2005, 5:00 p.m. – 10:00 p.m.; Thursday, September 8, 2005, 9:00 a.m. – 3:00 p.m.

PLACE: International Game Fish Association Museum, 300 Gulf Stream Way, Dania Beach, Florida 33004

GENERAL SUBJECT MATTER TO BE CONSIDERED: Wednesday, September 7, 2005: Public Input; Thursday, September 8, 2005: General Business.

AGENCY CONTACT PERSON: Carol Windham, Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, 1940 North Monroe, Tallahassee, Florida 32399-1032, (850)488-1631.

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: Carol Windham, Government Analyst, (850)488-1631. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 TDD.

The **Division of Hotels and Restaurants** announces a meeting of the Hotels and Restaurants Advisory Council to which all persons are invited.

DATE AND TIME: September 8, 2005, 5:30 p.m. – 9:30 p.m.

PLACE: Orange County Convention Center, 9800 International Drive, Orlando, FL 32819, (407)685-9800

GENERAL SUBJECT MATTER TO BE CONSIDERED: Routine meeting of the Hotels and Restaurants Advisory Council.

A copy of the agenda may be obtained by contacting: Marlita Peters, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1014, (850)644-2051.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop is asked to advise the agency at least 48 hours before the meeting by contacting: Marlita Peters, Administrative Assistant III, (850)644-2051. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PUBLIC MEETING IS: Marlita Peters, Administrative Assistant III, Department of Business and Professional Regulation, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, FL 32399-1014, (850)644-2051.

The **Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering**, announces a workshop to which all interested persons are invited.

DATE AND TIME: September 14, 2005, 10:00 a.m. – 12:00 Noon

PLACE: Florida Department of Business and Professional Regulation, Northwood Centre, Board Room, 1940 North Monroe Street, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: A public workshop to discuss ten cent and international wagering. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least five calendar days before the program by contacting: Mary Polombo, (850)413-0750. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

The Florida **Board of Architecture and Interior Design** announces the following meetings, to which all persons are invited to attend.

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

PLACE: Smith, Thompson, Shaw & Manausa, P.A., 2075 Centre Pointe Boulevard, Tallahassee, Florida 32308-4893.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting, portions may be closed to the public.

The following cases are open to the public:

Rizanur Altan, Case No. 2005-022247

Architectural Resources & Design, Case No. 2004-057290

Backdraft Architectural Services, Inc., Case No. 2005-013883

Joseph Borda, Case No. 2003-091345

Castle Works Drafting, Case No. 2005-003060

CES Consulting Group, Inc., Case No. 2005-024170

Coral Key Design, Inc., Case No. 2005-007232

Creative Architectural Designs, Case No. 2005-024855

Gary Crumley, Case No. 2005-028198

Christina R. DeHerrera, Case No. 2005-003062

Victor Dekonschin, Case No. 2003-002792

Alfred Drake, Case No. 2000-09223

Hilda Flack, Case No. 2005-007440

Roman Garcia, Case No. 2004-033285

Robert Herrmann, Case No. 2002-011607

Charles Hughes, Case No. 2005-005480

Thomas W. Kensler, Case No. 2005-024173

Patrick Knowles, Case No. 2004-043534

Dianna Lonsdale, Case No. 2004-038806

Reiner Sanchez, RAS Construction Corp., Case No. 2004-027260

To obtain a copy of the agenda, further information, or submit written or other physical evidence, contact in writing to: Smith, Thompson, Shaw & Manausa, P.A., 2075 Centre Pointe Boulevard, Tallahassee, Florida 32308-4893.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for

such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Smith, Thompson, Shaw & Manausa, P.A., (850)402-1570, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Business and Professional Regulation** announces a public meeting of the Florida **Barbers' Board** to which all persons are invited to attend.

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

PLACE: Courtyard Ft. Lauderdale Airport and Cruise Port, 400 Gulf Stream Way, Dania Beach, Florida 33004

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting of the board to conduct regular board business. A copy of the agenda may be obtained by writing to the Florida Barbers' Board at 1940 North Monroe Street, Tallahassee, Florida 32399-0790.

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

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Area of Critical State Concern, (850)488-4925, at least five calendar days prior to the meeting being held. If you are hearing or speech impaired please contact the Area of Critical State Concern using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Florida Electrical Contractors' Licensing Board** announces the following Board Meeting to which all interested persons are invited to attend.

DATE AND TIME: September 21, 2005, 4:00 p.m. or soon thereafter

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting (portions are closed to the public)

DATE AND TIME: September 22, 2005, 8:30 a.m. or soon thereafter

GENERAL SUBJECT MATTER TO BE CONSIDERED: Disciplinary Actions, General Business Meeting.

DATE AND TIME: September 23, 2005, 8:00 a.m. or soon thereafter

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

PLACE: The Four Seasons Resort, 2800 South Ocean Boulevard, Palm Beach, FL 33480, (561)582-2800

To obtain a copy of the agenda, further information, or submit written or other physical evidence, contact, in writing: Electrical Contractors' Licensing Board Office, 1940 North Monroe Street, Tallahassee, Florida 32399-0771.

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

Any persons requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board Office, (850)922-5012, 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)955-9771 (TDD).

The **Department of Business and Professional Regulation, Board of Employee Leasing Companies** announces an official general business meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 21, 2005, 8:00 a.m. or soon thereafter

PLACE: Via telephone conference – (850)414-6477, Suncom 994-6477

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

A copy of the agenda may be obtained by writing: Department of Business and Professional Regulation, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767, (850)487-1395.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting the board office, (850)487-1395. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

If any person decides to appeal any decision made with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purpose they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be based.

For further information, contact: Florida Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

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

DATE AND TIME: September 13, 2005, 10:00 a.m. Eastern Time

PLACE: Telephone (850)414-1711, Suncom 994-1711

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

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

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

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

The Florida **Board of Landscape Architecture** announces the following meeting to which all persons are invited to attend.

DATE AND TIME: October 6, 2005, 9:00 a.m. Eastern Time

PLACE: Marriott Ft. Lauderdale Marina, 1881 S. E. 17th Street, Ft. Lauderdale, FL 33316, (954)462-4000

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

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

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

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

The Florida **Board of Professional Engineers** announces a public meeting of the Mandatory Continuing Education Committee to which all persons are invited.

DATE AND TIME: Tuesday, September 20, 2005, 2:00 p.m. – conclusion of meeting

PLACE: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion on continuing education and rules.

A copy of the agenda may be obtained by writing: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting: Paul J. Martin, (850)521-0500.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

The **Board of Optometry**, Probable Cause Panel will hold a duly noticed meeting, to which all persons are invited to attend.

DATE AND TIME: Tuesday, September 20, 2005, 6:00 p.m.

PLACE: Embassy Suites Hotel, 1100 S. E. 17th Street, Ft. Lauderdale, FL 33316, (954)527-2700

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board, (850)245-4355, at least 48 hours prior to the meeting. If you are a hearing or speech impaired, please contact the Board office using the Dual Party Relay System, 1(800)955-8770 (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.

The **Board of Optometry** will hold a duly noticed meeting and telephone conference call, to which all persons are invited to attend.

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

PLACE: Embassy Suites Hotel, 1100 S. E. 17th Street, Ft. Lauderdale, FL, (954)527-2700

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 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/opt_home.html.

The **Department of Health** and a special committee of the **Board of Physical Therapy** and the **Board of Massage Therapy** announce a conference call to which all persons are invited.

DATE AND TIME: September 15, 2005, 12:00 Noon or soon thereafter

PLACE: Department of Health, 4042 Bald Cypress Way, Tallahassee, FL, Meet Me Number (850)922-7892, Suncom 292-7892, Toll Free 1(800)416-4132

GENERAL SUBJECT MATTER TO BE CONSIDERED: The selection of one additional member of the special committee, pursuant to Section 456.011(5), F.S., and General Business.

A copy of the agenda may be obtained by writing: Department of Health, Board of Physical Therapy, 4052 Bald Cypress Way, Bin #C05, Tallahassee, FL, (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 at (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

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

The **Department of Health, Board of Physical Therapy** announces a conference call of the board.

DATE AND TIME: September 27, 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 Physical Therapy, 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 at (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

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

The **Department of Health** announces a public meeting of an Ad Hoc Committee of the Technical Review and Advisory Panel to which all persons are invited.

DATE AND TIME: September 14, 2005, 1:00 p.m.

PLACE: Fairfield Inn, 7100 Augusta National Drive, Orlando, FL 32822, (407)888-2666

GENERAL SUBJECT MATTER TO BE CONSIDERED: Identify and discuss issues relating to final covering of onsite sewage treatment and disposal systems which may require changes to Chapter 64E-6, Florida Administrative Code.

