

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER TITLE: Assessment of Penalties for Violations Found During Compliance Reviews and Payment of Penalties  
 RULE CHAPTER NO.: 14-87

RULE TITLES: Scope  
 Scope and Definitions  
 Assessment of Penalties for Violations Found During Compliance Reviews  
 Payment of Penalties; Detaining and Impounding Motor Vehicles  
 RULE NOS.: 14-87.001  
 14-87.0011  
 14-87.0012  
 14-87.002

PURPOSE AND EFFECT: This rule chapter amendment is to expand the scope of the current rule chapter by including a new rule containing parts of Chapter 14-108, F.A.C. When this rule chapter is amended, Chapter 14-108, F.A.C., will be repealed.

SUBJECT AREA TO BE ADDRESSED: Chapter 14-87, F.A.C., is being amended to include provisions of rules currently in Chapter 14-108, F.A.C. When this rule chapter is amended, Chapter 14-108, F.A.C., will be amended by separate notice of rulemaking.

SPECIFIC AUTHORITY: 316.302, 316.535, 334.044(2) FS.

LAW IMPLEMENTED: 316.302, 316.3025, 316.3026, 316.516, 316.535, 316.545, 316.550, 316.70 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 IS: James C. Myers, Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

ASSESSMENT OF PENALTIES FOR VIOLATIONS FOUND DURING COMPLIANCE REVIEWS AND PAYMENT OF COMMERCIAL VEHICLE PENALTIES AND FEES

14-87.001 Scope.

Specific Authority 316.3025, 316.515, 316.535, 316.545, 316.550, 316.70, 334.044(2) FS. Law Implemented 316.302, 316.3025, 316.515, 316.535, 316.545, 316.550, 316.70 FS. History—New 1-8-86, Amended 2-25-87, 7-15-91, Repealed \_\_\_\_\_.

14-87.0011 Scope and Definitions.

(1) This rule chapter applies to motor carriers of commercial motor vehicles and nonpublic sector buses, and shippers of hazardous materials; establishes procedures for the payment of penalties in accordance with Chapter 316, Florida Statutes; and establishes the amount of penalties for violations found during a compliance review under Sections 316.302, 316.70, 627.7415, and 627.742, Florida Statutes, and 49 C.F.R Part 107, Subpart G, and Parts 171, 172, 173, 177, 178, 180, 382, 390, 391, 392, 395, 396, and 397, incorporated herein by reference.

(2) The following words and phrases, when used in these rules, shall have the meanings respectively ascribed to them in this section, except where the context otherwise requires:

(a)(1) "Citation" means a written statement issued by the Department to a motor carrier, or shipper of hazardous materials, for:

1.(a) A violation of weight or vehicle registration laws; or  
 2.(b) A violation of safety laws or regulations, or permit violations; or

3.(c) A violation of the fuel use tax requirements contained in Chapter 207, Florida Statutes.

(b)(2) "Commercial Motor Vehicle" means as defined in Section 316.003(66), Florida Statutes.

(c) "Compliance Review" means an onsite review of documents at a motor carrier's or shipper of hazardous materials' terminal or office, including: property carrier, passenger carrier, or shipper of hazardous materials records such as driver's hours of service, maintenance and inspection, driver qualification, commercial driver's license requirements, financial responsibility, accident and other safety and business records which will enable the investigators to establish compliance with safety laws and regulations.

(d)(3) "Department" means the Florida Department of Transportation.

(4) "Director" means the Director of the Motor Carrier Compliance Office, Florida Department of Transportation.

(5) "Fee" means a charge for a permit.

(e)(6) "Motor Carrier" means any person, corporation, or entity of any kind owning, controlling, operating, managing, contracting with the owner or operator of, or dispatching any commercial motor vehicle or nonpublic sector buses.

(f) "Nonpublic Sector Bus" means as defined in Section 316.003, Florida Statutes.

(7) "Motor Carrier Compliance Office" means that office within the Department which is responsible for enforcing Commercial Motor Vehicle regulations.

(g)(8) "Penalty" means a monetary amount prescribed by statute or Department rule as an administrative assessment for a violation of a safety commercial motor vehicle law or regulation rule pursuant to the issuance of a citation or a notice of violation.

(h) “Shipper of Hazardous Materials” means any person or entity of any kind that offers hazardous materials, as defined in Section 316.003, Florida Statutes, for transportation in commerce.

(9) “Penalty Collections Unit” means those employees of the Motor Carrier Compliance Office assigned by the Director to ensure that penalties are collected in a manner consistent with applicable rules and laws.

(10) “Permit” means:

(a) ~~An International Registration Plan Trip Permit issued to a motor carrier authorizing temporary operation on the public roads of this State in lieu of permanent registration; or~~

(b) ~~A Temporary Fuel Use Permit issued to a motor carrier authorizing temporary operation on the public roads of this State in lieu of permanent registration.~~

(c) ~~A Special Permit issued by the Department which authorizes the operation of an oversize or overweight commercial motor vehicle and load over the State Highway System.~~

Specific Authority 316.302, ~~316.535~~, 334.044(2) FS. Law Implemented 316.302, 316.3025, 316.3026, 316.516~~515~~, 316.535, 316.545, 316.550, 316.70 FS. History–New 7-15-91, Amended 9-12-96, 8-7-03, \_\_\_\_\_.

14-87.0012 Assessment of Penalties for Violations Found During Compliance Reviews.

(1) The following penalties shall apply to violations found during compliance reviews of motor carriers and shippers of hazardous materials. The aggregate of penalties assessed during a compliance review shall not exceed the amounts prescribed in Section 316.3025 or 316.70, Florida Statutes.

<u>Violation</u>	<u>Penalty</u>
<u>For each violation of 49 C.F.R. Parts 391, 396, or 397:</u>	<u>\$100</u>
<u>For each violation of 49 C.F.R. Part 171, 172, 173, 177, or 180:</u>	<u>\$100</u>
<u>For each violation of 49 C.F.R. Part 107, Subpart G:</u>	<u>\$250</u>
<u>For failing to file a motor carrier identification report, as required by 49 C.F.R. 390.19:</u>	<u>\$500</u>
<u>For violation of operating authority under 49 C.F.R. 392.9a:</u>	<u>\$500</u>
<u>For any other violation of 49 C.F.R. Part 392:</u>	<u>\$100</u>
<u>For failing to maintain time records required by 49 C.F.R. 395.8 or Section 316.302(2)(d), Florida Statutes:</u>	<u>\$500</u>
<u>For any other violation of 49 C.F.R. Part 395:</u>	<u>\$100</u>
<u>For no Controlled Substances and Alcohol Use and Testing Program, as required by 49 C.F.R., Part 382:</u>	<u>\$1,000</u>
<u>For any other violation of 49 C.F.R. Part 382:</u>	<u>\$250</u>
<u>For failing to maintain any insurance required by Section 627.7415 or Section 627.742, Florida Statutes:</u>	<u>\$2,500</u>
<u>For failing to maintain minimum levels of insurance required by Section 627.7415 or Section 627.742, Florida Statutes:</u>	<u>\$1,000</u>
<u>For refusal to submit to a compliance review:</u>	<u>\$5,000</u>

(2) Except for violations specified below, the penalties prescribed above will be waived if, as a result of the first compliance review conducted on a motor carrier or shipper of hazardous materials, the described violations are corrected within 20 days after the receipt of a citation:

(a) Violations of 49 C.F.R. Part 382.

(b) Violations of 49 C.F.R. Part 395 or Section 316.302(2)(b), (c), or (d), Florida Statutes.

(c) Violations of hazardous materials requirements.

(d) Utilizing any driver without a valid driver’s license, such as having a revoked, suspended, canceled, or expired license, or a license with improper classification, not properly endorsed, or in violation of restrictions.

Specific Authority 316.302, 334.044(2) FS. Law Implemented 316.302, 316.3025, 316.70, 627.7415, 627.742 FS. History–New \_\_\_\_\_.

14-87.002 Payment of Penalties and Fees Due; Detaining and Impounding Commercial Motor Vehicles.

(1) ~~Penalties and fees imposed upon the operations of commercial a motor carrier or shipper of hazardous materials vehicles are due and payable upon the issuance of a citation or a permit. Law enforcement officers, and weight inspectors employed by the Motor Carrier Compliance Office, and other authorized agents of the Department, upon issuance of a citation, shall allow motor carriers or shippers of hazardous materials in good standing to make payment of penalties within 20 calendar days from the issuance of the citation. Payment must be received by the Office of Motor Carrier Compliance Office Penalty Collections Unit in Tallahassee, Florida, within 20 calendar days from the date of the citation.~~

(2) In the event that payment of penalties for a citation is not received within the 20 calendar day period, the commercial motor vehicle(s) shall be impounded in accordance with Sections 316.545, 316.3025, 316.516, and 316.550, Florida Statutes. Motor carriers who fail to pay any and all penalties owed to the Department will be referred to the Department of Highway Safety and Motor Vehicles, where the vehicle’s registrations and fuel permits shall be revoked or suspended in accordance with Section 320.18, Florida Statutes.

(3) ~~Payment methods for citations include cash, money orders, certified funds from a financial institution (electronic or manual), approved credit cards, and company checks. A receipt shall be provided to the motor carrier upon payment of penalties collected. All penalties collected in accordance with these rules will be made payable to the State Treasurer, who will credit the funds to the State Transportation Trust Fund and any other accounts specified by state law.~~

(4) A motor carrier or a shipper of hazardous material that who owes penalties to the Department, state or has have not paid penalties in a timely fashion on one or more previous occasion, shall be deemed to be not in good standing. A Commercial motor vehicle(s) owned by a motor carrier or shipper of hazardous materials deemed not in good standing

~~operated by such motor carriers~~ will be detained or impounded immediately and held until all penalties are paid to the Department. A list of such motor carriers and shippers of hazardous materials will be provided statewide by the Penalty Collections Unit to the Office of Motor Carrier Compliance ~~Office~~ law enforcement officers and weight inspectors ~~by the Penalty Collections Unit.~~

(5) Except ~~for as set forth in Rule Chapter 14-108, F.A.C., involving~~ penalties assessed during compliance reviews, the fact that a motor carrier or shipper of hazardous material has requested an appeal a hearing before the Commercial Motor Vehicle Review Board does not relieve responsibility to make payment of the assessed penalty for a citation within the 20 day period.

(6) Commercial motor vehicles impounded in accordance with this rule will be released upon payment of all penalties owed to the Department, upon Motor Carrier Compliance Office Penalty Collections Unit in Tallahassee, Florida, the posting of a bond pursuant to Section 316.545, Florida Statutes, upon a determination by the Commercial Motor Carrier Review Board to cancel or revoke the penalty, or upon issuance of a Department order pursuant to Section 120.57, Florida Statutes. Commercial motor vehicles released as a result of the posting of a bond under Section 316.545, Florida Statutes, remain subject to the lien imposed by that statute.

(7) Any costs associated with the detention, impoundment, and storage of commercial motor vehicles in accordance with Sections 316.545, Florida Statutes, shall be the responsibility of the motor carrier or shipper of hazardous material, and proof of payment of such costs shall be provided to the Department prior to the vehicle being released.

Specific Authority 316.302, 316.535, 334.044(2) FS. Law Implemented 316.302, 316.3025, 316.3026, 316.516515, 316.535, 316.545, 316.550, 316.70 FS. History--New 1-8-86, Amended 2-25-87, 7-15-91, Amended 9-12-96, 8-7-03,\_\_\_\_\_.

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

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

**PUBLIC SERVICE COMMISSION**

UNDOCKETED

RULE TITLE: Regulatory Assessment Fees;

RULE NO.:

Telecommunications Companies 25-4.0161

PURPOSE AND EFFECT: The purpose of the rule amendment is to streamline the process of Regulatory Assessment Fee (RAF) collections by codifying the penalty amount and defining when a penalty will be imposed upon a certificated or registered telecommunications company that fails to pay RAF.

The changes should reduce the Commission's cost of collecting RAFs and ensure all certificated and registered companies are treated consistently.

SUBJECT AREA TO BE ADDRESSED: Delinquent Regulatory Assessment Fees.

SPECIFIC AUTHORITY: 350.127(2) FS.

LAW IMPLEMENTED: 350.113, 364.285, 364.336 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 WORKSHOP REQUEST MUST BE SUBMITTED IN WRITING TO: Christiana T. Moore, Office of the General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850.

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 IS: Ray Kennedy, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862, (850)413-6584, e-mail: RKennedy@psc.state.fl.us.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

25-4.0161 Regulatory Assessment Fees; Telecommunications Companies.

(1) through (8) No change.

(9) The Division of the Commission Clerk and Administrative Services shall send by certified mail a regulatory assessment fee delinquency notice to any company that fails to file a regulatory assessment fee return and that fails to pay the regulatory assessment fee by the date specified in subsection (2), unless the company has met the requirements of subsections (6) and (7).

(10) If a company fails to pay the regulatory assessment fee within 15 days after receiving a delinquency notice, the Division, in cooperation with the Division of Competitive Markets and Enforcement and the Office of General Counsel, will establish a docket and administratively issue a Notice of Proposed Agency Action Order Imposing Penalties and Collection Costs, and Requiring Payment of Delinquent Regulatory Assessment Fees, or Cancelling Certificates or Removing From the Register for Violation of Rule 25-4.0161, Florida Administrative Code, and Section 364.336, Florida Statutes. The company must pay the past due regulatory assessment fees, the penalty and interest for late payment as

provided in Section 350.113, Florida Statutes, and as stated in subsection (8) above, and must also pay the applicable penalty stated in subsection (11) for failure to file the regulatory assessment fee return.

(11) Pursuant to Section 364.285, Florida Statutes, the Commission has the authority to impose a penalty or cancel a certificate or registration if a company refuses to comply with Commission rules, orders, or Florida Statutes. The penalty, which will include collection costs, for failure to file the regulatory assessment fee return by the date stated in the delinquency notice shall be as follows:

- (a) First violation – \$500.
- (b) Second violation – \$1,000.
- (c) Third violation – \$2,000.

Failure of the company to pay the full amount due and stated in the Notice of Proposed Agency Action will result in the cancellation of the company’s Certificate of Public Convenience and Necessity, or will result in the cancellation of the company’s tariff and removal of its name from the Commission’s register, whichever is applicable.

(12) For a company’s fourth failure to pay the regulatory assessment fee after being sent a delinquency notice, Commission staff shall file a recommendation to the Commission for further action.

(13) A company that reappplies for a Certificate of Public Convenience and Necessity, or refiles for registration, must pay all prior unpaid regulatory assessment fees, plus the penalty and interest defined in subsection (8), and any prior unpaid penalty assessed in accordance with subsection (10).

Specific Authority 350.127(2) FS. Law Implemented 350.113, 364.285, 364.336 FS. History–New 5-18-83, Formerly 25-4.161, Amended 10-19-86, 1-1-91, 12-29-91, 1-8-95, 12-26-95, 7-7-96, 11-11-99, 12-7-04,\_\_\_\_\_.

**DEPARTMENT OF CORRECTIONS**

RULE TITLE: Canteen Operations

RULE NO.: 33-203.101

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to delete obsolete language. Reference to the Department’s cashless canteen system is being deleted as the contracted vendor provides their own cashless system.

SUBJECT AREA TO BE ADDRESSED: Inmate Canteens.

SPECIFIC AUTHORITY: 20.315, 944.09, 945.215 FS.

LAW IMPLEMENTED: 20.315, 944.09, 945.215, 946.002 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

- 33-203.101 Canteen Operations.
  - (1) through (2) No change.
  - (3) ~~A standard mark-up policy implemented through the department’s cashless canteen system will be used to price canteen resale items.~~ Current price lists will be posted in the proximity of the canteen for inmate viewing purposes.
  - (4) through (8) No change.

Specific Authority 20.315, 944.09, 945.215 FS. Law Implemented 20.315, 944.09, 945.215, 946.002 FS. History–New 1-20-86, Formerly 33-3.035, Amended 11-22-91, 5-25-95, 11-13-95, 5-28-96, 2-12-97, Formerly 33-3.0035, Amended 11-18-02, 12-3-03, 12-14-04,\_\_\_\_\_.

**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 renumber disciplinary charges for consistency with the Department’s database, and to provide a specific disciplinary charge for making a threatening gesture.

SUBJECT AREA TO BE ADDRESSED: Inmate Disciplinary Infractions.

SPECIFIC AUTHORITY: 944.09 FS.

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

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

- 33-601.314 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 – ASSAULT, BATTERY, THREATS, AND DISRESPECT

1-1 through 1-2 No change.

1-3 Spoken, ~~or~~ written, or gestured 30 DC + 90 GT threats

1-4 through 1-5 No change.

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 3-12 No change.

3-13 Introduction of any contraband 60 DC + All GT

3-14 Possession or use of a cellular telephone or any other type of wireless communication device 60 DC + All GT

3-14 Introduction of any contraband 60 DC + All GT

SECTION 4 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, 10-01-95, 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, \_\_\_\_\_.

**DEPARTMENT OF CORRECTIONS**

RULE TITLE:

Maximum Management

RULE NO.:

33-601.820

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to: delete obsolete and unnecessary language; define relevant terms; provide requirements for documentation of actions and decisions related to maximum management; describe the process for maximum management placement, review and release; provide for the imposition of immediate restrictions; and clarify authority and responsibilities associated with maximum management review and decision-making.

SUBJECT AREA TO BE ADDRESSED: maximum management.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-601.820 Maximum Management.

~~(1) General. Maximum Management is a temporary status for an inmate who, through a recent incident or a series of recent incidents, has been identified as being an extreme security risk to the Department and requires an immediate level of control beyond that available in close management or death row.~~

~~(1)(2) Definitions.~~

(a) No change.

~~(b) Institutional Classification Team (ICT) for Maximum Management Review – refers to the team consisting of the Warden or Assistant Warden, Classification Supervisor, a correctional officer chief, and other members as necessary when appointed by the Warden or designated by rule. The ICT is responsible for making work, program, housing and inmate status decisions at a facility and for making other recommendations to the State Classification Office (SCO).~~

(c) Maximum Management (MM) – refers to a temporary status for an inmate who, through a recent incident or series of recent incidents, has been identified as being an extreme security risk to the Department and requires an immediate level of control beyond that available in close management or death row. The Secretary shall designate which institutions are authorized to house maximum management inmates, based upon the needs of the Department.

(d) No change.

(e) Maximum Management Review Team – refers to the committee in Central Office that has approval authority for placement in maximum management and the modification of conditions and restrictions imposed at the time an inmate is initially placed in maximum management. The Maximum Management Review Team shall consist of the following staff or those acting in that capacity:

1. Deputy Assistant Secretary of Operations (Chairperson);

2. Chief, Bureau of Classification and Central Records;

3. Chief, Bureau of Security Operations; and

4. Deputy Director of Health Services (clinical).

~~(f)(e) Shift Supervisor – the highest ranking Correctional Officer in charge of security on any work shift on duty.~~

~~(g)(f) No change.~~

~~(2)(3) Maximum Management Placement Criteria.~~

~~(a) An inmate shall have, at a minimum, met the criteria for placement in Close Management I or death row and participated in a recent incident or series of recent incidents which demonstrate:~~

1. through 4. renumbered (a) through (d) No change.

(3) Initial Placement in Maximum Management Housing.

~~(a)(b)~~ Whenever an inmate has met at least one of the conditions above, ~~and the Shift Supervisor believes that the inmate cannot be controlled in a status less than maximum management, the Shift Supervisor shall recommend immediate placement in maximum management on the electronic by completing Section 1 of Form DC6-101, Referral for mMaximum mManagement in the Offender Based Information System (OBIS). Form DC6-101 is incorporated by reference in subsection (6) of this rule. Approval from the warden or duty warden shall be received prior to placement of the inmate in maximum management.~~

~~(b)(e)~~ The Warden or Duty Warden shall document this decision on the electronic referral for maximum management in OBIS. Approval from the Warden or Duty Warden shall be received prior to placement of the inmate in maximum management pending completion of the hearing process in subsection (5) approve or disapprove the immediate placement of an inmate in maximum management by signing Form DC6-101, Referral for Maximum Management.

(c) The Shift Supervisor who recommended placing an inmate in maximum management shall ensure delivery of the electronic notice of referral for maximum management to the inmate prior to being relieved of duty. The written notice will provide the inmate the reason for the placement and inform the inmate that a hearing will be held no sooner than 24 hours to review the recommendation for placement in maximum management. The inmate may waive the 24 hour period or appearance at the hearing by signing the Waiver of Right to Appear/Waiver of 24 Hour Period, Form DC6-104. Form DC6-104 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, Office of Research, Planning and Support Services, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is December 7, 2000.

~~(d)~~ Whenever an inmate has met at least one of the conditions in subsection 33-601.820(3), F.A.C., and the Shift Supervisor believes that the inmate should be reviewed for but not immediately placed in maximum management at the present time, then the Shift Supervisor shall recommend placement by completing Section 1 of Form DC6-101, Referral for Maximum Management. The Shift Supervisor shall notify the Classification Supervisor in writing of the recommendation no later than the following administrative workday:

~~(d)(e)~~ No change.

(4) Initial Conditions at time of Placement in Maximum Management Housing.

(a) During initial placement of an inmate into maximum management the following will be provided:

1. through 2. No change.

3. Cell with a Solid Door Should an inmate's behavior require that the solid door be closed for security reasons, the Shift Supervisor may authorize this immediate restriction. The Shift Supervisor shall notify the ICT the following day and the

ICT shall approve, disapprove or modify this restriction. The ICT shall notify the warden for final approval, disapproval or modification of the ICT decision as described in subsection (5) of this rule.

4. through 10. No change.

(b) Should an inmate's behavior require that the clothing or bedding be removed or that the solid door be closed for security reasons either upon initial placement or at any time during maximum management status, the Shift Supervisor may authorize this immediate restriction. The Shift Supervisor shall notify the Warden. If in agreement with the action, the Warden shall notify the Regional Director. If the Regional Director agrees with the action, the Deputy Assistant Secretary of Operations will be contacted for final approval no later than the first work day following the Shift Supervisor's action.

~~(c)(b)~~ No change.

~~(e)~~ The conditions set forth in paragraphs (a) and (b) above shall be reviewed at least weekly by the ICT, and when the ICT determines the inmate has sufficiently demonstrated positive adjustment, consideration shall be given to adjusting the inmate's conditions to the extent authorized for Close Management I inmates. The Institutional Classification Team shall document their justification for adjustment on Form DC6-101, Referral for Maximum Management.

~~(5) Maximum Management Conditions After Initial Placement Hearing and Decision Process.~~ Should the inmate's behavior require alteration of initial placement conditions or previously relaxed conditions as described in paragraphs (4)(a) and (b), the Institutional Classification Team shall make the recommendation to the warden on Form DC6-101, Referral for Maximum Management. The warden shall approve, disapprove or modify the recommendations:

~~(6) Inmate Notice of Maximum Management Hearing.~~ The Shift Supervisor who recommends placing an inmate in maximum management shall ensure delivery of the Notice of Referral for Maximum Management, Form DC6-101, to the inmate prior to being relieved of duty. Form DC6-101 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is December 7, 2000. The written notice will provide the inmate with an explanation of the reason for the recommendation or placement and inform the inmate that a hearing will be held no sooner than 24 hours of the recommended placement in maximum management. The inmate may waive the 24-hour period or appearance at the hearing by signing the Waiver of Right to Appear/Waiver of 24 Hour Period, Form DC6-104. Form DC6-104 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is December 7, 2000.

~~(7) Conducting the Hearing.~~~~(a) No change.~~~~(b) The inmate shall be present for the hearing, unless:~~~~1. through 2. No change.~~~~3. If applicable, the reasons the inmate did not appear at the hearing shall be included in the ICT recommendation entered documented on the electronic Form DC6-101, Referral for mMaximum mManagement in OBIS.~~~~(c) through (d) No change.~~~~(e) The Institutional Classification Team chairperson shall have authority to postpone the hearing to gather further information or order an investigation regarding any pertinent issues. If the hearing is postponed, that action and the reasons for it shall be included in the ICT recommendation entered on the electronic referral for maximum management in OBIS.~~~~(f) The Institutional Classification Team shall recommend approval approve or disapproval of disapprove the recommendation for placement in maximum management and changes to the initial conditions of placement as listed in paragraph (4)(b), if appropriate. The initial conditions of placement are intended to be short-term and should be relaxed as soon as the inmate's adjustment to maximum management and the inmate's level of threat to the security of the institution indicate that it is safe and appropriate to do so. These conditions can only be relaxed to the level permitted for Close Management I inmates. The recommendations and the basis for the recommendations shall be documented on the electronic referral for maximum management in OBIS.~~~~(g) The inmate shall be informed verbally and in writing of the ICT decision.~~~~(g)(h) If the Institutional Classification Team's recommendations shall be forwarded to the Warden for review disapproves placement, the inmate shall immediately be reclassified to his original status and removed from the maximum management cell. The Warden's recommendation for approval or disapproval of maximum management placement and any changes to the initial conditions and the basis for the recommendations shall be documented on the electronic referral for maximum management in OBIS.~~~~(h) The Warden's recommendations shall be forwarded to the Regional Director for review. The Regional Director's recommendation for approval or disapproval of maximum management placement and any changes to the initial conditions and the basis for recommendations shall be documented on the electronic referral for maximum management in OBIS.~~~~(i) The Regional Director's recommendations shall be forwarded to the Maximum Management Review Team for review and final approval or disapproval of the maximum management placement and any changes to the initial conditions. The Maximum Management Review Team's decisions shall be documented on the electronic referral for~~~~maximum management in OBIS. If the Institutional Classification Team approves placement, the decision will be forwarded to the warden who will review the recommendation.~~~~(j) If the Maximum Management Review Team's decision is to disapprove the maximum management placement, the inmate shall immediately be reclassified to his original status and removed from the maximum management cell.~~~~(k) The Classification Supervisor at the maximum management facility shall ensure that Form DC6-229A, Daily Record of Segregation, is documented with any status or condition changes approved by the Maximum Management Review Team. The Classification Supervisor shall also ensure that the inmate is informed verbally and in writing of the Maximum Management Review Team's decision. Form DC6-229A is incorporated by reference in Rule 33-601.800, F.A.C.~~~~(l) The ICT at the maximum management facility is responsible for ensuring that staff adheres to any time frames approved in reference to inmate conditions.~~~~(m) An inmate shall not be released from maximum management status or be subjected to changes in initial conditions until the actions are approved by the Maximum Management Review Team except as allowed in paragraph (4)(b) above.~~~~(8) Final Review of Placement.~~~~(a) The warden shall approve or disapprove the ICT recommendation based on the criteria in paragraph (3)(a). If the ICT recommendation is incomplete or additional data is needed, the warden shall return the recommendation to the ICT for additional information.~~~~(b) If the warden disapproves placement, the inmate shall immediately be reclassified to his original status.~~~~(6)(9) Review of Maximum Management Status and Conditions.~~~~(a) The Institutional Classification Team shall review the inmate's maximum management status, the conditions set forth in paragraphs (4)(a) and (b) above, and previously modified conditions, weekly for the first sixty days two months from the date of placement, and at least monthly thereafter.~~~~1. Weekly reviews by the ICT during the first sixty days of maximum management status and monthly thereafter shall be documented on Form DC6-229A, Daily Record of Segregation. A recommendation for release from maximum management shall be set forth in memorandum and forwarded to the State Classification Office for review.~~~~2. If the ICT recommends the inmate's release from maximum management or a change in the inmate's conditions during the first sixty days, the ICT shall also document their recommendation on the electronic classification contact log in OBIS. An inmate shall not be released from maximum management status until authorized by a member of the State Classification Office.~~

3. All reviews conducted at least monthly by the ICT after the first sixty days of maximum management status shall be documented on the electronic classification contact log in OBIS. This documentation shall include any recommendations for changes in the inmate's conditions.

