

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF LEGAL AFFAIRS

Division of Victim Services and Criminal Justice Programs

RULE TITLE: Adjustments to Reflect Consumer Price Index
 RULE NO.: 2A-8.005

PURPOSE AND EFFECT: The Division proposes the development of rule amendments to reflect changes to the Consumer Price Index for payment of benefits.

SUBJECT AREA TO BE ADDRESSED: Adjustments to the reflect the Consumer Price Index.

SPECIFIC AUTHORITY: 112.19 FS.

LAW IMPLEMENTED: 112.19 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: Rick Nuss, Chief, Bureau of Criminal Justice Programs, Department of Legal Affairs, PL-01, The Capitol, Tallahassee, Florida 32399-1050

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

2A-8.005 Adjustments to Reflect Consumer Price Index.

(1) Section 112.19(2)(j), Florida Statutes, requires the Bureau to adjust the statutory amount on July 1 of each year based on the Consumer Price Index for all urban consumers published by the United States Department of Labor, using the most recent figures available. The Bureau will utilize the previous March Consumer Price Index published by the United States Department of Labor and the benefits shall be adjusted from the benefit amount of the year before.

(2) The Consumer Price Index amount in March 2005 ~~2004~~ was 3.1 ~~4.7~~ percent. Therefore, the statutory amount for the period July 1, 2005 ~~2004~~ through June 30, 2006 ~~2005~~, is:

(a) For those benefits paid or to be paid under paragraph (a) of subsection (2); \$53,999.14 ~~\$52,375.50~~.

(b) For those benefits paid or to be paid under paragraph (b) of subsection (2); \$53,999.14 ~~\$52,375.50~~.

(c) For those benefits paid or to be paid under paragraph (c) of subsection (2); \$161,997.42 ~~\$157,126.50~~.

Specific Authority 112.19 FS. Law Implemented 112.19 FS. History—New 12-10-03, Amended 8-17-04, _____.

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Course Descriptions for Grades 6-12,
 RULE NO.: 6A-1.09414

Exceptional Student Education Courses
 PURPOSE AND EFFECT: The purpose of this rule development is to review the existing Course Descriptions for Grades 6-12, Exceptional Student Education to ensure that courses are available to enable students with disabilities to develop and apply self-determination skills in school, home, community, and work settings. The effect of the rule development will be the inclusion of course descriptions which will assist students to achieve their desired school and post-school outcomes, participate actively and effectively in planning meetings, and acting as a self-advocate in multiple settings.

SUBJECT AREA TO BE ADDRESSED: Course Descriptions for Self-Determination.

SPECIFIC AUTHORITY: 1001.02(1), 1001.42, 1003.57 FS.

LAW IMPLEMENTED: 1001.11, 1006.28, 1003.438, 1006.31 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.

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: Bambi Lockman, Chief, Bureau of Exceptional Education and Student Services, Florida Department of Education, 325 W. Gaines Street, Room 601, Tallahassee, Florida 32399-0400, (850)245-0475

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

DEPARTMENT OF REVENUE

RULE TITLE: Calculation of Penalty Subject to Compromise
 RULE NO.: 12-13.0076

for Reasonable Cause
 PURPOSE AND EFFECT: The purpose of the proposed creation of Rule 12-13.0076, F.A.C. (Calculation of Penalty Subject to Compromise for Reasonable Cause), is to incorporate the provisions of the Expert System for Determining Reasonable Cause for Penalty Compromise. This system is currently under development by the Department for purposes of providing guidelines to be used in determining the amount of compromise of penalty. The effect of the proposed amendments, when adopted, will be that the provisions of the

Expert System for Determining Reasonable Cause for Penalty Compromise will be incorporated into the guidelines for determining the amount of compromise of penalty established in these administrative rules.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is the development of proposed new Rule 12-13.0076, F.A.C., for purposes of including the provisions of the Expert System for Determining Reasonable Cause for Penalty Compromise currently under development by the Department. The Expert System for Determining Reasonable Cause for Penalty Compromise will be presented at the workshop and an opportunity for the public to ask questions and express concerns regarding the system will be provided.

SPECIFIC AUTHORITY: 213.06(1), 213.21(5) FS.

LAW IMPLEMENTED: 213.21(3) FS.

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

TIME AND DATE: 2:00 p.m., May 25, 2005

PLACE: Department of Revenue, Regional Training Center, 2301 Maitland Center Parkway, Maitland 200 Building, Suite 150, Maitland, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Robert Babin, Attorney, Technical Assistance and Dispute Resolution, P. O. Box 7443, Tallahassee, Florida 32314-7443, (850)922-4842, e-mail: babinr@dor.state.fl.us

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in any proceeding before the Technical Assistance and Dispute Resolution Office is asked to advise the Department at least 48 hours before such proceeding by contacting: Larry Green, (850)922-4830. Persons with hearing or speech impairments may contact the Department using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12-13.0076 Calculation of Penalty Subject to Compromise for Reasonable Cause.

(1) Definition and Scope.

(a) For the purposes of this rule, "issue" means the reason set forth by the Department for any finding of a tax deficiency. A taxpayer's total tax liability for an audit assessment or billing may result from one or more issues. For example, a sales tax audit may involve audit changes for "disallowed exempt sales" and "fixed asset purchases." In this example, "disallowed exempt sales" and "fixed asset purchases" are separate and distinct issues.

(b) The provisions of this rule will be used by the Department in its determination of penalties imposed under chapters specified in Section 72.011(1), F.S., which are subject

to compromise by the Department on the grounds of reasonable cause pursuant to Section 213.21, F.S. The Department will apply the provisions of this rule for all compromises of penalty due to reasonable cause, even when no request to compromise penalty is made by the taxpayer.

(c) The provisions of this rule do not apply to penalties imposed as a result of a taxpayer's willful negligence, willful neglect, or fraud.

(d) The provisions of this rule are not to be construed to prevent the Department from assessing penalty as required by provisions of the Florida Statutes, or to limit or expand the compromise authority of the Executive Director.

(2) Determination of the Amount of Penalty Compromise.

(a) A determination of the amount of penalty compromise due to reasonable cause will be made by the Department using the Penalty Scoring Matrix provided in subsection (3). The Penalty Scoring Matrix and the provisions of this rule will be applied to each issue to result in a percentage, which will be applied to the penalty amount related to that issue. If all issues under consideration involve the same facts and circumstances, the Penalty Scoring Matrix and other provisions of this rule will only be applied once, and the resulting penalty percentage will be applied to the total penalty amount for all issues.

(b) The penalty percentage is calculated based upon the response to each question listed within the Penalty Scoring Matrix. Point values are assigned to the questions based upon whether the question is answered "yes" or "no."

(c) Questions 5(a) through 5(j) of the Penalty Scoring Matrix each list various facts and circumstances, which are to be considered in answering those questions. If one or more of the facts and circumstances listed under each question are determined by the Department to apply to the issue(s), an affirmative response will be entered for that question and a corresponding point value will be assigned. When the facts and circumstances listed do not apply to the issue(s), a negative response will be entered and the corresponding point value will be assigned.

(d) When the Department determines that facts and circumstances exist that require an affirmative answer to any Question 5(a) through 5(j) but the specific fact or circumstance is not listed, the Department will identify that fact or circumstance and provide an affirmative answer to the relevant question.

(e) Special Circumstances.

1. If a "yes" answer is provided for Question 1, no other questions will be answered. The point value to be assigned to the penalty amount under consideration is 100 points.

2. If a "no" answer is provided for Questions 1, 2, and 4, no other questions will be answered. The point value to be assigned to the penalty amount under consideration is 0 points.

(f) The percentage to be applied to the penalty amount under consideration will be controlled by the following schedule:

- 1. If the sum of the point values assigned is not greater than 15 points, no penalty shall be imposed.
- 2. If the sum of the point values assigned is greater than 15 points but less than or equal to 30 points, 5% penalty shall be imposed.
- 3. If the sum of the point values assigned is greater than 30 points but less than or equal to 45 points, 10% penalty shall be imposed.
- 4. If the sum of the point values assigned is greater than 45 points but less than or equal to 60 points, 15% penalty shall be imposed.

- 5. If the sum of the point values assigned is greater than 60 points but less than or equal to 75 points, 20% penalty shall be imposed.
- 6. If the sum of the point values assigned is greater than 75 points, 25% penalty shall be imposed.
- (g) The Department will provide the taxpayer with a copy of the determination of the amount of compromise for each penalty amount, as determined by the Penalty Scoring Matrix.
- (3) Penalty Scoring Matrix.

Level	Step	Decision Question	YES/NO	Pts. For YES	Pts. For NO
Issue	1.	Is the penalty determined for this issue a mandatory penalty not subject to abatement?		100	0
Audit	2.	Has the taxpayer been previously audited?		20	0
	2.a.	Has the taxpayer been previously audited at least twice?		5	0
	2.b.	Has the taxpayer been previously audited three or more times?		5	0
Issue	3.	Was this issue addressed in a previous audit?		15	0
Issue	4.	For this audit issue, did the taxpayer collect but fail to remit tax to the Department?		30	0
Issue	5.	Do one or more of the following apply to this issue in this audit or issue?			
Issue	a.	Did the taxpayer rely on a DOR determination?		-10	10
	a.1.	Able to verify the advice given from the DOR source.			
	a.2.	All the facts provided correctly by the taxpayer for the issue.			
	a.3.	Law change occurred after the advice was given.			
	a.4.	Subsequent advice given rescinded original position.			
	a.5.	Prior audit provided advice on the issue. Explain:			
	a.6.	Other:			
	a.7.	No.			
Audit	b.	Is the taxpayer relatively unsophisticated or inexperienced in Florida tax matters?		-5	10
	b.1.	The taxpayer attended a DOR educational seminar.			
	b.2.	The taxpayer has limited accounting knowledge.			
	b.3.	The taxpayer does not have a full-time accounting staff.			
	b.4.	Other:			
	b.5.	No.			
Audit	c.	Did the taxpayer exercise ordinary care and prudence and timely meet filing requirements?		-5	10
	c.1.	The taxpayer timely complied.			
	c.2.	The taxpayer did not file more than 5% of their tax returns in the audit period late.			
	c.3.	The taxpayer consistently completed the entire tax return (Front and Back).			
	c.4.	Other:			
	c.5.	No.			
Issue	d.	Were there any law changes directly affecting compliance for this issue?		-10	5

	d.1.	The law changed during the audit period. Explain:		
	d.2.	The law change affected all or part of the entire audit period. Explain:		
	d.3.	The law change had a material impact on the assessment amount.		
	d.4.	DOR's interpretation changed. Explain:		
	d.5.	A TIP was issued regarding the law change.		
	d.6.	The taxpayer received notification of the law change.		
	d.7.	Other:		
	d.8.	No.		
Issue	e.	Had the taxpayer taken action to improve compliance by correcting activities which gave rise to the previous audit deficiency?	-5	5
	e.1.	The taxpayer provided supporting documentation showing that the error has been corrected.		
	e.2.	Other:		
	e.3.	No.		
Issue	f.	Are the tax issues, their application, or the taxpayers operational or financial situation complex?	-5	5
	f.1.	The situation is complex. Explain:		
	f.2.	This issue is NOT covered in the Tax Law Library.		
	f.3.	There are contradictory pronouncements addressing this tax issue. Explain:		
	f.4.	The error(s) in the taxpayer's accounting system were inadvertent. Explain:		
	f.5.	The error was isolated or a rare occurrence in the taxpayer's reporting of tax.		
	f.6.	Other:		
	f.7.	No.		
Issue	g.	Has the taxpayer instituted remedies to correct this issue during the conduct of the audit?	-5	0
	g.1.	The taxpayer provided supporting documentation showing that the error has been corrected.		
	g.2.	Other:		
	g.3.	No.		
Issue	h.	Did taxpayer rely on others to comply?	-5	5
	h.1.	The taxpayer relied upon a C.P.A., attorney, or trade association to comply.		
	h.2.	The taxpayer relied upon an outside consultant or outside bookkeeping service.		
	h.3.	The advice given by an outside party was verified. Explain:		
	h.4.	Other:		
	h.5.	No.		
Audit	i.	Is the tax assessment not material when compared to taxes correctly reported/remitted?	-5	5

	i.1.	The amount of tax correctly reported/remitted was substantial compared to the assessment.		
	i.2.	The additional tax due is less than 5% of total tax reported/remitted during the audit period.		
	i.3.	The taxpayer underreported Florida taxable sales by less than 15%.		
	i.4.	The taxpayer over reported their Line 6 credits by more than 5%.		
	i.5.	Other:		
	i.6.	No.		
Audit	i.	Did any extenuating or uncontrollable circumstances exist that prevented the taxpayer from complying?	-15	0
	i.1.	There was a disaster or catastrophic events beyond the control of the taxpayer.		
	i.2.	It was determined that such circumstances directly prevented compliance or affected the ability to comply.		
	i.3.	There was a death, illness or incapacity of the taxpayer, the taxpayer's immediate family, or a key employee which had an effect on compliance.		
	i.4.	There was a significant turnover of employees or service providers that directly affected compliance.		
	i.5.	The taxpayer responded completely and timely to the auditors' requests.		
	i.6.	There were other facts that affected compliance. Explain:		
	i.7.	Other:		
	i.8.	No.		

Specific Authority 213.06(1), 213.21(5) FS. Law Implemented 213.21(3) FS. History—New _____.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF CORRECTIONS

RULE TITLE: Random Drug Testing of Employees
 RULE NO.: 33-208.403
 PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to provide for periodic random substance abuse testing of employees required to maintain certification under Chapter 943, Florida Statutes.
 SUBJECT AREA TO BE ADDRESSED: Random drug testing of certified officers.
 SPECIFIC AUTHORITY: 944.09, 944.74 FS.
 LAW IMPLEMENTED: 112.0455, 944.09, 944.74 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-208.403 Random Drug Testing of Employees.

(1) Definitions.

(a) Authorized Individual – The person designated by the Chief of Personnel to interact with an employee regarding the drug testing program.

(b) Chain of Custody – The procedures used to account for the integrity of each urine specimen by tracking its handling and storage from the point of specimen collection to final disposition.

(c) Contact Person – The employees designated by the Chief of Personnel to interact with the Medical Review Officer regarding drug test results.

(d) Medical Review Officer – A licensed physician under contract with the Department or the outside vendor used by the Department who reviews all drug tests from the laboratory and makes the final determination regarding the test result.

(e) Random Drug Test – A drug test conducted based on a computer generated random sampling in positions identified as being subject to random testing, administered for the purposes of determining the presence of drugs or their metabolites.

(f) Test refusal – Failure on the part of a randomly selected employee to fully comply with the Department’s random drug testing procedures. This includes refusal to sign required forms, refusal to provide specimens for testing, failing to report to the collection site within required time frames, failing to provide a valid specimen, attempting to alter the specimen with adulterants, and using substitute specimens in makeshift devices or objects.

(2) Only employees required to maintain certification under Chapter 943, F.S., shall be subject to random drug testing.

(3) The Bureau of Research and Data Analysis shall generate random lists of individual positions subject to testing.

(a) The Bureau of Personnel shall disburse the list to the authorized individuals during each random testing period.

(b) The list shall include the date by which all tests for that testing period must be completed.

(c) Each time an employee’s name appears on the random list, he or she shall be tested regardless of whether or not he or she has been previously tested.