A copy of the agenda may be obtained by contacting: Shirley Kugler, Department of Health, Bureau of Onsite Sewage Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1713.

Any person requiring a special accommodation at this meeting because of disability or physical impairment should contact Shirley Kugler, (850)245-4070, at least two weeks prior to the meeting.

The **Department of Health** announces a public meeting of an Ad Hoc Committee of the Technical Review and Advisory Panel to which all persons are invited.

DATE AND TIME: September 14, 2005, 1:00 p.m.

PLACE: Fairfield Inn, 7100 Augusta National Drive, Orlando, FL 32822, (407)888-2666

GENERAL SUBJECT MATTER TO BE CONSIDERED: Identify and discuss issues relating to the requirements for engineers to design onsite sewage treatment and disposal systems which may require changes to Chapter 64E-6, F.A.C.

A copy of the agenda may be obtained by contacting: Shirley Kugler, Department of Health, Bureau of Onsite Sewage Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1713.

Any person requiring a special accommodation at this meeting because of disability or physical impairment should contact Shirley Kugler, (850)245-4070, at least two weeks prior to the meeting.

The **Correctional Medical Authority** announces a meeting to be held at Tallahassee, Florida, to which all persons are invited.

DATE AND TIME: September 13, 2005, 10:00 a.m. – 3:00 p.m.

PLACE: Correctional Medical Authority Conference Room, 1632 Metropolitan Circle, Tallahassee, Florida 32308, (850)410-1450, Telephone Number: (Local) (850)487-9454, (Suncom) 277-9454

GENERAL SUBJECT MATTER TO BE CONSIDERED: Continued discussion of issues relating to correctional health care in the Florida Department of Corrections.

A copy of the agenda may be obtained by writing: Executive Director, Correctional Medical Authority, 4052 Bald Cypress Way, Bin #B04, Tallahassee, FL 32399-1732, (850)410-1450.

Pursuant to Section 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact staff at least 48 hours prior to the meeting in order to request any special assistance.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Community Alliance for Baker, Clay, Duval and St. John's Counties** announces a meeting to which all interested persons are invited to participate.

DATES AND TIME: Wednesday, September 21, 2005; The third Wednesday of each month, 2:30 p.m.

PLACE: Roberts Building, 5920 Arlington Expressway, Jacksonville, FL

The **Department of Children and Family Services** announces the first (2005-2006) meeting of the Florida Interprogram Task Force addressing the implementation of *Florida's State Plan for the Prevention of Child Abuse, Abandonment, and Neglect: July 2005-June 2010*. The meeting will be held in Tallahassee, FL.

DATE AND TIME: September 6, 2005, 9:00 a.m. – 4:00 p.m.

PLACE: 4042 Bald Cypress Way, Southwood Office Complex, Room 301, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Implementation of the plan, Subcommittee formation, Progress report planning.

A copy of the agenda may be obtained from: Julie Helter, (850)488-4768.

Persons with disabilities who require assistance to participate in the meeting are requested to notify Julie Helter at least 48 hours in advance so that their needs can be accommodated.

The **Department of Children and Family Services**, District 12, Community Alliance CBC Taskforce announces a public meeting to which all persons are invited.

DATE AND TIME: September 14, 2005, 3:30 p.m. (immediately following Community Alliance)

PLACE: Dept. of Children and Family Services, 210 N. Palmetto Ave., Conference Room 148, Daytona Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Workshop.

A copy of the agenda may be obtained by writing: Department of Children and Family Services, 210 N. Palmetto Avenue, Daytona Beach, FL 32114-3284, Attn: Denise Kelly.

If you need special accommodations (i.e. assisted listening devices, sign language interpreter, etc.) please notify Denise Kelly, (386)238-4648, at least 48 hours in advance of the meeting. If you are hearing or speech impaired, please use Florida Relay Service for TDD or TTY at 1(800)955-8771.

The **Florida Substance Abuse and Mental Health Corporation**, created by Ch. 2003-279 Laws of Florida announces a meeting of the Full Board to which all persons are invited.

DATES AND TIMES: Wednesday, September 7, 2005, 10:00 a.m. – 5:00 p.m.; Thursday, September 8, 2005, 9:00 a.m. – 5:30 p.m.; Friday, September 9, 2005, 9:00 a.m. – 12:00 Noon

PLACE: The Hyatt Regency Orlando International Airport, 9300 Airport Boulevard, Orlando, FL 32827, (407)825-1234

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting will be receiving testimony/presentations from the Department of Children and Family Services, The Agency for Health Care Administration, The Florida Alcohol and Drug Abuse Association, The Florida Council and The Florida Network. The Corporation will hold a Public Forum on September 7, 2005, 10:15 a.m. The Corporation will also discuss needs assessments and budget recommendations, managing entities proposals and workforce development.

In accordance with the Americans with Disabilities Act, persons needing an accommodation to participate in this meeting should contact: Amanda Sanford, Florida Department of Children and Family Services, Mental Health Program Office, Building 1, Room 206, 1317 Winewood Blvd., Tallahassee, FL 32399-0700, (850)410-1575.

NAVIGATION DISTRICTS

The **West Coast Inland Navigation District** announces the following Board of Commissioners meeting to which all interested parties are invited.

DATE AND TIME: Friday, September 9, 2005, 4:00 p.m.

PLACE: Venice City Hall, 401 West Venice Avenue, Venice, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Navigation District, with the First Public Hearing at 5:01 p.m. on the proposed budget for FY 2005/2006.

FISH AND WILDLIFE CONSERVATION COMMISSION

The Florida **Fish and Wildlife Conservation Commission** (FWC), Division of Law Enforcement announces the following public workshops regarding amendments to Uniform Waterway Markers in Florida Waters, Chapter 68D-23, F.A.C.

DATE AND TIME: Wednesday, October 19, 2005, 1:00 p.m.

PLACE: Florida Fish and Wildlife Conservation Commission (FWC), 2nd Floor Auditorium, 620 South Meridian Street, Tallahassee, Florida 32399, (850)488-5600, Extension 17147

Directions: I-10 East: US 90 (exit 209A) west to Franklin Boulevard (approximately 7 miles) turn left onto Franklin, travel approximately 1/2 mile, go under overpass (Apalachee Parkway); continue to bear to right, turn right onto Madison Street to N. W. Parking lot. Come in through sliding glass door and sign in; you will be directed to the 2nd Floor Auditorium.

I-10 West: US 27 (exit 199) south to US 90 (approximately 3.9 miles) turn left onto US 90, travel approximately 3/4 mile, turn right onto Franklin Boulevard, travel approximately 1/2 mile, go under overpass (Apalachee Parkway); continue to bear to right, turn right onto Madison Street to N. W. Parking lot. Come in through sliding glass door and sign in; you will be directed to the 2nd Floor Auditorium.

DATE AND TIME: Monday, November 28, 2005, 1:00 p.m.

PLACE: Sheraton Beach Resort, Bougainvillea Room, 97000 South Overseas Highway, Key Largo, Florida 33037, (305)852-5553

Directions: US 1 south to the Sheraton Beach Resort, 97000 South Overseas Highway.

Lower/Middle Keys (Key West/Marathon) US 1 North, to Sheraton Beach Resort, 97000 South Overseas Highway.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The proposed changes to rules within this chapter are to: (1) correct and update statutory cross-references that have been changed since the current rule was promulgated in 2001; (2) improve clarity and consistency of language and definitions; (3) remove or revise obsolete provisions and cross-references; (4) respond to requests for revisions received from stakeholders and from other governmental entities; and (5) adopt changes pursuant to 2005 Legislation. The anticipated effects include the relaxation of certain reporting requirements and other reductions to the regulatory burden on permittees where possible. Other anticipated effects include the provision to applicants of greater flexibility in the size of and messages displayed on waterway regulatory and information markers.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Ms. Tara Alford, Management Analyst, Boating and Waterways Section, Division of Law Enforcement, 620 South Meridian Street, Tallahassee, Florida 32399, (850)410-0656, 17169

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE. A copy of the draft rule text can also be obtained through the Commission's website: www.myfwc.com and click on "FWC Workshops and Events" and click on the 68D-23 workshop reference. Copies of the draft text will also be available at the workshops.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in the workshop or meeting is asked to advise the Commission at least 5 calendar days prior by calling the ADA Coordinator, (850)488-6411. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

FINANCIAL SERVICES COMMISSION

The **Financial Services Commission** announces a public hearing to which all persons are invited.