(b) All ICT reviews documented on the electronic classification contact log in OBIS shall be reviewed by the Warden. The Warden shall document the reason for approval, disapproval or modification of the ICT recommendations on the classification contact log in OBIS.

(c) The Warden's recommendations for approval, disapproval or modification of the inmate's status or conditions shall be reviewed by the Regional Director. The Regional Director shall document approval, disapproval or modification of the Warden's recommendation on the classification contact log in OBIS.

(d) If the Regional Director approves the inmate for continuation of maximum management status, no further review of the placement or change of conditions is required. An inmate shall not be subjected to changes in conditions until those actions are approved by the Regional Director, except as allowed in paragraph (4)(b) above.

(e) If the Regional Director recommends release from maximum management status, the recommendation must be forwarded for review and final decision to the Deputy Assistant Secretary of Operations. The Deputy Assistant Secretary of Operations shall document approval, disapproval, or modification of the Regional Director's recommendations on the classification contact log in OBIS.

(f) The Classification Supervisor at the maximum management facility shall ensure that Form DC6-229A, Daily Record of Segregation, is documented with any status or condition changes approved by the Regional Director or Deputy Assistant Secretary of Operations.

(g) The ICT at the maximum management facility shall ensure that staff adhere to any time frames approved in reference to inmate conditions.

(h) An inmate shall not be released from maximum management status until that action is approved by the Deputy Assistant Secretary of Operations.

(7) On-Site Review of Maximum Management.

(a)(b) If an inmate remains in maximum management status for 90 days or more, the Regional Director or designee a member of the State Classification Office shall conduct an on-site review of the inmate's maximum management status and conditions in conjunction with the monthly review of the Warden's recommendations. This on-site review shall take place after every 90 days period of continued maximum management status from the date of placement. The Regional Director's designee shall be a Regional Assistant Warden, Regional Classification Administrator, or State Classification Officer.

~~(b) The Institutional Classification Team shall participate in the review of the inmate's adjustment with the Regional director or his designee State Classification Office member.~~

~~2. The State Classification Office member is authorized to reclassify an inmate from maximum management status at any point during the reviews.~~

~~3. The Institutional Classification team shall be authorized to appeal the decision to reclassify the inmate to the State Classification Office chairperson.~~

~~4. The inmate shall not be released from maximum management status until the State Classification Office chairperson rules upon the appeal. The ruling of the State Classification Office chairperson is final.~~

(c) The Regional Director's recommendations following this on-site review will be documented on the classification contact log in OBIS.

~~(8)(10) No change.~~

~~(9)(11) Other Conditions of Confinement.~~

~~(a) Inmates in maximum management shall not be allowed to check out books from the library.~~

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

~~(d)(e) Inmates who are housed in maximum management will have mental health and medical care services to the same extent as all close management inmates. Monitoring of inmates will be as described in Rule 33-601.800, F.A.C.~~

Specific Authority 944.09 FS, Law Implemented 944.09 FS. History--New 12-7-00, Amended 11-23-03, 4-1-04,\_\_\_\_\_.

**DEPARTMENT OF CORRECTIONS**

RULE TITLE: RULE NO.:

Use of Committed Name 33-603.101

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify that an inmate may use his or her true or legal name on mail or documents, so long as the committed name and DC number appear first.

SUBJECT AREA TO BE ADDRESSED: Use of inmates' committed names.

SPECIFIC AUTHORITY: 20.315, 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

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



THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-603.101 Use of Committed Name.

(1)(a) No change.

(b) The department shall register any known aliases on the inmate's record and shall also designate on the record which name is the inmate's true or legal name if this information is available. If an inmate's true name is not the committed name, the inmate shall be permitted to use the true name on documents and mail so long as the committed name and DC number appear first, followed by the true name.

(c) through (4) No change.

Specific Authority 20.315, 944.09 FS. Law Implemented 944.09 FS. History--New 9-30-93, Formerly 33-6.012, Amended 4-29-02, 5-20-03,\_\_\_\_\_.

**DEPARTMENT OF THE LOTTERY**

RULE TITLE: Overtime Compensation RULE NO.: 53-13.008

PURPOSE AND EFFECT: The Department proposes to revise the time period for excluded positions to accrue compensatory leave and redefine overtime for included and excluded positions.

SUBJECT AREA TO BE ADDRESSED: Overtime compensation.

SPECIFIC AUTHORITY: 24.105(9)(j) FS.

LAW IMPLEMENTED: 24.105(19)(d) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Faith L. Schneider, Office of the General Counsel, Florida Lottery, 250 Marriott Drive, Tallahassee, FL 32301, (850)487-7724

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

**DEPARTMENT OF THE LOTTERY**

RULE TITLE: Overtime RULE NO.: 53-16.004

PURPOSE AND EFFECT: The Department proposes to revise the time period for excluded positions to accrue compensatory leave and redefine overtime for included and excluded positions.

SUBJECT AREA TO BE ADDRESSED: Overtime.

SPECIFIC AUTHORITY: 24.105(9)(j) FS.

LAW IMPLEMENTED: 24.105(19)(d) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Faith L. Schneider, Office of the General Counsel, Florida Lottery, 250 Marriott Drive, Tallahassee, FL 32301, (850)487-7724

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Florida Land Sales, Condominiums and Mobile Homes**

RULE TITLE: Forms RULE NO.: 61B-15.0012

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to change the form entitled "Notice of Condominium Recording Information" to reflect the amendment to Rule 61B-17.001, F.A.C., which requires developers who have recorded a declaration of condominium but not filed it with the division to file a copy of the recorded condominium documents.

SUBJECT AREA TO BE ADDRESSED: As required by Sections 718.104(2) and 718.403(8), Florida Statutes, condominium developers must file condominium documents and amendments with the division within 120 days of recording. Developers must file condominium documents with the division prior to offering condominium units for sale or lease in accordance with Section 718.502, Florida Statutes. Those developers who create condominiums and record the condominium documents but do not offer units for sale or lease, must file the recorded documents with the division so that the division can ensure compliance with Chapter 718, Florida Statute, and collect the statutory annual fees under Section 718.501(2), Florida Statutes. If the developer later offers units for sale in the ordinary course of business, the developer must comply with the filing and review requirements under Sections 718.403, 718.502, 718.503 and 718.504, Florida Statutes.

SPECIFIC AUTHORITY: 718.501(1)(f), 718.502(1)(c) FS.

LAW IMPLEMENTED: 718.104(2), 718.403(8), 718.501(2), 718.502, 718.503, 718.504 FS.

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

TIME AND DATE: 10:00 a.m., April 4, 2005

PLACE: Conference Room B03, Fuller Warren Building, 201 W. Bloxham Street, Tallahassee, Florida

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 by contacting: Sharon A. Elzie, Senior Management Analyst II, (850)488-1631. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Sharon A. Elzie, Senior Management Analyst II, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1030, on line: <http://www.state.fl.us/dbpr/lsc/index.shtml>

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Florida Land Sales, Condominiums and Mobile Homes**

RULE TITLE: Developer, Filing  
PURPOSE AND EFFECT: The purpose of the proposed rule is to require developers who have recorded a declaration of condominium but not filed it with the division to file a copy of the recorded condominium documents.

RULE NO.: 61B-17.001

SUBJECT AREA TO BE ADDRESSED: As required by Sections 718.104(2) and 718.403(8), Florida Statutes, condominium developers must file condominium documents and amendments with the division within 120 days of recording. Developers must file condominium documents with the division prior to offering condominium units for sale or lease in accordance with Section 718.502, Florida Statutes. Those developers who create condominiums and record the condominium documents but do not offer units for sale or lease, must file the recorded documents with the division so that the division can ensure compliance with Chapter 718, Florida Statute, and collect the statutory annual fees under Section 718.501(2), Florida Statutes. If the developer later offers units for sale in the ordinary course of business, the developer must comply with the filing and review requirements under Sections 718.403, 718.502, 718.503 and 718.504, Florida Statutes.

SPECIFIC AUTHORITY: 718.501(1)(f), 718.502(1)(c) FS.  
LAW IMPLEMENTED: 718.104(2), 718.403(8), 718.501(2), 718.502, 718.503, 718.504 FS.

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

TIME AND DATE: 10:00 a.m., April 4, 2005  
PLACE: Conference Room 440, Fuller Warren Building, 201 W. Bloxham Street, Tallahassee, Florida

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 by contacting: Sharon A. Elzie, Senior Management Analyst II, (850)488-1631. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Sharon A. Elzie, Senior Management Analyst II, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1030, on-line: <http://www.state.fl.us/dbpr/lsc/index.shtml>

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Pilot Commissioners**

RULE TITLE: Deputy Pilots' and State Pilots' Physical and Mental Capabilities  
RULE NO.: 61G14-20.001

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address appropriate documentation for demonstration of physical and mental capabilities.

SUBJECT AREA TO BE ADDRESSED: Demonstration of physical and mental capabilities.

SPECIFIC AUTHORITY: 310.185(1) FS.  
LAW IMPLEMENTED: 310.071, 310.073 FS.

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

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

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineers**

RULE TITLE: RULE NO.:

Board Approval of Continuing Education Providers 61G15-22.011

PURPOSE AND EFFECT: Purpose and effect is to include a prohibition of conflict of interest as an added requirement for Board approval of continuing education providers.

SUBJECT AREA TO BE ADDRESSED: Board Approval of Continuing Education Providers.

SPECIFIC AUTHORITY: 455.213(6), 455.2178, 455.2179, 471.008, 471.017(3), 471.019 FS.

LAW IMPLEMENTED: 455.213(6), 455.2177, 455.2178, 455.2179, 471.008, 471.017(3), 471.019 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Paul Martin, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32301

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G15-22.011 Board Approval of Continuing Education Providers.

(1) No change.

(2) To demonstrate the education and/or the experience necessary to instruct professional engineers in the conduct of their practice for continuing education credit, an applicant for continuing education provider status must be a regionally accredited educational institution, a commercial educator, a governmental agency, a state or national professional association whose primary purpose is to promote the profession of engineering, an engineer with a Florida license to practice engineering who is not under disciplinary restrictions pursuant to any order of the Board, or an engineering firm that possesses an active certificate of authorization issued by the Board pursuant to Section 471.023, F.S. The continuing education provider shall not have any financial or commercial interest, direct or indirect, in any technology that is the subject of the instruction.

(3) through (9) No change.

Specific Authority 455.213(6), 455.2178, 455.2179, 471.008, 471.017(3), 471.019 FS. Law Implemented 455.213(6), 455.2177, 455.2178, 455.2179, 471.008, 471.017(3), 471.019 FS. History—New 9-16-01, Amended 9-4-02, 12-21-03, \_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineers**

RULE TITLE: RULE NO.:

Schedule of Fees 61G15-24.001

PURPOSE AND EFFECT: Purpose and effect is to add an Engineer Endorsement Fee.

SUBJECT AREA TO BE ADDRESSED: Schedule of Fees.

SPECIFIC AUTHORITY: 455.213, 455.217(3), 455.219, 455.271, 471.011, 471.019 FS.

LAW IMPLEMENTED: 119.07(1)(a), 455.217(3),(7), 471.011, 471.019 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Paul Martin, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32301

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G15-24.001 Schedule of Fees.

(1) No change.

(2) Engineering fees (individuals and firms):

(a) through (o) No change.

(p) Engineer Endorsement Fee: \$100.00.

(3) No change.

Specific Authority 455.213, 455.217(3), 455.219, 455.271, 471.011, 471.019 FS. Law Implemented 119.07(1)(a), 455.217(3), (7), 471.011, 471.019 FS. History—New 1-8-80, Amended 8-26-81, 12-19-82, 6-2-83, 2-28-84, Formerly 21H-24.01, Amended 3-10-86, 12-11-86, 3-10-87, 4-12-88, 12-21-88, 1-10-90, 8-15-90, 1-6-93, Formerly 21H-24.001, Amended 11-15-94, 8-10-98, 6-16-99, 5-8-00, 11-15-01, 2-21-02, 9-16-02, 5-9-04, \_\_\_\_\_.

**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 Nursing**

RULE TITLE: RULE NO.:

Effective Date 64B9-17.004

PURPOSE AND EFFECT: To set 180 days from the date this rule chapter is filed as the time the provisions of this rule chapter shall become effective.

SUBJECT AREA TO BE ADDRESSED: Effective Date.  
 SPECIFIC AUTHORITY: 464.003(a), 464.006 FS.  
 LAW IMPLEMENTED: 464.003(a), 464.012(3),  
 464.015(1),(5), 464.019(1)(j),(n) FS.  
 IF REQUESTED IN WRITING AND NOT DEEMED  
 UNNECESSARY BY THE AGENCY HEAD, A RULE  
 DEVELOPMENT WORKSHOP WILL BE NOTICED IN  
 THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE  
 WEEKLY.  
 THE PERSON TO BE CONTACTED REGARDING THE  
 PROPOSED RULE DEVELOPMENT AND A COPY OF  
 THE PRELIMINARY DRAFT IS: Dan Coble, Executive  
 Director, Board of Nursing, 4052 Bald Cypress Way, Bin  
 #C07, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE  
 DEVELOPMENT IS:

64B9-17.004 Effective Date.

To allow institutions time to evaluate the competency and knowledge of or to train the registered nurse who may want to administer conscious or deep sedation, the provisions of this rule chapter shall become effective 180 days from the date this rule chapter is filed. Nothing shall prohibit those individuals who meet the requirements specified in this rule chapter at the time of its adoption from engaging in the administration of conscious or deep sedation as delineated in this rule chapter.

Specific Authority 464.003(a), 464.006 FS. Law Implemented 464.003(a), 464.012(3), 464.015(1),(5), 464.019(1)(j),(n) FS. History—New

**DEPARTMENT OF HEALTH**

**Board of Osteopathic Medicine**

RULE TITLE: Continuing Education for Biennial Renewal  
 RULE NO.: 64B15-13.001  
 PURPOSE AND EFFECT: The Board proposes the  
 development of rule amendments to address risk management  
 credit for attendance at Board meetings.  
 SUBJECT AREA TO BE ADDRESSED: The proposed rule  
 amendments clarify continuing medical education in risk  
 management for attendance at Board meetings.  
 SPECIFIC AUTHORITY: 459.005, 459.008(4) FS.  
 LAW IMPLEMENTED: 456.013(5),(6),(7), 459.008(4) FS.  
 IF REQUESTED IN WRITING AND NOT DEEMED  
 UNNECESSARY BY THE AGENCY HEAD, A RULE  
 DEVELOPMENT WORKSHOP WILL BE NOTICED IN  
 THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE  
 WEEKLY.  
 THE PERSON TO BE CONTACTED REGARDING THE  
 PROPOSED RULE DEVELOPMENT AND A COPY OF  
 THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Pamela  
 King, Executive Director, Board of Osteopathic  
 Medicine/MQA, 4052 Bald Cypress Way, Bin #C06,  
 Tallahassee, Florida 32399-3256

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

**DEPARTMENT OF HEALTH**

**Board of Psychology**

RULE TITLE: Application and Examination Fee for  
 Licensure by Examination; Review Fee  
 RULE NO.: 64B19-12.002  
 PURPOSE AND EFFECT: The Board proposes to review the  
 existing language in this rule to determine whether changes are  
 necessary.  
 SUBJECT AREA TO BE ADDRESSED: Application and  
 Examination Fee for Licensure.  
 SPECIFIC AUTHORITY: 456.013(2), 490.004(4),  
 490.005(1)(a) FS.  
 LAW IMPLEMENTED: 456.013(2), 456.017, 490.005(1)(a)  
 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: 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: Reexamination Fee  
 RULE NO.: 64B19-12.003  
 PURPOSE AND EFFECT: The Board proposes to review the  
 existing language in this rule to determine whether changes are  
 necessary.  
 SUBJECT AREA TO BE ADDRESSED: Reexamination Fee.  
 SPECIFIC AUTHORITY: 456.017(2), 490.004(4) FS.  
 LAW IMPLEMENTED: 456.017(1)(c),(2) FS.  
 IF REQUESTED IN WRITING AND NOT DEEMED  
 UNNECESSARY BY THE AGENCY HEAD, A RULE  
 DEVELOPMENT WORKSHOP WILL BE NOTICED IN  
 THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE  
 WEEKLY.  
 THE PERSON TO BE CONTACTED REGARDING THE  
 PROPOSED RULE DEVELOPMENT AND A COPY OF  
 THE PRELIMINARY DRAFT, 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 CHILDREN AND FAMILY SERVICES**

**Economic Self-Sufficiency Program**

RULE CHAPTER TITLE: Public Assistance Programs  
 RULE CHAPTER NO.: 65A-1

RULE TITLE: Administrative Definitions  
 RULE NO.: 65A-1.203

PURPOSE AND EFFECT: The proposed rule amendment will provide for the use of a paper or electronic/web-based application form to apply for public assistance. It will also clarify definitions related to eligibility for public assistance.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendment provides for the use of a paper or electronic/web-based application form to apply for public assistance. Additionally, it clarifies definitions related to the eligibility process.

SPECIFIC AUTHORITY: 414.45 FS.

LAW IMPLEMENTED: 409.212, 409.903, 409.904, 410.033, 414.095, 414.31 FS.

IF REQUESTED AND DEEMED NECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 10:30 a.m., April 6, 2005

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Jennifer Lange, Chief of Policy, Economic Self-Sufficiency, 1317 Winewood Boulevard, Building 3, Room 450, Tallahassee, Florida 32399-0700, (850)921-0253

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

**Section II  
 Proposed Rules**

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE TITLE: Florida Teacher Certification Examinations  
 RULE NO.: 6A-4.0021

PURPOSE AND EFFECT: The purpose of this rule amendment is to reflect the recommendations made by advisory committees consisting of practicing teachers, university faculty members, and school district administrators regarding various Florida Teacher Certification Examinations and the Competencies and Skills from which the examinations are derived. These recommendations include the adoption of the tenth edition of the FTCE Competencies and Skills for the Florida Teacher Certification Examinations, a modification of the weighting for the English 6-12 subject area examination in order to make the weighting of the essay portion of the exam

consistent with other English exams, a change in the minimum score needed to pass the Professional Education and Exceptional Student Education examinations, clarification of the accommodations provided for reading, and clarification of the procedures for examinee reviews of scores. The effects of these changes are that updated competencies for 10 tests (Art K-12, Preschool Birth-Age 4, Health K-12, Spanish K-12, German K-12, French K-12, Biology 6-12, Chemistry 6-12, Earth/Space Science 6-12, Physics 6-12) will be available to examination candidates and colleges of education. Increasing the weighting for the essay portion of the English 6-12 examination will increase the reliability and validity of the overall English 6-12 examination by giving an appropriate level of emphasis to the essay portion. In addition this change aligns the requirements for both secondary English exams, English 6-12 and Middle Grades English. Raising the minimum score needed to pass the Professional Education test and the Exceptional Student Education examination will raise the validity of these assessments by setting more appropriate performance standards for the content assessed. The procedures for accommodations will assure that applicants taking a reading examination read the test themselves. Processing fees will be assessed for examinees that have failed an examination and wish to review their performance. A minimum period of 30 days will be required before a failing examinee can retake an examination after reviewing the examination that was failed.

SUMMARY: This rule is amended to adopt the tenth edition of Competencies and Skills Required for Teacher Certification in Florida, to provide consistency in the weighting of the essay portion of the exam consistent with other English exams, to adopt a new minimum score required to pass the Professional Education and Exceptional Student Education examinations, clarification of the accommodations provided for reading, and clarification of the procedures for examinee reviews of scores.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 1012.55(1), 1012.56, 1012.59 FS.

LAW IMPLEMENTED: 1012.56 FS.

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

TIME AND DATE: 8:30 a.m., April 19, 2005

PLACE: 325 West Gaines Street, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dr. Cornelia S. Orr, Director, Assessment and School Performance, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399-0400, (850)245-0513

## THE FULL TEXT OF THE PROPOSED RULE IS:

## 6A-4.0021 Florida Teacher Certification Examinations.

(1) No change.

(2) Description of the examinations and competencies to be demonstrated.

(a) The Florida Teacher Certification Examinations shall be developed by the Commissioner of Education.

(b) The written examinations shall include subtests of reading, writing, mathematics, professional skills, and subject area specialty. These examinations may contain multiple choice questions and questions requiring the examinee to write an answer or demonstrate a proficiency.

(c) The following competencies are to be demonstrated by means of the written examinations:

1. Beginning with the July 2005 ~~July 2004~~ test administration, the general knowledge competencies and skills as contained in the publication "Competencies and Skills Required for Teacher Certification in Florida, Tenth ~~Ninth~~ Edition."

2. Before July 1, 2005 ~~July 1, 2004~~, the professional competencies and skills contained in the publication, "Competencies and Skills Required for Teacher Certification in Florida, Ninth ~~Eighth~~ Edition" which is hereby incorporated by reference and made a part of this rule. Beginning July 1, 2005 ~~July 1, 2004~~, the professional competencies and skills contained in the publication "Competencies and Skills Required for Teacher Certification in Florida, Tenth ~~Ninth~~ Edition" which is hereby incorporated by reference and made a part of this rule. Copies of these publications may be obtained from Florida Teacher Examinations, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399 at a price to be established by the Commissioner not to exceed actual cost, and

3. Before July 1, 2005 ~~July 1, 2004~~, the subject area competencies and skills contained in the publication, "Competencies and Skills Required for Teacher Certification in Florida, Ninth ~~Eighth~~ Edition" which is hereby incorporated by reference and made a part of this rule. Beginning July 1, 2005 ~~July 1, 2004~~, the subject area competencies and skills contained in the publication "Competencies and Skills Required for Teacher Certification in Florida, Tenth ~~Ninth~~ Edition" which is hereby incorporated by reference and made a part of this rule. Copies of these publications may be obtained as described in subparagraph (2)(c)2. of this rule.

(d) Before July 1, 2002, the College Level Academic Skills Test or the Praxis I: Academic Skills Assessment as described in subsection (13) of this rule shall be used to demonstrate mastery of general knowledge for an individual who holds a bachelor's or higher degree as specified in Rules 6A-4.004, 6A-4.050, and 6A-4.066, F.A.C.

(3) through (5) No change.

(6) Examinee with a disability. An applicant who is unable to complete the examinations under standard testing conditions because of a disability may request special arrangements. Such a request shall be made when the examination application is submitted. Lack of proficiency in the English language alone shall not ~~alone~~ be acceptable as a justifiable reason for requesting a reader for an examinee. Special arrangements shall be provided for applicants with disabilities.

(a) through (b) No change.

(c) Special test arrangements may include but are not limited to the following:

1. Flexible scheduling. The person may be administered an examination during several brief sessions, so long as that examination is completed on the test administration date. Double time may be allowed.

2. Flexible setting. The person may be administered an examination individually or in a small group setting by a proctor rather than in a classroom or auditorium setting.

3. Recording of answers. The person may mark answers in a test booklet, type the answers by machine, or indicate selected answers to a test proctor. The proctor may then transcribe the person's responses onto a machine-scorable answer sheet. In instances where the proctor is required to mark the responses on behalf of the examinee, there will be a tape recording of the examinee's selected responses. A large-block answer sheet may be provided. The person may use a word processor or typewriter to prepare any required essay or other written response. Technical support to operate the word processor or typewriter will be provided.

4. Revised format. The person may use a large-print booklet, a Braille test booklet, or a magnifying device.

5. Auditory aids. A tape recorded version of the examination may be provided, the examination may be read by a narrator, or the examination may be provided via video tape with a narrator using oral language or sign language.

6. Assistive personnel. Test personnel may be provided by the test administrator to record answers, sign test instructions, or read instructions and items other than reading passages and items text.

7. Reading passages and items must be read by the examinee through visual or tactile means.

8. Accommodations not covered by this rule may be requested through the Department of Education and will be provided, as appropriate, upon approval by the Department of Education.

(d) through (7) No change.

(8) Scoring the professional skills examination.

(a) Effective July 2003, the passing score for the professional education test shall be a scaled score of at least two hundred (200). This scaled score shall be equivalent to an examination raw score that results in an examinee passing rate of ninety-one (91) percent, which was the passing rate of teacher candidates who took the Professional Education

examination for the first time during the 2001-2002 examination administration year. In the event that fewer than fifty (50) examinees are tested in the July 2003 administration, the passing score shall be sixty (60) percent of the items.

(b) Effective July 1, 2005, the passing score for the professional education test shall be a scaled score of at least two hundred (200). This scaled passing score will be equivalent to eighty (80) correct items on the July and October 2003 test administrations.

(9) Scoring of the subject area specialty examinations.

(a) through (k) No change.

(l) Effective July 1, 2005, the passing score for the Exceptional Student Education K-12 Examination shall be a scaled score of at least two hundred (200). This scaled passing score will be equivalent to seventy-seven (77) correct items on the July and October 2002 test administrations. After sufficient data have been collected, the Commissioner of Education shall review examinee performance levels for the Exceptional Student Education K-12 Examination and determine whether to recommend to the State Board of Education to maintain or change the above passing scores.

(m) No change.