(d) Listed employees shall not be excused from random drug testing unless they are on approved leave of absence or out of town on business. If the employee returns in time for the test to be rescheduled and completed within the prescribed deadline, the authorized individual shall ensure testing is rescheduled and completed.

(e) The list is confidential and shall not be disseminated to non-essential staff members prior to testing.

(4) Once an employee is randomly selected and scheduled for a test, the authorized individual shall:

(a) Initiate the chain of custody process;

(b) Provide the employee with the drug testing instructions and directions to the designated collection site;

(c) Provide the employee with a written notice and consent for testing form that advises the employee that he or she has been randomly selected for testing and that he or she has 24 hours to complete the test. If the employee refuses to sign, the employee will be considered to have refused to submit to testing. The authorized individual shall notify the servicing personnel office, and the employee shall be advised in writing that he is subject to disciplinary action up to and including dismissal for refusal to submit to testing.

(5) Once the necessary forms have been completed and signed, the employee shall be instructed to present the employee’s Department of Corrections’ employee

identification card to collection site staff. The employee shall take all copies of the chain of custody form to the collection site.

(6) If the employee does not report to the collection site within the specified time frame, or as directed on the written notice, the employee will be considered to have refused to submit to drug testing. The employee shall be advised in writing by the servicing personnel office that he is subject to disciplinary action for failure to report to the collection site unless the employee presents sufficient justification for failure to appear. Issues that will be considered include the timely notification to the employee, timely processing by the lab, and transportation issues.

(7) The employee shall remain at the collection site until able to produce a sufficient specimen unless the employee advises that a medical condition has caused the inability to produce a sufficient specimen. If the employee cannot produce a sufficient specimen quantity, the collection site staff shall contact the authorized individual. The employee shall provide a doctor’s statement to the authorized individual within 3 business days attesting to the medical condition. If the current random testing period has not expired, the employee will be given another notice that he or she has 24 hours to complete the test and will be required to report again for testing.

(8) If an employee’s test results show the specimen to be adulterated, the employee will be considered to have failed the test.

(9) If the employee’s test results are negative for drugs but show possible dilution, the test shall be considered negative.

(10) If the test results are positive, the sample will be retested for confirmation.

(11) All employees with a positive confirmed drug test shall be contacted by the Medical Review Officer within 3 days of receipt of the results from the lab and offered the opportunity to produce valid documentation of lawful ingestion of the identified controlled substance. The Medical Review Officer may also request consent to review the employee’s medical records to assist in evaluating the test results. The employee shall have 15 days from contact by the Medical Review Officer to present documentation that provides a legitimate explanation for the positive test results.

(12) If the Medical Review Officer cannot contact the employee within 3 days, the Medical Review Officer shall request that the contact person direct the employee to contact the Medical Review Officer. If the employee does not contact the Medical Review Officer within 2 days from the request to the employee by the contact person, the Medical Review Officer shall report the test results as positive.

(13) In the case of positive test results for which the employee did not or could not provide a legitimate explanation, the employee shall be notified in writing of the positive test results and the consequences of the results. The employee shall be immediately removed from his position in

accordance with the department’s dismissal process and the Criminal Justice Standards and Training Commission shall be notified.

(14) If the Medical Review Officer reports the test results as cancelled, it shall be considered collection site or lab error and a re-test shall be scheduled immediately. The employee shall be given no more than 24 hours notice for the retest. If a re-test cannot be conducted prior to the deadline for the random testing period, the Regional Personnel Officer shall provide an explanation to the Chief of Personnel.

(15) If the Medical Review Officer receives subsequent documentation that a positive test result was caused by a legitimate use of drugs, the Medical Review Officer shall report the result as negative and the Department’s contact person shall be notified as such.

(16) Should subsequent documentation be received reflecting that the positive result was in error, the authorizing individual shall inform the Bureau of Personnel so that remedial action can be taken if necessary.

(17) Within 5 days of the completion of random testing, the authorized individual shall submit to the Bureau of Personnel the names of the employees not tested and the reason the test was not completed, with the attendance and leave reports or travel reimbursement requests attached for any employee unavailable for the test.

(18) The following appeal process shall be available to an employee who wants to appeal a positive confirmed drug test.

(a) Within 5 working days of the notification of the failed drug test, the employee may submit a letter to the Chief, Bureau of Personnel, contesting or explaining the result.

(b) Within 180 days after receipt of the notification of the failed drug test, the employee may request a re-test of the original specimen at the employee’s expense by the same laboratory or another laboratory licensed and approved by the Agency for Health Care Administration. The re-test must be at an equal or greater sensitivity for the drug in question as was used in the first laboratory test. All costs associated with such re-tests shall be borne by the employee.

Specific Authority 944.09, 944.474 FS. Law Implemented 112.0455, 944.09, 944.474 FS. History—New _____.

DEPARTMENT OF CORRECTIONS

RULE TITLE: Privileged Mail

RULE NO.: 33-210.103

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to provide consistency in mail procedures by requiring that privileged mail be delivered to the institution by the U.S. Postal Service. This requirement is already set forth in the routine mail and legal mail rules.

SUBJECT AREA TO BE ADDRESSED: Delivery of privileged mail.

SPECIFIC AUTHORITY: 20.315, 944.09, 944.11 FS.

LAW IMPLEMENTED: 944.09, 944.11 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-210.103 Privileged Mail.

(1) No change.

(2) Privileged mail shall be delivered to the institution or facility by the U.S. Postal Service only.

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

~~(5)(4)~~ Processing of Privileged Mail.

(a) All incoming privileged mail shall be opened in the presence of the inmate to determine that the correspondence is privileged mail and that it contains no unauthorized items. Only the signature and letterhead may be read. If the incoming mail is not privileged mail, it will be returned to the sender along with a form letter which states that the correspondence is being returned in accordance with subsection ~~(5)(4)~~ of this rule because it was being transmitted under the guise of privileged mail. The inmate to whom the mail was addressed shall receive a copy of the form letter.

(b) through (c) No change.

(5) through (6) renumbered (6) through (7) No change.

~~(8)(7)~~(a) No change.

(b) Upon receipt of privileged mail, if there is a question that it is privileged mail, the mail shall be opened in the presence of the inmate to confirm that it is privileged mail. If it is confirmed to be privileged mail, it shall be delivered to the inmate. If the mail is not privileged mail, it shall be returned to the sender along with a form letter which states that the correspondence is being returned in accordance with subsection ~~(4)(3)~~ and ~~(8)(7)~~ of this rule because it was being transmitted under the guise of privileged mail. The inmate to whom the mail was addressed shall receive a copy of the form letter.

(c) through (e) No change.

~~(9)(8)~~(a) No change.

(b) In the event that the inmate has been released or transferred, in addition to the procedures required by subsection 33-210.103~~(8)(7)~~, F.A.C., Form DC2-522 shall be completed as required in paragraph 33-210.103~~(9)(8)~~(a), F.A.C., except that mailroom staff shall write ‘Transferred’ or ‘Released’ in the ‘Date Mail Received By Institution’ section, and shall write the date that the mail was forwarded in the ‘Inmate Signature’ section.

Specific Authority 20.315, 944.09, 944.11 FS. Law Implemented 944.09, 944.11 FS. History–New 9-1-93, Amended 5-25-97, 2-15-98, Formerly 33-3.0052, Amended 12-20-99, Formerly 33-602.403, Amended 5-5-02, 12-4-02, 9-20-04, _____.

DEPARTMENT OF CORRECTIONS

RULE TITLE: Visiting – Forms
 RULE NO.: 33-601.737

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend form DC6-111B, Visitor Information Summary, for consistency with Rule 33-203.201, F.A.C., relating to sending money to inmates; the form is amended to delete the restriction to “U.S. Postal” money orders, and to provide the corrected address for sending funds for deposit.

SUBJECT AREA TO BE ADDRESSED: Visiting forms.

SPECIFIC AUTHORITY: 944.09, 944.115, 944.23 FS.

LAW IMPLEMENTED: 944.09, 944.115, 944.23, 944.8031 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-601.737 Visiting – Forms.

The following forms are hereby incorporated by reference. A copy of any of these forms is available from the Forms Control Administrator, Office of Research, Planning and Support Services, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

- (1) through (3) No change.
- (4) DC6-111B, Visitor Information Summary, effective _____ ~~3-31-05~~.
- (5) through (6) No change.

Specific Authority 944.09, 944.115, 944.23 FS. Law Implemented 944.09, 944.115, 944.23, 944.8031 FS. History–New 11-18-01, Amended 4-29-02, 9-29-03, _____.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE CHAPTER TITLE: Works and Lands of the District
 RULE CHAPTER NO.: 40E-6

PURPOSE AND EFFECT: This rule development concerns proposed revisions to Rules 40E-6 and 40E-7, Part V, of the F.A.C., and the development of new rules, all of which will be combined to create a single Chapter within the Florida Administrative Code concerning public recreational access to and use of South Florida Water Management District lands.

SUBJECT AREA TO BE ADDRESSED: The revision of Rules 40E-6 and 40E-7, Part V, of the F.A.C., concerning public access to and recreational use of District lands.

SPECIFIC AUTHORITY: 259.101, 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 259.101, 373.016, 373.056, 373.103, 373.139, 373.1391, 373.1395, 373.1401, 373.59 FS.

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

TIME AND DATE: 6:30 p.m., May 23, 2005

PLACE: Kissimmee Civic Center, 201 E. Dakin Avenue, Kissimmee, FL (407)935-1412

TIME AND DATE: 6:30 p.m., May 26, 2005

PLACE: Ft. Myers Service Center, 2301 McGregor Blvd., Ft. Myers, FL, (941)338-2929

TIME AND DATE: 6:30 p.m., June 6, 2005

PLACE: IGFA Fishing Hall of Fame, 300 Gulf Stream Way, Dania Beach, FL

TIME AND DATE: 6:30 p.m., June 9, 2005

PLACE: 205 North Parrott Avenue, Suite 201 (second floor of the Bank of America building), Okeechobee, FL 34972, (863)462-5260

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based. Persons with disabilities or handicaps who need assistance may contact District Clerk, at (561)686-8800 at least two business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Fred Davis, South Florida Water Management District, Post Office Box 24680, Mail Stop Code 5720, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6636 or (561)682-6636 (internet:fdavis@sfwmd.gov).

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

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE CHAPTER TITLE: Miscellaneous Provisions
 RULE CHAPTER NO.: 40E-7

PURPOSE AND EFFECT: This rule development concerns proposed revisions to Rules 40E-6 and 40E-7, Part V, of the F.A.C., and the development of new rules, all of which will be combined to create a single Chapters within the Florida Administrative Code concerning public recreational access to and use of South Florida Water Management District lands.

SUBJECT AREA TO BE ADDRESSED: The revision of Rules 40E-6 and 40E-7, Part V, of the F.A.C., concerning public access to and recreational use of District lands.

SPECIFIC AUTHORITY: 259.101, 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 259.101, 373.016, 373.056, 373.103, 373.139, 373.1391, 373.1395, 373.1401, 373.59 FS.

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

TIME AND DATE: 6:30 p.m., May 23, 2005

PLACE: Kissimmee Civic Center, 201 E. Dakin Avenue, Kissimmee, FL (407)935-1412

TIME AND DATE: 6:30 p.m., May 26, 2005

PLACE: Ft. Myers Service Center, 2301 McGregor Blvd, Ft. Myers, FL (941)338-2929

TIME AND DATE: 6:30 p.m., June 6, 2005

PLACE: IGFA Fishing Hall of Fame, 300 Gulf Stream Way, Dania Beach, FL

TIME AND DATE: 6:30 p.m., June 9, 2005

PLACE: 205 North Parrott Avenue, Suite 201 (second floor of the Bank of America building), Okeechobee, FL 34972, (863)462-5260

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based. Persons with disabilities or handicaps who need assistance may contact District Clerk, at (561)686-8800 at least two business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Fred Davis, South Florida Water Management District, Post Office Box 24680, Mail Stop Code 5720, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6636 or (561)682-6636 (internet:fdavis@sfwmd.gov).

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Certificate of Need

RULE TITLE: Certificate of Need Application Procedures

RULE NO.: 59C-1.008

PURPOSE AND EFFECT: The agency is proposing to amend paragraphs (1)(g) and (3)(a) of Rule 59C-1.008, F.A.C., Certificate of Need (CON) application procedures. The amended rule updates the batching cycle calendar used to establish deadlines for comparative reviews, as required by Section 408.039(1), F.S. The amended rule also reflects increases in CON filing fee pursuant to Section 408.038, F.S.

SUBJECT AREA TO BE ADDRESSED: The proposed amendment updates deadlines to the batching cycle calendar for calendar years 2006 and 2007, with no modification to the current calendar for 2005. The base CON filing fee is increased to \$10,000 from \$5,000 pursuant to recent statutory changes.

SPECIFIC AUTHORITY: 408.034(6), 408.15(8) FS.

LAW IMPLEMENTED: 408.033, 408.037, 408.038, 408.039 FS

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

TIME AND DATE: 2:00 p.m. (EST), May 25, 2005

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room C, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Rommel Bain, Certificate of Need, 2727 Mahan Drive, Building 1, MS 28, Tallahassee, Florida 32308

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59C-1.008 Certificate of Need Application Procedures.

(1) through (f) No change.

