



SUBJECT AREA TO BE ADDRESSED: Rule 5J-12.002, F.A.C., deletes the language relating to occupational license numbers and Rule 5J-12.005, F.A.C., establishes new rules for the Educational Assistance Program.

SPECIFIC AUTHORITY: 559.2201, 570.07(23) FS.

LAW IMPLEMENTED: 559.904, 559.916 FS.

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

TIME AND DATE: 10:00 a.m., September 6, 2005

PLACE: Department of Agriculture and Consumer Services, Division of Consumer Services, Terry L. Rhodes Building, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Dee Keck, Regulatory Program Administrator, Division of Consumer Services, Terry L. Rhodes Building, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, (850)410-3679

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5J-12.002 Registration.

(1) No change.

~~(2)(a) Form DACS 10900 will not be deemed incomplete for failure to furnish a valid occupational license number, provided the motor vehicle repair shop is unable to obtain such number until it exhibits an active registration certificate issued by the Department pursuant to Section 559.904(7), F.S.~~

~~(b) If the Department approves the application submitted by the motor vehicle repair shop and issues a registration certificate to conduct business as a motor vehicle repair shop, the motor vehicle repair shop shall, within 30 days after issuance, provide the occupational license number to the Department.~~

~~(c) If the motor vehicle repair shop fails to provide the valid occupational license number within the prescribed 30 day period, such failure shall be grounds for suspension or revocation of registration.~~

Specific Authority 559.92201, 570.07(23) FS. Law Implemented 559.904, 559.916 FS. History—New 1-18-95, Amended 5-24-95, 2-11-98, 1-20-03, 11-4-03, 6-27-05, \_\_\_\_\_.

5J-12.005 Educational Assistance Program.

(1) Definitions: For the purposes of Rule 5J-12.005, F.A.C., the following terms shall have the following meanings:

(a) “Technical Training” means training specifically related to mechanical and collision repairs and service.

(b) “Sponsored by” means financially supported or underwritten in whole or in part.

(c) “Instruction” means any coursework, seminar, in-service training, or other such program which is open to the public.

(d) “Educational institution” means an institution or organization described in Section 212.08(7)(cc)8.a., Florida Statutes.

(e) “Common ownership” means:

1. For an individual, the same individual or spouse of the same individual.

2. For a corporation or other entity created and existing by operation of law, one-half or more of the shares or other ownership interest in the entity are owned, controlled, or held for the benefit of the same person or individual or spouse of the same individual.

3. For a partnership, one-half or more of the partners are the same.

(2) Any motor vehicle repair shop that holds a current valid registration issued by the Department under the Motor Vehicle Repair Act and is not subject to any open enforcement proceedings by the Department, may apply for financial assistance for employees of the shop to undertake technical training or courses of study in motor vehicle repair. The shop shall use form DACS \_\_\_\_\_, Educational Assistance Application, Motor Vehicle Repair Act, effective \_\_\_\_\_, hereby incorporated by reference. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, Motor Vehicle Repair, 2005 Apalachee Parkway, Terry L. Rhodes Building, Tallahassee, Florida 32399-6500.

(3) The Educational Assistance Application form must be sent to the following address for review: Florida Department of Agriculture and Consumer Services, Division of Consumer Services, MVR Educational Assistance Program, 2005 Apalachee Parkway, Terry L. Rhodes Building, Tallahassee, Florida 32399-6500. The deadline for submitting an application shall be May 1st for each fiscal year in which funds are appropriated and available for this program.

(4) Upon receipt of an Educational Assistance Application, the Department shall disburse educational assistance funding if the applicant meets the requirements set forth in this rule and maintains a current valid Motor Vehicle Repair registration under the Motor Vehicle Repair Act. The Department shall disburse financial assistance funds on a “first come, first serve” basis upon the receipt of a complete and valid application.

(5) Educational assistance funding shall be limited to \$1,000 per registered location per fiscal year, or a maximum of \$3,000 to a single shop owner with multiple locations and common ownership.

(6) Educational assistance funds shall only be used to pay for the cost of technical training or courses of study in motor vehicle repair and shall not be used to pay for travel or other expenses.

(7) To be eligible for educational assistance, the technical training or course of study must be related to motor vehicle repair in one of the following areas:

(a) The repair or installation of parts or accessories to a motor vehicle.

(b) Product and technical training related to tires.

(c) Customer sales and service.

(d) Motor vehicle repair management training.

(e) Motor vehicle body and collision repair.

(f) Motor vehicle painting.

(8) The instruction of technical training or courses of study must be open to the public and sponsored or offered by one of the following:

(a) An industry recognized entity including but not limited to the following:

1. Advance Auto Parts, Inc.

2. Alliance of State Automotive Aftermarket Associations

3. American Engine Rebuilders Association

4. Any Motor Vehicle Manufacturer as defined in Section 320.60, F.S.

5. Auto Value, Inc.

6. Auto Zone Stores, Inc.

7. Automatic Transmission Rebuilders Association

8. Automotive Recyclers Association

9. Automotive Service Association

10. Automotive Training Institute

11. Aftermarket Auto Parts Alliance, Inc. (Bumper to Bumper)

12. Delco Auto Parts, Inc.

13. Delphi Corporation

14. Florida Auto Dismantlers and Recyclers Association

15. Florida Automotive Dealers Association

16. Florida Automotive Industry Association

17. Florida Automotive Trades Association

18. Florida Independent Automobile Dealers Association, Inc.

19. Florida Motorcycle Dealers Association, Inc.

20. Mobile Air Conditioning Society Worldwide

21. Motorcraft

22. NAPA, Inc.

23. National Automobile Dealers Association, Inc.

24. National Automotive Radiator Service Association

25. National Institute for Automotive Service Excellence

26. O'Reilly Automotive, Inc.

27. R.L. O'Connor and Associates, Inc.

28. Society of Collision Repair Specialists

29. Tire Industry Association

30. Visteon Corporation

(b) An Educational Institution.

(c) An instruction of technical training or course of study not specified above in this section may be submitted for review and approval by the Division. The proposed instruction shall be submitted to the Division at the address specified above in

subsection (3). The Division shall submit the proposal to the Motor Vehicle Repair Advisory Council for review and advice before determining whether to approve the proposed instruction.

(9) To be eligible for educational assistance, the technical training or course of study must consist of a minimum 2 hours of instruction.

(10) All technical training or courses of study in motor vehicle repair must be completed within 12 months after the department has disbursed the financial assistance funding.

(11) The motor vehicle repair shop shall submit to the department proof of attendance and completion by its employee(s) within 30 days after the technical training or course of study has been completed. The shop shall use form DACS \_\_\_\_\_, Educational Assistance Program Proof of Training, Motor Vehicle Repair Act, effective \_\_\_\_\_, hereby incorporated by reference. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, Motor Vehicle Repair, 2005 Apalachee Parkway, Terry L. Rhodes Building, Tallahassee, Florida 32399-6500.

(12) The completed Educational Assistance Program Proof of Training form must be sent to the address specified above in subsection (3).

(13) Any educational assistance funding received by a shop may be applied to any technical training or course of study that meets the eligibility requirements contained in this rule if the training or course listed in the shop's original application is cancelled. Such alternative training or course of study must meet all other requirements of this rule.

(14) Any educational assistance funding received by a shop may be applied retroactively to pay for technical training or course of study that is undertaken within the same fiscal year that the funding is dispersed by the Department.

(15) Refund of education assistance funds. Applicants shall refund motor vehicle repair education assistance funds to the Department under the following conditions:

(a) If an applicant's registration becomes expired, suspended, or revoked, that motor vehicle repair shop shall immediately refund any unused educational assistance funding to the Department within 30 days of said registration becoming expired, suspended or revoked.

(b) Any unused funds shall be refunded to the Department within 15 days from the end of 12 months from the date the funds are disbursed if the training or course of study is cancelled, not completed, or the specified employees of the applicant do not attend the training or course of study within the 12-month period.

Specific Authority 570.07(23) FS. Law Implemented 559.922 FS. History—  
New \_\_\_\_\_.

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE TITLE: Kindergarten Readiness Rate  
 RULE NO.: 6A-1.099821

PURPOSE AND EFFECT: The purpose of the rule development is to adopt procedures for the Department to annually calculate each private prekindergarten provider's and public school's kindergarten readiness rate, which must be expressed as the percentage of the provider's or school's students who are assessed as ready for kindergarten. The kindergarten readiness rates must be based exclusively upon the results of the statewide kindergarten screening for students completing the Voluntary Prekindergarten Education Program, beginning with students completing the program during the 2005-06 school year who are administered the statewide kindergarten screening during the 2006-07 school year. The effect is to implement the requirements of Section 1002.69, Florida Statutes, and continued implementation of the calculation of a readiness rate.

SUBJECT AREA TO BE ADDRESSED: Kindergarten Readiness Rate.

SPECIFIC AUTHORITY: 1002.79 FS.

LAW IMPLEMENTED: 1002.69 FS.

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

TIME AND DATE: 4:00 p.m. – 7:00 p.m., September 9, 2005  
 PLACE: Florida Department of Education, Room 1703, 325 W. Gaines, Street, Tallahassee, Florida

TIME AND DATE: 4:00 p.m. – 8:00 p.m., September 12, 2005  
 PLACE: Early Learning Coalition of Miami-Dade/Monroe, 2555 Ponce de Leon Blvd., 5th Floor, Coral Gables, Florida

TIME AND DATE: 4:00 p.m. – 8:00 p.m., September 13, 2005  
 PLACE: Blake High School Cafeteria, 1701 North Boulevard, Tampa, Florida

Requests for the rule development workshop should be addressed to: Lynn Abbott, Agency Clerk, Department of Education, 325 West Gaines Street, Room 1514, Tallahassee, Florida 32399-0400.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Shan Goff, Office of Early Learning, Florida Department of Education, 325 W. Gaines St., Suite 1532, Tallahassee, FL 32399-0400, (850)245-0445

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

**DEPARTMENT OF EDUCATION**

**Educational Practices Commission**

RULE TITLE: Instructional Personnel Assessment Systems  
 RULE NO.: 6B-4.010

PURPOSE AND EFFECT: The purpose of the rule development is to review current practices and requirements for district instructional personnel assessment systems to determine what amendments should be proposed. The effect of the amendment will be the development of district-based assessment systems that fulfill statutory requirements for assessment and performance-based pay.

SUBJECT AREA TO BE ADDRESSED: Instructional personnel assessment systems.

SPECIFIC AUTHORITY: 1012.22, 1012.34 FS.

LAW IMPLEMENTED: 1012.22, 1012.34 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, RULE DEVELOPMENT WORKSHOPS WILL BE HELD AT THE TIMES, DATES AND PLACES SHOWN BELOW:

TIME AND DATE: 4:00 p.m. – 6:00 p.m., September 7, 2005  
 PLACE: 325 West Gaines Street, Turlington Building, Room 1703/07, Tallahassee, Florida

TIME AND DATE: 4:00 p.m. – 6:00 p.m., September 14, 2005  
 PLACE: Seminole Community College, Building C, Multi-Purpose Room (Student Center), 100 Weldon Boulevard, Sanford, Florida

TIME AND DATE: 4:00 p.m. – 6:00 p.m., September 23, 2005  
 PLACE: Broward Community College, Central Campus, President's Dining Room, Building 19, Room 126, 3501 S.W. Davie Road, Davie, Florida

Requests for the rule development workshop should be addressed to: Lynn Abbott, Agency Clerk, Department of Education, 325 West Gaines Street, Room 1514, Tallahassee, Florida 32399-0400.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Pam Stewart, Deputy Chancellor, Educator Quality, Department of Education, 325 West Gaines Street, Room 1514, Tallahassee, Florida 32399-0400

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

**DEPARTMENT OF REVENUE**

**Property Tax Administration Program**

RULE TITLE: Florida Uniform Market Area Guidelines  
 RULE NO.: 12D-8.0082

PURPOSE AND EFFECT: The purpose of the creation of proposed Rule 12D-8.0082, F.A.C., is to provide for the Florida Uniform Market Area Guidelines that will be used by property appraisers to establish market areas and market area codes as required by Section 193.114, F.S. These rule development workshops continue the development of uniform regulations and guidelines that establish criteria for the identification of market areas by county property appraisers for preparation of the real property assessment roll under Section 193.114, F.S. These guidelines are being developed for adoption under the procedures set forth in Section 120.54, F.S., and will be adopted as rules.

SUBJECT AREA TO BE ADDRESSED: Florida Uniform Market Area Guidelines.

SPECIFIC AUTHORITY: 193.114(2), 195.027(1), 195.032, 213.06(1) FS.

LAW IMPLEMENTED: 193.114, 195.032, 195.062, 213.05 FS.

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

TIME AND DATE: 9:00 a.m. – 12:30 p.m., Thursday, September 8, 2005

PLACE: Larson Building, Room 116, 200 E. Gaines St., Tallahassee, Florida

TIME AND DATE: 9:00 a.m. – 12:30 p.m., Friday, September 9, 2005

PLACE: The Florida Mall Hotel, 1500 Sand Lake Rd., Orlando, FL

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in the workshops is asked to advise the Department at least 48 hours before the workshop by contacting: Sharon Gallops, (850)414-6108. If you are hearing or speech impaired, please contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Sharon Gallops, Property Tax Technical Unit, Department of Revenue, 725 S. Calhoun St., Tallahassee, Florida 32399-0100, (850)414-6108, e-mail: gallopps@dor.state.fl.us

The text of the draft of the Florida Uniform Market Area Guidelines is expected to be available seven days before the rule development workshop by contacting the person referenced above or by accessing the website: <http://www.myflorida.com/dor/property/RP/pcomment.html>

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12D-8.0082 Florida Uniform Market Area Guidelines.

Pursuant to Section 193.114, F.S., these guidelines are adopted in conformity with the procedures set forth in Section 120.54, F.S. Market areas and market area codes shall be established in accordance with these guidelines. Property appraisers shall use these guidelines to establish market areas and market area codes as provided by Section 193.114, F.S., which shall be submitted to the Department in the format provided in paragraph 12D-8.013(6)(a), F.A.C. The Department of Revenue adopts, and hereby incorporates by reference in this rule, the following guidelines entitled:

Florida Uniform Market Area Guidelines New 12/05  
Copies of these guidelines may be obtained from the Department of Revenue, Property Tax Administration Program, P. O. Box 3000, Tallahassee, Florida 32315-3000 and may be found on the Internet at <http://www.myflorida.com/dor/property/>.

Specific Authority 193.114(2), 195.027(1), 195.032, 213.06(1) FS. Law Implemented 193.114, 195.032, 195.062, 213.05 FS. History--New

**DEPARTMENT OF TRANSPORTATION**

**Florida Seaport Transportation and Economic Development Council**

RULE CHAPTER TITLE: Small County Dredging Grant Program  
 RULE CHAPTER NO.: 14B-2

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

SUBJECT AREA TO BE ADDRESSED: Small County Dredging Grant Program.

SPECIFIC AUTHORITY: 311.115 FS.

LAW IMPLEMENTED: 311.115 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY FL SEAPORT TRANSPORTATION AND ECONOMIC DEVELOPMENT COUNCIL, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Michael L. Rubin, Assistant Secretary, Florida Seaport Transportation and Economic Development Council, 502 East Jefferson Street, Tallahassee, Florida 32301

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



**DEPARTMENT OF THE LOTTERY**

RULE TITLE: Determining Salary Upon Appointment  
 RULE NO.: 53-13.001

PURPOSE AND EFFECT: The Department proposes to amend this rule to replace Rule 53ER05-47, F.A.C. and establish a permanent rule.

SUBJECT AREA TO BE ADDRESSED: Determining Salary Upon Appointment.

SPECIFIC AUTHORITY: 24.105(9) FS.

LAW IMPLEMENTED: 24.105(19) FS.

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

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

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

**DEPARTMENT OF THE LOTTERY**

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

PURPOSE AND EFFECT: The Department deems it necessary to amend this rule for clarification.

SUBJECT AREA TO BE ADDRESSED: Overtime compensation.

SPECIFIC AUTHORITY: 24.105(9) FS.

LAW IMPLEMENTED: 24.105(19) FS.

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

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

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

**DEPARTMENT OF THE LOTTERY**

RULE TITLE: Overtime/Compensation for Excess Hours of Work  
 RULE NO.: 53-16.004

PURPOSE AND EFFECT: The Department deems it necessary to amend this rule for clarification.

SUBJECT AREA TO BE ADDRESSED: Overtime/Compensation for Excess Hours of Work.

SPECIFIC AUTHORITY: 24.105(9) FS.

LAW IMPLEMENTED: 24.105(19) FS.

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

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

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

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

RULE TITLE: Developer, Defined  
 RULE NO.: 61B-15.007

PURPOSE AND EFFECT: The purpose of this rule amendment is to clarify that the offering of units in a condominium consisting of seven or fewer units is not an offering in the ordinary course of business and does not trigger the requirement to file documents with the division.

SUBJECT AREA TO BE ADDRESSED: Section 718.103(23), F.S., provides that a residential condominium consists of two or more units. Section 718.501, F.S., provides that the division's authority under Chapter 718, F.S., is limited to residential condominiums. Section 718.502, F.S., provides that a developer of a residential condominium or mixed use condominium must file with the division every document that will or must be provided to a purchaser. Rule 61B-15.007, F.A.C., provides that there is a presumption that the developer is offering in the ordinary course of business – triggering the filing requirement – when the developer offers more than seven parcels (units) in a year. The division wishes to reword the presumption language and clarify that the converse is also true; that the offering of seven or fewer parcels is not an offering in the ordinary course of business and does not trigger a filing requirement with the division. However, developers of condominiums with seven or fewer total units would still have to file a notice of recording information and pay annual fees and would be subject to the division's enforcement authority as provided in Section 718.501, F.S.

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

LAW IMPLEMENTED: 718.501, 718.502, 718.505 FS.





**PURPOSE AND EFFECT:** The purpose of this rule amendment is to require a condominium developer to provide individual unit or unit type square footage and the total square footage of all units to allow the purchaser and the division to verify the correctness of percentages of ownership and annual assessments. The lack of square footage information makes it necessary for the bureau to request such information to complete its review of the documents. This slows the review process. More importantly, incorrect percentages of ownership have generated compliance actions within the division.

**SUBJECT AREA TO BE ADDRESSED:** Pursuant to Section 718.104(4)(f) and (g), F.S., the declaration of condominium must state that the percentage of ownership of the common elements and common surplus is calculated upon either the square footage method (square footage of one residential unit in proportion to total square footage of all residential units) or on an equal fractional basis (one unit out of a total of 10 units would have a 1/10 percentage of ownership). The same is required in a mixed-use condominium. See Section 718.404(3), F.S.

Pursuant to Section 718.504(2), F.S., the condominium prospectus must provide an explanation of the manner in which the apportionment of common expenses and ownership of common elements will be determined. Section 718.502(5), F.S., provides that the division may require additional disclosure as deemed necessary to fully or fairly disclose all aspects of the offering.

The perimetrical boundary method is the accepted method of measuring square footage and is based upon the developer's legal description of the boundaries of the unit (e.g., whether the unit includes or excludes the interior portion of the wall). Section 718.501(1)(f), F.S., provides: "The division has authority to adopt rules pursuant to Sections 120.536(1) and 120.54, F.S., to implement and enforce the provisions of this chapter." Section 718.502(1)(c), F.S., provides: "The division by rule may develop filing, review, and examination requirements and relevant timetables to ensure compliance with the notice and disclosure provisions of this section."

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

**LAW IMPLEMENTED:** 718.104(4)(f),(g), 718.404(3), 718.504(2), 718.502(5), 718.502, 718.503, 718.504 FS.

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

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the agency at least 48 hours before the workshop by contacting

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

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

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

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

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

**RULE TITLE:** Notices of Intended Conversion

**RULE NO.:** 61B-24.002

**PURPOSE AND EFFECT:** The purpose of this rule amendment is to provide time periods in which the division and the condominium filing developer must perform an action required by statute.

**SUBJECT AREA TO BE ADDRESSED:** Rule 61B-24.002, F.A.C., provides the specific time period in which the division must review the content of a notice of intended conversion filing (35 days) and notify the developer of any deficiencies in the filing. The rule also provides the time period in which the developer must correct the deficiencies (35 days) and the time period in which the division must respond to the corrections (20 days). However, the period of 35 days is overly long for the type of filing involved and should be shortened. In addition, the division desires to consolidate the various time periods related to different filing types between program areas to simplify that aspect of the business process. Using "20 days" for all three time periods will achieve that goal.

**SPECIFIC AUTHORITY:** 718.501(1)(f), 718.608(5), 718.621 FS.

**LAW IMPLEMENTED:** 718.608(5) FS.

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

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the agency at least 48 hours before the workshop by contacting

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

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

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

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

RULE TITLE: Public Offering Statement and Purchase Agreement Requirements  
 RULE NO.: 61B-39.002

PURPOSE AND EFFECT: The purpose of this rule amendment is to remove a self-imposed rule mandate that is not required by statute. Elimination of the rule will avoid unnecessary paperwork (a formal written deficiency notice for every form defect) that is not required by statute and avoid a delay in the business process of reviewing filings. The rule amendment also eliminates unnecessary paperwork that is not required by statute. In addition, the rule amendment will correct references from “registered POS” to “filed POS” to reflect recent statutory changes.

SUBJECT AREA TO BE ADDRESSED: Subsection 61B-39.002(7), F.A.C. and Section 721.07(2)(a), F.S., provides the division a specific time period in which to review the content of timeshare filings. The division cannot review the content of a filing unless the filing contains the necessary documentation to permit a full review. Therefore, Section 721.07(2)(a), F.S., provides that filings must be submitted to the division in the form required by the rules (with complete documentation) in order to trigger the division’s time period to review the content of the filing. However, the division is not prohibited under the statute from beginning the content review even if some portion of the documentation is missing. The division’s current practice is to telephone, fax, or email the developer to request an immediate correction of a serious form deficiency or to simply review the filing if the form deficiency is minor.

The existing rule requires the division to notify the developer within the initial ten days of a review period if the filing is deficient in form. The division wishes to delete the rule because the division’s actual practices are more efficient.

Subsection 61B-39.002(6), F.A.C. One of the division’s core statutory missions is the review of offering and sales documents (filings) submitted by timeshare developers. The division permanently retains such filings and related correspondence and documentation. The division is not required by statute to review or retain recorded documents.

SPECIFIC AUTHORITY: 721.07, 721.26(6), 721.55, 721.551 FS.

LAW IMPLEMENTED: 721.03, 721.03(1)(c)3, 721.06, 721.065, 721.07, 721.55, 721.551 FS.

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

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the agency at least 48 hours before the workshop by contacting Sharon A. Malloy, Senior Management Analyst II, (850)488-1631. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771.

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

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

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

RULE TITLE: Procedure for Filing and Examination of Documents  
 RULE NO.: 61B-79.002

PURPOSE AND EFFECT: The purpose of this rule amendment is to provide missing time periods in which the division and the cooperative developer must perform an action required by statute related to the review and approval of cooperative filings. The rule amendment also removes a duplicative form review process that can be performed as part of the content review.

SUBJECT AREA TO BE ADDRESSED: Currently, the division performs form review of cooperative documents and the developer may not offer the cooperative units until the division issues an acceptance letter “for form.” This procedure

was previously used in the condominium program area but was eliminated in 2001 as a streamlining measure. Similarly, the division wishes to eliminate the separate form review process for cooperatives. As with the condominium and timeshare program areas, the division would perform the form review within the same time period allowed for the substantive (content) review.

Currently, there are currently no specific time periods in statute or rule for the review of cooperative filings. The division uses the condominium time periods as a guide for cooperative reviews. To simplify the business process, the division has filed several rule proposals to consolidate the various time periods related to the review of different filing types between program areas (for example, condominium reservation programs, cooperative reservation programs, timeshare reservation programs, etc). The new rule would provide time periods identical to those provided for the review of condominium documents.

SPECIFIC AUTHORITY: 719.501(1)(f), 719.502(1)(b), 719.621 FS.

LAW IMPLEMENTED: 719.202, 719.502, 719.503, 719.504, 719.608 FS.

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

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

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

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Architecture and Interior Design**

RULE TITLE: Continuing Education – Approval of Subjects and Providers  
RULE NO.: 61G1-21.003

PURPOSE AND EFFECT: The Board proposes to review the existing language in this rule to determine whether changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Continuing Education – Approval of subjects and providers.

SPECIFIC AUTHORITY: 481.215(5) FS.

LAW IMPLEMENTED: 481.215(5) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Juanita Chastain, Executive Director, Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Architecture and Interior Design**

RULE TITLE: Responsible Supervising Control Over Architectural Practice Outside of the Architect’s Office  
RULE NO.: 61G1-23.015

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

SUBJECT AREA TO BE ADDRESSED: Documentation of responsible supervising control over the architectural practice outside of the architect’s office.

SPECIFIC AUTHORITY: 481.2055 FS.

LAW IMPLEMENTED: 481.221(4), 481.223, 481.225 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Juanita Chastain, Executive Director, Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

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

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

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

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

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

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

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE TITLE: RULE NO.:

Continuing Education Approval of 61G1-24.002  
Subjects and Providers

PURPOSE AND EFFECT: The Board proposes to review the existing language in this rule to determine whether changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Continuing education approval of subjects and providers.

SPECIFIC AUTHORITY: 481.215 FS.

LAW IMPLEMENTED: 481.215 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Juanita Chastain, Executive Director, Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors’ Licensing Board

RULE TITLE: RULE NO.:

Violations and Penalties 61G6-10.002

PURPOSE AND EFFECT: The Board proposes to review the existing language in this rule to determine whether changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Violations and Penalties.

SPECIFIC AUTHORITY: 455.2273, 489.507(3) FS.

LAW IMPLEMENTED: 455.2273 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: Anthony Spivey, Executive Director, Electrical Contractors’ Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF HEALTH**

**Board of Optometry**

RULE TITLES:	RULE NOS.:
Patient Records; Transfer or Death of Licensed Practitioner	64B13-3.003
Minimum Equipment Requirements	64B13-3.004
Standards of Practice	64B13-3.010
Performance of Delegated Tasks by Non-Licensed Personnel	64B13-3.015

PURPOSE AND EFFECT: Rule 64B13-3.003, F.A.C. – To specify in this rule that the required signature of the licensed practitioner must be legible in making entries for each patient encounter; Rule 64B13-3.004, F.A.C. – To add an alternative to acceptable equipment; Rule 64B13-3.010, F.A.C. – To update the existing language in this rule and delete unnecessary language; Rule 64B13-3.015, F.A.C. – To update the existing language in this rule.

SUBJECT AREA TO BE ADDRESSED: Patient Records; Transfer or Death of Licensed Practitioner; Minimum Equipment Requirements; Standard of Practice for Licensed Optometrists; and Performance of Delegated Tasks by Non-Licensed Personnel.

SPECIFIC AUTHORITY: 456.058, 463.005(1) FS.

LAW IMPLEMENTED: 456.057, 456.058, 463.005(1), 463.009, 463.0135(1), 463.016(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Jr., Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B13-3.003 Patient Records; Transfer or Death of Licensed Practitioner.

