

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE CHAPTER TITLE: Entomology – Pest Control REGULATIONS

RULE CHAPTER NO.: 5E-14

RULE TITLES: Contractual Agreements in Public’s Interest –

Control and Preventive Treatment for Wood Destroying Organisms 5E-14.105

Responsibilities and Duties – Records, Reports, Advertising, Applications 5E-14.142

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to add amendments to the rule establishing requirements for contracts offered by pest control companies to homeowners upon treatment of properties for wood destroying organisms.

SUBJECT AREA TO BE ADDRESSED: Wood Destroying Organism contracts.

SPECIFIC AUTHORITY: 482.051, 482.163, 482.165 FS.

LAW IMPLEMENTED: 482.051, 482.161, 482.163, 482.227 FS.

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

TIME AND DATE: August 10, 2005, 10:00 a.m. – 5:00 p.m.

PLACE: Duval County Extension Office, 1010 North McDuff Avenue, Jacksonville, Florida

TIME AND DATE: August 12, 2005, 10:00 a.m. – 5:00 p.m.

PLACE: Library, 15290 Bass Road, Ft. Myers, Florida 33919

NOTE: These workshops will be combined with workshops for Rule 5E-14.149, F.A.C.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mr. Steve Dwinell, Assistant Director, Division of Agricultural Environmental Services, 3125 Conner Blvd., Tallahassee, FL 32311

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE CHAPTER TITLE: Entomology – Pest Control REGULATIONS

RULE CHAPTER NO.: 5E-14

RULE TITLE: Enforcement and Penalties

RULE NO.: 5E-14.149

PURPOSE AND EFFECT: The purpose of the rule amendment is to adopt the enforcement guidelines and penalties into rule. The Department’s purpose in applying these guidelines is to achieve compliance with Chapter 482, Florida Statutes (F.S.), and Chapter 5E-14, Florida Administrative Code (F.A.C.).

SUBJECT AREA TO BE ADDRESSED: Enforcement and penalties are being adopted into rule to facilitate compliance.

SPECIFIC AUTHORITY: 482.051, 482.163, 482.165 FS.

LAW IMPLEMENTED: 482.161, 482.163, 482.165 FS.

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

TIME AND DATE: 10:00 a.m. – 5:00 p.m., August 10, 2005

PLACE: Duval County Extension Office, 1010 North McDuff Avenue, Jacksonville, Florida

TIME AND DATE: 10:00 a.m. – 5:00 p.m., August 12, 2005

PLACE: Library, 15290 Bass Road, Ft. Myers, Florida 33919

NOTE: These workshops will be combined with workshops for Rules 5E-14.105 and 5E-14.142, F.A.C.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mr. Steven Dwinell, Assistant Director, Division of Agricultural Environmental Services, 3125 Conner Blvd., Tallahassee, Florida 32399-1650, (850)488-7447

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

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER TITLE: Individual Environmental

RULE CHAPTER NO.:

Resource Permits 40D-4

RULE TITLE: Publications and Agreements

RULE NO.:

Incorporated by Reference 40D-4.091

PURPOSE AND EFFECT: The purpose of this amendment to Rule 40D-4.091, F.A.C., is to incorporate amendments to Chapter 2.0 of the Environmental Resource Permitting Basis of Review.

SUBJECT AREA TO BE ADDRESSED: Acceptable means to demonstrate ownership or control of a project area in accordance with the District’s environmental resource permitting rules.

SPECIFIC AUTHORITY: 373.044, 373.046, 373.113, 373.171, 373.414 FS.

LAW IMPLEMENTED: 373.0361, 373.114, 373.171, 373.403, 373.413, 373.414, 373.416, 373.429, 373.441 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 District does not discriminate on the basis of disability. Anyone requiring reasonable accommodation should contact: Dianne Lee, (352)796-7211, Ext. 4658, TDD only 1(800)231-6103.

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

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

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

RULE CHAPTER TITLE: Individual Environmental Resource Permits  
 RULE CHAPTER NO.: 40D-4

RULE TITLE: Publications and Agreements  
 RULE NO.: 40D-4.091

PURPOSE AND EFFECT: The purpose of the amendment to Rule 40D-4.091, F.A.C., is to incorporate by reference a Memorandum of Understanding Between the Southwest Florida Water Management District (SWFWMD) and the Environmental Protection Commission of Hillsborough County; (EPC), Regarding Coordination of Regulatory Activities.

SUBJECT AREA TO BE ADDRESSED: Memorandum of Understanding between the Southwest Florida Water Management District and the Environmental Protection Commission of Hillsborough County regarding coordination of responsibilities for certain activities affecting wetlands that are regulated by both agencies.

SPECIFIC AUTHORITY: 373.044, 373.046, 373.113, 373.171, 373.414 FS.

LAW IMPLEMENTED: 373.0361, 373.114, 373.171, 373.403, 373.413, 373.414, 373.416, 373.429, 373.441 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 District does not discriminate on the basis of disability. Anyone requiring reasonable accommodation should contact Dianne Lee, (352)796-7211, Ext. 4658, TDD only 1(800)231-6103.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Clark Hull, Director, Environmental Resource Permitting Program, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, Extension 4302.

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

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

RULE CHAPTER TITLES:	RULE CHAPTER NOS.:
Purpose and General Provisions	40E-8.011
Definitions	40E-8.021

Minimum Levels: Surface Waters for Kissimmee Basin Regional Planning Area	40E-8.351
Prevention and Recovery Strategies	40E-8.421

PURPOSE AND EFFECT: To develop minimum flows and levels (MFLs) criteria for Lake Istokpoga. The MFL criteria will provide an assurance of preventing significant harm to the proposed MFL's performance measure, fish spawning habitat, caused by severe low water events and is one tool for managing the Lake's water resources.

SUBJECT AREA TO BE ADDRESSED: MFL criteria for Lake Istokpoga.

SPECIFIC AUTHORITY: §9, 10 P.L. 83-358, 373.044, 373.113, 373.119, 373.129, 373.136, 373.171 FS.

LAW IMPLEMENTED: 373.016, 373.036, 373.0361, 373.042, 373.0421, 373.175, 373.216, 373.219, 373.223, 373.246 FS.

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

TIME AND DATE: 2:00 p.m., August 2, 2005  
 PLACE: Sebring Agri-Civic Center Auditorium, 4509 George Boulevard, Sebring, FL 33875

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

Persons with disabilities or handicaps who need assistance may contact the South Florida Water Management District Clerk's Office, (561)682-2087, at least two business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: John Zahina, Senior Environmental Scientist, Planning and Resource Evaluation,

Water Supply Department, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, Extension 2824, (561)682-2824, internet: [zjahina@sfwmd.gov](mailto:zjahina@sfwmd.gov); For procedural issues – Jan Sluth, Paralegal, Office of Counsel, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, Extension 6299, (561)682-6299, internet: [jsluth@sfwmd.gov](mailto:jsluth@sfwmd.gov)

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40E-8.011 Purpose and General Provisions.

(1) through (2) No change.

(3) The MFLs established herein are based on existing best available information, and will be periodically reviewed, at least every five years, based on new information and changing water resource conditions. Revisions to established MFLs will be peer reviewed as required by Section 373.042, F.S., prior to rule adoption. The minimum flow criteria for the Caloosahatchee River in subsection 40E-8.221(2), F.A.C., shall be reviewed within one year of the effective date of this rule, September 10, 2001, and amended, as necessary, based on best available information.

(4) The recovery and prevention strategies set forth in Rule 40E-8.421, F.A.C., the consumptive use permitting procedures described in paragraph 40E-2.301(1)(i), Rule 40E-8.431, F.A.C., and Section 3.9 of the “Basis of Review for Water Use Permit Applications within the South Florida Water Management District – September 10, 2001,” and the water shortage plan implementation provisions specified in Rules 40E-8.441, 40E-21.531, and 40E-21.541, and Part III of Chapter 40E-22, F.A.C., September 10, 2001, are inseparable components of the minimum flows and levels established in Rules 40E-8.321 and 40E-8.331, F.A.C., September 10, 2001. The District would not have adopted the minimum flows and levels set forth in Rules 40E-8.321 and 40E-8.331, F.A.C., for Lake Okeechobee, the Everglades, the Biscayne Aquifer, the Lower West Coast Aquifers, and the Caloosahatchee River without simultaneously adopting their related implementation rules. If the rules cited above, as they pertain to a specified MFL water body, are found to be invalid, in whole or in part, such specified minimum flow(s) or level(s) in Rule 40E-8.321 or 40E-8.331, F.A.C., (including Lake Okeechobee, Everglades, Biscayne Aquifer, Lower West Coast Aquifers, Caloosahatchee River) (month, year) shall not be adopted, or if already in effect, shall not continue to be applied, until the District amends the applicable regional water supply plan(s), as necessary, and amends the subject rules, as necessary to address the reason for invalidity consistent with the requirements of Section 373.0421, F.S. This section shall be triggered after a rule is found to be invalid pursuant to a final order issued under Section 120.56, F.S., and after appellate review remedies have been exhausted.

(5) In concert with establishment of the MFL for the Northwest Fork of the Loxahatchee River in subsection 40E-8.221(5), F.A.C., the District commits to the following activities that are described in greater detail in the Recovery and Prevention Strategy section, subsection 40E-8.421(6), F.A.C.:

(a) through (e) No change.

Specific Authority §§ 9, 10 P.L. 83-358, 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.036, 373.0361, 373.042, 373.0421 FS. History—New 9-10-01, Amended 4-1-03, \_\_\_\_\_.

40E-8.021 Definitions.

(1) through (9) No change.

(10) Lake Istokpoga – means the lands and waters contained within the Lake below 40.0 feet NGVD, the top of the U.S. Army Corps of Engineers’ regulation schedule.

~~(11)(10)~~ Lake Okeechobee – means the lands and waters contained within the perimeter of the Hoover Dike.

~~(12)(11)~~ LEC Plan – means the Lower East Coast Regional Water Supply Plan – May 2000, including all three volumes.

~~(13)(12)~~ Lower West Coast Aquifers – means the lower Tamiami aquifer, sandstone aquifer and the mid-Hawthorn aquifer that occur within Charlotte, Hendry, Glades, Lee and Collier counties.

~~(14)(13)~~ LWC Plan – means the Lower West Coast Regional Water Supply Plan – April 2000, including all three volumes.

~~(15)(14)~~ Minimum Flow – means a flow established by the District pursuant to Sections 373.042 and 373.0421, F.S., for a given water body and set forth in Parts II and III of this chapter, at which further withdrawals would be significantly harmful to the water resources or ecology of the area.

~~(16)(10)~~ Minimum Flow and Level Exceedance – means to fall below a minimum flow or level, which is established in Parts II and III of this chapter, for a duration greater than specified for the MFL water body.

~~(17)(16)~~ Minimum Flow and Level Violation – means to fall below a minimum flow or minimum level, which is established in Parts II and III of this chapter, for a duration and frequency greater than specified for the MFL water body. Unless otherwise specified herein, in determining the frequency with which water flows and levels fall below an established MFL for purposes of determining a MFL violation, a “year” means 365 days from the last day of the previous MFL exceedance.

~~(18)(17)~~ Minimum Level – means the level of groundwater in an aquifer or the level of surface water established by the District pursuant to Sections 373.042 and 373.0421, F.S., in Parts II and III of this chapter, at which further withdrawals would be significantly harmful to the water resources of the area.

~~(19)~~(18) MFL Water Body – means any surface water, watercourse, or aquifer for which an MFL is established in Part II or III of this chapter.

~~(20)~~(19) Northwest Fork of the Loxahatchee River: Means those areas defined below:

(a) through (d) No change.

~~(21)~~(20) Operations – means activities taken by the District for the movement of surface water through works of the District pursuant to Chapter 373, F.S.

~~(22)~~(21) Prevention Strategy(ies) – means the structural and non-structural actions approved by the District in regional water supply plans, pursuant to Section 373.0421, F.S., or by rule, for areas where MFLs are currently not violated, but are projected to be violated within twenty (20) years of the establishment of the minimum flow or level, if said prevention strategies are not implemented.

~~(23)~~(22) Recovery Strategy(ies) – means the structural and non-structural actions approved by the District in regional water supply plans, pursuant to Section 373.0421, F.S., or by rule, for areas where MFLs are currently violated.

~~(24)~~(23) Regional Water Supply Plan – means a plan approved by the District pursuant to Section 373.0361, F.S.

~~(25)~~(24) St. Lucie River North Fork – means the surface waters that extend from the Gordy Road Bridge structure (state plane coordinates, x851212.831, y1116105.7470), combined with tributary contributions below Gordy Road and collectively flow south to the confluence with the C-24 canal (state plane coordinates, x873,712.20, y1064,390.41).

~~(26)~~(25) St. Lucie River South Fork – means the surface waters that extend from the culverts located at state plane coordinates x902,512.67, y1,001,799.91, north to the confluence of the river and the St. Lucie Canal (C-44).

~~(27)~~(26) St. Lucie Estuary – means the surface water body south of the confluence of the St. Lucie River North Fork and C-24, north of the confluence of the St. Lucie River South Fork and C-44, and west of the western boundary of the Intracoastal Waterway, exclusive of canals.

~~(28)~~(27) Serious Harm – means the long-term loss of water resource functions, as addressed in Chapters 40E-21 and 40E-22, F.A.C., resulting from a change in surface or ground water hydrology.

~~(29)~~(28) Significant Harm – means the temporary loss of water resource functions, which result from a change in surface or ground water hydrology, that takes more than two years to recover, but which is considered less severe than serious harm. The specific water resource functions addressed by a MFL and the duration of the recovery period associated with significant harm are defined for each priority water body based on the MFL technical support document.

Specific Authority §§ 9, 10 P.L. 83-358, 373.044, 373.113, 373.119, 373.129, 373.136, 373.171 FS. Law Implemented 373.016, 373.036, 373.0361, 373.042, 373.0421, 373.175, 373.216, 373.219, 373.223, 373.246 FS. History–New 9-10-01, Amended 11-11-02, 4-1-03,\_\_\_\_\_.

PART III MFL CRITERIA FOR LOWER WEST COAST REGIONAL PLANNING AREA, MFL CRITERIA FOR KISSIMMEE BASIN REGIONAL PLANNING AREA, AND MFL CRITERIA FOR UPPER EAST COAST REGIONAL PLANNING AREA

40E-8.351 Minimum Levels: Surface Waters for Kissimmee Basin Regional Planning Area.

Lake Istokpoga – An MFL violation occurs in Lake Istokpoga when surface water levels fall below 36.5 feet NGVD for 20 or more weeks, more often than once every four years.

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.036, 373.0361, 373.042, 373.0421 FS. History–New \_\_\_\_\_.

40E-8.421 Prevention and Recovery Strategies.

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

(e) Upon completion of each project or project phase of a recovery or prevention plan the District will certify the availability of water, as defined in subsection 40E-8.021(5), F.A.C.

(f) No change.

(2) through (7) No change.

(8) Lake Istokpoga. The water levels in Lake Istokpoga are controlled by operation of water control structures (G-85 and, primarily, S-68) as guided by a regulation schedule adopted by the U. S. Army Corps of Engineers and implemented by the District. The existing regulation schedule, typical regional weather patterns, and present levels of inflows from area creeks make violation of the Lake’s minimum level unlikely; no such events have occurred since implementation of the Lake regulation schedule. Analysis of the current regulation schedule and operational policies for the Lake indicate the proposed Lake Istokpoga minimum level will be met for the foreseeable future. Therefore, the prevention strategy for Lake Istokpoga consists of continuation of the current operational plan and regulation schedule. The District, in coordination with other appropriate agencies, should also plan and operate extreme Lake drawdowns for environmental purposes in a manner that, to the greatest extent possible, avoids a MFL violation. If significant changes to the Lake’s water level management occurs due to new information, altered operational plans, or regulation schedule, a re-evaluation of the minimum level criteria will be conducted. This re-evaluation will occur as part of the next Lake Istokpoga MFL update which is scheduled to occur in 2010, or sooner, if significant changes to Lake management are proposed.

Specific Authority §§ 9, 10 P.L. 83-358, 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.036, 373.0361, 373.042, 373.0421, 373.175, 373.216, 373.219, 373.223, 373.246 FS. History–New 9-10-01, Amended 11-11-02, 4-1-03,\_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Asbestos Consultants/Asbestos Consultant Examination**

RULE TITLE: Asbestos Training Courses and Providers  
 RULE NO.: 61E1-2.006

PURPOSE AND EFFECT: This technical change to Rule Chapter 61E1 updates several citations contained within the rule, particularly citations to the corresponding federal regulations.

SUBJECT AREA TO BE ADDRESSED: Asbestos training courses and providers.

SPECIFIC AUTHORITY: 455.203(5), 469.011 FS.

LAW IMPLEMENTED: 469.014 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: Eric R. Hurst, Assistant General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61E1-2.006 Asbestos Training Courses and Providers.

(1) Each training course provider must be approved by the Department as a course provider and each training course must be approved by the Department. Provider and course approvals are valid until May 31st of odd numbered years and must be renewed prior to expiration. Applications for course provider and training course approval must be submitted using the form Asbestos Licensing Unit Training Provider and Continuing Education Course Approval Application, Number DBPR ALU-4054, ~~Effective Date: April 18, 2003~~ incorporated herein by reference. The form may be obtained by contacting the Department at the following address: Asbestos Licensing Unit, 1940 N. Monroe Street, Tallahassee, Florida 32399-~~1027+006~~ or at <http://www.state.fl.us/dbpr/pro/forms/asbest/>. Any substantial change in the course content will require the provider to reapply to the Department for approval.

(2) No change.

(3) A training course provider must meet the standard set forth in 40 C.F.R. Part 763, ~~Appendix C to Subpart E~~ ~~Subpart E of Appendix C~~, 59 FR 5251, Feb. 3, 1994, as amended at 60 FR 31922, June 19, 1995, which is incorporated herein by reference. Copies can be obtained by writing the Department at Department of Business and Professional Regulation, Asbestos Licensing Unit, 1940 North Monroe Street, Tallahassee, Florida 32399, or at <http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr;sid=96052cf0c67764631cabfe8c9732c4b1;rgn=di>. The following providers and courses shall be approved.

(a) through (b) No change.

(4) The application for the provider and course approval shall include but is not limited to the following information.

(a) through (d) No change.

(e) A copy of all course materials, including student manuals, instructor notebooks, handouts, videotapes and any other materials requested by the Department.

1. Pursuant to 40 C.F.R., Part 763, Appendix C to Subpart E ~~Subpart E of Appendix C~~, the asbestos worker courses are the only courses approved to be conducted in a language other than English.

2. Any course provider who wishes to conduct a course in a language other than English must comply with the following:

a. through d. No change.

(5) through (8) No change.

(9) Fees.

(a) Fees for initial training course review shall be \$350.00 per training day. Courses with a duration of eight hours will be assessed at the 8-hour day rate (\$350.00). An additional \$350.00 will be assessed for each 8-hour day of training above the minimum days of training specified in Sections 469.001-.015, Florida Statutes, and those set forth in 40 C.F.R. Part 763, Appendix C to Subpart E ~~Subpart E of Appendix C~~, as it existed on September 1, 1997. Courses with a duration of four hours of training will be assessed \$175.00. Courses with a duration of eight hours will be assessed at the 8-hour day rate (\$350.00).

(b) Fees for refresher training course approval shall be as follows:

1. \$175.00 – per 4-hour day;

2. \$250.00 – per 8-hour day.

(c) All application fees are non-refundable.

(10) No change.

Specific Authority 455.203(5), 469.011 FS. Law Implemented 469.014 FS. History—New 5-12-93, Formerly 21-23.006, Amended 8-17-94, 11-24-97, 3-23-04, \_\_\_\_\_.

**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 Acupuncture**

RULE CHAPTER TITLE: Fees  
 RULE CHAPTER NO.: 64B1-2

PURPOSE AND EFFECT: The Board deems it necessary to review the fees chapter to ascertain if changes, including but not limited to the assessment of fees for retired licensee status, are necessary.

SUBJECT AREA TO BE ADDRESSED: Fees.

SPECIFIC AUTHORITY: 456.036(3), 457.104, 457.107(1), 457.108(2), 456.036, 457.105(2)(d), 120.53(1), 456.025, 457.107(8), 456.025(2),(7), 456.025(8), 456.065 FS.

LAW IMPLEMENTED: 456.036(3), 457.107(1), 457.108(2), 456.036, 457.005(2)(d), 456.025, 457.107(3), 456.025(2),(7), 456.025(5), 456.065 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, Jr., Executive Director, Board of Acupuncture, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399

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

**DEPARTMENT OF HEALTH**

**Board of Acupuncture**

RULE TITLE: Disciplinary Guidelines  
 RULE NO.: 64B1-9.001

PURPOSE AND EFFECT: The Board deems it necessary to review the disciplinary guidelines, in order to ascertain whether changes are needed.

SUBJECT AREA TO BE ADDRESSED: Disciplinary Guidelines.

SPECIFIC AUTHORITY: 456.079(1), 457.104 FS.  
 LAW IMPLEMENTED: 456.072, 456.079, 457.109 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, Jr., Executive Director, Board of Acupuncture, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399

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

**DEPARTMENT OF HEALTH**

**Board of Psychology**

RULE TITLE: Obligations of Continuing Psychological Education Providers  
 RULE NO.: 64B19-13.005

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address the obligations of continuing education providers.

SUBJECT AREA TO BE ADDRESSED: Obligations of continuing education providers.