DATE AND TIME: September 22, 2005, 9:00 a.m. during a regular meeting of the Financial Services Commission

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Adoption of amendments to Rule 690-137.002, F.A.C., published on June 17, 2005, in Vol. 31, No. 24, of the Florida Administrative Weekly.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the contact person at least 5 calendar days before the program by contacting: Paul Johns, e-mail: paul.johns@fldfs.com.

VISIT FLORIDA

VISIT FLORIDA announces a public meeting of the Inventory Task Force of the New Product Development Council.

DATE AND TIME: Wednesday, September 7, 2005, 1:30 p.m. – adjournment

PLACE: VISIT FLORIDA Corporate Offices, 661 East Jefferson Street, Suite 300, Tallahassee, FL 32301, (850)488-5607

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the Nature and Cultural Heritage Tourism Inventory update.

For further information contact: Jill Rutli, VISIT FLORIDA, P. O. Box 1100, Tallahassee, Florida 32302-1100, (850)488-5607, Ext. 347.

Any person requiring special accommodations at this meeting because of a disability should contact VISIT FLORIDA at least five business days prior to the meeting. Persons who are hearing or speech impaired can contact VISIT FLORIDA by using the Florida Relay Service, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

VISIT FLORIDA announces a public meeting of the Rural Tourism Committee of the New Product Development Council. DATE AND TIME: Monday, October 3, 2005, 10:00 a.m. – adjournment

PLACE: PORT INN, 501 Monument Avenue, Port St. Joe, FL 32456, (850)229-7678

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the ongoing projects of the Committee.

For further information contact: Sherri Martin, VISIT FLORIDA, P. O. Box 1100, Tallahassee, Florida 32302-1100, (850)488-5607, Ext. 366.

Any person requiring special accommodations at this meeting because of a disability should contact VISIT FLORIDA at least five business days prior to the meeting. Persons who are hearing or speech impaired can contact VISIT FLORIDA by using the Florida Relay Service, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

FLORIDA DEVELOPMENTAL DISABILITIES COUNCIL

The **Florida Developmental Disabilities Council**, Inc. announces it's regularly scheduled business meeting.

Committee Meetings

DATE AND TIME: Thursday, September 8, 2005, 8:30 a.m. – 5:30 p.m.

Full Council Meeting

DATE AND TIME: Friday, September 9, 2005, 8:30 a.m. – 2:30 p.m.

PLACE: Marriott West Palm Beach, 1001 Okeechobee Boulevard, West Palm Beach, FL 33401

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, 1(800)580-7801, local (850)488-4180, TDD toll free 1(888)488-8633.

PRIDE ENTERPRISES

The **PRIDE Enterprises**, BOD Executive Committee announces a conference call to which all interested persons are invited to participate.

DATE AND TIME: September 8, 2005, 4:00 p.m. – 5:00 p.m.

Call toll free 1(800)371-8200, code 90572, e-mail: www.pride-enterprises.org.

LEON COUNTY RESEARCH AND DEVELOPMENT AUTHORITY

The Board of Governors of the **Leon County Research and Development Authority** has rescheduled its previously advertised meeting for September 20, 2005. This is a public meeting to which all persons are invited.

DATE AND TIME: September 13, 2005, 8:30 a.m.

PLACE: Innovation Park Administrative Centre, 1736 West Paul Dirac Drive, Tallahassee, Florida 32310

GENERAL SUBJECT MATTER TO BE CONSIDERED: The development and operation of Innovation Park and related matters.

Any person who desires to appeal a decision of the Leon County Research and Development Authority will need a record of the proceedings of the Authority conducted at such meetings. Special accommodations for persons with disabling conditions should be requested in writing at least 48 hours in advance.

For information regarding the proposed agenda, interested persons may contact: Ms. Lewis, (850)575-0031.

SUNSHINE STATE ONE CALL OF FLORIDA

The **Sunshine State One Call of Florida, Inc. (SSOCOF)** announces its Board and Committee meetings to which all interested persons are invited. All meetings will be held at the SSOCOF call center, 11 Plantation Road, DeBary, FL 32713. Dress is business casual.

DATE AND TIME: September 15, 2005, Committee Meetings beginning 8:00 a.m.

8:00 a.m. – Operations Committee – Jeremy Kelly

- Review Call Center Statistics
- Review Attrition Report
- Review Customer Satisfaction Survey Responses
- Review Member Ticket Management System Proposals
- Review FDOT SUE Pilot Project Results

9:30 a.m. – Break

9:45 a.m. – Damage Prevention Committee – Chris Calvert

- Review Noncompliance Statistics
- Review Enforcement Statistics
- Review Proposed Enforcement Agreement
- Review Excavator Damage Prevention Education CD Project
- Review International Locate Rodeo Results
- Review Professional Angler Program Result

11:15 a.m. – Storm Planning Ad Hoc Committee- Dave Wheeler

12:00 a.m. – Lunch – provided at call center for meeting participants and SSOCOF employees

1:00 a.m. – Finance Committee – Deryle Calhoun

- FY 2004 & 2005 Financial Report – McDirmitt, Davis & Company, LLC
- Review Executive/ Management Retirement Plan Options

- Review FY 2005/06 Financial Reports
- Review FY 2005/06 Delinquent Accounts Report
- Review FY 2005/06 Contracts Approved

2:30 a.m. – Legislative Ad Hoc Committee – Jeff Rodger

- Review Proposed Amendments to Chapter 556
- Review Professional Lobbyist Proposal

3:15 a.m. – Break

3:30 a.m. – Resume Committee Meeting

5:00 a.m. – Adjourn

Note: All committees should be prepared to commence if the previous committee finishes before allotted time. If a committee needs additional time, that time will be allotted after the last scheduled committee has met.

DATE AND TIME: September 16, 2005, Board Meeting beginning 8:00 a.m.

8:00 a.m. – Secretary’s Report – Froilan Baez

8:15 a.m. – Consent Agenda – Larry Batchelor

8:45 a.m. – Executive Director’s Report – Mark Sweet, Executive Director

9:00 a.m. – Trip Reports – OCSI Summer 2005, Denver, CO – Mark Sweet and Dave Erwin; CGA Best Practices Committee, Victoria, BC, Canada – Dave Erwin; Florida Utilities Coordinating Committee, Marco Island, FL – Mark Sweet

Florida League of Cities, Orlando, FL – Dave Erwin

9:15 a.m. – Legal Report – Dave Erwin, General Counsel

9:45 a.m. – Break

10:00 a.m. – Establish an Ad Hoc Excavation Guide Review Committee

10:15 a.m. – Committee Reports

- Operations Committee – Jeremy Kelly
- Damage Prevention Committee – Chris Calvert
- Finance Committee – Deryle Calhoun
- Storm Planning Ad Hoc – Dave Wheeler
- Legislative Ad Hoc Committee - Jeff Rodger

12:00 a.m. – Lunch – provided at call center for meeting participants and SSOCOF employees

1:00 a.m. – Resume Committee Reports

3:00 a.m. – Determine location for the 2006 Strategic Planning Meeting

3:15 a.m. – Open Discussion

4:00 a.m. – Problem Resolution

5:00 a.m. – Adjourn

Attention: Please deliver this to the primary contact for Sunshine State One-Call of Florida and/or someone who plays an active role in underground facility damage prevention. Persons requiring some accommodation at this meeting because of a physical impairment should call the one-call notification center, (386)575-2000, at least five calendar days prior to the activity. Any person who is hearing or speech impaired should contact the one-call notification center through the Florida Relay Center, (800)955-8771.

FLORIDA SURPLUS LINES SERVICE OFFICE

The **Florida Surplus Lines Service Office**, Board of Governors’ announces four meetings to which all interested parties are invited.

EXECUTIVE COMMITTEE

DATES AND TIMES: Tuesday, September 27, 2005, 2:00 p.m.; Wednesday, September 28, 2005, 9:00 a.m.

PLACE: VIA Conference Call, Florida Surplus Lines Service Office, 1441 Maclay Commerce Drive, Ste. 200, Tallahassee, FL 32312

GENERAL SUBJECT MATTER TO BE CONSIDERED: Proposed 2005 Budget.

BOARD OF GOVERNORS

DATE AND TIME: Thursday, September 29, 2005, 9:00 a.m.

PLACE: Florida Surplus Lines Service Office, 1441 Maclay Commerce Drive, Ste. 200, Tallahassee, FL 32312

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly Board Meeting.

DATE AND TIME: Friday, September 30, 2005, 9:00 a.m.

PLACE: VIA Conference Call, Florida Surplus Lines Service Office, 1441 Maclay Commerce Drive, Ste. 200, Tallahassee, FL 32312

GENERAL SUBJECT MATTER TO BE CONSIDERED: Proposed 2005 Budget.

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.