(n) After sufficient data have been collected, the Commissioner of Education shall review examinee performance levels for ~~the Professional Education Examination~~, the Middle Grades Integrated Curriculum 5-9 Examination, and the Physical Education K-12 Examination and determine whether to recommend to the State Board of Education to maintain or change the existing passing scores.

(o)1. Effective July 2004, the passing score for the subject area specialty examination listed below shall be a scaled score of at least two hundred (200). This scaled score shall be equivalent to the raw score on the July 2004 test administration as defined below.

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

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

(q) Effective July 1, 2005, the passing scores for the English 6-12 subject area specialty examination shall be a scaled score of at least two hundred (200). This scaled score shall be equivalent to the composite score of seventy one (71)

on a scale that weights the multiple choice section seventy (70) percent and the essay section thirty (30) percent on the April 1989 test administration.

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

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

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

(10) No change.

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

(a) A properly authenticated score report is defined as the original score report issued directly by the test administration agency without any qualification, reservation, or irregularity.

(b) The examinee shall be sent two (2) authenticated score reports as described in paragraph 6A-4.0021(11)(10)(a), F.A.C. In addition, a copy of the score report may be issued by the test administration agency without a fee to one (1) Florida college or university and to one (1) Florida school district provided the examinee identifies the recipient or recipients of the score report on the either the CG-20-03A, Registration Application: Certification Examinations for Florida Educators or the CG-20-04, Registration Application: Certification Examinations for Florida Educators.

(c) Official documentation of scores earned on each examination for a temporary or for a professional certificate shall be the original authenticated score report as described in paragraph 6A-4.0021(11)(10)(a), F.A.C., or a duplicate authenticated score report as described in paragraph 6A-4.0021(11)(10)(e), F.A.C.

(d) Scores shall be reported as Pass or Fail for each subtest of the examination. The Commissioner of Education may provide additional score information to the examinee.

(e) An examinee may obtain a duplicate authenticated score report for a test administration by filing a written request and a fee. A fee is required for each duplicate score report that is requested. The fee shall be that amount necessary for the test administration agency to perform the service as agreed in the contract between the agency and the Florida Department of Education.

(12) Review.

(a) An examinee who fails one (1) or more examination(s) may file a written request with the test administration agency for handscoring of the examination(s) failed. The request shall be filed within thirty (30) days of the date the score report was mailed by the test administration agency. The fee for handscoring one (1) or more examinations shall be that amount necessary for the test administration agency to perform the service as agreed in the contract between the agency and the Florida Department of Education. The test administration agency shall notify the examinee of the results of the handscoring within thirty (30) days of receipt of the request and fee.

(b) An examinee who fails one (1) or more examination(s) may review each examination that was failed and bring to the Florida Department of Education's attention any scoring errors which may result in a passing score. The procedures for test review are listed below:

1. The examinee shall file a written request with Florida Teacher Examinations, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399, within thirty (30) ~~sixty (60)~~ days of the date the score report was mailed by the test administration agency.

2. A processing fee is required for each request to review certification examinations for Florida educators. The fee shall be that amount necessary for the test administration agency to perform the services as agreed in the contract between the agency and the Florida Department of Education.

3. The Florida Department of Education shall notify the examinee when a date has been scheduled for the examinee's review of the materials in Tallahassee.

4. On the review day, the examinee shall file with the Florida Department of Education a statement of specific scoring errors which may result in a passing score.

~~5.2.~~ The Commissioner of Education shall notify the individual of the action on the statement of scoring errors not later than thirty (30) days from receipt of the statement.

6. An examinee may retake a failed examination that was reviewed provided at least thirty (30) days have elapsed since the date of the review. If an examinee takes an examination, including a computer-based examination, that was reviewed within thirty (30) days of the test date, the examination will be invalidated.

(13) through (15) No change.

Specific Authority 1012.55(1), 1012.56, 1012.59 FS. Law Implemented 1012.56 FS. History--New 8-27-80, Amended 1-11-82, 1-6-83, 5-3-83, 10-5-83, 10-15-84, Formerly 6A-4.021, Amended 12-25-86, 4-26-89, 4-16-90, 7-10-90, 4-22-91, 10-3-91, Amended 8-10-92, 11-28-93, 4-12-95, 7-1-96, 9-30-96, 10-1-99, 7-17-00, 7-16-01, 3-24-02, 7-16-02, 3-24-03, 7-21-03, 12-23-03, 7-13-04, \_\_\_\_\_.

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

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

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

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

**DEPARTMENT OF EDUCATION**

**Education Practices Commission**

RULE TITLE: Florida Principal Leadership Standards

RULE NO.: 6B-5.0012

PURPOSE AND EFFECT: The purpose of the proposed new rule is to prescribe competencies, standards, and requirements for school leaders and administrators. The effect will be standards which will provide the basis for certification and assessment to reflect the competencies and skills needed by today's school leaders to improve student achievement.

SUMMARY: This rule prescribes the standards for school leaders and administrators. These standards will provide the basis for certification and assessments to reflect the competencies and skills needed by today's school leaders to improve student achievement. The new standards address the areas of instructional, operational, and school leadership.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 1001.02, 1012.55 FS.

LAW IMPLEMENTED: 1012.55 FS.

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

TIME AND DATE: 8:30 a.m., April 19, 2005

PLACE: 325 West Gaines Street, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pam Stewart, Deputy Chancellor for Educator Quality, K-12 Public Schools, 325 West Gaines Street, Room 514, Tallahassee, Florida 32399-0400

THE FULL TEXT OF THE PROPOSED RULE IS:

6B-5.0012 Florida Principal Leadership Standards.  
Florida's school leaders must possess the abilities and skills necessary to perform their designated tasks in a high-performing manner. The school leader, commensurate with job requirements and delegated authority, shall demonstrate competence in the following standards:



(1) Instructional Leadership.

(a) Instructional Leadership. High-performing leaders promote a positive learning culture, provide an effective instructional program and apply best practices to student learning, especially in the areas of reading and other foundational skills.

(b) Managing the Learning Environment. High-performing leaders manage the organization, operations, facilities and resources in ways that maximize the use of resources in an instructional organization and promote a safe, efficient, legal and effective learning environment.

(c) Learning, Accountability and Assessment. High-performing leaders monitor the success of all students in the learning environment; align the curriculum, instruction and assessment processes to promote effective student performance; and use a variety of benchmarks, learning expectations and feedback measures to ensure accountability for all participants engaged in the educational process.

(2) Operational Leadership.

(a) Decision Making Strategies. High performing leaders plan effectively, use critical thinking and problem solving techniques, and collect and analyze data for continuous school improvement.

(b) Technology. High-performing leaders plan and implement the integration of technological and electronic tools in teaching, learning, management, research and communication responsibilities.

(c) Human Resource Development. High-performing leaders recruit, select, nurture and, where appropriate, retain effective personnel; develop mentor and partnership programs; and design and implement comprehensive professional growth plans for all staff, paid and volunteer.

(d) Ethical Leadership. High-performing leaders act with integrity, fairness, and honesty in an ethical manner.

(3) School Leadership.

(a) Vision. High-performing leaders have a personal vision for their school and the knowledge, skills and dispositions to develop, articulate and implement a shared vision that is supported by the larger organization and the school community.

(b) Community and Stakeholder Partnerships. High performing leaders collaborate with families and business and community members, respond to diverse community interests and needs, work effectively within the larger organization and mobilize community resources.

(c) Diversity. High-performing leaders understand, respond to, and influence the personal, political, social, economic, legal, and cultural relationships in the classroom, the school and the local community.

Specific Authority 1001.02, 1012.55 FS. Law Implemented 1012.55 FS. History—New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Pam Stewart, Deputy Chancellor for Educator Quality,  
Department of Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED  
THE PROPOSED RULE: Jim Warford, Chancellor K-12  
Education, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY  
HEAD: March 3, 2005

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

**DEPARTMENT OF TRANSPORTATION**

RULE CHAPTER TITLE: Incorporation by Reference  
RULE CHAPTER NO.: 14-15

RULE TITLE: Signing for Supplemental Guide Signs and  
Motorist Services on Limited and  
Non-Limited Access Highways  
RULE NO.: 14-15.015

PURPOSE AND EFFECT: Adoption of new rules under Rule  
Chapter 14-51, Florida Administrative Code, made this rule  
obsolete.

SUMMARY: Obsolete Rule 14-15.015, F.A.C., is repealed.  
SPECIFIC AUTHORITY: 120.53(1)(a), 316.0745(1),(2),  
334.044(2) FS.

LAW IMPLEMENTED: 316.006(1), 316.0745(1),(2),(3),  
335.14, 599.004 FS.

SUMMARY OF STATEMENT OF ESTIMATED  
REGULATORY COST: No Estimate of Economic Impact has  
been prepared.

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

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: James C. Myers, Clerk of Agency  
Proceedings, Florida Department of Transportation, Office of  
the General Counsel, 605 Suwannee Street, Mail Station 58,  
Tallahassee, Florida 32399-0458

THE FULL TEXT OF THE PROPOSED RULE IS:

14-15.015 Signing for Supplemental Guide Signs and  
Motorist Services on Limited and Non-Limited Access  
Highways.

Specific Authority 120.53(1)(a), 316.0745(1),(2), 334.044(2) FS. Law  
Implemented 316.006(1), 316.0745(1),(2),(3), 335.14, 599.004 FS. History—  
New 7-20-78, Formerly 14-51.04, Amended 4-24-91, 4-1-92, 4-19-94,  
Amended 2-20-96, 9-27-99, Formerly 14-51.004, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Gail Holley, State Traffic Engineering and Operations Office  
 NAME OF SUPERVISOR OR PERSON WHO APPROVED  
 THE PROPOSED RULE: Kevin Thibault, Assistant Secretary  
 for Engineering and Operations, for José Abreu, P.E., Secretary  
 DATE PROPOSED RULE APPROVED BY AGENCY  
 HEAD: March 9, 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.”

**WATER MANAGEMENT DISTRICTS**

**Suwannee River Water Management District**

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
General and Procedural Rules	40B-1
RULE TITLE:	RULE NO.:
General	40B-1.901

PURPOSE AND EFFECT: The purpose of the proposed rule is to amend the Notice of Intent to Construct a Minor Silvicultural Surface Water Management System Pursuant to Rule 40B-400.500, F.A.C. The effect of the proposed rule amendment is to provide District staff with better information. In addition, the amended form will better communicate to the applicant the types of activities authorized by the noticed general permit.

SUMMARY: The proposed rule amendment is to update the application form for noticed general permit for minor silvicultural activities.

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

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

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171 FS.  
 LAW IMPLEMENTED: 373.118, 373.413, 373.416, 373.426 FS.

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

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

40B-1.901 General.

The District maintains a list of forms which is updated annually and is available upon request. All district forms and instructions may be obtained at the District Headquarters or requested by mail or telephone and are hereby incorporated by reference as follows:

(1) through (16) No change.

(17) Notice of Intent to Construct, Operate, Maintain, Alter, Abandon, or Remove a Minor Silvicultural Surface Water Management System Pursuant to Rule 40B-400.500, F.A.C., Effective January 29, 2001.

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.118, 373.413, 373.416, 373.426 FS. History—New 9-15-81, Amended 3-17-88, 12-21-88, 10-8-89, 6-17-93, 10-3-95, 1-3-96, 6-22-99, 1-29-01.

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

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 7, 2004

**DEPARTMENT OF ELDER AFFAIRS**

RULE TITLE:	RULE NO.:
Staff Training Requirements and Training Fees	58A-5.0191

PURPOSE AND EFFECT: The purpose of this rule amendment is to revise and clarify the requirements for staff training and the competency test to conform to changes in Section 400.452, F.S. The proposed rule was developed in consultation with the Agency for Health Care Administration.

SUMMARY: The proposed amendments revise existing training requirements and include additional requirements regarding core training, in-staff training, and continuing education. The competency test fee schedule is also revised. Two applications are also created for Alzheimer’s disease and related disorders training; a training provider certification, DOEA form ALF/ADRD-001, and a training curriculum certification, DOEA form ALF/ADRD-002.

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

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

SPECIFIC AUTHORITY: 400.407, 400.4178, 400.441, 400.452 FS.

LAW IMPLEMENTED: 400.407, 400.4075, 400.4178, 400.441, 400.452 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: Susan Avellone, Office of the General Counsel, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000

THE FULL TEXT OF THE PROPOSED RULE IS:

58A-5.0191 Staff Training Requirements and Competency Test Training Fees.

(1) ASSISTED LIVING FACILITY CORE TRAINING REQUIREMENTS AND COMPETENCY TEST UPDATES.

(a) The assisted living facility core training ~~requirements program~~ established by the department pursuant to s. 400.452, F.S., shall ~~consist of~~ be a minimum of 26 hours of training plus a competency test examination.

(b) Administrators and managers, must successfully complete the assisted living facility core training ~~requirements program~~ within 3 months from the date of becoming a facility administrator or manager. Successful completion of the core training requirements includes passing the competency test. Administrators who have attended core training prior to July 1, 1997, and managers who attended the core training program prior to April 20, 1998, shall not be required to take the competency test. Administrators licensed as nursing home administrators in accordance with Part II of Chapter 468, F.S., are exempt from this requirement.

(c) No change.

~~(d) Administrators and managers shall, in addition, attend update training for any portion of core training that has been revised as a result of new legislation, rule amendment, or updated materials. Update training received under this paragraph can count towards the 12 hours of continuing education required by Section 400.452, F.S., and this subsection.~~

~~(d)~~(e) A newly hired administrator or manager who has successfully ~~previously~~ completed the assisted living facility core training ~~and has maintained update~~ and continuing education requirements, shall not be required to retake the core training. An administrator or manager who has successfully

~~previously~~ completed the core training but has not maintained the continuing education requirements ~~and attended update training~~ will be considered a new administrator or manager for the purposes of the core training requirements and must:

1. Retake the assisted living facility core training; and
2. Retake and pass the competency test.

(e) The fees for the competency test shall not exceed \$200. The payment for the competency test fee shall be remitted to the entity administering the test. A new fee is due each time the test is taken.

(2) STAFF IN-SERVICE TRAINING. ~~Each F~~facility administrators or managers must provide or arrange for the following in-service training to facility staff:

(a) No change.

(b) Staff who provide direct care to residents must receive a minimum of 1 hour in-service training within 30 days of employment that covers the following subjects:

1. Reporting major incidents.
2. Reporting adverse incidents.

~~3.2.~~ Facility emergency procedures including chain-of-command and staff roles relating to emergency evacuation.

(c) through (d) No change.

(e) Staff who prepare or serve food, who have not taken the assisted living facility core training, must receive a minimum of 1-hour in-service training within 30 days of employment in safe food handling practices.

(3) HUMAN IMMUNODEFICIENCY VIRUS/ACQUIRED IMMUNE DEFICIENCY SYNDROME (HIV/AIDS). Pursuant to Section 381.0035, F.S., all facility employees must complete biennially, a continuing education course on HIV and AIDS. New facility staff must obtain an initial training on HIV/AIDS within 30 days of employment, unless the new staff person previously completed the initial training and has maintained the biennial continuing education requirement. Documentation of compliance must be maintained in accordance with subsection (11) of this rule.

(4) FIRST AID AND CARDIOPULMONARY RESUSCITATION (CPR). A staff member who has completed courses in First Aid and CPR and holds a currently valid card documenting completion of such courses must be in the facility at all times.

(a) Documentation of attendance at First Aid or CPR course offered by an accredited college, university or vocational school; a licensed hospital; the American Red Cross, American Heart Association, or National Safety Council; or ~~if offered by~~ a provider approved by a ~~health-related professional board in~~ the Department of Health, shall satisfy this requirement.

~~(b) Other courses taken in fulfillment of this requirement must meet the following criteria and be approved and documented in accordance with subsection (10) of this rule:~~

1. ~~First Aid training must be a minimum of 3 hours and cover disease transmission; care of abrasions, scratches, cuts, and insect bites; care of wounds; control of bleeding; identification and care for injuries to muscles, bones and joints; care of burns; care for hypothermia and heat related illnesses; management of seizures; identification and care for injuries to the head and spine; when to move victims with injuries; and poison control. Persons providing First Aid training must:~~

~~a. Hold a current First Aid instructor's card from the American Red Cross, the National Safety Council, or an accredited university; or~~

~~b. Be a registered nurse with a minimum of 1 year's experience in long-term or acute care or 1 year's teaching experience in a health-related topic; or emergency medical technician or paramedic currently certified under Part III of Chapter 401, F.S., with a minimum of 1 year's teaching experience in a health-related topic.~~

~~2. CPR training must be a minimum of 3 hours; include the opportunity for "hands on" learning through practice exercises; and be in accordance with the recommendations of the 1992 Conference on Cardiopulmonary Resuscitation and Emergency Cardiac Care, American Heart Association, published in the Guidelines for Cardiopulmonary Resuscitation and Emergency Cardiac Care, I and II, JAMA, 1992;268:2172-2198, which is incorporated by reference. Persons providing CPR training must hold a current CPR instructor's card from the American Red Cross, the American Heart Association, or National Safety Council.~~

~~(b)(e)~~ A nurse shall be considered as having met the training requirement for First Aid. An emergency medical technician or paramedic currently certified under Part III of Chapter 401, F.S., shall be considered as having met the training requirements for both First Aid and CPR.

(5) ASSISTANCE WITH SELF-ADMINISTERED MEDICATION AND MEDICATION MANAGEMENT. Unlicensed persons who will be providing assistance with self-administered medications as described in Rule 58A-5.0185, F.A.C., must receive a minimum of 4 hours of training prior to assuming this responsibility. Courses provided in fulfillment of this requirement must meet the following criteria:

(a) No change.

(b) The training must be provided by a registered nurse, or licensed pharmacist, ~~or department staff~~ who shall issue a training certificate to a trainee who demonstrates an ability to:

1. ~~Read and u~~nderstand a prescription label;
2. No change.

(c) Unlicensed persons, as defined in Section 400.4256(1)(b), F.S., who provide assistance with self-administered medications and have successfully completed the initial 4 hour training, must obtain, annually, a minimum of 2 hours of continuing education training on providing assistance with self-administered medications and

safe medication practices in an assisted living facility. The 2 hours of continuing education training shall only be provided by a licensed registered nurse, or a licensed pharmacist.

(6) NUTRITION AND FOOD SERVICE. The administrator or person designated by the administrator as responsible for the facility's food service and the day-to-day supervision of food service staff must obtain, annually, a minimum of 2 hours continuing education in topics pertinent to nutrition and food service in an assisted living facility. A certified food manager, licensed dietician, registered dietary technician or health department sanitarians are qualified to train assisted living facility staff in nutrition and food service. Completion of the core training program shall satisfy this requirement in the year taken.

(7) EXTENDED CONGREGATE CARE TRAINING.

(a) The administrator and extended congregate care supervisor, if different from the administrator, must complete core training and ~~4 6~~ hours of initial training in extended congregate care ~~provided by the department~~ prior to the facility's receiving its extended congregate care license or within 3 months of beginning employment in the facility as an administrator or ECC supervisor. Successful completion of the assisted living facility core training shall be a prerequisite for this training. ECC supervisors who attended the assisted living facility core training prior to April 20, 1998, shall not be required to take the assisted living facility core training competency test.

(b) The administrator and the extended congregate care supervisor, if different from the administrator, must complete a minimum of ~~4 6~~ hours of continuing education every two years in topics relating to the any of the core topics identified in Section 400.452, F.S.; or physical, psychological, or social needs of frail elderly and disabled persons, or persons with Alzheimer's disease or related disorders.

(c) All direct care staff providing care to residents in an extended congregate care program must complete at least 2 hours of in-service training, provided by the facility administrator or ECC supervisor, within 6 months of beginning employment in the facility. The training must address extended congregate care concepts and requirements, including statutory and rule requirements, and delivery of personal care and supportive services in an extended congregate care facility.

(8) LIMITED MENTAL HEALTH TRAINING. Pursuant to Section 400.4075, F.S., the administrator, manager and designee, and staff in direct contact with mental health residents in a facility with a limited mental health license must receive a minimum of 6 hours training provided or approved by the Department of Children and Family Services within 6 months of the facility's receiving a limited mental health license or within 6 months of employment in a facility holding a limited mental health license. Staff in "direct contact" means direct care staff and staff whose duties take them into resident living areas and require them to interact with mental health

residents on a daily basis. The term does not include maintenance, food service, or administrative staff if such staff have only incidental contact with mental health residents.

(a) No change.

(b) Training received under this subsection may count once for 6 of the 12 hours of continuing education required for administrators and managers ~~designees~~ under subsection (1) of this rule.

(9) ALZHEIMER'S DISEASE AND RELATED DISORDERS TRAINING REQUIREMENTS. Facilities which advertise that they provide special care for persons with Alzheimer's disease and related disorders, or who maintain secured areas as described in Rule 58A-5.023, F.A.C., must ensure that facility staff receive the following training.

(a) Facility staff who have regular contact with or provide direct care to residents with Alzheimer's disease and related disorders, shall obtain 4 hours of initial training within 3 months of employment. Completion of the core training program between after April 20, 1998 and July 1, 2003 shall satisfy this requirement. Facility staff who meet the requirements for Alzheimer's disease and related disorders training providers under paragraph (g) of this subsection will be considered as having met this requirement. "Staff who have regular contact" means staff who interact on a daily basis with residents but do not provide direct care to residents. Initial training, entitled, "Alzheimer's Disease and Related Disorders Level I Training," must address the following subject areas:

1. through 6. No change.

(b) Staff who have received both the initial one hour and continuing three hours of Alzheimer's disease and related disorders training pursuant to Sections 400.1755, 400.5571(1) and 400.6045(1), F.S., shall be considered to have met the initial assisted living facility Alzheimer's Disease and Related Disorders Level I Training.

(c)(b) Facility staff who provide direct care to residents with Alzheimer's disease and related disorders, must obtain an additional 4 hours of training, entitled "Alzheimer's Disease and Related Disorders Level II Training," within 9 months of employment. Facility staff who meet the requirements for Alzheimer's disease and related disorders training providers under paragraph (g) of this subsection will be considered as having met this requirement. Alzheimer's Disease and Related Disorders Level II ~~Such~~ Training must address the following subject areas as they apply to these disorders:

1. through 5. No change.

(d)(e) A detailed description of the subject areas that must be included in an Alzheimer's disease and related disorders curriculum which meets the requirements of subparagraphs (a) and (b) of this subsection can be found in the document "Training Guidelines for the Special Care of Persons with Alzheimer's Disease and Related Disorders," dated March 1999, incorporated by reference, available from the

Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000 ~~DOEA, Assisted Living Program.~~

(e)(d) Direct care staff shall participate in 4 hours of continuing education annually as required under Section 400.4178, F.S. Continuing education received under this paragraph may be used to meet 3 of the 12 hours of continuing education required by Section 400.452, F.S., and subsection (1) of this rule, or 3 of the 6 hours of continuing education for extended congregate care required by subsection (7) of this rule.

(f)(e) Facility staff who have only incidental contact with residents with Alzheimer's disease and related disorders must receive general written information provided by the facility on interacting with such residents, as required under Section 400.4178, F.S., within 3 months of employment. "Incidental contact" means all staff who neither provide direct care nor are in regular contact with such residents.

(f) ~~Alzheimer's training provided by the department between January 1 and September 30, 1997 shall meet the training requirements of paragraph (a) of this subsection.~~

(g) Persons who seek to provide Alzheimer's disease and related disorders training in accordance with this subsection must provide the department or its designee with a ~~course curriculum and~~ documentation that they hold a Bachelor's degree from an accredited college or university or hold a license as a registered nurse, and:

1. Have 1 year teaching experience as an educator of caregivers for persons with Alzheimer's disease or related disorders; or

2. through 3. No change.

(h) With reference to requirements in paragraph (g), ~~a~~ Master's degree from an accredited college or university in a subject related to the content of this training program can substitute for the teaching experience. Years of teaching experience related to the subject matter of this training program may substitute on a year-by-year basis for the required Bachelor's ~~college~~ degree referenced in paragraph (g).

(10) ALZHEIMER'S DISEASE AND RELATED DISORDERS TRAINING PROVIDER AND CURRICULUM APPROVAL; TRAINING DOCUMENTATION.

(a) ~~All~~ Persons seeking approval as an Alzheimer's disease and related disorders ~~to provide~~ training provider shall complete DOEA form ALF/ADRD-001, Application for Alzheimer's Disease and Related Disorders Training Provider Certification, dated March 2005, which is incorporated by reference and available at the Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000 ~~which must be approved by the department under this rule shall submit their qualifications to provide which must be approved by the department under this rule shall submit their qualifications to provide training and proposed course curriculums to the department prior to training.~~ Persons

seeking to obtain approval of an Alzheimer's disease and related disorder curriculum shall complete DOEA form ALF/ADRD-002, Application for Alzheimer's Disease and Related Disorders Training Three-Year Curriculum Certification, dated March 2005, which is incorporated by reference and available at the Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000. Approval must be obtained from the department or its designee for the training provider and the training curriculum prior to commencing training activities. Upon receipt of approval from the department or its designee, the Alzheimer's disease and related disorders training provider shall be considered ~~may identify the training program as an~~ "approved Alzheimer's disease and related disorders training provider" by the Florida Department of Elder Affairs for purposes of meeting the training requirements of Section 400.4178 or Section 400.452, F.S., and Rule 58A-5.0191, F.A.C. The department or its designee shall maintain a list of approved Alzheimer's disease and related disorders training providers and approved curricula~~um~~. Approval of the curriculum shall be granted for 3 years, whereupon the training curriculum provider must be re-submitted the training program to the department or its designee for re-approval.

(b) Approved Alzheimer's disease and related disorders training providers must maintain records of each course taught for a period of 3 years following each program presentation. Course records shall include the title of the approved Alzheimer's disease and related disorders training curriculum program, the department's curriculum approval number, the number of hours of training, the training provider's name and the department's training provider approval number, the date and location of the course, and a roster of participants.

(c) Upon successful completion of training, the trainee shall be issued a certificate by the approved training provider. The certificate shall include the title of the training and the department's curriculum approval number, the number of hours of training, the participant's name, dates of attendance, location, the training provider's name and the department's training provider approval number, and dated signature. The training provider's signature on the certificate shall serve as documentation that the training provider has verified that the trainee has completed the required training pursuant to Section 400.4178, F.S. ~~Training providers must furnish each participant with documentation of attendance which must include the title of training program, the number of hours of training, the participant's name, date of attendance, location, and the training provider's name and signature.~~

(d) The department or its designee reserves the right to attend and monitor Alzheimer's disease and related disorders training courses, review records and course materials approved pursuant to this rule, and revoke approval on the basis of non-adherence to approved curriculum, the provider's failure

to maintain required training credentials, or if the provider is found to knowingly disseminate any false or misleading information.