SPECIFIC AUTHORITY: 490.004(4), 490.0085(4) FS.  
 LAW IMPLEMENTED: 490.007(2), 490.0085(1),(3) 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: 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**

**Division of Environmental Health**

RULE CHAPTER TITLE: Emergency Medical Services  
 RULE CHAPTER NO.: 64E-2

RULE TITLE: Trauma Center Funding Allocation  
 RULE NO.: 64E-2.0291

PURPOSE AND EFFECT: To provide a precise method for determining funding allocations for distribution to Florida's trauma centers in accordance with the legislative directives included in House Bill 497 and House Bill 1697 passed during the 2005 Legislative Session.

SUBJECT AREA TO BE ADDRESSED: Trauma Center Funding Allocation.

SPECIFIC AUTHORITY 381.0011(13) FS.  
 LAW IMPLEMENTED: HB 497, HB 1697

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

TIME AND DATE: 10:00 a.m. (EDT), August 8, 2005

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

TIME AND DATE: 10:00 a.m. (EDT), August 10, 2005

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Susan McDevitt, Office of Trauma, Department of Health, 4052 Bald Cypress Way, Bin #C18, Tallahassee, Florida 32399-1738, (850)245-4440, Ext. 2760, e-mail: susan\_mcdevitt@doh.state.fl.us, Fax (850)488-2512

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

**DEPARTMENT OF HEALTH**

**Division of Health Awareness and Tobacco**

RULE TITLES: RULE NOS.:  
 Records of Drugs, Cosmetics and Devices 64F-12.012  
 Prescription Drugs; Receipt,  
 Storage and Security 64F-12.013

**PURPOSE AND EFFECT:** The 2003 Legislature passed Senate Bill 2312, The Prescription Drug Protection Act, that provided for a phase-in of enhanced drug regulation intended to further safeguard and protect the prescription drug supply in Florida. Effective July 1, 2006, a pedigree that traces all previous distributions of all prescription drugs back to the manufacturer must be provided by a wholesale distributor to all customers who acquired the prescription drug through a wholesale distribution. The 2005 Legislature passed Senate Bill 874, which further modified the requirements for the pedigree paper. This rule development workshop is intended to continue gathering information and input from industry to craft a rule that will facilitate industry's compliance with the pedigree requirements through a process that takes advantage of electronic technology without compromising the legislative intent to document and authenticate all prior distributions of a prescription drug in order to prevent or deter the introduction of diverted, counterfeit, or contraband prescription drugs into Florida's drug supply. In addition, the pedigree paper form referenced in Section 499.003(31), F.S., needs revisions to implement the new requirements of Senate Bill 874 and to simplify the document for implementation July 1, 2006. The methods for authenticating a pedigree paper as required by Section 499.0121(4), F.S., need fine-tuning, and the wholesale industry needs guidance on how to reflect a returned prescription drug from a pharmacy, hospital, or practitioner on the pedigree after July 1, 2006. It is the department's intent that this will be the final workshop to develop proposed rules to implement the pedigree paper provisions that go into effect on July 1, 2006.

**SUBJECT AREA TO BE ADDRESSED:** Parameters for the use of technology, such as electronic signatures and electronic pedigrees to meet the pedigree paper requirements in Section 499.0121(6)(f), F.S.; modifications to the pedigree paper form referenced in Section 499.003(31), F.S., that will go into effect on July 1, 2006; authentication methods provided in Rule 64F-12.013, F.A.C.; procedures for a wholesaler to reflect returns from pharmacies, hospitals, and medical practitioners on pedigree papers on and after July 1, 2006; and general matters related to implementation of the July 1, 2006 requirements for pedigree papers as may be raised by workshop participants.

**SPECIFIC AUTHORITY:** 499.003(31), 499.0121(6), 499.05 FS.

**LAW IMPLEMENTED:** 499.003(31), 499.0121(5)(d),(6)(f) FS.

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

**TIME AND DATE:** 9:00 a.m. – 1:00 p.m., Wednesday, August 17, 2005

**PLACE:** Capital Circle Office Complex, Building 4042, Room 301, 4042 Bald Cypress Way, Tallahassee, Florida

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Sandra Stovall, Compliance Manager, Bureau of Statewide Pharmaceutical Services, 2818-A Mahan Drive, Tallahassee, Florida 32308, (850)487-1257, Ext. 210, e-mail: sandra\_stovall@doh.state.fl.us (Draft language will be published on the bureau's website, www.doh.state.fl.us/pharmacy/drugs, 10 days prior to the scheduled workshop)

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

**DEPARTMENT OF HEALTH**

**Vital Statistics**

RULE TITLE: RULE NO.:  
 Death and Fetal Death Registration 64V-1.0061

**PURPOSE AND EFFECT:** Purpose of proposed amendment is to update form used in registering fetal deaths to incorporate items from the standard Certificate of Fetal Death as required by the Center for Disease Control (CDC), National Center for Health Statistics (NCHS). These records are the principal means of promoting uniformity of data collection by states. CDC/NCHS recommends each state incorporate the revised national certificates. Florida has already implemented the recommended birth and death certificates.

**SUBJECT AREA TO BE ADDRESSED:** The revised fetal death certificate promotes more complete reporting including the usefulness of fetal autopsies, the need for standard definitions of obstetric terminology, medical risk factors, measurement of gestational age, and prenatal care. This revised data is integrated with other public health systems such as newborn screening, immunization registry, medical examiner reporting system and other disease specific reporting systems.

**SPECIFIC AUTHORITY:** 382.003(10), 382.008 FS.

**LAW IMPLEMENTED:** 382.003(7),(11), 382.008 FS.

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

**TIME AND DATE:** 10:00 a.m., August 1, 2005

**PLACE:** Department of Health, State Office of Vital Statistics, 1217 Pearl St., Boorde Bldg., Rm. 420, Jacksonville, FL 32202

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Kathleen Dunkley Stephens, Sr. Management Analyst Supervisor, Department of Health, State Office of Vital Statistics, P. O. Box 210, Jacksonville, Florida 32231-0042

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

**64V-1.0061 Death and Fetal Death Registration.**

All deaths except for fetal deaths filed pursuant to Section 382.008, F.S., shall be registered on a Certificate of Death, DH Form 512, July 04. All fetal deaths occurring in this state shall be filed on a Certificate of Fetal Death, DH Form 428, Jan. 06 ~~Nov. 07~~, both hereby incorporated by reference and available from the department.

Specific Authority 382.003(10), 382.008 FS. Law Implemented 382.003(7),(11), 382.008 FS. History—New 2-29-04, Amended 10-19-04, \_\_\_\_\_.

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Accounting and Auditing**

RULE TITLES:	RULE NOS.:
Format of Schedule	69I-5.003
Types of State Financial Assistance	69I-5.004
State Project Determination	69I-5.005
Recipient/Subrecipient and Vendor Relationships	69I-5.006
State Project Compliance Supplement	69I-5.007
Criteria for Major State Projects	69I-5.008
Criteria for Selecting State Projects for Audit Based on Inherent Risk	69I-5.009
Approval of Non-State Entity Conduits	69I-5.010

PURPOSE AND EFFECT: The purpose of the proposed rules is to implement the changes made to the Florida Single Audit Act by Chapter 2005-152, Laws of Florida, effective July 1, 2005.

SUBJECT AREA TO BE ADDRESSED: Duties and responsibilities under the Florida Single Audit Act, Section 215.97, Florida Statutes.

SPECIFIC AUTHORITY: 215.97 FS.

LAW IMPLEMENTED: 215.97 FS.

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

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

PLACE: Room 430, Fletcher Building, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Shane Lewis, Bureau of Auditing, Room 448J, Fletcher Building, Tallahassee, Florida 32399-0355, (850)410-9310

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

**Section II  
Proposed Rules**

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Agricultural Water Policy**

RULE CHAPTER TITLE: Water Quality/Quantity BMPs for  
Indian River Area Citrus Growers

RULE CHAPTER NO.: 5M-2

RULE TITLE: Approved BMPS

RULE NO.: 5M-2.002

PURPOSE AND EFFECT: To amend Rule 5M-2.002, F.A.C., to incorporate the most recent version of the BMP manual.

SUMMARY: The rule amendment changes the date of the manual incorporated by reference to accurately reflect the most recent revisions.

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

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

SPECIFIC AUTHORITY: 403.067(7)(d) FS.

LAW IMPLEMENTED: 403.067(7)(d) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Brittany Mayock, Environmental Specialist I, Office of Agricultural Water Policy, 1203 Governor’s Square Boulevard, Suite 200, Tallahassee, Florida 32301, (850)488-6249, Fax (850)921-2153

THE FULL TEXT OF THE PROPOSED RULE IS:

5M-2.002 Approved BMPS.

The document titled *Water Quality/Quantity BMPs for Indian River Area Citrus Groves* (~~May, 2000~~ January, 2005) is hereby incorporated and adopted by reference in this rule for Brevard, Indian River, Martin, Okeechobee, Palm Beach, St. Lucie and Volusia counties. Copies of the document may be obtained from the University of Florida, Indian River Research and Education Center, 2199 South Rock Road, Ft. Pierce, Florida 34945.

Specific Authority 403.067(7)(d) FS. Law Implemented 403.067(7)(d) FS. History—New 6-24-05, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mark Jennings, Environmental Specialist III, Office of Agricultural Water Policy
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Chuck Aller, Director, Office of Agricultural Water Policy
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 12, 2004
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 23, 2004

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Private School Scholarship Compliance Form
RULE NO.: 6A-6.03315

PURPOSE AND EFFECT: The amendment establishes deadlines for the submission of the Scholarship Compliance Form and for resolution of outstanding compliance issues. The change of deadline prevents the disruption of families during the school year.

SUMMARY: The rule delineates private school reporting requirements and statutory and regulatory requirements related to a private school's location and contact information, ownership and affiliation; financial solvency, administration, staffing, programs, student health, student records, and facility. The amendment establishes deadlines for the submission of the Scholarship Compliance Form and for resolution of outstanding compliance issues.

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: 220.187, 1002.38, 1002.39, 1002.42 FS.

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

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

TIME AND DATE: 8:30 a.m., August 16, 2005
PLACE: 400 South Monroe Street, Room LL03, The Capitol, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Virginia Gentles, Executive Director, Office of Independent Education and Parental Choice, Department of Education, 325 West Gaines Street, Room 522, Tallahassee, Florida 32399-0400, (850)245-0502

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.03315 Private School Scholarship Compliance Form.

Compliance reporting requirements for the participation of a Florida private school registered with the Department of Education to be determined eligible to participate in one or more state scholarship program(s) are specified in Form IEPC SCF-1, Scholarship Compliance Form for Private School Participants in State Scholarship Programs, which is hereby incorporated by reference to become a part of this rule effective September 2005 2004. The signed Scholarship Compliance Form must be received by the Office of Independent Education and Parental Choice no later than 5:00 p.m. on May 1 of each year. Following the timely submission of the Scholarship Compliance Form, any outstanding compliance issues must be resolved by the private school prior to July 1 of each year for the school to remain eligible to participate in the scholarship programs. This form delineates private school reporting requirements specified pursuant to Section 1002.42, Florida Statutes, and statutory and regulatory requirements related to the areas of school location and contact information; school ownership; affiliation, and licensing; financial solvency; school administration; school staffing; school program; student health, safety, and welfare; student records; school facility; and submission of scholarship compliance form. Copies of the form may be obtained from the Office of Independent Education and Parental Choice, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399.

Specific Authority 1002.38, 1002.39, 1002.42 FS. Law Implemented 220.187, 316.615, 381.006, 381.0072, 404.056, 440.02, 443.1216, 607.0128, 617.0128, 623.03, 1002.38, 1002.39, 1002.42, 1003.22, 1003.23 FS. History--New 10-13-04, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Virginia Gentles, Executive Director, Office of Independent Education and Parental Choice, Department of Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Commissioner of Education John L. Winn

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 27, 2005

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

DEPARTMENT OF TRANSPORTATION

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

RULE TITLE: Toll Facilities Description and Toll Rate Schedule
RULE NO.: 14-15.0081

**PURPOSE AND EFFECT:** The purpose of this notice rulemaking is to allow the public an opportunity to provide input to changes in the Toll Facilities Description and Toll Rate Schedule required by the construction of the N. W. 74th Street/Florida's Turnpike interchange. Section 338.155(1), Florida Statutes, does not permit the use of the State's toll facilities without paying a toll.

**SUMMARY:** The toll rate public hearing is being held to allow the public an opportunity to comment on the proposed toll rate schedule for the Florida Department of Transportation's construction of a SunPass-Only interchange at N. W. 74th Street and Florida's Turnpike interchange. The project is located in Miami-Dade County. Tolls are proposed to be collected from vehicles accessing to and from the southbound direction. This new interchange is approximately two miles south of the Okeechobee Toll Plaza. This public hearing is being held in conjunction with a Project Development and Environment (PD&E) and Design public hearing for an interchange project, Financial Project Identification 406104-1. A rule development workshop was not requested for this project.

**SPECIFIC AUTHORITY:** 334.044(2), 338.155(1) FS.

**LAW IMPLEMENTED:** 338.222, 338.231, 338.155 FS.

**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.

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

**TIME AND DATE:** August 18, 2005, Informal Open House – 6:00 p.m., Formal Public Hearing – 7:00 p.m.

**PLACE:** Eugenia B. Thomas Elementary School, 5950 N. W. 114 Avenue, Doral, Florida 33178

**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:**

14-15.0081 Toll Facilities Description and Toll Rate Schedule.

The Toll Facilities Description and Toll Rate Schedule, adopted November 15, 1987, and amended on February 8, 1988, August 1, 1988, February 2, 1989, May 10, 1989, July 1, 1991, August 1, 1991, November 6, 1991, July 11, 1993, November 28, 1993, September 18, 1994, June 6, 1995, July 9, 1995, January 1, 1996, March 31, 1996, April 28, 1996, June 2, 1996, July 28, 1996, September 23, 1997, November 24, 1997,

February 12, 1998, June 30, 1998, July 29, 1998, January 6, 1999, February 9, 1999, April 29, 1999, June 21, 1999, September 4, 2001, March 26, 2002, April 10, 2003, October 1, 2003, December 11, 2003, March 7, 2004, and May 20, 2004, and \_\_\_\_\_ is hereby incorporated by this rule and made a part of the rules of the Department. Copies of this Department of Transportation Toll Facilities Description and Toll Rate Schedule and any amendments thereto are available at no more than cost.

Specific Authority 334.044(2), 338.155(1) FS. Law Implemented 338.222, 338.231, 338.155 FS. History—New 11-15-87, Amended 2-8-88, 8-1-88, 2-2-89, 5-10-89, 7-1-91, 8-1-91, 11-6-91, 7-11-93, 11-28-93, 9-18-94, 6-6-95, 7-9-95, 1-1-96, 3-31-96, 4-28-96, 6-2-96, 7-28-96, 9-23-97, 11-24-97, 2-12-98, 6-30-98, 7-29-98, 1-6-99, 2-9-99, 4-29-99, 6-21-99, 9-4-01, 3-26-02, 4-10-03, 10-1-03, 12-11-03, 3-7-04, 5-20-04, \_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** James Ely, Executive Director, Florida's Turnpike Enterprise  
**NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE:** José Abreu, P.E., Secretary  
**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** June 28, 2005

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

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

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

**DEPARTMENT OF MANAGEMENT SERVICES**

**Division of Retirement**

<b>RULE CHAPTER TITLE:</b>	<b>RULE CHAPTER NO.:</b>
Membership	60S-1
<b>RULE TITLE:</b>	<b>RULE NO.:</b>
Participation	60S-1.004

**PURPOSE AND EFFECT:** The purpose of the rule amendments is to add visiting international teachers working in Florida pursuant to a J-1 visa to the list of positions specifically exempted from the Florida Retirement System.

**SUMMARY:** The purpose of the rule amendments is to add visiting international teachers working in Florida pursuant to a J-1 visa to the list of positions specifically exempted from the Florida Retirement System.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:** 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: 121.031 FS.  
 LAW IMPLEMENTED: 121.011, 121.021, 121.051(1) FS.  
 IF REQUESTED IN WRITING 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: Garry Green, Operations and Management Consultant Manager, Research and Education Section, Division of Retirement, Department of Management Services, 1317 Winewood Blvd. Bldg. 8, Tallahassee, FL 32315-9000, (850)488-5706

THE FULL TEXT OF THE PROPOSED RULE IS:

- 60S-1.004 Participation.
- (1) through (5)(c) No change.
- (d) The following types of positions in a local agency are considered temporary positions for retirement purposes. Documents to support such temporary positions listed below must be maintained in the agency's records (see subsection 60S-5.007(2), F.A.C.).
  - 1. through 9. No change.
  - 10. Instructional positions in grades K-12 filled by exchange teachers on a J-1 visa when participating in an exchange visitor program designated by the United States Department of State pursuant to 22 CFR 62.24. Employment may not exceed 3 years whether employed in regularly established positions or temporary positions with educational institutions listed on federal Form DS-2019, Certificate of Eligibility for Exchange Teacher Status. A certified copy of Form DS-2019 must be maintained in the local employing agency's records for each exchange teacher employed.

(6) through (7) No change.

Specific Authority 121.031 FS. Law Implemented 121.011, 121.021, 121.051(1),(2), 121.0511, 121.052, 121.053, 121.055, 121.081, 121.091(8), 240.3195 FS. History--New 1-1-72, Amended 10-20- 72, 12-31-74, 10-2-78, 7-1-79, 7-1-80, 8-26-81, 1-19-82, 10-11-82, 1-18-83, 11-6-84, 4-17-85, Formerly 22B-1.04, Amended 2-4-86, 1-12-87, 3-11-87, 2-7-89, 9-5-90, 5-15-91, 11-14-91, Formerly 22B-1.004, Amended 3-18-93, 8-4-94, 4-5-95, 3-12-96, 12-12-96, 2-24-99, 9-17-03,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Garry Green, Operations and Management Consultant Manager, Research and Education Section, Division of Retirement, Department of Management Services, 1317 Winewood Blvd., Bldg. 8, Tallahassee, FL 32315-9000, (850)488-5706

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: LeeAnn Korst, Deputy Secretary, Department of Management Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 6, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 3, 2005

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineers**

RULE TITLE: Procedures for Signing and Sealing

RULE NO.: 61G15-23.003

Electronically Transmitted Plans, Specifications, Reports or Other Documents

PURPOSE AND EFFECT: Purpose and effect are to establish rules concerning a license holder's computer generated representation of his or her seal on electronically conveyed work.

SUMMARY: Establishes rules concerning a license holder's computer generated representation of his or her seal on electronically conveyed work.

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: 282.75 FS.

LAW IMPLEMENTED: 471.025 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Paul Martin, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32301

THE FULL TEXT OF THE PROPOSED RULE IS:

61G15-23.003 Procedures for Signing and Sealing Electronically Transmitted Plans, Specifications, Reports or Other Documents.

(1) Engineering work which must be sealed under the provisions of Chapter 471, F.S., information stored or transmitted in an electronic format, files representing plans, specifications, plans, reports, or other documents which must be sealed under the provisions of Chapter 471, F.S., shall be signed, dated and sealed by the professional engineer in responsible charge.

(2) A license holder may use a computer generated representation of his or her seal on electronically conveyed work; however, the final hard copy documents of such engineering work must contain an original signature of the license holder and date or the documents must be accompanied by an electronic signature as described in this section. A scanned image of an original signature shall not be used in lieu of an original signature or electronic signature. Engineering work that contains a computer generated seal shall be

accompanied by the following text or similar wording: “The seal appearing on this document was authorized by [Example: Leslie H. Doe, P.E. 0112 on (date)]” unless accompanied by an electronic signature as described in this section.

(3) An electronic signature is a digital authentication process attached to or logically associated with an electronic document and shall carry the same weight, authority, and effect as an original signature. The electronic signature, which can be generated by using either public key infrastructure or signature dynamics technology, must be as follows:

- (a) Unique to the person using it;
- (b) Capable of verification;
- (c) Under the sole control of the person using it;
- (d) Linked to a document in such a manner that the electronic signature is invalidated if any data in the document are changed.

(4)(2) Alternatively, eElectronic files may be signed and sealed by creating a “signature” file that contains the engineer’s name and PE number, a brief overall description of the engineering documents, and a list of the electronic files to be sealed. Each file in the list shall be identified by its file name utilizing relative Uniform Resource Locators (URL) syntax described in the Internet Architecture Board’s Request for Comments (RFC) 1738, December 1994, which is hereby adopted and incorporated by reference by the Board and can be obtained from the Internet Website: ftp://ftp.isi.edu/in-notes/rfc1738.txt. Each file shall have an authentication code defined as an SHA-1 message digest described in Federal Information Processing Standard Publication 180-1 “Secure Hash Standard,” 1995 April 17, which is hereby adopted and incorporated by reference by the Board and can be obtained from the Internet Website: http://www.itl.nist.gov/div897/pubs/fip180-1.htm. A report shall be created that contains the engineer’s name and PE number, a brief overall description of the engineering documents in question and the authentication code of the signature file. This report shall be printed and manually signed, dated, and sealed by the professional engineer in responsible charge. The signature file is defined as sealed if its authentication code matches the authentication code on the printed, manually signed, dated and sealed report. Each electronic file listed in a sealed signature file is defined as sealed if the listed authentication code matches the file’s computed authentication code.

Specific Authority 282.75 FS. Law Implemented 471.025 FS. History—New 8-18-98, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Professional Engineers  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Professional Engineers  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 23, 2005  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 17, 2005

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE TITLE: Advertising and Soliciting by Dentists  
RULE NO.: 64B5-4.002

PURPOSE AND EFFECT: The Board proposes the rule amendment to regulate the advertising practices of licensees regarding the use of “sleep dentistry” with general anesthesia.

SUMMARY: The proposed rule amendment restricts the use of advertising “sleep dentistry” to valid anesthesia permit holders.

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

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

SPECIFIC AUTHORITY: 466.004(4), 466.019 FS.