(g) Applications Subject to Comparative Review-Batching Cycles. In order that applications pertaining to similar types of services or facilities affecting the same service district or subdistrict may be considered in relation to each other for purposes of comparative review, letters of intent and applications shall be received by the agency no later than dates prescribed in the following schedule:

Hospital Beds and Facilities	
1st Batching Cycle—2003	
Summary Need Projections Published in F.A.W.	1-24-03
Letter of Intent Deadline	2-10-03
Application Deadline	3-12-03
Completeness Review Deadline	3-19-03
Application Omissions Deadline	4-16-03
Agency Initial Decision Deadline	6-13-03

Hospital Beds and Facilities	
2nd Batching Cycle—2003	
Summary Need Projections Published in F.A.W.	7-25-03
Letter of Intent Deadline	8-11-03
Application Deadline	9-10-03
Completeness Review Deadline	9-17-03
Application Omissions Deadline	10-15-03
Agency Initial Decision Deadline	12-12-03

Hospital Beds and Facilities
1st Batching Cycle—2004

Summary Need Projections Published in F.A.W.	1-23-04
Letter of Intent Deadline	2-09-04
Application Deadline	3-10-04
Completeness Review Deadline	3-17-04
Application Omissions Deadline	4-14-04
Agency Initial Decision Deadline	6-11-04

Hospital Beds and Facilities
2nd Batching Cycle – 2006

Summary Need Projections Published in F.A.W.	7-28-06
Letter of Intent Deadline	8-14-06
Application Deadline	9-13-06
Completeness Review Deadline	9-20-06
Application Omissions Deadline	10-18-06
Agency Initial Decision Deadline	12-15-06

Hospital Beds and Facilities
2nd Batching Cycle—2004

Summary Need Projections Published in F.A.W.	7-23-04
Letter of Intent Deadline	8-09-04
Application Deadline	9-08-04
Completeness Review Deadline	9-15-04
Application Omissions Deadline	10-13-04
Agency Initial Decision Deadline	12-10-04

Hospital Beds and Facilities
1st Batching Cycle – 2007

Summary Need Projections Published in F.A.W.	1-26-07
Letter of Intent Deadline	2-12-07
Application Deadline	3-14-07
Completeness Review Deadline	3-21-07
Application Omissions Deadline	4-18-07
Agency Initial Decision Deadline	6-15-07

Hospital Beds and Facilities
1st Batching Cycle – 2005

Summary Need Projections Published in F.A.W.	1-28-05
Letter of Intent Deadline	2-14-05
Application Deadline	3-16-05
Completeness Review Deadline	3-23-05
Application Omissions Deadline	4-20-05
Agency Initial Decision Deadline	6-17-05

Hospital Beds and Facilities
2nd Batching Cycle – 2007

Summary Need Projections Published in F.A.W.	7-27-07
Letter of Intent Deadline	8-13-07
Application Deadline	9-12-07
Completeness Review Deadline	9-19-07
Application Omissions Deadline	10-17-07
Agency Initial Decision Deadline	12-14-07

Hospital Beds and Facilities
2nd Batching Cycle – 2005

Summary Need Projections Published in F.A.W.	7-29-05
Letter of Intent Deadline	8-15-05
Application Deadline	9-14-05
Completeness Review Deadline	9-21-05
Application Omissions Deadline	10-19-05
Agency Initial Decision Deadline	12-16-05

Other Beds and Programs
1st Batching Cycle—2003

Summary Need Projections Published in F.A.W.	4-11-03
Letter of Intent Deadline	4-28-03
Application Deadline	5-28-03
Completeness Review Deadline	6-04-03
Applicant Omissions Deadline	7-02-03
Agency Initial Decision Deadline	8-29-03

Hospital Beds and Facilities
1st Batching Cycle – 2006

Summary Need Projections Published in F.A.W.	1-27-06
Letter of Intent Deadline	2-13-06
Application Deadline	3-15-06
Completeness Review Deadline	3-22-06
Application Omissions Deadline	4-19-06
Agency Initial Decision Deadline	6-16-06

Other Beds and Programs
2nd Batching Cycle—2003

Summary Need Projections Published in F.A.W.	10-10-03
Letter of Intent Deadline	10-27-03
Application Deadline	11-26-03
Completeness Review Deadline	12-03-03
Applicant Omissions Deadline	1-02-04
Agency Initial Decision Deadline	2-27-04

Other Beds and Programs
1st Batching Cycle—2004

Summary Need Projections Published in F.A.W.	4-09-04
Letter of Intent Deadline	4-26-04
Application Deadline	5-26-04
Completeness Review Deadline	6-02-04
Applicant Omissions Deadline	6-30-04
Agency Initial Decision Deadline	8-27-04

Other Beds and Programs
2nd Batching Cycle – 2006

<u>Summary Need Projections Published in F.A.W.</u>	<u>10-06-06</u>
<u>Letter of Intent Deadline</u>	<u>10-23-06</u>
<u>Application Deadline</u>	<u>11-22-06</u>
<u>Completeness Review Deadline</u>	<u>11-29-06</u>
<u>Application Omissions Deadline</u>	<u>12-27-06</u>
<u>Agency Initial Decision Deadline</u>	<u>2-23-07</u>

Other Beds and Programs
2nd Batching Cycle—2004

Summary Need Projections Published in F.A.W.	10-08-04
Letter of Intent Deadline	10-25-04
Application Deadline	11-24-04
Completeness Review Deadline	12-01-04
Applicant Omissions Deadline	12-29-04
Agency Initial Decision Deadline	2-25-05

Other Beds and Programs
1st Batching Cycle – 2007

<u>Summary Need Projections Published in F.A.W.</u>	<u>4-06-07</u>
<u>Letter of Intent Deadline</u>	<u>4-23-07</u>
<u>Application Deadline</u>	<u>5-23-07</u>
<u>Completeness Review Deadline</u>	<u>5-30-07</u>
<u>Application Omissions Deadline</u>	<u>6-27-07</u>
<u>Agency Initial Decision Deadline</u>	<u>8-24-07</u>

Other Beds and Programs
1st Batching Cycle – 2005

Summary Need Projections Published in F.A.W.	4-08-05
Letter of Intent Deadline	4-25-05
Application Deadline	5-25-05
Completeness Review Deadline	6-01-05
Applicant Omissions Deadline	6-29-05
Agency Initial Decision Deadline	8-26-05

Other Beds and Programs
2nd Batching Cycle – 2007

<u>Summary Need Projections Published in F.A.W.</u>	<u>10-05-07</u>
<u>Letter of Intent Deadline</u>	<u>10-22-07</u>
<u>Application Deadline</u>	<u>11-21-07</u>
<u>Completeness Review Deadline</u>	<u>11-28-07</u>
<u>Application Omissions Deadline</u>	<u>12-26-07</u>
<u>Agency Initial Decision Deadline</u>	<u>2-22-08</u>

Other Beds and Programs
2nd Batching Cycle – 2005

Summary Need Projections Published in F.A.W.	10-07-05
Letter of Intent Deadline	10-24-05
Application Deadline	11-23-05
Completeness Review Deadline	11-30-05
Applicant Omissions Deadline	12-28-05
Agency Initial Decision Deadline	2-24-06

(h) through (j) No change.
(2) No change.

(3) Filing Fees. Certificate of need applications shall not be accepted by the agency at the time of filing unless accompanied by the minimum base certificate of need application filing fee in accordance with Section 408.038, F.S. The minimum base fee shall be \$10,000. In addition to the base fee of \$10,000, the fee shall be 0.015 of each dollar of the proposed expenditure, except that no fee shall exceed \$50,000.

(a) For the sole purpose of calculating the application fee, the proposed expenditure includes only the items of cost contributing to the capital expenditures of the proposed project. An application filing fee is non-refundable, unless the application is not accepted by the agency; or unless an accepted application is deemed incomplete and withdrawn by the agency as a result of the omissions review, and the withdrawal is not challenged by the applicant, in which case all but the \$105,000 base fee shall be refunded. No fees shall be refunded for applications deemed complete by the agency but subsequently voluntarily withdrawn by the applicant, or for applications deemed incomplete as a result of a legal challenge.

Other Beds and Programs
1st Batching Cycle – 2006

<u>Summary Need Projections Published in F.A.W.</u>	<u>4-07-06</u>
<u>Letter of Intent Deadline</u>	<u>4-24-06</u>
<u>Application Deadline</u>	<u>5-24-06</u>
<u>Completeness Review Deadline</u>	<u>5-31-06</u>
<u>Application Omissions Deadline</u>	<u>6-28-06</u>
<u>Agency Initial Decision Deadline</u>	<u>8-25-06</u>

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

Specific Authority 408.034(6), 408.15(8) FS. Law Implemented 408.033, 408.037, 408.038, 408.039 FS. History—New 1-1-77, Amended 11-1-77, 9-1-78, 6-5-79, 2-1-81, 4-1-82, 7-29-82, 9-6-84, Formerly 10-5.08, Amended 11-24-86, 3-2-87, 6-11-87, 11-17-87, 3-23-88, 5-30-90, 12-20-90, 1-31-91, 9-9-91, 5-12-92, 7-1-92, 8-10-92, Formerly 10-5.008, Amended 4-19-93, 6-23-94, 10-12-94, 10-18-95, 2-12-96, 7-18-96, 9-16-96, 11-4-97, 7-21-98, 12-12-00, 4-2-01, 1-10-02, 6-26-03, 12-13-04, _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Transportation Services
 RULE NO.: 59G-4.330

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the Florida Medicaid Transportation Coverage, Limitations, and Reimbursement Handbook, November 2004. The revised handbook includes the provision of non-emergency transportation services through a contracted vendor, policy for authorizing ambulance transportation based on Medicare’s ambulance transportation medical condition codes, and modifications to procedure codes and claim forms for HIPAA compliance. The effect will be to incorporate the revised Florida Medicaid Transportation Coverage, Limitations, and Reimbursement Handbook, November 2004, into rule. This Notice of Rule Development replaces the notice that was published in the Florida Administrative Weekly, Vol. 30, No. 23, on June 4, 2004. We are publishing a new Notice of Rule Development, because we changed the handbook effective date to November 2004.

SUBJECT AREA TO BE ADDRESSED: Transportation Services.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.905, 409.907, 409.908, 409.9081, 409.910, 409.913 FS.

IF REQUESTED WITHIN 14 DAYS AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW.

TIME AND DATE: 2:00 p.m., Monday, May 23, 2005

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, Conference Room B, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Glen Davis, Medicaid Services, 2727 Mahan Drive, Building 3, Mail Stop 20, Tallahassee, Florida 32308-5407, (850)922-7305

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.330 Transportation Services.

(1) No change.

(2) All transportation providers enrolled in the Medicaid program must comply with the provisions of the Florida Medicaid Transportation Coverage, Limitations and

Reimbursement Handbook, November 2004 July—1997, incorporated by reference. The handbook is available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.902, 409.905, 409.907, 409.908, 409.9081, 409.910, 409.913 FS. History—New 1-1-77, Amended 10-1-77, 1-27-81, 8-28-84, Formerly 10C-7.45, Amended 4-13-93, Formerly 10C-7.045, Amended 1-7-98, _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Traumatic Brain and Spinal Cord Injury Services
 RULE NO.: 59G-13.130

PURPOSE AND EFFECT: The purpose of this rule is to incorporate by reference the Florida Medicaid Traumatic Brain and Spinal Cord Injury Waiver Services Coverage and Limitations Handbook, January 2005. This handbook includes the provider requirements, covered services, service limitations, procedure codes, and fees for the Florida Medicaid Traumatic Brain and Spinal Cord Injury Waiver Services Program. The effect will be to incorporate by reference in the rule the Florida Medicaid Traumatic Brain and Spinal Cord Injury Waiver Services Coverage and Limitations Handbook.

SUBJECT AREA TO BE ADDRESSED: Traumatic Brain and Spinal Cord Injury Services.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906, 409.907, 409.908, 409.912 FS.

IF REQUESTED IN WRITING WITHIN 14 DAYS BY AN AFFECTED PERSON AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW.

TIME AND DATE: 2:00 p.m., Tuesday, May 24, 2005

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room D, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Wendy Smith, Medicaid Services, 2727 Mahan Drive, Building 3, Mail Stop 20, Tallahassee, Florida 32308-5407, (850)487-2618

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-13.130 Traumatic Brain and Spinal Cord Injury Services.

(1) This rule applies to all traumatic brain and spinal cord injury waiver services providers enrolled in the Medicaid program.

(2) All traumatic brain and spinal cord injury waiver services providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Traumatic Brain and Spinal Cord Injury Waiver Services Coverage and Limitations Handbook, January 2005, incorporated by reference, and the

Florida Medicaid Provider Reimbursement Handbook, Non-Institutional 081 which is incorporated by reference in Rule 59G-13.001, F.A.C. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented, 409.906, 409.907, 409.908, 409.912 FS. History—New

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

RULE TITLE: RULE NO.:

Initial Licensure or Registration Requirement
for Instruction on Human Immunodeficiency
Virus and Acquired Immune Deficiency
Syndrome; Course Content and
Approval Requirements 61G5-18.011

PURPOSE AND EFFECT: The amendment requires that educational courses taught to fulfill the initial licensure or registration requirement are 4 hours in length.

SUBJECT AREA TO BE ADDRESSED: The number of hours for educational courses taught to fulfill the initial licensure or registration requirement.

SPECIFIC AUTHORITY: 455.2228(5), 477.016 FS.

LAW IMPLEMENTED: 455.2228 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: Robyn Barineau, Executive Director, Board of Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G5-18.011 Initial Licensure or Registration Requirement for Instruction on Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome: Course Content and Approval Requirements.

(1) through (2) No change.

(3) All educational courses on HIV and AIDS which are taught to fulfill the requirements for initial licensure or registration under Chapter 477, F.S., shall be approved by the Board. To be considered for the Board's approval, courses on HIV and AIDS shall consist of 4 hours combined education of:

(a) Education on the modes of transmission, infection control procedures, clinical management, and prevention of HIV and AIDS;

(b) Discussion of attitudes towards HIV and AIDS as well as appropriate behavior in dealing with persons who may have the virus or syndrome.

(4) through (7) No change.

Specific Authority 455.2228(5), 477.016 FS. Law Implemented 455.2228 FS. History—New 9-2-90, Amended 4-9-91, 10-27-91, 6-14-93, Formerly 21F-18.011, Amended 2-1-95, 12-21-97, 1-31-99, 3-8-00, 5-10-01, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

RULE TITLE: RULE NO.:

Salon Requirements 61G5-20.002

PURPOSE AND EFFECT: The amendment adds a requirement for compliance with local building and fire codes.
SUBJECT AREA TO BE ADDRESSED: Requirement prior to opening a salon.

SPECIFIC AUTHORITY: 477.016, 477.025(2) FS.

LAW IMPLEMENTED: 477.025 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: Robyn Barineau, Executive Director, Board of Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G5-20.002 Salon Requirements.

(1) Prior to opening a salon, the owner shall:

(a) through (c) No change.

(d) Submit proof of compliance with all local building and fire codes.

(2) through (6) No change.

Specific Authority 477.016, 477.025(2) FS. Law Implemented 477.025 FS. History—New 4-22-81, Amended 9-11-81, 1-17-83, 8-10-83, 6-28-84, 10-6-85, Formerly 21F-20.02, Amended 6-18-86, 10-18-87, 8-20-90, 5-19-91, 1-30-92, 5-11-92, 4-15-93, 5-31-93, Formerly 21F-20.002, Amended 1-9-95, 4-5-95, 8-8-95, 2-28-96, 6-16-97, 8-27-98, 4-13-99, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

RULE TITLE: RULE NO.:

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

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: Qualifications of Applicants for a Certificate as a Deputy Pilot.

SPECIFIC AUTHORITY: 310.071(2), 310.185 FS.

LAW IMPLEMENTED: 310.071(2), 310.073 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: Robyn Barineau, Executive Director, Board of Pilot Commissioners, 1940 North Monroe Street, Tallahassee, Florida 32399-0750 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Board of Dentistry

RULE TITLE: Requirements for General Anesthesia or Deep Sedation RULE NO.: 64B5-14.008

PURPOSE AND EFFECT: The Board proposes to review the rule to determine whether amendments are necessary.

SUBJECT AREA TO BE ADDRESSED: Requirements for accessible drugs to the operatory and recovery room.

SPECIFIC AUTHORITY: 466.004, 466.017 FS.

LAW IMPLEMENTED: 466.017 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Athletic Training

RULE TITLE: Fees RULE NO.: 64B33-3.001

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to clarify the fee for change of status and to implement a fee for a duplicate wall certificate.

SUBJECT AREA TO BE ADDRESSED: Clarification of change of status fee and implementation of a duplicate wall certificate fee.

SPECIFIC AUTHORITY: 456.025, 468.705, 468.709 FS.

LAW IMPLEMENTED: 456.025, 456.036, 468.709 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: Sue Foster, Executive Director, Board of Athletic Training/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B33-3.001 Fees.

The following fees are prescribed for athletic trainers:

(1) through (6) No change.

(7) At any time other than renewal, the ~~The~~ change of status fee shall be \$25.

(8) No change.

(9) The fee for a duplicate wall certificate shall be \$25.

Specific Authority 456.025, 468.705, 468.709 FS. Law Implemented 456.025, 456.036, 468.709 FS. History--New 7-12-95, Amended 5-29-96, Formerly 61-25.001, 64B30-25.001, Amended 8-22-00, _____.