(e) ~~Except as otherwise noted, certificates of any Alzheimer's disease and related disorders training required by this rule shall be documented in the facility's personnel files which documentation shall include the title of the training program, course content date of attendance, the training provider's name and the training provider's credentials, and number of hours of training. A certificate issued by the department shall provide sufficient documentation of training provided by department staff.~~

(f) Alzheimer's disease and related disorders training providers and training curricula which are approved consistent with the provisions of Section 400.1755, 400.6045, 400.5571, F.S., shall be considered as having met the requirements of subsection (9)(a) and (10) of this rule.

(11) TRAINING DOCUMENTATION AND MONITORING.

(a) ~~Except as otherwise noted, certificates of any training required by this rule shall be documented in the facility's personnel files which documentation shall include the subject matter of the training program, the participant's name, the date of attendance, the training provider's name, signature and credentials, professional license number if applicable, and the number of hours of training.~~

(b) Upon successful completion of training pursuant to this rule, the trainee shall be issued a certificate by the training provider as specified in this rule.

(11) TRAINING FEES. Fees for training provided by the department are as follows:

(a) Assisted Living Facility Core Training:

1. Less than 30% OSS residents \$160
2. Between 30% and 49% OSS residents \$120
3. Between 50% and 69% OSS residents \$80
4. Between 70% and 89% OSS residents \$40
5. 90% or more OSS residents no charge

(b) ~~Assisted Living Facility Core Competency Examination:~~

1. Less than 30% OSS residents \$50
2. Between 30% and 49% OSS residents \$40
3. Between 50% and 69% OSS residents \$25
4. Between 70% and 89% OSS residents \$15
5. 90% or more OSS residents no charge

(c) ~~Extended Congregate Care Initial Training, and Core Update and Continuing Education programs of over 4 hours and up to 8 hours:~~

1. Less than 30% OSS residents \$50
2. Between 30% and 49% OSS residents \$40
3. Between 50% and 69% OSS residents \$30
4. Between 70% and 89% OSS residents \$20
5. 90% or more OSS residents no charge

(d) Medication Management, Alzheimer's Training, and Core Update and Continuing Education programs of 4 hours or less:

1. Less than 30% OSS residents \$30
2. Between 30% and 49% OSS residents \$20
3. Between 50% and 69% OSS residents \$15
4. Between 70% and 89% OSS residents \$10
5. 90% or more OSS residents no charge

(e) Training materials, manuals and guides available from the department printed or on diskette/compact disk:

1. Assisted Living Facility Administrator's Guide \$35
2. Extended Congregate Care Supplemental Guide \$10
3. AHCA Survey Guidelines \$5
4. Assisted Living Facility Law and Rule \$5

(12) NOTIFICATION OF TRAINING: The department's assisted living trainer in the planning and service area where a facility is located shall notify licensed facilities when training is being offered by the department. Other persons or facilities who wish to receive notification of training provided by the department shall provide a current mailing address annually to the department's assisted living trainer in the planning and service area in which the person is located or where the person or facility would like to receive training. A schedule of department training offered and a list of trainers is available from the DOEA Assisted Living Program:

Specific Authority 400.407, 400.4178, 400.441, 400.452 FS. Law Implemented 400.407, 400.4075, 400.4178, 400.452 FS. History--New 9-30-92, Formerly 10A-5.0191, Amended 10-30-95, 6-2-96, 4-20-98, 11-2-98, 10-17-99,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Susan Avellone, Office of the General Counsel, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Carole Green, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 3, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 7, 2003

**AGENCY FOR HEALTH CARE ADMINISTRATION  
Medicaid**

RULE TITLE: Prescribed Drug Services

RULE NO.: 59G-4.250

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the revised Florida Medicaid Prescribed Drug Services, Coverage, Limitations and Reimbursement Handbook, December 2004.

SUMMARY: The Prescribed Drug Coverage handbook furnishes the Medicaid provider with Medicaid policies and procedures including the legislative changes in the years

2002-04 as well as how to complete and file claims in the new HIPAA-compliant system to receive reimbursement for covered services to eligible Florida Medicaid recipients.

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 in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906, 409.908, 409.912 FS.

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

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

PLACE: Conference Room A, Bldg. 3, Agency for Health Care Administration, Bldg. 3, 2727 Mahan Drive, Tallahassee, FL 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE: Julie Davis, Medicaid Bureau of Pharmacy Services, 2727 Mahan Drive, Building 3, Mail Stop 38, Tallahassee, Florida 32308-5407, (850)487-4441

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.250 Prescribed Drug Services.

(1) No change.

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

(3) The following forms are incorporated herein by reference with an effective date of December 2004: Notification Letter for Lock-In; Notification Letter for Lock-in, Spanish Version; Election of Rights Letter for Lock-In, two pages; Election of Rights Letter for Lock-in, Spanish Version, two pages; Request for Change of Pharmacy; Request for Change of Pharmacy, Spanish Version; Universal Claim (UCF) form; Request for Multi-Source Brand Drug Due to Adverse Effects or Ineffectiveness of Generic; and Prior Authorization Pharmacy, Miscellaneous.

Specific Authority 409.919 FS. Law Implemented 409.906(20), 409.908, 409.912 FS. History--New 1-1-77, Amended 6-30-77, 10-1-77, 2-1-78, 4-1-78, 9-28-78, 6-1-79, 2-28-80, 11-11-81, 7-3-84, Formerly 10C-7.42, Amended 3-11-86, 12-5-88, 6-4-90, 10-29-90, 5-20-92, 4-11-93, Formerly 10C-7.042, Amended 12-28-95, 8-3-97, 2-11-98, 9-13-99, 7-20-00, 1-29-01, 4-24-01, 10-6-02,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Julie Davis

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Alan Levine, Secretary  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 2, 2005  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 18, 2004

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

**DEPARTMENT OF HEALTH**  
**Board of Dentistry**

RULE TITLE: Examination Grading System and Examination Requirements for Dental Examination  
 RULE NO.: 64B5-2.013  
 PURPOSE AND EFFECT: The Board proposes the rule amendment to allow examination candidates under direct supervision to assess board patients for the dental examination in order to determine potential health risks that might pose a significant problem during the examination.

SUMMARY: The proposed rule amendment allows candidates for the dental examination to assess suitable board patients under the direct supervision of a dentist, or a faculty member at any accredited school.

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: 456.017(1)(b), 466.004(4), 466.006(4) FS.

LAW IMPLEMENTED: 456.017(1)(b),(2), 466.006(4), 466.009 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-2.013 Examination Grading System and Examination Requirements for Dental Examination

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

(g) Candidates for the dental state clinical boards may assess patients for suitability as board patients at any dental office under the direct supervision of a dentist, or at any accredited dental school under direct supervision of a school faculty member.

- (3) through (7) No change.

Specific Authority 456.017(1)(b), 466.004(4), 466.006(4) FS. Law Implemented 456.017(1)(b),(2), 466.006(4), 466.009 FS. History--New 10-8-79, Amended 6-22-80, 12-3-81, 12-6-82, 5-24-83, 12-12-83, 5-2-84, 5-27-84, Formerly 21G-2.13, Amended 12-8-85, 12-31-86, 5-10-87, 10-19-87, 12-10-89, 12-24-91, 2-1-93, Formerly 21G-2.013, 61F5-2.013, Amended 1-9-95, 2-7-96, 7-16-97, Formerly 59Q-2.013, Amended 8-25-98, 3-25-99, 11-15-99,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Dentistry

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 26, 2003

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

**DEPARTMENT OF HEALTH**  
**Board of Nursing**

RULE TITLES: Statement of Intent of Purpose  
 Definitions  
 Competency and Knowledge Requirements  
 RULE NOS.: 64B9-17.001  
 64B9-17.002  
 64B9-17.003

PURPOSE AND EFFECT: To set forth professional and educational standards and requirements for nurses who administer conscious sedation to patients, and to define which types of sedation are within the scope of registered nurses licensed under Chapter 464, F.S.

SUMMARY: To set forth professional and educational standards and requirements for nurses who administer conscious sedation to patients, and to define which types of sedation are within the scope of registered nurses licensed under Chapter 464, F.S.

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

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

SPECIFIC AUTHORITY: 464.003(a), 464.006 FS.

LAW IMPLEMENTED: 464.003(a), 464.012(3), 464.015(1),(5), 464.019(1)(j),(n) 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: Dan Coble, R.N., Ph.D., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULES IS:

#### ROLE OF THE NURSE IN CONSCIOUS SEDATION

##### 64B9-17.001 Statement of Intent of Purpose.

(1) The “practice of professional nursing” as defined by Section 464.003(3)(a), F.S., includes “the administration of treatments and medications as prescribed or authorized by a duly licensed practitioner authorized by the laws of this state to prescribe such medicines and treatments.” As medical science advances, new drugs and procedures are introduced to provide health services to the public. A registered nurse, when qualified by training and education and when approved by the institution at which the registered nurse is employed, may engage in the limited administration of drugs for conscious and deep sedation under specific conditions.

(2) The purpose of this rule is to protect the public by ensuring that competent registered nurses administer conscious sedation and deep sedation. The rule sets out the education and/or competency verification necessary to administer conscious sedation and deep sedation under specific conditions. Pursuant to Section 464.018(1)(h), F.S., the act of administering conscious sedation by a registered nurse without the education and verification of competency outlined in this rule would constitute unprofessional conduct and would also be a violation of Section 464.018(1)(j) and (n), F.S. Further, this role is beyond the scope of practice for the licensed practical nurse or the tasks allowed for unlicensed assistive personnel.

Specific Authority 464.003(a), 464.006 FS. Law Implemented 464.003(a), 464.012(3), 464.015(1),(5), 464.019(1)(j),(n) FS. History--New \_\_\_\_\_.

##### 64B9-17.002 Definitions.

(1) Conscious sedation, or moderate sedation, is produced by the administration of pharmacological agents administered singly or in combination. A patient under conscious sedation has a depressed level of consciousness, but retains the ability to independently and continuously maintain a patent airway and respond appropriately to physical stimulation and/or to verbal command. Conscious sedation may easily be converted into deep sedation or the loss of consciousness, because of the unique characteristics of the drugs used, as well as the physical status and drug sensitivities, of the individual patient. The administration of conscious sedation requires continuous monitoring of the patient and the ability to respond immediately to deviations from the norm. Conscious sedation should only be provided by an individual who is competent in

thorough patient assessment, is able to administer drugs through a variety of routes, is able to identify responses which are a deviation from the norm, and is able to intervene as necessary. Conscious sedation is used in short-term, therapeutic, diagnostic, or surgical procedures. Because sedation is a continuum, it is not always possible to predict how an individual patient will respond. For the purposes of this rule, the level of sedation intended determines whether administration and monitoring of the patient is within the scope of practice of the registered nurse. The nurse must be able to respond to unintended deepening of sedation. It is important to differentiate among the levels of sedation as delineated by the American Society of Anesthesiologists:

(a) Minimal Sedation (Anxiolysis) is a drug-induced state during which patients respond normally to verbal commands. Although cognitive function and coordination may be impaired, ventilatory and cardiovascular functions are unaffected.

(b) Moderate Sedation/Analgesia (“Conscious Sedation”) is a drug-induced depression of consciousness during which patients respond purposefully to verbal commands, either alone or accompanied by light tactile stimulation. No interventions are required to maintain a patent airway, and spontaneous ventilation is adequate. Cardiovascular function is usually maintained.

(c) Deep Sedation/Analgesia is a drug-induced depression of consciousness during which patients cannot be easily aroused but respond purposefully following repeated or painful stimulation. The ability to independently maintain ventilatory function may be impaired. Patients may require assistance in maintaining a patent airway, and spontaneous ventilation may be inadequate. Cardiovascular function is usually maintained.

(d) General Anesthesia is a drug-induced loss of consciousness during which patients are not arousable, even by painful stimulation. The ability to independently maintain ventilatory function is often impaired. Patients often require assistance in maintaining a patent airway, and positive pressure ventilation may be required because of depressed spontaneous ventilation or drug-induced depression of neuromuscular function. Cardiovascular function may be impaired.

(2) For purposes of this rule, institution means a hospital or ambulatory surgery center licensed under provisions of Chapter 395 F.S., or any other setting in which conscious sedation is utilized.

(3) A qualified anesthesia provider is an anesthesiologist or physician licensed under Chapter 458, F.S., or a certified registered nurse anesthetist licensed under Chapter 464, F.S.

Specific Authority 464.003(a), 464.006 FS. Law Implemented 464.003(a), 464.012(3), 464.015(1),(5), 464.019(1)(j),(n) FS. History--New \_\_\_\_\_.

64B9-17.003 Competency and Knowledge Requirements.

(1) A registered nurse may administer medication to achieve conscious sedation during therapeutic, diagnostic, or surgical procedures, and manage patients who are receiving and recovering from conscious sedation, provided the following criteria are met:

(a) The registered nurse administers only non-anesthetic drugs for conscious sedation, unless the registered nurse is also certified as a nurse anesthetist or unless the registered nurse administers anesthetic agents during an emergency under the direction and supervision of a physician;

(b) The registered nurse, or a facility-based Code Team, must have demonstrated skill in age-specific airway management and emergency resuscitation through advanced cardiac life support (ACLS), pediatric advanced life support (PALS), neonatal resuscitation program (NRP), or equivalent training;

(c) The registered nurse must have successfully completed a program in conscious sedation. The content of that program must, at a minimum, be four hours in length, contain information on drugs used during conscious sedation, including reversal agents, their actions, side-effects and untoward effects, and assessment and monitoring of the patient receiving the medication. The program must also address recognition of emergency situations, institution of appropriate nursing interventions, and evaluation of physiologic measurements, such as respiratory rate, oxygen saturation, blood pressure, cardiac rate and rhythm, and the patient's level of consciousness;

(d) The registered nurse administers medications to achieve conscious sedation by executing the order of a qualified anesthesia provider or physician. Although the determination of medical dosage and the patient's medical status is a medical decision, the registered nurse has the right and the obligation to question orders and decisions which are contrary to acceptable standards and to refuse to participate in procedures which may result in harm to the patient;

(e) If medications are given intravenously, a continuous, patent intravenous access must be in place throughout the procedure and until the patient is recovered. If the medications for sedation are given intranasal, intramuscular, oral or rectal route, staff capable of establishing an intravenous access should it become necessary must be immediately available;

(f) The registered nurse is responsible for monitoring the patient throughout the procedure as well as through the recovery phase. While the registered nurse is managing the care of patients receiving conscious sedation, the nurse shall have no other responsibilities that would prevent the nurse from responding to assessment changes in the patient requiring intervention;

(g) Monitoring and recording device alarms should be set to alert the nurse to critical changes in patient status. The nurse must be in close enough proximity to respond immediately to monitor alarms and to unintended deepening of sedation;

(h) Emergency and resuscitative equipment must be available in the immediate area where the procedure is being performed;

(i) The institution must have written protocols in place to include, but not be limited to: patient monitoring and devices to be utilized, drug administration, and directions for dealing with potential complications or emergency situations, and availability of a physician. These protocols must be reviewed at frequent intervals to assure that they are within current and accepted standards of practice. The frequency of review should be consistent with review of other policies in the institution or practice setting;

(j) The institution must have a mechanism for determining and documenting education/training, clinical competency, and a process for documenting the individual's demonstration of knowledge, skills, and ability related to management of patients during conscious sedation. Both evaluation and documentation of competence shall be done on an annual basis and within current and expected standards of nursing practice.

(2) A registered nurse who meets the requirements and conditions in this rule, may administer medication, including anesthetic agents, to achieve deep sedation only to a monitored, intubated, and mechanically ventilated patient who is located in an intensive care, critical care or emergency setting (or during the transport of such a patient within the institution).

(3) A registered nurse may assist a licensed provider by administering anesthetic agents under the direction and supervision of a qualified anesthesia provider when the purpose is control of the patient's airway, such as rapid sequence intubation.

(4) For severely compromised or medically unstable patients, a qualified anesthesia provider must be present.

(5) A registered nurse shall not administer general anesthesia unless licensed under Section 464.012, F.S., as a certified registered nurse anesthetist to the extent authorized by established protocol pursuant to Section 464.012(3)(a), F.S., or unless licensed as a certified nurse midwife to the extent authorized by established protocol pursuant to Section 464.012(3)(b), F.S.

Specific Authority 464.003(a), 464.006 FS. Law Implemented 464.003(a), 464.012(3), 464.015(1),(5), 464.019(1)(j),(n) FS. History--New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Nursing

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
PUBLISHED IN FAW: September 26, 2003

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE CHAPTER TITLE: Reef Fish

RULE TITLE: RULE NO.:

Commercial Harvest Requirements; Licenses, Season Closures, Bag and Trip Limits 68B-14.0045

**PURPOSE AND EFFECT:** On February 17, 2005, the National Marine Fisheries Service published an emergency rule establishing trip limits for the commercial shallow-water grouper (black grouper, gag, red grouper, yellow-fin grouper, scamp, yellowmouth grouper, rock hind, and red hind) and deep-water grouper (misty grouper, snowy grouper, yellowedge grouper, warsaw grouper, and speckled hind) fisheries in the federal exclusive economic zone (EEZ) of the Gulf of Mexico adjacent to Florida. The federal emergency rule was effective on March 3, 2005. The purpose of this rule amendment pursuant to the expedited provisions of Section 120.54(6), Florida Statutes, is to conform state rules governing harvest of groupers in Florida waters of the Gulf of Mexico to these new federal trip limits. The effect of the rule amendment will be to assure enforcement of both state and federal rules and protect the health and abundance of Gulf grouper stocks.

**SUMMARY:** A new subparagraph 3. Is added to paragraph (3)(b) of Rule 68B-14.0045, F.A.C., to set commercial vessel trip limits for grouper harvest in state waters, to conform with a federal emergency regulation. The trip limits are based on vessel limit season segments corresponding to harvest levels under federal quotas.

**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:** Article IV, Section 9, Florida Constitution.

**LAW IMPLEMENTED:** Article IV, Section 9, Florida Constitution.

**THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION 120.54(6), FLORIDA STATUTES.**

**WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO:** James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

SUBSTANTIALLY AFFECTED PERSONS MAY, WITHIN 14 DAYS OF THE DATE OF THIS NOTICE, FILE AN OBJECTION TO THIS RULEMAKING WITH THE AGENCY. THE OBJECTION SHALL SPECIFY THE PORTIONS OF THE PROPOSED RULE TO WHICH THE PERSON OBJECTS AND THE SPECIFIC REASONS FOR THE OBJECTION.

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-14.0045 Commercial Harvest Requirements; Licenses, Season Closures, Bag and Trip Limits.

(1) through (2) No change.

(3) Bag and Trip Limits.

(a) No change.

(b) Grouper.

1. Nassau grouper and goliath grouper. No person harvesting for commercial purposes shall harvest in or from state waters, nor possess while in or on the waters of the state, or land, any Nassau grouper, or goliath grouper. The purchase, sale, or exchange of any Nassau grouper or goliath grouper is prohibited.

2. Speckled hind and Warsaw grouper. No person shall harvest in or from state waters any speckled hind or Warsaw grouper for commercial purposes and the purchase, sale, or exchange of such fish is prohibited.

3. Vessels harvesting commercially in the state waters of the Gulf of Mexico as specified in subparagraph 68B-14.0045(1)(a)2., F.A.C., are subject to a grouper vessel trip limit. Groupers are all species listed in paragraph 68B-14.001(2)(b), F.A.C., except bank sea bass and black sea bass. The grouper vessel trip limit shall be 10,000 pounds from January 1 until such time as the National Marine Fisheries Service reduces the vessel trip limit in adjacent federal (EEZ) waters to 7,500 pounds or 5,500 pounds, in which case the Director of the Division of Marine Fisheries Management shall order a consistent reduction in the vessel trip limit in state waters of the Gulf of Mexico. The grouper vessel limit shall be restored to 10,000 pounds on January 1 of the following year.

(c) through (d) No change.

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Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 2-1-90, Amended 12-31-92, 10-18-93, 3-1-94, 6-15-95, 1-1-96, 11-27-96, 12-31-98, 3-1-99, Formerly 46-14.0045, Amended 1-1-00, 3-6-00, 1-1-01, 3-1-01, 6-1-01, 1-1-03, 7-15-04, \_\_\_\_\_.

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

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

**Division of Florida Highway Patrol**

RULE NOS.:	RULE TITLES:
15B-2.0082	Minimum Design Criteria for Radar Units
15B-2.009	Test to Determine Speed Accuracy of Doppler Radar Devices

**NOTICE OF CORRECTION**

The above proposed rule amendments were published in the December 17, 2004, issue of the Florida Administrative Weekly, Vol. 30, No. 51.

The PURPOSE AND EFFECT and the rule SUMMARY of the NOTICE OF PROPOSED RULE AMENDMENT made reference to the revision of form HSMV 61070 to add a check off box for higher target speeds exceeding 100 miles per hour. Those statements are corrected to state that the form is revised to add a check off box for a target speed of 100 miles per hour. This correction does not affect the substance of the proposed rule and form amendments.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lt. James D. Wells, Jr., Bureau of Law Enforcement Support Services, Division of Florida Highway Patrol, Room A315, Neil Kirkman Building, Tallahassee, Florida 32399-0500, (850)488-4363

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

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE NO.:	RULE TITLE:
64B5-12.013	Continuing Education Requirements

**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. 41, October 8, 2004, issue of the Florida Administrative Weekly. The changes are being made in response to comments at a public meeting held on January 7, 2005.

The changes are as follows:

1. Paragraph (1) shall read as follows: Dentists shall complete 30 hours of continuing professional education during each license renewal biennium as a condition of license renewal. No more and no less than one hour shall consist of training in domestic violence as required by Section 456.031, F.S., and described in subsection 64B5-12.019(8), F.A.C. In addition to the 30 hours required herein, each licensed dentist shall complete the training in cardiopulmonary resuscitation (CPR) required in subsection 64B5-12.020(1), F.A.C.

2. Paragraph (2) shall read as follows: (2) Dental hygienists shall complete 24 hours of continuing professional education which shall include no more or no less than one hour of training in domestic violence every other biennium as required by Section 456.031, F.S., as a condition of license renewal. In addition, during each license renewal biennium licensed dental hygienists shall complete training in cardiopulmonary resuscitation (CPR) at the basic support level, which results in certification or recertification in CPR by the American Heart Association, the American Red Cross or an entity with equivalent requirements. In addition to the 24 hours required herein, each dental hygienist shall complete no more and no less than one hour of training in domestic violence as required by Section 456.031, F.S., and described in subsection 64B5-12.019(8), F.A.C.

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

**DEPARTMENT OF HEALTH**

**Board of Orthotists and Prosthetists**

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

**NOTICE OF PUBLIC RULE HEARING**

The Board of Orthotists and Prosthetists hereby gives notice of a public hearing on the above-referenced rule, pursuant to subparagraph 120.54(3)(c)1., F.S., to be held on April 1, 2005 at 10:00 a.m., at the Renaissance Tampa Hotel International Plaza, 4200 Jim Walter Boulevard, Tampa, Florida 33607. The rule was originally published in Vol. 31, No. 2, of the January 14, 2005, Florida Administrative Weekly.

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 #C06, Tallahassee, Florida 32399

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

**DEPARTMENT OF HEALTH**

**Board of Osteopathic Medicine**

RULE NO.: 64B15-9.007                      RULE TITLE: Forms and Instructions

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule amendments, as noticed in Vol. 30, No. 41, of the Florida Administrative Weekly on October 8, 2004, have been withdrawn.

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

**DEPARTMENT OF HEALTH**

**Board of Osteopathic Medicine**

RULE NO.: 64B15-19.008                      RULE TITLE: Mediation

**NOTICE OF CHANGE**

Notice is hereby given that the following change has been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 30, No. 50, of the December 10, 2004, issue of the Florida Administrative Weekly. The Board, at its meeting held on February 25, 2005, in Ft. Lauderdale, Florida, made a change to the rule to address written comments submitted by the staff of the Joint Administrative Procedures Committee.

The change is as follows:

The proposed subsection (3) of the rule shall be deleted.

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

**DEPARTMENT OF HEALTH**

**Division of Environmental Health**

RULE NO.: 64E-2.024                      RULE TITLE: Process for the Approval of Trauma Centers

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to proposed Chapter 64E-2, F.A.C., in accordance with subparagraph 120.54(3)(d)1., F.S., published in the Florida Administrative Weekly, Vol. 31, No. 3, on January 21, 2005.

The changes reflect comments received from the affected parties. The changes are as follows:

64E-2.024 Process for the Approval of Trauma Centers SATCs and SAPTRCs.

Subsection (4) shall read as follows:

(4) In the event a trauma center intends to terminate its trauma services, it shall give advance notice of its intent to terminate to the department via a letter signed by its CEO or designee. The letter shall be addressed to the Division Director, Division of Emergency Medical Operations, and shall reference and comply with Chapter 395.4025(8), F.S. The letter shall include an explanation of the specific reason or reasons why the trauma center wants to terminate its trauma services. The termination will be effective 6 months from receipt of the letter by the department unless a longer time is specified in the letter. Upon termination, the hospital shall cease operating or holding itself out as a trauma center.

P.O. DO29262

**Section IV  
Emergency Rules**

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

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

**DEPARTMENT OF THE LOTTERY**

RULE TITLE: Instant Game Number 590, MEGA INSTANT MONOPOLY™ GAME                      RULE NO.: 53ER05-37  
SUMMARY OF THE RULE: Instant Game Number 590, "MEGA INSTANT MONOPOLY™ GAME," will be sold by Florida Lottery retailers on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value, and number of prizes in the game.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER05-37 Instant Game Number 590, MEGA INSTANT MONOPOLY™ GAME.

(1) Name of Game. Instant Game Number 590, “MEGA INSTANT MONOPOLY™ GAME.”

(2) Price. MEGA INSTANT MONOPOLY™ GAME tickets sell for \$10.00 per ticket.

(3) MEGA INSTANT MONOPOLY™ GAME lottery tickets shall have a series of numbers in Machine Readable Code (or bar code) on the back of the ticket, along with a Void If Removed Number under the latex area on the ticket. To be a valid winning MEGA INSTANT MONOPOLY™ GAME lottery ticket, the ticket must meet the requirements of subsection 53ER05-27(11), F.A.C. In the event a dispute arises as to the validity of any MEGA INSTANT MONOPOLY™ GAME lottery ticket, or as to the prize amount, the Void If Removed Number under the latex shall prevail over the bar code.