LAW IMPLEMENTED: 466.019, 466.028(1)(d) FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-4.002 Advertising and Soliciting by Dentists.

(1) through (6) No change.

(7) No licensee may advertise “sleep dentistry” unless the licensee possesses a valid general anesthesia permit.

Specific Authority 466.004(4), 466.019 FS. Law Implemented 466.019, 466.028(1)(d) FS. History—New 7-7-87, Amended 1-11-89, 10-29-90, 4-24-91, 7-14-92, Formerly 21G-4.002, Amended 3-30-94, Formerly 61F5-4.002, 59Q-4.002, Amended 5-20-01, 1-29-03, \_\_\_\_\_.

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: May 6, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 17, 2005

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE TITLE: Requirements for General Anesthesia or Deep Sedation

RULE NO.: 64B5-14.008

PURPOSE AND EFFECT: The Board proposes to revise the requirements for available drugs on site where general anesthesia or deep sedation are used in the practice of Dentistry, to add the requirement that Dantrolene be available.

SUMMARY: The rule adds the requirement that Dantrolene be available in Dental practice facilities where general anesthesia or deep sedation are employed.

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

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

SPECIFIC AUTHORITY: 466.004, 466.017 FS.

LAW IMPLEMENTED: 466.017 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-14.008 Requirements for General Anesthesia or Deep Sedation.

General Anesthesia Permit applicants and permit holders shall comply with the following requirements at each location where anesthesia procedures are performed. The requirements shall be met and equipment permanently maintained and available at each location.

- (1) through (5)(m) No change.
- (n) An appropriate antiarrhythmic medication; ~~and~~
- (o) Nitroglycerine; ~~and-~~
- (p) Dantrolene, when used with volatile gases.

Specific Authority 466.004, 466.017 FS. Law Implemented 466.017 FS. History—New 10-24-88, Amended 11-16-89, Formerly 21G-14.008, Amended 12-20-93, Formerly 61F5-14.008, Amended 8-8-96, Formerly 59Q-14.008, Amended 5-31-00, 6-23-04, \_\_\_\_\_.

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: June 24, 2005

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

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE TITLE: Requirements for Electrolysis Training Programs Approved by the Board

RULE NO.: 64B8-53.001

PURPOSE AND EFFECT: This rule is amended to set out or clarify requirements for electrolysis training programs approved by the Board and to identify the necessary application form and attachments for initial training programs and how to obtain same.

SUMMARY: This rule sets out the criteria for approval of electrolysis training programs that will be approved by the Board and explains how providers receive approval and what is required to be submitted to obtain such approval.

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: 478.43(4), 478.50(4)(b) FS.

LAW IMPLEMENTED: 478.43(4), 478.45(1)(e), 478.50(4)(b) FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-53.001 Requirements for Electrolysis Training Programs Approved by the Board.

An electrolysis training program is approved by the Board if the following requirements are met:

- (1) The electrolysis training program is, at all times, licensed by the Commission for State Board of Independent Education Postsecondary Vocational, Technical, Trade, and Business Schools and the license is a provisional, regular or biennial license issued pursuant to Sections 246.201-.231, F.S., and the rules promulgated thereunder, and is compliant with these rules.

- (a) Providers of electrolysis training programs approved for providing training for licensure in Florida, must provide the Electrolysis Council copies of all documents submitted to the Department of Education for initial approval and renewal by them. Failure to provide the materials shall result in a denial of or revocation of program approval. If such license is suspended or revoked, the electrolysis training program does not meet the approval of the Board.



DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 2, 2005  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 29, 2004

**DEPARTMENT OF HEALTH**

**Board of Opticianry**

RULE TITLE: Delinquent License  
 RULE NO.: 64B12-12.009

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify the language regarding a delinquent license.

SUMMARY: The language regarding the time a license becomes delinquent will be clarified.

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

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

SPECIFIC AUTHORITY: 456.036 FS.

LAW IMPLEMENTED: 456.036 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B12-12.009 Delinquent License.

(1) No change.

(2) Once the license becomes delinquent, the ~~The~~ delinquent licensee must affirmatively apply for active or inactive status during the biennium in which the license becomes delinquent. ~~The~~ Failure by the delinquent licensee to renew ~~cause the license to become active or inactive~~ before the expiration of the biennium ~~in which the license became delinquent~~ shall render the license null and void without further action by the board or the Department.

(3) No change.

Specific Authority 456.036 FS. Law Implemented 456.036 FS. History—New 9-30-02, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Opticianry

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 22, 2004

**DEPARTMENT OF HEALTH**

**Board of Opticianry**

RULE TITLES: Application for Board Certification and Renewal  
 RULE NOS.: 64B12-14.002

Board Certification Course Requirements and Course Approval  
 64B12-14.004

PURPOSE AND EFFECT: The Board proposes the rule amendments to update the language relating to gender.

SUMMARY: The language relating to gender in this rule will be updated.

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

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

SPECIFIC AUTHORITY: 484.002(6), 484.005(1),(4) FS.

LAW IMPLEMENTED: 484.002(6), 484.005(1), 484.008(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Sue Foster, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULES IS:

64B12-14.002 Application for Board Certification and Renewal.

(1) through (2) No change.

(3) Any applicant whose application or qualifications submitted raises questions regarding the ~~his~~ ability to practice safely as a Board Certified Optician shall be required to personally appear before the Board to answer questions which are reasonably related to issues raised by the ~~his~~ application, ~~his~~ qualifications and ~~his~~ ability to practice safely as a Board Certified Optician.

(4) No change.

Specific Authority 484.005(1) FS. Law Implemented 484.002(6), 484.005(1) FS. History—New 3-5-87, Amended 3-30-89, 1-30-91, Formerly 21P-14.002, 61G13-14.002, 59U-14.002, Amended 10-12-97, \_\_\_\_\_.

64B12-14.004 Board Certification Course Requirements and Course Approval.

Applicants for Board Certification must submit with their application proof of satisfactory completion of Board approved course which meet the requirements of this rule.

(1) through (3) No change.

(4) Courses may be taught only by instructors whose qualifications have been approved by the Board, or a committee of the Board appointed by the Chairman. Approval must be obtained prior to the course being offered. The following qualifications are required for approval.

(a) through (b) No change.

(5) No change.

(6) A course outline shall be submitted to the Board, or a committee of the Board appointed by the Chairman, for review to determine the sufficiency of the course in meeting the requirements of this rule, prior to the course receiving Board approval.

(7) No change.

Specific Authority 484.002(6), 484.005(4) FS. Law Implemented 484.002(6), 484.008(3) FS. History--New 7-7-87, Formerly 21P-14.004, 61G13-14.004, 59U-14.004, Amended 11-4-03.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Opticianry

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 22, 2004

**DEPARTMENT OF HEALTH**

**Board of Opticianry**

RULE TITLE: Provider Approval and Renewal

RULE NO.: 64B12-15.004

PURPOSE AND EFFECT: The Board proposes the rule amendment to remove redundant language from the rule.

SUMMARY: Redundant and unnecessary language will be removed from the rule.

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

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

SPECIFIC AUTHORITY: 484.005, 484.008(3) FS.

LAW IMPLEMENTED: 484.008(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B12-15.004 Provider Approval and Renewal.

(1) through (5) No change.

(6) Any person, the monitor, or a board member attending a continuing education program for credit who believes that the approved provider is not in compliance with Chapter 484, F.S., any rule of the Board or Department, or pertinent statutory provisions may file a complaint with the Department for action against the provider and/or the responsible Florida-licensed optician pursuant to Section 456.073, F.S.

(7) No change.

Specific Authority 484.005, 484.008(3) FS. Law Implemented 484.008(3) FS. History--New 10-12-80, Formerly 21P-15.04, Amended 3-5-87, 1-6-88, 3-30-89, 5-2-89, 6-11-92, Formerly 21P-15.004, Amended 9-14-93, Formerly 61G13-15.004, Amended 4-18-96, 7-10-97, Formerly 59U-15.004, Amended 8-6-97, 12-31-00.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Opticianry

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 22, 2004

**DEPARTMENT OF HEALTH**

**Division of Health Access and Tobacco**

RULE TITLE: Licensing, Application, Permitting

RULE NO.: 64F-12.015

PURPOSE AND EFFECT: This rule amendment revises three forms used for permitting in-state and out-of-state prescription drug wholesalers under the Florida Drug and Cosmetic Act. These forms include the Surety Bond Form, the Application for Certification as a Designated Representative, and Notification of Designated Representative. Outdated language no longer needed for the initial implementation of certifying designated representatives is removed from the rule.

SUMMARY: Redundant language is deleted from the Surety Bond Form in order to clarify the provisions in the surety bond. The certified designated representative provisions in Section 499.012(11), F.S., provided for a one-year implementation process for the testing requirements of the designated representative. That one year period has elapsed so the rule needs to be amended to remove the provisions related to a provisional certification that are no longer applicable. Also, the two forms related to the Designated Representative need modifications for efficiency.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: There is no estimated regulatory impact related to this proposed rule amendment.

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: 499.012 FS.

LAW IMPLEMENTED: 499.012 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: 11:00 a.m., Monday, August 15, 2005

PLACE: 2818-A Mahan Drive, Tallahassee, Florida

If special accommodations are needed to attend this workshop because of a disability, please contact: Maxine Wenzinger, (850)922-5190.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sandra Stovall, Compliance Officer, 2818-A Mahan Drive, Tallahassee, Florida 32308, (850)487-1257, Ext. 210, e-mail: sandra\_stovall@doh.state.fl.us.fl

THE FULL TEXT OF THE PROPOSED RULE IS:

64F-12.015 Licensing, Application, Permitting.

This section addresses the application and permitted requirements of persons regulated under Part I of Chapter 499, F.S.

(1) through (6) No change.

(7) WHOLESALER PERMITS.

(a) through (d) No change.

(e) Application requirements for Prescription Drug Wholesalers, Prescription Drug Wholesalers – Brokers Only, or Out-of-State Prescription drug wholesalers include:

1. through 4. No change.

5. Submit a \$100,000 bond or security as specified in Section 499.012(2)(a) and (c), F.S., and sub-paragraph (b) above. If you are using a surety bond, the required bond form is DH 2128, "Surety Bond Form," effective June 2005, ~~January 2004~~, which is incorporated by reference herein.

6. No change.

7. Identify a person who has been Certified pursuant to Section 499.012(11), F.S., to serve as the certified designated representative. If the prescription drug wholesaler operates in 'shift' schedules, a different person per shift may be designated; however the shift hours for which each person is responsible must be clearly identified. You ~~may~~ must use Notification of Designated Representative form DH 2130, effective June 2005, ~~January 2004~~, which is incorporated by reference herein, ~~for the initial notification or for communicating~~ changes in the designated representative.

8. through 9. No change.

(f) through (g) No change.

(8) No change.

(9) DESIGNATED REPRESENTATIVE.

~~(a) In order to provide a method for drug wholesalers to comply with s. 499.012(11), F.S., the department will issue a provisional permit to a designated representative prior to full implementation of the testing requirements below.~~

~~(b) Each designated representative provisionally certified has one year from dissemination of the test results for the first test administered to have attained a passing score of at least 75% correct on the test required by s. 499.012(11)(b)4., F.S. Upon passing the test, the provisional designation for the certification will be deleted. If a person provisionally certified has not attained a passing score of at least 75% correct on the test required by s. 499.012(11)(b)4., F.S., within this time frame, the provisionally certified person will be notified of the department's intent to revoke the provisional certification for failure to meet the requirements to be certified as a designated representative. The person will have to reapply to the department for certification as a designated representative and meet all requirements in effect at that time.~~

~~(a)(e)~~ For purposes of the work experience required to be certified as a designated representative:

1. Serving in a managerial capacity does not require actual supervisory responsibilities over employees, but requires a level of responsibility consistent with a managerial employee, including but not limited to decision-making authority, responsibility for developing and implementing policies and procedures related to purchasing, sales, or inventory management for prescription drugs.

2. Responsibilities related to recordkeeping for prescription drugs by a person who worked in a pharmacy may include such activities as, practicing pharmacy pursuant to a valid pharmacy license, routinely purchasing or ordering prescription drugs where cognitive functions were involved and the order is not the result of an automated reorder system, routinely receiving prescription drugs and verifying the accuracy of the order, routinely taking a physical inventory of prescription drugs, routinely assessing the pharmacy shelves for outdated prescription drugs, and routinely completing an inventory for the transfer of adulterated prescription drugs for appropriate disposal.

~~(b)(d)~~ Application requirements for Certification as a Designated Representative include:

1. Contact the department's Bureau of Statewide Pharmaceutical Service to request an application and fingerprint cards or download the application from the bureau's web site.

2. File with the department a completed application for certification using Form DH 2126 "Application for Certification as a Designated Representative," effective June 2005, ~~January 2004~~, which is incorporated by reference herein. An application is not deemed completed until the applicant has received a passing score on the laws and rules examination required by Section 499.0121(11)(b)4., F.S. The applicant will

be notified by regular mail at the applicant's home mailing address of the applicant's eligibility to schedule the laws and rules examination. Information on scheduling and other testing processes are included on the bureau's website in a document entitled "Candidate's Information Booklet." If the applicant has not passed the laws and rules examination within six months of this notification, the bureau will initiate action to deny the Application for Certification as a Designated Representative. This six-month period for an applicant to pass the laws and rules examination does not extend the statutory requirement in Section 499.012(11)(f), F.S., for a prescription drug wholesaler or an out-of-state prescription drug wholesaler to employ a designed representative.

3. Submit a legible fingerprint card and \$47.00 per fingerprint card. The fingerprint card must have been obtained from the department so that the card will have the proper coding for processing and reporting.

4. Pay the appropriate fee(s) as required by Rule 64F-12.018, F.A.C.

5. Comply with all requirements for certification provided in Chapter 499, F.S., and these rules.

(10) No change.

(11) PERMIT RENEWALS FOR PRESCRIPTION DRUG WHOLESALER, PRESCRIPTION DRUG WHOLESALER – BROKER ONLY, OR OUT-OF-STATE PRESCRIPTION DRUG WHOLESALER.

(a) through (f) No change.

(g) Submit a \$100,000 bond or security as specified in Section 499.012(2)(a) and (c), F.S., and paragraph (7)(b) above. If you are using a surety bond, the required bond form is DH 2128, "Surety Bond Form," effective ~~June 2005~~ ~~January 2004~~.

(h) through (j) No change.

Specific Authority 499.01, 499.012, 499.0122, 499.013, 499.014, 499.028, 499.04, 499.041, 499.05, 499.62, 499.63, 499.64, 499.66, 499.67, 499.701 FS. Law Implemented 499.01, 499.012, 499.0121, 499.0122, 499.013, 499.028, 499.04, 499.041, 499.05, 499.06, 499.062, 499.063, 499.064, 499.066, 499.067 FS. History—New 12-12-82, Amended 7-8-84, 1-30-85, Formerly 10D-45.54, Amended 11-26-86, 2-4-93, 7-1-96, Formerly 10D-45.054, Amended 1-26-99, 4-17-01, 10-29-02, 7-6-03, 1-1-04, 9-13-04, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jerry Hill, Chief of Statewide Pharmaceutical Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Phil E. Williams, Director, Division of Health Access and Tobacco

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 28, 2005

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

**DEPARTMENT OF HEALTH**

**Division of Health Access and Tobacco**

RULE TITLES:

RULE NOS.:

Administration of Statewide

64F-15.001

Pharmaceutical Contract

64F-15.002

Agency Contact

PURPOSE AND EFFECT: To update information related to administration of the statewide pharmaceutical contract to reflect organizational title changes in the Department of Management Services and the Department of Health and to delete references to obsolete forms.

SUMMARY: The references to various offices with the Department of Management Services and the Department of Health are revised to reflect current office titles. Corrections are made to the statutory authorization for this program. Also two forms are no longer used, so these forms are being deleted from the rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: There is no estimated regulatory impact related to this proposed rule amendment.

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: 381.0203(1) FS.

LAW IMPLEMENTED: 381.0203(1) 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: 10:00 a.m., Monday, August 15, 2005

PLACE: 2818-A Mahan Drive, Tallahassee, Florida 32308

If special accommodations are needed to attend this workshop because of a disability, please contact: Maxine Wenzinger, (850)922-5190.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Sandra Stovall, Compliance Officer, 2818-A Mahan Drive, Tallahassee, Florida 32308, (850)487-1257, Ext. 210, e-mail: sandra\_stovall@doh.state.fl.us.fl

THE FULL TEXT OF THE PROPOSED RULES IS:

64F-15.001 Administration of Statewide Pharmaceutical Contract.

DOH adopts and hereby incorporates by reference, for the sole purpose of implementing its responsibility under Section 381.0203 ss. ~~381.0011(4) and (13)~~, F.S., regarding the purchase of drugs, as defined in Section 499.003, F.S., to be used by state agencies and political subdivisions for the establishment, management, administration, monitoring, and enforcement of the Statewide Pharmaceutical Contract, Chapter 60A-1, F.A.C., as amended ~~May 1, 2005~~ ~~January 1, 1996~~, except that:

(1) ~~“State Purchasing” and “Department” Division of Purchasing~~, shall mean ~~“the Bureau of Statewide Pharmaceutical Pharmacy Services”~~.

(2) “All vendors”, shall mean “all pharmaceutical vendors”, except that DMS, ~~State Purchasing Division of Purchasing~~ shall continue to be responsible for vendor registration for the Statewide Pharmaceutical Contract pursuant to subsection 60A-1.006(1), F.A.C.

~~(3) PUR 7006 (R. 1-9-95), shall mean DOH Form 1048, 10/93, Exceptional Purchase Request Authorization/Certification, which is hereby incorporated by reference.~~

~~(4) PUR 7027 (R. 1-9-95), shall mean DOH Form 1049, (4/95), State of Florida Invitation to Bid/State Term Contract Bidder Acknowledgment, which is hereby incorporated by reference.~~

~~(3)(5) “Pharmaceutical” shall mean a drug or legend device as defined by Section 499.003(14), F.S., and Rule 64F-12.031(2), F.A.C.~~

Specific Authority ~~381.0203(1) 381.0011(4),(13) FS. Law Implemented 381.0203(1) 381.0011(4),(13), Chapter 287 FS. History—New 4-24-94, Amended 5-30-96, Formerly 10D-128.001, Amended \_\_\_\_\_.~~

64F-15.002 Agency Contact.

Forms, protests or other contact concerning the procurement of statewide pharmaceuticals are to be directed to: The DOH Bureau of ~~Statewide Pharmaceutical Pharmacy~~ Services, Statewide Pharmaceutical Purchasing and Quality Improvement, 2818 Mahan Drive, Tallahassee, Florida 32308.

Specific Authority ~~381.0011(4),(13) FS. Law Implemented 381.0011(4),(13), Chapter 287 FS. History—New 4-24-94, Amended 5-30-96, Formerly 10D-128.003, Amended \_\_\_\_\_.~~

NAME OF PERSON ORIGINATING PROPOSED RULE: Jerry Hill, Chief of Statewide Pharmaceutical Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Phil E. Williams, Director, Division of Health Access and Tobacco

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 29, 2005

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

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Manatees**

RULE TITLE: Scope and Purpose RULE NO.: 68C-22.001

PURPOSE AND EFFECT: The purpose of the amendment is to revise the rule in response to enactment of Chapter 2004-343, Laws of Florida, which amended subsection 372.072(6), F.S., to require that the Commission develop rules to describe how the measurable biological goals that define manatee recovery will be used by the Commission when

evaluating the need for additional manatee protection rules. The effect of the amendment would be to revise the rule to describe how the Commission uses the measurable biological goals.

SUMMARY: The rule amendment would add consideration of the measurable biological goals as another factor the Commission considers when determining whether new or amended manatee protection zones are necessary. The amendment would also codify the Commission’s statutory requirement to give great weight to existing state manatee protection rules in regions where the goals are being achieved.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Costs (SERC) has been prepared.

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

SPECIFIC AUTHORITY: 370.12(2)(g)-(j), (l),(n),(o), 372.072(6) FS.

LAW IMPLEMENTED: 370.12(2)(d),(g)-(l), (n),(o),(u), 372.072(6) FS.

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

TIME AND DATE: 4:00 p.m., August 16, 2005

PLACE: Bryant Building, 2nd Floor Conference Room, 620 S. Meridian Street, Tallahassee, Florida

A HEARING WILL BE SCHEDULED AND ANNOUNCED BY THE COMMISSION IN THE FAW.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to attend this hearing is asked to advise the agency at least 48 hours before the meeting by contacting: Agency ADA Coordinator, (850)488-6411. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD) or (850)488-9542, within the Tallahassee area.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mr. Scott Calleson, Florida Fish and Wildlife Conservation Commission, Imperiled Species Management Section, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68C-22.001 Scope and Purpose.

(1) No change.

(2) When establishing manatee protection zones as provided above, the Commission shall utilize the standards provided under paragraph (2)(a), below, in determining whether restrictions are necessary to protect manatees or manatee habitat. The Commission shall not establish

restrictions that result in undue interference with the rights of fishers, boaters, and water skiers (as they apply under Section 370.12(2)(k), F.S.).

(a) The Commission utilizes the following standards in determining whether restrictions are necessary to protect manatees or manatee habitats in areas of regular or periodic manatee use:

- 1. No change.
- 2. In determining whether restrictions are necessary, the Commission will consider, but not be limited to an examination of, the following factors:
  - a. The patterns and intensity of known boating activities in the area;
  - b. Seasonal and/or year-round patterns of manatee use;
  - c. The number of manatees that the Commission has concluded use the area on a regular or periodic basis;
  - d. The manatee mortality trends within the area;
  - e. The existence of features within the area that are essential to the survival of, or are known to attract, manatees, such as seagrasses or other food sources, favorable water depths, and fresh or warm water sources; ~~and~~

f. The characteristics of the waterway; and  
g. Whether the Commission's measurable biological goals that define manatee recovery are being achieved in the region that is being considered.