DEPARTMENT OF HEALTH

Board of Athletic Training

RULE TITLES: Citations RULE NOS.: 64B33-5.003 Mediation 64B33-5.005

PURPOSE AND EFFECT: The Board proposes the development of amendments to Rule 64B33-5.003, F.A.C., which are intended to address additional violations appropriate for issuance of citations. In addition, the Board proposes a new rule, Rule 64B33-5.005, F.A.C., to address mediation as an acceptable process for resolution of a legally sufficient complaint for a specified offense.

SUBJECT AREA TO BE ADDRESSED: Citation violations and mediation.

SPECIFIC AUTHORITY: 456.077, 456.078, 468.705, 468.719 FS.

LAW IMPLEMENTED: 456.077, 456.078, 468.705, 468.719 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: Sue Foster, Executive Director, Board of Athletic Training/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B33-5.003 Citations.

(1) through (2) No change.

~~(3) Citations shall be issued for first offense violations only.~~

~~(3)(4)~~ The Board hereby designates the following as citation violations, which shall result in the indicated penalty:

(a) Failing to complete the continuing education requirements prescribed in Section 468.711(2), F.S., and the rules promulgated thereto; \$25.00 fine per continuing education hour plus proof of completing the continuing education within three months;

(b) Failing to include the athletic trainer's name and license number in any advertising, including, but not limited to, business cards and letterhead, related to the practice of athletic training pursuant to Section 468.719(1)(b), F.S.; \$50.00 fine, plus proof of compliance within 30 days, and costs;

(c) Failure to notify the Department of a change in the licensee's current mailing address as required by Section 456.035, F.S.; \$50.00 fine, plus proof of compliance within 30 days, and costs;

(d) Practice on an inactive license for less than four months; \$100.00 fine for each month or fraction thereof, plus proof of compliance within 30 days, and costs;

(e) Failure to timely pay required fees and fines: \$100.00 fine, plus proof of compliance within 30 days, and costs;

(f) First time issuance of a bad check to the Department for the payment of a fee or fine if not satisfied within 45 days: \$100.00 fine, plus proof of compliance, and costs;

(g) First time failure to respond to a continuing education audit within 30 days: \$50.00 fine, plus proof of compliance, and costs;

(h) First time failure to notify the Board in writing within 60 days of action taken against one's license in another jurisdiction or of a criminal felony conviction within 30 days: \$250.00 fine, plus proof of compliance, and costs;

(i) First time falsely certifying completion of required continuing education: \$100.00 fine, plus proof of completing the continuing education within three months, and costs;

(j) Failure to sign, file or render any report required by statute as part of a licensee's responsibility: \$50.00 fine, plus proof of compliance, and costs;

(k) Failure to report to the Department any person whom the licensee knows is in violation of the laws and rules of the Department: \$50.00 fine, and costs; and

(l) Improper use of practice title or credentials: \$50.00 fine, plus proof of compliance, and costs.

~~(4)(5)~~ If the subject does not dispute the matter in the citation in writing within 30 days after the citation is served by personal service or within 30 days after receipt by certified mail, the citation shall become a public final order of the Board of Athletic Training and does not constitute discipline for a first offense, but does constitute discipline for a second subsequent offense. The subject has 30 days from the date the citation becomes a final order to pay the fine and costs. All fines and costs are to be made payable to "Board of Athletic Training – Citation."

~~(6) Prior to issuance of the citation, the investigator must confirm that the violation has been corrected or is in the process of being corrected. If the violation is a substantial threat to the public health, safety and welfare, such potential for harm must be removed prior to issuance of the citation.~~

~~(5)(7)~~ No change.

Specific Authority 456.077, 468.705, 468.719 FS. Law Implemented 456.077, 468.705, 468.719 FS. History—New 5-9-02, Amended _____.

64B33-5.005 Mediation.

(1) "Mediation" means a process whereby a mediator appointed by the Department acts to encourage and facilitate resolution of a legally sufficient complaint. It is an informal and non-adversarial process with the objective of assisting the parties to reach a mutually acceptable agreement.

(2) For the purpose of Section 456.078, F.S., the Board designates as being appropriate for mediation first time violations of the following provision of subsection 468.719(1), F.S.: failing to include the athletic trainer's name and license number in any advertising, including, but not limited to, business cards and letterhead, related to the business of athletic training.

(3) Such violations are appropriate for mediation only if:

(a) The economic harm caused by an act or omission is not due to intentional misconduct;

(b) There is no allegation of physical harm or injury to a patient related to such violation;

(c) The violation does not result in an adverse incident as defined in Section 456.078(2), F.S.

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

DEPARTMENT OF HEALTH

Division of Health Awareness and Tobacco

RULE TITLE:
Licensing, Application, Permitting

RULE NO.:
64F-12.015

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

SUBJECT AREA TO BE ADDRESSED: The surety bond is one method to satisfy the \$100,000 bond security requirement for in-state and out-of-state prescription drug wholesalers. The Surety Bond Form is revised to clarify that the department may make claims against the bond for up to a year after any cancellation of the bond consistent with the provisions in Section 499.012(2)(a) and (c), Florida Statutes. The other two forms, Application for Certification as a Designated Representative and Notification of Designated Representative, are revised to facilitate receipt of information necessary to certify a person as a designated representative or to designate a person to serve as the designated representative for an in-state or out-of-state prescription drug wholesaler. Since the testing provision as a prerequisite for certification of a designated representative will soon be fully effective, the rule language providing for provisional certification with subsequent testing is repealed.

SPECIFIC AUTHORITY: 499.012 FS.

LAW IMPLEMENTED: 499.012 FS.

A RULE DEVELOPMENT WORKSHOP WILL NOT BE HELD. THE AGENCY HEAD HAS DETERMINED THAT A RULE DEVELOPMENT WORKSHOP IS UNNECESSARY DUE TO THE NON-SUBSTANTIVE NATURE OF THESE TECHNICAL AMENDMENTS.

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64F-12.015 Licensing, Application, Permitting.

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

(1) through (6) No change.

(7) WHOLESALER PERMITS.

(a) through (d) No change.

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

1. through 4. No change.

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

9. No change.

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

11. through 9. No change.

(c) through (g) No change.

(8) No change.

(9) DESIGNATED REPRESENTATIVE.

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

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

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

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

2. Responsibilities related to recordkeeping for prescription drugs by a person who worked in a pharmacy may include such activities as, practicing pharmacy pursuant to a valid pharmacy license, routinely purchasing or ordering prescription drugs where cognitive functions were involved and the order is not the result of an automated reorder system,

routinely receiving prescription drugs and verifying the accuracy of the order, routinely taking a physical inventory of prescription drugs, routinely assessing the pharmacy shelves for outdated prescription drugs, and routinely completing an inventory for the transfer of adulterated prescription drugs for appropriate disposal.

(b)(4) Application requirements for Certification as a Designated Representative include:

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

2. File with the department a completed application for certification using Form DH 2126 "Application for Certification as a Designated Representative," effective May 2005 January 2004, which is incorporated by reference herein. An application is not deemed completed until the applicant has received a passing score on the laws and rules examination required by Section 499.0121(11)(b)4., F.S. The applicant will be notified by mail of the applicant's eligibility to schedule the laws and rules examination. If the applicant has not passed the laws and rules examination within six months of this notification, the bureau will initiate action to deny the Application for Certification as a Designated Representative. This six-month period for an applicant to pass the laws and rules examination does not extend the statutory requirement in Section 499.012(11)(f), F.S., for a prescription drug wholesaler or an out-of-state prescription drug wholesaler to employ a designed representative.

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

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

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

(10) No change.

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

(a) through (f) No change.

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

(h) through (j) No change.

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

DEPARTMENT OF HEALTH

Division of Health Awareness and Tobacco

RULE TITLES:

RULE NOS.:

Administration of Statewide

Pharmaceutical Contract

64F-15.001

Agency Contact

64F-15.002

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

SUBJECT AREA TO BE ADDRESSED: The references to various offices with the Department of Management Services and the Department of Health are revised to reflect current office titles. Also two forms are no longer used, so these forms are being deleted from the rule.

SPECIFIC AUTHORITY: 381.0011(4),(13) FS.

LAW IMPLEMENTED: 381.0011(4),(13) FS.

A RULE DEVELOPMENT WORKSHOP WILL NOT BE HELD. THE AGENCY HEAD HAS DETERMINED THAT A RULE DEVELOPMENT WORKSHOP IS UNNECESSARY DUE TO THE NON-SUBSTANTIVE NATURE OF THESE TECHNICAL AMENDMENTS.

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64F-15.001 Administration of Statewide Pharmaceutical Contract.

DOH adopts and hereby incorporates by reference, for the sole purpose of implementing its responsibility under Sections 381.0011(4) and (13), F.S., for the establishment, management, administration, monitoring, and enforcement of the Statewide Pharmaceutical Contract, Chapter 60A-1, F.A.C., as amended May 1, 2005 January 1, 1996, except that:

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

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

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

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

~~(3)(5) "Pharmaceutical" shall mean a drug or legend device as defined by Section 499.003(11), F.S., and subsection 64F-12.031(2), F.A.C.~~

~~Specific Authority 381.0011(4),(13) FS. Law Implemented 287, 381.0011(4),(13) FS. History--New 4-24-94, Amended 5-30-96, Formerly 10D-128.001, Amended _____.~~

64F-15.002 Agency Contact.

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

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

DEPARTMENT OF HEALTH

Biomedical Research Advisory Council

RULE TITLE: Biomedical Research Grant Applications

RULE NO.: 64H-1.001

PURPOSE AND EFFECT: Amendment to this rule is necessary to provide the availability of the Call for Grant Applications and the Grant Application Form required to apply for research grants under the Florida Biomedical Research Program, pursuant to the provisions of Section 215.5602, F.S.

SUBJECT AREA TO BE ADDRESSED: Availability of the Call for Grant Applications and the Grant Application Form.

SPECIFIC AUTHORITY: 215.5602(9) FS.

LAW IMPLEMENTED: 215.5602(5) FS.

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

TIME AND DATE: 2:00 p.m. – 3:00 p.m. (EST), Wednesday, June 1, 2005

PLACE: Department of Health, 4052 Bald Cypress Way, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Marcia Reed, Office of Statewide Research, Department of Health, 4052 Bald Cypress Way, Mail Bin A24, Tallahassee, FL 32399-1749, (850)245-4444, Ext. 3581

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64H-1.001 Biomedical Research Grant Applications.

~~Grant applications shall be conducted in accordance with the Call for Grant Applications and submitted on the Biomedical Research Program Grant Application Form DH 2117 that are available at the Biomedical Research Program website, <http://www.floridabiomed.com> or <http://www.doh.state.fl.us/execstaff/biomed/index.html> or by contacting the Department of Health at: Biomedical Research Program, 4052 Bald Cypress Way, Mail Bin A-24, Tallahassee, Florida 32399, (850)245-4444. Grant applications shall be conducted in accordance with the Call for Grant Applications dated September 9, 2002, incorporated by reference herein. Application must be submitted on the Biomedical Research Program Grant Application Form DH 2117, 7/02, incorporated by reference herein.~~

~~Specific Authority 215.5602(9) FS. Law Implemented 215.5602(5) FS. History--New 3-11-02, Amended 4-6-03, _____.~~

**Section II
Proposed Rules**

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Plant Industry

RULE CHAPTER TITLE: Pest of Honeybees and Unwanted

RULE CHAPTER NO.: 5B-54

Races of Honeybees 5B-54

RULE TITLES: Regulated Honeybee Pests 5B-54.003

Issuance of Compliance Agreements and Certificates 5B-54.014

Destruction of Treatment of Infested or Infected Hives 5B-54.017

PURPOSE AND EFFECT: The purpose of the rule amendment is to remove specific reference to the Varroa mite, *Varroa* spp., as a regulated honeybee pest since the Varroa mite has now become widely distributed throughout the state, and to remove the requirement that as a condition of movement all hives must meet a post treatment tolerance level of no more than two Varroa mites in an ether roll of 200 honeybees.

SUMMARY: The list of regulated honeybee pests in Florida requiring quarantine action is being amended to remove the Varroa mite, *Varroa* spp., since this mite has now become widely distributed throughout the state, and to remove the requirement to issue inspection certificates based on treatments achieving a tolerance level of no more than two Varroa mites in an ether role of 200 honeybees.

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: 586.10 FS.

LAW IMPLEMENTED: 586.10, 586.11, 586.13 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Ms. Connie Riherd, Assistant Director, Department of Agriculture and Consumer Services, Division of Plant Industry, Room A116, 1911 S. W. 34th Street, Gainesville, Florida 32608, (352)372-3505

THE FULL TEXT OF THE PROPOSED RULES IS:

5B-54.003 Regulated Honeybee Pests.

Each of the following honeybee pests is found to be capable of damaging or causing abnormalities in honeybees, colonies of honeybees or beeswax and is declared to constitute a nuisance:

(1) American foulbrood. The disease organism known as *Paenibacillus* larvae.

(2) The mite *Tropolaelaps clareae*.

~~(3) Varroa mite, *Varroa spp.*~~

~~(3)(4)~~ Any other honeybee pest determined by the department to be a threat to the state.

Specific Authority 586.10(2) FS. Law Implemented 586.10(5) FS. History—New 11-22-88, Amended 11-4-92, 7-9-95, 3-11-04, _____.

5B-54.014 Issuance of Compliance Agreements and Certificates.

(1) Compliance Agreements. The department may issue a compliance agreement for the movement of regulated articles, as listed under Rule 5B-54.005, F.A.C., from another state for entrance into Florida under any of the following conditions:

(a) When movement of non-certified regulated articles to specified destinations for limited handling, utilization, or processing is requested.

(b) Each compliance agreement will prescribe the conditions under which the regulated articles are allowed to move. Form Compliance Agreement, DACS-08031, Revised 5/99, is hereby incorporated in this rule by reference. A copy of DACS-08031 may be obtained from the Division of Plant Industry, Bureau of Plant and Apiary Inspection, Post Office Box 147100, Gainesville, Florida 32614-7100.

(2) Certificates of Inspection.

(a) A certificate is required on each sale or movement of honeybees and other regulated articles within the state unless such regulated articles are identified as specified in Rule 5B-54.013, F.A.C. Forms DACS-08061, revised 8/99

Certificate of Inspection for Out of State Shipments and Re-entry Into Florida, and incorporated herein by reference, or a Queen Certificate, DACS-08057, revised 10/99, and incorporated herein by reference, may be used for this purpose. A copy of forms DACS-08061 and DACS-08057 or a Varroa Mite Certification, DACS-08165, revised 10/99, and incorporated herein by reference, may be used for this purpose. ~~A copy of Forms DACS-08061, DACS-08057 and DACS-080165 may be obtained from the Division of Plant Industry, Bureau of Plant and Apiary Inspection, Post Office Box 147100, Gainesville, Florida 32614-7100.~~

(b) A certificate, DACS-08061 or DACS-08057, is required on shipments of honeybees or other regulated articles going from the state showing that certification requirements have been met.

Specific Authority 586.10(2) FS. Law Implemented 586.10(7), 586.11 FS. History—New 11-22-88, Amended 11-4-92, 7-9-95, 6-20-00, _____.

5B-54.017 Destruction or Treatment of Infested or Infested Hives.