(4) The “YOUR HOUSE NUMBERS” play symbols and play symbol captions are as follows:

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>
ONE	TWO	THREE	FOUR	FIVE	SIX	SEVEN	EIGHT	NINE	TEN
<b>11</b>	<b>12</b>	<b>13</b>	<b>14</b>	<b>15</b>	<b>16</b>	<b>17</b>	<b>18</b>	<b>19</b>	<b>20</b>
ELEVN	TWELV	THRTN	FORTN	FIFTN	SIXTN	SVNTN	EGHTN	NINTN	THENTY
<b>21</b>	<b>22</b>	<b>23</b>	<b>24</b>	<b>25</b>	<b>26</b>	<b>27</b>	<b>28</b>	<b>29</b>	
THYONE	THYTWO	THYTHR	THYFOR	THYFIV	THYSIX	THYSVN	THYEGT	THYNIN	



(5) The “HOTEL NUMBERS” play symbols and play symbol captions are as follows:

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>
ONE	TWO	THREE	FOUR	FIVE	SIX	SEVEN	EIGHT	NINE	TEN
<b>11</b>	<b>12</b>	<b>13</b>	<b>14</b>	<b>15</b>	<b>16</b>	<b>17</b>	<b>18</b>	<b>19</b>	<b>20</b>
ELEVN	TWELV	THRTN	FORTN	FIFTN	SIXTN	SVNTN	EGHTN	NINTN	THENTY
<b>21</b>	<b>22</b>	<b>23</b>	<b>24</b>	<b>25</b>	<b>26</b>	<b>27</b>	<b>28</b>	<b>29</b>	
THYONE	THYTWO	THYTHR	THYFOR	THYFIV	THYSIX	THYSVN	THYEGT	THYNIN	

(6) The prize symbols and prize symbol captions are as follows:

<b>\$5.00</b>	<b>\$10.00</b>	<b>\$15.00</b>	<b>\$20.00</b>	<b>\$25.00</b>	<b>\$40.00</b>	<b>\$50.00</b>	<b>\$100</b>	<b>\$200</b>
FIVE	TEN	FIFTEEN	TWENTY	THY FIV	FORTY	FIFTY	ONE HUN	TWO HUN
<b>\$250</b>	<b>\$500</b>	<b>\$1,000</b>	<b>\$10,000</b>	<b>\$250,000</b>				
THOHUNFTY	FIVE HUN	ONE THO	TEN THO	THOHUNFTYTHO				

(7) The “CHANCE” bonus symbols are as follows:

**WIN WIN WIN TRY**  
**\$50 \$100 \$500 AGAIN**

(8) The legends are as follows:

HOTEL NUMBERS      YOUR HOUSE NUMBERS

(9) Determination of Prizewinners.

(a) A ticket having a number in the “YOUR HOUSE NUMBERS” play area that matches any of the numbers in the “HOTEL NUMBERS” play area shall entitle the claimant to the corresponding prize shown for that number. A ticket may have up to twenty sets of matching numbers. The prizes are: \$5.00, \$10.00, \$15.00, \$20.00, \$25.00, \$40.00, \$50.00, \$100, \$200, \$250, \$500, \$1,000, \$10,000 and \$250,000.



(b) A ticket having a “DOUBLE” symbol in the “YOUR HOUSE NUMBERS” play area shall entitle the claimant to double the corresponding prize shown.



(c) A ticket having a “WIN” symbol in the “YOUR HOUSE NUMBERS” play area shall entitle the claimant to a prize of \$200.



(d) A ticket having a “\$50” symbol in the “CHANCE” bonus play area shall entitle the claimant to a prize of \$50.



(e) A ticket having a “\$100” symbol in the “CHANCE” bonus play area shall entitle the claimant to a prize of \$100.



(f) A ticket having a “\$500” symbol in the “CHANCE” bonus play area shall entitle the claimant to a prize of \$500.

(10) The estimated odds of winning, value, and number of prizes in Instant Game Number 590 are as follows:

GAME PLAY	WIN	ODDS OF		NUMBER OF
		1 IN	100 POOLS OF	WINNERS IN
			120,000	TICKETS
\$5 x 2	\$10	15.00	800.000	
\$10	\$10	30.00	400.000	
\$5 x 3	\$15	30.00	400.000	
\$15	\$15	15.00	800.000	
\$5 x 4	\$20	30.00	400.000	
\$10 x 2	\$20	30.00	400.000	
\$5 x 8	\$40	208.70	57.500	
(\$5 x 4) + (\$10 x 2)	\$40	252.63	47.500	
\$20 (TRAIN)	\$40	184.62	65.000	
\$15 + \$25	\$40	240.00	50.000	
\$40	\$40	600.00	20.000	
\$50 (CHANCE BOX)	\$50	120.00	100.000	
\$5 x 20	\$100	342.86	35.000	
\$50 (TRAIN)	\$100	342.86	35.000	
(\$10 x 6) + \$40	\$100	342.86	35.000	
\$20 x 5	\$100	342.86	35.000	
\$100 (CHANCE BOX)	\$100	200.00	60.000	
\$10 x 20	\$200	6,000.00	2,000	
(\$10 x 10) + (\$20 x 3) + \$40	\$200	12,000.00	1,000	
\$100 (TRAIN)	\$200	12,000.00	1,000	
(\$25 x 4) + (\$50 x 2)	\$200	24,000.00	500	
\$200 (GO)	\$200	2,181.82	5,500	
\$25 x 20	\$500	6,000.00	2,000	
\$50 x 10	\$500	15,000.00	800	
(\$20 x 5) + (\$25 x 12) + (\$50 x 2)	\$500	6,000.00	2,000	
\$250 (TRAIN)	\$500	12,000.00	1,000	
\$500 (CHANCE BOX)	\$500	6,000.00	2,000	
\$50 x 20	\$1,000	120,000.00	100	
\$100 x 10	\$1,000	240,000.00	50	
\$200 x 5	\$1,000	240,000.00	50	
\$500 (TRAIN)	\$1,000	120,000.00	100	
\$1,000	\$1,000	480,000.00	25	
\$500 x 20	\$10,000	300,000.00	40	
\$10,000	\$10,000	1,200,000.00	10	
\$250,000	\$250,000	2,000,000.00	6	

(11) The overall odds of winning some prize in Instant Game Number 590 are 1 in 3.19. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(12) For reorders of Instant Game Number 590, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(13) By purchasing a MEGA INSTANT MONOPOLY™ GAME lottery ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(14) Payment of prizes for MEGA INSTANT MONOPOLY™ GAME lottery tickets shall be made in accordance with rules of the Florida Lottery governing procedures for awarding prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Specific Authority 24.105(9)(a),(b),(c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a),(b),(c), 24.115(1) FS. History—New 3-4-05.

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

EFFECTIVE DATE: March 4, 2005

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

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

**DEPARTMENT OF EDUCATION**

The Commission for Independent Education hereby gives notice that it has received a petition, filed on February 28, 2005, from International Faith for Christian Fellowship Inc, d/b/a Faith Christian Fellowship Training Institute, seeking a waiver of subsection 6E-2.004(1), F.A.C., with respect to the Commission’s requirement that an institution’s name indicate clearly the primary purpose of the institution and that the name must not be misleading to the public.

Comments on this petition should be filed with the Commission for Independent Education, 2650 Apalachee Parkway, Suite A, Tallahassee, Florida 32301, within 14 days of publication of this notice.

For a copy of the petition, contact: Samuel L. Ferguson, Executive Director, at above address or telephone (850)245-3200.

**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 on March 2, 2005, the Division of Hotels and Restaurants received a Petition for Emergency Variance for paragraph 61C-4.0161(2)(a), F.A.C., from Falcon Catering Service #7 located in Orlando. The above referenced F.A.C. states serving openings shall not be larger than necessary for the particular operation conducted

and shall be kept closed at all times except when food is actually being served. They are requesting to do open air cooking and serving on two Mobile Food Dispensing Vehicles. A copy of the Petition can be obtained from: Xenia Bailey, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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

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The Construction Industry Licensing Board hereby gives notice that it has received a petition, filed on February 25, 2005, from Gervaise Hylton seeking a waiver or variance of Rule 61G4-16.005, F.A.C., with respect to acceptance of his passing examination grades in 2000, as valid for purposes of issuing a license.

Comments on this petition should be filed with Construction Industry Licensing Board, 1940 North Monroe Street, Northwood Centre, Tallahassee, Florida 32399-1039, within 14 days of publication of this notice.

For a copy of the petition, contact: Time Vaccaro, Executive Director, Construction Industry Licensing Board, at above address or telephone (850)922-3047.

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The Construction Industry Licensing Board hereby gives notice that it has received a petition, filed on March 7, 2005, from Robert Juliano seeking a waiver or variance of Rule 61G4-12.006, F.A.C., with respect to becoming Certified in the "General Contractor" category, pursuant to the grandfathering provisions of Section 489.118, F.S.

Comments on this petition should be filed with Construction Industry Licensing Board, 1940 North Monroe Street, Northwood Center, Tallahassee, Florida 32399-1039, within 14 days of publication of this notice.

For a copy of the petition, contact: Tim Vaccaro, Executive Director, Construction Industry Licensing Board, at above address or telephone (850)922-3047.

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The Construction Industry Licensing Board hereby gives notice that it has received a petition, filed on February 28, 2005, from Frank E. Silva, seeking a waiver or variance of Rule 61G4-15.004, F.A.C., with respect to Licensure by Endorsement.

Comments on this petition should be filed with the Construction Industry Licensing Board, 1940 North Monroe Street, Northwood Centre, Tallahassee, Florida 32399-1039, within 14 days of publication of this notice.

For a copy of the petition, contact: Tim Vaccaro, Executive Director, Construction Industry Licensing Board, at above address or telephone (850)922-3047.

The Construction Industry Licensing Board hereby gives notice that it has received a petition, filed on February 7, 2005, from Randy King seeking a waiver or variance of paragraph 61G4-15.004(3)(b), F.A.C., with respect to the licensure by endorsement.

Comments on this petition should be filed with Construction Industry Licensing Board, 1940 North Monroe Street, Northwood Centre, Tallahassee, Florida 32399-1039, within 14 days of publication of this notice.

For a copy of the petition, contact: Tim Vaccaro, Executive Director, Construction Industry Licensing Board, at above address or telephone (850)922-3047.

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#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

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#### DEPARTMENT OF HEALTH

The Board of Dentistry hereby gives notice that it has received a petition, filed on February 18, 2005, from Maria Gabriela d'Empaire, D.D.S., seeking a waiver or variance of subsection 64B5-2.0146(2), F.A.C., with respect to alternative licensing avenues for graduates of foreign dental programs.

Comments on this petition should be filed with Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399, within 14 days of publication of this notice.

For a copy of the petition, contact: Sue Foster, Executive Director, Board of Dentistry, at above address or telephone (850)245-4474.

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The Board of Dentistry hereby gives notice that it has received a petition, filed on February 10, 2005, from Ronniette Garcia Lopez, D.D.S., seeking a waiver or variance of paragraph 64B5-2.0146(2)(a), F.A.C., with respect to licensure of foreign-trained dentists.

Comments on this petition should be filed with the Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399, within fourteen (14) days of publication of this notice.

For a copy of the petition, contact: Sue Foster, Executive Director, Board of Dentistry, at the above address or telephone (850)922-3047.

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The Board of Medicine hereby gives notice that it has received a petition filed on February 22, 2005, by Zhao Liu, M.D., seeking a waiver from Rule 64B8-5.001, F.A.C., with regard to the time frames imposed for passage of the USMLE.



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

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

The Board of Medicine hereby gives notice that it has received a petition filed on February 25, 2005, on behalf of Reinaldo Santana, M.D., seeking a waiver from Rule 64B8-5.001, F.A.C., with regard to the time frames imposed for passage of the USMLE.

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

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

The Board of Medicine hereby gives notice that it has received a petition filed on March 2, 2005, by Abiodun Abayomi Odeleye, M.D., seeking a waiver from Rule 64B8-5.001, F.A.C., with regard to the time frames imposed for passage of the USMLE.

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

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

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

NOTICE IS HEREBY GIVEN that the Department of Children and Family Services has received a Petition for Waiver of Rule 65C-15.017, F.A.C. The Petition was received by the Agency Clerk on February 21, 2005, from Family Matters of Nassau County and assigned Case No. 05-001W. Rule 65C-15.017, F.A.C., governs the educational and work experience requirements of Persons operating or employed by a licenses child-placing agency.

A copy of the Petition may be obtained by writing: Office of the Agency Clerk, Department of Children and Family Services, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

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

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: April 5, 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 Management, the Office responsible for the management of lands which formerly fell within the Cross Florida Barge Canal project corridor. 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.

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## DEPARTMENT OF STATE

The **Department of State, Division of Cultural Affairs** announces the 2005-2006 Cultural Support Grants Program panel meetings, to which all persons are invited. These meetings are subject to cancellation, please call to confirm the meeting date and time.

Dance Panel

DATE AND TIME: May 3, 2005, 9:00 a.m. – conclusion  
Music (Vocal & Instrumental)

DATE AND TIME: May 4, 2005, 9:00 a.m. – conclusion

Professional, Community Theatre and Sponsor/Presenter Panel

DATE AND TIME: May 5, 2005, 9:00 a.m. – conclusion

Visual Arts and Museums Panel

DATE AND TIME: May 10, 2005, 9:00 a.m. – conclusion

Media Arts Panel

DATE AND TIME: May 11, 2005, 9:00 a.m. – conclusion

Folk Arts Panel

DATE AND TIME: May 12, 2005, 9:00 a.m. – conclusion

Interdisciplinary, Multidisciplinary and Literature Panel

DATE AND TIME: May 17, 2005, 9:00 a.m. – conclusion

PLACE: R. A. Gray Building, Room 307, 500 South Bronough Street, Tallahassee, FL 32399-0250

GENERAL SUBJECT MATTER TO BE CONSIDERED: 2005-2006 Cultural Support Grants Program Panel Meetings

For more information, contact: Sarah Stage, Arts Administrator, Division of Cultural Affairs, 1001 DeSoto Park Drive, Tallahassee, FL 32301, (850)245-6459.

Should any person wish to appeal any decision made with respect to any matter considered at the above-referenced meeting, s/he may need to ensure a verbatim recording of the proceedings in order to provide a record for judicial review.

Pursuant to the provisions of the Americans with Disabilities Act, persons with disabilities are asked to contact the Division office no later than one week prior to each panel meeting to request accommodations. Accommodations can be arranged through: Dana DeMartino, ADA Coordinator, Division of Cultural Affairs, (850)245-6477, Fax (850)245-6492, e-mail: [ddemartino@dos.state.fl.us](mailto:ddemartino@dos.state.fl.us).

#### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Florida **Department of Agriculture and Consumer Services** announces the following monthly public meeting of the Pesticide Registration Evaluation Committee to which all interested persons are invited.

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

PLACE: Bureau of Pesticides Conference Room, 3125 Conner Boulevard, Bldg. 6, Rm. 606, Tallahassee, Florida

CONTACT: Charlie L. Clark, Administrator, Pesticide Registration Section, 3125 Conner Boulevard, Bldg. 6, Rm. 601, Tallahassee, Florida 32399-1650, (850)487-2130

A copy of the meeting agenda may be obtained by contacting: Pesticide Registration Section, (850)487-2130 or PREC Web Site: [http://www.flaes.org/Pesticide/REG\\_PREC.htm](http://www.flaes.org/Pesticide/REG_PREC.htm).

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee discusses and makes recommendations on pesticide registration issues impacting human health and safety and the environment.

The Florida **Department of Agriculture and Consumer Services, Division of Forestry** (DOF) and the Wakulla State Forest Management Plan Advisory Group announces two public meetings and a public hearing to which all persons are invited.

Public Meeting – Wakulla State Forest Management Plan Advisory Group

DATE AND TIME: Tuesday, April 12, 2005, 6:30 p.m.

PLACE: Edward Ball Wakulla Springs State Park – Pavilion, 550 Wakulla Park Drive, Wakulla Springs, FL 32327

GENERAL SUBJECT MATTER TO BE CONSIDERED: To allow the Wakulla State Forest Management Plan Advisory Group to prepare for a public hearing the evening of April 12, 2005 and provide recommendations to the DOF to help in preparation of a management plan for the Wakulla State Forest. Public Hearing

DATE AND TIME: Tuesday, April 12, 2005, 7:00 p.m.

PLACE: Edward Ball Wakulla Springs State Park – Pavilion, 550 Wakulla Park Drive, Wakulla Springs, FL 32327

GENERAL SUBJECT MATTER TO BE CONSIDERED: To solicit public comments on management of the Wakulla State Forest.

Comments may be presented orally or in writing at the hearing. Written comments may also be submitted to the DOF's Tallahassee District Office, 865 Geddie Road, Tallahassee, FL 32304, Attention: Ken Weber, and should be mailed so as to arrive at the office by the date of the public hearing.

Public Meeting – Wakulla State Forest Management Plan Advisory Group

DATE AND TIME: Wednesday, April 13, 2005, 9:00 a.m.

PLACE: Edward Ball Wakulla Springs State Park – Magnolia Room, 550 Wakulla Park Drive, Wakulla Springs, FL 32327

GENERAL SUBJECT MATTER TO BE CONSIDERED: To allow the Wakulla State Forest Management Plan Advisory Group to review comments from the public hearing of April 12, 2005 and provide recommendations to the DOF to help in preparation of a management plan for the Wakulla State Forest. Copies of a working draft on the plan and the management prospectus are available by contacting the Wakulla State Forest in writing at the above address or contacting: Ken Weber, (850)414-1137.

Special accommodations for persons with a disabling condition should be requested in writing at least 48 hours in advance of these proceedings. Any request for special accommodations can be made by writing to the DOF's Tallahassee District Office at the above listed address.

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.

The Florida **Department of Agriculture and Consumer Services**, Office of Agricultural Water Policy announces a public meeting which all interested parties are invited:

DATE AND TIME: Thursday, March 29, 2005, 11:30 a.m.

PLACE: Collier County University Extension Office, 14700 Immokalee Road, Naples, Florida 34120

GENERAL SUBJECT MATTER TO BE CONSIDERED: Final draft of Plant Nursery Best Management Practices (BMP's) with initial focus in South Florida within the boundaries of the South Florida Water Management District, to be later adopted statewide.

For further information contact: Mr. Ken Kuhl or Mr. Bob Clark, Office of Agricultural Water Policy, 1203 Governor Square Blvd., Suite 200, Tallahassee, Florida 32301, (850)488-6249.

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.

**DEPARTMENT OF EDUCATION**

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

Teacher Hearing Panel

DATE AND TIME: April 1, 2005, 8:30 a.m. (A Business Meeting will immediately follow the Teacher Hearing Panel.)

PLACE: Radisson Barcelo Hotel, 8444 International Drive, Orlando, Florida 32819, (407)345-0505

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

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

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

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

The **Florida Atlantic University**, Florida's Art in State Buildings Program announces the following public meeting, to which all persons are invited:

DATE AND TIME: April 1, 2005, 9:15 a.m. – 10:00 a.m.

PLACE: Florida Atlantic University, Florida's Art in State Buildings Program, MacArthur Campus at Jupiter, 5353 Parkside Drive, MAC #222, Jupiter, FL. 33458

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold an Orientation Meeting regarding Florida's Art in State Buildings Program for BR-611 Scripps.

COMMITTEE: Art Selection Committee

For more information or to obtain a copy of the agenda, please contact: Rachel Slaw, Program Administrator, Florida's Art in State Buildings Program, Florida Atlantic University, 777 Glades Road, ADM Bldg., Rm 392, Boca Raton, Florida 33431, (561)297-2539.

Should any person wish to appeal any decision made with respect to any matter considered at the above referenced meeting, he/she may need to ensure verbatim recording of the proceeding to provide a record for judicial review. This meeting will not be taped by the Florida's Art in State Buildings Program.

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: Rachel Slaw, (561)297-2539. If you are hearing or speech impaired, please contact the agency by calling TT 1(800)955-8770.

The **Florida Atlantic University**, Florida's Art in State Buildings Program announces the following public meeting, to which all persons are invited:

COMMITTEE: Art Selection Committee

DATE AND TIME: April 1, 2005, 10:00 a.m. – 2:00 p.m.

PLACE: Florida Atlantic University, Florida's Art in State Buildings Program, FAU MacArthur Campus at Jupiter, 5353 Parkside Drive, AD #222, Jupiter, FL 33458

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold a Slide Review Meeting regarding Florida's Art in State Buildings Program for BR-613 Library Expansion and Classroom.

For more information or to obtain a copy of the agenda, please contact: Rachel Slaw, Program Administrator, Florida's Art in State Buildings Program, Florida Atlantic University, 777 Glades Road, AD Bldg., Rm 392, Boca Raton, Florida 33431, (561)297-2539.

Should any person wish to appeal any decision made with respect to any matter considered at the above referenced meeting, he/she may need to ensure verbatim recording of the proceeding to provide a record for judicial review. This meeting will not be taped by the Florida's Art in State Buildings Program.

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: Rachel Slaw, (561)297-2539. If you are hearing or speech impaired, please contact the agency by calling TT 1(800)955-8770.

The **Department of Education, Division of Blind Services** announces a special Teleconference Meeting of the State Committee of Vendors.

DATE AND TIME: March 28, 2005, 7:00 p.m.

PLACE: To attend this teleconference meeting an interested party will need to call 1(800)416-4254 or (850)922-2903, if within the Tallahassee calling area

GENERAL SUBJECT MATTER TO BE CONSIDERED: Selection Process.

#### DEPARTMENT OF COMMUNITY AFFAIRS

The **State Emergency Response Commission (SERC) for Hazardous Materials** announces a meeting of the Training Task Force to which all persons are invited.

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

PLACE: Department of Health, 4052 Bald Cypress Way, Room 301, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the ongoing work of the District Response Teams Subcommittee to the Training Task Force and other hazardous materials training issues. Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Education and Training Section, (850)413-9899, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call the Education and Training Section using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If a person decides to appeal any decision with respect to any matter considered at the above cited meeting, you will need a record of the proceedings, and for such purpose you may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Additional information may be obtained by writing: Department of Community Affairs, State Emergency Response Commission for Hazardous Materials, Capital Circle Office Center, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)413-9899.

The **State Emergency Response Commission for Hazardous Materials** announces a meeting of all Local Emergency Planning Committee chairpersons and staff contacts to which all persons are invited.

DATE AND TIME: April 7, 2005, 1:30 p.m.

PLACE: Department of Health, 4052 Bald Cypress Way, Room 301, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the activities and goals of the Local Emergency Planning Committees in implementing the Emergency

Planning and Community Right-To-Know Act, also known as Title III of the Superfund Amendments and Reauthorization Act of 1986.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Compliance Planning Section, (850)410-1271, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call the Compliance Planning Section using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If a person decides to appeal any decision with respect to any matter considered at the above cited meeting, you will need a record of the proceedings, and for such purpose you may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

A copy of the agenda may be obtained by writing: Department of Community Affairs, State Emergency Response Commission for Hazardous Materials, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)413-9970.

The **State Emergency Response Commission (SERC) for Hazardous Materials** announces a meeting of the Cost Recovery Workgroup to which all persons are invited.

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

PLACE: Department of Health, 4052 Bald Cypress Way, Room 301, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the ongoing work of the Cost Recovery Workgroup and other hazardous materials response issues.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Education and Training Section, (850)413-9899, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call the Education and Training Section using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If a person decides to appeal any decision with respect to any matter considered at the above cited meeting, you will need a record of the proceedings, and for such purpose you may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Additional information may be obtained by writing: Department of Community Affairs, State Emergency Response Commission for Hazardous Materials, Capital Circle Office Center, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)413-9899.

The **State Emergency Response Commission for Hazardous Materials** announces a meeting to which all persons are invited.

DATE AND TIME: April 8, 2005, 10:00 a.m.

PLACE: Department of Health, 4052 Bald Cypress Way, Room 301, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the requirements of the Emergency Planning and Community Right-To-Know Act, also known as Title III of the Superfund Amendments and Reauthorization Act of 1986.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Compliance Planning Section, (850)410-1271, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call the Compliance Planning Section using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If a person decides to appeal any decision, with respect to any matter considered at the above cited meeting, you will need a record of the proceedings, and for such purpose you may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

A copy of the agenda may be obtained by writing: Department of Community Affairs, State Emergency Response Commission for Hazardous Materials, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)413-9970.

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

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

**FLORIDA PAROLE COMMISSION**

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

DATE AND TIME: Wednesday, March 30, 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: \*April 4, 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 April 5, 2005, in Room 140, immediately preceding or immediately following the Commission Conference.

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

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

Docket No. 041291-EI – Petition for authority to recover prudently incurred storm restoration costs related to 2004 storm season that exceed storm reserve balance, by Florida Power & Light Company.

DATE AND TIME: April 4, 2005, 1:30 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider (1) the simplification of the issues; (2) the identification of the positions of the parties on the issues; (3) the possibility of obtaining admissions of fact and of

documents which will avoid unnecessary proof; (4) the identification of the exhibits; (5) the establishment of an order of witnesses; and (6) such other matters as may aid in the disposition of the action.

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

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

DATE AND TIME: April 5, 2005, 9:30 a.m.

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

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

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

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

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

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

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

The Florida **Public Service Commission** announces customer service hearings in the following docket, to which all interested persons are invited.

Docket No. 041291-EI – Petition for authority to recover prudently incurred storm restoration costs related to 2004 storm season that exceed storm reserve balance, by Florida Power & Light Company.

DATE AND TIME: Wednesday, April 6, 2005, 10:00 a.m. – 2:00 p.m.

PLACE: School Board of Lee County, Board Room, Dr. James A. Adams Public Education Center, 2055 Central Avenue, Ft. Myers, Florida

DATE AND TIME: Wednesday, April 6, 2005, 6:00 p.m. – 9:00 p.m.

PLACE: Charlotte County Commission Chambers, Room 119, 18500 Murdock Circle, Port Charlotte, Florida

DATE AND TIME: Monday, April 11, 2005, 4:00 p.m. – 8:00 p.m.

PLACE: City Commission Chambers, City Hall, 301 S. Ridgewood Avenue, Daytona Beach, Florida

DATE AND TIME: Tuesday, April 12, 2005, 10:00 a.m. – 2:00 p.m.