(1) A licensed practitioner shall maintain full and independent responsibility and control over all records relating to his or her patients and his or her optometric practice. The licensed practitioner must legibly sign the entry for each patient encounter. All such records shall remain confidential except as otherwise provided by law and shall be maintained

by the licensed practitioner in compliance with Rule 64B13-3.001, F.A.C. For the purposes of this rule, “maintain full and independent responsibility and control” means that the records shall be maintained in the licensed practitioner’s office or solely in the possession of the licensed practitioner, and that the licensed practitioner shall not share, delegate, or relinquish either possession of the records or his or her responsibility or control over those records with or to any entity which is not itself a licensed practitioner.

(2) through (7) No change.

Specific Authority 456.058, 463.005(1)(a),(d) FS. Law Implemented 456.057, 456.058, 463.005(1)(a),(d) FS. History–New 11-13-79, Amended 12-19-84, 4-8-85, Formerly 21Q-3.03, Amended 12-16-86, 7-11-88, Formerly 21Q-3.003, 61F8-3.003, Amended 2-14-96, Formerly 59V-3.003, Amended 3-29-98, 4-3-00, 1-2-02, \_\_\_\_\_.

64B13-3.004 Minimum Equipment Requirements.

The following shall constitute the minimum equipment which a licensed practitioner must possess in each office in which he engages in the practice of optometry:

(1) through (3) No change.

(4) Ophthalmometer, ~~or~~ keratometer or corneal topographer;

(5) through (8) No change.

Specific Authority 463.005(1) FS. Law Implemented 463.005(1)(b) FS. History–New 11-13-79, Formerly 21Q-3.04, Amended 12-16-86, 7-11-88, Formerly 21Q-3.004, 61F8-3.004, 59V-3.004, Amended \_\_\_\_\_.

64B13-3.010 Standards of Practice for Licensed Optometrists.

(1) through (3) No change.

(4) Certified optometrists employing the topical ocular pharmaceuticals listed in subsection 64B13-18.002(9), F.A.C., Anti-Glaucoma Agents, shall comply with the following:

(a) through (b) No change.

(c) The certified optometrist shall have available, and be proficient in the use of, the following instrumentation ~~or procedure is:~~

1. through 6. No change.

(5) through (8) No change.

Specific Authority 463.005(1) FS. Law Implemented 463.005(1), 463.0135(1), 463.016(1) FS. History–New 9-16-80, Amended 12-20-82, Formerly 21Q-3.10, Amended 7-11-88, 6-18-92, 1-28-93, Formerly 21Q-3.010, Amended 3-16-94, Formerly 61F8-3.010, Amended 8-24-94, 9-21-94, 2-13-95, 12-31-95, Formerly 59V-3.010, Amended 6-15-00, 2-7-01, \_\_\_\_\_.

64B13-3.015 Performance of Delegated Tasks by Non-Licensed Personnel.

(1) No change.

(2) Non-licensed personnel, who need not be employees of the licensed practitioner, may perform ministerial duties, tasks and functions assigned to them by and performed under the general supervision of a licensed practitioner, including obtaining information from patients customers for the purpose of making appointments for the licensed practitioner. Tasks and

functions that may be performed shall include, but not be limited to, delivery of eyeglasses, selection of frames, adjustment of frames, and instruction for the insertion, removal and care of contact lenses. However, to ensure patient confidentiality of examination records in accordance with Section 456.057(5), Florida Statutes, a non-employee shall not be allowed to perform any task or function which would require or give them access to patient records or examination reports of any person without prior written authorization of that patient.

(3) through (4) No change.

Specific Authority 463.005(1) FS. Law Implemented 463.009 FS. History--New 10-23-88, Formerly 21Q-3.015, 61F8-3.015, 59V-3.015, Amended

**DEPARTMENT OF HEALTH**

**Board of Optometry**

RULE TITLES:	RULE NOS.:
Licenses and Signs in Office	64B13-3.006
Minimum Procedures for Vision Analysis	64B13-3.007
Corporate, Lay, and Unlicensed Practice of Optometry Prohibited	64B13-3.008
False, Fraudulent, Deceptive and Misleading Advertising	64B13-3.009
Prohibited; Policy; Definitions; Affirmative Disclosure Prescriptions	64B13-3.012

PURPOSE AND EFFECT: Rule 64B13-3.006, F.A.C. – The purpose is to require that the notification that a licensee is not a certified optometrist be in easily readable type size; Rule 64B13-3.007, F.A.C. – The purpose is to clarify that visual screens for research purposes do not require the minimum procedures set forth in the rule if the patient gives informed consent; Rule 64B13-3.008, F.A.C. – The purpose is to clarify what constitutes evidence of affecting the independent practice of a licensee; Rule 64B13-3.009, F.A.C. – The purpose is to establish type size in advertisements for free or discounted services; Rule 64B13-3.012, F.A.C. – The purpose is to add additional information required on prescriptions.

SUBJECT AREA TO BE ADDRESSED: Licenses and Signs in Office; Minimum Procedures for Vision Analysis; Corporate, Lay, and Unlicensed Practice of Optometry Prohibited; False, Fraudulent, Deceptive and Misleading Advertising Prohibited; Policy; Definitions; Affirmative Disclosure; and Prescriptions.

SPECIFIC AUTHORITY: 463.005 FS.

LAW IMPLEMENTED: 456.072(1)(a),(j), (m),(p), 463.002(3), 463.005, 463.011, 463.012, 463.0135, 463.014, 463.016(1)(f),(g),(k) 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: Joe Baker, Jr., Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259  
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF HEALTH**

**Board of Optometry**

RULE TITLE: Manner of Application  
RULE NO.: 64B13-4.004

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

SUBJECT AREA TO BE ADDRESSED: Manner of Application.

SPECIFIC AUTHORITY: 456.033, 463.006(1)(b),(2) FS.

LAW IMPLEMENTED: 456.013(7), 456.033, 463.006(1)(b), (2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Jr., Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B13-4.004 Manner of Application.

(1) Any person desiring to be a licensed practitioner shall apply to the department to take the licensure examination. The board will determine if an applicant qualifies for examination. The board will approve each applicant who:

- (a) No change.
- (b) Submits satisfactory proof that the applicant ~~he~~:
  1. through 2. No change.

3. Has graduated from a school or college of optometry approved by the board which has been accredited by the Accreditation Council on Optometric Education ~~of the American Optometric Association~~ (ACOE) and which remains accredited by ACOE. Provisional status accreditation shall meet the requirements of accreditation as used in this rule.

4. through 5. No change.

(2) All applications for examination shall be made on the form titled "Application for Optometry Examination" number DPR-OPA-0001 effective 4/8/92, which is hereby incorporated by reference and can be obtained from the board office. All applications for examination shall include the application fee

as specified in subsection 64B13-6.001(9), F.A.C., the examination fee as specified in subsection 64B13-6.001(1), F.A.C., and the initial licensure fee as specified in subsection 64B13-6.001(2) or (3), F.A.C. No application shall be deemed complete which does not set forth all the information required by said forms and which fails to include all fees as set forth in this rule. Applications for licensure must be received by the Department at least 60 days prior to the examination.

(3) ~~As of July 1, 1989,~~ Each applicant for examination must complete an educational course on Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (HIV/AIDS) approved by the Board of Optometry. To be Board approved an educational course on HIV/AIDS must:

- (a) through (c) No change.
- (4) through (5) No change.

Specific Authority 456.033, 463.006(1)(b),(2) FS. Law Implemented 456.013(7), 456.033, 463.006(1)(b),(2) FS. History—New 11-13-79, Amended 4-17-80, Formerly 21Q-4.04, Amended 11-20-86, 4-19-89, 6-25-92, 6-6-93, Formerly 21Q-4.004, Amended 6-14-94, Formerly 61F8-4.004, Amended 3-21-95, 5-29-95, Formerly 59V-4.004, Amended 7-15-02, 11-3-03,

**DEPARTMENT OF HEALTH**

**Board of Optometry**

RULE TITLE: Hours Requirement  
 RULE NO.: 64B13-5.001  
 PURPOSE AND EFFECT: To clarify the continuing education requirements.  
 SUBJECT AREA TO BE ADDRESSED: Hours Requirement.  
 SPECIFIC AUTHORITY: 456.013(7), 463.005(1), 463.007(3),(4) FS.  
 LAW IMPLEMENTED: 456.013(7), 463.007 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe Baker, Jr., Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259

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

**DEPARTMENT OF HEALTH**

**Board of Optometry**

RULE TITLE: Criteria for Approval  
 RULE NO.: 64B13-5.002  
 PURPOSE AND EFFECT: The Board proposes to update the existing language in this rule.  
 SUBJECT AREA TO BE ADDRESSED: Criteria for Approval.

SPECIFIC AUTHORITY: 463.005(1) FS.  
 LAW IMPLEMENTED: 463.007(4) FS.  
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Jr., Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B13-5.002 Criteria for Approval.

- (1) No change.
- (2) A non-transcript quality continuing education program that satisfies the following criteria or course content shall be approved upon presentation of the information specified in subsection (4) below:

- (a) through (g) No change.

- (3) A transcript-quality course that satisfies the following requirements, in addition to the criteria or course content in subsection (2) above, shall be approved upon presentation of the information specified below as well as the information specified in subsection (4) below:

- (a) through (b) No change.

- (c) The course must be taught by instructors approved by the Board. Faculty members that instruct regular courses for the sponsoring school or equivalent ~~or~~ educational entity will automatically be approved. Instructors not fitting into this category must be approved by the Board.

- (d) through (e) No change.

- (4) To obtain Board approval, the following information must be provided by the program or course provider or by a licensed practitioner who attended the course:

- (a) through (g) No change.

- (h) Notwithstanding paragraphs ~~(3)~~(a)-(c) above, if the program is non-transcript quality and has been previously approved by the Council on Optometric Practitioner Education (COPE), or by any other recognized ~~optometric~~ organization ~~that sponsors~~ optometric education utilizing the criteria set forth in subsection (2) above, the Board shall approve the program upon submission of the approved course number issued by COPE or other recognized ~~optometric~~ organization and ~~in~~ compliance with paragraph (g) above.

- (5) through (6) No change.

Specific Authority 463.005(1) FS. Law Implemented 463.007(4) FS. History—New 11-13-79, Formerly 21Q-5.02, Amended 12-16-86, 12-11-88, 7-10-91, 10-28-92, Formerly 21Q-5.002, 61F8-5.002, Amended 11-29-94, 7-5-95, 8-18-96, Formerly 59V-5.002, Amended 3-21-00, 5-8-02, 8-19-03,

**DEPARTMENT OF HEALTH**

**Board of Optometry**

RULE TITLE: RULE NO.:

Fees 64B13-6.001

PURPOSE AND EFFECT: To add a “retired-status fee” to this rule.

SUBJECT AREA TO BE ADDRESSED: Fees.

SPECIFIC AUTHORITY: 456.013(2), 456.025(7), 456.036, 463.005, 463.0057, 463.006, 463.007, 463.008 FS.

LAW IMPLEMENTED: 456.013(2), 456.025, 456.036, 463.0057, 463.006, 463.007, 463.008 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Jr., Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B13-6.001 Fees.

The following fees are prescribed by the Board:

(1) through (16) No change.

(17) The retired-status fee is \$50.00.

Specific Authority 456.013(2), 456.025(7), 456.036, 463.005, 463.0057, 463.006, 463.007, 463.008 FS. Law Implemented 456.013(2), 456.025, 456.036, 463.0057, 463.006, 463.007, 463.008 FS. History–New 12-13-79, Amended 2-14-82, 8-18-82, 12-2-82, 5-6-84, 7-29-85, Formerly 21Q-6.01, Amended 11-20-86, 7-21-88, 2-5-90, 5-29-90, 7-10-91, 4-14-92, 7-1-93, Formerly 21Q-6.001, Amended 1-24-94, Formerly 61F8-6.001, Amended 12-22-94, 2-13-95, 4-5-95, 5-29-95, 12-31-95, Formerly 59V-6.001, Amended 12-24-97, 3-21-00, 11-18-01, 5-9-02, 9-10-02, 7-3-03, 10-30-03, 8-29-04,

**DEPARTMENT OF HEALTH**

**Board of Optometry**

RULE TITLES: RULE NOS.:

Range of Penalties for Administrative Violations 64B13-15.003

Designation of Administrative Violations; Major; Minor 64B13-15.005

PURPOSE AND EFFECT: For Rule 64B13-15.003, F.A.C., the purpose is to add disciplinary guideline to implement Section 456.072(1)(gg), F.S. For Rule 64B13-15.005, F.A.C., the purpose is to add disciplinary guideline to implement Section 456.072(1)(gg), F.S.

SUBJECT AREA TO BE ADDRESSED: Range of Penalties for Administrative Violations and Designation of Administrative Violations; Major; Minor.

SPECIFIC AUTHORITY: 456.079 FS.

LAW IMPLEMENTED: 456.079 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: Joe Baker, Jr., Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259  
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF HEALTH**

**Board of Optometry**

RULE TITLE: RULE NO.:

Citations 64B13-15.009

PURPOSE AND EFFECT: To delete irrelevant term.

SUBJECT AREA TO BE ADDRESSED: Citations.

SPECIFIC AUTHORITY: 456.077, 463.005 FS.

LAW IMPLEMENTED: 456.077 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Jr., Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B13-15.009 Citations.

(1) Definitions.

(a) No change

(b) “Subject” means the licensee, ~~trainee~~, or applicant alleged to have committed a violation designated in this rule.

(2) through (5) No change.

Specific Authority 456.077, 463.005 FS. Law Implemented 456.077 FS. History–New 1-1-92, Formerly 21Q-15.009, 61F8-15.009, 59V-15.009, Amended 3-21-00, 4-17-01, 12-26-01, 5-1-02, 7-15-02, 6-13-04, \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Optometry**

RULE TITLE: RULE NO.:

Requirements and Restrictions for Mobile Branch Offices 64B13-16.003

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

SUBJECT AREA TO BE ADDRESSED: Requirements and Restrictions for Mobile Branch Offices.



SPECIFIC AUTHORITY: 463.005(1)(a) FS.  
 LAW IMPLEMENTED: 463.001, 463.011 FS.  
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Jr., Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B13-16.003 Requirements and Restrictions for Mobile Branch Offices.

Each licensed practitioner or certified optometrist using a mobile operation to practice optometry shall:

- (1) through (6) No change.
- (7) Meet all the requirements of Sections 463.0135 and 463.014, Florida Statutes, and Rule Chapter 64B13-3, Florida Administrative Code.

Specific Authority 463.005(1)(a) FS. Law Implemented 463.001, 463.011 FS. History—New 5-29-90, Formerly 21Q-16.003, 61F8-16.003, 59V-16.003, Amended \_\_\_\_\_

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Consumer Services**

RULE TITLE: RULE NO.:

Alternative Procedures for Resolution of Disputed Personal Lines Insurance Claims Arising from Hurricane and Tropical Storm Damage 69J-2.001

PURPOSE AND EFFECT: The purpose of the proposed changes is to address comments by the Joint Administrative Procedures Committee. The changes address the mediation fee paid by insurers, attorney participation in mediation, and the use of the pricing guidelines.

SUBJECT AREA TO BE ADDRESSED: Changes to the mediation rule to address comments by the Joint Administrative Procedures Committee.

SPECIFIC AUTHORITY: 624.308, 626.9611, 627.7015(4) FS.  
 LAW IMPLEMENTED: 624.307(1),(2),(4),(5), 624.316, 624.3161, 624.317, 624.318, 624.320, 624.324, 624.418(2)(a), 624.4211, 626.859, 626.874, 626.877, 626.9541(1)(a),(e), (i),(u), 626.9561, 626.9641(1)(g), 627.7015 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: 3:00 p.m., September 15, 2005

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Tom Terfinko, Assistant Director, Division of Consumer Services, Department of Financial Services, 200 East Gaines Street, Tallahassee, FL 32399-0320, (850)413-5802

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69J-2.001 Alternative Procedures for Resolution of Disputed Personal Lines Insurance Claims Arising from Hurricane and Tropical Storm Damage.

- (1) through (4) No change.
- (5) Mediation Costs. Pursuant to Section 627.7015(3), F.S., the insurer shall bear all of the cost of conducting mediation conferences. Mediation costs shall include the administrative fee and the mediator's fee. The Department signed a contract with the Collins Center for Public Policy to schedule and conduct mediation conferences that provides for a \$250 mediator's fee. Within 5 days of receipt of the request for mediation from the insured or receipt of notice of the request from the Department or immediately after receipt of notice from the Administrator pursuant to Subsection (4) that mediation has been requested, whichever occurs first, the insurer shall pay a non-refundable administrative fee of \$100; not to exceed \$100, as determined by the Department, to the Administrator to defer the expenses of the Administrator and the Department. The insurer shall pay the mediator's fee \$250 to the Administrator for the mediator's fee not later than 5 days prior to the date scheduled for the mediation conference. However, if the mediation is cancelled for any reason more than 120 hours prior to the scheduled mediation time and date, the insurer shall pay \$50 to the Administrator for the mediator's fee instead of \$250. No part of the fee for the mediator's fee shall be refunded to the insurer if the conference is cancelled within 120 hours of the scheduled time.

- (6) No change.
- (7) Conduct of the Mediation Conference.

(a) Section 627.7015, Florida Statutes, provides that mediation is a non-adversarial process held in an informal, non-threatening forum intended to bring the parties together for a settlement conference without the trappings or drawbacks of an adversarial process. As such, it is not necessary to engage involve a private attorney to participate in the mediation conference and participation by private attorneys is discouraged by the Department. If the insured elects to have an attorney participate in the conference, the insured shall provide the name of the attorney to the Administrator at least six days before the date of the conference. Parties and their representatives must conduct themselves in the cooperative spirit of the intent of the law and this rule. Parties and their

representatives must refrain from turning the conference into an adversarial process. Both parties must negotiate in good faith. A party will be determined to have not negotiated in good faith if the party, or a person participating on the party's behalf, continuously disrupts, becomes unduly argumentative or adversarial, or otherwise inhibits the negotiations as determined by the mediator. The mediator shall terminate the conference if the mediator determines that either party is not negotiating in good faith or if the mediator determines that the conference should be terminated under the provisions of Rule 10.420(b) of the Florida Rules for Certified and Court-Appointed Mediators. The party responsible for causing termination shall be responsible for paying the mediator's fee and the administrative fee for any rescheduled mediation.

(b) through (f) No change.

(8) Guidelines for the Quality Repair of Residential Property at a Reasonable and Fair Price.

(a) The provisions of insurance policies and applicable statutes require claims payments made by insurers to be sufficient to effectuate required repairs. Further, misrepresentation by any person regarding the cost of repairs is also prohibited. ~~The Department of Financial Services has developed construction pricing guidelines based upon information provided by the construction industry, the insurance industry and nationally recognized vendors that compile and sell construction pricing guidelines. Insurers and policyholders participating in mediations conducted pursuant to this rule shall use Form DFS-II-1610 Guidelines for Quality Repair Of Residential Property At A Reasonable and Fair Price, rev. 12/04, hereby incorporated and adopted by reference, as guidelines for repairs to residential property arising in any county of this state in which a state of emergency was declared as a result of a hurricane or tropical storm in 2004. These guidelines are not intended to be used in the context of civil litigation. The guidelines reflect data from both the construction and insurance industries and the ranges take into consideration price differentials between geographic areas of the state.~~

(b) Due to the disparity between the contractor's estimates and the insurer's estimates for the repair or replacement of damaged property, the Department collected construction pricing information from the insurance and construction industries to provide some guidelines on the fair market value of construction materials and labor costs taking into consideration price differentials between the geographic areas of the state. These construction pricing guidelines are set forth in Form DFS-II-1610, Guidelines for Quality Repair of Residential Property at a Reasonable and Fair Price, revised 12/04, which are hereby incorporated and adopted by reference. These construction pricing guidelines may be used by the parties and mediators at the mediation conferences to resolve the disparities in repair and replacement cost estimates

and to assist in arriving at a mediated settlement of the claim. The construction pricing guidelines are not intended to be used outside of the mediation conferences taking place as a result of the 2004 hurricanes.

~~(c)(b)~~ The guidelines adopted herein do not apply to any portion of repairs necessary to fulfill the insurer's contractual obligation to restore the insured residence to pre-hurricane condition where, as of the effective date of this rule, there is an executed repair contract to effectuate such repairs for an agreed price and the insurer has tendered full payment for the repair contract amount for those repairs.

(9) through (15) No change.

Specific Authority 624.308, 626.9611, 627.7015(4) FS. Law Implemented 624.307(1),(2),(4),(5), 624.316, 624.3161, 624.317, 624.318, 624.320, 624.324, 624.418(2)(a), 624.4211, 626.859, 626.874, 626.877, 626.9541(1)(a),(e),(i),(u), 626.9561, 626.9641(1)(g), 627.7015 FS. History--New 5-18-05, Amended \_\_\_\_\_.

## Section II Proposed Rules

### DEPARTMENT OF EDUCATION

#### State Board of Education

RULE TITLE: RULE NO.:

Specialization Requirements for the  
Endorsement in Athletic  
Coaching – Academic Class 6A-4.0282

PURPOSE AND EFFECT: The purpose of the rule amendment is to add requirements for certification in the endorsement for athletic coaches to include the study of the dangers and effects of performance enhancing drugs and to require coaches to hold a valid cardiopulmonary resuscitation certificate (CPR). The effect is a rule that includes requirements for coaches that will improve drug information and safety for student athletes.

SUMMARY: The rule amendment will include new requirements for athletic coaches so that student athletes will be provided pertinent, important information regarding the effects and dangers of performance enhancing drugs. The new requirement for a valid CPR certificate will also increase the level of safety and provide for immediate response in certain critical situations for students during athletic activities.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 1001.02, 1012.55, 1012.56 FS.

LAW IMPLEMENTED: 1001.02, 1012.54, 1012.55, 1012.56 FS.

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

TIME AND DATE: 8:30 a.m., September 20, 2005

PLACE: Tampa, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Beverly Gregory, Bureau of Educator Certification, Department of Education, 325 West Gaines Street, Room 201, Tallahassee, Florida 32399-0400, (850)245-0431

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-4.0282 Specialization Requirements for the Endorsement in Athletic Coaching – Academic Class.

(1) Certification in another subject, and

(2) Nine (9) semester hours in athletic coaching to include the areas specified below:

(a) Three (3) semester hours in care and prevention of athletic injuries; and the effects and dangers of drug use including performance enhancing drugs.

(b) Three (3) semester hours in coaching theory, ~~and~~

(c) A course in theory and practice of coaching a specific sport; and

(3) A valid cardiopulmonary resuscitation certificate issued by the American Heart Association or the American Red Cross.

Specific Authority 1001.02, 1012.55, 1012.56 FS. Law Implemented 1001.02, 1012.54, 1012.55, 1012.56 FS. History—New 12-4-89, Amended.

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

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 24, 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.”

**ADMINISTRATION COMMISSION**

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Land Planning Regulations for the Florida Keys Area of Critical State Concern – City of Marathon	28-18

RULE TITLES:	RULE NOS.:
Purpose and Effect	28-18.100
Comprehensive Plan	28-18.200

PURPOSE AND EFFECT: The purpose and effect is to repeal certain rules. The rules identified for repeal relate to the Land Planning Regulations for the Florida Keys Area of Critical State Concern – City of Marathon. In 2004, the Administration Commission adopted amendments to the Transitional Comprehensive Plan and Land Development Regulations for the City of Marathon within the Florida Keys Area of Critical State Concern pursuant to Section 380.0552(9), F.S. As set forth in subject rules, the rules were to be superseded by the new City of Marathon Comprehensive Plan upon approval by the Department of Community Affairs pursuant to Section 380.05(6) and 380.0552(9), F.S. The Department of Community Affairs issued a Notice of Intent to Find the City of Marathon Comprehensive Plan and Remedial Comprehensive Plan Amendment in compliance in May, 2005, and the comprehensive plan is effective. The specific rules that were adopted by the Administration Commission setting forth the transitional land planning regulations are obsolete and no longer necessary.

SUMMARY: Repeals Rules 28-18.100 and 28-18.200, F.A.C., that are obsolete.

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

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

SPECIFIC AUTHORITY: 380.0552(9) FS.

LAW IMPLEMENTED: 380.0552 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., Friday, September 16, 2005

PLACE: Room 2107, The Capitol, Tallahassee, Florida

Any person requiring a special accommodation to participate in the hearing because of a disability should contact Barbara Leighty, (850)488-7793, at least 3 business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Barbara Leighty, Senior Policy Analyst, Administration Commission, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, (850)488-7793

THE FULL TEXT OF THE PROPOSED RULES IS:

28-18.100 Purpose and Effect.

Specific Authority 380.0552(9) FS. Law Implemented 380.0552 FS. History--New 10-29-02, Repealed.

28-18.200 Comprehensive Plan.

Specific Authority 380.0552(9) FS. Law Implemented 380.0552 FS. History--New 10-29-02, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Teresa Tinker

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE:

Teresa Tinker

DATE PROPOSED RULE APPROVED BY AGENCY HEAD:

August 8, 2005

DEPARTMENT OF CORRECTIONS

RULE TITLE:

RULE NO.:

Inmate Grievances – Training Requirements 33-103.003

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to delete obsolete language and clarify the process for development of a staff training plan.

SUMMARY: The proposed rule provides for a standardized inmate grievance procedure training plan to be developed by the Bureau of Inmate Grievance Appeals and to be implemented by the Bureau of Staff Development. Reference to a repealed section of the Florida Administrative Code, 33-209, is being deleted.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

33-103.003 Inmate Grievances – Training Requirements.

(1) Staff Training. The ~~staff development section within the Bureau of Inmate Grievance Appeals Human Resources shall develop and implement~~ a standardized plan to be implemented by the Bureau of Staff Development in order to train staff in the use of the inmate grievance procedure. The training shall be designed to familiarize staff with the

provisions of Chapter 33-103, F.A.C., and the standardized forms utilized in the grievance procedure. ~~Staff training is governed by Chapter 33-209, F.A.C.~~

(a) through (c) No change.

(2) No change.

Specific Authority ~~20.315~~, 944.09 FS. Law Implemented 944.09 FS. History--New 10-12-89, Amended 1-15-92, 4-10-95, 12-7-97, Formerly 33-29.003, Amended 8-1-00, 10-11-00, 2-13-03, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Celeste Kemp, Chief, Bureau of Inmate Grievances

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE:

Tina Hayes, Assistant Secretary of Research, Planning and Support Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD:

July 13, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:

July 29, 2005

DEPARTMENT OF CORRECTIONS

RULE TITLE:

RULE NO.:

Disciplinary Hearings 33-601.307

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify the requirement of documentation of a disciplinary team's refusal to reveal evidence to an inmate.

SUMMARY: The proposed rule requires that a disciplinary team's refusal to reveal evidence to an inmate must be documented on Form DC6-151, Documentary or Physical Evidence Form as well as on the forms already listed in the rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09, 944.34, 945.04 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.307 Disciplinary Hearings.

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

(g) If the inmate pleads "guilty," no further evidence needs to be heard. If the inmate pleads "not guilty," evidence is to be presented, including witness statement forms obtained from witnesses. If evidence is not revealed to the inmate, the

reason(s) shall be documented in the comment section of the Witness Disposition Form, DC6-112B, the comment section of the Documentary or Physical Evidence Form, DC6-151, or the comments section of the Disposition of Videotape/Audiotape Evidence, Form DC6-2028, depending on the nature of the evidence, and in the witness comments section in the department’s automated database. The inmate may make only an oral closing statement concerning the infraction for consideration by the hearing officer or disciplinary team. In the event the inmate refuses to enter a plea, it shall be treated as a “not guilty” plea insofar as hearing procedures are concerned. A “no contest” plea shall be handled as a guilty plea.