(b) Regarding the measurable biological goals referenced in paragraph (2)(a), above, in regions where the goals are being achieved, the Commission shall give great weight to existing state manatee protection rules; however, the Commission may amend existing rules or adopt new rules in these areas to address risks or circumstances in a particular area or water body.

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

Specific Authority 370.12(2)(g)-(j),(l),(n),(o), 372.072(6) FS. Law Implemented 370.12(2)(d),(g)-(l),(n),(o),(u), 372.072(6) FS. History--New 3-19-79, Formerly 16N-22.01, Amended 12-30-86, 6-16-93, 9-9-93, Formerly 16N-22.001, Amended 5-31-95, 6-25-96, 5-12-98, Formerly 62N-22.001, Amended 12-23-03, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mr. Tim Breault, Director of the Division of Habitat and Species Conservation

NAME OF PERSON WHO APPROVED THE PROPOSED RULE: Mr. Kenneth D. Haddad, Executive Director

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

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

**FINANCIAL SERVICES COMMISSION**

**Office of Insurance Regulation**

RULE TITLES:	RULE NOS.:
Definitions	690-149.0025
Rate Filing Procedures	690-149.003

PURPOSE, EFFECT AND SUMMARY: The definition of stop loss was determined to have been incorrectly drafted and has led to some inquiries as to the meaning. The rule was intended to be consistent with the NAIC model and is being amended to be that. The rule is also being amended to update published trend factors available to be used in rate filings.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: None.

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

SPECIFIC AUTHORITY: 624.308(1), 624.424(1)(c), 627.410(6)(b),(e) FS.

LAW IMPLEMENTED: 119.07(1)(b), 624.307(1), 626.9541(1), 627.410, 627.411(1)(e) FS.

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

TIME AND DATE: 9:30 a.m., August 12, 2005  
PLACE: Room 142, Larson Building, 200 East Gaines Street, Tallahassee, Florida

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Frank Dino, Life and Health Product Review, Office of Insurance Regulation, e-mail: frank.dino@fldfs.com

THE FULL TEXT OF THE PROPOSED RULES IS:

690-149.0025 Definitions.

(1) through (22) No change.

(23) Stop-Loss Insurance: Coverage purchased by an entity, generally an employer, for the purpose of covering the entity's obligation for the excess cost of medical care provided under a self-insured health benefit plan. Stop-loss coverage issued to a small employer shall not be subject to the requirements of Section 627.6699, F.S. The ~~For~~ coverage shall ~~to~~ be considered as a health insurance policy, rather than as a stop-loss insurance policy if the policy; the following standards shall be met:

(a) ~~If the coverage provides specific excess, it has an attachment point for claims incurred per individual which is lower than at least equal to \$20,000; or:~~

(b) 1. For insured employer groups with fifty (50) or fewer covered employees, if the coverage provides aggregate excess, has an aggregate attachment point which is lower than the greater of: at least equal to:

- i. \$4,000 times the number of employees;
- ii. 120 percent of expected claims; or
- iii. \$20,000; or

1. The greater of \$20,000 and 120 percent of expected claims for coverage issued to a small employer meeting the definition in Section 627.6699(3)(v), F.S., or

2. For insured employer groups with fifty-one (51) or more covered employees, has an aggregate attachment point which is lower than 110 percent of expected claims for coverage issued to groups not meeting the definition of small employer.

3. Insurers shall determine the number of covered employees of an employer on a consistent basis (such as annually and at a uniform time).

(24) No change.

Specific Authority 624.308(1), 627.410(6)(b),(e) FS. Law Implemented 627.410(1),(2),(6), 627.411(1)(e) FS. History—New 6-19-03, Formerly 4-149.0025, Amended 5-18-04, \_\_\_\_\_.

69O-149.003 Rate Filing Procedures.

(1) through (5) No change.

(6)(a) The following tables shall apply to filings made pursuant to subsection (5) above.

(b) A company without fully credible data may, at its option, use an annual medical trend assumption not to exceed the values in the following tables for the medical trend assumption used in a complete filing made pursuant to paragraph 69O-149.003(2)(b), F.A.C., including the actuarial memorandum required by Rule 69O-149.006, F.A.C., without providing explicit trend justification.

(c) Use of an annual medical trend assumption exceeding the maximum medical trend in the following tables shall be filed pursuant to subparagraph 69O-149.006(3)(b)18., F.A.C.

(d) The maximum medical trend for medical expense coverage described in Section 627.6561(5)(a)2., F.S., is:

Category	Individual Without Rx	Individual With Rx	Group Without Rx	Group With Rx
Major Medical	12% +5%	14% +6%	13.5% +5%	14.5% +6%
Health Maintenance Organizations	11.5% +4%	12.5% +5%	13.5% +5%	14.5% +6%

(e) The maximum medical trend for Medicare supplement coverage is:

Medicare supplement	5.5%	10%	5.5%	10%
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Specific Authority 624.308(1), 624.424(1)(c) 624.424(1)(e), 627.410(6)(b),(e) FS. Law Implemented 119.07(1)(b), 624.307(1), 626.9541(1), 627.410 FS. History—New 7-1-85, Formerly 4-58.03, 4-58.003, Amended 8-23-93, 4-18-94, 8-22-95, 4-4-02, 10-27-02, 6-19-03, Formerly 4-149.003, Amended 5-18-04, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Frank Dino, Actuary, Life and Health Product Review, Office of Insurance Regulation

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

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

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

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

#### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

##### Office of Agricultural Water Policy

RULE NO.: 5M-2.002                      RULE TITLE: Approved BMPs

##### NOTICE OF WITHDRAWAL

Pursuant to Section 120.54(3)(d)1., Florida Statutes, notice is hereby given that the above proposed rule amendment, as noticed in Vol. 31, No. 13, April 1, 2005 issue of the Florida Administrative Weekly, has been withdrawn.

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

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

#### DEPARTMENT OF ELDER AFFAIRS

##### Federal Aging Programs

RULE NOS.:	RULE TITLES:
58A-8.001	Alzheimer's Disease and Related Disorders (ADRD) Training Requirements
58A-8.002	Alzheimer's Disease and Related Disorders (ADRD) Training Provider and Curriculum Approval

SECOND NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 31, No. 19, May 13, 2005, issue of the Florida Administrative Weekly. A first notice of change was published in Vol. 31, No. 23, June 10, 2005 issue of the Florida Administrative Weekly. The changes are being made in response to comments received from the Joint Administrative Procedures Committee. The changes are as follows:

58A-8.001 Alzheimer’s Disease and Related Disorders (ADRD) Training Requirements.

(1) Each home health agency licensed under Part IV of Chapter 400, Florida Statutes, shall ensure that agency employees providing direct care to patients receive the following training.

(a) Completion of the required two hours of training after June 30, 2005, shall satisfy the requirement referenced in subsection 400.4785(1)(b), F.S. Agency employees who meet the requirements for Alzheimer’s Disease and ~~or~~ Related Disorders training providers under paragraph (c) of this subsection shall be considered as having met this requirement. The two-hour training shall address the following subject areas:

1. Understanding Alzheimer’s Disease and ~~or~~ Related Disorders;
- ~~2. Characteristics of Alzheimer’s Disease or Related Disorders; and~~
- ~~2.3. Communicating with patients with Alzheimer’s Disease and ~~or~~ Related Disorders;-~~
- ~~3.4. Behavior management; and~~
- ~~4.5. Promoting independence through a~~Assistance with activities of daily living life; ~~and-~~
5. Developing skills for working with families and caregivers.

(b) A detailed description of the subject areas that shall be included in an ADRD curriculum which meets the requirements of paragraph (a) of this subsection can be found in the document “Training Guidelines for the Special Care of Home Health Agency Patients with Alzheimer’s Disease and ~~or~~ Related Disorders”, May 2005, incorporated by reference, available from the Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000.

(c) No change.

1. No change.

2. Have 1 year of clinical practical experience providing direct personal health care services to persons with ADRD; or

3. No change.

(d) No change.

(2) No change.

58A-8.002 Alzheimer’s Disease and Related Disorders (ADRD) Provider and Curriculum Approval.

(1) No change.

(a) Applicants seeking approval as ADRD training providers shall complete DOEA form HH/ADRD-001, Application for Alzheimer’s Disease and ~~or~~ Related Disorders Training Provider Certification, dated July ~~May~~ 2005, which is incorporated by reference and available at the Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000.

(b) No change.

(2) through (6) No change.

DOEA’s document, “Training Guidelines for the Special Care of Home Health Agency Patients with Alzheimer’s Disease and Related Disorders”, dated July 2005, was also revised to reflect the changes to the required training curricula.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jim Crochet, Office of Legal Affairs, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2000

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Pilot Commissioners**

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

NOTICE OF CHANGE

Notice is hereby given that the following additional changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 31, No. 18, of the May 6, 2005, issue of the Florida Administrative Weekly. The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The change is as follows:

1. Subsection (3)(b) and (c) shall now read:

(3)(b) Submitted documentation that the applicant or pilot has been subject to a random testing program meeting the criteria of Title 46, CFR 16.230 (December 2, 1994), for at least 60 days during the past six months and has not failed nor refused to participate in a chemical test for any controlled substances regulated under Chapter 893, F.S. (2005), or

(3)(c) Submitted documentation demonstrating that the applicant or pilot has passed a preemployment chemical test for any controlled substances regulated under Chapter 893, F.S. (2005), within the past six months.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robyn Barineau, Executive Director, Board of Pilot Commissioners, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

**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 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: RULE NO.:

Instant Game Number 607, 53ER05-54  
INSTANT PAY DAY

SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 607, “INSTANT PAY DAY,” for which the Department of the Lottery will start selling tickets 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:

53ER05-54 Instant Game Number 607, INSTANT PAY DAY.

(1) Name of Game. Instant Game Number 607, “INSTANT PAY DAY.”

(2) Price. INSTANT PAY DAY lottery tickets sell for \$5.00 per ticket.

(3) INSTANT PAY DAY 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 INSTANT PAY DAY 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 INSTANT PAY DAY 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 NUMBERS” play symbols and play symbol captions are as follows:

<b>1</b> ONE	<b>2</b> TWO	<b>3</b> THREE	<b>4</b> FOUR	<b>5</b> FIVE	<b>6</b> SIX
<b>7</b> SEVEN	<b>8</b> EIGHT	<b>9</b> NINE	<b>10</b> TEN	<b>11</b> ELEVEN	<b>12</b> TWELVE
<b>13</b> THIRTEEN	<b>14</b> FOURTEEN	<b>15</b> FIFTEEN	<b>16</b> SIXTEEN	<b>17</b> SEVENTEEN	<b>18</b> EIGHTEEN
<b>19</b> NINETEEN	<b>20</b> TWENTY	<b>21</b> TWENTYONE	<b>22</b> TWENTYTWO	<b>23</b> TWENTYTHREE	<b>24</b> TWENTYFOUR
<b>25</b> TWENTYFIVE	<b>26</b> TWENTYSIX	<b>27</b> TWENTYSEVEN	<b>28</b> TWENTYEIGHT	<b>29</b> TWENTYNINE	



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

<b>1</b> ONE	<b>2</b> TWO	<b>3</b> THREE	<b>4</b> FOUR	<b>5</b> FIVE	<b>6</b> SIX
<b>7</b> SEVEN	<b>8</b> EIGHT	<b>9</b> NINE	<b>10</b> TEN	<b>11</b> ELEVEN	<b>12</b> TWELVE
<b>13</b> THIRTEEN	<b>14</b> FOURTEEN	<b>15</b> FIFTEEN	<b>16</b> SIXTEEN	<b>17</b> SEVENTEEN	<b>18</b> EIGHTEEN
<b>19</b> NINETEEN	<b>20</b> TWENTY	<b>21</b> TWENTYONE	<b>22</b> TWENTYTWO	<b>23</b> TWENTYTHREE	<b>24</b> TWENTYFOUR
<b>25</b> TWENTYFIVE	<b>26</b> TWENTYSIX	<b>27</b> TWENTYSEVEN	<b>28</b> TWENTYEIGHT	<b>29</b> TWENTYNINE	

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

<b>\$1.00</b> ONE	<b>\$2.00</b> TWO	<b>\$4.00</b> FOUR	<b>\$5.00</b> FIVE	<b>\$10.00</b> TEN	<b>\$15.00</b> FIFTEEN
<b>\$25.00</b> TWENTY FIVE	<b>\$50.00</b> FIFTY	<b>\$75.00</b> SEVENTY FIVE	<b>\$100</b> ONE HUNDRED	<b>\$200</b> TWO HUNDRED	<b>\$500</b> FIVE HUNDRED
<b>\$1,000</b> ONE THOUSAND	<b>\$10,000</b> TEN THOUSAND	<b>\$50,000</b> FIFTY THOUSAND			

(7) The legends are as follows:

YOUR NUMBERS      WINNING NUMBERS

(8) Determination of Prizewinners.

(a) A ticket having a number in the "YOUR NUMBERS" play area that matches any number in the "WINNING NUMBERS" play area shall entitle the claimant to the corresponding prize shown for that number. A ticket may have up to fifteen (15) sets of matching numbers.

(b) The prizes are: \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$15.00, \$25.00, \$50.00, \$75.00, \$100, \$200, \$500, \$1,000, \$10,000 and \$50,000.



(c) A ticket having a "WIN" symbol in the "YOUR NUMBERS" play area shall entitle the claimant to a prize of \$100.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 607 are as follows:

GAME PLAY:	WIN:	ODDS OF 1 IN:	NUMBER OF WINNERS IN 67 POOLS OF 120,000 TICKETS PER POOL:
\$1 x 5	\$5	30.00	268,000
(\$1 x 3) + \$2	\$5	30.00	268,000
\$1 + (\$2 x 2)	\$5	30.00	268,000
\$5	\$5	30.00	268,000
\$1 x 10	\$10	30.00	268,000
\$2 + (\$4 x 2)	\$10	60.00	134,000
(\$1 x 4) + (\$2 x 3)	\$10	60.00	134,000
\$1 + (\$2 x 2) + \$5	\$10	120.00	67,000
\$10	\$10	120.00	67,000
\$1 x 15	\$15	60.00	134,000
\$15	\$15	60.00	134,000
\$5 x 5	\$25	300.00	26,800
(\$5 x 3) + \$10	\$25	400.00	20,100
\$5 + (\$10 x 2)	\$25	300.00	26,800
(\$2 x 5) + \$5 + \$10	\$25	300.00	26,800
(\$1 x 5) + (\$2 x 10)	\$25	400.00	20,100
\$25	\$25	600.00	13,400
\$50	\$50	150.00	53,600
\$5 x 15	\$75	20,000.00	402
\$5 + (\$10 x 7)	\$75	20,000.00	402
(\$5 x 5) + \$50	\$75	20,000.00	402
(\$10 x 5) + \$25	\$75	20,000.00	402
\$75	\$75	20,000.00	402
\$10 + (\$15 x 6)	\$100	2,400.00	3,350
(\$5 x 10) + (\$10 x 5)	\$100	2,400.00	3,350
\$25 x 4	\$100	2,400.00	3,350
(\$25 x 2) + \$50	\$100	2,400.00	3,350
\$100 (COIN)	\$100	240.00	33,500
\$50 x 10	\$500	268,000.00	30
(\$25 x 10) + (\$50 x 5)	\$500	201,000.00	40
\$500	\$500	402,000.00	20
\$100 x 10	\$1,000	804,000.00	10
\$200 x 5	\$1,000	804,000.00	10
(\$50 x 10) + (\$100 x 5)	\$1,000	402,000.00	20
\$500 x 2	\$1,000	804,000.00	10
\$1,000	\$1,000	804,000.00	10
\$1,000 x 10	\$10,000	2,680,000.00	3
(\$500 x 10) + (\$1,000 x 5)	\$10,000	2,680,000.00	3
\$10,000	\$10,000	2,680,000.00	3
\$50,000	\$50,000	2,010,000.00	4

(10) The estimated overall odds of winning some prize in Instant Game Number 607 are 1 in 3.58. 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.

(11) For reorders of Instant Game Number 607, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) By purchasing a INSTANT PAY DAY lottery ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(13) Payment of prizes for INSTANT PAY DAY 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 6-30-05.

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

**EFFECTIVE DATE: June 30, 2005**

**DEPARTMENT OF THE LOTTERY**

**RULE TITLE: Instant Game Number 603, 7-11-21** **RULE NO.: 53ER05-55**

**SUMMARY OF THE RULE:** This emergency rule describes Instant Game Number 603, "7-11-21," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; and the 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:**

53ER05-55 Instant Game Number 603, 7-11-21.

(1) Name of Game. Instant Game Number 603, "7-11-21."

(2) Price. 7-11-21 lottery tickets sell for \$1.00 per ticket.

(3) 7-11-21 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 7-11-21 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 7-11-21 lottery ticket, or as to the prize amount, the Void If Removed Number under the latex shall prevail over the bar code.

(4) The play symbols and play symbol captions are as follows:

<b>1</b> ONE	<b>2</b> TWO	<b>3</b> THR	<b>4</b> FOR	<b>5</b> FIV
<b>6</b> SIX	<b>8</b> EGT	<b>9</b> NIN	<b>10</b> TEN	<b>12</b> TWELV

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

<b>TICKET</b> TICKET <b>\$10.00</b> TEN	<b>\$1.00</b> ONE <b>\$25.00</b> THY FIV	<b>\$2.00</b> TWO <b>\$100</b> ONE HUN	<b>\$5.00</b> FIVE <b>\$2,000</b> TWO THO
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(6) The legends are as follows:

GAME 1      GAME 2      GAME 3      +

(7) Determination of Prizewinners. There are three games on each 7-11-21 lottery ticket. Players may win up to three times on a ticket. A ticket having three numbers within a game, the total of which is 7, 11, or 21, shall entitle the claimant to the corresponding prize shown for that game. The prizes are: TICKET, \$1.00, \$2.00, \$5.00, \$10.00, \$25.00, \$100, and \$2,000. A claimant who is entitled to a prize of a "TICKET" shall be entitled to a prize of a \$1.00 ticket, except as follows. A person who submits by mail a 7-11-21 lottery ticket which entitles the claimant to a prize of a \$1.00 ticket and whose mailing address is outside the state of Florida will receive a check for \$1.00 in lieu of an actual ticket.

(8) The estimated odds of winning, value, and number of prizes in Instant Game Number 603 are as follows:

GAME PLAY:	WIN:	ODDS OF	NUMBER OF
TICKET	\$1 TICKET	1 IN:	WINNERS IN
			56 POOLS OF
			180,000 TICKETS
			PER POOL:
\$1	\$1	12.00	1,008,000
\$2	\$2	25.00	840,000
\$2 x 2	\$4	150.00	403,200
\$2 x 3	\$6	100.00	67,200
\$5 x 2	\$10	300.00	100,800
\$10	\$10	150.00	33,600
\$5 x 3	\$15	300.00	67,200
\$25	\$25	375.00	33,600
\$10 x 3	\$30	1,800.00	26,880
\$5 + \$25	\$30	1,800.00	5,600
\$25 x 2	\$50	3,600.00	5,600
\$25 x 3	\$75	15,000.00	2,800
\$100	\$100	180,000.00	672
\$100 x 3	\$300	420,000.00	56
\$2,000	\$2,000	840,000.00	24
			12

(9) The estimated overall odds of winning some prize in Instant Game Number 603 are 1 in 3.88. Some prizes, including the top prizes, may be sold out at the time of ticket purchase.

(10) For reorders of Instant Game Number 603, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(11) By purchasing a 7-11-21 lottery ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(12) Payment of prizes for 7-11-21 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 6-30-05.

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

EFFECTIVE DATE: June 30, 2005

**DEPARTMENT OF THE LOTTERY**

RULE TITLE: Minimum Sales Requirements for Retailers      RULE NO.: 53ER05-56  
 SUMMARY OF THE RULE: This emergency rule sets forth the minimum sales requirements for retailers.  
 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:

53ER05-56 Minimum Sales Requirements for Retailers.

(1) Purpose. Because the Lottery has a finite number of lottery terminals available for placement in contracted retail locations throughout the State, retailers shall be required to maintain specific minimum sales levels.

(2) Measurement of Minimum Sales. Commencing with the second calendar quarter of 2005, at the end of a retailer's first full calendar quarter of ticket sales, and thereafter at the end of each subsequent calendar quarter, the Lottery shall determine the retailer's compliance with the minimum sales requirement set forth in subsection (3) below. This determination will be made by averaging the retailer's weekly sales for the calendar quarter. For retailers with multiple terminals, compliance with the minimum sales requirement will be determined by averaging the retailer's weekly sales of all terminals.

(3) For purposes of this rule, the term “calendar quarter” shall mean the thirteen week period beginning with the first full Lottery accounting week (Monday-Sunday) occurring in the months of January, April, July and October.

(4) Minimum Sales Requirement. Combined sales (on-line and instant) must average at least \$1,200 per week.

(5) Probationary Sales Period. Any retailer that fails to meet the minimum sales requirement during a calendar quarter shall be placed in a probationary status for the following calendar quarter. During the retailer’s probationary period, the Lottery shall monitor the retailer’s sales activity. Should the retailer fail to meet the minimum sales requirement during the probationary period, the retailer shall be subject to removal of the terminal from its place of business and termination of its retailer contract in accordance with the rules of the Florida Lottery governing suspension and termination of retailer contracts. 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. The retailer shall be prohibited from reapplying for a retailer contract for a period of six months following termination of the retailer contract.