PLACE: City Council Chambers, City Hall, 900 E. Strawbridge Avenue, Melbourne, Florida

DATE AND TIME: Wednesday, April 13, 2005, 10:00 a.m. – 2:00 p.m.

PLACE: Jane Thompson Memorial Chambers, Palm Beach County Governmental Center, 301 N. Olive Avenue, West Palm Beach, Florida

DATE AND TIME: Wednesday, April 13, 2005, 6:00 p.m. – 9:00 p.m.

PLACE: Holiday Inn – Downtown, 1209 S. Federal Highway, Stuart, Florida

Each hearing will begin as scheduled and will continue until all witnesses have been heard. If no witnesses are present, the hearings may be adjourned. All persons desiring to present testimony are urged to appear at the beginning of the hearing.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To permit members of the public to give testimony regarding the petition of Florida Power & Light Company for authority to recover storm restoration costs, in excess of its storm reserve balance, related to Hurricanes Charley, Frances, and Jeanne. All witnesses shall be subject to cross-examination at the conclusion of their testimony.

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

For further information, contact: Katherine Fleming, Office of the General Counsel, (850)413-6199. One or more Commissioners of the Florida Public Service Commission may attend and participate in the hearings.

**NOTICE OF RESCHEDULING** – The Florida **Public Service Commission** announces the rescheduling of a hearing from March 3, 2005 in Docket No. 041114-TP – Complaint of XO Florida, Inc. against BellSouth Telecommunications, Inc. for alleged refusal to convert circuits to UNEs; and request for expedited processing.

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

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

**EXECUTIVE OFFICE OF THE GOVERNOR**

The **Florida Aerospace Finance Corporation (FAFC)** announces a Board of Director’s meeting and teleconference to which the public is invited.

DATE AND TIME: March 22, 2005, 1:00 p.m. – 3:00 p.m.

PLACE: Office of Florida Department of Transportation, Room 479, 605 Suwannee Street, Tallahassee, FL 32399 (To attend via telephone call 1(866)249-5325, participant code 393255)

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Board of Directors will meet to review general board business, ratifications of agreements, financings, budgets, procedures and to consider other proposed matters related to the business of the Corporation.

For more information, contact: Ms. Judy Blanchard, (321)690-3397.

To obtain a copy of the agenda write: The Florida Commercial Space Financing Corporation, 403 Brevard Avenue, Suite 1, Cocoa, Florida 32922.

Any person requiring special accommodations at this meeting because of disability or physical impairment should contact the Florida Aerospace Finance Corporation.

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

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

DATES AND TIMES: Wednesday, March 30, 2005, 2:00 p.m.

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

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

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

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

The **Governor’s Commission on Volunteerism and Community Service**, Volunteer Florida is pleased to announce a meeting to which all persons are invited.

DATE AND TIME: April 4, 2005, 2:00 p.m. – 9:00 p.m.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** 2:00 p.m. – 5:00 p.m.: Site visits to area AmeriCorps, Learn and Serve and Volunteer Centers; 5:00 p.m. – 9:00 p.m.: Informal discussion and networking reception.

DATE AND TIME: April 5, 2005, 9:00 a.m. – 3:00 p.m.

PLACE: Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Quarterly Meeting: General Commission business and kickoff for Florida Volunteer Month.

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

The **Governor’s Faith-Based and Community Advisory Board** announces the following meeting of the board to which all persons are invited to attend.

MEETING TYPE: State Programs: Best Practices Subcommittee

DATE AND TIME: Wednesday, April 6, 2005, 3:00 p.m.

PLACE: Via conference call at 401 South Monroe Street, Tallahassee, Florida 32301, Conference Call-in Number (850)410-0960

For a copy of the agenda and more information about how to attend the meeting contact: Mark Nelson, (850)413-0909, e-mail: mark@volunteerflorida.org.

Persons with disabilities who require assistance to participate in the meeting are requested to notify the commission office at the same address or telephone number above at least seven days in advance so that their needs can be accommodated.

**REGIONAL PLANNING COUNCILS**

The **Northeast Florida Regional Council**, Personnel, Budget, and Finance Policy Committee announces the following public meeting to which all persons are invited:

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

PLACE: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216



GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss pending personnel, budget, and finance policy matters. A copy of the agenda may be obtained by contacting: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

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The **Northeast Florida Regional Council**, Planning and Growth Management Policy Committee announces the following public meeting to which all persons are invited.

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

PLACE: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss pending planning and growth management issues.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

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The **Northeast Florida Regional Council** announces the following public meeting to which all persons are invited.

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

PLACE: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly Meeting.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

If a person decides to appeal any decision made by the Council with respect to any matter considered at this meeting, he/she will have to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based.

Individuals needing materials in alternate format, sign language interpreter, or other meeting information, call Peggy Conrad, (904)279-0880, Extension 145, at least three working days prior to the meeting. Hearing-impaired callers use Florida Relay Service, 1(800)955-8771.

Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

The **Northeast Florida Regional Council**, Ad Hoc Committee on Beach Access announces the following public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 7, 2005, 11:30 a.m.

PLACE: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee is established to examine how the Council can address the issue of Beach Access.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

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The **Tampa Bay Local Emergency Planning Committee**, (LEPC) District VIII announces a public meeting to which all persons are invited.

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

PLACE: Tampa Bay Regional Planning Council, 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782-6136

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida District VIII LEPC and discuss and implement provisions of the Emergency Planning and Community Right-to-Know Act (EPCRA).

A copy of the agenda may be obtained by contacting: Bill Lofgren, LEPC Coordinator, Tampa Bay Regional Planning Council, 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782-6136, (727)570-5151, Ext 33.

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

Any persons needing special accommodations at this meeting because of a disability or physical impairment should contact the Tampa Bay Regional Planning Council, (727)570-5151, within three working days of the meeting.

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The **South Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, April 4, 2005, 10:30 a.m.

PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any Development Order received prior to the meeting; Any proposed Local Government Comprehensive Plan received prior to the meeting; Any adopted Local Government Comprehensive Plan received prior to the meeting; Any

proposed Local Government Comprehensive Plan Amendment received prior to the meeting; Any adopted Local Government Comprehensive Plan Amendment received prior to the meeting; Meeting on monthly Council business; Executive Committee meeting at 10:00 a.m. at the above location.

A copy of the agenda may be obtained by writing: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite #140, Hollywood, Florida 33021.

Anyone deciding to appeal any decision made by the board with respect to any matter considered at this meeting, will need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

Council related committees may meet periodically before (9:00 a.m.) and following the regularly scheduled Council meetings. Any party desirous of ascertaining schedules of the sub-committees should call the Council Offices, (954)985-4416 (Broward).

If you are hearing or speech impaired, please contact the South Florida Regional Planning Council, (954)967-4152, Ext. 40 (TDD), if you require additional information regarding the above meeting. If you require special accommodations because of a disability or physical impairment, please contact the Council, (954)985-4416, at least five calendar days prior to the meeting.

**WATER MANAGEMENT DISTRICTS**

The **Southwest Florida Water Management District** (SWFWMD) announces the following public meetings to which all interested persons are invited.

**GOVERNING BOARD COMMITTEE MEETINGS, BOARD MEETING AND PUBLIC HEARING**

**DATE AND TIME:** Tuesday, March 29, 2005, 9:00 a.m.  
**PLACE:** SWFWMD, District Headquarters, 2379 Broad Street, Brooksville, FL

The Southwest Florida Water Management District announces a closed attorney-client meeting, not open to the public:

**DATE AND TIME:** Tuesday, March 29, 2005, 12:00 Noon – completed

**PLACE:** Southwest Florida Water Management District, 2379 Broad Street, Building 4, Conference Rooms A & B, Brooksville, Florida 34604-6899

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Closed attorney-client session pursuant to Section 286.011(8), F.S., to discuss strategy related to litigation in Southwest Florida Water Management District v. Aloha Utilities, Inc., Circuit Court, Sixth Judicial Circuit, Case No. 2003-CA-1662-ES. The subject matter shall be confined to the pending litigation.

**ATTENDEES:** Southwest Florida Water Management District Governing Board members, Executive Director David L. Moore, General Counsel William S. Bilenky, and Senior Attorney Margaret M. Lytle.

Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record.

A copy of the transcript will be made part of the public record at the conclusion of the litigation.

For more information, please contact: Margaret M. Lytle, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, Extension 4651.

**GOVERNING BOARD COMMITTEE MEETINGS, BOARD MEETING AND PUBLIC HEARING** (Items not completed at Tuesday’s meeting may be carried over to Wednesday’s meeting. If all business is concluded at Tuesday’s meeting, there will be no meeting on Wednesday.)

**DATE AND TIME:** Wednesday, March 30, 2005, 9:00 a.m.  
**PLACE:** SWFWMD, District Headquarters, 2379 Broad Street, Brooksville, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Conduct of meeting and public hearing.

**PUBLIC WORKSHOP ON PROPOSED MINIMUM AND GUIDANCE LEVELS FOR CROOKED LAKE**

**DATE AND TIME:** Thursday, March 31, 2005, 6:00 p.m.  
**PLACE:** Rex Yentes Conference Center, Webber International University, 1201 North Scenic Highway, Babson Park, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Discuss proposed minimum and guidance levels for Crooked Lake and receive public comment on the proposed levels.

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.

**COMMISSION FOR THE TRANSPORTATION DISADVANTAGED**

The Florida **Commission for the Transportation Disadvantaged** announces a Joint Finance, Audit and Program Performance Committee and Oversight Committee Meeting to which all persons are invited.

**DATE AND TIME:** Tuesday, March 29, 2005, 10:00 a.m. – completion

**PLACE:** 2740 Centerview Drive, Suite 1-A, Rhyne Building, Tallahassee, FL, (850)410-5700 (Conference Call Number (850)487-8587, Suncom 277-8587)

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct regular committee business.

In accordance with the Americans with Disabilities Act, persons in need of special accommodation to participate in the meeting or an agenda should contact: Erin Schepers, Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450, (850)410-5700 or 1(800)983-2435 or 1(800)648-6084 (TDD only). The meeting is subject to change upon chairpersons' request.

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The Florida **Commission for the Transportation Disadvantaged** announces an Ombudsman Committee Meeting to which all persons are invited.

DATE AND TIME: Tuesday, March 29, 2005, 3:00 p.m. – completion

PLACE: Conference Call Number (850)487-8587, Suncom 277-8587; 2740 Centerview Drive, Suite 1-A, Rhyne Building, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To address regular Committee business.

In accordance with the Americans with Disabilities Act, persons in need of special accommodation to participate in the meeting or an agenda should contact: Erin Schepers, Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450, (850)410-5700 or 1(800)983-2435. The meeting is subject to change upon chairperson's request.

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The Florida **Commission for the Transportation Disadvantaged** announces Transportation Disadvantaged Legislative Day to which all persons are invited.

DATE AND TIME: Thursday, March 31, 2005, 9:00 a.m. – completion

PLACE: The Capitol, Tallahassee, FL

In accordance with the Americans with Disabilities Act, persons in need of special accommodation to participate in the meeting or an agenda should contact: Jamie Longfellow, Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450, (850)410-5700, 1(800)983-2435 or 1(800)648-6084 (TDD only). The meeting is subject to change upon chairperson's request.

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The Florida **Commission for the Transportation Disadvantaged** announces a Full Commission Meeting to which all persons are invited.

DATE AND TIME: Wednesday, March 30, 2005, 1:00 p.m. – completion

PLACE: Ramada Inn, 2900 North Monroe Street, Tallahassee, Florida 32303, (850)386-1027 (Conference Call Number (850)410-0966, Suncom 210-0966)

GENERAL SUBJECT MATTER TO BE CONSIDERED: To address regular Commission business.

In accordance with the Americans with Disabilities Act, persons in need of special accommodation to participate in the meeting or an agenda should contact: Erin Schepers, Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450, (850)410-5700 or 1(800)983-2435. The meeting is subject to change upon chairperson's request.

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#### DEPARTMENT OF ELDER AFFAIRS

The **Department of Elder Affairs** will hold a conference call with the signers of the Triad Resolution and other interested parties.

DATE AND TIME: Wednesday, March 30, 2005, 11:00 a.m.

PLACE: Call in numbers (850)414-0960, Suncom 210-0960

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss matters related to the Florida Triad.

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#### AGENCY FOR HEALTH CARE ADMINISTRATION

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

DATE AND TIME: Tuesday, March 29, 2005, 9:30 a.m.

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

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

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact: Adrienne Henderson, (850)922-0594, at least five calendar days prior to the meeting.

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

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

DATE AND TIME: Friday, April 1, 2005, 10:00 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, Conference Rooms D and E, Tallahassee, FL 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Health Plan Consumer Reports Technical Workgroup to discuss the content and format of reports to be published in 2005.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact William Dahlem, (850)410-0224, at least five calendar days prior to the meeting.

A copy of the agenda may be obtained by writing: William Dahlem, Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, Mail Stop #16, Tallahassee, FL 32308-5403.

The **Agency for Health Care Administration** announces a meeting of the Council for the Regular Disproportionate Share Program to which all persons are invited.

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

PLACE: The Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room C, Tallahassee, FL 32308 (If you are unable to participate in person, you may participate by telephone at (850)410-0967)

GENERAL SUBJECT MATTER TO BE CONSIDERED: In accordance with HB 1843, Section 13 (9) of the 2004-05 Florida Legislature, and 409.911, F.S., the Agency for Health Care Administration has created the Medicaid Disproportionate Share Council:

The purpose of the council is to study and make recommendations regarding:

1. The formula for the regular disproportionate share program and alternative financing options;
2. Enhanced Medicaid funding through the Special Medicaid Payment program; and
3. The federal status of the upper-payment-limit funding option and how this option may be used to promote health care initiatives determined by the council to be state health care priorities.

The council shall include representatives of the Executive Office of the Governor and of the agency; representatives from teaching, public, private nonprofit, private for-profit and family practice teaching hospitals; and representatives from other groups as needed.

The council shall submit its findings and recommendations to the Governor and the Legislature no later than February 1 of each year.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The agenda has not been set. Contact Edwin Stephens, (850)413-8067, Suncom 294-8067, with any questions or to obtain an agenda when it is set.

**DEPARTMENT OF MANAGEMENT SERVICES**

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

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

PLACE: Marriott Hotel, 7499 Augusta National Airport, Orlando, Florida

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

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

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

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

**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.

DATE AND TIME: Thursday, March 31, 2005, 9:00 a.m. – business is completed

PLACE: Boardroom, Department of Business and Professional Regulation, Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Advisory Council on Condominiums.

AGENCY CONTACT PERSON: Carol Windham, Government Analyst, 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 Florida **Mobile Home Relocation Corporation** announces a meeting of its Board of Directors. The board will consider mobile home applications for abandonment and relocation compensation due to evictions as a result of a change in land use.

DATE AND TIME: Friday, April 1, 2005, 9:30 a.m.

PLACE: Shady Lane Oaks, 15777 Bolesta Rd., Clearwater, FL 22760

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of the Florida Mobile Home Relocation Corporation. Review of mobile home owner applications for compensation for relocation and/or abandonment due to change in land use, and such other business as may come before the board. A schedule for the next meeting will be determined.

Additional information may be obtained by contacting: Mandy Lemons, Executive Director, FMHRC, P. O. Box 14125 Tallahassee, FL 32317-4125, 1(888)862-7010.

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

DATE AND TIMES: March 22, 2005, 9:00 a.m. and 10:00 a.m. or soon thereafter

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

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

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

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

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The Florida **Board of Landscape Architecture** announces the following meeting to which all persons are invited to attend.

DATE AND TIME: April 22, 2005, 9:00 a.m. Eastern Time

PLACE: Casa Monica Hotel, 95 Cordova Street, St. Augustine, FL 32259, (904)827-1888

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).

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The Florida **Board of Pilot Commissioners** announces the following meetings, to which all persons are invited to attend.

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

PLACE: Hampton Inn & Suites, 19 Second Street, Fernandina Beach, FL 32034

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 Pilot Commissioners, 1940 N. Monroe St., Tallahassee, Florida 32399.

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

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board office, (850)922-5012, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

DATE AND TIME: April 1, 2005, 9:00 a.m. (Access Phone: (850)487-8540, Suncom 277-8540)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel meeting portions which, are closed to the public. Agenda available on request.

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

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

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board office, (850)922-7154, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

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#### DEPARTMENT OF HEALTH

The Florida **Emergency Medical Services Advisory Council Committees**, Constituency Groups, Florida Emergency Medical Services for Children Advisory Committee, and the Florida Emergency Medical Services Advisory Council will hold their quarterly meetings.

**DATES AND TIMES:** April 13, 2005, 8:00 a.m. – 6:00 p.m.; April 14, 2005, 8:00 a.m. – 6:00 p.m.; April 15, 2005, 8:00 a.m. – 2:00 p.m.

**PLACE:** Bureau of Emergency Medical Services, 4052 Bald Cypress Way, Bin #C18, Tallahassee, FL 32399-1738, (850)245-4440

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct general business of the council.

A schedule of meetings or an agenda may be obtained by contacting: Desi Lassiter, Bureau of Emergency Medical Services, (850)245-4055.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment, should contact the Bureau of Emergency Medical Services, (850)245-4055, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please call the Bureau of Emergency Medical Services using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

For further information, write: Desi Lassiter, 4052 Bald Cypress Way, Bin #C18 (HEMS), Tallahassee, Florida 32399-1738, (850)245-4440.

The **Board of Chiropractic Medicine**, Probable Cause Panel will hold a duly noticed meeting, to which all persons are invited to attend.

**DATE AND TIME:** Thursday, March 31, 2005, 9:00 a.m.

**PLACE:** Department of Health, 4042 Bald Cypress Way, Tallahassee, Florida, Meet Me Number (850)921-6513

**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 Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257.

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The **Board of Chiropractic Medicine** will hold a duly noticed telephone conference call, to which all persons are invited to attend.

**DATE AND TIME:** Monday, April 4, 2005, 1:00 p.m.

**PLACE:** Department of Health, 4042 Bald Cypress Way, Bin #C07, Tallahassee, Meet Me Number (850)487-8856

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General board business.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board, (850)245-4355, at least 48 hours prior to the meeting. If you are a hearing or speech impaired, please contact the Board office using the Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

A copy of the agenda item may be obtained by writing: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257, website: [www.doh.state.fl.us/mqa/chiro/chiro\\_home.html](http://www.doh.state.fl.us/mqa/chiro/chiro_home.html).

The **Board of Nursing** will hold a duly noticed Rules Workshop, to which all persons are invited to attend.

DATE AND TIME: Wednesday, April 13, 2005, 4:00 p.m.

PLACE: Wyndham Ft. Lauderdale Airport, 1870 Griffin Road, Dania Beach, FL 33004

GENERAL SUBJECT MATTER TO BE CONSIDERED: Proposed Rule 64B9-17, F.A.C., Role of the Nurse in Conscious Sedation.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board, (850)245-4125, at least 48 hours prior to the meeting. If you are a hearing or speech impaired, please contact the Board office using the Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

A copy of the agenda item may be obtained by writing: Dan Coble, Executive Director, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3257.

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The **Board of Optometry**, Topical Ocular Pharmaceutical Agents Committee will hold a duly noticed telephone conference call, to which all persons are invited to attend.

DATE AND TIME: Monday, March 28, 2005, 10:00 a.m.

PLACE: Department of Health, 4042 Bald Cypress Way, Bin #C07, Tallahassee, Meet Me Number (850)410-8045

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review the TOPA formulary.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board, (850)245-4355, at least 48 hours prior to the meeting. If you are a hearing or speech impaired, please contact the Board office using the Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

A copy of the agenda item may be obtained by writing: Joe Baker, Jr., Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257, website: [www.doh.state.fl.us/mqa/optometry/op\\_home.html](http://www.doh.state.fl.us/mqa/optometry/op_home.html).

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The **Board of Orthotists and Prosthetists** will hold a duly noticed meeting and telephone conference call, to which all persons are invited to attend.

DATE AND TIME: Friday, April 1, 2005, 9:00 a.m.

PLACE: Renaissance Tampa Hotel International Plaza, 4200 Jim Walter Boulevard, Tampa, FL 33607, (813)877-9200

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board, (850)245-4355, at least 48 hours prior to the meeting. If you are a hearing or speech impaired, please contact the Board office using the Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

A copy of the agenda item may be obtained by writing: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257, website: [www.doh.state.fl.us/mqa/Orth&Pros/por\\_home.html](http://www.doh.state.fl.us/mqa/Orth&Pros/por_home.html).

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The **Department of Health, Board of Athletic Training** announces an Official Board Meeting. All interested parties are invited to attend at the address below, which is open to the public.

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

PLACE: Hilton Orlando/Altamonte Springs, 350 South North Lake Blvd., Orlando, FL 32715, (407)830-1985

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Business.

A copy of the agenda may be obtained by writing: Sue Foster, Executive Director, Board of Athletic Training, Department of Health, 4052 Bald Cypress Way, Bin #C08, Tallahassee, FL 32399.

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

Those who are hearing impaired, using TDD equipment, can call the Florida Telephone Relay System, 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster at least a week in advance at (850)245-4474.

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The Florida Alliance for Diabetes Prevention and Care, Community Partnerships Workgroup: **Department of Health**, Diabetes Prevention and Control Program will hold a workgroup meeting via conference call to which all interested persons are invited to participate.

DATE AND TIME: Thursday, March 24, 2005, 12:00 Noon – 1:00 p.m., Toll Free No. provided by moderator

If you would like to join the conference call, have questions, or require additional information, please contact: M. R. Street, (850)245-4330. All requests for special accommodations must be received by Tuesday, March 22, 2005, 5:00 p.m., Eastern Time.

The Florida Alliance for Diabetes Prevention and Care, Education Workgroup: **Department of Health**, Diabetes Prevention and Control Program will hold a workgroup meeting via conference call, to which all interested persons are invited to participate.

DATE AND TIME: Friday, March 25, 2005, 12:00 Noon – 1:00 p.m., Toll Free No. provided by moderator

If you would like to join the conference call, have questions, or require additional information, please contact: M. R. Street, (850)245-4330. All requests for special accommodations must be received by Tuesday, March 22, 2005, 5:00 p.m., Eastern Time.

The Florida Alliance for Diabetes Prevention and Care, Data Workgroup: **Department of Health**, Diabetes Prevention and Control Program will hold a workgroup meeting via conference call to which all interested persons are invited to participate.

DATE AND TIME: Thursday, March 31, 2005, 12:00 Noon – 1:00 p.m., TOLL FREE No. provided by moderator

If you would like to join the conference call, have questions, or require additional information, please contact: M. R. Street, (850)245-4330.

All requests for special accommodations must be received by Tuesday, March 29, 2005, 5:00 p.m., Eastern Time.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

The **Council on Homelessness**, Barriers and Support Services, Data Collections, Supportive Housing Development, and Planning/Executive Committees announces a series of conference call meetings to which all persons are invited.

COMMITTEE: Barriers and Support Services

DATES AND TIME: Tuesday, April 5, 2005; May 3, 2005; June 7, 2005, 2:00 p.m. – 3:00 p.m. (1st Tuesday)

PLACE: Conference Call (850)410-0968, Suncom 210-0968, Confirmation Number: 30A 0307

COMMITTEE: Data Collection

DATES AND TIME: Thursday, April 7, 2005; May 5, 2005; June 2, 2005, 11:00 a.m. – 12:00 Noon (1st Thursday)

PLACE: Conference Call (850)414-6477, Suncom 994-6477, Confirmation Number 30H 0307

COMMITTEE: Planning/Executive

DATES AND TIME: Monday, April 4, 2005; May 2, 2005; June 6, 2005, 3:00 p.m. – 4:00 p.m. (1st Monday)

PLACE: Conference Call (850)922-2998, Suncom 292-2998, Confirmation Number 30x 0307

COMMITTEE: Supportive Housing

DATES AND TIME: Thursday, April 28, 2005; May 26, 2005; June 30, 2005, 2:00 p.m. – 3:00 p.m. (4th Thursday)

PLACE: Conference Call (850)487-9454, Suncom 277-9454, Confirmation Number 30N 0307

GENERAL SUBJECT MATTER TO BE CONSIDERED: These conference calls will address the committees' continued development of policy recommendations and work tasks to address the Councils' Strategic Plan to reduce the number of persons who may be facing homelessness in Florida.

A copy of the agenda may be obtained by contacting: Tom Pierce, State Office on Homelessness, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700, (850)922-9850, e-mail: Tom\_Pierce@dcf.state.fl.us.

Pursuant to Chapter 286.26, Florida Statutes, any disabled person wishing to access this meeting who may be in need of special assistance should contact the Office on Homelessness, (850)922-4691, at least 48 hours in advance of this meeting.

The **Department of Children and Family Services** and the Community Enhancement and Educational Development Program of the Lawton and Rhea Chiles Center for Healthy Mothers and Babies of the University of South Florida announce the fourth and fifth meetings of the TEAM Florida Partnership Interprogram Task Force addressing the Florida Child Abuse Prevention Plan. The meetings will be held in Tallahassee, FL.

DATE AND TIME: Fourth meeting – April 4, 2005, 9:00 a.m. – 4:00 p.m.

DATE AND TIME: Fifth meeting – May 16, 2005, 9:00 a.m. – 4:00 p.m.

PLACE: Room 301, Building 4025 Esplanade Way (Department of Health), Southwood Office Complex, South East Capital Circle, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Fourth meeting: Review input from district plans, review objectives and strategies, review Background section, discuss Marketing Plan, finalize organization of plan, discuss methodology for evaluation of plan. Fifth meeting: Final review of entire plan, discussion of the sign-off plan and timetable, finalize the evaluation methodology, finalize the marketing plan.

A copy of each agenda may be obtained from: Julie Helter, (850)488-4768, two weeks before each meeting.

Persons with disabilities who require assistance to participate in the meeting are requested to notify Ms. Helter at least 48 hours in advance so that their needs can be accommodated.



The Florida **Department of Children and Family Services** announces a conference call to which all persons are invited.

DATE AND TIME: March 29, 2005, 3:00 p.m. – 5:00 p.m.

PLACE: Dial-in number Toll-free 1(877)651-3473

GENERAL SUBJECT MATTER TO BE CONSIDERED:

This conference call will be for the purpose of reviewing applications and selecting candidates to be interviewed for the position of Assistant Secretary for Substance Abuse and Mental Health.

In accordance with the Americans with Disabilities Act, persons needing an accommodation to participate in this conference call should contact Florida Department of Children and Families three days prior to the call (850)487-1111.