(h) through (5) No change.

Specific Authority 944.09 FS. Law Implemented 20.315, 944.09, 944.34, 945.04 FS. History–New 3-12-84, Formerly 33-22.06, Amended 12-30-86, 10-01-95, 12-10-97, 5-19-98, Formerly 33-22.006, Amended 5-21-00, 2-11-01, 3-22-05, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Franchatta Barber, Deputy Assistant Secretary – Programs  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: George Sapp, Assistant Secretary of Institutions  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 13, 2005  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 29, 2005

**DEPARTMENT OF CORRECTIONS**

RULE TITLE: Visiting Schedule  
RULE NO.: 33-601.722

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to facilitate the visitor registration process by eliminating the problem of early arrivals blocking the entranceways to visitor parking areas.

SUMMARY: The proposed rule provides that regular inmate visitors will be allowed to park in designated spaces no earlier than 45 minutes prior to registration time.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 20.315, 944.09, 944.23 FS.

LAW IMPLEMENTED: 944.09, 944.23 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.722 Visiting Schedule.

(1) Regular visitors shall be allowed to visit between 9:00 a.m. and 3:00 p.m. Eastern Standard Time (EST) – 8:00 a.m. and 2:00 p.m. Central Standard Time (CST) each Saturday and Sunday.

(a) Institutions shall initiate the visiting registration process at 8:15 a.m. (EST) and 7:15 a.m. (CST). To better facilitate the registration process, visitors will be allowed to park in designated spaces no earlier than 7:30 a.m. (EST) and 6:30 a.m. (CST).

(b) through (3) No change.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New 11-18-01, Formerly 33-601.708, Amended 5-5-05, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Franchatta Berber, Deputy Assistant Secretary – Programs  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: George Sapp, Assistant Secretary of Institutions  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 6, 2005  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 22, 2005

**DEPARTMENT OF THE LOTTERY**

RULE TITLES:	RULE NOS.:
How to Play FLORIDA LOTTO	53-28.001
FLORIDA LOTTO Drawings	53-28.002
FLORIDA LOTTO Prize Divisions	53-28.003
Determination of Prize Winners	53-28.0035
FLORIDA LOTTO Odds of Winning	53-28.004
FLORIDA LOTTO Rules and Prohibitions	53-28.005
FLORIDA LOTTO Estimated Jackpot	53-28.006
FLORIDA LOTTO Payment Options	53-28.007

PURPOSE AND EFFECT: To repeal obsolete rules.

SUMMARY: All rules in Chapter 53-28, FLORIDA LOTTO™, are being repealed as they have been superseded by emergency Rule 53ER05-26, F.A.C.

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: 24.105(9), 24.115(1) FS.

LAW IMPLEMENTED: 24.105(9), 24.115(1), 24.116(1), 24.117(2), 24.124(1) 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: Faith L. Schneider, Office of the General Counsel, Florida Lottery, 250 Marriott Drive, Tallahassee, FL 32301, (850)487-7777

THE FULL TEXT OF THE PROPOSED RULES IS:

53-28.001 How to Play FLORIDA LOTTO.

Specific Authority 24.105(9)(a),(b),(h) FS. Law Implemented 24.105(9)(a),(b),(h) FS. History–New 11-22-93, Amended 5-29-02, superseded by 53ER05-26, F.A.C., Repealed.

53-28.002 FLORIDA LOTTO Drawings.

Specific Authority 24.105(9)(d),(f) FS. Law Implemented 24.105(9)(d),(f) FS. History–New 11-22-93, Amended 5-29-02, superseded by 53ER05-26, F.A.C., Repealed.

53-28.003 FLORIDA LOTTO Prize Divisions.

Specific Authority 24.105(9)(c), 24.115(1) FS. Law Implemented 24.105(9)(c), 24.115(1) FS. History–New 11-22-93, Amended 7-31-95, 11-30-99, 5-29-02, superseded by 53ER05-26, F.A.C., Repealed.

53-28.0035 Determination of Prize Winners.

Specific Authority 24.105(9) FS. Law Implemented 24.105(9) FS. History–New 5-29-02, superseded by 53ER05-26, F.A.C., Repealed.

53-28.004 FLORIDA LOTTO Odds of Winning.

Specific Authority 24.105(9) FS. Law Implemented 24.105(9) FS. History–New 11-22-93, Amended 5-29-02, superseded by 53ER05-26, F.A.C., Repealed.

53-28.005 FLORIDA LOTTO Rules and Prohibitions.

Specific Authority 24.105(9)(j) FS. Law Implemented 24.105(9)(j), 24.115(1), 24.116(1), 24.117(2), 24.124(1) FS. History–New 11-22-93, Amended 5-29-02, superseded by 53ER05-26, F.A.C., Repealed.

53-28.006 FLORIDA LOTTO Estimated Jackpot.

Specific Authority 24.115(9)(c) FS. Law Implemented 24.105(9)(c), 24.115(1)(f) FS. History–New 11-22-93, Amended 6-21-99, 5-29-02, superseded by 53ER05-26, F.A.C., Repealed.

53-28.007 FLORIDA LOTTO Payment Options.

Specific Authority 24.105(9)(e), 24.115(1) FS. Law Implemented 24.105(9)(e), 24.115(1) FS. History–New 6-21-99, Amended 5-29-02, superseded by 53ER05-26, F.A.C., Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Department of the Lottery

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Kenneth H. Hart, Jr., General Counsel

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

**DEPARTMENT OF THE LOTTERY**

RULE TITLES:	RULE NOS.:
How to Play FANTASY 5	53-29.001
FANTASY 5 Drawings	53-29.002
FANTASY 5 Prize Divisions	53-29.003
Determination of Prize Winners	53-29.0035
FANTASY 5 Odds of Winning	53-29.004
FANTASY 5 Rules and Prohibitions	53-29.005

PURPOSE AND EFFECT: To repeal obsolete rules.

SUMMARY: All rules in Chapter 53-31, FANTASY 5<sup>®</sup>, are being repealed as they have been superseded by emergency Rule 53ER05-24, F.A.C.

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: 24.105(9), 24.115(1) FS.

LAW IMPLEMENTED: 24.105(9), 24.115(1), 24.116(1), 24.117(2), 24.124(1) 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: Faith L. Schneider, Office of the General Counsel, Florida Lottery, 250 Marriott Drive, Tallahassee, FL 32301, (850)487-7777

THE FULL TEXT OF THE PROPOSED RULES IS:

53-29.001 How to Play FANTASY 5.

Specific Authority 24.105(9)(a),(b),(h) FS. Law Implemented 24.105(9)(a),(b),(h) FS. History–New 11-22-93, Amended 5-29-02, Repealed.

53-29.002 FANTASY 5 Drawings.

Specific Authority 24.105(9)(d),(f) FS. Law Implemented 24.105(9)(d),(f) FS. History–New 11-22-93, Amended 6-21-99, 8-31-99, 5-29-02, Repealed.

53-29.003 FANTASY 5 Prize Divisions.

Specific Authority 24.105(9)(c), 24.115(1) FS. Law Implemented 24.105(9)(c), 24.115(1) FS. History–New 11-22-93, Amended 8-27-95, 11-30-99, 5-29-02, Repealed.

53-29.0035 Determination of Prize Winners.

Specific Authority 24.105(9) FS. Law Implemented 24.105(9) FS. History–New 5-29-02, Repealed.

53-29.004 FANTASY 5 Odds of Winning.

Specific Authority 24.105(9) FS. Law Implemented 24.105(9) FS. History–New 11-22-93, Amended 5-29-02, Repealed.

53-29.005 FANTASY 5 Rules and Prohibitions.

Specific Authority 24.105(9)(j) FS. Law Implemented 24.105(9)(j), 24.115(1), 24.116(1), 24.117(2), 24.124(1) FS. History--New 11-22-93, Amended 5-29-02, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Department of the Lottery

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Kenneth H. Hart, Jr., General Counsel

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

DEPARTMENT OF THE LOTTERY

RULE TITLES:	RULE NOS.:
How to Play CASH 3	53-30.001
CASH 3 Drawings	53-30.002
CASH 3 Odds of Winning	53-30.003
CASH 3 Rules and Prohibitions	53-30.004

PURPOSE AND EFFECT: To repeal obsolete rules.

SUMMARY: All rules in Chapter 53-30, CASH 3<sup>TM</sup>, are being repealed as they have been superseded by emergency Rule 53ER05-22, F.A.C.

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: 24.105(9) FS.

LAW IMPLEMENTED: 24.105(9), 24.116(1), 24.117(2) 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: Faith L. Schneider, Office of the General Counsel, Florida Lottery, 250 Marriott Drive, Tallahassee, FL 32301, (850)487-7777

THE FULL TEXT OF THE PROPOSED RULES IS:

53-30.001 How to Play CASH 3.

Specific Authority 24.105(9)(a),(b),(c),(h),(j) FS. Law Implemented 24.105(9)(a),(b),(c),(h),(j) FS. History--New 11-22-93, Amended 9-12-01, 5-29-02, superseded by 53ER05-22, F.A.C., Repealed \_\_\_\_\_.

53-30.002 CASH 3 Drawings.

Specific Authority 24.105(9)(d),(f) FS. Law Implemented 24.105(9)(d),(f) FS. History--New 11-22-93, Amended 5-29-02, superseded by 53ER05-22, F.A.C., Repealed \_\_\_\_\_.

53-30.003 CASH 3 Odds of Winning.

Specific Authority 24.105(10)(a) FS. Law Implemented 24.105(10)(c) FS. History--New 11-22-93, superseded by 53ER05-22, F.A.C., Repealed \_\_\_\_\_.

53-30.004 CASH 3 Rules and Prohibitions.

Specific Authority 24.105(2),(10) FS. Law Implemented 24.105(2),(10), 24.117(2) FS. History--New 11-22-93, Amended 9-12-01, superseded by 53ER05-22, F.A.C., Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Department of the Lottery

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Kenneth H. Hart, Jr., General Counsel

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

DEPARTMENT OF THE LOTTERY

RULE TITLES:	RULE NOS.:
How to Play PLAY 4	53-31.001
PLAY 4 Drawings	53-31.002
PLAY 4 Odds of Winning	53-31.003
PLAY 4 Rules and Prohibitions	53-31.004

PURPOSE AND EFFECT: To repeal obsolete rules.

SUMMARY: All rules in Chapter 53-31, PLAY 4<sup>TM</sup>, are being repealed as they have been superseded by emergency Rule 53ER05-23, F.A.C.

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: 24.105(9) FS.

LAW IMPLEMENTED: 24.105(9), 24.116(1), 24.117(2) 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: Faith L. Schneider, Office of the General Counsel, Florida Lottery, 250 Marriott Drive, Tallahassee, FL 32301, (850)487-7777

THE FULL TEXT OF THE PROPOSED RULES IS:

53-31.001 How to Play PLAY 4.

Specific Authority 24.105(9)(a),(b),(c),(h),(j) FS. Law Implemented 24.105(9)(a),(b),(c),(h),(j) FS. History--New 11-22-93, Amended 9-12-01, 5-29-02, Repealed \_\_\_\_\_.

53-31.002 PLAY 4 Drawings.

Specific Authority 24.105(9)(d),(f) FS. Law Implemented 24.105(9)(d),(f) FS. History--New 11-22-93, Amended 5-29-02, Repealed \_\_\_\_\_.

53-31.003 PLAY 4 Odds of Winning.

Specific Authority 24.105(10)(a) FS. Law Implemented 24.105(10)(c) FS. History--New 11-22-93, Repealed \_\_\_\_\_.

53-31.004 PLAY 4 Rules and Prohibitions.

Specific Authority 24.105(2), 24.105(10) FS. Law Implemented 24.105(2), 24.117(2), 24.105(10) FS. History--New 11-22-93, Amended 9-12-01, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Department of the Lottery

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Kenneth H. Hart, Jr., General Counsel

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

DEPARTMENT OF THE LOTTERY

RULE TITLES:	RULE NOS.:
How to Play MEGA MONEY	53-32.001
MEGA MONEY Drawings	53-32.002
MEGA MONEY Prize Divisions	53-32.003
Determination of Prize Winners	53-32.004
MEGA MONEY Odds of Winning	53-32.005
MEGA MONEY Rules and Prohibitions	53-32.006

PURPOSE AND EFFECT: To repeal obsolete rules.

SUMMARY: All rules in Chapter 53-32, MEGA MONEY™, are being repealed as they have been superseded by emergency Rule 53ER05-25, F.A.C.

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: 24.105(9), 24.115 FS.

LAW IMPLEMENTED: 24.105(9), 24.115, 24.116(1), 24.117(2) 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: Faith L. Schneider, Office of the General Counsel, Florida Lottery, 250 Marriott Drive, Tallahassee, FL 32301, (850)487-7777

THE FULL TEXT OF THE PROPOSED RULES IS:

53-32.001 How to Play MEGA MONEY.

Specific Authority 24.105(9)(a),(b),(h) FS. Law Implemented 24.105(9)(a),(b),(h) FS. History--New 2-20-00, Amended 5-29-02, Repealed \_\_\_\_\_.

53-32.002 MEGA MONEY Drawings.

Specific Authority 24.105(9)(d),(f) FS. Law Implemented 24.105(9)(d),(f) FS. History--New 2-20-00, Amended 5-29-02, Repealed \_\_\_\_\_.

53-32.003 MEGA MONEY Prize Divisions.

Specific Authority 24.105(10)(a),(c),(e), 24.115(1) FS. Law Implemented 24.105(10)(a),(c),(e), 24.115(1) FS. History--New 2-20-00, Repealed \_\_\_\_\_.

53-32.004 Determination of Prize Winners.

Specific Authority 24.105(10)(a),(c) FS. Law Implemented 24.105(10)(a),(c) FS. History--New 2-20-00, Repealed \_\_\_\_\_.

53-32.005 MEGA MONEY Odds of Winning.

Specific Authority 24.105(10)(a),(c) FS. Law Implemented 24.105(10)(a),(c) FS. History--New 2-20-00, Repealed \_\_\_\_\_.

53-32.006 MEGA MONEY Rules and Prohibitions.

Specific Authority 24.105(2), 24.105(10) FS. Law Implemented 24.105(2), 24.105(10), 24.117(2) FS. History--New 2-20-00, Amended 9-12-01, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Department of the Lottery

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Kenneth H. Hart, Jr., General Counsel

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE TITLE:	RULE NO.:
Approval of Continuing Education Courses	61G6-9.006

PURPOSE AND EFFECT: The Board proposes to amend this rule to add that a licensee can obtain business continuing education credit for attending an Electrical Contractors' Licensing Board meeting for at least three hours.

SUMMARY: Business continuing education credit can be earned by attending a board meeting for at least three hours.

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: 489.507(3), 489.517(3) FS.

LAW IMPLEMENTED: 489.517(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: Anthony Spivey, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750



THE FULL TEXT OF THE PROPOSED RULE IS:

61G6-9.006 Approval of Continuing Education Courses.  
(1) through (10) No change.

(11) Of the required 14 continuing education hours, a licensee may earn up to three business hours credit may be earned by attending, for at least three hours, a meeting of the Board wherein disciplinary cases are considered. Licensees must attend the complete agenda of disciplinary cases to receive the continuing education hours. At least 7 days advance notice of the intent to attend the disciplinary case session must be given to the Board, and the licensee must check in with the Clerk of the Board prior to the beginning of disciplinary proceedings. A maximum of 3 hours will be allowed during a renewal cycle. Credit hours may not be earned when the licensee attends a disciplinary case session as a party to a disciplinary action.

(12) through (14) No change.

Specific Authority 489.507(3), 489.517(3) FS. Law Implemented 489.517(3) FS. History—New 11-30-94, Amended 6-13-96, 10-20-96, 12-25-96, 10-6-97, 3-24-99, 5-6-99, 11-2-00, 9-4-01, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Electrical Contractors’ Licensing Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Electrical Contractors’ Licensing Board

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 1, 2005

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Employee Leasing Companies**

RULE TITLE: Reporting of Change of Status Required; Effect on Licensees; Change of Licensee Name  
RULE NO.: 61G7-10.002

PURPOSE AND EFFECT: The Board has proposed to amend this rule to add that a company that is changing its name, must provide evidence of workers’ compensation coverage in the new company name.

SUMMARY: Evidence of workers’ compensation coverage must be provided in the new company name.

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: 468.522, 468.524(2), 468.525(3), 468.526, 468.530(3), 468.531 FS.

LAW IMPLEMENTED: 468.524(2), 468.525(3), 468.526, 468.530(3), 468.531 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: John Knap, Executive Director, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE FULL TEXT OF THE PROPOSED RULE IS:

61G7-10.002 Reporting of Change of Status Required; Effect on Licensees; Change of Licensee Name.

(1) through (3) No change.

(4) In the event a licensed employee leasing company or employee leasing company group changes their licensed business name, the Board office must be noticed within 30 days.

(a) Such notification shall include copies of the filed articles of incorporation, articles of amendment, articles of merger, or fictitious name registration, as filed with the Florida Secretary of State’s Office.

(b) A fee of \$50 will be required, together with the original license. A duplicate license reflecting the new licensed business name will be generated, upon receipt of prior license and completion of these requirements.

(c) The company will be required to provide evidence of workers’ compensation coverage in the new company name.

(5) through (7) No change.

Specific Authority 468.522, 468.524(2), 468.525(3), 468.526, 468.530(3), 468.531 FS. Law Implemented 468.524(2), 468.525(3), 468.526, 468.530(3), 468.531 FS. History—New 1-27-93, Amended 5-20-93, Formerly 21EE-10.002, Amended 10-24-93, 8-17-94, 11-9-95, 5-21-96, 11-24-96, 3-18-97, 3-1-05, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Employee Leasing Companies

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Employee Leasing Companies

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

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Pilot Commissioners**

RULE TITLE: Qualifications of Applicants for a Certificate as a Deputy Pilot  
RULE NO.: 61G14-11.002

**PURPOSE AND EFFECT:** The proposed rule amendment specifies that the credit for service as an unlimited First Class Pilot must be provided under the authority of the duly constituted governmental regulatory entity under which the applicant was licensed.

**SUMMARY:** To obtain credit for service as an unlimited First Class Pilot, it must be provided under the authority of the duly constituted governmental regulatory entity under which the applicant was licensed.

**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:** 310.071(2), 310.185 FS.

**LAW IMPLEMENTED:** 310.071(2), 310.073 FS.

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Robyn Barineau, Executive Director, Board of Pilot Commissioners, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

61G14-11.002 Qualification of Applicants for a Certificate as a Deputy Pilot.

(1) No change.

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

(g) Service as an unlimited First Class Pilot in deep water U.S. port will be accepted on a day for day basis towards the service required with credit being given for each day upon which the applicant provided pilot service to a vessel which legally required such service and such service was provided upon the authority of the a duly constituted governmental regulatory entity under which the applicant was licensed.

(3) through (4) No change.

Specific Authority 310.071(2), 310.185 FS. Law Implemented 310.071(2), 310.073 FS. History—New 3-13-85, Formerly 21SS-5.125, Amended 5-4-86, 11-19-86, 1-8-87, 12-11-88, 6-20-89, 4-21-91, 12-8-92, Formerly 21SS-5.0125, 21SS-11.002, Amended 9-27-94, 6-11-95, 10-30-95, 10-5-97,

**NAME OF PERSON ORIGINATING PROPOSED RULE:**  
Board of Pilot Commissioners

**NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE:** Board of Pilot Commissioners

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** July 14, 2005

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Workers' Compensation**

**RULE TITLE:** Non-Construction Limited Liability **RULE NO.:** 69L-6.023

Company Members

**PURPOSE AND EFFECT:** To classify a member of a non-construction limited liability company as not being an employee as defined in Section 440.02(15), Florida Statutes. The effect is to exclude members of non-construction limited liability companies from the definition of employee unless the employer elects a waiver.

**SUMMARY:** A non-construction limited liability company member is not an employee for purposes of Chapter 440, Florida Statutes, unless the employer elects a waiver.

**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:** 440.591 FS.

**LAW IMPLEMENTED:** 440.02(9), 440.02(15)(c) 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:** 1:30 p.m., September 13, 2005

**PLACE:** Room 104J, Hartman Building, 2012 Capital Circle, Southeast, 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 Department at least 5 calendar days before the program by contacting the person listed below.

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Andrew Sabolic, Policy Coordinator, Division of Workers' Compensation, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-4228, (850)413-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

69L-6.023 Non-Construction Limited Liability Company Members.

(1) A member of a limited liability company created and approved under Chapter 608, Florida Statutes, that is not engaged in the construction industry is not an “employee” of the limited liability company, for purposes of Chapter 440, Florida Statutes.

(2) The liability for compensation imposed by Section 440.10, Florida Statutes, does not apply as to a member of a limited liability company created and approved under Chapter 608, Florida Statutes, that is not engaged in the construction industry, unless the employer elects a waiver pursuant to Section 440.04, Florida Statutes.

Specific Authority 440.591 FS. Law Implemented 440.02(9), 440.02(15) FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE: Dan Sumner, Deputy Director of Workers’ Compensation, Division of Workers’ Compensation, Department of Financial Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Tanner Holloman, Director of Workers’ Compensation, Division of Workers’ Compensation, Department of Financial Services

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

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

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

**DEPARTMENT OF TRANSPORTATION**

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
14-87	Assessment of Penalties for Violations Found During Compliance Reviews and Payment of Penalties
RULE NOS.:	RULE TITLES:
14-87.001	Scope
14-87.0011	Scope and Definitions
14-87.0012	Assessment of Penalties for Violations Found During Compliance Reviews
14-87.002	Payment of Penalties; Detaining and Impounding Motor Vehicles

NOTICE OF CHANGE

SUMMARY OF CHANGE: The following changes are being made in response to a review by the Joint Administrative Procedures Committee attorney:

1. 14-87.0011(2)(c): Remove the colon after the word “including” and then add a comma after the word “records” in the next line so that the sentence reads as follows:

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

2. 14-87.002(3): Remove the word “approved” in reference to credit cards so that the section reads as follows:

“(3) Payment methods for citations include cash, money orders, certified funds from a financial institution, ~~approved~~ credit cards, and company checks.”

Notice was published in Florida Administrative Weekly, Vol. 31, No. 24, June 17, 2005.

NOTE: The delete/add coding used in this notice is to show the changes from originally proposed language, not changes from the current Florida Administrative Code.

**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.”

**ADMINISTRATION COMMISSION**

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
28-18	Land Planning Regulations for the Florida Keys Area of Critical State Concern – City of Marathon

RULE NO.:	RULE TITLE:
28-18.210	Comprehensive Plan

NOTICE OF WITHDRAWAL

Notice is hereby given that the above proposed rule as noticed in Vol. 30, No. 29, July 16, 2004, Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Commission**

RULE NO.:	RULE TITLE:
61J2-2.027	Applications by Individuals

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 30, No. 35, August 27, 2004, Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE NO.:                   RULE TITLE:  
64B5-16.002               Required Training

**NOTICE OF PUBLIC RULE HEARING**

The Board of Dentistry hereby gives notice of a public hearing on the above-referenced rule, pursuant to Section 120.54(3)(c)1., F.S., to be held on September 9, 2005 at 10:00 a.m., at the Hyatt Regency Hotel, 9300 Airport Blvd., Orlando, Florida 32827. The rule was originally published in Vol. 31, No. 24, of the June 17, 2005, Florida Administrative Weekly.

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.

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

**FINANCIAL SERVICES COMMISSION**

**Office of Insurance Regulation**

RULE NO.:                   RULE TITLE:  
69O-149.022               Forms Adopted

**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. 17, April 29, 2005, of the Florida Administrative Weekly. These changes are being made to address concerns expressed by the Joint Administrative Procedures Committee.

(2)(c) All citations to Section 627.411(1)(d), F.S., in the forms have been removed.

8. The revision date on the form has been corrected to Rev. 1/04.

17. Form OIR-B2-1623, “Health Flex Plan and Enrollment Form Checklist”, 1/05, has been removed from the rule.

(2)(c)18. through (2)(c)35. are renumbered (2)(c)17. through (2)(c)34. with no other changes.

(d) The summary of Section 627.429(4)(f), F.S., has been modified in the following forms:

- OIR-B2-1639
- OIR-B2-1641
- OIR-B2-1644
- OIR-B2-1643

All references to Section 626.9921(2), F.S., have been removed, and the summary of Section 626.9927(3), F.S., has been modified in the following forms:

- OIR-B2-1646
- OIR-B2-1647
- OIR-B2-1648
- OIR-B2-1649

The remainder of the reads as previously published.

**Section IV  
Emergency Rules**

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

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

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

### DEPARTMENT OF LAW ENFORCEMENT

The Department of Law Enforcement, Criminal Justice Standards and Training has taken action at its August 4, 2005, meeting on a petition for waiver received from Lachande Thompson, on June 13, 2005. Notice of receipt of this petition was published in the Florida Administrative Weekly, Vol. 31, No. 25, June 24, 2005. No public comment was received. The petition requested a waiver of subsection 11B-27.002(4), F.A.C., pursuant to Section 120.542, F.S. Subsection 11B-27.002(4), F.A.C., requires an officer to successfully complete basic recruit training, pass the State Officer Certification Examination, and gain employment as an officer within four years of beginning basic recruit training. On August 4, 2005, the Criminal Justice Standards and Training Commission granted a permanent waiver of this rule to Lachande Thompson, in a final order, OGC File No.: VAR 05-4. This rule waiver was granted because the petitioner demonstrated that a strict application of the rule would result in undue hardship to her and that she had successfully fulfilled the requirements of Section 943.135, F.S., by other means.

For a copy of the final order write or call: Grace A. Jaye, Florida Department of Law Enforcement, Box 1489, Tallahassee, FL 32302-1489, (850)410-7687.

The Department of Law Enforcement, Criminal Justice Standards and Training has taken action at its August 4, 2005, meeting on a petition for waiver received from Juan Patarroyo, on June 13, 2005. Notice of receipt of this petition was published in the Florida Administrative Weekly, Vol. 31, No. 25, June 24, 2005. No public comment was received. The petition requested a waiver of subsection 11B-27.002(4), F.A.C., pursuant to Section 120.542, F.S. Subsection 11B-27.002(4), F.A.C., requires an officer to successfully complete basic recruit training, pass the State Officer Certification Examination, and gain employment as an officer within four years of beginning basic recruit training. On August 4, 2005, the Criminal Justice Standards and Training Commission granted a permanent waiver of this rule to Juan Patarroyo, in a final order, OGC File No.: VAR 05-3. This rule waiver was granted because the petitioner demonstrated that a strict application of the rule would result in undue hardship to him and that he had successfully fulfilled the requirements of Section 943.135, F.S., by other means.

For a copy of the final order write or call: Grace A. Jaye, Florida Department of Law Enforcement, Box 1489, Tallahassee, FL 32302-1489, (850)410-7687.