(1) American foulbrood. All hives found infected or infested with American foulbrood shall be destroyed by burning or shall be decontaminated by other methods prescribed or approved by the department. This action must be accomplished within 30 days of diagnosis and honeybee colonies and related equipment must be stored or maintained in such a manner that exposure to other honeybees is prevented. All colonies found in the same apiary where American foulbrood is detected shall be quarantined for a minimum of 30 days by issuing a Notice of Quarantine For American Foulbrood to determine apparent freedom from American foulbrood disease. Notice of Quarantine for American Foulbrood, DACS-08063, Revised 12/99, is hereby incorporated in this rule by reference. A copy of DACS-08063 may be obtained from the Division of Plant Industry, Bureau of Plant and Apiary Inspection, Post Office Box 147100, Gainesville, Florida 32614-7100.

(2) Other honeybee pests and unwanted races of honeybees. Discovery of other honeybee pests or unwanted races of honeybees in the state shall initiate the quarantine of all colonies located within a distance prescribed by the department of the infested apiary. All honeybees within the quarantine area shall be inspected. A recommended eradication or control method shall be determined and prescribed by the department.

~~(3) Varroa mite. All hives found infested with Varroa mite shall be treated prior to movement with an acaricide approved by the Department and will have more than two (2) Varroa mites in an ether roll of 200 bees in the post treatment survey. A Varroa Mite Certificate, DACS-08165, Revised 10/99, is to be issued following an acceptable survey. A copy of DACS-08165 may be obtained from the Division of Plant Industry, Bureau of Plant and Apiary Inspection, Post Office Box 147100, Gainesville, Florida 32614-7100.~~

Specific Authority 586.10(2) FS. Law Implemented 586.10(4), 586.13 FS. History—New 11-22-88, Amended 11-4-92, 7-9-95, 6-20-00,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Connie Riherd, Assistant Director, Director’s Office
 NAME OF SUPERVISOR OR PERSON WHO APPROVED
 THE PROPOSED RULE: Craig Meyer, Deputy
 Commissioner, Office of Commissioner
 DATE PROPOSED RULE APPROVED BY AGENCY
 HEAD: April 26, 2005
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT
 PUBLISHED IN FAW: February 11, 2004

DEPARTMENT OF EDUCATION

Commission for Independent Education

RULE TITLE: Actions Against a Licensee; Penalties
 RULE NO.: 6E-2.0061
 PURPOSE AND EFFECT: The Commission proposes the amendment to the rule to clarify who may serve on the panel and review reconsideration of probable cause.
 SUMMARY: The proposed rule amendment clarifies who may serve on the panel and review reconsideration of probable cause.
 SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 1005.37(1)(e), 246.071 FS.
 LAW IMPLEMENTED: 1005.32(7), 1005.34(3), 1005.38 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: Samuel L. Ferguson, Executive Director, Commission for Independent Education, 2650 Apalachee Parkway, Suite A, Tallahassee, Florida 32301

THE FULL TEXT OF THE PROPOSED RULE IS:

6E-2.0061 Actions Against a Licensee; Penalties.

(1) through (6) No change.

(7)(a) through (b) No change.

(c) Reconsideration of probable cause in any given case shall be performed by the members of the panel who initially found probable cause in that case. Whenever an original panel member is not available, current member(s) shall hear the reconsideration. If a Commission member has reviewed a case as a member of the probable cause panel, that member, if available, shall be on the panel for reconsideration of that case if reconsideration is necessary.

(8) through (10) No change.

Specific Authority 1005.37(1)(e), 246.071 FS. Law Implemented 1005.32(7), 1005.34(3), 1005.38 FS. History—New 10-13-83, Formerly 6E-2.061, Amended 5-20-87, 1-27-88, 11-29-89, 12-10-91, 10-19-93, 1-7-03, 5-4-04, 5-26-04, 7-20-04, 3-11-05,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Commission for Independent Education
 NAME OF SUPERVISOR OR PERSON WHO APPROVED
 THE PROPOSED RULE: Commission for Independent
 Education
 DATE PROPOSED RULE APPROVED BY AGENCY
 HEAD: March 11, 2005
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT
 PUBLISHED IN FAW: April 11, 2005

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Equipment and Operational Safety	
Standards for Bus Transit Systems	14-90
RULE TITLES:	RULE NOS.:
Scope	14-90.001
Definitions	14-90.002
Department Responsibilities and Authority	14-90.003
Bus Transit System Operational Standards	14-90.004
Medical Examinations for Bus Transit	
System Drivers	14-90.0041
Transit Bus Accidents	14-90.005
Operational and Driving Requirements	14-90.006
Vehicle Equipment Standards and	
Procurement Criteria	14-90.007
Standards for Accessible Buses	14-90.008
Bus Safety Inspections	14-90.009
Certification	14-90.010
Inspection of Buses by Law Enforcement Officers	14-90.011
Safety and Security Inspections and Reviews	14-90.012

PURPOSE AND EFFECT: Rule Chapter 14-90, F.A.C., is being amended, including the repeal of five rules. The medical examination report for public-sector bus drivers is revised.

SUMMARY: Rule Chapter 14-90, F.A.C., is being amended.
 SPECIFIC AUTHORITY: 334.044(2), 341.061(2)(a) FS.
 LAW IMPLEMENTED: 119.071, 334.044(12),(28), 341.041(3), 341.061(2) FS.

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

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: James C. Myers, Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE FULL TEXT OF THE PROPOSED RULES IS:

EQUIPMENT AND OPERATIONAL SAFETY
STANDARDS FOR GOVERNING PUBLIC SECTOR
BUS TRANSIT SYSTEMS

14-90.001 Scope.

Specific Authority 334.044(2), 341.061(2)(a) FS. Law Implemented 334.044(12), (21), 341.041(3), 341.061(2) FS. History—New 9-7-87, Amended 11-10-92, 8-2-94, Repealed _____.

14-90.002 Definitions.

~~(1) “Accessible Bus” means any vehicle readily accessible to and usable by individuals with disabilities and meeting the requirements of Title 49, Code of Federal Regulations, Part 38, Subpart B—Buses, Vans, and Systems.~~

~~(1)(2) “Bus” means any motor vehicle as defined in Subsection 316.003(21) Florida Statutes, other than a taxicab, designed, constructed, and used for the public transport transportation of persons for compensation. For purposes of this Rule Chapter, a bus means a public-sector bus which is owned, operated, leased, or controlled by a bus transit system. Buses are designated in two categories:—~~

~~(a) Type I ±. Over 22 feet in length, including bumpers.~~

~~(b) Type II ±. 22 feet or less in length, including bumpers. This category shall include all such paratransit type vehicles, such as i.e., minibuses, standard vans, modified vans, station wagons, and sedans etc., when used for the transportation of persons for compensation.~~

~~(3) “Bus Driver” means any person who drives and is in actual physical control of a bus on a street or highway which is being used for the transportation of persons for compensation.~~

~~(2)(4) “Bus Transit Systems” means a community transportation coordinator; a public transit provider; a private contract transit provider which owns, operates, leases, or controls buses or taxicabs where such transportation consists of continuous or recurring transportation under the same contract; or a privately owned or operated transit provider that receives operational or capital funding from the Department and owns, operates, leases, or controls buses, other than nonpublic sector buses defined in Section 316.003, Florida Statutes, that provide transportation services available for use by the general riding public those systems defined in subsections 14-90.002(5), (10) and (13).~~

~~(3)(5) “Community Transportation Coordinator” “Bus Transit System Created Pursuant to Chapter 427” means a provider of any public or private transportation entity designated as a Community Transportation Coordinator pursuant to Chapter 427, Florida Statutes, which provides~~

~~coordinated transportation services or an entity that ensures such services are provided by another a transportation operator or private contract bus transit system.~~

~~(4)(6) “Department” means the State of Florida Department of Transportation.~~

~~(5)(7) “Drive” or “Operate” are terms which include all time spent at the driving controls of a bus in operation.~~

~~(6) “Driver” means any person trained and designated to drive a bus on a street or highway which is being used for the public transport of persons for compensation.~~

~~(7)(8) “FMVSS” means Federal Motor Vehicle Safety Standards in effect at the time the bus or component is manufactured.~~

~~(8)(9) “For Compensation” means for a return in money, property, or of anything of value for service in transporting persons or property by buses over public highways, whether paid, received, or realized, directly or indirectly, and shall specifically be deemed to include any profit in money, goods, or things realized from such transportation.~~

~~(10) “Governmentally Owned Bus Transit System” means any governmentally owned entity or agency, financed wholly or partly by state funds, that owns, operates, leases, or controls buses.~~

~~(9)(11) “Manufacturer” of the Chassis” means the original producer manufacturer of the chassis, or the producer manufacturer of any integral type of bus, or the producer of equipment installed on any bus for the purpose of transporting individuals with disabilities.~~

~~(10)(12) “On Duty” means the status of the driver from the time he or she begins work, or is required to be in readiness to work, until the time the driver is relieved from work and all responsibility for performing work. “On Duty” includes all time spent by the driver as follows:~~

~~(a) Waiting to be dispatched at bus transit system terminals, facilities, or other private or public property, unless the driver has been completely relieved from duty by the bus transit system.~~

~~(b) Inspecting, servicing, or conditioning any vehicle.~~

~~(c) Driving.~~

~~(d) Remaining in readiness to operate a vehicle (Stand-by).~~

~~(e) Repairing, obtaining assistance, or remaining in attendance in or about a disabled vehicle.~~

~~(11) “Passenger” means a person who is on board, boarding, or alighting from a bus for the purposes of public transport.~~

~~(13) “Privately Owned or Operated Bus Transit System That is Financed Wholly or Partly by State Funds” means any private entity or agency that receives operational or capital funding from the state and owns, operates, leases, or controls buses that provide transportation services available for use by the general riding public.~~

~~(14) “Privately Owned or Operated Bus Transit System Under Contract” means an private entity or agency which owns, operates, leases, or controls buses or taxicabs and provides transportation services under contract for a bus transit system for compensation where such transportation consists of continuous or recurring transportation under the same contract. This term shall hereinafter be referred to as “private contract bus transit system”.~~

~~(15) “Public sector Bus” means a bus which is owned, operated, leased, or controlled by a bus transit system.~~

~~(12)(16) “Safe Condition” means a condition where hazards are reduced to the lowest level feasible through the most effective use of available resources and where substantial compliance exists with all safety rules, regulations, and requirements.~~

~~(17) “Safety Certification” means a formal statement or documentation declaring, verifying or attesting that safety requirements are incorporated in designs, construction, procurement activities, training and operation of a transit system.~~

~~(13)(18) “Safety Review” means an on-site assessment to determine if a bus transit system has adequate safety management controls in place and functioning that meet safety standards provided and incorporated by reference in this Rule Chapter.~~

~~(14) “Security” means freedom from harm resulting from intentional acts against passengers, employees, equipment, and facilities.~~

~~(15) “Security Program Plan (SPP)” means a document developed and adopted by the bus transit system detailing its policies, objectives, responsibilities, and procedures for the protection and defense of the system and persons from intentional acts of harm.~~

~~(16) “Security Review” means an on-site assessment to determine if a bus transit system has security management controls in place and functioning that meet security requirements provided in this Rule Chapter.~~

~~(19) “Seven Consecutive Days” means the period of seven consecutive twenty-four hour days beginning on any day at a time designated by the bus transit system for a 24 hour period.~~

~~(17)(20) “System Safety Program Plan (SSPP)” means a documented developed and adopted by the bus transit system detailing its policies, objectives, responsibilities, and procedures against injuries or damage organized approach and guide to accomplishing a system safety program.~~

~~(18)(21) “Taxicab” means any motor vehicle of a nine passenger capacity or less, including the driver, engaged in the general transportation of persons for compensation on occasional trips, not on a regular schedule or between fixed termini or over regular routes, where and such vehicle does not provide transportation services as a result of a contractual agreement with a bus transit system.~~

~~(19)(22) “Trailer Bus” means a trailing or towed vehicle trailer or semitrailer designed or used for the transportation of more than 10 persons, e.g., tram buses.~~

~~(23) “Twenty four Hour Period” means any 24 consecutive hour period beginning at a time, designated by the bus transit system, from the terminal or location from which the driver is normally dispatched.~~

~~(20)(24) “Unsafe Condition” means any thing or circumstance condition which endangers human life or property.~~

~~(25) “Work Period” means the duration between the time a driver first reports for duty and the time a driver is completely relieved of all duties and is permitted to go off duty for a minimum of eight consecutive hours. The terms “work period” and “on duty” have the same meaning or intent in this rule chapter.~~

Specific Authority 334.044(2), 341.061(2)(a) FS. Law Implemented 341.041(3), 341.061(2) FS. History–New 9-7-87, Amended 11-10-92, _____.

14-90.003 Department Responsibilities and Authority.

Specific Authority 334.044(2), 341.061(2)(a) FS. Law Implemented 341.041(3), 341.061(2) FS. History–New 9-7-87, Amended 11-10-92, Repealed _____.

14-90.004 Bus Transit System Operational Standards.

(1) Each bus transit system shall develop and adopt an SSPP that complies, at a minimum, with established safety standards set forth in this Rule Chapter:-

(a) Develop a SSPP that complies, at a minimum, with established safety standards set forth in this rule chapter. The SSPP plan shall address consist of safety considerations and standards for the following safety elements and requirements:

1. Safety policies and responsibilities. Management
2. Vehicles and equipment standards and procurement criteria.
3. Operational standards and procedures. functions
4. Bus driver and employee selection.
5. Driving requirements.
6. Bus driver and employee training.
7. Vehicle mMaintenance.
8. Investigations of events described under subsection 14-90.004(5), F.A.C.

9. Hazard identification and resolution.
10. 6. Equipment for transporting wheelchairs.
11. Safety data acquisition and analysis.
7. Training
8. Federal, State, and Local regulations, ordinances, or laws-

12.9. Safety standards for pPrivate contract bus transit system(s) that provide(s) continuous or recurring transportation services for compensation as a result of a contractual agreement with the bus transit system.

(b) ~~Each bus transit system shall implement and comply with the SSPP during the operation of the system.~~

(c) ~~Each bus transit system shall require that all operable transit buses be inspected at least annually in accordance with established standards.~~

~~(d) Assure that safety inspections are performed by personnel qualified by the bus transit system, as specified in 14-90.009(2).~~

~~(d)(e) Each bus transit system shall annually submit a safety certification to the Department verifying the following: the adoption of a SSPP in accordance, at a minimum, with established standards set forth in this rule chapter.~~

~~1. Adoption of an SSPP in accordance, at a minimum, with established standards set forth in this Rule Chapter.~~

~~2. Compliance with its adopted SSPP and that safety inspections have been performed at least annually on all buses operated by the bus transit system, by persons meeting the requirements of Rule 14-90.009, F.A.C.~~

~~(f) Annually submit a safety certification to the Department verifying compliance with its adopted SSPP and that safety inspections have been performed by a qualified entity at least annually on all buses operated by the system.~~

~~(e)(g) Bus transit systems shall immediately suspend Require immediate suspension of affected system service operations; if, at any time, continued operation of the system or a portion thereof, is unsafe believed not safe for passenger service or poses a potential danger to public safety.~~

~~(2) Each bus transit system shall develop and adopt an SPP that complies, at a minimum, with security requirements set forth in this Rule Chapter. The SPP shall be adopted separately from the SSPP. Bus transit systems that engage in a contract with a private contract bus transit system(s) pursuant to 14-90.004(1)(a)9. shall:~~

~~(a) The SPP shall address the following security requirements:~~

~~1. Security policies, goals, and objectives.~~

~~2. Organization, roles, and responsibilities.~~

~~3. Emergency management processes and procedures for mitigation, preparedness, response, and recovery.~~

~~4. Procedures for investigation of events described under subsection 14-90.004(5), F.A.C.~~

~~5. Procedures for the establishment of interfaces with emergency response organizations.~~

~~6. Procedures for interagency coordination with local law enforcement jurisdictions.~~

~~7. Employee security and threat awareness training programs.~~

~~8. Security data acquisition and analysis.~~

~~9. Conduct and participate in emergency preparedness drills and exercises.~~

10. Security requirements for private contract transit provider(s) that provide(s) continuous or recurring transportation services for compensation as a result of a contractual agreement with the bus transit system.