A copy of the Declaratory Statement may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that the Florida Building Commission has issued a Declaratory Statement in response to a request received from James P. Stephan of STEPHAN MANUFACTURING, which was received on February 9, 2005.

It was assigned the number DCA05-DEC-032.

The Commission determined that the Petitioner’s wooden return air grille is subject to the requirements and standards adopted in section 603.15, Florida Building Code, Mechanical Volume (2001, as amended 6/03) or the local authority’s determination of the equivalent pursuant to section 103.7, Florida Building Code, Building Volume (2001, as amended 6/03).

A copy of the Declaratory Statement may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that the Florida Building Commission has issued a Declaratory Statement in response to a request received from G. David Rogers of the FLORIDA PROPANE GAS ASSOCIATION, which was received on February 12, 2005.

It was assigned the number DCA05-DEC-034.

The Commission determined that the propane gas –fired tankless water heaters may only be installed in Method B compliance package A through D in north and central Florida and may be installed under all Method B compliance packages in south Florida pursuant to Chapter 13 of the Florida Building Code, Building Volume. Additionally, tankless water heater energy factors tested and computed in accordance with the U.S. Department of Energy’s test procedures in Part 430, Subpart B, Appendix E, Code of Federal Regulations, shall be treated in the same manner as other water heater energy factors.

A copy of the Declaratory Statement may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Florida Building Commission has issued a Declaratory Statement in response to a request received from John I. Johnson, AIA, of GRESHAM, SMITH and PARTNERS, which was received on February 9, 2005.

It was assigned the number DCA05-DEC-031.

The Commission determined that the term “stand-alone parking garage” includes those as described in the Petition which incorporate enclosed elevator lobbies intended to serve only those persons using the garage.

NOTICE IS HEREBY GIVEN that the Florida Building Commission has issued a Declaratory Statement in response to a request received from A. Mark Scala, P.E. of the Broward County Board of Rules and Appeals, which was received on February 17, 2005.

It was assigned the number DCA05-DEC-038.

The Commission determined that section 704.4.2, Florida Building Code, Building Volume (2001, as amended 6/03) does not require a townhouse separation wall to be designed as an exterior wall subject to wind and water intrusion.

A copy of the Declaratory Statement may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that the Florida Building Commission has issued a Declaratory Statement in response to a request received from William C. Hill of Fortifiber Building Systems Group, which was received on March 2, 2005.

It was assigned the number DCA05-DEC-047.

The Commission determined that the Petitioner's window flashing and weather resistant barriers are not within the scope of products subject to approval pursuant to Chapter 9B-72, F.A.C.

A copy of the Declaratory Statement may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that the Florida Building Commission has issued a Declaratory Statement in response to a request received from Warren W. Schaefer, P.E., of W.W. Schaefer Engineering & Consulting, which was received on April 18, 2005.

It was assigned the number DCA05-DEC-054.

The Commission issued a declaratory statement clarifying the use of the wind duration increase when completing structural analysis of windows and independent clipped mullions pursuant to section 1609.4, Florida Building Code, Building Volume (2001, as amended 6/03).

A copy of the Declaratory Statement may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that the Florida Building Commission has issued a Declaratory Statement in response to a request received from Warren W. Schaefer, P.E., of W.W. Schaefer Engineering & Consulting, which was received on March 28, 2005.

It was assigned the number DCA05-DEC-066.

The Commission determined that window anchors must be designed in accordance with sections 1707 and 1704 of the Florida Building Code, Building Volume (2001, as amended 6/03).

A copy of the Declaratory Statement may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that the Florida Building Commission has issued a Declaratory Statement in response to a request received from Warren W. Schaefer, P.E., of W.W. Schaefer Engineering & Consulting, which was received on March 31, 2005.

It was assigned the number DCA05-DEC-068.

The Commission determined that clipped end structural tube impact mullions in the high velocity hurricane zone are required to be tested for impact resistance pursuant to section 1626.1, Florida Building Code, Building Volume (2001, as amended 6/03) and TAS 201, 202 and 203, pursuant to 1606.1.4 of the Florida Building Code, Building Volume (2001, as amended 6/03). Outside the high velocity hurricane zone the tube mullions are required to be lab tested or designed in accordance with accepted engineering practices.

A copy of the Declaratory Statement may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that the Florida Building Commission has issued a Declaratory Statement in response to a request received from Warren W. Schaefer, P.E., of W.W. Schaefer Engineering & Consulting, which was received on April 7, 2005.

It was assigned the number DCA05-DEC-073.

The Commission determined that the Petitioner may use his tube mullion testing and test report for more than one manufacturer requesting the same tube mullion evaluation for their own state approval pursuant to Rule 9B-72.070, F.A.C.

A copy of the Declaratory Statement may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that the Florida Building Commission has issued a Declaratory Statement in response to a request received from Alan Bookspan of the Allied Building Products Corporation Viroc USA, which was received on April 7, 2005.

It was assigned the number DCA05-DEC-074.

The Commission determined that the Petitioner's product, cement bonded particle board used for sub-flooring, is not subject to state product approval pursuant to Chapter 9B-72, F.A.C.

A copy of the Declaratory Statement may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that the Florida Building Commission received a request for Declaratory Statement on August 16, 2005, from WCI Communities, Inc., regarding the requirements of sections 506.1, 506.3 and 506.4, Florida Building Code, Building Volume (2004) and the area increase credit for sprinkler systems installed in accordance with NFPA 13 and NFPA 13 R.

It has been assigned the number DCA05-DEC-162.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

DEPARTMENT OF REVENUE

NOTICE IS HEREBY GIVEN that the Florida Department of Revenue has received a Petition for Declaratory Statement from Pass-a-Grille Yacht Club. Petitioner, Pass-a-Grille Yacht Club ("Club"), is a not-for-profit entity. It owns land, a clubhouse building, dock, and other amenities. The Club operates as a private membership club in St. Petersburg Beach for the benefit of its members and their guests. Members of the Club are allowed to use the facilities in exchange for the payment of monthly dues and the related charges. Members do not receive a certificate or bond stating an equitable interest. The Club's governing documents, however, provide that in the event of liquidation or dissolution of the corporation, all properties and assets of the corporation remaining after paying or providing for payment of all debts and obligations shall be distributed and paid over pro rata to the members of the corporation entitled to vote. The Club's Board of Directors ("Board") has approved the construction of a new clubhouse. To pay for the clubhouse, the Board approved a \$60 capital assessment fee to be paid by the members monthly. Currently, members are also paying sales tax associated with this assessment fee. Once the project has been completed and paid in full, the assessments will cease. The capital assessments are stated separately on the members' invoices as capital

assessment fees. These fees are kept in a separate bank account, and are not included in an operating revenue account by the Club. Payment of this fee does not entitle any member to use of the facilities, and the assessments are not intended only for use of the capital project. This assessment does not have any impact on other fees, as it is in addition to all other fees, and the money is not used for operating expenses of the Club. Petitioner requests that the Department of Revenue determine whether the \$60 per month payments qualify as "capital contributions or additional paid in capital" or "capital assessments" pursuant to subparagraph 12A-1.005(4)(a)2., F.A.C., thereby exempting the payments from the tax imposed under Section 212.04, F.S.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Nancy Purvis, Agency Clerk, Office of General Counsel, P. O. Box 6668, Tallahassee, Florida 32314-6668, (850)488-0712.

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, Five Towns of St. Petersburg #305 Forham; Docket No. 2005038710.

Whether the association's maintenance agreement is required by Section 718.3025(1)(b), Florida Statutes, to specify the annual charge for each service category and, if so, whether the agreement is invalid since it does not require such categorization.

A copy of the Petition for Declaratory Statement, Docket Number 2005038710, 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, has issued an Order Closing File In Re: Petition for Declaratory Statement, Henry Clayton Cofield, Unit Owner, Venetia Condominium Association, Inc., Docket Number 2005036361. A copy of the Order Closing File on the Petition for Declaratory Statement, Docket Number 2005036361 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.

The Construction Industry Licensing Board hereby gives notice that it has received a Petition for Declaratory Statement filed on August 23, 2005, by William Moseley. The Petitioner seeks the Board’s interpretation of Sections 489.103(6) and 489.105(3)(k), F.S., with regard to the following: (1) Is an above-ground swimming pool considered a “residential” pool, for purposes of Section 489.105(3)(k), F.S.; (2) Does Section 489.103(6), F.S., exempt the construction or installation of above-ground swimming pools from licensure under Chapter 489, F.S.; and (3) If a license is required to install certain above-ground pools, is the construction or installation within the scope of a pool servicing contractor, licensed under Section 489.105(3)(l), F.S. The Board will consider the Petition at its meeting to be held on September 16, 2005, in Naples, Florida. Copies of the petition may be obtained by writing: Tim Vaccaro, Executive Director, Construction Industry Licensing Board, 1940 N. Monroe Street, Tallahassee, Florida 32399-1039.