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

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

### WATER MANAGEMENT DISTRICTS

The St. Johns River Water Management District hereby gives notice that it received a petition on June 9, 2005, from Brevard County Board of County Commissioners, seeking a variance from the provisions of paragraph 40C-4.302(1)(c), F.A.C., and the associated portions of the Applicant's Handbook: Management and Storage of Surface Waters, (February 1, 2005), including Sections 10.1.1, 12.1.1(d), and 12.2.4, with respect to Environmental Resource Permit Application No. 4-009-95312-2 to construct an observation pier that will not extend further than 15-foot waterward of the high water line within a portion of the Banana River that is categorized as a Class II water and classified by the Department of Agriculture and Consumer Services as conditionally restricted for shellfish harvesting, at Magnolia Bay Condominiums in Brevard County, Florida.

Comments on this petition should be filed (received) by hand delivery or mail with: District Clerk, Sandy Bertram, St. Johns River Water Management District, P. O. Box 1429, Palatka, Florida 32178-1429, 4049 Reid Street, Palatka, FL 32177-2529, e-mail: [Clerk@sjrwmd.com](mailto:Clerk@sjrwmd.com), within 14 days of publication of this notice. The petition has been assigned F.O.R. Number 2005-41.

For a copy of the petition or additional information, contact: Patrick Krechowski, Assistant General Counsel, Office of General Counsel, St. Johns River Water Management District, P. O. Box 1429, Palatka, Florida 32178-1429, (386)312-2347.

### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that on May 26, 2005, the Division of Hotels and Restaurants received a Petition for a Routine Variance for subsections 61C-4.010(1) and 61C-4.010(6), F.A.C., from Marsal Catering. The above referenced F.A.C. addresses food supplies, food protection, and physical facilities except as specifically provided in this rule, public food service establishments shall be subject to the provisions of chapter three and chapter six of the FDA Food Code. They are requesting to do open air food service on a Mobile Food Dispensing Vehicle.

Petitioner failed to provide complete operating procedures, current code cites in which to request a variance, and documentation of hardship. The information provided failed to adequately address the issue of possible environmental

contamination of the bulk food to be dispensed, customer contamination, employee health, and proper re-heating and hot-holding temperatures of food, emergency policies, and equipment and utensil protection. Granting this variance in its current format would create an undesirable and dangerous precedent upon which all MFDVs could claim a variance. Granting this variance would be inconsistent with the principles of public safety and sanitation articulated in Section 509.032(e)(1), F.S., for public food service establishments enforced by this Division. Petitioner has not provided any further information. Based on the foregoing, the Division concludes that the Petitioner's request for variance fails to meet the burden of demonstrating that required safety and sanitation safeguards have otherwise been met. WHEREFORE, and for the foregoing reasons, Petitioner's Petition for Variance is DENIED.

NOTICE IS HEREBY GIVEN that on July 20, 2005, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsections 61C-4.0101(1) and 61C-4.010(6), F.A.C., from Lu Dee's Cafe. The above referenced F.A.C. addresses food supplies, food protection, and physical facilities except as specifically provided in this rule, public food service establishments shall be subject to the provisions of chapter three and chapter six of the FDA Food Code. They are requesting to do open air food service on a Mobile Food Dispensing Vehicle.

The variance request was approved August 3, 2005, and is contingent upon the Petitioner's use of open-air steam table if properly covered and air curtain is operating properly according to manufacturer's specifications and Section 6-202-15(D)(2), 2001 FDA Food Code, as to expel possible contaminants and vermin. Customer self-service is not allowed. All food will be dispensed by a Certified Food Safety Manager or an employee that has undergone the required employee training as specified in Section 509.049, F.S. Approval is also contingent upon Petitioner conducting all re-heating for hot holding at approved commissaries to the proper temperature per the 2001 FDA Food Code section 3-403.11; and potentially hazardous food is held at proper temperatures according the 2001 FDA Food Code section 3-501.16. All warewashing is to be conducted at the commissary and strict adherence to employee health guidelines as specified in the 2001 FDA Food Code section 2-201 are to be followed.

Petitioner shall also use a potable water tank and utilize a wastewater holding tank that is at least 15% larger than the potable water holding tank; and sloped to a drain that is 1 inch in inner diameter or greater, equipped with a shut-off valve. Petitioner must also adhere strictly to the following operating procedures: Supply for potable water tank must be from an approved source with written documentation provided; sanitize

the fresh and wastewater tanks at least once every 24 hours by pouring 1/4 cup of bleach or other approved sanitizer in the sink drain.

Copies of the variance and operating procedures are to be present on the MFDV at all times of operation and shall be adhered to as approved by the Division. This variance is not transferable under any conditions. Any violation of the variance is the equivalent of a violation of the rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, F.S.

NOTICE IS HEREBY GIVEN that on July 20, 2005, the Division of Hotels and Restaurants received a Petition for a Routine Variance for paragraph 61C-4.010(7)(e), F.A.C., from Yokohama Sushi Inc. located in Boca Raton. The above referenced F.A.C. states public food service establishments which seat 10 persons or less shall be required to provide a minimum of one bathroom accessible to the public. The Petitioner is requesting to use the one existing bathroom facility but have seating for 26 people.

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 July 22, 2004, Bureau of Elevator Safety received a Petition for Variance from 211.1(a)(2), 211.1(b) and 211.8, A.S.M.E. 17.1, 1996 edition with 1997 Addenda, as adopted by Rule 61C-5.001, F.A.C., requiring means of two-way communications from within the car and for all elevators within a building to be operable by the same key. The petition was received from Lee Rigby of Vertical Assessment Associates on behalf of the City of Tallahassee, Fire Training Tower, located in Tallahassee, Florida (Petition VW 2005-117).

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 July 29, 2005, Bureau of Elevator Safety received a Petition for Emergency Variance from Section 2000.7a, ASME A17.1, 1996 edition with 1997 Addenda, as adopted by Rule 61C-5.001, F.A.C., requiring a maximum travel distance of 12 feet. The petition was received from Morris Architects on behalf of Universal Studios Development Partners, Ltd for Universal Studios City Walk Space #45, 6000 Universal Blvd., Orlando, Florida (Petition VW 2005-118).

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.

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The Bureau of Elevator Safety hereby gives notice that on August 9, 2005, it Issued three Orders Granting Variance Request in response to petitions filed on May 11 and 12, 2005 and advertised in FAW Vol. 31, No. 25, by Steve Powell of KONE, Inc. regarding Marriott Residence Inn, Dayton Beach (VW2005-074), 307 Evernia Street, West Palm Beach (VW 2005-073), and One Park Place Condominiums, Lake Park (VW 2005-071). The variance granted a waiver from Rules 100.3a, 101.6, of ASME A17.1, 1996 Edition with 1997 Addenda and 2.29.2 of ASME A17.2, 1996 Edition, as adopted by Rule 61C-5.001, F.A.C. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

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The Bureau of Elevator Safety hereby gives notice that on August 9, 2005, it issued two Order Granting Variance Requests in response to petitions filed on May 17, 2005 and advertised in FAW Vol. 31, No. 25, by William O. Williams of Otis Elevator regarding Ocean 9 Villas (VW 2005-079) and Waters Edge Condominium (VW 2005-076) in Jacksonville Beach. The petitions sought a waiver from Rules 101.1a (2), 101.1a (3), 101.6, 212.1, and 212.9a, 4 of ASME A17.1, 1996 Edition with 1997 Addenda, as adopted by Rule 61C-5.001, F.A.C. The petitioner requested to not have a machine room and to use coated steel belts in lieu of steel cables suspending the car. The petitions were granted as it was demonstrated that this new technology provided an equivalent or greater level of safety.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

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The Bureau of Elevator Safety hereby gives notice that on August 9, 2005, it issued an Order Granting Variance Requestin response to a petition filed on May 9, 2005 and advertised in FAW Vol. 31, No. 27, by William O. Williams of Otis Elevator regarding Costa Verano Condominium (VW 2005-070) in Jacksonville Beach. The petition sought a waiver from Rules 101.1a (2), 101.1a (3), 101.6, 212.1, and 212.9a, 4 of ASME A17.1, 1996 Edition with 1997 Addenda, as adopted by Rule 61C-5.001, F.A.C. The petitioner requested to not have a machine room and to use coated steel belts in lieu of steel cables suspending the car. The petition was granted as it was demonstrated that this new technology provided an equivalent or greater level of safety.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

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NOTICE IS HEREBY GIVEN that on August 8, 2005, the Division of Hotels and Restaurants received a Petition for Emergency Variance for paragraph 61C-4.0161(7)(a), F.A.C., from Dippin Dots (Busch Gardens) located in Tampa. The above referenced F.A.C. states potentially hazardous food, which has been portioned for individual service at approved fixed food service establishments, may be served from an enclosed theme park food cart as long as the food is protected from contamination by way of enclosures.... They are requesting to do open food service without the proper enclosures.

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.

The Board of Landscape Architecture hereby gives notice that it has issued an Order on the Petition for Waiver and Variance filed on March 28, 2005 on behalf of State of Florida Department of Transportation. The Notice was published in Vol. 31, No. 14, of the Florida Administrative Weekly. The Board considered the Petition at its meeting held on April 22, 2005, and the Board voted to grant the Petition for the following reasons:

- (1) The principles of fairness are violated in this case, since no substantial changes were made to the course.
  - (2) The Board recognized the hardship to the licensees who had participated in the course.
  - (3) Petitioner has provided evidence that purpose of the underlying Statute, Section 455.2179, F.S., has been achieved.
- A copy of the Board's Order may be obtained by contacting: Board of Landscape Architecture, 1940 North Monroe Street, Tallahassee, Florida 32399-0756.

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#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

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#### DEPARTMENT OF HEALTH

The Board of Psychology hereby gives notice that it has received an amended petition, filed on July 28, 2005, by Robin E. O'Hearn, Ph.D., seeking a permanent variance of paragraph 64B19-11.005(2)(c), F.A.C., allowing hours spent in excess of the time limits established by rule, to be counted toward the post-doctoral experience requirements for licensure.

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

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

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NOTICE IS HEREBY GIVEN that on August 3, 2005, the Department of Health filed an Order disposing of a petition for variance or waiver from Rule 64B21-500.005, F.A.C., filed by John W. Bell, Ed.D. Rule 64B21-500.005, F.A.C., requires that an applicant for licensure as a school psychologist must complete 1 1/2 contact hours per week of face-to-face supervision during a two-year period. The petition was filed on June 15, 2005, and noticed in the Florida Administrative Weekly on July 1, 2005, Vol. 31, No. 26. No comments were received from the public.

The Order, provides in summary, that Petitioner's minimum of 1 hour of face-to-face supervised experience complied with the rule as it existed when he obtained this experience, he fulfilled the purpose of the underlying statute, and he is entitled to a waiver according to principles of fairness. Accordingly, the petition for variance or waiver from Rule 64B21-500.005, F.A.C., has been granted.

A copy of the Order may be obtained from: R. Sam Power, Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin #A02, Tallahassee, FL 32399-1703, (850)245-4005.

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NOTICE IS HEREBY GIVEN that the Department of Health filed an Order disposing of a petition for waiver from Rule 64B23-5.003, F.A.C., filed by Craig M. Payette. Rule 64B23-5.003, F.A.C., requires that a licensee pay a delinquency fee to reinstate a delinquent license. The petition was filed on June 28, 2005, and noticed in the Florida Administrative Weekly on July 8, 2005, Vol. 31, No. 27. No comments were received from the public.

The Order, which was filed on August 10, 2005, provides in summary, that due to Hurricane Ivan, Petitioner is not required to pay the delinquency fee. Accordingly, the petition for variance for waiver from Rule 64B23-5.003, F.A.C., has been granted.

A copy of the Order may be obtained from: Amy Caraway, Agency Clerk, Department of Health, Division of Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C01, Tallahassee, Florida 32399-3251, (850)245-4121.

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NOTICE IS HEREBY GIVEN that on August 1, 2005, the Department of Health received a petition from Tom Robinson, representing KTE Plastics, requesting a variance pursuant to Section 120.542, F.S. Specifically, the petitioner seeks a variance from subparagraph 64E-6.014(2)(a)5., F.A.C., which requires drainfield header pipes to meet ASTM F 810-99, requiring in part that pipes have specific diameters, wall thicknesses and lengths.

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

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



## Section VI

### Notices of Meetings, Workshops and Public Hearings

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

State Board of Administration

Division of Bond Finance

Financial Services Commission:

Office of Insurance Regulation

Office of Financial Regulation

Financial Management Information Board

Department of Veterans' Affairs

Department of Highway Safety and Motor Vehicles

Department of Law Enforcement

Department of Revenue

Administration Commission

Florida Land and Water Adjudicatory Commission

Board of Trustees of the Internal Improvement Trust Fund

Department of Environmental Protection

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

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

Regular scheduled meeting of the Governor and Cabinet to act on all executive branch matters provided by law and to act on any agendas submitted for their consideration. The Governor and Cabinet will proceed through each agenda, item by item.

The State Board of Administration will take action on matters duly presented on its agenda, which may include such matters as Executive Director's reports; approval of fiscal sufficiency of state bond issues; approval of sale of local bonds at an interest rate in excess of statutory interest rate limitation; report on investment performance; designation of banks as depositories for state funds; adoption of rules and regulations; investment of state funds pursuant to Chapter 215, F.S.; and consideration of other matters within its authority pursuant to Chapters 215 and 344, F.S., and Section 16 of Article IX of the Florida Constitution of 1885, as continued by subsection 9(c) of Article XII of the Florida Constitution of 1968.

The Division of Bond Finance of the State Board of Administration will take action on matters duly presented on its agenda, which will deal with the issuance of State bonds, arbitrage compliance and related matters.

The Financial Services Commission will take action on matters duly presented on its agenda which may include, but not be limited to; matters relating to rulemaking for all activities of the Office of Insurance Regulation concerning insurers and other risk bearing entities, including licensing, rates, policy forms, market conduct, claims, adjusters, issuance of

certificates of authority, solvency, viatical settlements, premium financing, and administrative supervision, as provided under the Insurance Code or Chapter 636, F.S., and matters related to rulemaking for all activities of the Office of Financial Regulation relating to the regulation of banks, credit unions, other financial institutions, finance companies, and the securities industry.

The Department of Veterans' Affairs will take action on matters duly presented on its agenda which may include the administration of the Department as well as actions taken to further the Department's mission of providing assistance to veterans and their dependents, pursuant to Section 292.05, F.S.

The Department of Highway Safety and Motor Vehicles will take action on matters duly presented on its agenda, which may include such matters as approval of agency policies, taking agency action with regard to administrative procedure matters, and considering other matters within its authority pursuant to Florida Statutes.

The Department of Law Enforcement will take action on matters duly presented on its agenda which may include but not be limited to such matters as transfer of agency funds or positions, formulation of Departmental Rules, administrative procedure matters, submittal of reports as required, enter into contracts as authorized and to consider other matters within its authority pursuant to Chapters 20, 23, 120 and 943, F.S.

The Department of Revenue will act on matters duly presented on its agenda which may include approval of rules, legislative concept proposals, contracts over \$100,000, Departmental budgets, taking final action on formal and informal hearings under Chapter 120, F.S., and consideration of other matters within its authority.

The Administration Commission will take action on matters duly presented on its agenda which may include such matters as to create or transfer agency funds or positions, approve Career Service rules, administrative procedure matters, environmental matters arising under Chapter 380, F.S., comprehensive planning issues pursuant to Section 163.3184, F.S., determine sheriffs' budget matters, and consider other matters within its authority pursuant to various statutes including Chapters 110, 215 and 216, F.S.

The Florida Land and Water Adjudicatory Commission will take action on matters duly presented on its agenda including appeals of local government development orders in areas of critical state concern or of developments of regional impact under Section 380.07, F.S.; and review of water management matters under Chapter 373, F.S. The Commission will also review Department of Environmental Protection's rules and orders which, prior to July 1, 1993, the Governor and Cabinet, sitting as the head of the Department of Natural Resources, had authority to issue or promulgate.

The Board of Trustees of the Internal Improvement Trust Fund will take action on matters duly presented on its agenda which may include such matters as aquacultural issues as presented

by the Division of Aquaculture in the Department of Agriculture and Consumer Services mineral leases or sales, state or sovereign land leases, sales, exchanges, dedications, and easements, conservation and preservation lands and other land purchases; land planning matters and other matters within its authority. Additionally, the Board will take action on matters pertaining to the Office of Greenways and Trails for lands acquired through the Greenways and Trails land acquisition program and lands managed by the Office of Greenways and Trails. The Department of Environmental Protection, as staff to the Board of Trustees of the Internal Improvement Trust Fund in addition to the above, will also present for consideration on its agenda those matters required by law to be reviewed by the Governor and Cabinet and those pertaining to the siting of power plants, electric and natural gas transmission lines and hazardous waste facilities; coastal zone management consistency and standards adopted by the Environmental Regulation Commission.

A copy of any of the above agendas submitted to the Governor and Cabinet for this meeting may be obtained by viewing the website of the Governor and Cabinet at <http://www.myflorida.com/myflorida/cabinet/index.html> or by contacting each individual agency.

Accommodations can be made for persons with disabilities provided several days' notification is received. Please notify the Governor's Cabinet Office, (850)488-5152.

**CABINET AIDES BRIEFING:** On the Wednesday of the week prior to the above meeting, there will be a meeting of the aides to the Governor and Cabinet Members at 9:00 a.m., Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida. The purpose of this briefing is to review and gather information regarding each agenda to be considered by the Governor and Cabinet.

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## DEPARTMENT OF STATE

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

**DATE AND TIME:** Friday, September 16, 2005, 11:00 a.m.

**PLACE:** Franklin Town United Methodist Church, 1415 Lewis Street, Fernandina Beach, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General business meeting.

A copy of the agenda may be obtained by writing: Florida Folklife Programs, Bureau of Historic Preservation, Division of Historical Resources, 500 South Bronough Street, Tallahassee, Florida 32399-0250, (850)245-6333.

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

Pursuant to Section 286.26, Florida Statutes, people with disabilities wishing to attend this meeting should contact the agency at least 48 hours prior to the meeting in order to request any special assistance.

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The **Department of State, Division of Cultural Affairs** announces grant panel meetings, to which all persons are invited. These meetings are subject to cancellation or change, please call to confirm the meeting date and time.

**DATE AND TIME:** September 15, 2005, 9:00 a.m.

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

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** 2005-2006 Artist Enhancement Grants Program Grant Panel Meeting.

**DATE AND TIME:** October 5, 2005, 9:00 a.m.

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

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** 2005-2006 Individual Artist Fellowship Program, Media Arts Panel Meeting.

**DATE AND TIME:** October 6, 2005, 9:00 a.m.

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

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** 2005-2006 Individual Artist Fellowship Program, Visual Arts 3 Dimensional Panel Meeting.

**DATE AND TIME:** October 11, 2005, 9:00 a.m.

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

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** 2005-2006 Individual Artist Fellowship Program, Visual Arts 2 Dimensional Panel Meeting.

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

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

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** 2006-2008 State Touring Roster Panel Meeting.

**DATE AND TIME:** October 27, 2005, 9:00 a.m.

**PLACE:** R. A. Gray Building, Heritage Hall Auditorium, 500 South Bronough Street, Tallahassee, Florida 32399

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** 2006-2007 Challenge Grant Program Panel Meeting.

For more information, please contact: Morgan Barr, Division of Cultural Affairs, 1001 DeSoto Park Drive, Tallahassee, Florida 32301, (850)245-6356.

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

To request special aids or services, contact Division staff at least 72 business days prior to the above stated schedule, (850)245-6475 or Text Telephone 711.

The **Department of State, Division of Cultural Affairs**, Florida Arts Council announces public meetings to which all persons are invited.

DATES AND TIMES: September 20-21, 2005, 9:00 a.m. – Conclusion; September 22, 2005, 10:00 a.m. – Conclusion

PLACE: Sittig Hall, Florida League of Cities, Citizen Centre Building, Kleman Plaza, 301 South Bronough Street, First Floor, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the general business of the Florida Arts Council and panel review of Cultural Facilities Program and Regional Cultural Facilities Program applications.

ACTION TO BE TAKEN: To discuss, review and take action on funding recommendations for grants and any other business which may appropriately come before the Council. Note: If a quorum of members does not attend, items on the agenda for formal action will be discussed as a workshop by those present, and written minutes will be taken although no formal action will be taken. If you have questions, please call (850)245-6473.

A copy of the agenda may be accessed at the Division of Cultural Affairs' website at [www.Florida-Arts.org](http://www.Florida-Arts.org); or by contacting: Dianne Alborn, Executive Assistant, 500 South Bronough Street, R. A. Gray Building, Tallahassee, Florida 32399-0250, (850)245-6473, e-mail: [dalborn@dosa.state.fl.us](mailto:dalbora@dosa.state.fl.us).

Should any person wish to appeal any decision made with respect to any matter considered at the above-referenced meeting, he/she may need to ensure verbatim recording of the proceeding in order to provide a record for judicial review. The Division of Cultural Affairs will not record these meetings. Pursuant to the provisions of the Americans with Disabilities Act, persons with disabilities are asked to contact the Division office by the 15th day of September 2005, if you need an accommodation. Accommodations can be arranged through Dana DeMartino, ADA Coordinator, Division of Cultural Affairs, (850)245-6477, Fax (850)245-6497, e-mail: [ddemartino@dosa.state.fl.us](mailto:ddemartino@dosa.state.fl.us).

#### DEPARTMENT OF LEGAL AFFAIRS

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

COMMITTEE: Women's Hall of Fame Committee

DATE AND TIME: August 24, 2005, 10:00 a.m.

COMMITTEE: LCSW Task Force Committee

DATE AND TIME: August 24, 2005, 2:30 p.m.

COMMITTEE: FCSW Foundation Committee

DATE AND TIME: August 25, 2005, 11:00 a.m.

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

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

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

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

#### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Department of Agriculture and Consumer Services, Division of Agricultural Environmental Services**, Bureau of Entomology and Pest Control announces three workshops to discuss revisions to DACS Form 13645, the Wood Destroying Organism Inspection Report form as referenced in Rule 5E-14.142, Florida Administrative Code.

DATES AND TIME: September 15, 2005; October 25, 2005; November 17, 2005, 10:00 a.m. – 4:00 p.m.

PLACE: Mid-Florida Research and Education Center, 2725 Binion Road, Apopka, Florida, (407)884-2034

GENERAL SUBJECT MATTER TO BE CONSIDERED: Wood Destroying Organism Inspection Report.

The person to be contacted regarding the workshops and a copy of the form is: Mr. Steven Dwinell, Assistant Director, Division of Agricultural Environmental Services, 3125 Conner Blvd., Tallahassee, Florida 32399-1650, (850)488-7447.

The **Department of Agriculture and Consumer Services** announces a public meeting of the Florida Amusement Device and Attraction Advisory Committee to which all persons are invited.

DATE AND TIME: Tuesday, September 27, 2005, 10:00 a.m.

PLACE: Hilton Garden Inn, Orlando Airport, 7300 Augusta National Drive, Orlando, FL 32822

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled meeting of the Florida Amusement Device and Attraction Advisory Committee.

A copy of the agenda may be obtained by writing: Robert H. Jacobs, 3125 Conner Boulevard, Suite N, Tallahassee, Florida 32399-1650, (850)488-9790.

Pursuant to the American with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting: Robert Jacobs, (850)488-9790. If you are hearing or speech impaired please contact the agency by calling the State of Florida TDD line, 1(800)955-8771.

**DEPARTMENT OF EDUCATION**

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

Teacher Hearing Panel

DATES AND TIME: August 25, 2005; August 26, 2005, 9:00 a.m.

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

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

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

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

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

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

DATE AND TIME: August 30, 2005, 1:30 p.m. – all business is concluded

PLACE: The Division of Blind Services State Office, 1320 Executive Center Drive, Atkins Building, Suite 100, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review agency decision regarding an administrative appointment of a vending facility in Tallahassee.

**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: Wednesday, August 31, 2005, 2:00 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 and possible discussions regarding revisions to FDOC rules as described in the FAW Rulemaking Workshop notice posted August 19, 2005.

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 workshop for the purposes of rule development to which all interested persons are invited.

DATE AND TIME: August 31, 2005, 2:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The subject area to be addressed is the modification of FDOC rules, which could result in significant reduction in regulatory costs to the industry. Rule development could result in future FDOC proposed rules, which will be further noticed. Such proposed rules could modify current rules relating to grading processed citrus products and product standards (Chapter 20-64); use of USDA grade certificates (Chapters 20-69, 20-72, 20-63.001); the establishment of a Florida "Processor Grade" (20-64.001); designation of grade on containers and manifests (Chapters 20-70, 20-71); frequency of and level of inspection of processed products; requirements for use of FDOC trademarked symbols (Chapters 20-97, 20-109); inspection fees; and any other conforming rule amendments determined to be necessary by the agency.

A copy of the agenda may be obtained by contacting: Florida Department of Citrus, Attention: Shelby Coe, P. O. Box 148, Lakeland, Florida 33802-0148.

In accordance with the American 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 Bill Jones at the above address or by telephone, (863)499-2500.

**PUBLIC SERVICE COMMISSION**

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

DATE AND TIME: September 6, 2005, 9:30 a.m.

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

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

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

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

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

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

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

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

DATE AND TIME: September 6, 2005, immediately following the Commission Conference which commences at 9:30 a.m. in Commission Hearing Room 148.

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 meeting. 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).

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

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

Docket No. 050078-EI – Petition for rate increase by Progress Energy Florida, Inc.

DATES AND TIME: September 7-9, 2005, 9:30 a.m.; September 12-16, 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 rate increase by Progress Energy Florida, Inc., 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 August 11, 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).

**EXECUTIVE OFFICE OF THE GOVERNOR**

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

DATE AND TIME: Tuesday, August 23, 2005, 2:00 p.m.

PLACE: Governor's Office of Film and Entertainment, 400 South Monroe Street, The Capitol, Suite 2002, Tallahassee, FL 32399-0001 (Call In # TBD)

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss future and present Legislative Committee issues.

A call in number and a copy of the agenda may be obtained by writing: Raquel Cisneros, Communications Coordinator, Governor's Office of Film and Entertainment, The Capitol, Suite 2002, 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.

The **Executive Office of the Governor, Division of Administration** announces a routine business call to which all interested persons are invited to participate.

DATE AND TIME: Thursday, August 25, 2005, 4:00 p.m. – 5:00 p.m.

PLACE: The number is (850)921-6599

GENERAL SUBJECT MATTER TO BE CONSIDERED: For the Ex-offender Task Force staff, Chairman and Casey Foundation Task Force member.

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

DATE AND TIME: Friday, September 16, 2005, 8:30 a.m. – 2:00 p.m.

PLACE: Marriott Tampa Airport, Tampa International Airport, Tampa, FL 33609

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

**REGIONAL PLANNING COUNCILS**

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

DATE AND TIME: Thursday, September 1, 2005, 9:00 a.m.

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

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

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

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

DATE AND TIME: Thursday, September 1, 2005, 9:00 a.m.

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

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

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

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

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

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

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly Meeting.

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

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

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

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

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

DATE AND TIME: Thursday, September 1, 2005, 11:30 a.m. after monthly meeting

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

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

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

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

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

DATE AND TIME: Thursday, September 22, 2005, 10:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee is established to discuss Regional Leadership Awards.