(6) Removal of Lottery Terminal. In deciding whether or not to terminate a retailer contract and remove a terminal from a location that has failed to meet the Lottery’s minimum sales requirements, the Lottery will consider the public’s convenience (whether the retailer is in a remote location or whether there are other retailers available within a reasonable distance); whether there are extenuating circumstances that have adversely impacted sales volume (for example, the retailer’s business is seasonal; road construction has caused a temporary decrease in normal sales volume; or other factors that are temporary in nature); whether there is a retailer applicant awaiting placement of a terminal whose location is projected to exceed the minimum sales requirement; the impact, if any, on the status of a corporate or chain (multi-location) retailer if a terminal is removed from one of the retailer’s locations; and the impact, if any, on the overall level of participation of minority businesses as Lottery retailers.

(7) Failure by the Lottery to remove a terminal does not constitute a waiver of the right to remove the terminal or terminate the retailer contract, or both.

(8) This emergency rule replaces Emergency Rule 53ER05-17, Florida Administrative Code.

Specific Authority 24.109(1), 24.112(1) FS. Law Implemented 24.112(2),(5) FS. History—New 6-30-05, Replaces 53ER05-17, F.A.C.

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

EFFECTIVE DATE: June 30, 2005

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**FLORIDA HOUSING FINANCE CORPORATION**

RULE TITLES:	RULE NOS.:
General	67ER05-1
Definitions	67ER05-2
Hurricane Housing Assistance Plans and Distribution of Funds	67ER05-3
Uses of and Restrictions Upon HHR Program Funds	67ER05-4
Hurricane Housing Recovery Program Trust Fund	67ER05-5
Annual Reports	67ER05-6
Compliance Monitoring for Housing Developed With HHR Program Funds	67ER05-7

**SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE:** Florida experienced the destructive impact of four hurricanes in 2004. The hurricanes created both short-term and long-term housing needs for Floridians. To implement the February 2005 recommendations of the Governor’s Hurricane Housing Work Group, the Hurricane Housing Recovery program, hereafter referred to as the HHR program, is created for the purpose of providing funds to assist those areas of the state with the greatest housing damage from the hurricanes suffered by the State of Florida during 2004. Program funding is provided for eligible entities to implement a hurricane housing recovery assistance plan that may include grants and loans for homeownership and rental activities, including activities related to manufactured housing.

**REASONS FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES:** The Corporation has been granted emergency rulemaking authority under Chapter Law 2005-92, formerly House Bill 1889, “Distribution of Proceeds from the Excise Tax on Documents.” The HHR rules shall be effective immediately upon filing with the Florida Department of State and shall be valid for a period of 180 days.

**SUMMARY OF THE RULE:** The rule provides the strategy by which HHR program funds shall be utilized by eligible entities for affordable housing recovery efforts.

**THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS:** Robert Dearduff, HHR Program Administrator, 227 North Bronough St., Suite 5000, Tallahassee, FL 32301, (850)488-4197

THE FULL TEXT OF THE EMERGENCY RULE IS:

67ER05-1 General.

This rule chapter is established to administer the implementation of the Hurricane Housing Recovery Program (HHRP). For the purposes of this rule chapter, all provisions in Chapter 67-37, F.A.C., and Sections 420.907-9079, F.S., are applicable except where described in the chapter herein.

Specific Authority s. 3, ch. 2005-92, L.O.F. Law Implemented s. 2 and 3, ch. 2005-92, L.O.F. History—New 7-1-05.

67ER05-2 Definitions.

(1) “Administrative Expenditures” means expenditures directly related to the implementation of the HHR funds as set forth in paragraphs 67-37.007(4)(a),(b), (c), (d), F.A.C.

(2) “Extremely low income household” or “ELI” means one or more natural persons or a family that has a total annual gross household income that does not exceed 30 percent of the area median income adjusted for family size for households within the metropolitan statistical area, the county, or the non-metropolitan median for the state, whichever is greatest.

(3) “Hurricane Housing Recovery Program” or “HHR” means the Hurricane Housing Recovery Program as recommended by the Hurricane Housing Work Group dated February, 2005.

(4) “Manufactured Home” is as defined in Section 320.01(2)(b), F.S.

(5) “Mobile Home” is as defined in Section 320.01(2)(a), F.S.

(6) “Hurricane Housing Assistance Plan” or “HHAP” means a detailed description of the planned activities to be undertaken by an eligible county and eligible municipalities and as set forth in Rule 67-37.005, F.A.C.

Specific Authority s. 3, ch. 2005-92, L.O.F. Law Implemented s. 2 and 3, ch. 2005-92, L.O.F. History—New 7-1-05.

67ER05-3 Hurricane Housing Assistance Plans and Distribution of Funds.

(1) To receive HHR program funding, an eligible county or eligible municipality must submit its Hurricane Housing Assistance Plan to and receive approval from the Corporation pursuant to Rule 67-37.005, F.A.C. Plans must be submitted to the Corporation by August 1, 2005. A local government may submit a written request to the Corporation to extend the deadline up to 45 days. No HHR program funds shall be distributed to any eligible county or eligible municipality unless and until an approved plan is in place.

(2) The effective period of the Hurricane Housing Assistance Plan is three years plus a one year extension which requires approval by Florida Housing Finance Corporation HHR Program Administrator as set forth in subparagraph 67-37.005(6)(f)2., F.A.C.

(3) Each Hurricane Housing Assistance Plan shall include a description of all activities to be undertaken in the HHR program. An eligible county or eligible municipality shall use the Hurricane Housing Assistance Plan Template in order to submit its HHAP. The Hurricane Housing Assistance Plan Template (07/05) is adopted and incorporated by reference with an effective date of 7/1/05. A copy of the Hurricane Housing Assistance Plan Template (07/05) may be obtained at <http://www.floridahousing.org/Home/Disaster/HurricaneHousingRecoveryProgram.htm> or by contacting Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301.

(4) For each use of HHR program funds, the eligible county or municipality shall provide information as required in paragraphs 67-37.005(5)(a), (b), (c), (d) and (e), F.A.C. The county or eligible municipality or its administrative representative shall advertise the notice of funding availability in a newspaper of general circulation and periodicals serving ethnic and diverse neighborhoods.

(5) A copy of the Hurricane Housing Assistance Plan shall be submitted to the Corporation, via U.S. Mail or electronic submission. If submitted electronically, a mailed copy shall be sent to the Corporation within three working days of the strategy being electronically transmitted. The mailed copy submitted to the Corporation shall bear the original signature of an authorized official or an authorized official’s designee.

(6) Once the HHAP is approved, an eligible county or eligible municipalities shall be eligible to draw funds for activities included in the approved strategies in the HHAP. The request for funds shall be submitted in writing and include the following information: Name of local government, amount of funds requested from the base allocation, ELI supplemental allocation and the community planning supplemental allocation as referenced in subsections 67ER05-4(3), (4) and (5), and a schedule of when the funds being requested are to be expended. Upon approval of the plan, each eligible county or eligible municipality as set forth in Section 420.9071(11), F.A.C., shall be eligible to request an initial amount not to exceed \$100,000 to establish a balance in the HHRP account and begin to fund expenses incurred including Administrative Expenditures. The initial request shall include all information required above in addition to the HHRP account information.

Specific Authority s. 3, ch. 2005-92, L.O.F. Law Implemented s. 2 and 3, ch. 2005-92, L.O.F. History—New 7-1-05.

67ER05-4 Uses of and Restrictions Upon HHR Program Funds.

(1) HHR program funds shall be used to implement the Hurricane Housing Assistance Plan. The benefit of assistance provided through the HHR program must accrue to eligible persons occupying eligible housing. HHR program funds may be used for:

(a) Repair and replacement of site built housing;

(b) Land acquisition, through community land trusts or other means, for properties that may include scattered sites, community revitalization sites, and older manufactured home parks;

(c) Construction and development financing;

(d) Down payment, closing cost, and purchase price assistance for site-built and post-1994 Manufactured Homes where the wind load rating is sufficient for the location;

(e) Repair, replacement, and relocation assistance for post-1994 Manufactured Homes where the wind load rating is sufficient for the location, including those on leased land in stable park situations;

(f) Limited repair and relocation assistance on a case by case basis to pre-1994 Manufactured Homes and mobile homes;

(g) The acquisition of building materials for home repair and construction;

(h) Implementation of long-term recovery plans prepared through a locally initiated collaborative community partnership or in conjunction with the Department of Community Affairs and Federal Emergency Management Agency;

(i) Housing re-entry assistance, such as security deposits, utility deposits, and temporary storage of household furnishings;

(j) Foreclosure and eviction prevention, including monthly rental assistance for limited periods of time;

(k) Capital to leverage other private and public resources; or

(1) Hazard mitigation strategies and techniques to reduce or eliminate the exposure of people's lives or property to harm from a disaster.

(2) Each county's allocation shall be used to meet hurricane housing recovery needs throughout the county. In the event that an eligible county and an eligible municipality within the county vie separately for funding slated for a county, the Corporation shall make a final determination of how funds shall be awarded. Criteria used to make this determination shall include the following factors:

(a) Amount requested;

(b) Number of households being served; and

(c) Strategies to be employed;

(3) The base allocation limits for eligible counties are as follows:

<u>Escambia</u>	<u>\$17,862,236</u>
<u>Charlotte</u>	<u>\$14,339,973</u>
<u>St. Lucie</u>	<u>\$16,417,481</u>
<u>DeSoto</u>	<u>\$8,147,644</u>
<u>Santa Rosa</u>	<u>\$10,930,493</u>
<u>Indian River</u>	<u>\$10,922,421</u>
<u>Hardee</u>	<u>\$5,924,895</u>
<u>Brevard</u>	<u>\$14,673,648</u>
<u>Polk</u>	<u>\$13,284,043</u>
<u>Okeechobee</u>	<u>\$5,380,098</u>
<u>Martin</u>	<u>\$6,605,068</u>
<u>Osceola</u>	<u>\$3,986,312</u>
<u>Palm Beach</u>	<u>\$6,401,838</u>
<u>Highlands</u>	<u>\$2,326,849</u>
<u>Volusia</u>	<u>\$3,730,122</u>
<u>Lee</u>	<u>\$2,502,896</u>
<u>Orange</u>	<u>\$4,393,483</u>
<u>Putnam</u>	<u>\$789,079</u>
<u>Marion</u>	<u>\$1,045,924</u>
<u>Okaloosa</u>	<u>\$1,004,135</u>
<u>Hendry</u>	<u>\$487,199</u>
<u>Dixie</u>	<u>\$451,839</u>
<u>Glades</u>	<u>\$382,944</u>
<u>Seminole</u>	<u>\$1,649,821</u>
<u>Lake</u>	<u>\$773,192</u>
<u>Sumter</u>	<u>\$434,729</u>
<u>Levy</u>	<u>\$383,163</u>
<u>Bradford</u>	<u>\$378,475</u>

(4) ELI supplemental funds shall be made available to each county to provide funding to households earning 30% or below the area median income. These funds may be used on any of the approved strategies in the HHAP so long as they are serving ELI households. If an eligible county's ELI supplement is not requested by the eligible county or eligible municipality by September 15, 2005, the funds shall be allocated through the issuance of a request for proposals by the Corporation. Nonprofit, community-based organizations with housing experience may apply for a county's ELI allocation. The amount of funding available for each county is as follows:

<u>Escambia</u>	<u>\$3,572,447</u>
<u>Charlotte</u>	<u>\$2,867,995</u>
<u>St. Lucie</u>	<u>\$3,283,496</u>
<u>DeSoto</u>	<u>\$1,629,529</u>
<u>Santa Rosa</u>	<u>\$2,186,099</u>
<u>Indian River</u>	<u>\$2,184,484</u>
<u>Hardee</u>	<u>\$1,184,979</u>
<u>Brevard</u>	<u>\$2,934,728</u>
<u>Polk</u>	<u>\$2,656,809</u>
<u>Okeechobee</u>	<u>\$1,076,020</u>
<u>Martin</u>	<u>\$1,321,014</u>
<u>Osceola</u>	<u>\$797,262</u>
<u>Palm Beach</u>	<u>\$1,280,368</u>
<u>Highlands</u>	<u>\$465,370</u>
<u>Volusia</u>	<u>\$746,024</u>
<u>Lee</u>	<u>\$500,579</u>
<u>Orange</u>	<u>\$878,697</u>
<u>Putnam</u>	<u>\$157,816</u>
<u>Marion</u>	<u>\$209,185</u>
<u>Okaloosa</u>	<u>\$200,827</u>
<u>Hendry</u>	<u>\$97,440</u>
<u>Dixie</u>	<u>\$90,368</u>
<u>Glades</u>	<u>\$76,589</u>
<u>Seminole</u>	<u>\$329,964</u>
<u>Lake</u>	<u>\$154,638</u>
<u>Sumter</u>	<u>\$86,946</u>
<u>Levy</u>	<u>\$76,632</u>
<u>Bradford</u>	<u>\$75,695</u>

<u>Escambia</u>	<u>\$2,381,632</u>
<u>Charlotte</u>	<u>\$1,911,996</u>
<u>St. Lucie</u>	<u>\$2,188,997</u>
<u>DeSoto</u>	<u>\$1,086,353</u>
<u>Santa Rosa</u>	<u>\$1,457,399</u>
<u>Indian River</u>	<u>\$1,456,323</u>
<u>Hardee</u>	<u>\$789,986</u>
<u>Brevard</u>	<u>\$1,956,486</u>
<u>Polk</u>	<u>\$1,771,206</u>
<u>Okeechobee</u>	<u>\$717,346</u>
<u>Martin</u>	<u>\$880,676</u>
<u>Osceola</u>	<u>\$531,508</u>
<u>Palm Beach</u>	<u>\$853,578</u>
<u>Highlands</u>	<u>\$310,247</u>
<u>Volusia</u>	<u>\$497,350</u>
<u>Lee</u>	<u>\$333,719</u>
<u>Orange</u>	<u>\$585,798</u>
<u>Putnam</u>	<u>\$105,211</u>
<u>Marion</u>	<u>\$139,457</u>
<u>Okaloosa</u>	<u>\$133,885</u>
<u>Hendry</u>	<u>\$64,960</u>
<u>Dixie</u>	<u>\$60,245</u>
<u>Glades</u>	<u>\$51,059</u>
<u>Seminole</u>	<u>\$219,976</u>
<u>Lake</u>	<u>\$103,092</u>
<u>Sumter</u>	<u>\$57,964</u>
<u>Levy</u>	<u>\$51,088</u>
<u>Bradford</u>	<u>\$50,463</u>

(5) Community planning supplemental funds shall be distributed to each eligible county or eligible municipalities that submits as part of its HHAP, a summary of the collaborative efforts between it and other entities involved as part of the eligible county or eligible municipalities HHAP. Copies of interlocal agreements and contracts shall be submitted as attachments to the HHAP. The allocation of funds not requested prior to September 15, 2005 for the community planning supplemental allocation shall be determined through the issuance of a request for proposal by the Corporation. The funds shall be allocated based on the funding levels as follows:

(6) No Administrative Expenditures may be used to pay for costs incurred prior to July 1, 2005. Eligible counties and eligible municipalities shall be allowed to use up to 15 percent of its allocation for costs to administer its program. An eligible county or eligible municipalities may subcontract their administrative functions, but in no case shall the administrative costs exceed 15 percent of the eligible county or eligible municipalities' allocation.

(7) At least 65% of the base allocation and community planning supplemental funds allocated to a county shall be used for home ownership. An eligible county and eligible municipalities shall provide justification for the need to use a higher percentage of its allocation for rental housing. The separate funding allocated for ELI households is exempt from the 65% requirement.

(8) With the exception of the income requirements and home ownership requirements, eligible counties and eligible municipalities shall be allowed to apportion their funds across their housing strategies as dictated by local needs.

(9) Eligible counties and eligible municipalities shall have two years to encumber funds for their intended use, and an additional year to fully expend the funds. If a local entity shows that it has been unable to fully expend the funds after this period, it may request a one year extension to this timeframe pursuant to subparagraph 67-37.005(6)(f)2., F.A.C. The Corporation shall grant that local entity an additional year to expend the funds upon receipt of the request.

(10) Eligible counties and eligible municipalities shall maintain the HHR program funds and any repayments, recoveries, or program income in a separate trust fund. The local entity shall use any such repayments, recoveries, or program income to further affordable housing objectives consistent with the HHR program, regardless of when such money is recycled. At the termination of the HHR Program, any such repayments, recoveries, or program income may be deposited into the local government's Local Housing Trust Fund.

(11) Any funds that are not encumbered by eligible counties or eligible municipalities by June 30, 2007, shall be re-offered by the Corporation to eligible counties and eligible municipalities with remaining hurricane housing needs.

(12) The Corporation shall approve expenditures for administration of the HHR program in accordance with subsection 67-37.007(4), F.A.C.

Specific Authority s. 3, ch. 2005-92, L.O.F. Law Implemented s. 2 and 3, ch. 2005-92, L.O.F. History--New 7-1-05.

#### 67ER05-5 Hurricane Housing Recovery Program Trust Fund.

(1) The HHR program trust fund account shall be separately stated as a special revenue fund in an eligible county's or eligible municipalities audited financial statements. Copies of such audited financial statements shall be forwarded annually to the Corporation no later than June 30th of the following fiscal year. In addition to providing audited financial statements, all participating jurisdictions must provide evidence of compliance with the Florida Single Audit Act, as referenced in Section 215.97(6), F.S.

(2) An eligible county and eligible municipalities which have had an audit, review or investigation involving HHR program funds shall send the Corporation a copy of any related report within 10 days of the issuance of such report.

Specific Authority s. 3, ch. 2005-92, L.O.F. Law Implemented s. 2 and 3, ch. 2005-92, L.O.F. History--New 7-1-05.

#### 67ER05-6 Annual Reports.

(1) Except in 2005, by September 15 of each year each eligible county and eligible municipalities shall submit a report using the HHR Annual Report, form AR05-1 (07/05), herein

incorporated by reference with an effective date of 7/1/05, of its Hurricane Housing Recovery Program and accomplishments through June 30, immediately preceding submittal of the report. A copy of HHR annual report, form AR05-1 may be obtained at <http://www.floridahousing.org/Home/Disaster/HHRPANReport.htm> or by contacting Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301.

(2) In addition to the report mentioned in (1) above, counties and SHIP eligible municipalities utilizing any HHR program funds must provide a list of recipients by strategy including names, addresses, and zip codes to Florida Housing Finance Corporation.

Specific Authority s. 3, ch. 2005-92, L.O.F. Law Implemented s. 2 and 3, ch. 2005-92, L.O.F. History--New 7-1-05.

#### 67ER05-7 Compliance Monitoring for Housing Developed With HHR Program Funds.

(1) The staff or entity with administrative authority for a Hurricane Housing Assistance Plan must develop a tracking system to ensure that the hurricane housing distribution funds disbursed from the hurricane housing assistance trust fund are at all times expended in accordance with the set-aside requirements in subsection 67-37.007(2), F.A.C., and time restraints detailed at subsection 67-37.005(6), F.A.C.

(2) The combined household annual gross income of an applicant who is applying as an owner/occupant of a residence must be verified and certified by the local Hurricane Housing Recovery Program administrator or his/her designee using income verification and certification procedures as established by the U.S. Department of Housing and Urban Development (HUD), Occupancy Handbook 4350.3 (05/03), Chapter 5, Appendix 3, and Appendix 15-C, hereby incorporated by reference. Copies of these materials may be obtained by contacting Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida or obtained at <http://www.floridahousing.org/Home/Disaster/HUDDocHndbk.htm>. Whichever verification and certification method is used, annual gross income must be used and the HHR program income limits cannot be exceeded.

(3) The staff or entity with administrative authority for a Hurricane Housing Assistance Plan assisting rental developments shall monitor and determine tenant eligibility and the amount of subsidy using the same guidelines as specified at subsection (2) above, for the term of the HHR Program. The Corporation shall monitor the activities of the local governments to determine compliance with program requirements. To ensure that communities are capable of addressing rental housing needs for hurricane recovery, eligible counties and eligible municipalities are required to perform only an initial certification of income upon move-in of the first household into a rental unit, as long as no more than \$10,000 has been provided for assistance to the unit, and the housing unit is located in a census block group in which more than 51

percent of the households have incomes at or below 80 percent of the area median income. No continuing compliance monitoring shall be required on these units.

(4) The Corporation, or its designated monitoring agent, shall be permitted to inspect the Hurricane Housing Assistance Plan, advertisements, applications, income verifications and certifications, plan participation contracts, financial records, plan tracking records, construction cost verification including receipts and contracts, and any other applicable documents at any reasonable time with or without notice. Such records must be maintained within the participating county or eligible municipality at a place accessible to the Corporation staff or its designated monitoring agent.

(5) If the Corporation staff or its designated monitoring agent determines that an eligible jurisdiction has established a pattern of violation by not complying with the criteria of its Hurricane Housing Assistance Plan established under these rules or Sections 420.907-9079, F.S., or that an eligible sponsor has established a pattern of violation by not complying with the applicable award conditions, the Corporation shall report such pattern of violation to the Executive Office of the Governor at which time the distribution of program funds to the county or eligible municipality will be suspended. The eligible jurisdiction shall develop a corrective action plan (CAP). The CAP shall be submitted to the Corporation within 60 days of the date of a letter from the Corporation, pursuant to Section 420.9075(12), F.S. notifying the eligible jurisdiction of the pattern of violation. The CAP must describe the proposed corrective action for each violation and how the correction actions will be implemented within 3 months of the CAP's approval by the Corporation. Upon receipt of the CAP, the Corporation shall have 30 days to review and approve or recommend changes to the CAP. Upon approval of the CAP and correction of the violation, program funds will be distributed.