11. Procedures for SPP maintenance and distribution.

(b) Each bus transit system shall implement and comply with the SPP during the operation of the system.

(c) Bus transit systems that engage in a contract with a private contract transit provider(s) shall:

1. Establish minimum security requirements which apply to private contract transit provider(s).

2. Monitor and assure each private contract transit provider complies with established security requirements during the term of the contract.

(d) Disclosure. Bus transit systems are prohibited from publicly disclosing the SPP or the security portion of the SSPP, as applicable under any circumstance.

~~(a) Establish minimum safety standards pursuant to 14-90.004(1)(a) which apply to private contract bus transit system(s), as defined in 14-90.002(14).~~

~~(b) Monitor and assure the private contract bus transit system(s) comply(s) with established safety standards while engaged in a contract pursuant to 14-90.004(2).~~

(3) Bus transit systems shall establish criteria and procedures for selection, qualification, and training of all drivers. The criteria shall include the following:

(a) Driver qualifications and background checks with minimum hiring standards. Require that all buses be operated at all times in compliance with applicable traffic regulations, ordinances, and laws of the jurisdiction in which they are being operated.

(b) Driving and criminal background checks for all new drivers.

(c)(b) Verification and documentation. Require proof of valid driver licenses for all employees who drive buses in accordance with Chapter 322, Florida Statutes, and maintain a current legible photostatic record of each driver's license.

(d)(e) Training. Establish driver training and testing to demonstrate and ensure adequate skills and an employee's capabilities to safely operate each different type of bus or bus combination before driving on a street or highway unsupervised, i.e., buses requiring different skills for drivers to safely and properly drive. At a minimum, dDrivers shall be given explicit instructional and procedural training and testing in the following areas shall include:

1. Bus transit system safety and operational policies and procedures.

2. Operational bus and equipment inspections.

3. Bus equipment familiarization.

4. Basic operations and maneuvering.

5. Boarding and alighting passengers.

6. Operation of wheelchair lift and other special equipment and driving conditions.

7. Defensive driving.

8. Passenger assistance and securement.

9. Handling of emergencies and security threats.

10. Security and threat awareness.

~~1. Explicit instructional and procedural training regarding operational and driving requirements, defensive driving, equipment inspection and handling of emergencies.~~

~~2. A road test of sufficient duration to enable the person who gives it to evaluate the skill of the person who takes it at handling the bus, and associated equipment, that the bus transit system intends for the person to operate.~~

~~3. The road test shall be given by the bus transit system or a person designated by it.~~

~~4. The road test shall be given by a person who is competent to evaluate and determine whether the person who takes the test has demonstrated the capability of operating the vehicle, and associated equipment, that the bus transit system intends for the person to drive.~~

~~(d) Establish driver training for operation of special equipment on buses, such as wheelchair lifts, ramps and wheelchair securement devices, as applicable.~~

(e) Bus transit systems shall provide written operational and safety procedures to all bus drivers before driving on a street or highway unsupervised. These procedures and instructions shall address, at a minimum, the following:

1. Communication and handling of unsafe conditions, security threats, and emergencies.

2. Familiarization and operation of safety and emergency equipment, wheelchair lift equipment, and restraining devices.

3. Application and compliance with applicable federal and state rules and regulations.

(f) The provisions in paragraphs (d) and (e) above shall not apply to personnel licensed and authorized by the bus transit system to drive, move, or road test a bus to perform repairs or maintenance services where it has been determined that such temporary operation does not create an unsafe operating condition or create a hazard to public safety. Maintain a current record of the different types of buses and bus special equipment each driver is capable of driving and operating.

(g) Bus transit systems shall maintain the following records for at least four years:

1. Records of bus driver background checks and qualifications.

2. Detailed descriptions of training administered and completed by each bus driver.

3. A Maintain a record of each bus driver's duty status work period which shall include documentation of the following: 1. Total days worked, 2. On-duty hours, 3. Driving hours, and 4. Time of reporting on and off duty each day.

~~(h) Notwithstanding the provisions of Section 316.193, 316.1931, 316.1932, 316.1933, 316.1934, Florida Statutes, pursuant to driving under the influence, Each bus transit system shall establish a drug-free workplace policy statement in accordance with Title 49, C.F.R. Code of Federal Regulations, Part 29, "Government-wide Requirements for Drug-Free Workplace (Grants)" and a substance abuse management and testing program in accordance with 49 C.F.R. Parts 40 and 655, hereby incorporated by reference, Drug Free Workplace Act.~~

~~(i) Assure that the SSPP provides for the prevention of an employee to drive, move or cause to be driven or moved, on any street or highway, any bus:~~

~~1. Which is in such unsafe condition as to endanger any person or property.~~

~~2. Which does not contain those safety parts or is not at all times equipped with safety equipment and devices in proper condition and adjustment as required by Chapter 316, Florida Statutes, and this rule chapter.~~

~~3. Which is equipped in any manner in violation of Chapter 316, Florida Statutes, and this rule chapter.~~

~~4. The provisions of this subsection shall not apply to personnel authorized by the bus transit system to temporarily drive, move, or road test a bus to perform repairs or maintenance services and it has been determined that such temporary operation does not create an unsafe operating condition or create a hazard to public safety.~~

(i)(j) Bus transit systems shall require that drivers write and submit a daily bus inspection report pursuant to Rule subsections 14-90.006(7) and (8), F.A.C.

(4) Bus Maintenance. Bus transit systems shall establish a maintenance plan and procedures for preventative and routine maintenance for all buses operated. All buses operated shall be properly maintained and equipped with all required parts necessary to ensure such buses are in safe and proper operating condition at all times. The maintenance plan and procedures Bus transit systems shall assure:

(a) That all buses operated, and all parts and accessories on such buses, including those specified in Rules 14-90.007 and 14-90-008, F.A.C., and any additional parts and accessories which may affect safety of operation, including frame and frame assemblies, suspension systems, axles and attaching parts, wheels and rims, and steering systems, are regularly and systematically inspected, maintained, and lubricated at a minimum in accordance with the standards developed and established, at a minimum, according to the bus manufacturer's recommendations and requirements in the SSPP to ensure they are in safe and proper operating condition.

(b) That a recording and tracking system is established for A method of indicating the types of inspections, maintenance, and lubrication intervals, including to be performed on each

~~bus and~~ the date or mileage when these services are due. Required maintenance inspections required shall be more comprehensive than daily inspections performed by the driver.

(c) That proper preventive maintenance is performed when a bus is assigned away from the system's regular maintenance facility, or when maintenance services are performed under contract.

(d) ~~That The maintenance of records are maintained and provide providing~~ written documentation of preventive maintenance, regular maintenance, inspections, lubrication, and repairs performed for each bus under their control. Such records shall be maintained by the bus transit system for at least four years and include at a minimum the following information:

1. Identification of the bus, including make, model, and license number or other means of positive identification and ownership.

2. Date, mileage, and type of inspection, maintenance, lubrication, or repair performed.

3. Date, mileage, and description of each inspection, maintenance, and ~~or~~ lubrication intervals performed.

4. If not owned by the bus transit system, the name of any person or lessor furnishing any bus.

5. The name and address of any entity or contractor performing an inspection, maintenance, lubrication, or repair.

(5) Each bus transit system shall investigate, or cause to be investigated, any event involving a bus or taking place on bus transit system controlled property resulting in a fatality, injury, or property damage as follows:

(a) A fatality, where an individual is confirmed dead within 30 days of a bus transit system related event, excluding suicides and deaths from illnesses.

(b) Injuries requiring immediate medical attention away from the scene for two or more individuals.

(c) Property damage to bus transit system bus(es), non-bus transit system vehicles, other bus system property or facilities, or any other property, except the bus transit system shall have the discretion to investigate events resulting in property damage less than \$1,000.

(d) Evacuation of a bus due to a life safety event where there is imminent danger to passengers on the bus, excluding evacuations due to operational issues.

(6) Each investigation shall be documented in a final report that includes a description of investigation activities, identified causal factors, and any identified corrective action plan.

(a) Each corrective action plan shall identify the action to be taken by the bus transit system and the schedule for its implementation.

(b) The bus transit system must monitor and track the implementation of each corrective action plan.

(7) Investigation reports, corrective action plans, and related supporting documentation shall be maintained by the bus transit system a minimum of four years from the date of completion of the investigation.

(8) On or before July 1, 2006, every bus transit system shall comply with the 2005 amendments to this Rule.

Specific Authority 334.044(2), 341.061(2)(a) FS. Law Implemented 119.071, 341.041(3), 341.061(2) FS. History—New 9-7-87, Amended 11-10-92,

14-90.0041 Medical Physical Examinations for Bus Transit System Drivers.

(1) Bus transit systems shall establish medical physical examination requirements for all applicants for driver positions new and for existing drivers current employees who drive (will drive) buses as defined in Rule subsections 14-90.002(2) and ~~(3)~~. The medical examination requirements shall include a pre-employment examination for applicants, an examination As part of the physical examination requirements, all employees who are bus drivers must receive an initial physical examination and one at least once every two years for existing drivers, and a return to duty examination for any driver prior to returning to duty after having been off duty for 30 or more days due to an illness, medical condition, or injury.

(a) Physical examinations shall be performed by the examining physician according to the instructions, and recorded by the physician on Department of Transportation Form Number 775-030-01, "Physical Examination for Public Sector Bus Driver", 07/92, which is hereby incorporated by reference. Copies of Form Number 775-030-01 are available from the Florida Department of Transportation, Public Transit Office, 605 Suwannee Street, Mail Station 26, Tallahassee, Florida 32399-0450.

(2)(b) Medical Physical examinations may be performed and recorded according to qualification standards in a form adopted by the bus transit system, provided the medical physical examination qualification standards requirements and the form adopted by the bus transit system meet or exceed those that provided in by Department Form Number 775-030-11, 04 Medical Examination Report for Bus Transit System Driver, Rev. 02/05, hereby incorporated by reference. Copies of Form Number 775-030-11 are available from the Florida Department of Transportation, Public Transit Office, 605 Suwannee Street, Mail Station 26, Tallahassee, Florida 32399-0450 or on-line at www.dot.state.fl.us/transit. The physical examination shall be performed and recorded by a physician meeting the requirements of Rule 14-90.0041(1)(b).

(3)- Medical Physical examinations shall be performed by a Doctor of Medicine or Osteopathy, Physician Assistant, or Advanced Registered Nurse Practitioner licensed or certified by the State of Florida. If medical examinations are performed by a Physician Assistant or Advanced Registered Nurse Practitioner, they must be performed under the supervision or review of a Doctor of Medicine or Osteopathy.

~~(a)2-~~ An ophthalmologist or optometrist licensed by the State of Florida may perform ~~as so~~ much of the examination as pertains to visual acuity, field of vision, and color recognition.

~~(b)~~ Upon completion of the examination, the medical examiner shall complete, sign, and date the medical examination report.

~~(4)(e)~~ Bus transit systems shall have on file proof of ~~medical physical~~ examination, i.e., a completed and signed ~~medical examination report~~ for each bus driver, dated within the past 24 months. ~~(2)~~ Medical examination reports ~~Records and results of physical examinations~~ of employee bus drivers shall be maintained by the bus transit system for a minimum of four years from the date of the examination.

(5) On or before July 1, 2006, every bus transit system shall comply with the 2005 amendments to this Rule.

Specific Authority 334.044(2), 341.061(2)(a) FS. Law Implemented 334.044(12), 341.041(3), 341.061(2) FS. History—New 11-10-92, Amended _____.

14-90.005 Transit Bus Accidents.

Specific Authority 334.044(2), 341.061(2)(a) FS. Law Implemented 341.041(3), 341.061(2) FS. History—New 9-7-87, Amended 11-10-92, Repealed _____.

14-90.006 Operational and Driving Requirements.

(1) Bus transit systems shall not permit a driver to drive a bus when such driver’s license has been suspended, cancelled, or revoked. Bus transit systems shall require a driver who receives a notice that his or her license to operate a motor vehicle has been suspended, cancelled, or revoked to notify his or her employer of the contents of the notice immediately, ~~or~~ no later than the end of the business day following the day he or she received the notice ~~it~~.

(2) ~~Public sector B~~ buses shall be operated at all times in compliance with applicable traffic regulations, ordinances, and laws of the jurisdiction in which they are being operated.

(3) ~~A~~ The driver of a bus shall not be permitted or required to drive more than 12 hours in any one 24-hour period, or drive after having been on duty for 16 hours in any one 24-hour period, or drive more than 70 hours in any period of seven consecutive calendar days. A driver shall not be permitted to drive until the requirement of a minimum eight consecutive hours off-duty has been fulfilled. A driver’s work period shall begin from the time he or she first reports for duty to his or her employer. A driver is permitted to exceed his or her regulated hours in order to reach a regularly established relief or dispatch point, provided the additional driving time does not exceed one hour.

(4) A driver shall not be permitted or required to be on duty more than 72 hours in any period of seven consecutive days; however, 24 consecutive hours off duty shall constitute the end of any such period of seven consecutive days.

~~(a)~~ A driver who has reached the maximum 72 ~~12~~ driving hours of or 16 hours on duty time during the seven consecutive days shall be required to have a minimum of 24 ~~eight~~ consecutive hours off duty prior to returning to on duty status within any one 24-hour period.

~~(b)~~ A driver’s work period shall begin from the time a driver first reports for duty for his or her employer.

~~(5)(4)~~ A driver is ~~may be~~ permitted to drive for more than the regulated hours for safety and protection of the public due to if the hours are necessitated by adverse conditions such as adverse resulting from weather, disaster, security threat, a road or traffic condition, medical emergency, or emergencies resulting from an accident, medical reasons, or disaster.

~~(5)~~ The driver of a bus may be permitted to exceed his or her regulated hours in order to reach a regularly established relief point, ~~provided the additional driving time does not exceed one hour.~~

~~(6)~~ Bus transit systems shall not permit or require any driver to ~~No driver shall~~ drive a bus when his or her ability is ~~so~~ impaired, or ~~so~~ likely to be impaired, by fatigue, illness, or other causes, as to make it unsafe for the driver to begin or continue driving. ~~Bus transit systems shall not permit or require any driver to drive a bus when his or her ability is so impaired by such condition as to make it unsafe for the driver to begin or continue driving.~~

(7) Bus transit systems shall require pre-operational or daily inspection and reporting of each driver to submit a daily written report indicating the condition of the bus and listing all defects and deficiencies likely to affect safe operation or cause mechanical malfunctions.

~~(a)~~ An ~~Prior to operation of a bus, or no less than daily if the bus is so operated,~~ an inspection or test shall be made of the following parts and devices to ascertain that they are in safe condition and in good working order:

1. Service brakes,
2. Parking brakes,
3. Tires and wheels,
4. Steering,
5. Horn,
6. Lighting ~~d~~Devices,
7. Windshield wWipers,
8. Rear vision mirrors,
9. Passenger doors,
10. Exhaust sSystem,
11. Equipment for transporting wheelchairs,
12. Safety, security, and ~~e~~Emergency equipment.