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The **Department of Children and Family Services, Mental Health Program Office** announces a meeting to which all interested persons are invited to participate.

DATE AND TIME: March 29, 2005, 3:00 p.m. – 5:00 p.m.

PLACE: Department of Children and Family Services, Chappie James Bldg., 160 Governmental Center, Room 501-A, Pensacola, FL 32502

GENERAL SUBJECT MATTER TO BE CONSIDERED: The department is seeking public input and information regarding the re-designation of the following facilities: Baptist Behavioral Medicine as a private Baker Act receiving facility; and Lakeview Center, Inc., as a public Baker Act receiving facility.

For further information contact: Diovelis D. Stone, (850)595-8369, Suncom 695-8369.

Comments may be forwarded earlier to: District One, Substance Abuse and Mental Health Program Office, 160 Governmental Center, Suite 713, Pensacola, Florida 32502 or turned in at the meeting, or brief presentations may be made.

Those needing special accommodations due to a disability, contact Cindy Sheffield, (850)595-8104, 72 hours prior to meeting.

P.O.# S6020 LQ0312

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The **Department of Children and Family Services** announces the Nassau County Community Alliance meeting to which all interested individuals are invited.

DATE AND TIME: Monday, March 21, 2005, 2:00 p.m.

PLACE: Children and Family Education Center, 479 Felmor Road, Yulee, Florida 32097

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Issues relating to the needs of children and vulnerable adults, including community-based care and community efforts to prevent child abuse.

If you need special accommodations due to disability or for directions, or if you would like to request a copy of the meeting agenda, please contact: John Harrell, Department of Children and Family Services, (904)723-5470.

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The **Department of Children and Family Services** announces the Community Alliance of Northeast Florida meeting to which all interested individuals are invited.

DATE AND TIME: Wednesday, March 23, 2005, 2:30 p.m.

PLACE: 5920 Arlington Expressway, Jacksonville, Florida 32211

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Issues relating to the needs of children and vulnerable adults, including community-based care and community efforts to prevent child abuse.

If you need special accommodations due to disability or for directions, or if you would like to request a copy of the meeting agenda, please contact: John Harrell, Department of Children and Family Services, (904)723-5470.

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#### FLORIDA HOUSING FINANCE CORPORATION

The **Florida Housing Finance Corporation** announces the following Review Committee meetings to which all persons are invited to attend:

DATES AND TIME: Monday, March 28, 2005; Friday, April 1, 2005, 2:00 p.m. (EST)

PLACE: Rick Seltzer Conference Room, Suite 6000, Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, Florida 32301-1329

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the evaluations of responses submitted for Florida Housing Finance Corporation's Request for Qualifications #2005-01 for Special Counsel Services.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Robin Grantham, Florida Housing Finance Corporation, (850)488-4197, at least five (5) calendar days prior to the meeting. If you are hearing impaired, please contact Florida Housing Finance Corporation using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

The **Affordable Housing Study Commission** announces a meeting to which all interested persons are invited to participate.

DATES AND TIMES: April 6, 2005, 12:00 Noon – 5:00 p.m.; April 7, 2005, 8:30 a.m. – 1:00 p.m.

PLACE: Seltzer Conference Room, 6th Floor, City Centre Building, 227 North Bronough Street, Tallahassee, Florida 32301

For questions please contact: Rhanda Mckown, Florida Housing Finance Corporation, (850)488-4197. Check the website periodically for updates at [www.floridahousing.org/ahsc](http://www.floridahousing.org/ahsc).

**FISH AND WILDLIFE CONSERVATION COMMISSION**

The Florida **Fish and Wildlife Conservation Commission** announces a Public Hearing for Box R Wildlife Management Area, located in Franklin County, Florida.

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

PLACE: Franklin County Courthouse, Annex Building, 34 Forbes Street, Apalachicola, Florida 32320

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive public comments regarding considerations for the FWC's ten-year Conceptual Management Plan for the Box R Wildlife Management Area (WMA).

This hearing is designed exclusively for discussion of the draft Conceptual Management Plan. Participants should understand that the purpose for this hearing does not include the opportunity to discuss public use and/or hunting regulations for the Box R WMA. There is a separate public process for this purpose.

A Management Prospectus for the Box R WMA is available upon request from: Florida Fish and Wildlife Conservation Commission, Land Management Planning Section, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)410-0656, Ext. 17334.

**DEPARTMENT OF FINANCIAL SERVICES**

The **Department of Financial Services, Division of State Fire Marshal** announces a public meeting to which all persons are invited.

DATE AND TIME: April 4, 2005, 3:00 p.m.

PLACE: Larson Building, Room 529, 200 E. Gaines Street, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Florida Firefighters Employment, Standards and Training Council.

A copy of the agenda may be obtained by writing: Department of Financial Services, Division of State Fire Marshal, 11655 N. W. Gainesville Road, Ocala, FL 34482-1486, (352)369-2800.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing a special accommodation to participate in this meeting or workshop should contact the address or phone number listed above no later than 48 hours prior to the meeting or workshop.

The **Financial Services Commission** announces a public hearing to which all persons are invited:

DATE AND TIME: April 5, 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 Proposed Rule 690-203.210, Florida Administrative Code, published on December 30, 2004, in Vol. 30, No. 53, 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: David Brown, e-mail: [david.brown@fldfs.com](mailto:david.brown@fldfs.com).

The **Financial Services Commission** announces a public hearing to which all persons are invited:

DATE AND TIME: April 5, 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 Rule Chapter 690-149, Part X, Florida Administrative Code, published on December 23, 2004, in Vol. 30, No. 52, of the Florida Administrative Weekly. No notice of change was published.

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: Frank Dino, e-mail: [frank.dino@fldfs.com](mailto:frank.dino@fldfs.com).

**DEPARTMENT OF MILITARY AFFAIRS**

The **Department of Military Affairs**, St. Francis Barracks, St. Augustine, FL announces a meeting to which all interested persons are invited to participate.

DATE AND TIME: Thursday, March 24, 2005, 1:30 p.m.

PLACE: Adjutant General's Conference Room, St. Francis Barracks, 82 Marine Street, St. Augustine, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Armory Board Meeting. The Armory Board will consider action on contracts, leases, agreements and other business relative to real property and facility management issues under its control.

If a person decides to appeal any decision made by the Armyory Board with respect to any matter considered at this meeting, that person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

IN ACCORDANCE WITH FLORIDA STATUTE 286.0105.

**COMMISSION ON MARRIAGE AND FAMILY SUPPORT INITIATIVES**

The **Commission on Marriage and Family Support Initiatives** announces the following meeting of the commission to which all persons are invited to attend.

MEETING TYPE: Public Awareness Committee

DATE AND TIME: Friday, April 1, 2005, 9:00 a.m. – 11:00 a.m.

PLACE: Via conference call, 111 N. Gadsden Street, Suite 100, Tallahassee, FL 32301-1507

For a copy of the agenda and more information about how to attend the meeting contact: Heidi Rodriguez, (850)488-4952, Ext. 135, e-mail: hrodriguez@ounce.org.

Persons with disabilities who require assistance to participate in the meeting are requested to notify the commission office at the same address or telephone number above at least seven days in advance so that their needs can be accommodated.

The **Commission on Marriage and Family Support Initiatives** announces the following meeting of the commission to which all persons are invited to attend.

MEETING TYPE: Program Committee

DATE AND TIME: Wednesday, April 6, 2005, 9:00 a.m. – 11:00 a.m.

PLACE: Via conference call, 111 N. Gadsden Street, Suite 100, Tallahassee, FL 32301-1507

For a copy of the agenda and more information about how to attend the meeting contact: Heidi Rodriguez, (850)488-4952, Ext. 135, e-mail: hrodriguez@ounce.org.

Persons with disabilities who require assistance to participate in the meeting are requested to notify the commission office at the same address or telephone number above at least seven days in advance so that their needs can be accommodated.

The **Commission on Marriage and Family Support Initiatives** announces the following meeting of the commission to which all persons are invited to attend.

MEETING TYPE: Policy Committee

DATE AND TIME: Thursday, April 7, 2005, 9:00 a.m. – 11:00 a.m.

PLACE: Via conference call, 111 N. Gadsden Street, Suite 100, Tallahassee, FL 32301-1507

For a copy of the agenda and more information about how to attend the meeting contact: Heidi Rodriguez, (850)488-4952, Ext. 135, e-mail: hrodriguez@ounce.org.

Persons with disabilities who require assistance to participate in the meeting are requested to notify the commission office at the same address or telephone number above at least seven days in advance so that their needs can be accommodated.

**ORANGE COUNTY RESEARCH AND DEVELOPMENT AUTHORITY**

The **Orange County Research and Development Authority** announces a public meeting to which all persons are invited:

DATE AND TIME: April 14, 2005, 8:00 a.m.

PLACE: Central Florida Research Park, 12424 Research Parkway, Suite 100, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

**Section VII  
Notices of Petitions and Dispositions  
Regarding Declaratory Statements**

**DEPARTMENT OF COMMUNITY AFFAIRS**

NOTICE IS HEREBY GIVEN that the Florida Building Commission received a request for a Declaratory Statement on March 2, 2005, from William C. Hill for Fortifiber Building Systems Group regarding whether Rule 9B-72, Fla. Admin. Code, applies to the petitioner’s moisture protection membrane product.

It has been assigned the number DCA05-DEC-047.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that the Florida Building Commission has issued a Declaratory Statement in response to a request received from Stephen P. Maslan, P.E., of STEPHEN P. MASLAN & CO., which was received on June 15, 2004.

It was assigned the number DCA04-DEC-123.

The Commission determined that pre-engineered metal buildings that are custom fabricated are not collectively subject to Rule 9B-72, F.A.C., although structural products and products comprising the envelope of the subject buildings may be subject to product approval as required by law.

A copy of the Declaratory Statement 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 Robert Boyer of PALM BEACH COUNTY, BUILDING DIVISION, which was received on August 17, 2004.

It was assigned the number DCA04-DEC-161.

The Commission determined that the product described in the Petition meets the definition of structural component as provided in subsection 9B-72.010(28), F.A.C., and is therefore subject to product approval.

A copy of the Declaratory Statement be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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NOTICE IS HEREBY GIVEN that the Florida Building Commission has issued a Declaratory Statement in response to a request received from Robert Boyer of PALM BEACH COUNTY, BUILDING DIVISION, which was received on August 17, 2004.

It was assigned the number DCA04-DEC-162.

The Commission determined that the wall system described in the Petition is a manufactured building of closed construction. The system, however, is custom in nature. The system is custom fabricated per customer order, although individual panels may be replicated on unpredictable basis. Therefore, the system is not subject to approval by the Manufactured Buildings Program.

A copy of the Declaratory Statement be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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NOTICE IS HEREBY GIVEN that the Florida Building Commission has issued a Declaratory Statement in response to a request received from C.W. Macomber of PALM BEACH COUNTY, BUILDING DIVISION, which was received on August 18, 2004.

It was assigned the number DCA04-DEC-163.

The Commission determined that TAS 202 specifically provides for rational analysis in accordance with Chapter 24 of the Florida Building Code, Building Volume (2001 as amended 6/30/03), as a foundation for use of a smaller window than that tested attributing to the smaller window a higher allowable pressure rating. Based thereon, the Commission retracts from the Declaratory Statement in Case # DCA04-DEC-117 to the extent that it is inconsistent with this conclusion pertaining to TAS 202.

A copy of the Declaratory Statement be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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NOTICE IS HEREBY GIVEN that the Florida Building Commission has issued a Declaratory Statement in response to a request received from Ricardo Lizarazu of SUNCOAST POST-TENSION, which was received on November 8, 2004.

It was assigned the number DCA04-DEC-165.

The Commission determined that pursuant to Section 1618.1, Florida Building Code, Building Volume (2001 as amended 6/30/03), a live load reduction is not allowed in the design of slabs.

A copy of the Declaratory Statement be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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NOTICE IS HEREBY GIVEN that the Florida Building Commission has issued a Declaratory Statement in response to a request received from C.W. Macomber of PALM BEACH COUNTY, BUILDING DIVISION, which was received on September 20, 2004.

It was assigned the number DCA04-DEC-188.

The Commission determined that contracts for the prevention of subterranean termites in new construction must meet the requirements in Chapter 482, Florida Statutes, and Chapter 5E-14, F.A.C.

A copy of the Declaratory Statement be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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NOTICE IS HEREBY GIVEN that the Florida Building Commission has issued a Declaratory Statement in response to a request received from Bart Walden of CBS BUILDERS SUPPLY, INC., which was received on September 29, 2004.

It was assigned the number DCA04-DEC-192.

The Commission determined that pursuant to Sections 553.36(12), 553.37(2),(11), Florida Statutes, the Petitioner's product is a manufactured building (component) subject to local plan review and inspection.

A copy of the Declaratory Statement be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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NOTICE IS HEREBY GIVEN that the Florida Building Commission has issued a Declaratory Statement in response to a request received from Roger Joyce of THE BILCO COMPANY, which was received on October 4, 2004.

It was assigned the number DCA04-DEC-195.

The Commission determined that the Petitioner's product meets the definition of structural component as provided in subsection 9B-72.010(28), F.A.C., and is therefore subject to product approval.

A copy of the Declaratory Statement be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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NOTICE IS HEREBY GIVEN that the Florida Building Commission has issued a Declaratory Statement in response to a request received from W. Vincent of CONSTRUCTION SPECIALTIES, INC., which was received on October 28, 2004.

It was assigned the number DCA04-DEC-219.

The Commission determined that the louvers described in the Petition, non-standardized models, installed pursuant to a custom-engineered design, are exempt from the system of product approval defined in Rule 9B-72, F.A.C., pursuant to Section 553.842(11), Florida Statutes.

A copy of the Declaratory Statement be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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NOTICE IS HEREBY GIVEN that the Florida Building Commission received a Petition for Declaratory Statement on August 7, 2002, from RENNA ENTERPRISES, INC.

It was assigned the number DCA02-DEC-224.

An Order dismissing the petition for failure to meet the requirements in Rule 28-105.002, F.A.C., was entered by the Clerk on February 25, 2005.

A copy of the Order may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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NOTICE IS HEREBY GIVEN that the Florida Building Commission has issued a Declaratory Statement in response to a request received from Patricia Weeks of BLAIR HOMECRAFTERS OF LESSBURG, LLC, which was received on November 30, 2004.

It was assigned the number DCA04-DEC-230.

The Commission determined that there was no conflict between Section 905.2.2, Florida Building Code, Building Volume (2001 as amended 6/30/03) and the provisions of NFPA 72-1999 and determining that the Petitioner is required to comply with both provisions.

A copy of the Declaratory Statement be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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NOTICE IS HEREBY GIVEN that the Florida Building Commission has issued a Declaratory Statement in response to a request received from Carl Driver of NUAIR MANUFACTURING, which was received on November 12, 2004.

It was assigned the number DCA04-DEC-231.

The Commission determined that the formulas and calculations from ASTM E1300 may be used in place of the graphs in Figure 2405.3, Florida Building Code, Building Volume (2001 as amended 6/30/03) for determining glass design loads.

A copy of the Declaratory Statement be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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NOTICE IS HEREBY GIVEN that the Florida Building Commission received a Petition for Declaratory Statement on August 19, 2002, from AAA ROOFING CORP.

It was assigned the number DCA02-DEC-236.

An Order dismissing the petition for failure to meet the requirements of Rule 28-105.002, F.A.C., was entered by the Clerk on February 25, 2005.

A copy of the Order may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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NOTICE IS HEREBY GIVEN that the Florida Building Commission received a Petition for Declaratory Statement on August 28, 2002, from Joseph Shubiger of Charlotte County.

It was assigned the number DCA02-DEC-241.

An Order dismissing the petition for failure to meet the requirements in Rule 28-105.002, F.A.C., and Section 120.565(2), F.S., was entered by the Clerk on February 25, 2005.

A copy of the Order may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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NOTICE IS HEREBY GIVEN that the Florida Building Commission received a Petition for Declaratory Statement on August 31, 2002, from BAKER COUNTY.

It was assigned the number DCA02-DEC-242.

An Order dismissing the petition for failure to meet the requirements of Rule 28-105.001, F.A.C., was entered by the Clerk on February 25, 2005.

A copy of the Order may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that the Florida Building Commission received a Petition for Declaratory Statement on October 14, 2002, from SKLARCHITECTURE.

It was assigned the number DCA02-DEC-272. An Order dismissing the petition based on Rule 28-105.001, F.A.C., was entered by the Clerk on February 25, 2005.

A copy of the Order may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that the Florida Building Commission received a Petition for Declaratory Statement on November 13, 2002, from LAWRENCE E. BENNETT.

It was assigned the number DCA02-DEC-354. An Order dismissing the petition based on Rule 28-105.001, F.A.C., was entered by the Clerk on February 25, 2005.

A copy of the Order may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that the Florida Building Commission received a Petition for Declaratory Statement on December 5, 2002, from KID SAFE POOL NETS.

It was assigned the number DCA02-DEC-366. An Order dismissing the petition based on Rule 9B-72.030, F.A.C. and Section 553.77(1)(c), F.S., was entered by the Clerk on February 25, 2005.

A copy of the Order may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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

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

**DEPARTMENT OF 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 Nursing hereby gives notice that it has received a Petition for Declaratory Statement filed on March 2, 2005 by Donna Florence, MS, RN. The Petitioner seeks the Board’s interpretation of the application of Section 464.003(3)(a)2., Florida Statutes. Specifically, the Petitioner requests that the Board issued a Declaratory Statement determining under the provisions of Section 464.003(3)(a)2., Florida Statutes, whether it is within the scope of practice of a Registered Nurse to administer low dose anesthetic agents, specifically, Marcaine (bupivacaine), via continuous epidural catheter in a laboring woman or post partum women by increasing or decreasing the infusion rate, or bolusing 10cc via infusion pump with an anesthesiologist telephone order.

This petition will be considered at the April 13, 2005 meeting of the Board.

Copies of the petition may be obtained by writing: Dan Coble, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259.

The Board of Nursing hereby gives notice that it has received a Petition for Declaratory Statement filed on March 2, 2005 by Judy Fine, R.N., C. The Petitioner seeks the Board’s interpretation of the application of Section 464.003(3)(a), Florida Statutes. Specifically, the Petitioner requests that the Board issue a Declaratory Statement determining under the provisions of Section 464.003(3)(a), Florida Statutes, (1) whether it is within the scope of work of Judy Fine, R.N., C., to do psychiatric and mental health counseling as defined by Section 464.003, F.S., of the nurse practice act and as further defined by the American Nursing Association and the American Psychiatric Nursing Association, and (2) whether Judy Fine, R.N., C., is permitted to perform this service in a private office setting.

This petition will be considered at the April 13, 2005 meeting of the Board.

Copies of the petition may be obtained by writing: Dan Coble, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259.

The Board of Orthotists and Prosthetists hereby gives notice that it has received a Petition for Declaratory Statement filed on March 2, 2005 by Paul Prusakowski, a licensed prosthetist-orthotist. The Petitioner seeks the Board's opinion as to whether the Petitioner is obligated under Section 456.072(1)(i), F.S., to report as unlicensed practice a physician's employee, a nurse, or an unlicensed sales representative, who fits a patient with any device which is defined as an orthosis under Section 468.80(4), F.S.

Copies of the petition may be obtained by writing: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

**Section VIII  
Notices of Petitions and Dispositions  
Regarding the Validity of Rules**

**Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:**

**NONE**

**Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:**

**NONE**

**Section IX  
Notices of Petitions and Dispositions  
Regarding Non-rule Policy Challenges**

**NONE**

**Section X  
Announcements and Objection Reports of  
the Joint Administrative Procedures  
Committee**

**NONE**

**Section XI  
Notices Regarding Bids, Proposals and  
Purchasing**

**DEPARTMENT OF EDUCATION**

**REQUEST FOR BID**

The University of Florida, Purchasing Division will receive sealed bids for the following: ITB-05MW-253, DHRE #HS05582-20, Reid Hall Bathroom Renovations, estimated budget: \$525,000.00 to be opened April 19, 2005, at 2:00 p.m. Local Time. Scope of work: Renovating the bathrooms in Reid Hall, along with related work. Specifications and Plans are available in Purchasing Division, Elmore Hall, Radio Road, Gainesville, FL 32611, Telephone (352)392-1331. A Mandatory Pre-Bid Meeting will be held March 29, 2005, at 10 a.m. in the Reid Hall Library, Gainesville, FL. All questions should be directed to Jennifer Gresh, UF Purchasing (352)392-1331.

AMERICANS WITH DISABILITY ACT OF 1991 – If special accommodations are needed in order to attend the Pre-Bid Meeting or the Bid opening, contact Purchasing, (352)392-1331 within three (3) days of the event.

**NOTICE TO PROFESSIONAL CONSULTANTS**

Florida State University, State of Florida, announces that professional services for minor projects are required in the discipline of mechanical/electrical engineering.

Minor projects are specific projects for construction, renovation, alterations or additions that have a basic construction budget estimated to be \$1,000,000 or less; or studies for which the fee for professional services is \$100,000 or less. Campus Service contracts for minor projects provide that the consultant will be available on an as-needed basis. The University intends to award contracts to three firms for an initial period of one year beginning on or about July 1, 2005 and ending June 30, 2006. At the option of the University and the consultant, the contract may be renewed for up to two additional one year periods.

**INSTRUCTIONS:**

Firms desiring to provide professional services shall apply by letter specifying the campus service agreement for which they are applying. Proximity of location will be a prime factor in the selection of the firm.

Attach to each letter of application:

1. A completed Florida State University "Professional Qualifications Supplement," dated August 8, 2003. Applications on any other form, or on versions dated prior to 08/08/03, will not be considered.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered in the State of Florida to practice the required profession at the time of application. If the applicant is a corporation, it must be properly chartered by the Florida Department of State to operate in Florida.

Submit five (5) copies of the above requested data bound in the order listed above. Applications which do not comply with the above instructions will not be considered. Application material will not be returned.

The plans and specifications for campus service projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$50,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualification Supplements, descriptive project information, and selection criteria may be obtained on line at [www.fpc.fsu.edu](http://www.fpc.fsu.edu) or by contacting:

Lynetta Mills, Facilities Planning and Construction, 109 Mendenhall Maintenance Building A, Florida State University, Tallahassee, Florida 32306-4152, (850)644-2843 telephone, (850)644-8351 facsimile.

For further information on campus service projects, contact: Ms Betsy Parks, at the address and phone listed above.

Submittals must be received at the above location, by 2:00 p.m., local time, on Tuesday, April 19, 2005. Facsimile (FAX) submittals are not acceptable and will not be considered.

**NOTICE TO PROFESSIONAL CONSULTANTS**

Florida State University, State of Florida, announces that Professional Services in the discipline of architecture will be required for the project listed below:

Project No.: BR-296  
 Project and Location: Academic Center  
 Panama City Campus  
 Florida State University  
 Panama City, Florida

The project consists of the construction of a new academic center, which will include administrative offices, a multi-purpose hall, teaching, research and support spaces. The selected firm will provide design, construction documents and administration for the referenced project which is budgeted at \$16,800,000.00 for construction. The project delivery system will be construction management. Blanket professional liability insurance will be required for this project in the amount of \$2,000,000.00, and will be provided as a part of Basic Services. Mileage table B will be utilized.

**INSTRUCTIONS:**

Firms desiring to apply for consideration shall submit a letter of application.

The letter of application should have attached:

1. A completed Florida State University "Professional Qualifications Supplement," dated August, 2003. Applications on any other form, or on versions dated prior to 8/03, will not be considered. For this project, the selection category, Location, will be scored as follows: out of state firms will be assigned a "0"; in-state firms will be assigned a "1".
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Submit six (6) copies of the above requested data bound in the order listed above. Applications which do not comply with the above instructions may be disqualified. Application materials will not be returned.

The plans and specifications for Florida State University projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$50,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualifications Supplement forms, descriptive project information, and selection criteria may be obtained through our website, [www.fpc.fsu.edu](http://www.fpc.fsu.edu), or by contacting: Lynetta Mills, Facilities Planning and Construction, 109 Mendenhall Maintenance Building A, Florida State University, Tallahassee, Florida 32306-4152, (850)644-2843 telephone, (850)644-8351 facsimile.



For further information on the project, contact: Jim Reynolds, Project Manager, at the address and phone listed above.

Submittals must be received in the above office, by 2:00 p.m., local time, on Friday, April 27, 2005. Facsimile (FAX) or electronic submittals are not acceptable and will not be considered.

#### NOTICE TO PROFESSIONAL CONSULTANTS

The University of South Florida announces that continuing professional services are required for the following discipline:

Civil Engineer (Up to 2) (Tampa Campus with ability to include other campuses as required)

Projects included in the scope of this agreement will be specific projects for renovations, alterations, new construction and additions that have a basic construction budget estimated to be \$1,000,000 or less, or studies for which the fee for professional services is \$100,000 or less. Continuing Service contracts for these projects provide that the consultant will be available on an as-needed basis for the upcoming fiscal year, July 1, 2005 to June 30, 2006. Award of contract is for an initial period of one (1) year with an Owner's option to renew for one (1) additional year. This selection is based upon civil engineering services only. Other services (surveying, utility location, geotechnical and mechanical, electrical and structural) required for specific projects shall be provided as part of basic services through the selected civil engineer(s) based upon project need. Use of USF continuing service engineers by the selected civil engineer(s) shall be encouraged. The consultant receiving the award will not have an exclusive contract to perform services for these projects. The University may have additional continuing service professionals under contract during the same time period. Blanket professional liability insurance shall be required for the contract. Services are required to provide computer drawings according to the standards of the University of South Florida, including computer record drawings reflecting as-built conditions to facilitate the University's space management program. The plans and specifications for University of South Florida projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes.

Firms desiring to provide professional services shall submit one original submittal and six bound copies consisting of a letter of interest, a completed "USF Professional Qualifications Supplement for Civil Engineer" dated February 2005, and any required or additional information within the proposal limits as described in the PQS General Instructions. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be properly chartered by the Florida Department of State to operate in Florida. Submittals must not exceed 40 pages, including the "Professional Qualifications Supplement" and letter of interest. Pages must be numbered consecutively. Submittals that do not comply with these

requirements or do not include the requested data may not be considered. No submittal material will be returned. Submittals become part of the public record.