(6) If the Corporation's staff or its designated monitoring agent determines that the corrective actions have not been implemented, the Corporation shall report such pattern of violation of criteria or violation of award conditions to the Executive Office of the Governor. The distribution of program funds to the eligible county or eligible municipality will be suspended until such time as the corrective plan of action has been implemented, at which time funds will be distributed.

Specific Authority s. 3, ch. 2005-92, L.O.F. Law Implemented s. 2 and 3, ch. 2005-92, L.O.F. History—New 7-1-05.

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

EFFECTIVE DATE: July 1, 2005

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

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

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

### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that on June 8, 2005, Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 100.3a and 101.6 and ASME A17.2, Section 2.29.2, as adopted by Rule 61C-5.001, F.A.C., which prohibit locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. The petition was received from Steve Powell of KONE, Inc., requesting a variance to allow the installation of MonoSpace® elevator systems in the following location: SPC Downtown Center (Petition VW 2005-102).

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

NOTICE IS HEREBY GIVEN that on June 28, 2005, the Division of Hotels and Restaurants received a Petition for Emergency Variance for paragraph 61C-1.004(1)(d), F.A.C., from Royal Crepe located in Tampa. The above referenced F.A.C. states that sewage shall be disposed of in a public sewerage system or other approved sewerage system in accordance with the provisions of Chapter 64E-6 or 62-601, F.A.C. Petitioner is requesting a variance to not have hard plumbing in their kiosk and use alternative methods for sewage disposal.

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.

NOTICE IS HEREBY GIVEN that on June 27, 2005, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(7), F.A.C., from Dolce Vita Café located in Clearwater Beach. The above referenced F.A.C. states ...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.... They are requesting a variance to add an additional fourteen (14) seats for a total of twenty-four (24) seats which exceeds the seating capacity with only one accessible bathroom facility accessible to customers.

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

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

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#### 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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### Section VI

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

#### DEPARTMENT OF STATE

The **State Library and Archives of Florida** announces a meeting of a task force to review the State Aid to Libraries grant program to which all interested persons are invited.

DATE AND TIME: Wednesday, July 27, 2005, 8:30 a.m. – 3:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Identification of issues and discussion of possible options for the State Aid to Libraries grant program funding formula.

For additional information or if you need special accommodations contact: Loretta L. Flowers, Community Development Manager, (850)245-6636, Suncom 205-6636 or TDD (850)922-4085.

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#### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

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

DATE AND TIME: Tuesday, August 2, 2005, 10:00 a.m.

PLACE: Hendry County Agriculture Extension Office, 1085 Pratt Blvd., LaBelle, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss Citrus Best Management Practices (BMP's) for the Florida Gulf Coast Region.

For further information contact: Mr. Ken Kuhl, 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.

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#### DEPARTMENT OF EDUCATION

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

DATE AND TIME: July 20, 2005, 1:00 p.m. – 5:00 p.m.

PLACE: Tampa Marriott Waterside & Marina, Salon III, 700 South Florida Avenue, Tampa, Florida 33602

GENERAL SUBJECT MATTER TO BE CONSIDERED: The State Apprenticeship Advisory Council will hold a meeting to discuss general items relating to apprenticeship in Florida.

The agenda includes follow-up actions from previous council meetings on subjects of committee structure, assignments and responsibilities. The program will include an apprenticeship update relative to apprentices and programs registered in Florida.

A copy of the agenda may be obtained by calling: Yvette Hargreaves, (850)245-9469, e-mail: [yvette.hargreaves@fldoe.org](mailto:yvette.hargreaves@fldoe.org).

Any persons requiring special accommodations to attend this meeting because of a disability or physical impairment may contact Yvette Hargreaves, (850)245-9469, at least seven days in advance so their needs can be accommodated.

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The **Florida Institute of Phosphate Research** announces a meeting of the Board of Directors to which all persons are invited.

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

PLACE: FIPR, Education Building, 1855 West Main Street, Bartow, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider funding of research proposals and other business pertaining to the operation of the Institute.

A copy of the minutes of the April 22, 2005 Board Meeting may be obtained by writing: Dr. Paul R. Clifford, Executive Director, Florida Institute of Phosphate Research, 1855 West Main Street, Bartow, FL 33803

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The **Department of Education, Division of Blind Services** announces a Grievance Board meeting to which all interested persons are invited.

DATE AND TIME: July 26, 2005, 1:30 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review selection decision for the business opportunities announced in January 2005.

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The **Florida Education Foundation** announces the Quarterly Meeting of the Board of Directors and Committees.

Committee Meetings

DATE AND TIME: September 8, 2005, 6:00 p.m.

Board Meeting

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

PLACE: Hyatt Regency, Orlando International Airport, 9300 Airport Boulevard, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a quarterly meeting of the board. Consideration of foundation business including but not limited to: Committee reports; pending accounts payable, possible committee proposals for funding and matters pertaining to general administration of the foundation; executive director's report and approval of minutes from May 23, 2005, board meeting.

This meeting is open to the public. Persons with disabilities who require assistance to participate in the meeting are requested to notify the Office of Access and Equity, (850)245-9531 (Voice), at least 2 days in advance, so that their needs can be accommodated.

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## DEPARTMENT OF TRANSPORTATION

The **Department of Transportation** announces a Steering Committee Meeting to gather input for the 2025 Florida Transportation Plan and we invite your participation in this important process.

DATES AND TIMES: August 2, 2005, 8:30 a.m. – 6:00 p.m.; August 3, 2005, 8:30 a.m. – 6:00 p.m.

PLACE: Orlando, Florida (When the specific meeting location is confirmed (as well as exact meeting times), this information will be posted on the FTP website: <http://www.ftp2025.com/sc.asp>.)

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Transportation Plan establishes long-range goals that will guide the investment of over \$100 billion in Florida's transportation system over the next 20 years. The Florida Department of Transportation is updating this Plan to respond to new trends and challenges to meet the future mobility needs of Florida's residents, visitors, and businesses.

For more information about this Plan, please visit the FTP Website: [www.ftp2025.com](http://www.ftp2025.com) or contact: Lisa Stone, (850)414-4562, e-mail: [lisa.stone@dot.state.fl.us](mailto:lisa.stone@dot.state.fl.us).

Persons with disabilities who may require special accommodations should contact Lisa Stone, (850)414-4562, no later than one week prior to the meeting.

Public participation is solicited without regard to race, color, religion, sex, age, national origin, disability or family status.

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The **Secure Airports for Florida's Economy (SAFE) Council** announces a Board of Director's meeting and teleconference to which the public is invited.

DATE AND TIME: July 28, 2005, 9:00 a.m. – 11:00 a.m.

PLACE: Tampa Marriott Waterside Hotel, Meeting Room #9, 700 South Florida Avenue, Tampa, FL 33602 (To attend via telephone the number to call is 1(866)249-5325, participant code 393255)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct necessary business of the Council.

For more information, contact: Ms. Judy Blanchard, (321)690-3386.

To obtain a copy of the agenda write: The SAFE Council, 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 SAFE Council.

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.

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

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

### DEPARTMENT OF CITRUS

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

DATE AND TIME: Monday, July 18, 2005, 1:30 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review the latest Florida Quality Certification Program Draft. No rulemaking activities will occur at this public meeting.

If anyone wishes to attend by telephone, please call (850)921-6623.

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

The **Department of Citrus** announces a public meeting of the Health and Nutrition Research Advisory Council to which all persons are invited.

DATE AND TIME: Wednesday, July 27, 2005, 8:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: There will be a meeting to discuss and review outside sponsored health, wellness and nutrition research projects and rank according to priority. The Council will also discuss any other issues that may properly come before the Council.

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

### FLORIDA PAROLE COMMISSION

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

DATE AND TIME: Wednesday, July 27, 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: \*August 1, 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 August 2, 2005, in Room 140, immediately preceding or immediately following the Commission Conference.

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

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

DATE AND TIME: August 2, 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 the Division of the Commission Clerk and Administrative Services, (850)413-6770 or writing to the Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. The agenda and recommendations are also accessible on the PSC Homepage, at <http://www.floridapsc.com>, at no charge. If a person decides to appeal any decisions made by the Commission with respect to any matter considered at this conference, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which appeal is based.

Any person requiring some accommodation at this conference because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (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 a hearing to be held in the following docket, to which all interested persons are invited.

Docket No. 041464-TP – Petition for arbitration of certain unresolved issues associated with negotiations for interconnection, collocation, and resale agreement with Florida Digital Network, Inc. d/b/a FDN Communications, by Sprint-Florida, Incorporated.

DATES AND TIME: August 4-5, 2005, 9:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To permit parties to present testimony and exhibits relative to the petition for arbitration of certain unresolved issues associated with negotiations for interconnection, collocation, and resale agreement with Florida Digital Network, Inc. d/b/a FDN Communications, by Sprint-Florida, Incorporated, and for such other purposes as the Commission may deem appropriate. All witnesses shall be subject to cross-examination at the conclusion of their testimony on the issues identified by the

parties at the prehearing conference held on July 18, 2005. The proceedings will be governed by the provisions of Chapter 120, F.S., and Chapter 25-28, F.A.C.

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

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#### EXECUTIVE OFFICE OF THE GOVERNOR

The **Office of Film and Entertainment** and the Florida Film Advisory Council Membership Committee will convene in a conference call meeting of the Committee. This is a public meeting to which all persons are invited.

DATE AND TIME: Friday, July 22, 2005, 10:00 a.m.

PLACE: Governor's Office of Film and Entertainment, The Capitol, 400 South Monroe Street, Suite 2002, Tallahassee, FL (Call In #: TBD)

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss future and present Advisory Council Membership Committee issues.

A copy of the agenda may be obtained by writing: Heather Brown, Executive Assistant, The Office of Film and Entertainment, State of Florida, Executive Office of the Governor, Suite 2002, The Capitol, Tallahassee, Florida 32399-0001, (850)410-4765.

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

Pursuant to Section 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact the Commission at least 48 hours prior to the meeting in order to request any special assistance.

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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: Thursday, July 28, 2005, 10:00 a.m.

PLACE: Location: TBA or via conference call at 401 South Monroe Street, Tallahassee, Florida 32301; Conference Call-in Number (850)410-0962

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](mailto: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 **North Central Florida Regional Planning Council** announces the following meetings to which all persons are invited.

MEETING: Executive Committee

DATE AND TIME: July 28, 2005, 6:00 p.m.

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

MEETING: Clearinghouse Committee

DATE AND TIME: July 28, 2005, 6:00 p.m.

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

MEETING: North Central Florida Regional Planning Council

DATE AND TIME: July 28, 2005, 7:30 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the North Central Florida Regional Planning Council.

PLACE: Quality Inn and Conference Center, I-75 and U.S. 90, Lake City, Florida

Any person deciding to appeal decisions of the Council or its committees with respect to any matter considered at the meetings, may need to make a verbatim record of the proceedings.

A copy of any of these agendas may be obtained by writing: NCFRPC, 2009 N. W. 67 Place, Suite A, Gainesville, Florida 32653, e-mail: [nCFRPC@nCFRPC.org](mailto:nCFRPC@nCFRPC.org).

Persons with disabilities who need assistance may contact us at (352)955-2200, at least two business days in advance to make appropriate arrangements.

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

DATE AND TIME: Wednesday, July 27, 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.

The **South Florida Regional Planning Council** announces a meeting of the Executive Committee to which all persons are invited.

DATE AND TIME: Monday, August 1, 2005, 10:30 a.m.

PLACE: Wolf High Technology Center, Indian River Community College Chastain Campus, 240 S. E. Salerno Road, Stuart, FL 34997

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; Executive Committee meeting on monthly Council business.

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.

The Florida District X, **Local Emergency Planning Committee** announces the following meeting to which all persons are invited.

DATE AND TIME: August 3, 2005, 10:00 a.m. (Date changed from July 28, 2005)

PLACE: Wolf High – Technology Center, Indian River Community College Chastain Campus, 2400 S. E. Salerno Road, Stuart, FL 34997

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida District X, Local Emergency Planning Committee.

A copy of the Agenda may be obtained by contacting: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, Florida 34994.

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

The **Apalachee Regional Planning Council** announces a public meeting to which all persons are invited. In addition to its regular business, the agenda will include the review of any Local Government Plan Amendment(s) received in a timely manner.

DATE AND TIME: Thursday, July 28, 2005, 10:30 a.m. (Eastern Time) 9:30 a.m. (Central Time)

PLACE: Holiday Inn Select, 316 W. Tennessee Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold the regular monthly meeting of the Apalachee Regional Planning Council's Board of Directors.

An agenda may be obtained by writing: Apalachee Regional Planning Council, 20776 Central Avenue, East, Blountstown, FL 32424, (850)674-4571.

If special accommodations at the meeting are required because of a disability of impairment, please contact Council Offices, (850)674-4571, prior to the meeting.

If any person desires to appeal any decision with respect to any matter considered at the above-cited meeting, such person will need a record of the proceedings. For such purpose, he/she will need to ensure that verbatim record of the proceeding is made to include the testimony and evidence upon which the appeal is to be based.

## METROPOLITAN PLANNING ORGANIZATIONS

The Florida **Metropolitan Planning Organization Advisory Council** (MPOAC) announces a meeting of the Staff Directors' Advisory Committee to which all persons are invited.

DATE AND TIME: July 28, 2005, 12:00 Noon – 3:00 p.m.

PLACE: Sawgrass Marriott, 1000 PGA Tour Blvd., Ponte Vedra Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Activities related to transportation planning within and adjacent to metropolitan areas in Florida carried out by local, state, and federal agencies.

A copy of the agenda may be obtained by contacting: Heidi Langston, MPOAC, 605 Suwannee Street, MS 28B, Tallahassee, FL 32399-0450, 1(866)374-3368, Ext. 4037, e-mail: heidi.langston@dot.state.fl.us.

The **Florida Metropolitan Planning Organization Advisory Council** (MPOAC) announces a meeting of the Governing Board to which all persons are invited.

DATE AND TIME: July 28, 2005, 4:00 p.m. – 7:00 p.m.

PLACE: Sawgrass Marriott, 1000 PGA Tour Blvd., Ponte Vedra Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Activities related to transportation planning within and adjacent to metropolitan areas in Florida carried out by local, state, and federal agencies.

A copy of the agenda may be obtained by contacting: Heidi Langston, MPOAC, 605 Suwannee Street, MS 28B, Tallahassee, FL 32399-0450, 1(866)374-3368, Ext. 4037, e-mail: heidi.langston@dot.state.fl.us.

The **Florida Metropolitan Planning Organization Advisory Council** (MPOAC) announces a Workshop of the Governing Board to which all persons are invited.

DATE AND TIME: July 29, 2005, 8:00 a.m. – 12:00 Noon

PLACE: Sawgrass Marriott, 1000 PGA Tour Blvd., Ponte Vedra Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Activities related to the Florida Metropolitan Planning Organization Advisory Council Institute.

For more information, please contact: Heidi Langston, MPOAC, 605 Suwannee Street, MS 28B, Tallahassee, FL 32399-0450, 1(866)374-3368, Ext. 4037, e-mail: heidi.langston@dot.state.fl.us.

**WATER MANAGEMENT DISTRICTS**

The **Northwest Florida Water Management District** announces public meetings to which all persons are invited.

DATE AND TIME: July 28, 2005, 11:30 a.m. (EDT)

GENERAL SUBJECT MATTER TO BE CONSIDERED: District Lands Committee – to consider land acquisition matters.

DATE AND TIME: July 28, 2005, 1:00 p.m. (EDT)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting – to consider District business.

DATE AND TIME: July 28, 2005, 1:15 p.m. (EDT)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regulatory Public Hearing – to consider regulatory matters.

DATE AND TIME: July 28, 2005, 1:30 p.m. (EDT)

GENERAL SUBJECT MATTER TO BE CONSIDERED: District Lands Public Hearing– to consider land acquisition matters.

PLACE: District headquarters, 10 miles west of Tallahassee on U.S. Highway 90, Tallahassee, FL

A copy of the agendas may be obtained by contacting: Carolyn Wise, NFWFMD, 81 Water Management Drive, Havana, Florida 32333, (850)539-5999 (also available through the internet at [www.nwfwmd.state.fl.us/](http://www.nwfwmd.state.fl.us/)).

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

Persons with disabilities or handicaps who need assistance or reasonable accommodation in order to participate in these meetings should contact Larry Wright at the District at least 72 hours in advance of these meetings to make appropriate arrangements.

The **St. Johns River Water Management District** announces the following meeting which may be attended by one or more Governing Board members. All persons are invited.

AMERICAN WATER RESOURCES ASSOCIATION (AWRA), FLORIDA SECTION

DATES AND TIMES: Thursday, July 28, 2005, 10:00 a.m. through Saturday, July 30, 2005, 4:00 p.m.

PLACE: Wyndham Casa Marina Resort, 1500 Reynolds Street, Key West, FL 33040

GENERAL SUBJECT MATTER TO BE CONSIDERED: This conference will provide a forum for water managers, government officials, industry leaders, environmentalists, farmers, and other interested parties to discuss water supply and water management issues.

NOTE: A copy of the agenda for these meetings may be obtained by writing: AWRA, Florida Section, P. O. Box 186, Palatka, FL 32178, (386)329-4214.

The **St. Johns River Water Management District** hereby gives notice of the following meeting to which all persons are invited and that one or more members of the Governing Board may attend.

MEETING: Agricultural Advisory Committee

DATE AND TIME: July 28, 2005, 1:30 p.m.

PLACE: Holiday Inn Daytona, 2620 W. International Speedway Blvd., Daytona Beach, FL 32114

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of proposed permit fee increases, agricultural permit exemptions, and flatwood citrus water use.

Pursuant to the provisions of the Americans and Disabilities Act, any person requiring special accommodations to participate in the meeting is asked to advise Vince Singleton, (386)329-4197, at least five work days before the date of the meeting.

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

BASIN BOARD LAND RESOURCES COMMITTEE MEETING

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

PLACE: Springs Coast Environmental Education Center, S.R. 50 & U.S. 19, Weeki Wachee (Note: This is a change of location from what was originally published in the year-long calendar.)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Committee business.

These are public meetings and agendas are available by contacting the 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 Request for Proposal (RFP) Committee Meeting to which all persons are invited.

DATE AND TIME: Thursday, July 28, 2005, 11:00 a.m. – completion

PLACE: Renaissance Orlando Resort at Sea World, 6677 Sea Harbor Drive, Orlando, Florida 32821

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

In accordance with the Americans with Disabilities Act, persons in need of special accommodations to participate in the meeting or an agenda should contact: Niki Branch, 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.

**NOTICE OF CANCELTION** – The Florida **Commission for the Transportation Disadvantaged** announces a Commission Meeting to which all persons are invited.

**DATE AND TIME:** Thursday, July 28, 2005, 1:00 p.m. – completion

**PLACE:** Renaissance Orlando Resort at Sea World, 6677 Sea Harbor Drive, Orlando, Florida 32821, (407)351-5555

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

In accordance with the Americans with Disabilities Act, persons in need of special accommodations to participate in the meeting or those needing an agenda should contact: Niki Branch, 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 chairperson's request.

#### **AGENCY FOR HEALTH CARE ADMINISTRATION**

The **Agency for Health Care Administration** announces a teleconference meeting of the Florida Health Information Network (FHIN) Grants Program Work Group of the Governor's Health Information Infrastructure Advisory Board to which all interested parties are invited.

**DATE AND TIME:** Thursday, July 28, 2005, 2:00 p.m.

**PLACE:** Anyone interested in participating may telephone (850)410-0966, Suncom 210-0966

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To study and make recommendations on the development and implementation of a Florida health information infrastructure including a strategy for promoting the use of electronic health records.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Carolyn H. Turner, (850)922-5861, at least five calendar days prior to the meeting.

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

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

**DATE AND TIME:** Thursday, July 28, 2005, 1:30 p.m.

**PLACE:** Agency for Community Treatment Services (ACTS) Building, 4612 North 56th Street, Tampa, Florida 33610

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Area Six Managed Care Behavioral Health Advisory Group will hold its quarterly meeting. The purpose of the meeting is to provide a forum for the community to discuss issues surrounding managed behavioral health care services with representatives from the managed care plans, the Agency, and the Department of Children and Family Services.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Jorja Daniels, (813)871-7600, Ext. 132, at least five calendar days prior to the meeting.

For additional information contact: Deborah McNamara, Agency for Health Care Administration, 2727 Mahan Drive, MS 20, Tallahassee, FL 32308, (850)414-0633, e-mail: [mcnamard@ahca.myflorida.com](mailto:mcnamard@ahca.myflorida.com)

#### **DEPARTMENT OF MANAGEMENT SERVICES**

The Florida **Commission on Human Relations** announces a public meeting to which all persons are invited.

**DATES AND TIME:** Monday, July 18-19, 2005, 8:00 a.m. – 5:00 p.m.

**PLACE:** Hyatt Regency Hotel, 225 East Coast Line Drive, Jacksonville, Florida, (904)588-1234

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This meeting will be held to discuss the daily functions and activities of the Commission.

**CONTACT:** Florida Commission on Human Relations, 2009 Apalachee Parkway, Suite 100, Tallahassee, Florida 32301 or call (850)488-7082.

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

**DATE AND TIME:** Tuesday, August 18, 2005, 9:00 a.m.

**PLACE:** Florida Commission on Human Relations, 2009 Apalachee Parkway, Suite 100, Tallahassee, Florida 32301, (850)488-7082, Ext. 1032 (The meet-me telephone number is (850)414-1710, Suncom 994-1710)

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

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

VERBATIM RECORD OF MEETING: If any person decided to appeal any decision made during the meeting, he or she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

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

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## DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Florida **Board of Architecture and Interior Design** announces the following meetings, to which all persons are invited to attend.

DATE AND TIME: July 25, 2005, 1:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting, portions may be closed to the public.