(b) Bus transit systems shall review daily inspection reports and document corrective actions taken as a result of any deficiencies identified by daily inspections.

~~(c)(b)~~ Bus transit systems shall retain records of daily bus inspections and any corrective action documentation a minimum of two weeks.

(8) A bus with passenger doors in the open position shall not be operated with passengers aboard. The doors shall not be opened until the bus is stopped. A bus with inoperable passenger doors shall not be operated with passengers aboard, except to move a bus to a safe location.

(9) During darkness, interior lighting and lighting in stepwells on buses shall be sufficient for passengers to enter and exit safely.

(10) Passenger(s) shall not be permitted in the stepwell(s) of any bus while the bus is in motion, or to occupy an area forward of the standee line as required in subsection 14-90.007(14).

(11) ~~Standee P~~passenger(s) shall not be permitted to stand on buses not designed and constructed for that purpose.

(12) Buses shall not be refueled in a closed building. The fueling of buses when passengers are being carried shall be reduced to the minimum number of times necessary during such transportation.

(13) ~~With passenger(s) aboard, T~~the bus transit system shall require the driver to be properly secured to the driver's seat with a restraining belt at all times while the bus is in motion.

(14) Buses shall not be left unattended with passenger(s) aboard for longer than 15 minutes. The parking or holding brake device must be properly set at any time the bus is left unattended.

(15) Buses shall not be left unattended in an unsafe condition with passenger(s) aboard at any time.

(16) On or before July 1, 2006, every bus transit system shall comply with the 2005 amendments to this Rule. The provisions of subsections 14-90.006(8), (9), (10), (11), (12) shall not apply to persons testing or training a driver, maintenance personnel or a sales or manufacturer's representative.

~~(17) Buses carrying passengers shall stop at all railroad grade crossings in compliance with Section 316.159, Florida Statutes.~~

~~(18) Whenever a bus 80 or more inches in width or 30 feet or more in length is stopped (except when lawfully stopped to pick up or discharge passengers) or disabled upon a roadway or adjacent shoulder, warning lights and devices shall be displayed as required by Section 316.301, Florida Statutes.~~

Specific Authority 334.044(2), 341.061(2)(a) FS. Law Implemented 341.041(3), 341.061(2) FS. History--New 9-7-87, Amended 5-31-89, 11-10-92,

14-90.007 Vehicle Equipment Standards and Procurement Criteria Devices Required.

~~At the time of manufacture, every public-sector bus operated on or over the streets and highways of this State shall be equipped in compliance with applicable Federal Motor Vehicle Safety Standards (Title 49 C. F. R. Part 571); and the State of Florida Uniform Traffic Control Laws (Chapter 316, Florida Statutes); (available from the Florida Department of~~

~~Transportation, Public Transit Office, 605 Suwannee Street, Mail Station 26, Tallahassee, Florida 32399-0450), which regulations are hereby incorporated by reference and made a part of these rules. With the exception of certain date of manufacture exemptions, as specified herein, every public-sector bus operated on or over the streets and highways of this State shall be equipped as follows:~~

~~(1) Every bus transit system shall ensure that buses procured and operated meet the following, at a minimum, as applicable: Horn. The horn must be capable of emitting sound audible under normal conditions from a distance of not less than 200 feet and having an activating device which is easily accessible to the driver.~~

~~(a) The capability and strength to carry the maximum allowed load and not exceed the manufacturer's gross vehicle weight rating (GVWR), gross axle weighting, or tire rating.~~

~~(b) Structural integrity that mitigates or minimizes the adverse effects of collisions.~~

~~(c) Federal Motor Vehicle Safety Standards (FMVSS), 49 C.F.R. Part 571, Sections 102, 103, 104, 105, 108, 207, 209, 210, 217, 220, 221, 225, 302, 403, and 404, hereby incorporated by reference.~~

~~(2) Proof of strength and structural integrity tests on new buses procured shall be submitted by manufacturers or bus transit systems to the Department. Windshield Wipers. There must be the same number of windshield wipers as originally equipped at time of manufacture, or equipped with adequate number of wipers to properly clean the windshield(s). The wipers shall be activated by a device(s) easily accessible to the driver.~~

~~(3) In addition to the above, every bus operated in this state shall be equipped as follows:~~

~~(a)(3) Mirrors. There must be two exterior rear vision mirrors, one at each side. The mirrors shall be firmly attached to the outside of the bus and so located as to reflect to the driver a view of the highway to the rear along both sides of the vehicle. Each exterior rear vision mirror, on Type I buses, manufactured on or after February 7, 1988, shall have a minimum reflective surface of 50 square inches and the right (curbside) mirror shall be located on the bus so that the lowest most part of the mirror and its mounting is at a minimum of 80 inches above the ground. All Type I buses shall, in addition to the above requirement, be equipped with an inside rear vision ~~view~~ mirror capable of giving the driver a clear view of seated or standing passengers, and B buses having a passenger exit door that is located inconveniently for the driver's visual control shall be equipped with additional ~~an~~ interior mirror(s), or a combination of mirrors, enabling the driver to view the passenger exit door during egress of passenger(s). The exterior right (curbside) rear vision mirror and its mounting on Type I buses may be located lower than 80 inches from the ground, provided such buses are used exclusively for paratransit services ~~operations~~, as defined in Section 341.031, Florida~~

Statutes. In lieu of interior mirrors, trailer buses and articulated buses may be equipped with closed circuit video systems or adult monitors in voice control with the driver.

~~(b)(4)~~ Wiring and Battery. Electrical wiring shall be maintained so as not to come in contact with moving parts, or heated surfaces, or be subject to chafing or abrasion which may cause insulation to become worn. Every Type I bus manufactured on or after February 7, 1988, shall be equipped with a storage battery(ies) electrical power main disconnect switch. The disconnect switch shall be practicably located in an accessible location adjacent to or near to the battery(ies) and be legibly and permanently marked for identification. Every storage battery on each public-sector bus shall be mounted with proper retainment retainers or securement devices in a compartment which provides adequate ventilation and drainage.

~~(5)~~ Service Brakes, Parking Brakes. Braking systems shall comply with Subsections 316.261(1), (2), (3), (8), (9), (10), or Section 316.262, Florida Statutes, as applicable, and shall be maintained in good working order in compliance with Section 316.263, Florida Statutes.

~~(c)(a)~~ Brake Interlock Systems. All Type I buses having a rear passenger exit door shall be equipped with a rear exit door/brake interlock that automatically applies the brake(s) on the bus upon driver activation of the rear passenger exit door to the open position. Interlock brake application shall remain activated until deactivation by the driver and the rear exit door returns to the closed position. The rear exit door interlock on such buses shall be equipped with an identified override switch enabling emergency release of the interlock function, which and shall not be located within reach of the seated driver.

~~(b)~~ Air pressure application to the brake(s) during interlock operation, on buses equipped with rear exit door/brake interlock, shall be regulated at the original equipment manufacturer's specifications.

~~(6)~~ Warning Devices. Every bus using compressed air, vacuum or a combination thereof, shall be equipped with gauges and warning signal devices as required by subsection 316.261, Florida Statutes. These required warning devices shall not have override switches.

~~(7)~~ Directional Signals. Every bus shall be equipped with electrical turn signal devices which shall meet the requirements of subsection 316.234(2), Florida Statutes.

~~(a)~~ Lamps shall be located and mounted as widely spaced laterally as practical.

~~(b)~~ Lenses on lamps may be single faced, double faced or incorporated into the parking lamp assembly. Lenses shall indicate white or amber to the front and red or amber to the rear.

~~(8)~~ Hazard Warning Signals. Every bus manufactured on or after January 1, 1964, shall be equipped with a vehicular hazard warning signal operating unit.

~~(a)~~ Signals shall operate independently of the ignition, master or equivalent switch.

~~(b)~~ The operating unit shall cause to flash simultaneously sufficient turn signal lamps as required by FMVSS 108, "Lamps, Reflective Devices and Associated Equipment", (Title 49 C. F. R. Part 571, Section 108, effective October 2, 1986).

~~(c)~~ Buses manufactured on or after February 7, 1988, that are equipped with engine or other access door(s) that obscure hazard warning signals with the door(s) raised or in the open position, shall be equipped with rear auxiliary hazard warning signals, which when lighted, shall be visible from a distance of 500 feet to the rear of the bus. Auxiliary hazard warning signals may be activated and operated independently of the main hazard warning signals on the bus.

~~(9)~~ Stop Lamp. There must be at least two lamps on the rear of the bus which shall display red or amber light upon application of the service (foot) brakes or air activated parking brakes, or activation of the passenger exit door control to open position and application of the brake(s) as required in subsection 14-90.007(5)(a). The lamps shall be visible from a distance of no less than 300 feet to the rear of the bus and shall be securely mounted.

~~(10)~~ Tail Lamps. There must be at least two tail lamps which are in compliance with Section 316.221, Florida Statutes.

~~(11)~~ Head Lamps. There must be at least two head lamps mounted in equal number on each side. The head lamps shall be in proper adjustment in compliance with Sections 316.220 and 316.237, Florida Statutes.

~~(12)~~ Clearance Lamps, Identification Lamps, Marker Lamps, Backup Lamps, and Reflectors. Such lamps and reflectors in the kind, size and number and shall be mounted to comply with the requirements for Sections 316.2225, 316.224, 316.225, 316.226, Florida Statutes.

~~(13)~~ Deceleration Lights. Buses may be equipped with a deceleration lighting system in accordance with Subsection 316.235(5), Florida Statutes, which cautions following vehicles that the bus is slowing, preparing to stop, or stopped.

~~(4)(14)~~ Standee Line and Warning. Every bus designed and constructed to allow standees, shall be plainly marked with a line of contrasting color at least two inches wide or be equipped with some other means to indicate that any passenger is prohibited from occupying a space forward of a perpendicular plane drawn through the rear of the driver's seat and perpendicular to the longitudinal axis of the bus. A sign shall be posted at or near the front of the bus stating that it is a violation for a bus to be operated with passengers occupying an area forward of the line.

~~(5)(15)~~ Handrails and Stanchions. Every bus designed and constructed to allow standees shall be equipped with overhead grab rails for standee passengers. Overhead grab rails shall be continuous, except for a gap at the rear exit doorway, and terminate into vertical stanchions or turn up into a ceiling

fastener. Every Type I and Type II bus designed for carrying more than 16 passengers shall be equipped with grab handles, stanchions, or bars at least 10 inches long and installed to permit safe on-board circulation, seating and standing assistance, and boarding and unboarding by elderly and handicapped persons. Type I buses shall be equipped with a safety bar and panel directly behind each entry and exit stepwell.

~~(6)(16)~~ Flooring, Steps, and Thresholds. Flooring, steps, and thresholds on all buses shall have slip resistant surfaces without protruding or sharp edges, lips, or ~~and~~ overhangs, to prevent tripping hazards. All step edges and thresholds shall have a band of color(s) running the full width of the step or edge which contrasts with ~~from~~ the step tread and riser, either light-on-dark or dark-on-light.

~~(7)(17)~~ Doors. Power activated doors on all buses shall be equipped with a manual device designed to release door closing pressure.

~~(8)(18)~~ Emergency Exits. All buses shall have an emergency exit door, or in lieu thereof, shall be provided with emergency escape push-out windows. Each emergency escape window shall be in a form of a parallelogram with dimensions of not less than 18" by 24", and each shall contain an area of not less than 432 square inches. There shall be a sufficient number of such push-out or kick-out windows in each vehicle to provide a total escape area equivalent to 67 square inches per seat, including the driver's seat. No less than 40% of the total escape area shall be on one side of the vehicle. Emergency escape kick-out or push-out windows and emergency exit doors shall be conspicuously marked by a sign or light and shall always be kept in good working order so that they may be readily opened in an emergency. All such windows and doors shall not be obstructed by bars or other such means located either inside or outside so as to hinder escape. Buses equipped with an auxiliary door for emergency exit shall be equipped with an audible alarm and light indicating to the driver when a door is ajar or opened while the engine is running. Supplemental security locks operable by a key are prohibited on emergency exit doors unless these security locks are equipped and connected with an ignition interlock system or an audio visual alarm located in the driver's compartment. Any supplemental security lock system used on emergency exits shall be kept unlocked whenever a bus is in operation. Every Type I bus shall be equipped with emergency door(s) or exits, or side windows or roof hatches as required by FMVSS No. 217 "Bus Window Retention and Release" (Title 49 C.F.R. Part 571, Section 217, effective August 26, 1982). Every Type I bus equipped with an auxiliary door for emergency exit shall be equipped with an audible alarm or light indicating to the driver, should the door become ajar or opened while the engine is running. Every Type II bus shall be equipped with at least one emergency door or push-out escape window either at the rear of the bus or on each side, to the rear of the driver's seat. All

~~emergency exits shall function properly, shall be periodically tested to ensure proper performance and shall be marked by a visible sign indicating "Emergency Exit" or "Emergency Door". Supplemental security locks operable by a key are prohibited on emergency exit doors unless these security locks are equipped and connected with an ignition interlock system or an audio visual alarm located in the driver's compartment. Any supplemental security lock system used on emergency exits shall be kept unlocked whenever a bus is in operation.~~

~~(9)(19)~~ Tires and Wheels. Tires shall be properly inflated in accordance with manufacturer's recommendations.

(a) No bus shall be operated with a tread groove pattern depth:

1. Less than 4/32 (1/8) of an inch, measured at any point on a major tread groove for tires on the steering axle of all buses. The measurements shall not be made where tie bars, humps, or fillets are located.

2. Less than 2/32 (1/16) of an inch, measured at any point on a major tread groove for all other tires of all buses. The measurements shall not be made where tie bars, humps, or fillets are located.

(b) No bus shall be operated with recapped, regrooved, or retreaded tires on the steering axle.

(c) Wheels shall be visibly free from cracks and; distortion and shall not have missing, cracked, or broken mounting lugs.

~~(10)(20)~~ Suspension. The suspension system of all buses, including springs, air bags, and all other suspension parts as applicable, shall be free from cracks, leaks, or any other defect which would or may cause its impairment or failure to function properly.

~~(21) Exhaust System. The exhaust system of all buses shall be maintained in compliance with Section 316.272, Florida Statutes.~~

~~(11)(22)~~ Steering and Front Axle. The steering system of all buses shall have no indication of leaks which would or may cause its impairment to function properly, and shall be free from cracks and excessive wear of components that would or may cause excessive free play or loose motion in the steering system or ~~and~~ above normal effort in steering control.

~~(12)(23)~~ Seat Belts. Every bus shall be equipped with an adjustable driver's restraining belt in compliance with the requirements of FMVSS 209, "Seat Belt Assemblies" (Title 49 C.F.R. Part 571.209, Section 209, effective September 5, 1986) and FMVSS 210, "Seat Belt Assembly Anchorages" (Title 49 C.F.R. Part 571.210, Section 210, effective August 19, 1986).

~~(13)(24)~~ Safety Equipment. Every bus shall be equipped with one fully charged dry chemical or carbon dioxide fire extinguisher, having at least a 1A:BC rating and bearing the label of Underwriter's Laboratory, Inc.

(a) Each fire extinguisher shall be securely mounted on the bus in a conspicuous place or a clearly marked compartment and be readily accessible.

(b) Each fire extinguisher shall be maintained in efficient operating condition and equipped with some means of determining if it is fully charged.