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 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:

Act Corporation vs. Agency for Health Care Administration; Case No.: 05-2950RU

Frank M. Bafford, Sr. vs. Florida Commission on Human Relations; Case No.: 05-2985RU

Frank M. Bafford, Sr. vs. Florida Commission on Human Relations; Case No.: 05-2986RU

Beckie Merritt, Linda Marie Pettus and Chrystal Pettus vs. Department of Children and Family Services; Case No.: 05-2905RU

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

School Board of Osceola County and G.F., on behalf of Minor Child G.F. vs. Department of Children and Family Services; Case No.: 04-0879RU; Dismissed

**Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges**

NONE

**Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee**

NONE

**Section XI
Notices Regarding Bids, Proposals and
Purchasing**

DEPARTMENT OF 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 FORESTRY, hereinafter referred to as Owner.

For the construction and installation of: Two (2) pre-engineered metal buildings which shall include all labor, equipment, materials necessary to construct and install the buildings. The Project Budget is: \$200,000.00.

PROJECT NAME & LOCATION: Pre-Engineered Buildings located at John Bethea State Forest Headquarters, County Road 127 in Baker County, Florida. Plans and specifications are

available at Macclenny Forestry Station, 8791 U.S. Highway 90, West, Glenn St. Mary, Florida 32040, (904)259-3997. Plans and specifications will also be available at the pre-bid conference/site visit.

SOLICITATION DOCUMENT: The entire solicitation document 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/DF-05/06-24, or by calling the Purchasing Office, (850)487-3727.

MANDATORY PRE-BID CONFERENCE/SITE VISIT: Each bidder must, before submitting a bid, attend the mandatory pre-bid conference/site visit. The pre-bid conference/site visit will be held on September 15, 2005, at 10:30 a.m., at John Bethea State Forest Headquarters, located at the intersection of State Road 2 and County Road 127 in Baker County, Florida. During the pre-bid conference a site visit will be held for prospective bidders. 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, F.S., 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: A performance bond in the amount of one-hundred percent (100%) of the base bid price shall be required.

Sealed bids will be received, publicly opened and read aloud on:

DATE AND TIME: September 29, 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.

Failure to file a protest within the time prescribed in Section 120.57(3), F.S., 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.

DEPARTMENT OF EDUCATION

PUBLIC ANNOUNCEMENT FOR CONSTRUCTION MANAGEMENT SERVICES

PROJECT NUMBER: FSDB-20060004

PROJECT NAME: Hogel Maintenance Building Renovations

PROJECT LOCATION: The Florida School for the Deaf and the Blind, 205 N. San Marco Avenue, St. Augustine, FL 32084-2799

The Florida School for the Deaf and the Blind (FSDB) requests qualifications from construction management firms to provide Construction Management at Risk for renovations to the Hogel Maintenance Building Complex. Renovations will include demolition of the existing Grounds/Agri-Business Building and consolidation of these functions into the existing Hogel Maintenance Building Complex. Relocation of the Agri-Program into a to-be built Instructional Greenhouse. Installation of a new chiller and cooling tower, containment wall at 18,000 gallon fuel tank, and removal and re-design of transportation fueling tanks. Gut existing building interior including mechanical, electrical, plumbing, and fire protection systems as well as finishes. Reconfigure interior to provide more efficient facility and maintenance layout. Provide all new mechanical, electrical, plumbing and fire protection systems as well as finishes, exterior windows and new roof. The construction budget for this project is \$4,500,000.

Applicant must be a licensed general contractor in the State of Florida at the time of application. Further, if a corporation, the applicant must be registered by the Department of State, Division of Corporations, to operate in the State of Florida at the time of application.

The selection will be made in accordance with Section 255.29(3), F.S., and the procedures and criteria established by the Division of Building Construction.

Firms interested in being considered for this project must submit five (5) copies of their application with a table of contents and tabbed sections in the following order:

1. A letter of interest detailing the firm's qualifications to meet the above referenced selection criteria.
2. A current Experience Questionnaire and Contractor's Financial Statement, form DBC5085.

3. Resumes of proposed staff and staff organization.
4. Any examples of project reporting manuals, schedules, past experience and examples of similar projects completed by the firm.
5. A description of the applicant’s plan for Minority Business Enterprise and Women-Owned Business Enterprise.
6. References from prior clients received within the last five years.

Submit five (5) copies of application to: The Florida School for the Deaf and the Blind, Attn: John Connor, Purchasing Director, Building #28 Stores and Receiving, 207 North San Marco Avenue, St. Augustine, FL 32084-2799.

For further information, contact: Lloyd Jenkins, Project Manager, (904)827-2363.

Response Due Date: Monday, October 3, 2005, no later than 3:00 p.m.

Firms will be short-listed on Monday, October 10, 2005. Following the short-list selection, a Pre-Interview Workshop will be held on Thursday, October 13, 2005, 9:00 a.m. for all short-listed firms. Interviews will be conducted on Wednesday, November 2, 2005. A final selection will be made after the interviews have taken place.

The results of the short-list and final selection will be posted at FSDB, Building #28 Stores and Receiving, 207 N. San Marco Ave., St. Augustine, FL and can be viewed during regular working days between the hours of 7:00 a.m. through 4:00 p.m. beginning 24 hours after each selection. Any protest of the selections must be made within 72 hours of the postings. Failure to file a protest within 72 hours (not including Saturday, Sunday, or a legal holiday) after posting shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. Final selection results will also be posted in the Florida Administrative Weekly.

**PUBLIC ANNOUNCEMENT FOR
CONSTRUCTION MANAGEMENT SERVICES**

PROJECT NUMBER: FSDB-20060005

PROJECT NAME: James Hall Renovations

PROJECT LOCATION: The Florida School for the Deaf and the Blind, 205 N. San Marco Avenue, St. Augustine, FL 32084-2799

The Florida School for the Deaf and the Blind (FSDB) requests qualifications from construction management firms to provide Construction Management at Risk for renovations to James Hall, Building #11. Renovations will include gutting of existing building interior including mechanical, electrical, plumbing, and fire protection systems as well as finishes. Reconfigure interior to provide more efficient dormitory layout. Provide all new mechanical, electrical, plumbing and fire protection systems as well as finishes. The construction budget for this project is \$2,300,000.

Applicant must be a licensed general contractor in the State of Florida at the time of application. Further, if a corporation, the applicant must be registered by the Department of State, Division of Corporations, to operate in the State of Florida at the time of application.

The selection will be made in accordance with Section 255.29(3), F.S., and the procedures and criteria established by the Division of Building Construction.

Firms interested in being considered for this project must submit five (5) copies of their application with a table of contents and tabbed sections in the following order:

1. A letter of interest detailing the firm’s qualifications to meet the above referenced selection criteria.
2. A current Experience Questionnaire and Contractor’s Financial Statement, form DBC5085.
3. Resumes of proposed staff and staff organization.
4. Any examples of project reporting manuals, schedules, past experience and examples of similar projects completed by the firm.
5. A description of the applicant’s plan for Minority Business Enterprise and Women-Owned Business Enterprise.
6. References from prior clients received within the last five years.

Submit five (5) copies of application to: The Florida School for the Deaf and the Blind, Attn: John Connor, Purchasing Director, Building #28 Stores and Receiving, 207 North San Marco Avenue, St. Augustine, FL 32084-2799.

For further information, contact: Lloyd Jenkins, Project Manager, (904)827-2363.

Response Due Date: Tuesday, October 4, 2005, no later than 3:00 p.m.

Firms will be short-listed on Tuesday, October 11, 2005. Following the short-list selection, a Pre-Interview Workshop will be held on Friday, October 14, 2005, 9:00 a.m. for all short-listed firms. Interviews will be conducted on Thursday, November 3, 2005. A final selection will be made after the interviews have taken place.

The results of the short-list and final selection will be posted at FSDB, Building #28 Stores and Receiving, 207 N. San Marco Ave., St. Augustine, FL and can be viewed during regular working days between the hours of 7:00 a.m. through 4:00 p.m. beginning 24 hours after each selection. Any protest of the selections must be made within 72 hours of the postings. Failure to file a protest within 72 hours (not including Saturday, Sunday, or a legal holiday) after posting shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. Final selection results will also be posted in the Florida Administrative Weekly.

