

Anyone needing project or public hearing information or special accommodations under the Americans With Disabilities Act of 1990 should write to the address given below or call (850)891-8234. Special accommodation requests under the Americans With Disabilities Act should be made at least seven (7) days prior to the public hearing.

A copy of the agenda may be obtained by writing: Bill Woolery, PE, Project Manager, City of Tallahassee, 300 South Adams Street, A-18, Tallahassee, Florida 32301.

OKALOOSA COUNTY

The **Okaloosa County, Department of Public Works** announces a public hearing to which all persons are invited.

DATE AND TIME: December 18, 2003, 6:00 p.m. – 7:00 p.m.

PLACE: Florosa Elementary School Cafeteria, 1700 U.S. 98 West, Mary Esther, Florida 32569

GENERAL SUBJECT MATTER TO BE CONSIDERED:

This hearing is being held to afford interested persons the opportunity to express their views concerning the proposed project, which consists of constructing an interchange at the main gate to Hurlburt Field (Cody Avenue) on U.S. 98.

The hearing is being conducted pursuant to the provisions of Rule Chapter 14-97, Florida Administrative Code, and Section 335.18, Florida Statutes. This hearing is being held in accordance with the Section 339.155, Florida Statutes and is also consistent with the Americans with Disabilities Act of 1990. This hearing is also in compliance with Title VI of the Civil Rights Act of 1964 and Title VIII of the Civil Rights Act of 1968, as amended.

Anyone needing project or public hearing information, including a copy of the hearing agenda, may contact: Bob Kellner, P.E., (850)432-6800, e-mail: bob.kellner@hdrinc.com or Danielle Slaterpryce, Okaloosa County, (850)689-5772, email: dslaterpryce@co.okaloosa.fl.us.

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Special accommodation requests under the Americans With Disabilities Act should be received at least seven (7) days prior to the hearing.

FLORIDA SURPLUS LINES SERVICE OFFICE

The **Florida Surplus Lines Service Office**, Board of Governors’ announces a public meeting to which all interested parties are invited:

BOARD OF GOVERNORS’ QUARTERLY MEETING

DATE AND TIME: Wednesday, January 21, 2004, 9:00 a.m.

PLACE: Florida Surplus Lines Service Office, 1441 Maclay Commerce Drive, Suite 200, Tallahassee, FL 32312

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Matters.

A copy of the agenda may be obtained by sending a faxed request to Georgie Barrett, (850)513-9624.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this meeting should contact Georgie a week prior to the meeting at (850)224-7676, Ext. 301.

**Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements**

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Petition for Declaratory Statement received from Kinco, Ltd. has been withdrawn.

Notice of receipt of this petition, which was assigned the number DCA03-DEC-300, appeared in the November 14, 2003, edition of the Florida Administrative Weekly.

Information regarding this petition may be obtained by writing: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN that the Florida Public Service Commission has received the petition for Declaratory Statement of Forest Utilities, Inc. and Jamaica Bay West Associates, Ltd. The petitioners inquire as to whether an extension of service territory pursuant to Section 367.045(2), Florida Statutes, is necessary to provide bulk wastewater service to Jamaica Bay, an exempt entity.

A copy of the petition may be obtained at <http://www.psc.state.fl.us/psc/dockets/> or by writing: Division of the Commission Clerk and Administrative Services, 4075 Esplanade Way, Tallahassee, FL 32399-0862. DOCKET NO. 031020-WS

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that the Division of Pari-Mutuel Wagering, Department of Business and Professional Regulation, has received a petition for a declaratory statement from PPI, Inc., d/b/a Pompano Park Racing. The Petition lists Section 849.086(5)(b), Florida Statutes, as the statutory provision upon which a declaratory statement is being sought. The Petition further requests the Division to advise as to whether the amendment to Section 849.086(5)(b), Florida Statutes:

1. Authorizes PPI to seek an amendment to its annual (fiscal 2003-2004) pari-mutuel license application to include a license to be issued for the reopening of its cardroom during the current fiscal year if other statutory requirements are met;
2. Requires PPI to have met the requirement of 140 live performances during the State fiscal year immediately prior to the current year in order for PPI to "reapply" to the Division to have its cardroom license issued for the current fiscal year;
3. Requires PPI to request authorization to conduct a minimum of 90% of the 140 live performances in order to obtain a cardroom license for fiscal year 2004-2005;
4. Requires PPI to conduct a minimum of 90% of the total live performances it requested in the State fiscal year immediately prior thereto in order to maintain a cardroom license in fiscal years following 2004-2005.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT the Board of Massage Therapy (Board) issued a Final Order on November 14, 2003, on a petition for declaratory statement received from the Board of County Commissioners of Brevard County, Florida.