The following cases are open to the public:

Architectural Design & Drafting Services, Case Number 2004-033756

Atlantic Building & Properties, Inc, Case Number 2004-039827

Millie Becker, Case Number 2004-038448

Louis Canales, Case Number 2004-039283

Robert D. Carter, Case Number 2004-051378

Clarkitecture Construction Corporation, Case Number 2005-056827

Ashley Copeland, Case Number 2004-049854

Enrique Crespo, Case Number 2004-051403

Jeannette Dean, Case Number 2005-005996

Victor Dekonshin, Case Number 2003-002792

Tara Elsberry, Case Number 2004-051472

Suninglio J. Espejo, Case Number 2004-029450

Finishing Touch Yacht Décor, Case Number 2004-051100

Hilda Flack, Case Number 2005-007440

Home on Harrison, Inc., Case Number 2004-053490

Robert Herrmann, Case Number 2002-011607

Kimberly, Kalm, Case Number 2004-054891

Klaybor and Associates, Inc., Case Number 2004-037271

Patrick Knowles, Case Number 2004-043534

KPM Design, Inc., Case Number 2004-053438

Dianna Lonsdale, Case Number 2004-038806

Randall Marks, Case Number 2003-081766

Rodney Mickley, Case Number 2004-057253

Megan Morris, Case Number 2004-054892

Ilija Mosscrop, Case Number 2004-011677

O'Donnell Dannwold and Partners Architecture, Inc., Case Number 2005-030293

Juliana Parks, Case Number 2004-039820

Fatima Pereira, Case Number 2004-038410

Perfect Piece, Case Number 2005-003425

Michael Philpot, Case Number 2004-044051

Jerry Rega, Case Number 2004-056126

Robert J. Sarabia, Case Number 2004-026225

Linda Tidwell, Case Number 2004-048068

PLACE: Marco Island Marriott, 400 S. Collier Boulevard, Marco Island, Florida 34145

To obtain a copy of the agenda, further information, or submit written or other physical evidence, contact in writing: Smith, Thompson, Shaw & Manausa, P.A., 2075 Centre Pointe Boulevard, Tallahassee, FL 32308-4893.

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

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Smith, Thompson, Shaw & Manausa, P.A., (850)402-1570, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

DATE AND TIMES: July 26, 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 **Electrical Contractor's Licensing Board** announces the following Board Meeting to which only limited persons are invited to attend.

DATE AND TIME: August 1, 2005, 8:00 a.m. or soon thereafter

PLACE: Call in number teleconference

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting (closed to the public).

To obtain a copy of the public portion of the agenda, further information, or submit written or other physical evidence, contact, in writing: Electrical Contractors' Licensing Board Office, 1940 North Monroe Street, Tallahassee, Florida 32399-0771.

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

Any persons requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board Office, (850)921-4847, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board Office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-9771 (TDD).

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The Florida **Board of Veterinary Medicine** announces the following meeting to which all parties are invited to attend.

DATE AND TIME: September 1, 2005, 8:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business meeting.

PLACE: Casa Monica Hotel, 95 Cordova Street, St. Augustine, FL 32259, (904)827-1888

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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The Florida **State Boxing Commission** announces a meeting to which all interested persons are invited.

DATE AND TIME: Wednesday, August 3, 2005

PLACE: 1940 North Monroe Street, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a general business meeting of the Commission.

Access to the meeting may be obtained by attending in person at the remote location listed above or by calling, at least forty-eight (48) hours prior to the meeting, (850)488-8500 or Suncom 278-8500.

A copy of the agenda may be obtained by writing: Florida State Boxing Commission, ATTN: Jason Penley, Executive Director, 1940 North Monroe Street, Tallahassee, FL 32399-1016.

Any person deciding to appeal a decision made by the Commission with respect to any matter considered at this meeting will need to ensure that a verbatim record of the proceeding is made. Such record must include the testimony and evidence upon which the appeal is to be based.

Any person requiring special accommodation at this meeting because of a disability or physical impairment should contact Laura Figley, Administrative Assistant, (850)488-8500, at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the Commission office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

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The Florida **Mobile Home Relocation Corporation** announces a meeting of its Board of Directors. The board will consider mobile home applications for abandonment and relocation compensation due to evictions as a result of a change in land use.

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

PLACE: Shady Lane Oaks, 15777 Bolesta Rd., Clearwater, FL 33760

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of the Florida Mobile Home Relocation Corporation. Review of mobile home owner applications for compensation for relocation and/or abandonment due to change in land use, and such other business as may come before the board. A schedule for the next meeting will be determined.

Additional information may be obtained by contacting: Mandy Lemons, Executive Director, FMHRC, P. O. Box 14125, Tallahassee, FL 32317-4125, 1(888)862-7010.

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**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF HEALTH**

The **Board of Clinical Laboratory Personnel** will hold a duly noticed telephone conference call, to which all persons are invited to attend.

DATE AND TIME: Tuesday, August 2, 2005, 10:00 a.m.

PLACE: Department of Health, 4042 Bald Cypress Way, Bin #C07, Tallahassee, FL, Meet Me Number (850)487-8540

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 or accessing [www.doh.state.fl.us/mqa/ClinLab/clp\\_home.html](http://www.doh.state.fl.us/mqa/ClinLab/clp_home.html).

The Florida **Board of Medicine**, Probable Cause Panel (North) announces a telephone conference call to be held via meet me number.

DATE AND TIME: July 29, 2005, 2:00 p.m.

PLACE: Meet Me Number (850)922-2903, Suncom 292-2903, Toll Free 1(800)416-4254

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases for which a determination of probable cause is to be made and to conduct a public meeting to review cases on which probable cause has been made.

A copy of the agenda may be obtained by writing: Gaynetta Rosier, Regulation Specialist II, Agency for Health Care Administration, Medical Services, Palmer Building, P. O. Box 14229, Tallahassee, Florida 32317-4229.

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

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Medical Litigation Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required. The Medical Litigation Section may be contacted at P. O. Box 14229, Tallahassee, Florida 32317-4229, Telephone (850)922-2414, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice) via Florida Relay Service.

The Florida **Board of Medicine**, Medical Fraud Committee announces a meeting to which all persons are invited.

DATE AND TIME: Friday, August 4, 2005, 12:00 Noon

PLACE: Tampa International Airport, Tampa, FL 33607, 1(800)564-3440

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Committee.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)245-4131, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Larry McPherson, Board Director, Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. A verbatim tape record of the proceeding may be obtained from a court reporter, if present, or an audio record from the Board Director.

The **Department of Health, Board of Pharmacy** announces a committee meeting to which all persons are invited.

DATE AND TIME: August 15, 2005, 1:00 p.m.

PLACE: Hyatt Regency Orlando International Airport, 9300 Airport Blvd., Orlando, FL 32827, (407)825-1234

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will meet to discuss Rule 64B16-27.830 Standards of Practice – Drug Therapy Management.

A copy of the board agenda materials, which are open to the public, may be obtained by writing: Garnet Keller, Program Administrator, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board of Pharmacy, Garnet Keller, (850)245-4614, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

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The **Department of Health, Board of Pharmacy** announces a committee meeting to which all persons are invited.

DATE AND TIME: August 15, 2005, 3:00 p.m.

PLACE: Hyatt Regency Orlando International Airport, 9300 Airport Blvd., Orlando, FL 32827, (407)825-1234

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will meet to discuss issues relating to Disaster Preparedness.

A copy of the board agenda materials, which are open to the public, may be obtained by writing: Garnet Keller, Program Administrator, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board of Pharmacy, Garnet Keller, (850)245-4614, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

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The **Department of Health, Board of Pharmacy** announces a committee meeting to which all persons are invited.

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

PLACE: Hyatt Regency Orlando International Airport, 9300 Airport Blvd., Orlando, FL 32827, (407)825-1234

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will meet to discuss the types of Pharmacy Permits.

A copy of the board agenda materials, which are open to the public, may be obtained by writing: Garnet Keller, Program Administrator, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board of Pharmacy, Garnet Keller, (850)245-4614, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

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The **Department of Health, Board of Pharmacy**, Rules Committee announces a meeting to which all persons are invited.

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

PLACE: Hyatt Regency Orlando International Airport, 9300 Airport Blvd., Orlando, FL 32827, (407)825-1234

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will meet to conduct general business.

A copy of the board agenda materials, which are open to the public, may be obtained by writing: Garnet Keller, Program Administrator, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board of Pharmacy, Garnet Keller, (850)245-4614, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

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The **Department of Health, Board of Pharmacy** announces a public meeting to which all persons are invited.

DATE AND TIME: August 17, 2005, 8:00 a.m.

PLACE: Hyatt Regency Orlando International Airport, 9300 Airport Blvd., Orlando, FL 32827, (407)825-1234

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will meet to conduct disciplinary proceedings and general board business.

A copy of the board agenda materials, which are open to the public, may be obtained by writing: Garnet Keller, Program Administrator, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board of Pharmacy, Garnet Keller, (850)245-4614 at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

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The **Department of Health**, Florida Alliance for Diabetes Prevention and Care – EDUCATION COMMITTEE announces a committee meeting via conference call.

DATE AND TIME: 4th Tuesday, July 26, 2005, 4:30 p.m. – 5:30 p.m.

PLACE: Toll Free # 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 Wednesday, July 22, 2005, at 5:00 p.m. Eastern Time.

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The **Department of Health**, Florida Alliance for Diabetes Prevention and Care – COMMUNITY PARTNERSHIPS COMMITTEE announces a committee meeting via conference call.

DATE AND TIME: 4th Thursday, July 28, 2005, 12:00 Noon – 1:00 p.m.

PLACE: Toll Free # 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, July 26, 2005, at 5:00 p.m. Eastern Time.

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The Florida **Department of Health**, Drug Wholesaler Advisory Council meeting will be held via conference call. All interested persons are invited to participate.

DATE AND TIME: August 18, 2005, 9:30 a.m.

PLACE: Conference Call Number (850)410-0968

GENERAL SUBJECT MATTER TO BE CONSIDERED: The agenda will include Welcome/Introductions, Approval of Minutes from May 12, 2005, Meeting; Legislative and Rule Update; Old Business; New Business; Open Discussion.

Please contact Maxine Wenzinger, (850)922-5190, if you have any questions.

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The **Department of Health**, Bureau of Chronic Disease Prevention and Health Promotion will hold the following meeting.

MEETING: Florida Arthritis Partnership

DATE AND TIME: August 19, 2005, 8:00 a.m. – 5:00 p.m.

PLACE: Hilton Tampa Airport Westshore, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To bring together state, local, and regional decision makers and grassroots advocates who share the vision of the highest possible quality of life free from arthritis-related pain and disability. Participants will have the opportunity to network and share progress toward goals in arthritis prevention and education efforts in Florida. The meeting will include an overview of the Arthritis Prevention & Education Program activities to-date, upcoming marketing plans, presentations on arthritis topics, training on community mobilization, workshop on identifying gaps in membership and interventions, and prioritizing remaining future interventions.

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The **Correctional Medical Authority** announces a conference call meeting to be held by telephone to which all persons are invited.

DATE AND TIME: July 22, 2005, 1:00 p.m. – 4:00 p.m.

PLACE: Telephone Number 922-2903 (Local), 1(800)416-4254 (Toll-Free), 292-2903 (Suncom)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Continued discussion of issues relating to correctional health care in the Florida Department of Corrections.

Pursuant to Section 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact staff at least 48 hours prior to the meeting in order to request any special assistance.

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#### DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Florida Substance Abuse and Mental Health Corporation**, created by Ch. 2003-279, Laws of Florida, announces a meeting of the Adult Ad Hoc Committee and Children's Ad Hoc Committee to which all persons are invited.

DATES AND TIMES: Thursday, July 21, 2005, 10:00 a.m. – 4:30 p.m.; Friday, July 22, 2005, 9:30 a.m. – 1:00 p.m.

PLACE: Louis de la Parte Florida Mental Health Institute, University of South Florida, 13301 Bruce B. Downs Blvd., Conference Room Westside A & B, Tampa, FL 33612-3807, (813)974-4602

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committees will discuss the definition of recovery and resiliency, principals of recovery and resiliency and a review of Florida Statute 394.

In accordance with the Americans with Disabilities Act, persons needing an accommodation to participate in this meeting should contact: Amanda Sanford, Florida Department of Children and Family Services, Mental Health Program Office, Building 1, Room 206, 1317 Winewood Blvd., Tallahassee, FL 32399-0700, (850)410-1575.

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### NAVIGATION DISTRICTS

The Board of Commissioners of the **Florida Inland Navigation District** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, July 22, 2005, 8:00 a.m.

PLACE: The Sea Turtle Inn, One Ocean Blvd., Atlantic Beach, Duval County, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: A meeting of the Board of Commissioners to conduct the regular business of the District. Additionally, the District's Finance and Budget and Land Acquisition and Management Committees will meet.

Please contact the District office, 1314 Marcinski Road, Jupiter, FL 33477, (561)627-3386, for more information.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they will need a record of the proceeding, and for such purposes, they may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is based. Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the District prior to the meeting.

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### DEPARTMENT OF FINANCIAL SERVICES

The **Department of Financial Services, Division of State Fire Marshal** announces a public meeting to which all persons are invited.

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

PLACE: Trade Winds, Island Grand, 5500 Gulf Blvd., St. Pete Beach, FL 33706

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 Florida **Board of Funeral and Cemetery Services** announces a telephone conference Board Meeting and all persons are invited to attend.

DATE AND TIME: July 22, 2005, 9:00 a.m. to 11:00 p.m. (Please note date change)

PLACE: Teleconference, Department of Financial Services, 200 E Gaines Street, Larson Building, Room 142, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Board Business.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, the person will need a record of the proceedings, and for such purpose the 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.

To obtain further information contact: LaTonya Bryant, Administrative Assistant I, Division of Consumer Services, 200 East Gaines St., Tallahassee, FL 32399-0361, (850)413-3039.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise LaTonya Bryant, (850)413-3039, at least 48 hours before the meeting. If you are hearing or speech impaired, contact LaTonya Bryant via the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice) for assistance.

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### ST. LUCIE COUNTY

The **Treasure Coast Education, Research and Development Authority** announces a public meeting to which all interested persons are invited.

DATE AND TIME: Tuesday, July 19, 2005, 2:00 p.m.

PLACE: Conference Room 3, St. Lucie County Administration Annex, 2300 Virginia Avenue, Ft. Pierce, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Park slogan, symbol and letterhead; Bylaws; Mission Statement; and Master Plan and Zoning Workshop.

Those who desire a copy of the agenda or more information should contact: Rick Minton, Chairman, (772)370-7425 or Jane Bachelor, Secretary, (772)971-8398.

Anyone with a disability requiring accommodation to attend this meeting should contact Beth Ryder, St. Lucie County Community Services Director, (772)462-1777, TDD (772)462-1428, at least forty-eight (48) hours prior to the meeting.

**BLUE RIBBON TASK FORCE**

The BIWG, **Blue Ribbon Task Force Implementing Working Group** announces a meeting to which all interested persons are invited to participate.

DATE AND TIME: July 27, 2005, 9:00 a.m. – 1:00 p.m.

PLACE: 1317 Winewood Blvd., Bldg. 4, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Purpose of BIWG is to implement recommendation for improvement of transition, employment and inclusion for Persons with Developmental Disabilities. This is a meeting to report on status of executive oversight teams and interagency core process teams.

Contact: Larry D. Wood, Ph.D., (850)385-0089, for questions.

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**H. LEE MOFFITT CANCER CENTER AND RESEARCH INSTITUTE**

The **H. Lee Moffitt Cancer Center and Research Institute, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 27, 2005, 1:30 p.m.

PLACE: SRB, Trustee Board Room, 12902 Magnolia Drive, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Joint Finance and Planning Committee of the Board of Directors.

A copy of the agenda may be obtained by writing: Ms. Barbara Sawyer, Administration, Moffitt Cancer Center, 12902 Magnolia Drive, Tampa, FL 33612.

Persons requiring special accommodations due to disability or physical impairment should contact: Ms. Barbara Sawyer by Friday, July 22, 2005.

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**TAMPA BAY ESTUARY PROGRAM**

The **Tampa Bay Estuary Program** announces scheduling of a Community Advisory Committee to which all persons are invited.

DATE AND TIME: Wednesday, July 27, 2005, 3:00 p.m.

PLACE: Tampa Bay Regional Planning Council, 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Members will discuss an upcoming Ocean Action Plan workshop on the Gulf of Mexico and this year's Estuary Academy at Weedon Island, and participate in Speaker's Bureau training.

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Section VII  
Notices of Petitions and Dispositions  
Regarding Declaratory Statements

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

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

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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

The Construction Industry Licensing Board hereby gives notice that it has issued a Final Order in the Petition for Declaratory Statement filed by Timothy Settles. The Board reviewed the petition at its meeting held on May 13, 2005, in Deerfield Beach, Florida. The Board's Final Order, filed in this cause on June 28, 2005, gives the following answer to the question as outlined in the petition:

For the applications outlined in the Petition, the Petitioner would need either a Class A air-conditioning, Class B air-conditioning, Mechanical, or Plumbing contractor's license for the corresponding application.

A copy of the Petition and the Board's Final Order may be obtained by contacting: Construction Industry Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750.

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The Construction Industry Licensing Board hereby gives notice that it has issued a Final Order in the Petition for Declaratory Statement filed on behalf of Gilly Development Corporation and Wesley H. Power. The Board reviewed the petition at its meeting held on May 13, 2005, in Deerfield Beach, Florida. The Board's Final Order, filed in this cause on June 28, 2005, gives the following answer to the question as outlined in the petition:

Construction of a cell tower up to 250 feet in height exceeds the scope of services of a building contractor as defined by Section 489.105(3)(b), Florida Statutes.

A copy of the Petition and the Board's Final Order may be obtained by contacting: Construction Industry Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750.

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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.”

**DEPARTMENT OF HEALTH**

The Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling hereby gives notice that it has received a Petition for Declaratory Statement filed on June 3, 2005 by Dana Lynn Nolan, MS, LMHC, NCC. The Petitioner seeks the Board’s interpretation of the application of Section 456.41, Florida Statutes. Specifically, the Petitioner requests that the Board issue a Declaratory Statement to the effect that Section 456.41, Florida Statutes, permits Petitioner to utilize Energy Medicine in her Mental Health Counselor practice.

Copies of the petition may be obtained by writing: Susan Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

**DEPARTMENT OF FINANCIAL SERVICES**

NOTICE IS HEREBY GIVEN that the Petition for Declaratory Statement filed by Manny C. Mena, Fire Marshal, Miami-Dade Fire Rescue Department on June 27, 2005, has been withdrawn; therefore, the matter has been closed.

A copy of the withdrawal document may be obtained from: Gabriel Mazzeo, Attorney, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (850)413-3604, or you may fax your request to fax number (850)922-1235.

**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:**

Pinellas County vs. Department of Environmental Protection; Case No.: 05-2287RP; Rule No.: 62-304.600

City of Largo, Florida vs. Department of Environmental Protection; Case No.: 05-2306RP; Rule No.: 62-304.600

**Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:**

Florida Keys Citizens Coalition, Inc. and Last Stand, Inc. vs. Florida Administration Commission and City of Marathon, Florida and Department of Community Affairs; Case No.: 04-2755RP; Rule No.: 28-18.210; Dismissed

Florida Keys Citizens Coalition, Inc. and Last Stand, Inc. vs. Florida Administration Commission and Monroe County and Department of Community Affairs; Case No.: 04-2756RP; Rule No.: 28-20; Dismissed

**Section IX  
Notices of Petitions and Dispositions  
Regarding Non-rule Policy Challenges**

**NONE**

**Section X  
Announcements and Objection Reports of  
the Joint Administrative Procedures  
Committee**

**NONE**

**Section XI  
Notices Regarding Bids, Proposals and  
Purchasing**

**DEPARTMENT OF EDUCATION**

**REQUEST FOR BID**

The University of Florida, Purchasing Division will receive sealed bids for the following: ITB06MW-7, SL-2 Loop Pipe Replacement, Proj. #816369, estimated budget: \$650,000.00 to be opened August 11, 2005, at 2:00 p.m. Local Time. Scope of work: Replacement of existing 14” chilled water supply and return mains in the SL-2 loop between Heat Plant No. 2 and Manhole MH-3C4-4 with new 18” chilled water supply and return mains. 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 July 28, 2005, at 1:30 p.m. in Physical Plant Architecture/Engineering Conference Room, Bldg. 700, Radio Road, Gainesville, FL. Prequalification form will be due August 4, 2005 by 12:00 p.m. All questions should be directed to Sonia Coleman, 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 URBAN DESIGNERS AND PLANNING  
CONSULTANTS  
INVITATION TO NEGOTIATE

The City of Sarasota, Sarasota County, Manatee County, New College of Florida (“NCF”), the University of South Florida Sarasota-Manatee (“USF”), the Ringling School of Art and Design (“RSAD”), FSU Ringling Center for the Cultural Arts (“FSU”), and the Sarasota Manatee Airport Authority (“Airport”) all of which collectively shall be referred to as the “Leadership Group”, issue this Invitation to Negotiate, announcing that professional services in the disciplines of urban design and master planning will be required for the project listed below, and invites interested parties to submit proposals.

**PROJECT NAME:** Educational and Cultural Corridor Master Plan (Consultant selected will help determine final name).

**LOCATION:** The final geographic boundary shall be determined in conjunction with the recommendations of the selected consultant. Primarily, it is the commercial and institutional areas fronted by U.S. 41 plus contiguous areas that make sense for inclusion within the corridor. The southern boundary is 10th St. N. and the northern boundary extends into Manatee County near the northern tip of the airport at Whitfield Estates. It is loosely tied to a watershed boundary in the same area.