ADVERTISEMENT FOR BIDS

The School Board of Pinellas County, Florida will receive sealed bids in the Purchasing Department of the Walter Pownall Service Center, 11111 South Belcher Road, Largo, Florida until 2:00 p.m. local time, on September 19, 2005 for the purpose of selecting a supplier to provide Snack & Beverage Vending Items per the bid specifications for:

Snack & Beverage Vending Items
Bid 06-962-509

The purpose and intent of this invitation to bid is to select a supplier to provide and deliver snack and beverage vending items county wide and to secure firm, net pricing for the contract period as specified herein.

Public opening of the Bids will occur in the Purchasing Conference Room at the above address and all interested parties are invited to be present.

Plans and specifications are available at the office of:

Purchasing Department
Walter Pownall Service Center
11111 S. Belcher Road
Largo, FL 33773

BY ORDER OF THE SCHOOL BOARD OF PINELLAS COUNTY, FLORIDA

CLAYTON M. WILCOX SUPERINTENDENT OF SCHOOLS AND EX-OFFICIO SECRETARY TO THE SCHOOL BOARD	NANCY BOSTOCK CHAIRMAN MARK C. LINDEMANN DIRECTOR, PURCHASING
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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."

WATER MANAGEMENT DISTRICTS

Request for Proposal 04/05-058 LM
Mallory Swamp Wetland Restoration/Site-Prep

The Suwannee River Water Management District is requesting Proposals for work to be completed in Mallory Swamp Wildlife Management Area located in Lafayette County Florida (see attached map). Work will be done to facilitate the District's goal of wetland restoration and will consist mainly of mechanical vegetation control and prescribed burning services.

PROPOSED SCHEDULE

August 26, 2005	Release of Request for Proposal.
September 16, 2005	Proposals due prior to 10:00 a.m. at SRWMD headquarters in Live Oak. Opening of proposals at this time and date.*
October 11, 2005	Recommendation to SRWMD Governing Board*
October 21, 2005	Execution of contracts.

Bid documents are available on the District's website: <http://www.mysuwanneeriver.com/services/bids+and+contracts>. Any questions regarding the bid should be addressed to: Brian Kauffman or Scott Gregor, (386)362-1001 or 1(800)226-1066 (Florida only).

All proposals must be received at the Suwannee River Water Management District, 9225 CR 49, Live Oak, Florida 32060 prior to 10:00 a.m., September 16, 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."

FLORIDA ASSOCIATION OF COURT CLERKS

Public Notice

Invitation to Negotiate

The Florida Association of Court Clerks, Inc., is issuing an Invitation to Negotiate (ITN) to provide communications consulting services for the Florida Association of Court Clerks, Inc., (FACC) a private non-profit, member-based association. All interested parties may visit the FACC website, www.flclerks.com, to download a copy of the ITN. The ITN will be posted on the website beginning August 26, 2005.

All required and applicable dates are stated in the Invitation to Negotiate.

For more information regarding this Invitation to Negotiate, please contact: Beth Allman, Director of Communications, Florida Association of Court Clerks, (850)921-0808.

EARLY LEARNING COALITION OF ST. LUCIE COUNTY

Early Learning Coalition of St. Lucie County
Request for Proposal

Competitive sealed proposals will be accepted by the Early Learning Coalition of St. Lucie County, Inc. for the following service: financial and compliance audit for the years ending June 30, 2005, 2006 and 2007.

Sealed proposals will be received until 4:00 p.m. (EDT) on September 9, 2005, 804 South Sixth Street, Fort Pierce, FL 34950.

RFP specifications are available by contacting Andrea Fedock, Fiscal Manager, at the address indicated above, (772)595-6424, Fax (772)595-6081, e-mail: fedocka01@srslc.org. Reference RFP Number: ELCSLC-Audit #2-06.

**Section XII
Miscellaneous**

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to Section 380.06(4)(a), F.S.

FILE NO.: BLIVR-1106-001
DATE RECEIVED: August 17, 2005
DEVELOPMENT NAME: Beacon City Center (Koger)
DEVELOPER/AGENT: CM Doral Development Company
DEVELOPMENT TYPE: 28-24.020, F.A.C.
LOCAL GOVERNMENT: City of Doral

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, F.S., Genuine Scooters, LLC, intends to allow the establishment of AA Moped, Inc., d/b/a Riva World by Yamaha, as a dealership for the sale of Stella scooters, at 8427 Bird Road, Miami (Dade County), Florida 33155, on or after August 17, 2005.

The name and address of the dealer operator(s) and principal investor(s) of AA Moped, Inc., d/b/a Riva World by Yamaha are dealer operator: Scott Cook, 8427 Southwest 40th Street, Miami, Florida 33155; principal investor(s): Sheldon Cook, 1400 LaCosta Drive, West, Pembroke Pines, Florida 33027.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, F.S., 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 Kolbe, Sr. Vice President, Genuine Scooters, LLC, 5400 North Damen Avenue, Chicago, Illinois 60625.

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, F.S.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, F.S., Genuine Scooters, LLC, intends to allow the establishment of Alternative Auto Sales, LLC, d/b/a Mystic Bay Motors, as a dealership for the sale of Stella scooters, at 3460 Barrancas Avenue, Pensacola (Escambia County), Florida 32507, on or after August 17, 2005.

The name and address of the dealer operator(s) and principal investor(s) of Alternative Auto Sales, LLC, d/b/a Mystic Bay Motors are dealer operator: Nathan E. Gillespie, 9219 Gulf Beach Highway #5, Pensacola, Florida 32057; principal investor(s): Kenneth R. Walker, 7979 Heirloom Drive, Pensacola, Florida 32514.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, F.S., 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 Kolbe, Sr. Vice President, Genuine Scooters, LLC, 5400 North Damen Avenue, Chicago, Illinois 60625.

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, F.S.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, F.S., Genuine Scooters, LLC, intends to allow the establishment of Action Moped, Inc., d/b/a Action Wheel Sport, as a dealership for the sale of Stella scooters, at 5310 66th Street, North, St. Petersburg (Pinellas County), Florida 33709, on or after August 17, 2005.

The name and address of the dealer operator(s) and principal investor(s) of Action Moped, Inc., d/b/a Action Wheel Sport, are dealer operator: William A. Lynch, 334 33rd Avenue, Northeast, St. Petersburg, Florida 33704; principal investor(s): Daniel J. Lynch, 8901 Oak Street, Northeast, St. Petersburg, Florida 33702.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, F.S., 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 Kolbe, Sr. Vice President, Genuine Scooters, LLC, 5400 North Damen Avenue, Chicago, Illinois 60625.

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, F.S.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, F.S., Genuine Scooters, LLC, intends to allow the establishment of Vespa Central Florida, LLC, d/b/a Vespa Orlando, as a dealership for the sale of Stella scooters, at 930 Orange Avenue, Winter Park (Orange County), Florida 32789, on or after August 17, 2005.

The name and address of the dealer operator(s) and principal investor(s) of Vespa Central Florida, LLC, d/b/a Vespa Orlando, are dealer operator: Bruce Albertson, 521 Lk. Catherine Drive, Maitland, Florida 32751; principal investor(s): Mike Wolf, 561 Lk. Catherine Drive, Maitland, Florida 32751.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, F.S., 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 Kolbe, Sr. Vice President, Genuine Scooters, LLC, 5400 North Damen Avenue, Chicago, Illinois 60625.

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, F.S.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, F.S., Genuine Scooters, LLC, intends to allow the establishment of Vespa Tampa Bay, LLC, d/b/a Vespa Tampa, as a dealership for the sale of Stella scooters, at 4506 West Spruce Street, Tampa (Hillsborough County), Florida 33607, on or after August 17, 2005.

The name and address of the dealer operator(s) and principal investor(s) of Vespa Tampa Bay, LLC, d/b/a Vespa Tampa, are dealer operator: Bruce Albertson, 521 Lk. Catherine Drive, Maitland, Florida 32751; principal investor(s): Mike Wolf, 561 Lk. Catherine Drive, Maitland, Florida 32751.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, F.S., 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 Kolbe, Sr. Vice President, Genuine Scooters, LLC, 5400 North Damen Avenue, Chicago, Illinois 60625.

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, F.S.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, F.S., Ducati North America, Inc., intends to allow the establishment of Mac Motors, LLC, d/b/a Euro Cycles of Tampa Bay, as a dealership for the sale of Ducati motorcycles, at 8509 Gunn Highway, Odessa (Hillsborough County), Florida 33556, on or after September 1, 2005.

The name and address of the dealer operator(s) and principal investor(s) of Mac Motors, LLC, d/b/a Euro Cycles of Tampa Bay, are dealer operator: Joseph E. MacGuire, 8509 Gunn Highway, Odessa, Florida 33556; principal investor(s): Joseph E. MacGuire, 8509 Gunn Highway, Odessa, Florida 33556, and Crystal K. MacGuire, 8509 Gunn Highway, Odessa, Florida 33556.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, F.S., 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: Kristi Blanchard, Dealer Development Coordinator, Ducati North America, Inc., 10443 Bandler Drive, Cupertino, California 95014.