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

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

The Region IX, **Local Emergency Planning Committee** (LEPC) announces a public meeting to which all persons are invited.

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

PLACE: Southwest Florida Regional Planning Council, 1926 Victoria Avenue, Fort Myers, Florida 33901

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and implement provisions of the Emergency Planning and Community Right to Know Act.

A copy of the Agenda may be obtained by contacting: Executive Director David Y. Burr, Southwest Florida Regional Planning Council, 1926 Victoria Avenue, Fort Myers, FL 33901.

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

DATE AND TIME: Monday, September 12, 2005, 10:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any Development Order received prior to the meeting; Any proposed Local Government Comprehensive Plan received prior to the meeting; Any adopted Local Government Comprehensive Plan received prior to the meeting; Any proposed Local Government Comprehensive Plan Amendment received prior to the meeting; Adopted Local Government Comprehensive Plan Amendment for City of Pompano Beach; Any adopted Local Government Comprehensive Plan Amendment received prior to the meeting; Meeting on monthly Council business; Executive Committee meeting at 10:00 a.m. at the above location.

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

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

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

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

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

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

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the monthly meeting of the Council.

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

If a person decides to appeal any decision made by the Treasure Coast Regional Planning Council with respect to any matter considered at such meeting or hearing, he or she will need a record of proceedings, and that, for such purpose, he or

she may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

Any persons needing special accommodations at this meeting because of a disability or physical impairment should contact Liz Gulick, (561)221-4060, at least 48 hours before the meeting.

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### COMMISSION ON ETHICS

The **Commission on Ethics** announces a public meeting to which all interested persons are invited.

DATE AND TIME: Thursday, September 1, 2005, 8:30 a.m.

PLACE: The Knott Building, 111 W. St. Augustine Street, Room 412, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Commission Meeting.

A copy of the agenda may be obtained by writing: Commission on Ethics, Post Office Drawer 15709, Tallahassee, Florida 32317-5709. Meeting materials also will be available from 8:00 a.m. to 5:00 p.m., Monday through Friday at 3600 Maclay Blvd., S., Suite 201, prior to the meeting.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Commission at least 48 hours before the meeting by contacting the Commission on Ethics, (850)488-7864. If you are hearing or speech impaired, please contact the Commission by using the Florida Relay Service, 1(800)955-8771 (TDD).

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### WATER MANAGEMENT DISTRICTS

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

GOVERNING BOARD COMMITTEE MEETINGS, BOARD MEETING AND PUBLIC HEARING

DATE AND TIME: Tuesday, August 30, 2005, 9:00 a.m.

PLACE: SWFWMD, District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct of Committee meetings, Board meeting and public hearing.

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

DATE AND TIME: Wednesday, August 31, 2005, 9:00 a.m.

PLACE: SWFWMD District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct of Committee meetings, Board meeting and public hearing.

These are public meetings and agendas are available by contacting: Southwest Florida Water Management District, 2379 Broad Street, Brooksville, FL.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should contact 1(800)423-1476 (Florida only), Extension 4609, TDD only 1(800)231-6103 (Florida only), Fax (352)754-6874.

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

DATE AND TIME: Thursday, August 25, 2005, 10:00 a.m.

PLACE: SFWMD Headquarters, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Water Resources Advisory Commission (WRAC) Stormwater Treatment Issues Workshop.

A copy of the agenda may be obtained by contacting: South Florida Water Management District, Mail Stop 2130, P. O. Box 24680, West Palm Beach, FL 33416-4680 or District Website <http://www.sfwmd.gov/gover/wrac/agendas.html>.

Persons with disabilities who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

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

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

DATE AND TIME: Monday, August 29, 2005, 5:00 p.m.

PLACE: SFWMD Headquarters, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Water Resources Advisory Commission (WRAC) EAA Reservoir Issues Workshop.

A copy of the agenda may be obtained by contacting: South Florida Water Management District, Mail Stop 2130, P. O. Box 24680, West Palm Beach, FL 33416-4680 or District Website <http://www.sfwmd.gov/gover/wrac/agendas.html>.



Persons with disabilities who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

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

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

DATE AND TIME: Tuesday, September 6, 2005, 5:15 p.m. – complete

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive public comment, vote on the FY05/0695 millage rates and budget.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members.

A copy of the agenda may be obtained by contacting: South Florida Water Management District, Mail Stop 2130, P. O. Box 24680, West Palm Beach, FL 33416-4680 or District Website <http://www.sfwmd.gov/gover/GovBoard/webpage/agenda.html>.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact the Director, Governing Board and Executive Services, (561)682-6371, at least two business days in advance of the meeting to make appropriate arrangements.

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

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

DATE AND TIME: Wednesday, September 7, 2005, 1:00 p.m. – complete

PLACE: Sanibel Harbour Resort, Caloosa Room, 17260 Harbour Pointe Drive, Ft. Myers, FL 33908

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Governing Board Finance and Audit Committee to discuss and consider District business.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members.

A copy of the agenda may be obtained by contacting: South Florida Water Management District, Mail Stop 2130, P. O. Box 24680, West Palm Beach, FL 33416-4680 or District Website <http://www.sfwmd.gov/gover/GovBoard/webpage/agenda.html>.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact the Director, Governing Board and Executive Services, (561)682-6371, at least two business days in advance of the meeting to make appropriate arrangements.

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

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

DATE AND TIME: Wednesday, September 7, 2005, 3:00 p.m. – complete

PLACE: Sanibel Harbour Resort, Caloosa Room, 17260 Harbour Pointe Drive, Ft. Myers, FL 33908

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Governing Board Land Resource and Regulatory Committee to discuss and consider District business.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members.

A copy of the agenda may be obtained by contacting: South Florida Water Management District, Mail Stop 2130, P. O. Box 24680, West Palm Beach, FL 33416-4680 or District Website <http://www.sfwmd.gov/gover/GovBoard/webpage/agenda.html>.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact the Director, Governing Board and Executive Services, (561)682-6371, at least two business days in advance of the meeting to make appropriate arrangements.

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

The **South Florida Water Management District** has undertaken to conduct an independent peer review of the South Florida Water Management Model (SFWMM). The peer review will be carried out by an expert panel comprised of professionals from academia and the private sector. All interested persons are invited to participate and monitor the progress of the review through an Internet Web Board set up for this purpose.

**DATE AND TIME:** The Web Board will be available for public viewing and public comments from August 12, 2005 – October 28, 2005.

**PLACE:** [http://www.sfwmd.gov/misc/1\\_webboard.html](http://www.sfwmd.gov/misc/1_webboard.html)

For persons without access to the Internet, access to the Web Board is available at the offices of the South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, Florida from 8:00 a.m. – 5:00 p.m., Monday through Friday.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Web Board ([http://www.sfwmd.gov/misc/1\\_webboard.html](http://www.sfwmd.gov/misc/1_webboard.html)) will allow the public to monitor and participate in communications among the chairman and members of the independent peer review panel assembled to conduct the review of the South Florida Water Management Model.

Beginning on August 12, 2005, through October 28, 2005, interested parties may access online communications among the peer review panelists, electronically stored communications, and other public records associated with the review posted to the Web Board. Peer review panelists will post information to the Web Board from Monday through Friday, 8:00 a.m. to 5:00 p.m. Eastern Daylight Savings Time. The public can provide comment through the Web Board at any time between August 12, 2005 and October 28, 2005 on any aspect of the review. Communications and documents posted are preserved and can be accessed at anytime after they occur or are posted.

Public workshops on the peer review of the South Florida Water Management Model will be held as follows.

**DATES AND TIMES:** September 8, 2005, 8:30 a.m. – 5:00 p.m.; September 9, 2005, 8:30 a.m. – 5:00 p.m.; October 13, 2005, 8:30 a.m. – 5:00 p.m.; October 14, 2005, 8:30 a.m. – 5:00 p.m.

**PLACE:** Storch Conference Room, Third Floor, B-1 Building, South Florida Water Management District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33406

For information regarding this review, please write: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680 or call Jose Otero, (561)682-6578 or Yanling Zhao, (561)682-2043.

For assistance in obtaining computer access to this review, please write: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680 or call Trudy Morris, (561)682-6569.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this review is asked to advise the agency when access to the Web Board is needed by contacting Jose Otero, (561)682-6578 or Yanling Zhao, (561)682-2043. If you are hearing or speech impaired, please contact the agency by calling (561)697-2574.

The **South Florida Water Management District** announces a meeting to conduct the public review of the 2006 South Florida Environmental Report to which all persons are invited to view and in which all members of the public are encouraged to participate. The review will be conducted through the use of an internet accessible website.

**DATES AND TIMES:** The WebBoard will be available for public viewing from September 1, 2005 – September 30, 2005 and also available for public comment from September 1, 2005 – September 30, 2005 on the 2006 South Florida Environmental Report – Volume I.

The draft Florida Forever Work Plan 2006 Annual Update (Volume II, Chapter 6 of the 2006 South Florida Environmental Report) will be available for public review and comment from October 20, 2005 – November 8, 2005, preceding the District Governing Board review and approval on November 9, 2005.

**PLACE:** <http://www.sfwmd.gov/sfer/>

For persons without access to the Internet, access to the website is available at the offices of the South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, Florida, 8:00 a.m. – 5:00 p.m., Monday through Friday.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This website <http://www.sfwmd.gov/sfer/> will be used to allow public access to and participation in communications among the chairman and members of the independent peer review panel created to conduct a review of the 2006 South Florida Environmental Report – Volume I, pursuant to Section 373.4592(4)(d), F.S.

Beginning on September 1, 2005 – September 30, 2005, interested parties may access ongoing communications among the peer review panelists, electronically stored communications and other public records associated with the 2006 Report that are posted to this site. Peer review panelists will post information at the website from Monday through Friday during normal working hours, Eastern Daylight Time. The public can provide comment directly at the website at any time between September 1, 2005 and September 30, 2005 on any aspect of the Report, particularly on relevant scientific or technical data and findings. Communications and documents posted are preserved and can be accessed at anytime after they

occur or are posted. The peer review panelists will continue to use the WebBoard for revisions and additions to the Report from September 30, 2005 through delivery of the final Report on October 21, 2005.

Peer review and public workshops on the 2006 South Florida Environmental Report – Volume I will be held as follows:

DATES AND TIMES: September 27, 2005, 8:30 a.m. – 5:00 p.m.; September 28, 2005, 8:30 a.m. – 5:00 p.m.; September 29, 2005, 8:30 a.m. – 12:00 p.m. (panel working session)

PLACE: South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406

For information regarding this review, please write to the South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680 or call Garth Redfield, (561)682-6611. For assistance in obtaining computer access to this review, please write to the South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680 or call Trudy Morris, (561)682-6569.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this review is asked to advise the agency when access to the WebBoard is needed by contacting: Garth Redfield, (561)682-6611. If you are hearing or speech impaired, please contact the agency by calling (561)697-2574.

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

DATE AND TIME: Thursday, September 1, 2005, 9:00 a.m. is cancelled and changed to Thursday, September 8, 2005, 8:30 a.m.

PLACE: Sanibel Harbour Beach Resort, 17260 Harbour Pointe Drive, Fort Myers, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Water Resources Advisory Commission (WRAC) EAA Reservoir Issues Workshop.

A copy of the agenda may be obtained by contacting: South Florida Water Management District, Mail Stop 2130, P. O. Box 24680, West Palm Beach, FL 33416-4680 or District Website <http://www.sfwmd.gov/gover/wrac/agendas.html>.

Persons with disabilities who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

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

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

DATE AND TIME: Tuesday, September 13, 2005, 10:00 a.m. – complete

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Governing Board Human Resources and Outreach Committee to discuss and consider District business.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members.

A copy of the agenda may be obtained by contacting: South Florida Water Management District, Mail Stop 2130, P. O. Box 24680, West Palm Beach, FL 33416-4680 or District Website <http://www.sfwmd.gov/gover/GovBoard/webpage/agenda.html>.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact the Director, Governing Board and Executive Services, (561)682-6371, at least two business days in advance of the meeting to make appropriate arrangements.

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

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

DATE AND TIME: Wednesday, September 14, 2005, 9:00 a.m.– complete

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Governing Board Workshop/Meeting to discuss and consider District business including regulatory and non-regulatory matters.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members.

A copy of the agenda may be obtained by contacting: South Florida Water Management District, Mail Stop 2130, P. O. Box 24680, West Palm Beach, FL 33416-4680, District Website: [http://www.sfwmd.gov/portal/page?\\_pageid=153,351022&\\_dad=portal&\\_schema=PORTAL](http://www.sfwmd.gov/portal/page?_pageid=153,351022&_dad=portal&_schema=PORTAL).

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact the Director, Governing Board and Executive Services, (561)682-6371, at least two business days in advance of the meeting to make appropriate arrangements.

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

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

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

PLACE: The South Florida Water Management Headquarters, B-1 Building, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Special meeting of the Everglades Technical Oversight Committee (TOC).

A copy of the agenda may be obtained by contacting: South Florida Water Management District, Mail Stop 2130, P. O. Box 24680, West Palm Beach, FL 33416-4680 or District Website <http://www.sfwmd.gov/org/ema/toc/draftagenda.html>.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact: Dr. Garth Redfield, Environmental Resource Assessment Department, District Headquarters, 3301 Gun Club Road, Mail Stop Code 4610, West Palm Beach, FL 33406, (561)682-6611.

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

DATE AND TIME: Tuesday, September 20, 2005, 5:15 p.m. – complete

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive public comment, vote on the FY 05/06 95 millage rates and budget.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members.

A copy of the agenda may be obtained by contacting: South Florida Water Management District, Mail Stop 2130, P. O. Box 24680, West Palm Beach, FL 33416-4680 or District Website <http://www.sfwmd.gov/gover/GovBoard/webpage/agenda.html>.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact the Director, Governing Board and Executive Services, (561)682-6371, at least two business days in advance of the meeting to make appropriate arrangements.

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

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

DATES AND TIMES: September 27, 2005, 8:30 a.m. – 5:00 p.m.; September 28, 2005, 8:30 a.m. – 5:00 p.m.; September 29, 2005, 8:30 a.m. – 12:00 p.m. (Panel Working Session)

PLACE: South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: 2006 South Florida Environmental Report – Volume 1 – Peer Review and Public Workshops.

A copy of the agenda may be obtained by contacting: South Florida Water Management District, Mail Stop 2130, P. O. Box 24680, West Palm Beach, FL 33416-4680 or District Website <http://www.sfwmd.gov/sfer/>.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact: Dr. Garth Redfield, Environmental Resource Assessment Department, District Headquarters, 3301 Gun Club Road, Mail Stop Code 4610, West Palm Beach, FL 33406, (561)682-6611.

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### COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

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

DATE AND TIME: Monday, August 29, 2005, 10:00 a.m. – completion

PLACE: Conference Call Meeting, (850)414-1711, 994-1711

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review an emergency funding request and discuss additional committee activities.

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.

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### REGIONAL UTILITY AUTHORITIES

The **Peace River/Manasota Regional Water Supply Authority** announces the following Board of Directors meeting and workshop to which the public is invited.

DATE AND TIME: Monday, August 29, 2005, 10:00 a.m.

PLACE: Holiday Inn Lakewood Ranch, 6231 Lake Osprey Drive, Sarasota, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct meeting and workshop to discuss the draft Amended Interlocal Agreement and Master Water Supply Contract and take action as may be required.

A copy of the agenda may be obtained by writing: Peace River/Manasota Regional Water Supply Authority, 1645 Barber Road, Suite A, Sarasota, Florida 34240.

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

Persons with disabilities who need assistance may call (941)316-1776, at least two business days in advance to make appropriate arrangements.

### AGENCY FOR HEALTH CARE ADMINISTRATION

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

DATE AND TIME: Wednesday, August 31, 2005, 1:00 p.m. – 4:00 p.m.

PLACE: Agency for Health Care Administration, 400 West Robinson Street, Conference Room B/C, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Area Seven 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 Jennifer Gallman, (813)871-7600, Ext. 133, at least five calendar days prior to the meeting.

For additional information contact: Jennifer Gallman, Agency for Health Care Administration, (813)871-7600, Ext. 133, e-mail: gallmanj@ahca.myflorida.com.

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The **Agency for Health Care Administration** announces a meeting of the Pharmaceutical and Therapeutics Committee to which all interested parties are invited.

DATE AND TIME: Wednesday, September 21, 2005, 9:30 a.m. – 4:30 p.m.

PLACE: Tampa Airport Marriott, Tampa International Airport, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Recommendations for drugs to be included on the Preferred Drug List are made at this meeting.

Any attendee requiring special accommodation because of a disability or physical impairment should contact the Marriott, (813)879-5151, at least five days prior to the meeting.

Members of the public who wish to testify at this meeting must contact: Julie Davis, (850)487-4441. The number of speakers will be limited and will be accommodated in order of notification to Ms. Davis.

Because of unforeseen events that may cause changes, interested parties are encouraged to watch the website: [http://www.fdhc.state.fl.us/Medicaid/Prescribed\\_Drug/index.shtml](http://www.fdhc.state.fl.us/Medicaid/Prescribed_Drug/index.shtml).

Procedures for speakers to follow are also available on the website.

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**DEPARTMENT OF MANAGEMENT SERVICES**

The **Workforce Estimating Conference** is scheduled to meet and all persons are invited.

DATE AND TIME: Monday, September 12, 2005, 1:00 p.m. – 3:00 p.m.

PLACE: Agency for Workforce Innovation, Caldwell Building, 107 East Madison Street, Room B-049, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review of employment and wage threshold criteria and other information for the statewide Demand Occupations List.

A copy of the draft agenda may be downloaded from <http://www.labormarketinfo.com/wec> or by contacting Sheila Connell, (850)245-7265, e-mail: [sheila.connell@awi.state.fl.us](mailto:sheila.connell@awi.state.fl.us).

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

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

DATE AND TIME: August 30, 2005, 11:00 a.m. (EST)

PLACE: Access Phone, Direct (850)414-5775, Suncom 994-5775, Toll Free 1(888)461-8118 (outside of Tallahassee, FL)

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

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

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

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

DATE AND TIMES: August 23, 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.

The Florida **Electrical Contractor's Licensing Board** announces the following Board Meeting to which all interested persons are invited to attend.

DATE AND TIME: September 8, 2005, 2:00 p.m. or soon thereafter

PLACE: Teleconference – numbers to call (850)922-7892, Suncom 292-7892, 1(800)416-4132

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of Legislative Issues.

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

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

Any persons requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board Office, (850)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).

The **Board of Professional Geologists** announces a General Business Meeting, by way of a telephone conference call, to which all interested parties are invited to participate.

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

PLACE: Meet-Me-Number (850)487-8540, Suncom 277-8540

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct General Business.

A copy of the agenda may be obtained by writing: John Knap, Executive Director, Department of Business and Professional Regulation, Board of Professional Geologists, 1940 North Monroe Street, Tallahassee, FL 32399, (850)487-1395.

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

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System, 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact John Knap by Tuesday, August 30, 2005.

The **Board of Accountancy**, Committee on Continuing Professional Education announces the following public meeting to which all persons are invited.

DATE AND TIME: Tuesday, September 13, 2005, 9:00 a.m.

Place: Via Conference Call

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review reporting forms and requests for course approval.

If you wish to participate in this meeting or receive a copy of the agenda, please contact: Karan Lee, Board of Accountancy, 240 N. W. 76th Drive, Suite A, Gainesville, Florida 32607, (850)487-1395.

The Probable Cause Panel of the **Florida Real Estate Appraisal Board** announces a telephone conference call to be held via meet me number.

DATE AND TIME: Monday, September 12, 2005, 9:30 a.m. or the soonest thereafter (Portions of the probable cause proceedings are not open to the public)

PLACE: Department of Business and Professional Regulation, Division of Real Estate, Room 901, Ninth Floor, North Tower, 400 West Robinson Street, Orlando, Florida; Meet Me Number (850)410-0965.

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.

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, any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Division of Real Estate, (407)481-5632 (between the hours of 9:00 a.m. – 4:00 p.m.), at least five (5) calendar

days prior to the meeting. If you are hearing or speech impaired, please call the Division of Real Estate using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

DATE AND TIME: Monday, August 29, 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.

#### 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."

The **Florida Center for Solid and Hazardous Waste Management Advisory Board** announces a meeting to which all interested persons are invited to participate.

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

PLACE: Orlando, Hyatt Regency Orlando International Airport, Orlando, FL

For more information about the Advisory Board or this meeting, visit: [www.floridacenter.org](http://www.floridacenter.org) or call: Center, (352)392-6264.

#### DEPARTMENT OF HEALTH

The **Florida Emergency Medical Services Advisory Council** announces a telephone conference call to which all interested persons are invited to participate.

DATE AND TIME: September 13, 2005, 2:00 p.m. – 3:00 p.m. (EST)

PLACE: Florida Bureau of Emergency Medical Services, 4052 Bald Cypress Way, Bin #C18, Tallahassee, FL 32399 (via meet me number 1(800)647-7427)

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the council. Any other related issues will also be discussed.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment, should contact the Bureau of Emergency Medical Services, (850)245-4440, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please call the Bureau of Emergency Medical Services using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

For further information, write: Desi Lassiter, 4052 Bald Cypress Way, Bin #C18 (HEMS), Tallahassee, Florida 32399-4881, (850)245-4055.

P.O. # D029262

The **Board of Acupuncture** announces a meeting to which all interested persons are invited to attend.

DATE AND TIME: Friday, September 9, 2005, 9:00 a.m. or soon thereafter

PLACe: Renaissance Tampa Hotel International Plaza, 4200 Jim Walter Road, Tampa, FL 33607, (813)877-9200

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

Any person requiring special accommodations at this meeting due to disability or physical impairment should contact the Board of Acupuncture, (850)245-4161, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Board of Acupuncture, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256.

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

The **Department of Health, Board of Dentistry** will hold meetings to which all persons are invited.

DATES AND TIMES: September 8, 2005, 7:30 p.m. – Rules Workshop; September 9, 2005, 8:00 a.m. – General Business to include Exam Committee Meeting

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general board business.

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

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Sarah Walls, (850)245-4474, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired, can contact Ms. Walls using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Medicine**, Rules/Legislative Committee announces a meeting to which all persons are invited.

DATE AND TIME: Tuesday, September 13, 2005, 3:00 p.m.

PLACE: Marriott Orlando Airport, 7499 Augusta National Drive, Orlando, FL 32822, (407)851-9000

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 Florida **Board of Medicine**, Finance Committee announces a telephone conference call to be held via meet me number.

DATE AND TIME: Wednesday, August 31, 2005, 12:00 Noon

PLACE: Contact Florida Board of Medicine, (850)245-4131, for the meet me number

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

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.

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

DATE AND TIME: September 2, 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, (850)922-2414, 1(800)955-8771 (TDD), 1(800)955-8770 (Voice) via Florida Relay Service.

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The **Board of Nursing**, Central Probable Cause Panel will hold a duly noticed teleconference call meeting, to which all persons are invited to attend.

DATE AND TIME: September 21, 2005, 5:00 p.m.

PLACE: Department of Health, Tallahassee, Meet Me Number (850)921-5400

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board, (850)245-4125, at least 48 hours prior to the meeting. If you are a hearing or speech impaired, please contact the Board office using the Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

A copy of the agenda item may be obtained by writing: Dan Coble, Executive Director, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3257.

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The Florida **Board of Medicine**, **Board of Osteopathic Medicine**, **Board of Pharmacy** and **Board of Nursing** will hold the following face to face joint meeting to which all persons are invited.

DATE AND TIME: Monday, September 19, 2005, 5:00 p.m. or shortly thereafter

PLACE: Ramada Inn, 2900 North Monroe Street, Tallahassee, FL 32303, (850)386-1027

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of Pain Management Policy.

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

A copy of any item on the agenda may be obtained by writing: Pamela King, Executive Director, Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, (850)488-0595. You will be charged seventeen cents per page for the number of copies desired.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Christy Robinson, (850)488-0595, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired, can contact Christy Robinson using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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The **Department of Health, Board of Psychology**, Probable Cause Panel announces a conference call to which all persons are invited.

DATE AND TIME: August 30, 2005, 8:00 a.m. or soon thereafter

PLACE: The meet me number may be obtained by contacting: Ivy Shivers, Regulatory Supervisor, Medical Therapies/Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, FL 32399-3255, (850)245-4372

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting.

A copy of the agenda may be obtained by writing: Department of Health, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, FL 32399-3255, (850)245-4373.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the board office, (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

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

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## FISH AND WILDLIFE CONSERVATION COMMISSION

The Florida **Fish and Wildlife Conservation Commission (FWC), Division of Law Enforcement** announces the following public workshops regarding amendments to Boating Safety Rule 68D-24.020, F.A.C.

DATE AND TIME: Thursday, September 8, 2005, 6:30 p.m. – 8:30 p.m.

PLACE: Suwannee River Water Management District Office, 9225 CR 49, Live Oak, Florida, (386)362-1001, 1(800)226-1066 (toll free in Florida) (Directions to Suwannee River Water Management District Office: Take I-10 east to second Live Oak exit (U.S. 129). Proceed for several miles toward downtown Live Oak. Turn left at Hwy 90 traffic light, travel approximately two miles to CR 49. Turn right, we are located on the corner across from convenience store.)

DATE AND TIME: Tuesday, September 27, 2005, 6:00 p.m. – 8:00 p.m.

PLACE: Trenton Community Center, 214 S. E. 3rd Avenue, Trenton, Florida, (352)463-4000 (Directions to Trenton Community Center: US 19 to SR 26 travel SR 26 to US 129 (SR 49), turn left (east) onto S. E. 23rd Avenue)

GENERAL SUBJECT MATTER TO BE CONSIDERED: The proposed changes to rules within this chapter are to: (1) correct and update locations of boating safety zones which are subject

to flood status along the Suwannee and Sante Fe Rivers; (2) improve clarity and consistency of language and definitions; (3) remove or revise obsolete locations of zones; and (4) respond to requests for revisions received from stakeholders and from other governmental entities. The anticipated effects include the automatic regulation of areas along both the Suwannee and Sante Fe Rivers when high water threatens to create hazards to navigation (i.e., submerged docks, stumps, etc.,) homes, septic services, where possible. Other anticipated effects include the permanent installation of markers, which would provide year round boating safety information and during times of flooding would advise boaters of the required speed of vessel operation.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the respective location at least five (5) calendar days before the meeting by contacting: ADA Coordinator, see numbers listed above. If you are hearing or speech impaired, please contact the agency by calling the numbers listed above.

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The Florida **Fish and Wildlife Conservation Commission** has scheduled a public meeting. This notice announces the date, time and place of that meeting to which all interested persons are invited.

DATES AND TIME: September 21-22, 2005, 8:30 a.m. each day

PLACE: Trade Winds Island Grand Resort, 5500 Gulf Boulevard, St. Petersburg Beach, Florida 33706

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and discuss substantive and procedural issues associated with the Fish and Wildlife Conservation Commission and to take action on proposed rules and policy issues.

A copy of the proposed agenda may be obtained from: Florida Fish and Wildlife Conservation Commission, 620 S. Meridian St., Tallahassee, FL 32399-1600.