**PROJECT BUDGET:** \$160,000.00 cap

DESCRIPTION OF PROJECT

This project is to create a public process and conceptual design for a designated area of higher education, history and culture along the North Trail on U.S. 41. Activities include recommendations on the appropriate geographic area, collecting data, engaging the community, media and affected parties in an open discussion on the name, shape, form and substance of a designated area. It should also include design concepts, signage, and the necessary recommendations on zoning, and other processes necessary to ensure implementation. A strong element should be a public process to collect data and ideas from the community, especially people directly affected by the designated area, such as business people, neighbors, neighborhood associates, and landowners.

The purpose of your written response to this Invitation is to provide a special committee selected by the leadership group with sufficient information to determine the qualifications of an applicant and a general approach to the project. The selected applicant must understand the complexities of multi-jurisdictional planning as well as the statutory requirements for educational institutions, and the Airport Authority. Selection of a consultant will be made after interviews and contract negotiations.

CONTACT PERSON

The Contact Person is:

Steve Pfeiffer  
General Counsel  
New College of Florida  
5700 N. Tamiami Trail  
Sarasota, FL 34243-2197  
Phone (941)359-4780  
Fax (941)359-4655  
e-mail: [gspfeiffer@ncf.edu](mailto:gspfeiffer@ncf.edu)

PROJECT FACT SHEET

A Project Fact Sheet that describes the project in more detail, sets out the required application submittal format, establishes evaluation criteria, describes the evaluation process, and lists members of the Evaluation and Selection Committee is available to interested parties. You may obtain a copy of the Project Fact Sheet through the Contact Person via email or regular mail.

APPLICATION SUBMITTAL SCHEDULE

MANDATORY PRE-SUBMITTAL MEETING:

A pre-submittal meeting will be held Monday, July 25, 2005, 1:00 p.m. – 3:00 p.m. in the Music Room of College Hall on the USF/New College campus. All applicants must have at least one representative at this meeting to receive instructions and to hear all of the questions and answers. Applications will not be accepted from any applicant who is not represented at the Pre-Submittal Meeting.

APPLICATION SUBMITTAL DATE:

Applications must be filed by 5:00 p.m., local time, on Friday, August 12, 2005. Applications will be considered filed if they are delivered directly to the Mail Room of Ringling School of Art and Design prior to the deadline. Applications filed after 5:00 p.m., local time, on August 12, 2005, will be rejected, and will not be evaluated.

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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**

REQUEST FOR PROPOSAL  
PASCO COUNTY METROPOLITAN  
PLANNING ORGANIZATION

SPN Number: 259342-1-14-05

Job Number: 1157042

Project: Pasco County Metropolitan Planning Organization (MPO) General Planning Consultants

The shortlist of general planning consultants for the Pasco County MPO is URS Corporation Southern; Carter and Burgess; Tindale-Oliver and Associates, Inc.; and Gannett Fleming, Inc.

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**WATER MANAGEMENT DISTRICTS**

REQUEST FOR BID FOR SUWANNEE COMMUNITY  
CENTER SHORELINE IMPROVEMENTS  
RFB No. 04/05-046RM

The Suwannee River Water Management District (District) is soliciting bids for drainage, bank stabilization, and access improvements at the Suwannee Community Center in the Town of Suwannee, Dixie County, Florida. These improvements include construction of stormwater conveyance, installation of filter fabric and riprap, and installation of a floating dock. There is a mandatory pre-bid meeting.

PROJECT TITLE: Suwannee Community Center Shoreline Improvements.

PROJECT NUMBER: RFB 04/05-046RM

PROJECT LOCATION: The project is located on County Road 349 in the Town of Suwannee, Dixie County. A location map is included with the plans.

PRE-BID MEETING: A mandatory pre-bid meeting is scheduled for 10:00 a.m., July 26, 2005, at the Suwannee Community Center in the Town of Suwannee. Bidders must sign in at the pre-bid meeting.

BID DOCUMENTS: Any individual or firm desiring to obtain a copy of this Request for Bid may do so by visiting the District's website: [www.mysuwanneeriver.com](http://www.mysuwanneeriver.com), or by contacting:

Sandra Keiser, Administrative Assistant  
Suwannee River Water Management District  
9225 CR 49  
Live Oak, Florida 32060  
Phone (386)362-1001

BID DATE AND TIME: Sealed bids will be received until 4:00 p.m. on Thursday, August 4, 2005, at the Suwannee River Water Management District office, 9225 County Road 49, Live Oak, Florida 32060. Faxed bids will not be accepted. All contractors that are interested in bidding must be represented at the pre-bid meeting.

Anyone requiring reasonable accommodation as provided for in the Americans With Disabilities Act should contact Linda R. Smith, Purchasing Agent, (386)362-1001 or 1(800)226-1066 (Florida only).

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**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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**FLORIDA DEVELOPMENTAL DISABILITIES COUNCIL**

Invitation to Negotiate (ITN)

The Florida Developmental Disabilities Council, Inc. (FDDC) announces the availability of an invitation to Negotiate (ITN). Copies of the ITN can be downloaded from the FDDC website ([www.fddc.org](http://www.fddc.org)) or copies may be requested by writing FDDC at 124 Marriott Drive, Suite 203, Tallahassee, Florida 32301, (850)488-4180, 1(800)580-7801 (Toll Free), 1(888)488-8633 (TDD). To register to receive electronic mail (email) notices of future ITNs or RFPs, please visit our website ([www.fddc.org](http://www.fddc.org)) and click on the "RFPs" button near the top of the page, then click on the "sign up" button and follow the directions.

The Florida Developmental Disabilities Council, Inc. (FDDC) is pleased to announce that this invitation to negotiate (ITN #2005-CL-3100) will provide a series of two day workshops on legal issues related to the developmental disabilities population for attorneys and families. The primary purpose of this project is to develop and implement a training curriculum for attorneys in Florida that focuses on the specific needs of people with developmental disabilities and a training curriculum for people with developmental disabilities and their families that teaches them ways to navigate the legal system and understand basic legal issues that may effect quality of life. Individuals, not-for-profit and for-profit agencies may submit a proposal in response to this ITN. FDDC has set aside federal funds for a period not to exceed 14 months for fiscal support of this ITN. Interested parties can see ITN #2005-CL-3100 for specific information related to funding amounts.

The deadline for submitting written questions and letters of intent for this ITN is August 15, 2005 by 4:00 p.m. (EDT). In order for your proposal to be considered, your letter of intent must be received by the above referenced deadline. Letters of Intent will only be accepted by fax, mail, or hand delivery. Letters of Intent by email will not be accepted. All answers to written questions will be posted on the FDDC website on or before August 23, 2005. The deadline for submitting proposals for this ITN is September 27, 2005 by 2:00 p.m. (EDT).

**Section XII  
Miscellaneous**

**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**

Notice of Availability of Grant Funds

The Northwest Florida Water Management District (District) announces the availability of funds under its Florida Forever Competitive Grant Program for capital improvement projects meeting the objectives of The Florida Forever Act (Section 259.105, Florida Statutes) and the Florida Forever Water Management District Work Plan (Section 373.199, Florida Statutes).

The goal of this grant program is to support water resource management efforts that improve water quality, in particular, but also those that implement stormwater improvements, restore natural systems, demonstrate best management practices (BMPs), or implement water reuse. Project proposals should clearly demonstrate water resource value.

The District seeks proposals from government entities within the jurisdiction of the Northwest Florida Water Management District's 16-county area for cooperative or cost-share capital improvement projects that can be completed within 24 months of grant agreement execution. Applications are due at District Headquarters no later than Monday, September 26, 2005.

The full text of this notice, the application form, and additional information can be found on the District's homepage at <http://www.nwfwmd.state.fl.us/> under the link titled "Florida Forever Capital Improvement Grants." Printed or electronic copies (on CD) of the application form and grant program information are available upon request. For more information call: Janice McDonald or Paul Thorpe, (850)539-5999 or 1(800)913-1518.

**LAND AND WATER ADJUDICATORY COMMISSION**

NOTICE OF RECEIPT OF PETITION

On May 2, 2005, the Florida Land and Water Adjudicatory Commission ("FLWAC" or "Commission") received a petition to establish the Pioneer Community Development District (the "District"). The Commission will follow the requirements of Chapter 42-1, Florida Administrative Code (F.A.C.), as amended, and Chapter 190, Florida Statutes (F.S.), as amended, in ruling on this petition.

SUMMARY OF CONTENTS OF PETITION: The petition filed by MHK of Volusia County, Inc., requests the Commission establish a community development district located entirely within the City of Port Orange, in Volusia County, Florida. The land area proposed to be served by the District comprises approximately 1,238.2 acres. A general location map is contained as Exhibit 1 to the petition to establish the District. There are no parcels located within the external boundaries of the proposed District which are to be excluded from the District. The Petitioner either owns or has written consent to establish the District from the landowners of one hundred percent (100%) of real property located within the proposed District. The development plan for the proposed lands within the District includes the construction of approximately 1,300 units of single family detached units, single family attached units, multi-family housing and 25 acres of commercial mixed use. The District, if established, currently intends to finance certain master infrastructure improvements including clearing, earthwork, water, sewer, and reclaimed



CERTIFICATE OF NEED  
NOTICE OF WITHDRAWAL

The Agency for Health Care Administration hereby notices withdrawal from review of the following Certificate of Need applications:

County: Pinellas                      Service District: 5  
 CON # 9852      Decision Date: 6/30/2005      Decision: W  
 Facility/Project: Hospice of the Florida Suncoast, Inc.  
 Applicant: Hospice of the Florida Suncoast, Inc.  
 Project Description: Establish a freestanding inpatient hospice facility of up to 30 beds

A request for administrative hearing, if any, must be made in writing and must be actually received by this department within 21 days of the first day of publication of this notice in the Florida Administrative Weekly pursuant to Chapter 120, F.S., and Chapter 59C-1, F.A.C.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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**DEPARTMENT OF HEALTH**

On July 1, 2005, John O. Agwunobi, M.D., M.B.A., M.P.H., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Maureen Kelly, R.N., license number RN 2082612. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On June 30, 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 Pamela Lynn Hammonds Allen, R.N. license number 3156782. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), F.S. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On June 30, 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 Patti Allison Clark, R.N. license number 2974282. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), F.S. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Request for Public Comments on Florida's WIC Program

The WIC Program (the Special Supplemental Nutrition Program for Women, Infants, and Children) is soliciting comments and suggestions about its program and how service delivery can be improved to better meet the clients' needs. WIC is federally funded by the United States Department of Agriculture, and serves low- and moderate-income pregnant, breastfeeding, and postpartum women; infants; and children up to age 5. The program provides a combination of nutritious foods, nutrition education, breastfeeding support, and referrals for health care. WIC is available in all 67 counties in Florida. If you have any comments or suggestions, please direct them to Cheryl Miller, Department of Health, WIC and Nutrition Services, BIN #A-16, 4052 Bald Cypress Way, Tallahassee, FL 32399-1726; or by fax: (850)922-3936. Your feedback is essential and is appreciated before August 15, 2005. WIC is an equal opportunity provider.

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**FISH AND WILDLIFE CONSERVATION  
COMMISSION****Request for Written Information on Biological Status**

The Florida Fish and Wildlife Conservation Commission have been petitioned to re-evaluate the status of the Panama City crayfish (*Procambarus econfinae*). The Commission hereby requests written information and data on the biological status of the Panama City crayfish pursuant to Rule 68A-27.0012, F.A.C. The Commission is specifically requesting information on: population size and trends; distribution and range; threats to the species; published population viability models; and specific aspects of the species' life history that may influence the status of the species. In accordance with Rule 68A-27.0012, F.A.C., information on the management needs and the socio/economic impacts of the listing will be sought at a future date, in preparation for the drafting of a species-specific management plan.

Information and data should be sent to: David Cook, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Mail station 2A, Tallahassee, FL 32399-1600. Responses will be accepted until 5:00 p.m., Wednesday August 31, 2005.

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**Request for Written Comments on Biological Status**

The Florida Fish and Wildlife Conservation Commission have been petitioned to re-evaluate the status of the manatee (*Trichechus manatus latirostris*). The Commission hereby requests written information and data on the biological status of the manatee pursuant to Rule 68A-27.0012, F.A.C. The Commission is specifically requesting information on: population size and trends; distribution and range; threats to the species; published population viability models; and specific aspects of the species' life history that may influence the status of the species. In accordance with Rule 68A-27.0012, F.A.C., information on the management needs and the socio/economic impacts of the listing will be sought at a future date, in preparation for the drafting of a species-specific management plan.

Information and data should be sent to: Dr. Elsa Haubold, Florida Fish and Wildlife Conservation Commission, Fish and Wildlife Research Institute, 100 8th Avenue, Southeast, St. Petersburg, FL 33701. Responses will be accepted until 5:00 p.m., Wednesday August 31, 2005.

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**Request for Written Comments on Biological Status**

The Florida Fish and Wildlife Conservation Commission have been petitioned to re-evaluate the status of the gopher tortoise (*Gopherus polyphemus*). The Commission hereby requests written information and data on the biological status of the gopher tortoise pursuant to Rule 68A-27.0012, F.A.C. The Commission is specifically requesting information on: population size and trends; distribution and range; threats to the species; published population viability models; and specific aspects of the species' life history that may influence the status of the species. In accordance with Rule 68A-27.0012, F.A.C., information on the management needs and the socio/economic impacts of the listing will be sought at a future date, in preparation for the drafting of a species-specific management plan.

Information and data should be sent to: Kevin Enge, Florida Fish and Wildlife Conservation Commission, 5300 High Bridge Road, Quincy, FL 32351. Responses will be accepted until 5:00 p.m., Wednesday August 31, 2005.

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**Request for Written Comments on Biological Status**

The Florida Fish and Wildlife Conservation Commission have been petitioned to re-evaluate the status of the bald eagle (*Haliaeetus leucocephalus*). The Commission hereby requests written information and data on the biological status of the bald eagle pursuant to Rule 68A-27.0012, F.A.C. The Commission is specifically requesting information on: population size and trends; distribution and range; threats to the species; published population viability models; and specific aspects of the species' life history that may influence the status of the species. In accordance with Rule 68A-27.0012, F.A.C., information on the management needs and the socio/economic impacts of the listing will be sought at a future date, in preparation for the drafting of a species-specific management plan.

Information and data should be sent to: Dan Sullivan, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Mail Station 2A, Tallahassee, FL 32399-1600. Responses will be accepted until 5:00 p.m., Wednesday August 31, 2005.

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**DEPARTMENT OF FINANCIAL SERVICES**

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL  
CIRCUIT, IN AND FOR LEON COUNTY, FLORIDA  
CASE NO.: 05-1103

In Re: The Receivership of THE MONEY TREE LENDING  
GROUP, INC., a Florida corporation.

NOTICE TO ALL POLICYHOLDERS, CREDITORS, AND  
CLAIMANTS HAVING BUSINESS WITH THE MONEY  
TREE LENDING GROUP, INC.

You are hereby notified that by order of the Circuit Court  
of the Second Judicial Circuit, in and for Leon County, Florida,  
entered the 23rd day of June, 2005, the Department of  
Financial Services of the State of Florida was appointed as  
Receiver of THE MONEY TREE LENDING GROUP, INC.,  
and was ordered to liquidate the assets located in Florida of  
said company.

Policyholders, claimants, creditors, and other persons in  
this State having claims against the assets of THE MONEY  
TREE LENDING GROUP, INC., shall present such claims to  
the Receiver on or before 11:59 p.m., June 23, 2006.

Requests for forms for the presentation of such claims and  
inquiries concerning this Receivership should be addressed to:

The Division of Rehabilitation and Liquidation of the  
Florida Department of Financial Services, Receiver for THE  
MONEY TREE LENDING GROUP, INC., Post Office Box  
110, Tallahassee, Florida 32302-0110.

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**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., August 5th, 2005):

**APPLICATION FOR A NEW FINANCIAL INSTITUTION**  
Applicant and Proposed Location: First American Bank of  
Florida, The Southeast corner of Livingston Road and Pine  
Ridge Road, Naples, Collier County, Florida 34110

Correspondent: John P. Greeley, 255 South Orange Avenue,  
Suite 800, Orlando, Florida 32801

Received: June 28, 2005

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**Section XIII**  
**Index to Rules Filed During Preceding Week**

**RULES FILED BETWEEN June 27, 2005  
 and July 1, 2005**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF EDUCATION**

**University of Florida**

6C1-1.015	6/29/05	7/19/05	Newspaper	
6C1-1.017	6/29/05	7/19/05	Newspaper	
6C1-1.200	6/29/05	7/19/05	Newspaper	
6C1-2.0031	6/29/05	7/19/05	Newspaper	
6C1-3.0051	6/29/05	7/19/05	Newspaper	
6C1-3.007	6/29/05	7/19/05	Newspaper	
6C1-3.009	6/29/05	7/19/05	Newspaper	
6C1-3.0372	6/29/05	7/19/05	Newspaper	
6C1-3.0375	6/29/05	7/19/05	Newspaper	
6C1-3.0422	6/29/05	7/19/05	Newspaper	
6C1-3.047	6/29/05	7/19/05	Newspaper	
6C1-3.049	6/29/05	7/19/05	Newspaper	
6C1-3.050	6/29/05	7/19/05	Newspaper	
6C1-3.051	6/29/05	7/19/05	Newspaper	
6C1-3.054	6/29/05	7/19/05	Newspaper	
6C1-3.056	6/29/05	7/19/05	Newspaper	
6C1-3.057	6/29/05	7/19/05	Newspaper	
6C1-3.058	6/29/05	7/19/05	Newspaper	
6C1-3.072	6/29/05	7/19/05	Newspaper	
6C1-3.076	6/29/05	7/19/05	Newspaper	
6C1-4.004	6/29/05	7/19/05	Newspaper	
6C1-4.007	6/29/05	7/19/05	Newspaper	
6C1-4.016	6/29/05	7/19/05	Newspaper	
6C1-4.017	6/29/05	7/19/05	Newspaper	
6C1-4.020	6/29/05	7/19/05	Newspaper	
6C1-4.0211	6/29/05	7/19/05	Newspaper	
6C1-4.029	6/29/05	7/19/05	Newspaper	
6C1-4.031	6/29/05	7/19/05	Newspaper	
6C1-4.032	6/29/05	7/19/05	Newspaper	
6C1-5.0763	6/29/05	7/19/05	Newspaper	
6C1-6.009	6/29/05	7/19/05	Newspaper	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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6C1-6.011	6/29/05	7/19/05	Newspaper	
6C1-7.010	6/29/05	7/19/05	Newspaper	
6C1-7.013	6/29/05	7/19/05	Newspaper	
6C1-7.019	6/29/05	7/19/05	Newspaper	
6C1-7.042	6/29/05	7/19/05	Newspaper	
6C1-7.0441	6/29/05	7/19/05	Newspaper	
6C1-7.048	6/29/05	7/19/05	Newspaper	
6C1-7.051	6/29/05	7/19/05	Newspaper	
6C1-7.0561	6/29/05	7/19/05	Newspaper	
6C1-7.0562	6/29/05	7/19/05	Newspaper	
6C1-7.0565	6/29/05	7/19/05	Newspaper	

**DEPARTMENT OF TRANSPORTATION**

14-103.001	6/30/05	7/20/05	30/14	31/21
14-103.002	6/30/05	7/20/05	30/14	31/21
14-103.003	6/30/05	7/20/05	30/14	31/21
14-103.004	6/30/05	7/20/05	30/14	31/21
14-103.005	6/30/05	7/20/05	30/14	31/21
14-103.006	6/30/05	7/20/05	30/14	31/21
14-103.007	6/30/05	7/20/05	30/14	31/21
14-103.0071	6/30/05	7/20/05	30/14	31/21
14-103.008	6/30/05	7/20/05	30/14	31/21
14-103.009	6/30/05	7/20/05	30/14	31/21
14-103.0091	6/30/05	7/20/05	30/14	31/21
14-103.010	6/30/05	7/20/05	30/14	31/21
14-103.011	6/30/05	7/20/05	30/14	31/21

**STATE BOARD OF ADMINISTRATION**

19-8.028	6/27/05	7/17/05	31/15	
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**DEPARTMENT OF CORRECTIONS**

33-210.103	6/28/05	7/18/05	31/21	
33-601.737	6/27/05	7/17/05	31/21	

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Certificate of Need**

59C-1.0085	6/29/05	7/19/05	31/18	
59C-1.0365	6/29/05	7/19/05	31/18	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.	Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
<b>DEPARTMENT OF ENVIRONMENTAL PROTECTION</b>					<b>FISH AND WILDLIFE CONSERVATION COMMISSION</b>				
62-204.800	6/29/05	7/1/05	31/22		<b>Freshwater Fish and Wildlife</b>				
<b>DEPARTMENT OF HEALTH</b>					68A-12.007	6/27/05	7/17/05	31/18	
<b>Board of Medicine</b>					68A-15.062	6/29/05	8/1/05	31/10	
64B8-44.005	6/27/05	7/17/05	31/9	31/20	68A-20.005	6/27/05	7/17/05	31/19	
<b>Board of Pharmacy</b>					<b>Marine Fisheries</b>				
64B16-28.810	6/27/05	7/17/05	31/13		68B-14.005	6/27/05	7/17/05	31/18	
64B16-28.850	6/27/05	7/17/05	31/13		<b>DEPARTMENT OF FINANCIAL SERVICES</b>				
64B16-28.860	6/27/05	7/17/05	31/13		<b>Division of Workers' Compensation</b>				
<b>DEPARTMENT OF CHILDREN AND FAMILY SERVICES</b>					69L-6.025	6/30/05	7/20/05	31/20	
<b>Economic Self Sufficiency Program</b>					<hr/>				
65A-1.900	7/1/05	7/21/05	31/15						