Petitioner requested a declaratory statement concerning the application of the definition for "massage" as provided under Section 480.033(3), Florida Statutes, to businesses such as "body" scrubs and commercial physical contact parlors as defined in Section 62-6102, Code of Ordinances of Brevard County, Florida. The petition asked the Board to opine that businesses offering these services are required to have an establishment license issued under Chapter 480, Florida Statutes. The Board held that the performance of "body scrubs" and "exfoliating body scrubs", as well as other activities described in the petition, fall within the definition of massage. The Board declined to opine that all businesses offering these services are required to be licensed under Chapter 480, Florida Statutes. Therefore, the Board granted in part and denied in part Petitioner's request for a declaratory statement.

A copy of the Petition for Declaratory Statement and Final Order may be obtained by writing: Pamela King, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256-3258.

The Board of Nursing hereby gives notice that it has issued a Final Order in the Petition for Declaratory Statement filed on behalf of Kathleen Davitt, R.N. The Board reviewed the petition at its meeting held on October 8-9, 2003, in Jacksonville, Florida. The Board's Final Order, filed in this cause on November 14, 2003, finds that under the specific facts of the petition, it is not within the scope of practice for a registered nurse trained in ACLS (Advanced Cardiac Life Support) to defibrillate a patient upon recognizing ventricular fibrillation or ventricular tachycardia in an inpatient or ambulatory care setting prior to ACLS code team arrival or physician verbal or written order. It is within the scope of

practice for a registered nurse trained in ACLS to defibrillate a patient upon recognizing ventricular fibrillation or ventricular tachycardia in an inpatient or ambulatory care setting if there are standing orders and protocols to follow in that situation.

A copy of the Petition and the Board’s Final Order may be obtained by contacting: Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3252.

NOTICE IS HEREBY GIVEN that on November 17, 2003, the Board of Physical Therapy Practice received a request for withdrawal of a Petition for Declaratory Statement from Jerry L. Smith, M.S., P.T. The Petition was filed with the Board on August 18, 2003, and noticed in the Vol. 29, No. 35 issue of the Florida Administrative Weekly on August 29, 2003. No written public comments were received.

Accordingly, the Petition for Declaratory Statement has been WITHDRAWN by the Petitioner.

For more information, contact: Amy Carraway, Agency Clerk, Department of Health, Division of Medicaid Quality Assurance, Bin #C01, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3251, (850)245-4121.

The Board of Psychology hereby gives notice that it has received a Petition for Declaratory Statement filed by Gregg Hinz, Psy.D. The Petitioner seeks the Board’s interpretation of Section 490.014(2)(e), Florida Statutes.

The Board will consider this petition at its meeting scheduled for January 30-31, 2004 at the Orlando Airport Marriott, 7499 Augusta National Drive, Orlando, FL 32822.

Copies of the Petition may be obtained from: Kaye Howerton, Executive Director, Board of Psychology/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

**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**

COMMITTEE MEETING AGENDA

December 8, 2003

HOUSE OFFICE BUILDING

Committee Room 24

11:30 a.m. – 12:30 p.m.

CALL TO ORDER AND ROLL CALL

TAB 1 STATUS REPORT

NEW OBJECTIONS

TAB 2 60A-1.006, Vendors and Contractors.
Department of Management Services

TAB 3 60A-1.030, MyFloridaMarketPlace Vendor
Registration.
Department of Management Services

TAB 4 Proposed Changes to Rules of the Joint
Administrative Procedures Committee

TAB 5 UPDATE ON PREVIOUS REPORT:
Agency For Health Care Administration –
Implementation Policy For Comprehensive
Behavioral Health Care Services To All
Medicaid Recipients

REPORTS AND APPEARANCES