If any person decides to challenge any decision with respect to any matter considered at the above meeting, a record of the proceeding will be needed. For this purpose, you may need to ensure that a verbatim record of the proceeding is made which includes testimony and evidence upon which the challenge is to be based.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in the workshop or meeting is asked to advise the Commission at least 5 calendar days prior by calling the, ADA Coordinator, (850)488-6411. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

LEGAL AUTHORITY: Article IV, Section 9, Florida Constitution.

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### HARDEE COUNTY ECONOMIC DEVELOPMENT AUTHORITY

The **Hardee County Economic Development Authority** (Independent Board) announces a meeting to which all interested persons are invited to participate.

DATE AND TIME: Tuesday, August 23, 2005, 8:30 a.m.

PLACE: County Commission Chambers, 412 West Orange Street, Room 102, Wauchula, Florida

For more information call: County Manager's office, (863)773-9430.

This is a Disabled-Accessible facility. Any disabled person needing to make special arrangements should contact the County Commissioner's office at least forty-eight (48) hours prior to the public meeting.

This notice is published in compliance with Section 286.0105, F.S.

Interested parties may appear at the public meeting and be heard. If a person decides to appeal any decision made by the members, with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

### SOUTHWEST FLORIDA CRIMINAL JUSTICE ACADEMY

The **Sarasota Criminal Justice Academy**, Region 10, Advisory Council and the **Southwest Florida Criminal Justice Academy** announce a meeting to which all interested persons are invited to participate.

DATE AND TIME: August 23, 2005, 9:30 am.

PLACE: S. W. Fla. Criminal Justice Academy/Lee Tech Center Central Campus, 3800 Michigan Avenue, Fort Myers (Lee Vo-Tech campus), FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda Items include: Pledge, Intro. of Guests, Minutes of Previous Meeting, Academy Reports: Sarasota, Academy Reports: Lee County, Fiscal Officer Report; FDLE Briefing by Ivette Basora, FDLE Field Rep., Other Items of Interest.

Questions can be directed to: Socorro Escobar or Patrick Flahive, (239)334-3897, Lee County Academy.

### VISIT FLORIDA

The **VISIT FLORIDA**, Marketing Council announces a public meeting to which all interested persons are invited to participate.

Meetings: The Promotions Committee

DATE AND TIME: Tuesday, August 23, 2005, 2:30 p.m. – 3:30 p.m.

PLACE: VISIT FLORIDA Corporate Office, 661 E. Jefferson Street, Suite 300, Tallahassee, Florida 32301, (850)488-5607

GENERAL SUBJECT MATTER TO BE CONSIDERED: 1st Quarter Promotions Committee Meeting.

For further information contact: Bennie Strange, VISIT FLORIDA, P. O. Box 1100, Tallahassee, Florida 32302-1100, (850)488-5607, Ext. 319.

Any person requiring special accommodations at this meeting because of a disability should contact VISIT FLORIDA at least five business days prior to the meeting. Persons who are hearing or speech impaired can contact VISIT FLORIDA by using the Florida Relay Service, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

The **VISIT FLORIDA**, Marketing Council announces a public meeting to which all interested persons are invited to participate.

Meetings: The Advertising and Internet Committee

DATE AND TIME: Wednesday, August 24, 2005, 2:00 p.m. – 4:00 p.m.

PLACE: VISIT FLORIDA Corporate Office, 661 E. Jefferson Street, Suite 300, Tallahassee, Florida 32301, (850)488-5607

GENERAL SUBJECT MATTER TO BE CONSIDERED: 1st Quarter Advertising and Internet Committee Meeting.

For further information contact: Bennie Strange, VISIT FLORIDA, P. O. Box 1100, Tallahassee, Florida 32302-1100, (850)488-5607, Ext. 319.

Any person requiring special accommodations at this meeting because of a disability should contact VISIT FLORIDA at least five business days prior to the meeting. Persons who are hearing or speech impaired can contact VISIT FLORIDA by using the Florida Relay Service, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

### BLUE RIBBON IMPLEMENTATION WORKING GROUP

The BIWG, **Blue Ribbon Task Force**, Implementing Working Group announces a meeting to which all interested persons are invited to participate.

DATE AND TIME: August 31, 2005, 9:00 a.m. – 1:00 p.m.

PLACE: 2002 Old St. Augustine Road, Building A, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a regularly scheduled monthly meeting of BIWG members and participants to report activities and progress in implementation of Blue Ribbon Task Force recommendations.

For persons with developmental disabilities, Call (850)212-7873, with questions.

**FLORIDA AUTOMOBILE JOINT UNDERWRITING ASSOCIATION**

The Florida Automobile Joint Underwriting Association announces the following meetings.

FAJUA Operating Committee Teleconference

DATE AND TIME: Tuesday, September 6, 2005, 10:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review proposed changes in the FAJUA Underwriting Manual for recommendation to the Board of Governors and any other matters that may come before the committee.

FAJUA Advisory Committee Meeting

DATE AND TIME: Wednesday, September 7, 2005, 1:00 p.m.

PLACE: Conrad Miami, Espirito Santo Plaza, 1395 Brickell Avenue, Miami, Florida 33131

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discuss progress of goals agreed upon by the FAJUA Board of Governors and any other matters that may come before the committee.

FAJUA Finance Committee "Shade" and Regular Meeting

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

PLACE: Conrad Miami, Espirito Santo Plaza, 1395 Brickell Avenue, Miami, Florida 33131

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and discuss matters relating to FAJUA Investment Guidelines; and any other matters that may come before the committee.

FAJUA Budget Committee Meeting

DATE AND TIME: Wednesday, September 7, 2005, 4:00 p.m.

PLACE: Conrad Miami, Espirito Santo Plaza, 1395 Brickell Avenue, Miami, Florida 33131

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss proposed FY 2005-2006 budget, make recommendations to the Board, and to consider other matters that may come before the committee.

FAJUA Board of Governors Meeting

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

PLACE: Conrad Miami, Espirito Santo Plaza, 1395 Brickell Avenue, Miami, Florida 33131

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive reports of the General Manager, Committees and Counsel; to consider and take actions based on those reports; to consider statutorily required rate filing; and consider any other matters that may come before the Board.

Additional information may be obtained from: Lisa Stoutamire, 1425 Piedmont Drive, East, #201A, Tallahassee, FL, (850)681-2003, e-mail: [lstoutamire@fajua.org](mailto:lstoutamire@fajua.org).

**FLORIDA LOCAL GOVERNMENT FINANCE COMMISSION**

The Florida Local Government Finance Commission announces a public meeting to which all interested persons are invited.

DATE AND TIME: Thursday, September 8, 2005, 2:00 p.m.

PLACE: 2502 Rocky Point Drive, Suite 1060, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting of the Commission will be for purposes of reviewing the statewide pooled commercial paper loan program for Florida governmental entities. The Commission is an unincorporated, nonprofit association whose members are comprised of Brevard County, Florida, Collier County, Florida, Lee County, Florida, Osceola County, Florida and Sarasota County, Florida.

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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**

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has issued a Declaratory Statement In Re: Petition for Declaratory Statement, Nicholas P. Karamessinis, Unit Owner, Pelican Bay Yacht Club Condominium, Building A, Inc., Docket Number 2005030000.

The Division declared that under Florida Administrative Code subsections 61B-23.0021(8), (10), and (11), the management company for Pelican Bay, after receiving the outer envelopes containing ballots for the election at the annual meeting: (a) may not contact the unit owners and permit the owners to correct deficiencies, such as signing the outer envelope; (b) may not return the envelope to the owner for signature; and (c) may not verify the outer envelopes at the meeting before giving the verified envelopes to the committee to count the ballots.

A copy of the Declaratory Statement, Docket Number 2005030000, may be obtained by writing: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

The Board of Veterinary Medicine hereby gives notice that it has received a Petition for Declaratory Statement filed on behalf of Dr. Hansel Leavengood. The Petitioner seeks the Board's interpretation of the financial responsibility requirements set forth in Section 474.214(1)(k), Florida Statutes. The Board will consider this petition at its meeting scheduled for September 1, 2005, in St. Augustine, Florida.

Copies of the petition may be obtained by writing: Juanita Chastain, Executive Director, Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, Florida 32399-0773.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF FINANCIAL SERVICES**

NOTICE IS HEREBY GIVEN that the Department of Financial Services, Division of State Fire Marshal, has received a Petition for Declaratory Statement filed August 4, 2005, from Gainesville Fire Rescue, Petitioner. The Petition is seeking the Department's interpretation of the Florida Fire Prevention Code, NFPA 101, Subdivision 12.3.5.2(2). Specifically, Petitioner states that the local school board is planning to construct a new cafeteria/auditorium building at one of its school facilities. The school district has stated that the building will be used as the school's dining hall, with ancillary rooms to be used for a commercial kitchen, performing stage, storage, offices, and flammable hazards storage area. The Gainesville Fire Rescue Department and the Facilities Department of Alachua County Public Schools have both reviewed the plans for the building at issue. We do not agree on whether this building meets the conditions of NFPA 101, 12.3.5.2(2)\* which states the conditions of 12.3.5.1 shall not apply to the following: "Assembly occupancies consisting of a single multipurpose room of less than 1115 m 2 (12,000 ft 2) that are not used for exhibition or display and are not part of a mixed occupancy." Petitioner asks:

1. Is this assembly occupancy considered a single multipurpose room?
2. Is this assembly occupancy considered part of a mixed occupancy?

3. Are rooms such as those ancillary rooms within the building being used in consistency with the intent of the code as explained in A12.3.5.2(2) relating to "certain small rooms as part of the single room," and in consistency with the additional explanation stated in the Life Safety Code Handbook
4. Based on the explanation given relating to this structure, is it required to have a fire sprinkler system?

A copy of the Petition may be obtained by writing to, calling or sending a fax to: Gabriel Mazzeo, Attorney, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (850)413-3604, Fax (850)922-1235 (please advise if you would like it mailed or faxed to you and please include your phone number on your request in case any question arises), or e-mail your request to: [mazzeog@doi.state.fl.us](mailto:mazzeog@doi.state.fl.us).

**Section VIII  
Notices of Petitions and Dispositions  
Regarding the Validity of Rules**

**Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:**

**NONE**

**Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:**

**NONE**

**Section IX  
Notices of Petitions and Dispositions  
Regarding Non-rule Policy Challenges**

**NONE**

**Section X  
Announcements and Objection Reports of  
the Joint Administrative Procedures  
Committee**

**NONE**

## Section XI Notices Regarding Bids, Proposals and Purchasing

### DEPARTMENT OF STATE

#### PUBLIC NOTICE

The Division of Historical Resources announces that it is soliciting applications for State Grants-in-Aid assistance for historical museums projects.

An anticipated \$1,750,000 could be available to assist General Operating Support and Public Educational Exhibit activities.

Solicitation begins Saturday, October 1, 2005.

The deadline for filing applications is Thursday, December 15, 2005. Applications must be delivered to the Governor John W. Martin House, 1001 DeSoto Park Drive, Tallahassee, Florida by 5:00 p.m. on that date or be clearly postmarked or show evidence of submission to an express mail service on or before that date.

Application forms and more information may be obtained from: Grants Manager, Historical Museums Grants-In-Aid, Division of Historical Resources, 1001 DeSoto Park Drive, Tallahassee, Florida 32399-0250, (850)245-6486, website: <http://dhr.dos.state.fl.us/grants>.

### DEPARTMENT OF EDUCATION

#### NOTICE TO PROFESSIONAL CONSULTANTS

Florida State University, State of Florida, announces that Professional Services in the discipline of architecture will be required for the project listed below:

Project No. FS-277

Project and Location: Intramural Sports Outdoor Complex  
Florida State University,  
Tallahassee, Florida

The project consists of the design of a new Intramural Sports Outdoor Complex at the FSU Southwest Campus. The project will include construction of fields for multiple sports, such as softball, wiffleball, kickball, flag football, and soccer, along with construction of support buildings and other site amenities. Construction is anticipated to be phased with the selected firm providing recommendations for optimum construction sequencing. Initial design services are anticipated to include master planning and conceptual development for both Phase 1 and Phase 2, followed by design completion and construction documents for Phase 1, permitting, and administration for the referenced project. The first phase is budgeted at \$7,118,510 for construction. Phase 2 is anticipated to be budgeted at approximately the same amount as Phase 1. Comprehensive design services for Phase 2 may be implemented at the discretion of the University and pending funds availability. The project delivery system will be construction management.

Blanket professional liability insurance will be required for this project in the amount of \$1,000,000, and will be provided as a part of Basic Services.

For the purposes of this selection, firms located in the State of Florida will receive a distance factor of '1'. Those firms located outside of Florida will receive a distance factor of '0'.

#### INSTRUCTIONS:

Firms desiring to apply for consideration shall submit a letter of application.

The letter of application should have attached:

1. A completed Florida State University "Professional Qualifications Supplement," dated August, 2003. Applications on any other form, or on versions dated prior to 8/03, will not be considered.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Submit 6 copies of the above requested data bound in the order listed above. Applications which do not comply with the above instructions may be disqualified. Application materials will not be returned.

The plans and specifications for Florida State University projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$50,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualifications Supplement forms, descriptive project information, and selection criteria may be obtained through our website, [www.fpc.fsu.edu](http://www.fpc.fsu.edu), or by contacting: Lynetta Mills, Facilities Planning & Construction, 109 Mendenhall Maintenance Building A, Florida State University, Tallahassee, Florida 32306-4152, (850)644-2843 telephone, (850)644-8351 facsimile

For further information on the project, contact: Kim Ball, Project Manager, at the address and phone listed above.

Submittals must be received in the above office, by 2:00 p.m., local time, on September 20, 2005. Facsimile (FAX) or electronic submittals are not acceptable and will not be considered.

## NOTICE TO PROFESSIONAL CONSULTANTS

The University of South Florida St. Petersburg (USFSP) announces that Professional Services in the discipline of Architecture and Engineering will be required for the project listed below:

Project Name & Location: USFSP Science & Technology/ General Academic Facility, University of South Florida St. Petersburg, St. Petersburg, Florida.

The proposed project is a multi-functional, multi-use facility which will include research and instructional labs, faculty offices, computer classrooms, general academic and study rooms, and joint use areas to serve large groups for both academic and conference functions. This facility is anticipated to be a six-story structure of about 140,000 G.S.F.

The selected firm will be required to provide design, construction documents and contract administration for the referenced project utilizing CADD drawings in accordance with the standards of the University of South Florida St. Petersburg. Blanket professional liability insurance will be required for this project in the amount of \$1 million and will be provided as a part of Basic Services.

Instructions: Firms desiring to apply for consideration shall submit a letter of application. The letter of application should have attached:

1. A completed USF Board of Trustees "Professional Qualifications Supplement," Revised 09/99. APPLICATION ON ANY OTHER FORM WILL NOT BE CONSIDERED.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Submit six (6) copies of the above requested data bound in the order listed above. Applications which do not comply with the above instructions may be disqualified. Application information will not be returned.

The plans and specifications for State University System projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of placement on the convicted vendor list.

Professional Qualifications Supplements forms, descriptive project information, and selection criteria may be obtained by contacting:

Zeynep Tufekci, Administrative Assistant  
University of South Florida St. Petersburg  
Facilities Planning and Construction  
140 Seventh Avenue South, TER 100  
St. Petersburg, FL 33701

Phone (727)553-4822, e-mail: zeynep@spadmin.usf.edu

Interested firms are invited to attend a meeting to be held at 10:00 a.m., September 5, 2005 in Davis Hall, Room 130, USFSP Campus, St. Petersburg, Florida. The purpose of this meeting is to review the scope and requirements of this project. Submittals must be received in the University of South Florida, St. Petersburg, Facilities Construction and Planning, TER 100 office by 2:00 p.m. on September 16, 2005 and shall be addressed to James A. Grant, Director (same address as above). Facsimile (FAX) submittals are not acceptable and will not be considered.

## NOTICE TO CONSTRUCTION MANAGERS

Florida Atlantic University, on behalf of its Board of Trustees, announces that Construction Management services will be required for the project listed below:

Project No.: BT-668 located at Florida Atlantic University's Boca Raton Campus

The project consists of site development and construction of an approximately 32,340 gross square feet facility that shall provide the latest in contemporary fitness, aerobics, training and wellness programs for the general student population, faculty, staff and alumni.

The estimated construction cost is approximately \$5,000,000.00.

The contract for Construction Management services will consist of two phases. Phase one is pre-construction services, for which the Construction Manager will be paid a fixed fee. Phase one services include value engineering, constructability analyses, development of a cost model, estimating, and the development of a Guaranteed Maximum Price (GMP) at 100% Construction Document phase. If the GMP is accepted, Phase two, the construction phase, will be implemented. In phase two of the contract, the Construction Manager becomes the single point of responsibility for performance of the construction of the project and shall publicly bid trade contracts. Failure to negotiate an acceptable fixed fee for phase one of the contract, or to arrive at an acceptable GMP within the time provided in the agreement, may result in the termination of the Construction Manager's contract. Selection of finalists for interviews will be made on the basis of Construction Manager qualifications, including experience and ability; past experience; bonding capacity; record-keeping, administrative ability, critical path scheduling expertise; cost estimating; cost control ability; quality control capability; qualification of the firm's personnel, and staff and consultants. Finalists will be provided with a copy of the building program and the latest documentation prepared by the project architect/engineer, a

description of the final interview requirements and a copy of the standard Florida Atlantic University Construction Management Agreement. The Selection Committee may reject all proposals and stop the selection process at any time. The Construction Manager shall have no ownership, entrepreneurial or financial affiliation with the selected architect/engineer involved with this project.

Firms desiring to provide Construction Management services for the project shall submit a letter of application and a completed "Florida Atlantic University Construction Manager Qualification Supplement" (FAUCMPQS Revised January 2004). Proposals must not exceed 40 pages, including the Construction Manager Qualifications Supplement and letter of application. Pages must be numbered consecutively. Submittals that do not comply with these requirements or do not include the requested data will not be considered. No submittal material will be returned. All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133, F.S., a Construction Management firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected Construction Management firm must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

The FAUCMQS form and the Project Fact Sheet may be obtained on our website, <http://uavp.fau.edu> or by contacting: Carla Capeletti, Office of the Associate Vice President to the University Architect, Florida Atlantic University, 777 Glades Road, Campus Operations Bldg. #69, Room 101, Boca Raton, Florida 33431, (561)297-2663, (561)297-0224 Fax. Five (5) bound sets of the required proposal data shall be submitted and addressed to: Mr. Tom Donaudy, Associate Vice President to the University Architect, at the above address by 5:00 p.m. on September 19, 2005. Facsimile (FAX) submittals are not acceptable and will not be considered.

**PROJECT FACT SHEET**

Recreation & Wellness Center – Boca Campus  
BT-668

Florida Atlantic University

**PROJECT DESCRIPTION**

The project consists of site development and construction of approximately 32,340 gross square feet facility that shall provide the latest in contemporary fitness, aerobics, training and wellness programs for the general student population, faculty, staff and alumni.

This facility will be constructed using the construction management delivery process.

The Construction budget is approximately \$5 million.

**SELECTION CRITERIA**

Firms will be evaluated in the following areas: Experience and ability, past experience; bonding capacity; record-keeping; administrative ability; critical path scheduling expertise; cost estimating; cost control ability; quality contract capability; qualification of the firm's personnel, staff and consultants; and the ability to phase a project.

Experience and ability scores will be based on the following criteria:

1. Experience in projects of similar size and scope.
2. Experience in working with Universities.

**SELECTION COMMITTEE**

Thomas Donaudy, Associate VP to the University Architect

Raymond Nelson, Director/Facilities Planning

Jim Baker, Director/Engineering & Utilities

Eric Hawkes, Director/Campus Recreation

Leslie Bates, Dean/Student Affairs

**SELECTION SCHEDULE:**

The anticipated schedule for selection, award, and negotiation is as follows:

Submittal Due:	September 19, 2005
Shortlist Meeting:	October 6, 2005
Final Interviews:	October 20, 2005
Contract Negotiation:	TBD

**GENERAL INFORMATION**

1. All applicants will be notified of the results of the short list in writing. Finalists will be informed of the interview date and time and will be provided with additional project information, if available.
2. The Selection Committee will make a recommendation to the President of the University. All finalists will be notified in writing of the President's action. Upon approval by the President, negotiations will be conducted in accordance with Section 287.055, Florida Statutes.
3. A copy of the building program is available on our website at <http://uavp.fau.edu> and may also be purchased at Boca Blueprint, 209 N. W. 2nd Avenue, Boca Raton, FL 33431, (561)395-4944.

**PUBLIC ANNOUNCEMENT FOR PROFESSIONAL SERVICES FOR ARCHITECTURE-ENGINEERING**

The Florida School for the Deaf and the Blind (FSDB) announces that professional services are required for the project listed below.

PROJECT NUMBER: FSDB-20060004

PROJECT NAME: Hogel Maintenance Building Renovations

PROJECT LOCATION: The Florida School for the Deaf and the Blind, 207 N. San Marco Ave., St. Augustine, FL 32084-2799.



**SERVICES TO BE PROVIDED:** Architectural and engineering services including, but not limited to: structural, mechanical and electrical design work for the complete preparation of construction documents necessary for renovations to Hogel Maintenance, Building # 27. Renovations will include demolition of existing Grounds/Agri-business building and consolidation of these functions into the existing Hogel Maintenance Building Complex. Relocation of Agri-Program into a to be built Instructional Greenhouse. Installation of a new chiller and cooling tower, containment wall at 18,000 gallon fuel tank and removal and re-design of transportation fueling tanks. Gut existing building interior including mechanical, electrical, plumbing and fire protection systems as well as finishes. Reconfigure interior to provide more efficient facility and maintenance layout. Provide all new mechanical, electrical, plumbing and fire protection systems as well as finishes, exterior windows and new roof. Basic construction administrative services will be required.

**CONSTRUCTION BUDGET:** \$4,500,000

**FSDB PROJECT MANAGER:** Lloyd Jenkins

**PHONE NUMBER:** (904)827-2363

**RESPONSE DUE DATE:** Monday, September 19, 2005, no later than 3:00 p.m.

#### **INSTRUCTIONS**

Firms interested in being considered for this project must submit four (4) copies of their application with table of contents and tabbed sections containing the following information:

1. Letter of interest which indicates the firm's qualifications, related experience, the firm's abilities to do the work and other pertinent data.
2. Current Professional Qualifications Supplement (PQS) Form DBC5112.
3. A copy of firm's current Florida Professional Registration License Renewal.
4. For Corporations only: If the firm offering services is a corporation, it must be properly chartered with the Department of State to operate in Florida and must provide a copy of the firm's current Florida Corporate Charter.
5. Completed SF-254.
6. Completed SF-255.

Firms must be properly registered at the time of application to practice their profession in the State of Florida. Representative samples of related work may be submitted in a separate binder. Applications that do not comply with these instructions or those that do not include the requested data may not be considered. All information received will be maintained with the project file and will not be returned. Applicants are advised that plans and specifications for A/E projects may be reused.

Applications are to be sent or delivered to the Florida School for the Deaf and the Blind, Attn: Mr. John Connor, Purchasing Director, 207 N. San Marco Ave., Building #28 Stores/Receiving, St. Augustine, FL 32084-2799.

Applicants will be short-listed on Thursday, September 29, 2005. Following the short-list selection, a pre-interview workshop will be held on Wednesday, October 5, 2005 for all short-listed firms. Interviews will be conducted on Wednesday, October 19, 2005. A final selection will be made after the interviews have taken place. Selections will be made in accordance with Section 287.055, Florida Statutes. The selected firm will be given official notice of selection results by FAX and/or mail.

The results of the short-list and final selection will be posted at FSDB, 207 N. San Marco Ave., Building #28 Stores/Receiving, St. Augustine, FL and can be viewed during regular working days between the hours of 7:00 a.m. through 4:00 p.m. beginning 24 hours after the selection. Any protests of the selection must be made within 72 hours of the posting. Failure to file a protest within 72 hours (not including Saturday, Sunday, or a legal holiday) after posting shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. Final selection results will also be posted in the Florida Administrative Weekly.

#### **PUBLIC ANNOUNCEMENT FOR PROFESSIONAL SERVICES FOR ARCHITECTURE-ENGINEERING**

The Florida School for the Deaf and the Blind (FSDB) announces that professional services are required for the project listed below.

**PROJECT NUMBER:** FSDB-20060005

**PROJECT NAME:** James Hall Renovations

**PROJECT LOCATION:** The Florida School for the Deaf and the Blind, 207 N. San Marco Ave., St. Augustine, FL 32084-2799.

**SERVICES TO BE PROVIDED:** Architectural and engineering services including, but not limited to: structural, mechanical and electrical design work for the complete preparation of construction documents necessary for renovations to James Hall-building #11. Renovations will include gutting of existing building interior including mechanical, electrical, plumbing and fire protection systems as well as finishes. Reconfigure interior to provide more efficient dormitory layout. Provide all new mechanical, electrical, plumbing and fire protection systems as well as finishes. Basic construction administrative services will be required.

**CONSTRUCTION BUDGET:** \$2,300,000

**FSDB PROJECT MANAGER:** Lloyd Jenkins

**PHONE NUMBER:** (904)827-2363

**RESPONSE DUE DATE:** Tuesday, September 20, 2005, no later than 3:00 p.m.

#### **INSTRUCTIONS**

Firms interested in being considered for this project must submit four (4) copies of their application with table of contents and tabbed sections containing the following information:

1. Letter of interest which indicates the firm's qualifications, related experience, the firm's abilities to do the work and other pertinent data.
2. Current Professional Qualifications Supplement (PQS) Form DBC5112.
3. A copy of firm's current Florida Professional Registration License Renewal.
4. For Corporations only: If the firm offering services is a corporation, it must be properly chartered with the Department of State to operate in Florida and must provide a copy of the firm's current Florida Corporate Charter.
5. Completed SF-254.
6. Completed SF-255.

Firms must be properly registered at the time of application to practice their profession in the State of Florida. Representative samples of related work may be submitted in a separate binder. Applications that do not comply with these instructions or those that do not include the requested data may not be considered. All information received will be maintained with the project file and will not be returned. Applicants are advised that plans and specifications for A/E projects may be reused.

Applications are to be sent or delivered to the Florida School for the Deaf and the Blind, Attn: Mr. John Connor, Purchasing Director, 207 N. San Marco Ave., Building #28 Stores/Receiving, St. Augustine, FL 32084-2799.

Applicants will be short-listed on Friday, September 30, 2005. Following the short-list selection, a pre-interview workshop will be held on Thursday, October 6, 2005 for all short-listed firms. Interviews will be conducted on Thursday October 20, 2005. A final selection will be made after the interviews have taken place. Selections will be made in accordance with Section 287.055, Florida Statutes. The selected firm will be given official notice of selection results by FAX and/or mail.

The results of the short-list and final selection will be posted at FSDB, 207 N. San Marco Ave., Building #28 Stores/Receiving, St. Augustine, FL and can be viewed during regular working days between the hours of 7:00 a.m. through 4:00 p.m. beginning 24 hours after the selection. Any protests of the selection must be made within 72 hours of the posting. Failure to file a protest within 72 hours (not including Saturday, Sunday, or a legal holiday) after posting shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. Final selection results will also be posted in the Florida Administrative Weekly.