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, F.S.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, F.S., Lotus Cars USA, Inc., intends to allow the establishment of World Imports USA, Inc., d/b/a Lotus of Jacksonville, as a dealership for the sale of Lotus automobiles, at 11650 Beach Boulevard, Jacksonville (Duval County), Florida 32246, on or after August 22, 2005.

The name and address of the dealer operator(s) and principal investor(s) of World Imports USA, Inc., d/b/a Lotus of Jacksonville, are dealer operator: Claus Gunter Lukner, 13818 Fiddlers Point Drive, Jacksonville, Florida 32225; principal investor(s): Claus Gunter Lukner, 13818 Fiddlers Point Drive, Jacksonville, Florida 32225.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, F.S., 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: John A. English, President and CEO, Lotus Cars USA, Inc., 2236 Northmont Parkway, Duluth, Georgia 30096.

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, F.S.

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, F.S., notice is given that Cross Lander U.S.A., Inc., intends to allow the establishment of The Auto Exchange, Inc., as a dealership for the sale of Cross Lander vehicles, at 2695 North Orange Blossom Trail, Kissimmee (Osceola County), Florida 34744, on or after February 8, 2005.

The name and address of the dealer operator(s) and principal investor(s) of The Auto Exchange, Inc., are dealer operator: Jerry Borrero, 2695 North Orange Blossom Trail, Kissimmee, Florida 34744; principal investor(s): Jerry Borrero, 2695 North Orange Blossom Trail, Kissimmee, Florida 34744.

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, F.S., 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: Richard M. Pierce, National Sales Manager, Cross Lander U.S.A., Inc., 3575 Northwest 82nd Avenue, Miami, Florida 33122.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, F.S.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, F.S., General Motors Corporation, intends to allow the establishment of Southern Buick Pontiac GMC, Inc., as a dealership for the sale of Buick, Pontiac and GMC automobiles, at the northwest intersection of US Highway 98 and 441 in Wellington (Palm Beach County), Florida, on or after December 1, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Southern Buick Pontiac GMC, Inc. are dealer operator: Ray Gould, Jr., 3031 Okeechobee Boulevard,

West Palm Beach, Florida 33409; principal investor(s): Charles A. Schumacher, 3031 Okeechobee Boulevard, West Palm Beach, Florida 33409, and Ray Gould, Jr., 3031 Okeechobee Boulevard, West Palm Beach, Florida 33409.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, F.S., 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: Ricardo LaCosta, Zone Manager, General Motors Corporation, Mail Code 482-A07-C66, 100 GM Renaissance Center, Detroit, Michigan 48265-1000.

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, F.S.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, F.S., Victory Motorcycles, intends to allow the establishment of Stokes' Victory Polaris, as a dealership for the sale of Victory motorcycles, at 4101 Mobile Highway, Pensacola (Escambia County), Florida 32505, on or after August 15, 2005.

The name and address of the dealer operator(s) and principal investor(s) of Stokes' Victory Polaris are dealer operator: Keith Stokes, P. O. Box 766, Flomaton, Alabama 36441; principal investor(s): Keith Stokes, P. O. Box 766, Flomaton, Alabama 36441.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, F.S., to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer

License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Michael W. Malone, VP Finance, CFO, Victory Motorcycles, 2100 Highway 55, Medina, Minnesota 55340.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, F.S.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, F.S., Victory Motorcycles, intends to allow the establishment of Bartow Motorcycle World, Inc., d/b/a Barry Motorsports of Lakeland, as a dealership for the sale of Victory motorcycles, at 4685 US Highway 98S, Lakeland (Polk County), Florida 33603, on or after August 15, 2005.

The name and address of the dealer operator(s) and principal investor(s) of Bartow Motorcycle World, Inc., d/b/a Barry Motorsports of Lakeland are dealer operator: Glenn S. Barry, 5146 Fairfield Drive, Lakeland, Florida 33811; principal investor(s): Glenn S. Barry, 5146 Fairfield Drive, Lakeland, Florida 33811.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, F.S., to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Michael W. Malone, VP Finance, CFO, Victory Motorcycles, 2100 Highway 55, Medina, Minnesota 55340.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, F.S.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

AGENCY FOR HEALTH CARE ADMINISTRATION

The Agency for Health Care Administration has received an emergency service exemption application from Capital Regional Medical Center, located at 2626 Capital Medical Boulevard, Tallahassee, Florida 32308, pursuant to Section 395.1041(3), F.S., and Rule 59A-3.255, F.A.C. The emergency services for which the exemption is requested are: Neurosurgery Services. Comments received within 15 days of publication will be considered by the Agency prior to making a determination of exemption status.

Additional information may be obtained by writing: Agency for Health Care Administration, 2727 Mahan Drive, MS #31, Tallahassee, Florida 32308, (850)414-2717, e-mail: Pat Underwood, Hospital and Outpatient Services Unit, underwop@ahca.myflorida.com.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

On August 19, 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 Ronald Hoffman, M.D. license number ME 31533. 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), F.S. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On August 19, 2005, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Amended Order of Emergency Suspension with regard to the license of Nima Heshmati, M.D., license number ME 84360. This Amended Emergency Suspension 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), F.S. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On August 19, 2005, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Amended Order of Emergency Suspension with regard to the license of David Wang, M.D., license number ME 46620. This Amended Emergency Suspension 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), F.S. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On August 17, 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 Susan Rudolph, license number PS 22521. 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), F.S. 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.

FISH AND WILDLIFE CONSERVATION COMMISSION

GRANTS TO MARINAS DAMAGED DURING THE 2004 HURRICANE SEASON

The Florida Fish and Wildlife Conservation Commission (FWC) announces the availability of grant funds to assist marinas damaged during the 2004 Hurricane Season.

Applications for grant funding will be accepted beginning September 1, 2005. Applications must be received by FWC on or before 5:00 p.m. October 31, 2005. Applications received after the deadline will be ineligible for consideration.

A copy of the Application along with the Policies and Guidelines may be downloaded from the website: <http://MyFWC.com/boating/grants>.

For more information, e-mail: Marinas@MyFWC.com or call (850)488-5600.

FINANCIAL SERVICES COMMISSION

NOTICE OF FILINGS

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received a request by a credit union to expand its field of membership. Specific information regarding the expansion can be found at http://www.fldfs.com/ofr/banking/cu_expansion.htm.

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, F.A.C. Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., September 23, 2005):

Name and Address of Applicant: Central Florida Postal Credit Union, Post Office Box 568765, Orlando, Florida 32856-8765
Expansion Includes: CU Mortgage Center

Received: August 19, 2005

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN August 15, 2005
 and August 19, 2005

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Aquaculture

5L-1.003	8/16/05	9/5/05	31/24	
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DEPARTMENT OF CORRECTIONS

33-103.015	8/15/05	9/4/05	31/24	
33-501.401	8/16/05	9/5/05	31/22	31/26
33-602.204	8/15/05	9/4/05	31/27	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

61G15-23.003	8/15/05	9/4/05	31/28	
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DEPARTMENT OF ENVIRONMENTAL PROTECTION

62-330.200	8/15/05	9/4/05	31/21	31/29
62-341.491	8/15/05	9/4/05	31/21	31/29
62-341.492	8/15/05	9/4/05	31/21	31/29
62-341.500	8/15/05	9/4/05	31/21	31/29
62-341.900	8/15/05	9/4/05	31/21	31/29

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 HEALTH

Board of Medicine

64B8-30.003	8/16/05	9/5/05	31/27	
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Board of Opticianry

64B12-12.009	8/15/05	9/4/05	31/28	
64B12-14.002	8/15/05	9/4/05	31/28	
64B12-14.004	8/15/05	9/4/05	31/28	
64B12-15.004	8/15/05	9/4/05	31/28	

Division of Family Health Services

64F-3.001	8/15/05	9/4/05	31/25	
64F-3.002	8/15/05	9/4/05	31/25	
64F-3.004	8/15/05	9/4/05	31/25	
64F-3.005	8/15/05	9/4/05	31/25	
64F-3.006	8/15/05	9/4/05	31/25	