Selection of finalists for interview will be made on the basis of professional qualifications, including experience and ability, design ability, past performance, workload, volume of USF work; and location. As part of the University of South Florida's strategic plan, USF made a commitment to foster a diverse community distinguished by a shared purpose, collaboration, open and timely communication, mutual respect, trust, and inclusiveness. The University of South Florida is an equal opportunity institution, and, as such, strongly encourages the lawful use of certified Minority and Women-owned Business Enterprises ("MBEs") in the provision of design and construction-related services by providing a fair and equal opportunity to compete for, or for participation in, design and/or construction-related services.

As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$25,000 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

The "Professional Qualifications Supplement for Civil Engineer", dated February 2005 and Project Fact Sheet which includes project information may be obtained by contacting: Kathy Bennett, Contracts Administrator, University of South Florida, Facilities Planning and Construction, 4202 East Fowler Avenue, FPC110, Tampa, Florida 33620-7550, Phone (813)974-3098, (813)974-2625, Fax (813)974-3542, e-mail: kbennett@admin.usf.edu.

All interested firms are invited and encouraged to attend a Pre-Submittal Meeting to be held at 9:00 a.m., Eastern Time, on Wednesday, March 30, 2005, at the University of South Florida, Tampa Campus, 4202 East Fowler Avenue, Tampa, Florida, Phyllis P. Marshall Center, Room 271 to review the scope and requirements of this project. Requests for meetings by individual firms will not be granted.

It shall be noted that no verbal communication shall take place between the applicants and the employees of University of South Florida except as provided at the Pre-Submittal meeting, the Pre-Interview meeting and the request for the PQS and Fact Sheet. Requests for any project information must be in writing to the above address.

One original and six bound copies of the above required proposal data shall be submitted to: Barbara Donerly, Division Head of Planning and Programming, University of South Florida, Facilities Planning and Construction, 4202 East

Fowler Avenue, FPC110, Tampa, Florida 33620-7550. Applications that do not comply with the above instructions may be disqualified. Application materials will not be returned. Submittals must be received at the above campus address (4202 East Fowler Avenue, FPC110, Tampa, FL 33620-7550) by 2:00 p.m., Eastern Time, on Monday, April 18, 2005. Facsimile (FAX) or electronic submittals are not acceptable and will not be considered. The Selection Committee reserves the right to waive any irregularities and may reject all proposals and stop the selection process at any time.

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

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

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#### **METROPOLITAN PLANNING ORGANIZATIONS**

##### **NOTICE TO PROFESSIONAL CONSULTANTS**

The Hillsborough County Metropolitan Planning Organization (MPO), in conjunction with the Florida Department of Transportation (FDOT), District VII, is reissuing its request seeking professional consultant services on the projects listed in this advertisement. Consideration will be given to only those firms that are qualified pursuant to the law and that have been prequalified to perform these tasks by the FDOT. Any firm not prequalified by the FDOT and desiring consideration for these projects must obtain and submit a complete Request for Qualification Package, to the Procurement Office in Tallahassee, (850)414-4485, by the advertised Letter of Response Deadline Date.

**MAJOR TYPE OF WORK:** 13.3, 13.4, 13.5, 13.6 and 13.7 Planning

**DESCRIPTION:** General Transportation Planning Consultants  
**REQUESTED SERVICES:** General planning services to include all or part of the following: long range transportation planning, data collection activities, financial planning, major investment and corridor studies, congestion and other management systems planning, air quality planning, Intelligent Transportation Systems (ITS) planning, freight planning, bicycle and pedestrian planning, transit services planning, transportation disadvantaged planning, and traffic circulation studies. The services to be rendered by the Consultant(s) shall be for a period of 24 months (extendible by mutual agreement to 36 months) or until a total accumulated fee is reached, whichever occurs first.

**SUBCONSULTANT OPPORTUNITY:** Consultants who are not pre-qualified by the Florida Department of Transportation for lack of independent CPA Certified overhead audit may be utilized to provide services for these projects, providing that

compensation to the subconsultant will not exceed \$250,000. Before work may commence, any such consultant utilized must also be technically qualified by the MPO.

**EQUAL OPPORTUNITY STATEMENT:** The MPO in accordance with the provisions of Title VI of the Civil Rights Act of 1964, hereby notifies all firms and individuals that it will require affirmative efforts be made to ensure participation by minorities in any contract for consultant services. Minority business enterprises will be afforded full opportunity to submit proposals in response to this advertisement and will not be discriminated against on the grounds of race, color, sex, or national origin in consideration for an award.

**RESPONSE PROCEDURE:** Qualified consultants who are interested in these projects are required to submit a Letter of Response to the Requesting Unit indicating their desire to be considered for this project. The letter must be brief (no more than two pages) and shall as a minimum, include the following information:

1. Consultant's Name and Address;
2. Responsible Office for the Consultant Firm;
3. Contact Person for the Project and Telephone Number;
4. Statement regarding prequalification of the consultant firm and any proposed subconsultants in the advertised type of work;
5. Key Personnel including their Titles and Proposed Role (do not include resumes);
6. Name(s) of subconsultant(s) that may be used and the type of services to be performed;
7. Relevant past MPO/planning experience.

**THE CONSULTANT MUST BE ABLE TO MEET THE FOLLOWING CONDITION WHICH WILL BE PART OF THE CONTRACT BETWEEN THE MPO AND THE CONSULTANT:** No member, officer or employee of the (Planning) Commission or of the locality during his tenure or for one year thereafter shall have any interest, direct or indirect, in this contract or the proceeds thereof. Any firm which has a member, officer or employee that this provision speaks to, must demonstrate in its Letter of Response that this provision can be met by segregating the affected person from the project and from receiving any proceeds from the contract. For the purpose of the contract, an employee of the consultant includes any subconsultant, independent agent contracting with the consultant, or anyone having a service contract with the consultant.

**FEDERAL DEBARMENT:** By submitting a Letter of Response, the consultant certifies that no principal (which includes officers, directors or executives) is presently suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation on this transaction by any Federal Department or Agency.

**SELECTION PROCESS:** The listed projects are covered by the selection process detailed in Rule Chapter 14-75, Florida Administrative Code. Some or all of the responding firms may

be requested to provide written or oral technical proposals, or both, for the final ranking process. The schedule is listed below. All meetings are open to the public and will be held in The Planning Commission Boardroom, 601 East Kennedy Boulevard, 18th Floor, unless otherwise noted. The selected consultants contract and fees will be negotiated in accordance with Section 287.055, Florida Statutes. The Consultants that are included on the shortlist and those that are ultimately selected as well as any changes to the selection schedule will be advertised only on the MPO's website, at [www.hillsboroughmpo.org](http://www.hillsboroughmpo.org).

**SELECTION SCHEDULE:**

- First scoping meeting – Friday, March 25, 2005, 9:00 a.m. (EST)
- Letter of Response due – Friday, April 1, 2005, 5:00 p.m. (EST)
- Shortlist announced on website – Tuesday, April 12, 2005, 10:00 a.m. (EST)
- Second scoping meeting – Wednesday, April 20, 2005, 9:00 a.m. (EST)
- Written technical proposals due – Wednesday, April 27, 2005, 5:00 p.m. (EST)
- Oral presentations – Friday, May 6, 2005, starting at 8:00 a.m. (EST)
- Committee recommendation – Tuesday, May 17, 2005, 9:00 a.m. (EST)
- Consultant selection – Tuesday, June 14, 2005, 9:00 a.m. (EST) (MPO Meeting in BOCC Boardroom, 601 East Kennedy Boulevard, 2nd Floor)

REQUESTING UNIT: Hillsborough County Metropolitan Planning Organization

**LETTER OF RESPONSE ADDRESS:**

- Three (3) Copies To:
- Lucilla L. Ayer, AICP, Executive Director
- Hillsborough County Metropolitan Planning Organization
- 601 E. Kennedy Blvd., 18th Floor
- Tampa, Florida 33601-1110
- Telephone (813)272-5940

LETTERS OF RESPONSE DEADLINE: 5:00 p.m., (EST), Friday, April 1, 2005

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**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

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**DEPARTMENT OF HEALTH**

**NOTICE TO PROFESSIONAL CONSULTANTS  
PUBLIC ANNOUNCEMENT FOR PROFESSIONAL  
SERVICES FOR  
ARCHITECTURE-ENGINEERING**

The State of Florida, Department of Health, Division of Administration, Bureau of General Services, Office of Design and Construction, announces that professional services are required for the project listed below. Applications being sent via the U. S. Mail or via overnight express service shall be sent to, Thomas Matthias, Florida Department of Health, Office of Design and Construction, 4052 Bald Cypress Way, Bin #B06, Tallahassee, Florida 32399-1734, Phone (850)245-4444, Ext. 3166, Facsimile (850)410-1474.

PROJECT NUMBER: DOH 70413100

PROJECT NAME: Miami Dade County Health Department – Central Facility

Renovations/Additions

SERVICES TO BE PROVIDED: Architecture-Engineering Services

ESTIMATED CONSTRUCTION BUDGET: \$20,000,000.00 – Consisting of Multiple renovation and/or addition projects on Department of Health Site subject to funding availability. Presently available construction funding is \$2,500,000, which will fund the First Phase of work which is planned to be the renovation of a two story +/- 10,000 Square Foot segment of the overall project. The overall project will consist of multiple phases and is planned to consist of: complete renovation of existing building consisting of nine distinct segments, +/- 45,500 Square Feet, additions of a vertical core to serve an existing second floor and a two story addition including conferencing facilities, +/- 15,000 Square Feet, and the possible construction of a parking garage. The site includes the Miami State Branch Lab, and work on this facility may be included at the discretion of the Department. Site and ancillary work will be included as necessary. If the selected firm is assigned additional phases, the anticipated work period for the overall project is five years, though time will be shortened or lengthened as is in the best interest of the Department. The first Phase will serve as the basis for contract. Contract negotiation, with the selected firm, for additional work Phase or Phases shall be at the sole discretion of the Department. The Department reserves the right to retain other professionals for any phase as it deems in the best interest of the Department.

SAMAS NO: Miami Dade County Health Department Trust Fund – Special Project

RESPONSE DUE DATE: April 5, 2005, 4:00 p.m., Local Time  
 INSTRUCTIONS: Submit three (3) bound copies of the following information: \*

1. Table of contents
2. Letter of interest
3. A copy of the current Department of Health Professional Qualifications Supplement (PQS) Form DBC5112 Revised 10/97. A copy can be obtained by calling (850)245-4066.
4. A copy of the firm's current Florida Professional License registration. (Proper registration at the time of application is required.
5. (CORPORATIONS ONLY) Current Corporate Certificate providing evidence of validation date and designation of professional or professionals qualifying the corporation to practice Architecture and/or Engineering.
6. Completed Standard Form 254
7. Completed Standard Form 255
- \* In Article Eight, Work by Firm or Joint-Venture Members, list only projects designed, under construction, and/or completed within the past five (5) years.
8. A stamped self-addressed if the applicant would like a Notice of Selection result.
- \* All applicants are urged to limit their submittal content to fifty (50) pages, excluding front and back covers and any section dividers. However, this is not a mandatory requirement.

EVALUATION: All proposals submitted shall become the property of the Department of Health. The submitted proposals will be placed on file and not returned. Any proposals that do not comply with the above instructions as set forth and/or do not include the required qualification data will be considered improper and disqualify the applicant. Proposals submitted by qualified firms shall be evaluated in accordance with Chapter 60D-2, F.A.C., and Section 287.055, F.S.

SHORTLIST SELECTION PROCESS: From the proposals received, the department shall shortlist a minimum of three (3) firms.

## Section XII Miscellaneous

### DEPARTMENT OF STATE

#### PUBLIC NOTICE

The Division of Historical Resources announces that it is soliciting applications for Special Category projects. These legislative grants are available for major historic preservation and history museum projects with needs in excess of \$50,000.

Grants may be awarded for major historic building restorations, archaeological excavations, and history museum exhibitions. If projects receive legislative approval, funds will become available July 1, 2006.

The deadline for filing applications is May 31, 2005 and applications must be delivered to the Bureau of Historic Preservation office by 5:00 p.m. on that day or be clearly postmarked or show evidence of submission to an express mail service on or before that date.

Further information may be obtained from: Grants and Education Section, Bureau of Historic Preservation, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250, (850)245-6333.

### DEPARTMENT OF EDUCATION

#### PUBLIC NOTICE FOR FOOD SERVICE VENDORS TO REGISTER WITH THE FLORIDA DEPARTMENT OF EDUCATION TO SELL AND DELIVER UNITIZED MEALS AND SNACKS TO THE SUMMER FOOD SERVICE PROGRAM F.Y. 2005

In accordance with Title 7 Code of Federal Regulations, Part 225; it is the intent of the Florida Department of Education (FDOE), Food and Nutrition Management Section, to continue to administer the Summer Food Service Program (SFSP) for the fiscal year 2005.

The primary purpose of the program is to provide breakfast, lunch and/or snacks to economically needy children during periods when public schools are generally closed for summer recess. Food service vendors who wish to participate in this Program may write for a vendor registration and guidance package to the address below. Successful registration will require copies of the following: A current Florida business license; the most recent health inspection report; a completed SFSP registration form; Evidence of general and product liability insurance and coverage for delivery vehicles. The last day to return this initial registration package of information will be March 31, 2005. U.S. Postal Service date marks or private carrier dates will be used to determine eligibility.

For more information please contact the Food and Nutrition Management Section of FDOE at 800-504-6609. The primary contact person is Dave Whetstone. The SFSP Director is Michelle Morris.

Please direct written inquires to: The Florida Department of Education, Food and Nutrition Management Section, 325 West Gaines Street, Room 1032, Tallahassee, FL 32399-0400.

**DEPARTMENT OF COMMUNITY AFFAIRS**

DCA Final Order No.: DCA05-OR-051  
STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

In re: LAND DEVELOPMENT REGULATIONS  
ADOPTED BY CITY OF KEY WEST  
ORDINANCE NO. 05-03

**FINAL ORDER**

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6) and (11), Fla. Stat., (2004), approving a land development regulation adopted by a local government within the City of Key West Area of Critical State Concern as set forth below.

**FINDINGS OF FACT**

1. The City of Key West is a designated area of critical state concern.
2. On January 7, 2005, the Department received for review City of Key West Ordinance No. 05-03, which was adopted by the City of Key West City Commission on January 5, 2005 ("Ord. 05-03"). Ord. 05-03 amends several parts of Chapter 114 of the Key West Zoning Regulations relating to the repeal of the limits on the display of flags in the historic district and to provide regulations for commercial flags.
3. Ord. 05-03 is consistent with the City's Comprehensive Plan.

**CONCLUSIONS OF LAW**

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern based upon consistency with the Principles for Guiding Development applicable to that area of critical state concern. §§ 380.05(6) and 380.05(11), Fla. Stat., (2004).
5. The City of Key West is an Area of Critical State Concern. § 380.05, Fla. Stat. (2004) and Rule 28-36.001, Fla. Admin. Code.
6. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2004). The regulations adopted by Ord. 05-03 are land development regulations.

7. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the principles for guiding development for the particular area (the "Principles"). § 380.05(6), Fla. Stat.; see *Rathkamp v. Department of Community Affairs*, 21 F.A.L.R. 1902 (Dec. 4, 1998), *aff'd*, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles for the City of Key West Area of Critical State Concern are set forth in Rule 28-36.003(1), Fla. Admin. Code.

8. Ord. 05-03 promotes and furthers the following Principles in subsection 28-36.003(1), F.A.C.:

- (a) To strengthen local government capabilities for managing land use and development.
- (e) Protection of the historical heritage of Key West and the Key West Historical Preservation District.
- (h) Protection of the public health, safety, welfare and economy of the City of Key West, and the maintenance of Key West as a unique Florida resource.

9. Ord. 05-03 is not inconsistent with the remaining Principles. Ord. 05-03 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 05-03 is found to be consistent with the Principles for Guiding Development of the City of Key West Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

Valerie J. Hubbard, Director  
Division of Community Planning  
Department of Community Affairs  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100

**NOTICE OF ADMINISTRATIVE RIGHTS**

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES,

AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY

RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 7th day of March, 2005.

\_\_\_\_\_  
Paula Ford, Agency Clerk

By U.S. Mail:

The Honorable Jimmy Weekley  
Mayor, City of Key West  
P. O. Box 1409  
Key West, Florida 33041

Cheryl Smith  
Clerk to the City Commission  
P.O. Box 1409  
Key West, Florida 33041

Robert Tischenkel  
City Attorney  
P.O. Box 1409  
Key West, FL 33041

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of Less  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Zongshen Inc., intends to allow the establishment of Scooter King Motorsports, Inc., as a dealership for the sale of Zongshen Motorcycles, at 602 South, State Street, Bunnell (Flagler County), Florida 32110, on or after January 25, 2005.

The name and address of the dealer operator(s) and principal investor(s) of Scooter King Motorsports, Inc., are dealer operator: Cliff Warning, 602 South State Street, Bunnell, Florida 32110; principal investor(s) Cliff Warning, 602 South, State Street, Bunnell, Florida 32110.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Cavan Chan, Authorized Representative, Zongshen, Inc., 10530 Northwest, 37 Terrace, Miami, Florida 33178.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of Less  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Classic Motorcycles & Sidecars, Inc., intends to allow the establishment of Two Ocean Moped Rental #12, Inc., as a dealership for the sale of TN'G and Flying Tiger Motorcycles, at 1901 North, Roosevelt Boulevard, Key West (Monroe County), Florida 33040, on or after March 3, 2005.

The name and address of the dealer operator(s) and principal investor(s) of Two Ocean Moped Rental # 12, Inc., are dealer operator: Dennis Saviano, 1910 North Roosevelt Boulevard, Key West, Florida 33040; principal investor(s): Dennis Saviano, 11498 Heatherwood Court, Shelby TWP, Michigan 48315.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Thomas Lynott, President, CMSI, Inc., 8146 304th Avenue, South East, Preston, Washington 98050.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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

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

**AGENCY FOR HEALTH CARE ADMINISTRATION**

CERTIFICATE OF NEED

GRACE PERIOD LETTERS OF INTENT

The Agency for Health Care Administration received and accepted the following letters of intent for the March 16, 2005 application filing date for Hospital Beds and Facilities batching cycle:

- |   |                 |
|---|-----------------|
| County: Hillsborough  | District: 6     |
| Date Filed: 3/2/2005  | LOI #: H0502010 |
| Facility/Project: Sun City Hospital, Inc.                               |                 |
| Applicant: Sun City Hospital, Inc.                                      |                 |
| Project Description: Establish an acute care hospital of up to 150 beds |                 |
| County: St. Lucie   | District: 9     |
| Date Filed: 2/28/2005   | LOI #: H0502011 |
| Facility/Project: Wellington Regional Medical Center, Inc.              |                 |
| Applicant: Wellington Regional Medical Center, Inc.                     |                 |
| Project Description: Establish an acute care hospital of up to 120 beds |                 |
| County: Palm Beach  | District: 9     |
| Date Filed: 3/2/2005  | LOI #: H0502012 |
| Facility/Project: Columbia/JFK Medical Center, L.P.                     |                 |
| Applicant: Columbia/JFK Medical Center, L.P.                            |                 |
| Project Description: Establish an acute care hospital of up to 80 beds  |                 |

County: Hillsborough District: 6  
 Date Filed: 3/2/2005 LOI #: H0502013  
 Facility/Project: Sun City Hospital, Inc.  
 Applicant: Sun City Hospital, Inc.  
 Project Description: Establish an acute care hospital of up to 150 beds

If requested within 14 days after notice that an application has been filed, a public hearing may be held at the local level within 21 days after April 20, 2005, the date the application is scheduled to be deemed complete. Tentative hearing dates will be published on April 1, 2005.

**NOTICE OF LITIGATION**

The Agency for Health Care Administration has received the following petitions for administrative hearings as of the close of business on March 9, 2005, concerning certificate of need decisions. No decision has been made as to the sufficiency of these petitions. A brief description of these projects is listed below. Resolution of these requests for hearings by way of a grant or denial of their certificate of need at issue will determine the substantial interest of persons. Those persons whose substantial interest may be determined by these proceedings including settlements, grants, and denials are advised to govern themselves accordingly and may wish to exercise rights including intervention. See Chapter 120, F.S., as well as Section 408.039, F.S. and Rule 59C-1.012, F.A.C. In deference to rights of substantially affected persons, AHCA will not settle or otherwise reach a final resolution of these matters for a period of 30 days from the date of the publication.

CON#	INITIAL	DECISION,	PROJECT,	CTY,
	APPLICANT, PARTY REQUEST HEARING (PRH)			
NA	Fixed Need Pool,	acute care hospital beds,	Brevard County,	Holmes Regional Medical Center, Inc. d/b/a Holmes Regional Medical Center, (PRH) same as applicant
9816	Withdrawal,	establish a 22 bed intermediate care facility for the developmentally disabled,	Nassau County, GF/Amelia Island Properties, Inc. d/b/a Amelia Island Care Center, (PRH) same as applicant	
9817	Withdrawal,	establish a 24 bed intermediate care facility for the developmentally disabled,	Nassau County, GF/Amelia Island Properties, Inc. d/b/a Amelia Island Care Center, (PRH) same as applicant	
9818	Withdrawal,	establish a 24 bed intermediate care facility for the developmentally disabled,	Nassau County, GF/Amelia Island Properties, Inc. d/b/a Amelia Island Care Center, (PRH) same as applicant	

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF HEALTH**

On March 7, 2005, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Amended Order Lifting Emergency Suspension and Imposing Emergency Restriction with regard to the license of Arlene Martone, M.D., license number ME 75098. This Amended Order Lifting Emergency Suspension and Imposing Emergency Restriction was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On March 7, 2005, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Amended Order Lifting Emergency Suspension and Imposing Emergency Restriction with regard to the license of Willard Martz, M.D., license number ME 9837. This Amended Order Lifting Emergency Suspension and Imposing Emergency Restriction was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On March 7, 2005, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Amended Order Lifting Emergency Suspension and Imposing Emergency Restriction with regard to the license of Bose Yalamanchi number ME 40693. This Amended Order Lifting Emergency Suspension and Imposing Emergency Restriction was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.



On March 7, 2005, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Denise Louise Pettit, L.P.N., license number PN 972761. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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On March 4, 2005, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of James Bell, R.N, license number RN 2229352. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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On March 4, 2005, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Rebecca C. Smith, R.N, license number RN 3165882. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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On March 4, 2005, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Caleb Gutierrez Rasay, R.N, license number RN 9209609. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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On March 4, 2005, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the permit of GGD Pharmacy permit number PH 19913. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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On March 3, 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 permit of Cruces Pharmacy and Discount Corporation permit number PH 20819. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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On March 4, 2005, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the permit of R.G. Pharmacy permit number PH 19923. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**AVAILABILITY OF GRANT FUNDS FOR LOCAL GOVERNMENTS**

The Florida Fish and Wildlife Conservation Commission (FWC) announces the anticipated availability of grant funds under the Florida Boating Improvement Program. Eligible projects must serve the needs of recreational boaters and boating-related activities within Florida.

Eligible participants include county governments and municipalities of the State of Florida. Applications for grant funding for fiscal year 2005-2006 will be accepted beginning March 18, 2005. Applications must be received by FWC on or before 3:00 p.m., June 10, 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 web site <http://MyFWC.com/boating/grants/fbip>.

For more information: (850)487-3755, e-mail: [FBIP@MyFWC.com](mailto:FBIP@MyFWC.com).

**DEPARTMENT OF FINANCIAL SERVICES**

**NOTICE OF FILINGS**

Notice is hereby given that the Office of Financial Regulation has received the following application. Comments may be submitted to the Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing; however, any person may request a public hearing by filing a petition with the Clerk, Legal Services Office, Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0379, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code. Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., April 8, 2005):

**APPLICATION TO MERGE**

Constituent Institutions: Capital City Bank, Tallahassee, Florida, and First National Bank of Alachua, Alachua, Florida  
Resulting Institution: Capital City Bank

Received: February 28, 2005

Office of Financial Regulation has received a request by a credit union to expand its field of membership. Specific information regarding the expansion can be found at [http://www.dbf.state.fl.us/banking/cu\\_expansion.html](http://www.dbf.state.fl.us/banking/cu_expansion.html).

Name and Address of Applicant: FLAG Credit Union, 3115 Connor Boulevard, Tallahassee, Florida 32311-3813

Expansion Includes: Geographic Area

Received: March 3, 2005

**Section XIII**  
**Index to Rules Filed During Preceding Week**

**RULES FILED BETWEEN February 28, 2005  
 and March 4, 2005**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF EDUCATION  
 State Board of Education**

6A-4.003	3/2/05	3/22/05	30/42	31/5
6A-10.044	3/2/05	3/22/05	31/2	
6A-10.044	3/2/05	3/22/05	31/2	

**University of North Florida**

6C9-8.1002	2/28/05	3/20/05	Newspaper	
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**Florida School for the Deaf and the Blind**

6D-12.002	3/1/05	3/21/05	30/46	
6D-16.002	3/1/05	3/21/05	30/46	

**DEPARTMENT OF CITRUS**

20-13.0011	3/2/05	3/22/05	30/53	
20-39.003	3/2/05	3/22/05	31/1	

**DEPARTMENT OF CORRECTIONS**

33-104.203	3/2/05	3/22/05	31/3	
33-601.304	3/2/05	3/22/05	30/48	
33-601.305	3/2/05	3/22/05	30/48	
33-601.307	3/2/05	3/22/05	30/48	30/52
33-601.309	3/2/05	3/22/05	31/2	
33-601.313	3/2/05	3/22/05	30/48	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**LAND AND WATER ADJUDICATORY COMMISSION  
 Gateway Services District**

42F-1.002	3/4/05	3/24/05	31/1	
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**DEPARTMENT OF BUSINESS AND PROFESSIONAL  
 REGULATION**

**Division of Pari-Mutuel Wagering**

61D-7.021	2/28/05	3/20/05	30/21	30/32
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**Board of Accountancy**

61H1-27.001	3/1/05	3/21/05	30/48	31/5
61H1-33.003	3/1/05	3/21/05	30/47	31/3

**DEPARTMENT OF HEALTH**

**Board of Medicine**

64B8-9.009	3/2/05	3/22/05	31/4	
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**FISH AND WILDLIFE CONSERVATION  
 COMMISSION**

**Marine Fisheries**

68B-4.0081	3/4/05	7/1/05	30/53	31/7
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**DEPARTMENT OF FINANCIAL SERVICES**

**OIR Insurance Regulation**

69O-149.0055	3/4/05	3/24/05	30/39	
69O-149.038	3/4/05	3/24/05	30/39	
69O-191.0545	3/4/05	3/24/05	30/39	