## **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."

## **REGIONAL PLANNING COUNCILS**

\*\*\*\* FIRST NOTICE \*\*\*\*

### **REQUEST FOR PUBLIC OUTREACH GRANT APPLICATIONS**

#### **FISCAL YEAR 2006 WORKPLAN ACTIVITIES**

The Charlotte Harbor National Estuary Program must receive public outreach grant applications by 5:00 p.m. (local time) on Friday, October 28, 2005. The Charlotte Harbor National Estuary Program reserves the right to reject any or all applications.

**OBJECTIVE:** The Charlotte Harbor National Estuary Program is considering public outreach grant applications for fiscal year 2006. Greater consideration will be given to applications that help advance the goals of the Program by fulfilling the Program Comprehensive Conservation and Management Plan and that inform and educate as many segments of the public as possible.

**INVITATION TO APPLY:** The Program hereby solicits applications for public outreach projects. Any Florida resident, organization, business, government agency, school, college or university can submit an application. The project must occur within the Program study area which includes all of Lee, Charlotte, Hardee and DeSoto counties and portions of Polk, Manatee and Sarasota counties.

Public outreach grant funding will not exceed \$3,000.00 per application. Matching funds or in-kind match is recommended but not required. More than one application may be submitted for each entity but each application must be submitted separately and must follow the instructions and requirements.

**HOW TO APPLY:** The document "Requests for Public Outreach Grant Applications" will be available on the Program website [www.CHNEP.org](http://www.CHNEP.org) by August 19, 2005. Direct all inquiries regarding this grant application to Ms. Maran Hilgendorf, Communications Manager, Charlotte Harbor National Estuary Program, 1926 Victoria Ave, Fort Myers, FL 33901-3414, (239)338-2556, Ext. 240, toll free 1(866)835-5785, Ext. 240, e-mail: [mhilgendorf@swfrpc.org](mailto:mhilgendorf@swfrpc.org).

## \*\*\*\* FIRST NOTICE \*\*\*\*

REQUEST FOR PROJECT PROPOSALS  
 RESEARCH AND RESTORATION PARTNERS GRANT  
 PROGRAM  
 FISCAL YEAR 2006

“Research and Restoration Partners Grant” project proposals must be received by the Charlotte Harbor National Estuary Program, 1926 Victoria Avenue, Fort Myers, Florida 33901, by 5:00 p.m. (local time), Friday, October 28, 2005. “Research and Restoration Partners Grant” project proposals are required to demonstrate a minimum of 50% matching funds from the applicant. The Charlotte Harbor National Estuary Program reserves the right to reject any or all proposals.

OBJECTIVE: The Charlotte Harbor National Estuary Program is considering innovative research and restoration project proposals for fiscal year 2006 (October 1, 2005 – September 30, 2006). Projects must have long-term applicability, transferability and serve as models for addressing NEP priority actions, such as hydrologic and habitat restoration. The following are examples of projects that the program will consider:

- restoration of the hydrologic and natural habitat conditions of the study area by such methods as the backfilling of ditches, removal of spoil piles, exotic species removal, planting of native vegetation, mangrove restoration, etc.;
- reduce contaminants from marina and dock operations;
- reduce non-point source pollutants associated with stormwater runoff; and
- identify and map oyster bars to improve fish/ shellfish resource protection.

Projects must advance program objectives and address program priority problems as described in the proposal instructions. All restoration projects must develop and implement a post restoration management plan. All data collection efforts must obtain a federally-approved Quality Assurance Project Plan.

INVITATION TO PROPOSE: The program hereby solicits proposals for “Research and Restoration Partners Grant” projects. These grants are for proposal requests for the management conference’s guideline of \$20,000 per financially supporting partner. “Research and Restoration Partners Grant” project proposals are required to demonstrate a minimum of 50% in-kind or cash match from the applicant. Any organization or individual can submit a proposal. You or your organization may submit more than one preliminary proposal, but each proposal must be submitted separately and must follow the proposal instructions and requirements. The project must be located within the program’s study area. The program strongly recommends applicants to attend a “Question-and-Answer” session on December 2, 2005.

REQUESTS FOR INFORMATION AND INSTRUCTION: All requests for information, instructions, and applications for submitting an application must be directed to Ms. Catherine Corbett (telephone: (239)338-2556, Ext. 241, e-mail: ccorbett@swftrpc.org).

HOW TO APPLY: The document “Requests for Research and Restoration Partners Proposals” may be obtained by contacting: Ms. Catherine Corbett, Charlotte Harbor National Estuary Program, (239)338-2556, Ext. 241, e-mail: ccorbett@swftrpc.org. The Charlotte Harbor National Estuary Program will receive project proposals for “Research and Restoration Partners” grants until 5:00 p.m. (local time), Friday, October 28, 2005.

## \*\*\*\* FIRST NOTICE \*\*\*\*

## REQUEST FOR PROPOSALS

“Historic and Current Charlotte Harbor Hydrologic  
 Subbasin Delineation”

Proposals for this service must be received by the Charlotte Harbor National Estuary Program, 1926 Victoria Avenue, Fort Myers, FL 33901, by 5:00 p.m. (local time), Friday, October 28, 2005. The Charlotte Harbor National Estuary Program (NEP) reserves the right to reject any or all proposals.

SCOPE OF SERVICE: Florida’s historic landscape has been altered to reflect the community values during the mid 1900’s for mosquito and flood control and for agricultural and industry interests. The result is an extensive network of man-made drainage ditches that efficiently drain freshwater off the landscape to the coastal creeks, rivers and estuaries. The effects of these drainage activities on the estuary have been identified as a concern of the Charlotte Harbor NEP. The quantity, location and timing of freshwater moved from the watershed to the estuary has a direct impact on water quality and essential fish and invertebrate habitat in the bay. As a result, restoring a more natural hydrologic flow regime to these altered systems is a key ingredient to meeting a multitude of NEP objectives. To implement these objectives, the Program desires a comprehensive understanding of historic subbasin boundaries and natural hydrology in comparison to current conditions. Digital maps of historic and current hydrologic subbasins for the great Charlotte Harbor watershed will be produced, and changes in extent for each subbasin from historical conditions will be estimated. A final report will describe project methods; historic and current data; a historic versus current subbasin acreage comparison and a text explanation of changes in subbasin delineations. The information stemming from this project will be used in subsequent educational efforts to develop posters and presentations that will educate planners, developers, scientists, managers, citizens and policy-makers on the importance of maintaining natural flowways within the Charlotte Harbor region.

INVITATION TO PROPOSE: The program hereby solicits proposals for the project "Historic and Current Charlotte Harbor Hydrologic Subbasin Delineation." The Program anticipates awarding only one contract. The Program reserves the right to reject any or all proposals. Awards will be made to respondents whose proposals are deemed by the Program to be most beneficial, all factors considered.

REQUEST FOR PROPOSALS (RFP) INFORMATION AND INSTRUCTION: All requests for information, instructions and applications for submitting a proposal must be submitted in writing to Ms. Catherine Corbett, Senior Scientist, Charlotte Harbor National Estuary Program, 1926 Victoria Avenue, Fort Myers, FL 33901, Fax (239)338-2560, e-mail: ccorbett@swfrpc.org. All requests for clarification or for additional information on the RFP must be submitted in writing to same by no later than 5:00 p.m. Friday, September 16, 2005.

HOW TO APPLY: A Request for Proposals document may be obtained by contacting, in writing: Ms. Catherine Corbett, Charlotte Harbor National Estuary Program, 1926 Victoria Avenue, Fort Myers, FL 33901, Fax (239)338-2560, e-mail: ccorbett@swfrpc.org. All requests for clarification or additional information on the RFP must be submitted in writing to same by no later than 5:00 p.m. Friday, September 16, 2005. Proposals must then be received by the Charlotte Harbor National Estuary Program, 1926 Victoria Avenue, Fort Myers, FL 33901 by 5:00 p.m. (local time), Friday, October 28, 2005.

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\*\*\*\* FIRST NOTICE \*\*\*\*  
 REQUEST FOR PROPOSALS  
 "Historic Coastal Charlotte Harbor  
 Benthic Habitat Map"

Proposals for this service must be received by the Charlotte Harbor National Estuary Program, 1926 Victoria Avenue, Fort Myers, FL 33901, by 5:00 p.m. (local time), Friday, October 28, 2005. The Charlotte Harbor National Estuary Program (NEP) reserves the right to reject any or all proposals.

SCOPE OF SERVICE: One of the priority goals of the Charlotte Harbor NEP is for the region to maintain, restore and/or enhance submerged aquatic vegetation, inter-tidal unvegetated, saltwater marsh, mangrove, oyster, freshwater wetland and native upland habitats to a total extent and quality no less than caused by natural variation. The Charlotte Harbor NEP is interested in mapping historic coastal benthic habitat extent in a manner consistent and comparable with methods used to produce the seagrass maps produced by the South and Southwest Florida Water Management Districts in 1999 and subsequent years. Charlotte Harbor NEP staff will use the

resulting Arc/INFO coverage(s) to compare historic seagrass, oyster and intertidal unvegetated habitats with current benthic data (i.e. WMDs' seagrass maps) to determine if the region is meeting the NEP goals.

The Charlotte Harbor NEP hereby solicits offers for the professional services of qualified respondents for the production of a spatially and thematically accurate Arc/INFO coverage of coastal Charlotte Harbor benthic habitat using historic aerial photography. Respondents will be responsible for locating consistent historic (e.g. 1940-1950s era) aerial photography for the project area and scanning, ortho-rectifying and photointerpreting the images to produce a database of historical seagrass, oyster bar and intertidal unvegetated habitats at a minimum. The resulting GIS Arc/INFO coverage(s) and imagery will need to meet National Standard for Spatial Data Accuracy (NSSDA) for 1:12,000 or, at a minimum, 1:24,000 data. A Florida Professional Surveyor/ Mapper shall be involved as required by state law regarding photogrammetry and survey components of this project.

INVITATION TO PROPOSE: The program hereby solicits proposals for the project "Historic Coastal Charlotte Harbor Benthic Habitat Map." The Program anticipates awarding only one contract. The Program reserves the right to reject any or all proposals. Awards will be made to respondents whose proposals are deemed by the Program to be most beneficial, all factors considered.

REQUEST FOR PROPOSALS (RFP) INFORMATION AND INSTRUCTION: All requests for information, instructions and applications for submitting a proposal must be submitted in writing to Ms. Catherine Corbett, Senior Scientist, Charlotte Harbor National Estuary Program, 1926 Victoria Avenue, Fort Myers, FL 33901, Fax (239)338-2560, e-mail: ccorbett@swfrpc.org. All requests for clarification or for additional information on the RFP must be submitted in writing to same by no later than 5:00 p.m. Friday, September 16, 2005.

HOW TO APPLY: A Request for Proposals document may be obtained by contacting, in writing, Ms. Catherine Corbett, Charlotte Harbor National Estuary Program, 1926 Victoria Avenue, Fort Myers, FL 33901, fax: 239-338-2560 or email: ccorbett@swfrpc.org. All requests for clarification or additional information on the RFP must be submitted in writing to same by no later than 5:00 p.m. Friday, September 16, 2005. Proposals must then be received by the Charlotte Harbor National Estuary Program, 1926 Victoria Avenue, Fort Myers, FL 33901 by 5:00 p.m. (local time), Friday, October 28, 2005.

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**DEPARTMENT OF CORRECTIONS****PUBLIC ANNOUNCEMENT FOR  
CONSTRUCTION MANAGEMENT SERVICES**

Project Name: Construction Management Services

Project Description: Construction of Wakulla Correctional Institution – Annex, Crawfordville, Florida

The Department of Corrections, Bureau of Procurement and Supply, requests qualifications from CONSTRUCTION MANAGEMENT firms to provide services for the construction of Wakulla CI – Annex, in Crawfordville, Florida. The construction budget, including Pre-Construction services for the project, is estimated to be \$8,300,000 for the first phase of a total construction budget of \$63,700,000 for the Annex funded over three years, pending appropriation by the Legislature. Applicant must be a licensed general contractor in the State of Florida at the time of application. Further, if a corporation, the applicant must be registered by the Department of State, Division of Corporations, to operate in the State of Florida at the time of application.

The selection will be made in accordance with Chapter 60D-5, Florida Administrative Code, and the Request for Qualification procedures and criteria which may be obtained from Julyn Hussey at the address and phone number below. Firms interested in being considered for this project are encouraged to attend an information meeting at Wakulla Correctional Institution, in the Training Building Auditorium, 33 Melaleuca Drive, Crawfordville, Florida on August 26, 2005 at 10:00 a.m. Eastern Daylight Time.

To be considered, interested firms must submit an application in accordance with the Request for Qualifications by September 19, 2005, at 4:00 p.m. Eastern Daylight Time, faxed submissions are not acceptable. Submit copies of your Statement of Qualification to the Department of Corrections' Attn., Julyn Hussey, Bureau of Procurement and Supply, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500, (850)410-4049.

The State of Florida's performance and obligation to contract for these services are contingent upon annual appropriations by the Legislature.

**EXPRESSWAY AUTHORITIES****REQUEST FOR STATEMENT OF  
QUALIFICATIONS (RSOQ)**

MDX WORK PROGRAM NO. 83602.020

MDX PROJECT TITLE: FINAL DESIGN ENGINEERING SERVICES FOR THE RECONSTRUCTION OF THE INTERCHANGES AT N. W. 57TH AVENUE, N. W. 45TH AVENUE AND N. W. 42 AVENUE (LEJEUNE ROAD)

The Miami-Dade Expressway Authority (MDX), pursuant to Section 287.055, Florida Statutes and MDX's Procurement Policy is seeking the professional services of two qualified Consultants or teams of firms to provide Final Design

Engineering services in connection with the design and preparation of a complete set of roadway, structures, right of way plans and specifications for the construction. The Project is to be divided into two (2) sections, namely Section 1 and Section 2. Section 1 consists of all SR 836 improvements from the western project limits (west of 57th Avenue) to west of SR 836 bridge over Blue Lagoon Canal (west of 45th Avenue), Section 2 consists of all improvements east of Section 1. For copies of the RSOQ with complete information on the scope of the Project as well as submittal requirements, please log onto our site: [www.mdxway.com](http://www.mdxway.com) or call MDX Procurement Office, (305)637-3277. Deadline for submitting a Proposal is September 9, 2005 by 2:00 p.m., Eastern Time.

**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."

**CITY OF FT. LAUDERDALE****NOTICE TO CONTRACTORS**

Sealed bids will be received until 9:00 a.m. on Wednesday, September 14, 2005 in the Office of the City Engineer, Public Works Department (Engineering and Architectural Services), City Hall, 100 North Andrews Avenue, 4th Floor, City of Fort Lauderdale, Florida and opened immediately thereafter in the Conference Room, for PROJECT NO. 10751 – E. LAS OLAS – SEVEN ISLES UTILITY REHAB.

This project consists of Drawing File No. WS-04-04 consisting of 102 sheets.

The work includes: installation of approximately 26,300 LF of 6" and 10" water main, and approximately 11,800 LF of 4", 6" and 8" force mains, and conversion of ten (10) air operated POT stations to submersible stations. Pump Station Nos. D-1, D-3, D-4, D-5, D-6, D-7, D-12, D-13, D-15, and D-16.

Bidding blanks may be obtained at the Office of the City Engineer. Plans and specifications are on file in the Office of the City Engineer at a cost of \$106 (including sales tax) per set cash or check made payable to the City of Fort Lauderdale.

A pre-bid meeting will be held at 2:00 p.m., on Wednesday, August 24, 2005 at the Program Management Team office at 200 North Andrews Avenue, Suite 300 (third floor), Fort Lauderdale, Florida. The pre-bid meeting is recommended, but not mandatory.

It will be the sole responsibility of the bidder to clearly mark bid as such, and ensure that his bid reaches the City prior to the bid opening date and time listed.

This project is funded in whole or in part by the Florida Department of Environmental Protection, State Revolving Fund. Bidders are encouraged to become familiar with the

provisions of the Supplement Conditions contained in these documents and in particular the requirements of Article 20, Equal Employment Opportunity.

A certified check, cashier's check, bank officer's check or bid bond for five percent (5%), made payable to the City of Fort Lauderdale, Florida, shall accompany each proposal.

The City of Fort Lauderdale reserves the right to waive any informality in any bid and to reject any or all bids.

Information on bid results and projects currently out to bid can be obtained by calling the pre-recorded City of Fort Lauderdale, Bid Information Line, (954)828-5688. For general inquiries – please call (954)828-5772.

## DEPARTMENT OF MILITARY AFFAIRS

### ADVERTISEMENT FOR BIDS

PROPOSALS ARE REQUESTED FROM QUALIFIED CERTIFIED ROOFING CONTRACTORS AND GENERAL CONTRACTORS, LICENSED BY THE STATE OF FLORIDA, FOR THE CONSTRUCTION OF:

PROJECT NO: CFMO-12204032

ACCOUNTING CODE: NA

PROJECT NAME AND LOCATION: REGIONAL TRAINING SITE-MAINTENANCE BUILDING ROOF REPLACEMENT/REMEDIAL INTERIOR AND EXTERIOR REPAIRS LOCATED AT CAMP BLANDING JOINT TRAINING CENTER, RTSM BUILDING #3150, 5629 STATE ROAD 16 WEST, STARKE, FLORIDA 32091.

PROJECT DESCRIPTION: The majority of work will consist of overlaying the existing (approximate 23,000 sq.ft.) metal standing seam roof, with a modified bitumen roof system. Replace three existing exhaust vents in maintenance bays, re-curb and seal to new roof system. Provide remedial repair to: HVAC system, water damaged ceiling tiles, drywall, paint etc.

FOR: Department of Military Affairs, Construction and Facility Management Office, Robert F. Ensslin Jr. Armory, 2305 State Road 207, St. Augustine, Florida 32086

MINORITY PROGRAM: Utilization of MBE participation is highly encouraged from all Bidders. MBEs must be certified by the Minority Business Advocacy and Assistance Office.

QUALIFICATIONS: Certified Roofing Contractors and General Contractors licensed by the State of Florida.

PUBLIC ENTITY CRIME INFORMATION STATEMENT: A person, or affiliate, who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business

with any public entity in excess of the threshold amount provided in Section 287.017, F.S., for Category Two for a period of 36 months from the date of being placed on the convicted vendor list.

BID SECURITY: If the bid proposal amount is \$100,000 or less, a bid security (5%) is not required.

PERFORMANCE BOND AND LABOR AND MATERIAL PAYMENT BOND: If the construction contract award amount is \$100,000 or less, a Performance Bond and Labor and Material Payment Bond are not required.

BIDS DUE: Sealed bids will be received and publicly read aloud on:

DATE & TIME: September 19, 2005 until 2:30 p.m., local time.

PLACE: Camp Blanding, CBJTC, FED Building #2067, 5629 West State Road 16, Starke, Florida 32091

PROPOSAL: Bids must be submitted to the Department of Military Affairs, CFMO ATTN: Mr. Richard Cosgriff, CBJTC-FED Building #2067, West State Road 16, Camp Blanding Joint Training Center, Starke, Florida 32091, (904)682-3354, in full accordance with the requirements of the Drawings, Specifications, Bidding Conditions, and Contractual Conditions, which may be examined and obtained, as of August 19, 2005 from EBERT NORMAN & BRADY ARCHITECTS for \$150.00 (refundable). Make check payable to: "State of Florida Department of Military Affairs." The deposit shall only be returned to those general contractors or subcontractors, who submit a bid (in the case of a subcontractor's submission of bid to a general contractor), who return the drawings and specifications in good condition within fifteen days (15) of the date of receipt of bids.

ARCHITECT-ENGINEER: EBERT NORMAN BRADY ARCHITECTS

1361 13th Avenue, South, Suite 230

Jacksonville Beach, Florida 32250

TELEPHONE: (904)241-9997

FAX: (904)241-7526

Attn: Tom Norman

All technical questions shall be directed to the A/E until close of business September 13, 2005.

CONTRACT AWARD: The Bid Tabulation and Notice of Award Recommendation will be posted at the location where the bids were opened. In the event that the Bid tabulation and Notice of Award Recommendation can not be posted in this manner, then all bidders will be notified by certified United States Mail, return receipt requested. If no protest is filed per Section B-21 of the Instructions To Bidders, "Notice and Protests Procedures", the contract will be awarded to the qualified, responsive, and responsible low bidder in accordance with Chapter 60D-5, F.A.C., by the Owner. Vendors submitting bids/proposals should be registered in the MyFloridaMarketPlace (MFMP) E-procurement system prior to the response due date. A vender shall not be awarded a

project until registered in the MFMP system. The Department reserves the right to reject any and all submissions or accept minor irregularities in the best interest of the State of Florida. The Department reserves the right to reject any and all submissions or accept minor irregularities in the best interest of the State of Florida.

AWARD OF CONTRACT IS CONTINGENT UPON THE AVAILABILITY OF FUNDS.

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## **POLK COUNTY WORKFORCE DEVELOPMENT BOARD**

### LEGAL NOTICE REQUEST FOR PROPOSALS

The Polk County Workforce Development Board, Inc. is soliciting proposals to determine qualifications from licensed firms of Certified Public Accountants to provide program and fiscal monitoring and oversight reporting for the period beginning November 1, 2005 through October 31, 2006.

A Proposers' conference is scheduled for Monday, August 29, 2005 at 10:00 a.m., ET. Letters of Intent to Propose are due in the Board's administrative office before 4:00 p.m., ET, on Friday, September 2, 2005. All proposals are due in the Board's administrative office before 4:00 p.m., ET, on Monday, September 19, 2005. A copy of the Request for Proposals may be obtained from the Board's web site: [www.polkworks.org](http://www.polkworks.org), by clicking on <Business Opps> then clicking on <Procurements> or by contacting: Tom Hornack, (863)519-0100, Ext. 116, e-mail: [tom\\_hornack@polkworks.org](mailto:tom_hornack@polkworks.org).

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## **FLORIDA COALITION FOR CHILDREN**

### ADDENDUM to Invitation to Negotiate (ITN)

The Florida Coalition for Children Behavioral Health Network advertised an Invitation to Negotiate on July 29, 2005 seeking proposals from managed care organizations to form a contractual relationship to develop a Child Welfare Behavioral Health Network for the State of Florida. Changes to the ITN have been made, to view changes please visit our website at [www.FloridaCoalitionforChildren.com](http://www.FloridaCoalitionforChildren.com), write us at 864 E. Park Avenue, Tallahassee, Florida 32301, e-mail: [mike@floridacoalitionforchildren.com](mailto:mike@floridacoalitionforchildren.com), or call (850)561-1102.

## **EARLY LEARNING COALITION OF ALACHUA COUNTY**

### EARLY LEARNING COALITION (ELC) ALACHUA COUNTY SEEKS SERVICE PROVIDERS

The Alachua County ELC seeks Service Providers to provide services in one or more of four areas:

1. School Readiness, including eligibility determination and provider reimbursement, Parent and Child Services, and Provider development, support and training.
2. Inclusion Services
3. Child Care Resource and Referral
4. Voluntary Pre-Kindergarten, including eligibility determination and provider reimbursement, Parent and Child Services, and Provider development, support and training.

THE ELC ENCOURAGES PROPOSALS FOR EACH INDIVIDUAL COMPONENT, OR FOR A COMBINATION OF COMPONENTS.

Copies of the Invitation To Negotiate for service provision are available at [www.elcalchua.org](http://www.elcalchua.org), or at 1204 N. W. 13th St., Suite 5, Gainesville, Florida.

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## Section XII Miscellaneous

### **DEPARTMENT OF COMMUNITY AFFAIRS**

#### Notice of Funding Availability

The Department of Community Affairs, Division of Emergency Management (DEM) is pleased to announce the availability of Hazard Mitigation Grant Program (HMGP) Planning funds as a result of the recent Presidential Disaster Declarations (FEMA-1539, 1545, 1551, 1561 DR-FL). The HMGP is authorized by Section 404 of the Robert T. Stafford Disaster Relief Act and is designed to assist communities in implementing mitigation measures designed to reduce or eliminate long-term risk to people and property from natural hazards and their effects. The amount of funding available is based on 7.0% of the total federal mitigation funds provided to the state under the HMGP. DEM is soliciting applications and encourage all eligible applicants to identify eligible mitigation planning projects and submit them for funding consideration. The application should address eligible long-term mitigation planning activities designed to reduce the community's overall risk to hazards and support both the State Standard Mitigation Plan and the Local Mitigation Strategy (LMS). The HMGP Planning applications will be funded on a competitive basis, the scoring criterion is attached and should be used as a guide when completing application. The application period will close September 12, 2005. Therefore, all applications must be

postmarked by September 12, 2005. The DEM encourages and welcomes the submittal of complete applications at anytime during this cycle.

The deadline for the submission of applications for the HMGP funds is September 12, 2005 (postmarked). Applications will only be accepted from eligible applicants as defined below. Please provide four completed copies of the State of Florida Hazard Mitigation Grant Program Planning Application and all appropriate attachments, which may be obtained at the DEM website: <http://www.floridadisaster.org/brm/hmgrp.htm>.

Alternatively, you may contact the DEM directly at (850)413-9884. In order to be considered, completed applications must be sent to the following address:

Florida Department of Community Affairs  
 Division of Emergency Management  
 2555 Shumard Oak Boulevard  
 Tallahassee, Florida 32399-2100  
 ATTN: Leroy Thompson

All applicants must be in an NFIP participating community, if they have been identified through the NFIP as having Special Flood Hazard Areas. In addition, the community must not be on probation, suspended or withdrawn from the NFIP. For more information see the State of Florida NFIP Community Status Report at <http://www.dca.state.fl.us/brm>.

Eligible applicants are local governments, state agencies, federally recognized Indian Tribal governments and private non-profit organizations and institutions. Eligible activities include mitigation projects that will result in protection of public or private property from natural hazards. Eligible projects include:

- Plan Development other than LMS
- Risk Assessment Updates
- Research and Development that supports hazard mitigation planning
- Studies, that are not funded by other federal agencies
- GIS Enhancements
- Public Education and Outreach

At this time, the state will not consider funding request to develop or update Local Mitigation Strategies. All projects submitted must meet the following minimum criteria to be considered for funding:

- Conform with the State Mitigation Plan and the respective community's Local Mitigation Strategy;
- Is technically feasible;
- Provide a beneficial impact upon the designated disaster area;
- Conform to all applicable environmental laws, and regulations and executive orders;
- Solve a problem independently or constitutes a functional part of a solution;
- Is in an NFIP participating community that is not on probation or have been suspended from NFIP; and
- Meet all applicable state and local codes and standards

Under the HMGP, FEMA will contribute up to 75 percent (75%) of the total amount approved under the grant award to implement eligible cost-effective mitigation measures. The applicant must provide the remaining 25 percent (25%) non-federal share. All contributions, cash or in-kind services, are acceptable as part of the non-federal share. Requirements for in-kind contributions can be found in 44 Code Federal Regulations, Section 13.24. In-kind contributions must be directly related to the eligible project cost. In-kind resources are those personnel, materials, equipment and supplies owned, controlled and operated by the applicant or a third party contributor. Applicants are encouraged to link HMGP funds with other state, local and private sources.

If there are any questions regarding the allocation of funds or the project review and selection criteria, please call the Mitigation Planning staff, (850)922-5269.

NOTICE IS HEREBY GIVEN that the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to paragraph 380.06(4)(a), F.S.