DEPARTMENT OF FINANCIAL SERVICES

Division of Workers' Compensation

69L-7.020	8/15/05	9/4/05	31/26	
69L-7.100	8/15/05	9/4/05	31/16	31/26

Section XIV
List of Rules Affected

				Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
This "List of Rules Affected" is a cumulative list of all rules which have been proposed but not filed for adoption. Beginning with the February 2, 1996 issue, the list will be published monthly for the period covering the last eight weeks.				4A-21.115	29/37	29/46	
w – Signifies Withdrawal of Proposed Rule(s)				4A-41.108	29/25		
c – Rule Challenge Filed				4A-62.0001	29/44	29/46	
v – Rule Declared Valid				4A-62.001	29/44	29/46	
x – Rule Declared Invalid				4A-62.002	29/44	29/46	
d – Rule Challenge Dismissed				4A-62.003	29/44	29/46	
dw – Dismissed Upon Withdrawal				4A-62.006	29/44	29/46	
Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	4A-62.007	29/44	29/46	
STATE				4A-62.020	29/44	29/46	
1B-24.002	26/43			4A-62.021	29/44	29/46	
1S-2.026	31/35			4A-62.022	29/44	29/46	
1S-2.031	31/20	31/35		4A-62.023	29/44	29/46	
LEGAL AFFAIRS				4A-62.030	29/44	29/46	
2A-8.005	31/22		31/29	4A-62.031	29/44	29/46	
BANKING AND FINANCE				4A-62.032	29/44	29/46	
3E-48.005	28/42			4A-62.033	29/44	29/46	
3F-5.0015	29/39	29/45		4A-62.034	29/44	29/46	
3F-5.0035	29/39	29/45		4A-62.035	29/44	29/46	
3F-5.004	29/39	29/45		4A-62.036	29/44	29/46	
3F-5.006	29/39	29/45		4A-62.040	29/44	29/46	
3F-5.008	29/39	29/45		4A-62.041	29/44	29/46	
INSURANCE				4A-62.042	29/44	29/46	
4-138.047	28/41			4A-62.043	29/44	29/46	
4-149.203	29/52	30/3		4A-62.044	29/44	29/46	
4-149.204	29/52	30/3		4A-62.045	29/44	29/46	
4-149.205	29/52	30/3		4A-62.046	29/44	29/46	
4-149.206	29/52	30/3		4C-6.003	29/38	30/29	
4-149.207	29/52	30/3		4C-40.0055	28/47		
4-154.201	29/37	30/3		4L-24.0231	29/39	29/46	
4-154.202	29/37	29/42		AGRICULTURE AND CONSUMER SERVICES			
4-154.203	29/37	29/46		5-1	31/6c		
4-154.204	29/37	30/3			31/14c		
4-154.210	29/37	30/3		5B-54.003	31/18		31/33
4-154.525	29/16	29/25		5B-54.014	31/18		31/33
4-166.045	30/1	30/3		5B-54.017	31/18		31/33
4-176.013	29/36	30/3		5B-58.001	27/29		
4-200.007	29/44	30/3		5B-58.001(16)	27/50c		
4-211.031	27/44			5C-20.002	31/24	31/30	
4-228.055	26/35			5C-20.004	31/24	31/30	
4A-3.002	27/12			5E-2.0042	30/15		
				5E-2.011	29/32		
				5F-11.002	31/34		
				5F-11.027	31/34		
				5F-11.028	31/34		
				5F-11.029	31/34		
				5F-11.043	31/34		
				5F-11.044	31/34		
				5F-11.045	31/34		
				5F-11.046	31/34		
				5F-11.050	31/34		
				5I-2.003	31/25		
				5I-2.004	31/25		
				5I-2.006	31/25		
				5I-4.002	31/21		
				5L-1.003	31/24		31/35

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
ENVIRONMENTAL REGULATION				PUBLIC SERVICE COMMISSION			
17-503.420	16/15			25-4.0161	31/30		
17-503.430	16/15			25-24.455	31/5	31/26	31/33
17-503.500	16/15			25-24.465	31/5		31/33
17-660.300	15/50	16/8		25-24.470	31/5		31/33
17-671.100	15/32			25-24.4701	31/5		31/33
17-671.200	15/32			25-24.471	31/5		31/33
17-671.300	15/32			25-24.472	31/5		31/33
17-671.310	15/32			25-24.473	31/5		31/33
BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST				25-24.474	31/5	31/26	31/33
				25-24.475	31/5		31/33
				25-24.480	31/5	31/26	31/33
				25-24.485	31/5		31/33
18-21.003	31/27c			25-24.490	31/5		31/33
18-21.003(23)	31/16c			25-24.491	31/5		31/33
18-21.004	25/48	25/50		25-24.600	31/5	31/26	31/33
18-21.008	31/46		31/31	25-24.610	31/5		31/33
18-21.0081	31/46		31/31	25-24.640	31/5		31/33
18-21.009	31/46		31/31	25-24.835	31/5		31/33
18-21.010	31/46		31/31	25-24.840	31/5		31/33
18-21.011	31/16c			25-24.900	31/5		31/33
	31/27c			25-24.905	31/5		31/33
STATE BOARD OF ADMINISTRATION				25-24.910	31/5		31/33
				25-24.915	31/5		31/33
19ER05-1			31/24	25-24.920	31/5		31/33
19-8.028	31/15		31/28	25-24.930	31/5		31/33
19B-15.001	28/8			25-24.940	31/5		31/33
19B-15.002	28/8			EXECUTIVE OFFICE OF THE GOVERNOR			
19B-15.003	28/8			27E-4.001	20/11		
19B-15.004	28/8			27E-4.002	20/11		
19B-15.005	28/8			27E-4.003	20/11		
19B-15.006	28/8			27E-4.004	20/11		
19B-15.007	28/8			27E-4.005	20/11		
19B-15.008	28/8			27E-4.006	20/11		
19B-15.009	28/8			27E-4.007	20/11		
19B-15.010	28/8			27E-4.008	20/11		
19B-15.011	28/8			ADMINISTRATION COMMISSION			
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20-64.025	31/28			28-18.200	31/33		
20-70.006	31/28			28-18.210	30/29		31/33w
20-71.006	31/28				30/36c		31/28d
20-72.006	31/28			28-20	30/36c		31/28d
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21M-50.002	19/6c						
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33-3.0081	25/35	25/43		33-602.204	31/27		31/35
33-3.0082	25/35	25/43		33-602.210	28/5	28/19	31/30
33-3.0084	25/35	25/43				28/21	31/30
33-3.0085	25/35	25/43			31/23		31/30
33-3.015	21/43			LABOR AND EMPLOYMENT SECURITY			
33-3.018	17/14			38E-106.401	24/1		
33-8.0142	19/43			38F-8.055	22/4		
33-22.003	17/12			38I-60.200	20/7		
33-22.009	17/12			38K-1.0045	23/27		
33-22.011	17/12			WATER MANAGEMENT DISTRICTS			
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33-32.022	19/5			40B-8.011	31/22		
33-38.001	25/35	25/43		40B-8.021	31/22		
33-38.003	25/35	25/43		40B-8.031	31/22		
33-38.005	25/35	25/43		40B-21.001	31/25		
33-38.006	25/35	25/43		40B-21.031	31/25		
33-38.009	25/35	25/43		40B-21.051	31/25		
33-38.010	25/35	25/43		40B-21.211	31/25		
33-38.011	25/35	25/43		40B-21.221	31/25		
33-38.012	25/35	25/43		40B-21.231	31/25		
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33-103.015	31/24		31/35	40B-21.275	31/25		
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33-204.003	31/34			40B-21.421	31/25		
33-204.111	27/29			40B-21.511	31/25		
33-208.403	31/21	31/29		40B-21.531	31/25		
33-208.507	26/16			40B-21.541	31/25		
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33-209.102	31/22		31/29	40B-21.601	31/25		
33-209.103	31/22		31/29	40B-21.621	31/25		
33-209.104	31/22		31/29	40B-21.631	31/25		
33-209.105	31/22		31/29	40B-21.641	31/25		
33-209.106	31/22		31/29	40C-1.101	27/52		
33-210.101	30/43			40C-1.181	20/18		
33-210.103	31/21		31/28	40C-2.031	31/35		
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33-302.108	31/34			40C-2.051	31/35		
33-302.111	31/34			40C-2.101	31/35		
33-401.601	31/32			40C-2.381	31/35		
33-501.101		27/36	31/30	40C-2.900	31/35		
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33-501.401		26/3	31/35		31/12c		
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40D-2.341	31/31			46-37.002	20/18	20/25	
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40E-1.612	20/18	21/36		53ER05-49			31/24
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53-32.004	31/33			59B-7.022	19/30		
53-32.005	31/33			59B-7.023	19/30		
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59G-4.190	31/16	31/25	31/32	60DD-8.001	30/51	31/19	
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69A-58.007	31/18		31/32w		31/26		
69A-58.008	31/18		31/32w		31/34c		
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