FILE NO.: BLID-1106-002  
 DATE RECEIVED: August 3, 2005  
 DEVELOPMENT NAME: Bal Harbour Shops  
 DEVELOPER/AGENT: Bal Harbour Shops, Ltd./  
 Clifford A. Schulman  
 DEVELOPMENT TYPE: 28-24.031, 28-24.026, F.A.C.  
 LOCAL GOVERNMENT: Miami-Dade County

DCA Final Order No.: DCA05-OR-14  
 STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS  
 In re: MONROE COUNTY LAND DEVELOPMENT  
 REGULATIONS ADOPTED BY MONROE COUNTY  
 ORDINANCE NO. 008-2005

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2004), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and Monroe County is a local government within the Florida Keys Area.



2. On June 29, 2005, the Department received for review Monroe County Ordinance No. 008-2005 which was adopted by the Monroe County Board of County Commissioners on May 18, 2005 (“Ord. 008-2005”).

3. The purpose of Ord. 008-2005 is to repeal and replace Ordinance 011-2004. It allows the Monroe County Board of County Commissioners, by resolution, to establish fees to be charged by the Monroe County Growth Management Division for land development applications, permits, approvals, and appeals. Further, the Ordinance removes references to older fee schedules for impact fees.

4. Ord. 008-2005 is consistent with the County’s 2010 Comprehensive Plan.

CONCLUSIONS OF LAW

5. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Florida Keys Area of Critical State Concern. § 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2004).

6. Monroe County is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2004) and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.

7. “Land development regulations” include local zoning, subdivision, building and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2004). The regulations adopted by Ord. 008-2005 are land development regulations.

8. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the “Principles”) as set forth in § 380.0552(7), Fla. Stat. See *Rathkamp v. Department of Community Affairs*, 21 F.A.L.R. 1902 (Dec. 4, 1998), *aff’d*, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.

9. Ord. 008-2005 promotes and furthers the following Principles:

(a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.

(d) To ensure the maximum well-being of the Florida Keys and its citizens through sound economic development.

10. Ord. 008-2005 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 008-2005 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

James L. Quinn  
 State Planning Administrator  
 Department of Community Affairs  
 2555 Shumard Oak Boulevard  
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY’S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT’S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT’S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT

REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 9th day of August, 2005.

\_\_\_\_\_  
Paula Ford, Agency Clerk

By U.S. Mail:

Honorable Murray Nelson  
Mayor of Monroe County  
500 Whitehead Street, Suite 102  
Key West, Florida 33040

Danny L. Kolhage  
Clerk to the Board of County Commissioners  
500 Whitehead Street  
Key West, Florida 33040

Timothy J. McGarry, AICP  
Director, Growth Management Division  
2798 Overseas Highway, Suite 400  
Marathon, Florida 33050

DCA Final Order No.: DCA05-OR-141  
STATE OF FLORIDA  
DEPARTMENT OF COMMUNITY AFFAIRS  
In re: MONROE COUNTY LAND DEVELOPMENT  
REGULATIONS ADOPTED BY MONROE COUNTY  
ORDINANCE NO. 009-2005

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2004), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and Monroe County is a local government within the Florida Keys Area.
2. On June 29, 2005, the Department received for review Monroe County Ordinance No. 009-2005 which was adopted by the Monroe County Board of County Commissioners on May 18, 2005 ("Ord. 009-2005").
3. The purpose of Ord. 009-2005 is to amend Section 905-269 of the Monroe County land development regulations. It removes inconsistencies with regard to nonresidential open space ratios between the Monroe County comprehensive plan and the land development regulations. The Monroe County comprehensive plan requires one or more open space ratios be assigned to each zoning category. Specifically, this Ordinance replaces all 0.0 open space requirements and those where none is given with a minimum open space ration of 0.2.
4. Ord. 009-2005 is consistent with the County's 2010 Comprehensive Plan.

CONCLUSIONS OF LAW

5. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Florida Keys Area of Critical State Concern. §§ 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2004).

6. Monroe County is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2004) and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.

7. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2004). The regulations adopted by Ord. 009-2005 are land development regulations.

8. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in § 380.0552(7), Fla. Stat. See *Rathkamp v. Department of Community Affairs*, 21 F.A.L.R. 1902 (Dec. 4, 1998), *aff'd*, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.

9. Ord. 009-2005 promotes and furthers the following Principles:

- (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
- (c) Protect upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pine lands), dune ridges and beaches, wildlife, and their habitat.

10. Ord. 009-2005 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 009-2005 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

James L. Quinn  
 State Planning Administrator  
 Department of Community Affairs  
 2555 Shumard Oak Boulevard  
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

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IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

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PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

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CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 9th day of August, 2005.

\_\_\_\_\_  
Paula Ford, Agency Clerk

By U.S. Mail:

Honorable Murray Nelson  
Mayor of Monroe County  
500 Whitehead Street, Suite 102  
Key West, Florida 33040

Danny L. Kolhage  
Clerk to the Board of County Commissioners  
500 Whitehead Street  
Key West, Florida 33040

Timothy J. McGarry, AICP  
Director, Growth Management Division  
2798 Overseas Highway, Suite 400  
Marathon, Florida 33050

DCA Final Order No.: DCA05-OR-143  
STATE OF FLORIDA  
DEPARTMENT OF COMMUNITY AFFAIRS  
In re: MONROE COUNTY LAND DEVELOPMENT  
REGULATIONS ADOPTED BY MONROE COUNTY  
ORDINANCE NO. 011-2005

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2004), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and Monroe County is a local government within the Florida Keys Area.

2. On July 18, 2005, the Department received for review Monroe County Ordinance No. 011-2005 which was adopted by the Monroe County Board of County Commissioners on June 15, 2005 ("Ord. 011-2005").

3. This Ordinance places a moratorium on applications for building permits and applications for development approval for new development or redevelopment within the U.S. 1 Highway corridor between Tavernier Creek and Mile Marker 97 in order to provide the County time to enact design standards and guidelines for review and approval of developments, as required by Objective 105.1.2 of the Monroe County Master Plan. The moratorium shall be effective until September 1, 2005 or upon the County's adoption of the design standards and design guidelines.

Further, the Ordinance establishes an interim ordinance which defers the acceptance of development applications seeking development approval for new development or redevelopment until the adoption of the new design standards and design guidelines.

4. Ordinance 012-2005 is consistent with the 2010 Monroe County Comprehensive Plan.

CONCLUSIONS OF LAW

5. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Florida Keys Area of Critical State Concern. § 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2004).

6. Monroe County is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2004) and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.

7. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2004). The regulations adopted by Ord. 011-2005 are land development regulations.

8. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in § 380.0552(7), Fla. Stat. See Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff'd, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.

9. Ord. 011-2005 promotes and furthers the following Principles:

- (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
- (f) To enhance natural scenic resources, promote the aesthetic benefits of the natural environment, and ensure that development is compatible with the unique historic character of the Florida Keys.
- (g) To protect the historical heritage of the Florida Keys.

10. Ord. 011-2005 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 011-2005 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

\_\_\_\_\_  
 James L. Quinn  
 State Planning Administrator  
 Department of Community Affairs  
 2555 Shumard Oak Boulevard  
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

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PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

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THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION

SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

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CERTIFICATE OF FILING AND SERVICE

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\_\_\_\_\_  
Paula Ford, Agency Clerk

By U.S. Mail:

Honorable Murray Nelson  
Mayor of Monroe County  
500 Whitehead Street, Suite 102  
Key West, Florida 33040

Danny L. Kolhage  
Clerk to the Board of County Commissioners  
500 Whitehead Street  
Key West, Florida 33040

Timothy J. McGarry, AICP  
Director, Growth Management Division  
2798 Overseas Highway, Suite 400  
Marathon, Florida 33050

DCA Final Order No.: DCA05-OR-144  
STATE OF FLORIDA  
DEPARTMENT OF COMMUNITY AFFAIRS  
In re: MONROE COUNTY LAND DEVELOPMENT  
REGULATIONS ADOPTED BY MONROE COUNTY  
ORDINANCE NO. 012-2005

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2004), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and Monroe County is a local government within the Florida Keys Area.

2. On July 13, 2005, the Department received for review Monroe County Ordinance No. 012-2005 which was adopted by the Monroe County Board of County Commissioners on June 15, 2005 ("Ord. 012-2005").

3. This Ordinance places a moratorium on applications for building permits and applications for development approval for new development, remodeling, or redevelopment within the Tavernier Historic District Overlay in order to provide the County time to enact design standards and guidelines for historical structures, as required by Action 4.3.5 of the Monroe County Master Plan. The moratorium shall be effective until September 1, 2005 or upon the County's adoption of the design standards and design guidelines.

Further, the Ordinance establishes an interim ordinance which defers the acceptance of development applications seeking development approval for new development, remodeling, or redevelopment until the adoption of the new design standards and design guidelines.

4. Ord. 112-2005, is consistent with the Monroe County 2010 Comprehensive Plan.

CONCLUSIONS OF LAW

5. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Florida Keys Area of Critical State Concern. § 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2004).

6. Monroe County is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2004) and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.

7. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2004). The regulations adopted by Ord. 012-2005 are land development regulations.

8. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in § 380.0552(7), Fla. Stat. See Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff'd, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.

9. Ord. 012-2005 promotes and furthers the following Principles:

- (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
- (f) To enhance natural scenic resources, promote the aesthetic benefits of the natural environment, and ensure that development is compatible with the unique historic character of the Florida Keys.
- (g) To protect the historical heritage of the Florida Keys.

10. Ord. 012-2005 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 012-2005 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

\_\_\_\_\_  
 James L. Quinn  
 State Planning Administrator  
 Department of Community Affairs  
 2555 Shumard Oak Boulevard  
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR

PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION

SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 9th day of August, 2005.

\_\_\_\_\_  
Paula Ford, Agency Clerk

By U.S. Mail:

Honorable Murray Nelson  
Mayor of Monroe County  
500 Whitehead Street, Suite 102  
Key West, Florida 33040

Danny L. Kolhage  
Clerk to the Board of County Commissioners  
500 Whitehead Street  
Key West, Florida 33040

Timothy J. McGarry, AICP  
Director, Growth Management Division  
2798 Overseas Highway, Suite 400  
Marathon, Florida 33050

DCA Final Order No.: DCA05-OR-145

STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

In re: ISLAMORADA, VILLAGE OF ISLANDS  
LAND DEVELOPMENT REGULATIONS  
ADOPTED BY ISLAMORADA,  
VILLAGE OF ISLANDS  
ORDINANCE NO. 05-12

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2004), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and Monroe County is a local government within the Florida Keys Area.
2. On June 21, 2005, the Department received for review Islamorada, Village of Islands Ordinance No. 05-12 which was adopted by the Village Council on July 14, 2005 ("Ord. 05-12").
3. The purpose of Ord. 05-12 is to amend Ordinance No. 04-07 which imposed a moratorium on the acceptance of applications for the redevelopment of transient units/uses resulting in the conversion of said units and uses into non-transient units or uses. Ordinance No. 05-12 extends the moratorium and provides for the severability, approval by the State Department of Community Affairs and an effective date upon approval by the State Department of Community Affairs.
4. Ord. 05-12 is consistent with the Islamorada, Village of Islands' 2010 Comprehensive Plan.

CONCLUSIONS OF LAW

5. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Florida Keys Area of Critical State Concern. §§ 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2004).
6. Islamorada, Village of Islands is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2004) and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.



7. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2004). The regulations adopted by Ord. 05-12 are land development regulations.

8. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in § 380.0552(7), Fla. Stat. See Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff'd, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.

9. Ord. 05-12 promotes and furthers the following Principles:

- (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
- (d) To ensure the maximum well-being of the Florida Keys and its citizens through sound economic development.

10. Ord. 05-12 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 05-12 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

\_\_\_\_\_  
 James L. Quinn  
 State Planning Administrator  
 Department of Community Affairs  
 2555 Shumard Oak Boulevard  
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

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PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 9th day of August, 2005.

Paula Ford, Agency Clerk

By U.S. Mail:

Honorable Mark Gregg, Mayor  
Islamorada, Village of Islands  
Post Office Box 568  
Islamorada, FL 33036

Beverly Raddatz, Village Clerk  
Islamorada, Village of Islands  
Post Office Box 568  
Islamorada, FL 33036

John Herin, Esq.  
Weiss, Serota, Helfman, Pastoriza & Guedes, P.A.  
2665 South Bayshore Drive  
Miami, FL 33133

DCA Final Order No.: DCA05-OR-150

STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

In re: ISLAMORADA, VILLAGE OF ISLANDS  
LAND DEVELOPMENT REGULATIONS  
ADOPTED BY ISLAMORADA,  
VILLAGE OF ISLANDS  
ORDINANCE NO. 05-11

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2004), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and Monroe County is a local government within the Florida Keys Area.

2. On June 29, 2005, the Department received for review Islamorada, Village of Islands Ordinance No. 05-11 which was adopted by the Village Council on June 23, 2005 ("Ord. 05-11").

3. The purpose of Ord. 05-11 is to amend regulations for the development of properties containing tropical hardwood hammocks. Specifically, this ordinance amends division 2.2 "Definitions" of Article 2, "Definitions and Rules of Construction", division 7.3 "Environmental Standards" and division 7.4 "Wetlands Regulations" of Article 7 "Environmental Regulations" of Chapter 9.5 of the Village Code. Ordinance 2005-14 provides for severability, the repeal of all code provisions and ordinances inconsistent with this ordinance, inclusion in the Village Code, the transmittal of this ordinance to the State Department of Community Affairs and an effective date upon the approval of the ordinance by the State Department of Community Affairs.

4. Ord. 05-12 is consistent with the Islamorada, Village of Islands' 2010 Comprehensive Plan.

CONCLUSIONS OF LAW

5. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Florida Keys Area of Critical State Concern. §§ 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2004).

6. Islamorada, Village of Islands is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2004) and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.

7. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2004). The regulations adopted by Ord. 05-11 are land development regulations.

8. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in § 380.0552(7), Fla. Stat. See *Rathkamp v. Department of Community Affairs*, 21 F.A.L.R. 1902 (Dec. 4, 1998), *aff'd*, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.

9. Ord. 05-11 promotes and furthers the following Principles:

- (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
- (c) To protect upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat.

10. Ord. 05-11 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 05-11 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

James L. Quinn  
 State Planning Administrator  
 Department of Community Affairs  
 2555 Shumard Oak Boulevard  
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

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THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

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CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 9th day of August, 2005.

Paula Ford, Agency Clerk

By U.S. Mail:

Honorable Mark Gregg, Mayor  
Islamorada, Village of Islands  
Post Office Box 568  
Islamorada, FL 33036

Beverly Raddatz, Village Clerk  
Islamorada, Village of Islands  
Post Office Box 568  
Islamorada, FL 33036

John Herin, Esq.  
Weiss, Serota, Helfman, Pastoriza & Guedes, P.A.  
2665 South Bayshore Drive  
Miami, FL 33133

DCA Final Order No.: DCA05-OR-152  
STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS  
In re: MONROE COUNTY LAND DEVELOPMENT  
REGULATIONS ADOPTED BY MONROE COUNTY  
ORDINANCE NO. 014-2005

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2004), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and Monroe County is a local government within the Florida Keys Area.

2. On July 13, 2005, the Department received for review Monroe County Ordinance No. 014-2005 which was adopted by the Monroe County Board of County Commissioners on June 15, 2005 ("Ord. 014-2005").

3. The purpose of Ord. 014-2005 is to amend the Monroe County Land Development Regulations Chapter 9.5, §§ 349(b) and 349(o) regarding shoreline setbacks. This Ordinance provides for severability, the repeal of all ordinances inconsistent with ordinance 014-2005, incorporation into the Monroe County Code, an effective date and transmittal to the Department of Community Affairs.

4. Ord. 014-2005 is consistent with the County's 2010 Comprehensive Plan.

CONCLUSIONS OF LAW

5. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Florida Keys Area of Critical State Concern. §§ 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2004).

6. Monroe County is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2004) and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.

7. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2004). The regulations adopted by Ord. 014-2005 are land development regulations.

8. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in § 380.0552(7), Fla. Stat. See Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff'd, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.

9. Ord. 014-2005 promotes and furthers the following Principles:

- (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
- (b) This Ordinance furthers Principle (b) To protect shoreline and marine resources, including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife, and their habitat.
- (c) Protect upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pine lands), dune ridges and beaches, wildlife, and their habitat.

10. Ord. 014-2005 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 014-2005 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

---

James L. Quinn  
 State Planning Administrator  
 Department of Community Affairs  
 2555 Shumard Oak Boulevard  
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT

REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

**CERTIFICATE OF FILING AND SERVICE**

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 9th day of August, 2005.

\_\_\_\_\_  
Paula Ford, Agency Clerk

By U.S. Mail:

Honorable Murray Nelson  
Mayor of Monroe County  
500 Whitehead Street, Suite 102  
Key West, Florida 33040

Danny L. Kolhage  
Clerk to the Board of County Commissioners  
500 Whitehead Street  
Key West, Florida 33040

Timothy J. McGarry, AICP  
Director, Growth Management Division  
2798 Overseas Highway, Suite 400  
Marathon, Florida 33050

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

Notice of Publication for the Relocation of a Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that United Motors of America, intends to allow the relocation of Discount Scooters, Inc., as a dealership for the sale of UM make motorcycles, from its present location at 408 North Howard Avenue, Tampa, Florida 33606, to a proposed location at 5908 North Armenia Avenue (Hillsborough County), Tampa, Florida 33604, on or after August 1, 2005.

The name and address of the dealer operator(s) and principal investor(s) of Discount Scooters, Inc. are dealer operator: Tyde Gentile, 14515 Knoll Ridge Drive, Tampa, Florida 33625; principal investor(s): Tyde Gentile, 14515 Knoll Ridge Drive, Tampa, Florida 33625.

The notice indicates intent to relocate the franchise in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Juan Villegas, President, United Motors of America, 8801 Northwest 23rd Street, Miami, Florida 33172.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the relocation of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, International Truck and Engine Corporation, intends to allow the establishment of Sun State International Trucks of Central Florida, LLC, as a dealership for the sale of International brand trucks, at 41609 Highway 27, Davenport (Polk County), Florida 33837, on or after June 1, 2005.

The name and address of the dealer operator(s) and principal investor(s) of Sun State International Trucks of Central Florida, LLC, are dealer operator: Oscar J. Horton, 6020 Adamo Drive, Tampa, Florida 33619; principal investor(s): Oscar J. Horton, 6020 Adamo Drive, Tampa Florida 33619.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Adriana Fernandez, Dealer Administration Manager, International Truck and Engine Corporation, 4201 Winfield Road, Warrenville, Illinois 60555.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of Less  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Mazda Motor of America, Inc., d/b/a Mazda North American Operations, intends to allow the establishment of Wondergem, Inc., d/b/a Gem Mazda, as a dealership for the sale of Mazda vehicles, at 3124 West Tennessee Street (Leon County), Tallahassee, Florida 32304, on or after August 22, 2005.

The name and address of the dealer operator(s) and principal investor(s) of Wondergem, Inc., d/b/a Gem Mazda are dealer operator: Ken Wondergem, 7322 West Tennessee Street, Tallahassee, Florida 32304; principal investor(s): Ken Wondergem, 7322 West Tennessee Street, Tallahassee, Florida 32304.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Greg Smith, Manager, Dealer Development, Mazda Motor of America, Inc., d/b/a Mazda North American Operations, 4601 Touchton Road, East, Suite 3100, Jacksonville, Florida 32246.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Lake County Cycles, Inc., d/b/a Lake County Choppers, intends to allow the establishment of RP Custom, Inc., as a dealership for the sale of Lake County Choppers, at 8143 Ulmerton Road (Pinellas County), Largo, Florida 33771, on or after August 1, 2005.

The name and address of the dealer operator(s) and principal investor(s) of RP Custom, Inc., are dealer operator: Roy Badie, 8143 Ulmerton Road, Largo, Florida 33771; principal investor(s): Roy Badie, 400 Harbor View Lane, Largo, Florida 33770.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: R. Mark Hanna, President, Lake County Cycles, Inc., d/b/a Lake County Choppers, 4709 North Highway 19A, Mt. Dora, Florida 32757.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, General Motors Corporation, intends to allow the establishment of Southern Buick Pontiac GMC, Inc., as a dealership for the sale of Buick, Pontiac and GMC automobiles, at the northwest intersection of US Highway 98 and 441 in Wellington (Palm Beach County), West Palm Beach, Florida, on or after December 1, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Southern Buick Pontiac GMC, Inc. are dealer operator: Ray Gould, Jr., 3031 Okeechobee Boulevard, West Palm Beach, Florida 33409; principal investor(s): Ray Gould, Jr., 3031 Okeechobee Boulevard, West Palm Beach, Florida 33409.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Ricardo LaCosta, Zone Manager, General Motors Corporation, Mail Code 482-A07-C66, 100 GM Renaissance Center, Detroit, Michigan 48265-1000.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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

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

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**AGENCY FOR HEALTH CARE ADMINISTRATION**

CERTIFICATE OF NEED

RECEIPT OF EXPEDITED APPLICATION

The Agency for Health Care Administration made the following decisions on Certificate of Need applications for expedited review:

County: Lee                                      Service District: 8  
Facility/Project: The Lodge at Cypress Cove  
Applicant: Cypress Cove at HealthPark Florida, Inc.  
Project Description: Add 27 sheltered nursing home beds thru delicensure of 27 sheltered nursing beds

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**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

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**DEPARTMENT OF HEALTH**

On August 3, 2005, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Jacqueline Palmer Williams, R.N. license number RN 1559012. This Emergency Suspension Order was predicated upon the Secretary’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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On August 4, 2005, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Meghna Padalia, R.Ph., license number PS 35372. This Emergency Suspension Order was predicated upon the Secretary’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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On August 8, 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 Kimberly Hightower, R.N., license number RN 9195864. This Emergency Suspension Order was predicated upon the Secretary’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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**DEPARTMENT OF CHILDREN AND FAMILY  
SERVICES**

Pursuant to Section 397.427, Florida Statutes, and administrative rules adopted thereunder, notice of the need for new medication (methadone) treatment service providers was published in the Florida Administrative Weekly July 1, 2005, in Vol. 31, No. 26, page 2404. The need for new services was established in the Department of Children and Family Services, Suncoast Region.

The Department of Children and Family Services is publishing a second notice for the purpose of clarifying the need for new medication (methadone) treatment services. It has since been determined, in conjunction with the Suncoast Region, that the service needs of the Suncoast Region will require an outpatient methadone maintenance satellite treatment program and that the service needs will be directed toward the St. Petersburg area.

Prospective applicants for a license to operate an outpatient methadone maintenance satellite treatment program in the Suncoast Region may direct requests for an application for a license to the following:

Suncoast Region  
Department of Children and Family Services  
Substance Abuse and Mental Health Program Office  
11351 Ulmerton Road, Suite 329  
Largo, Florida 33778-1630  
Attention: Bob Holm, Substance Abuse Regional Director  
Telephone: (727)588-6834

Applications for a license will be subject to review by the Suncoast Region and rated in accordance with specific criteria established for that purpose.

The closing date for submitting applications to the Suncoast Region is changed and the new submission date is Wednesday, October 12, 2005, 5:00 p.m., Eastern Standard Time.

Copies of the assessment report may be obtained from:

Department of Children and Family Services  
Substance Abuse Program  
1317 Winewood Boulevard  
Building 6, Room 306  
Tallahassee, Florida 32399-0700  
Telephone: (850)488-9210  
Attention: Phil Emenheiser

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## FINANCIAL SERVICES COMMISSION

### 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, F.A.C. Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., September 9, 2005):

### APPLICATION TO MERGE

Constituent Institutions: Knight Ridder Credit Union, Pembroke Pines, Florida, and Wichita Eagle Credit Union, Wichita, Kansas

Resulting Institution: Knight Ridder Credit Union

Received: August 2, 2005

Office of Financial Regulation has received a request by a credit union to expand its field of membership. Specific information regarding the expansion can be found at [http://www.fldfs.com/ofr/banking/cu\\_expansion.htm](http://www.fldfs.com/ofr/banking/cu_expansion.htm).

Name and Address of Applicant: Insight Financial Credit Union, Post Office Box 4900, Orlando, Florida 32801

Expansion Includes: Geographic area

Received: August 4, 2005

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**Section XIII**  
**Index to Rules Filed During Preceding Week**

RULES FILED BETWEEN August 1, 2005  
 and August 5, 2005

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Plant Industry**

5B-54.003	8/4/05	8/24/05	31/18	
5B-54.014	8/4/05	8/24/05	31/18	
5B-54.017	8/4/05	8/24/05	31/18	

**DEPARTMENT OF EDUCATION**

**State Board of Education**

6A-2.0010	8/2/05	8/22/05	31/20	31/27
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**PUBLIC SERVICE COMMISSION**

25-24.455	8/5/05	8/25/05	31/5	31/26
25-24.465	8/5/05	8/25/05	31/5	
25-24.470	8/5/05	8/25/05	31/5	
25-24.4701	8/5/05	8/25/05	31/5	
25-24.471	8/5/05	8/25/05	31/5	
25-24.472	8/5/05	8/25/05	31/5	
25-24.473	8/5/05	8/25/05	31/5	
25-24.474	8/5/05	8/25/05	31/5	31/26
25-24.475	8/5/05	8/25/05	31/5	
25-24.480	8/5/05	8/25/05	31/5	31/26
25-24.485	8/5/05	8/25/05	31/5	
25-24.490	8/5/05	8/25/05	31/5	
25-24.491	8/5/05	8/25/05	31/5	
25-24.600	8/5/05	8/25/05	31/5	31/26
25-24.610	8/5/05	8/25/05	31/5	
25-24.640	8/5/05	8/25/05	31/5	
25-24.835	8/5/05	8/25/05	31/5	
25-24.840	8/5/05	8/25/05	31/5	
25-24.900	8/5/05	8/25/05	31/5	
25-24.905	8/5/05	8/25/05	31/5	
25-24.910	8/5/05	8/25/05	31/5	
25-24.915	8/5/05	8/25/05	31/5	
25-24.920	8/5/05	8/25/05	31/5	
25-24.930	8/5/05	8/25/05	31/5	
25-24.940	8/5/05	8/25/05	31/5	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Landscape Architecture**

61G10-12.001	8/1/05	8/21/05	31/12	
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**DEPARTMENT OF HEALTH**

**Board of Speech-Language Pathology and Audiology**

64B20-7.001	8/2/05	8/22/05	31/2	31/26
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**Optical Establishments**

64B29-1.002	8/2/05	8/22/05	31/25	
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**Division of Environmental Health**

64E-18.002	8/1/05	8/21/05	30/40	31/4
64E-18.003	8/1/05	8/21/05	30/40	31/4
64E-18.004	8/1/05	8/21/05	30/40	
64E-18.005	8/1/05	8/21/05	30/40	
64E-18.007	8/1/05	8/21/05	30/40	31/4
64E-18.008	8/1/05	8/21/05	30/40	31/4
64E-18.0091	8/1/05	8/21/05	30/40	
64E-18.010	8/1/05	8/21/05	30/40	31/27

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Economic Self Sufficiency Program**

65A-1.303	8/2/05	8/22/05	31/19	
65A-1.603	8/2/05	8/22/05	31/19	
65A-1.606	8/2/05	8/22/05	31/19	