(c) Every Type I bus shall be equipped with portable red reflector warning devices in compliance with Section 316.300, Florida Statutes.

(14) Buses used for the purpose of transporting individuals with disabilities shall meet the requirements set forth in 49 C.F.R. Part 38, hereby incorporated by reference, and the following:

(a) Installation of a wheelchair lift or ramp shall not cause the manufacturer's GVWR, gross axle weight rating, or tire rating to be exceeded.

(b) Except in locations within 3 1/2 inches of the bus floor, all readily accessible exposed edges or other hazardous protrusions of parts of wheelchair lift assemblies or ramps that are located in the passenger compartment shall be padded with energy absorbing material to mitigate injury in normal use and in case of a collision. This requirement shall also apply to parts of the bus associated with the operation of the lift or ramp.

(c) The controls for operating the lift shall be at a location where the bus driver or lift attendant has a full view, unobstructed by passengers, of the lift platform, its entrance and exit, and the wheelchair passenger, either directly or with partial assistance of mirrors. Lifts located entirely to the rear of the driver's seat shall not be operable from the driver's seat, but shall have an override control at the driver's position that can be activated to prevent the lift from being operated by the other controls (except for emergency manual operation upon power failure).

(d) The installation of the wheelchair lift or ramp and its controls and the method of attachment in the bus body or chassis shall not diminish the structural integrity of the bus nor cause a hazardous imbalance of the bus. No part of the assembly, when installed and stowed, shall extend laterally beyond the normal side contour of the bus nor vertically beyond the lowest part of the rim of the wheel closest to the lift.

(e) Each wheelchair lift or ramp assembly shall be legibly and permanently marked by the manufacturer or installer with the following minimum information:

1. The manufacturer's name and address.
2. The month and year of manufacture.
3. A certificate that the wheelchair lift or ramp securement devices, and their installation, conform to State of Florida requirements applicable to accessible buses.

(15) Wheelchair lifts, ramps, securement devices, and restraints shall be inspected and maintained as required in this Rule Chapter. Instructions for normal and emergency operation of the lift or ramp shall be carried or displayed in every bus.

(16) On or before July 1, 2006, every bus transit system and manufacturer shall comply with the 2005 amendments to this Rule.

Specific Authority 334.044(2), 341.061(2)(a) FS. Law Implemented 341.041(3), 341.061(2) FS. History--New 9-7-87, Amended 11-10-92, 8-2-94.

14-90.008 Standards for Accessible Buses.

Specific Authority 334.044(2), 341.061(2)(a) FS. Law Implemented 341.041(3), 341.061(2) FS. History--New 9-7-87, Amended 11-10-92, Repealed.

14-90.009 ~~Public sector~~ Bus Safety Inspections Procedures.

(1) Each bus transit system shall require that all buses operated by such bus transit system, and all buses operated by a private operating under contract with the transit provider system, be inspected at least annually in accordance with bus inspection procedures set forth in this Rule section.

(2) It shall be the bus transit system's responsibility to ensure that each individual performing a bus safety inspection under Rule Section 14-90.009(4) is qualified as follows:

(a) Understands the requirements set forth in this Rule Chapter rules 14-90.007, 14-90.008, 14-90.009, and can identify defective components.

(b) Is knowledgeable of and has mastered the methods, procedures, tools, and equipment used when performing an inspection.

(c) Has at least one year of training and/or experience as a mechanic or inspector in a vehicle maintenance program and has sufficient general knowledge of buses owned and operated by the bus transit system to recognize deficiencies or mechanical defects.

(3) Each ~~public sector~~ bus receiving a safety inspection shall be checked for compliance with the safety devices and equipment requirements as referenced or specified herein. Specific operable equipment and devices as required by this Rule Chapter include the following (as applicable to Type I and ~~or~~ II bus(es)):

- (a) Horn₂
- (b) Windshield wWipers₂
- (c) Mirrors₂
- (d) Wiring and bBattery(ies)₂
- (e) Service and pParking bBrakes₂
- (f) Warning dDevices₂
- (g) Directional sSignals₂
- (h) Hazard wWarning sSignals₂
- (i) Lighting sSystems and sSignaling dDevices₂
- (j) Handrails and sStanchions₂
- (k) Standee line and wWarning₂
- (l) Doors and interlock dDevices₂
- (m) Stepwells and flooring₂
- (n) Emergency eExits₂
- (o) Tires and wheels₂
- (p) Suspension sSystem₂
- (q) Steering sSystem₂
- (r) Exhaust sSystem₂

- (s) Seat ~~b~~Belts.
- (t) Safety ~~e~~Equipment.
- (u) Equipment for ~~t~~ransporting ~~w~~heelchairs.

(4) A safety inspection report shall be prepared by the individual(s) performing the inspection which shall include the following:

- (a) Identification of the individual(s) performing the inspection.
- (b) Identification of the bus transit system operating the bus.
- (c) The date of the inspection.
- (d) Identification of the bus inspected.
- (e) Identification of the equipment and devices inspected including the identification of equipment and devices found deficient or defective, and describe the results of the inspection.

(f) Identification of corrective action(s) for deficient or defective items and date(s) of completion of corrective action(s).

(5) Records of annual safety inspections and documentation of any required corrective actions shall be retained a minimum of four years by the bus transit system for future compliance review.

Specific Authority 334.044(2), 341.061(2)(a) FS. Law Implemented 341.041(3), 341.061(2) FS. History--New 9-7-87, Amended 11-10-92,_____.

14-90.010 ~~Safety~~ Certification.

(1) Each bus transit system shall annually submit ~~to the Department~~ a safety and security certification to the Department. The certification shall be submitted no later than February 15, annually for the prior calendar year period. The certification shall attest to which verifies the following:

- (a) The adoption of an SSPP and an SPP in accordance, at a minimum, with established standards set forth in this the Rule Chapter.
- (b) Compliance with its adopted SSPP and SPP.
- (c) Performance of safety inspections on all buses operated by the system in accordance with this Rule Chapter 14-90.009.
- (d) Reviews of the SSPP and SPP have been conducted to ensure they are up to date.

(2) The ~~safety~~ certification shall include:

- (a) The name and address of the bus transit system, and the name and address of the entity(ies) which has (have) performed bus safety inspections and security assessments, if different from that of the bus transit system.
- (b) A statement signed by an officer or person directly responsible for management of the bus transit system attesting to compliance with this Rule Chapter 14-90.010(1)(a), (b), (c).

Specific Authority 334.044(2), 341.061(2)(a) FS. Law Implemented 334.044(28), 341.041(3), 341.061(2) FS. History--New 9-7-87, Amended_____.

14-90.011 Inspection of Buses by Law Enforcement Officers.

Specific Authority 334.044(2), 341.061(2)(a) FS. Law Implemented 341.041(3), 341.061(2), 316.610 FS. History--New 9-7-87, Repealed_____.

14-90.012 Safety and Security Inspections and Reviews Suspension of Operation.

(1) The Department, or its designee, is authorized to conduct inspections of bus transit systems to ascertain compliance with the provisions of this Rule Chapter.

(2) The Department, or its designee, is authorized to conduct a safety and security review of any bus transit system which the Department believes to be in noncompliance with its SSPP or SPP and providing passenger service operations in an unsafe manner, or there is evidence of an immediate danger to public safety. The Department shall prepare and submit a report of the review to the affected bus transit system. The report shall be submitted to the bus transit system within three business days of completion of the review and contain the following:

- (a) Identification of the findings, including a detailed description of the deficiency(ies).
- (b) Required corrective action(s) and schedule for implementation of corrective action(s).
- (c) Any requirements for suspension of bus transit system service should the Department determine the continued operation of the service, or a portion thereof, poses an immediate danger to public safety.

(3) The Department shall initiate the following actions to suspend the affected bus transit system service if a specific deficiency(ies) or unsafe condition(s) exists to the extent determines that a bus transit system is not in compliance with the provisions of this rule chapter and the continued operation of the system, or a portion thereof, is not safe for passenger service or is posing a potential danger or threat to public safety the Department shall initiate the following actions to suspend the affected system service.

(a)(1) Immediately notify the affected bus transit system of the unsafe condition(s), followed by a certified letter describing the mail, of specific deficiency(ies) non-compliance items or unsafe conditions. The notification shall include establish the following:

1.(a) Required corrective actions A specific timetable for specific deficiency(ies) correction of non-compliance items or unsafe condition(s).

2.(b) Requirements for A requirement that the bus transit system to certify in writing to the Department of completion and implementation of required corrective action(s) in accordance with an established implementation schedule the timetable.

(b)(2) Conduct an on-site review of if the bus transit system to verify does not certify correction of specific deficiency(ies) non-compliance items in accordance with this

Rule Sections ~~14-90.012(1)(a) and (b)~~ and the established implementation schedule a resolution and timetable for correction of safety items.

~~(c)(3) Initiate legal action to Ssuspend affected passenger service operations if the bus transit system fails to correct specific deficiency(ies) in accordance with this Rule and the established implementation schedule eomply with the resolution and timetable established during the on-site review.~~

~~(4) The affected passenger service operations shall be suspended until the Department has substantiated compliance by the bus transit system.~~

Specific Authority 334.044(2), 341.061(2)(a) FS. Law Implemented ~~334.044(28), 341.041(3), 341.061(2), 316.610 FS. History-New 11-10-92, Amended _____.~~

NAME OF PERSON ORIGINATING PROPOSED RULE: Mike Johnson, Administrator, Transit Operations
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: José Abreu, P.E., Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 25, 2005
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 25, 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.”

AGENCY FOR HEALTH CARE ADMINISTRATION

Division of Health Quality Assurance

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Disputed Reimbursement Rule	59A-31
RULE TITLES:	RULE NOS.:
Disputed Reimbursement Avoidance	59A-31.001
Disputed Reimbursement Resolution	59A-31.002
Utilization and Reimbursement Dispute Resolution Definitions	59A-31.003
Requirements for Filing a Petition	59A- 31.004
Petition Determination	59A-31.005
Penalties	59A-31.006

PURPOSE: To promulgate a rule consistent with the 2003 Legislative Reforms to Chapter 440, Florida Statute, and subsequently, the Agency’s authority to resolve utilization and reimbursement disputes.

SUMMARY: The proposed rules substantially reword Chapter Rule 59A-31, F.A.C., to clarify the requirements for petitioning the Agency to resolve utilization and reimbursement disputes between health care providers and workers’ compensation carriers.

SPECIFIC AUTHORITY: 440.13(7) FS.

LAW IMPLEMENTED: 440.13(7) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Beverly Williams, Medical Health Care Program Analyst, AHCA, Workers’ Compensation Unit, 2727 Mahan Drive, Mail Station 27, Tallahassee, Florida 32301

THE FULL TEXT OF THE PROPOSED RULES IS:

UTILIZATION AND REIMBURSEMENT DISPUTE RULE DISPUTED REIMBURSEMENT

59A-31.001 Disputed Reimbursement Avoidance.

Specific Authority 440.13(7) FS. Law Implemented 440.13(2)(a),(i) FS. History-New 5-15-1991, Formerly 38F-7.517, 4L-7.517, Repealed _____.

59A-31.002 Disputed Reimbursement Resolution.

Specific Authority 440.13(7) FS. Law Implemented 440.13(2)(a),(i) FS. History-New 5-15-1991, Formerly 38F-7.517, 4L-7.517, Repealed _____.

59A-31.003 Utilization and Reimbursement Dispute Resolution Definitions.

(1) “Reduced” or “Reduction” means that the payment amount is less than the amount billed based on an agreed-upon contract price or the maximum reimbursement allowance for each discrete procedure code billed by a health care provider for reimbursement by the carrier.

(2) “Agency” means the Agency for Health Care Administration.

(3) “Billing error” means inaccurate submission of procedure codes and procedure code modifiers or diagnosis codes, by health care providers pursuant to reporting requirements of Chapter 440, (F.S.) or the submission of a billing form not promulgated pursuant to Chapter 440, (F.S.)

(4) “Consolidated petition,” means a request for resolution of a utilization or reimbursement dispute for multiple dates of service for which the carrier has disallowed or reduced the payment amount.

(5) “Disallowance” or “Disallowed” means that no payment is made for a specific procedure code or other service reported by a helath care provider to an insurer for reimbursement based on the identification of a billing error or inappropriate utilization as defined in this rule.

(6) “Explanation of bill review” (EOBR) means the codes and written explanation of an insurer’s reimbursement decision sent to the health care provider.

(7) “Inappropriate utilization” means the inappropriate treatment or care based on medically accepted standards relating to both the level and the quality of health care and health care services provided to a patient.

(8) “Instance of overutilization” is defined in Section 440.13(l)(k), F.S.

(9) “Medical bill review” means the review of a health care provider’s bill by the carrier, pursuant to Chapter 440, F.S., and all applicable rules, to ensure proper billing and reporting of services by the health care provider; to identify billing errors and inappropriate utilization, which must be disallowed or reduced; and to determine an accurate and timely reimbursement for services reported to the carrier.

(10) “Medical record” means a medical file which contains information that identifies the patient, supports the diagnosis, justifies the treatment, and documents the care provided.

(11) “Pattern or practice of arbitrary or unreasonable disallowance or reduction of payments” means repetition of improperly reduced or disallowed reimbursement.

(12) “Petition” means request for the resolution of a utilization or reimbursement dispute arising from the carrier’s disallowance or reduction of payment for services rendered pursuant to Chapter 440, F.S.

(13) “Reimbursement dispute” is defined in Section 440.13(1)(r), F.S.

(14) “Utilization dispute” means any disagreement arising between a provider and the carrier when the payment for services is reduced or disallowed, as the result of the carrier’s finding of overutilization mandated under Section 440.13(6), F.S.

(15) “Valid petition” means the determination by the Agency that all requirements for filing have been met pursuant to Section 440.13 (7), F.S. and these rules.

Specific Authority 440.13(7) FS. Law Implemented 440.13 FS. History—New

59A- 31.004 Requirements for Filing a Petition.

(1) Petitioners may file a petition or a consolidated petition with the Agency for a determination pursuant to Section 440.13(7), F.S., to resolve a utilization or reimbursement dispute arising from a reduction or disallowance for a service or services rendered.

(2) All petitions must be filed with the Agency pursuant to the requirements in Section 440.13(7)(a), F.S., and these rules to be considered valid.

(3) All petitions filed with the Agency must include, at a minimum:

(a) A copy of the original and resubmitted bills, and corresponding attachments, if applicable;

(b) A copy of relevant portions of the medical record substantiating services relating to the contested reimbursement;

(c) A copy of the EOBR(s) and other correspondence received from the carrier or, if no EOBR(s) or other correspondence has been provided, a copy of notations documenting dates of communications between the petitioner and the carrier to resolve the dispute; and

(d) A copy of the provider’s record of initial authorization and subsequent authorization relating to the contested reimbursement, including renewed authorizations or modified authorizations received from the carrier; and

(e) A copy of the certified mail receipt for each entity to which a copy of the petition is served pursuant to Section 440.13(7)(a), F.S.

Specific Authority 440.13(7) FS. Law Implemented 440.13 FS. History—New

59A-31.005 Petition Determination.

(1) The scope of the petition determination shall be limited to disputes arising from reimbursement decisions made on medical care and treatment rendered for conditions accepted by the carrier as work related.

(2) A determination shall be issued pursuant to the requirements of Section 440.13(7)(c), F.S., and may include recommendations for further administrative action pursuant to this rule and other provisions of Chapter 440, F.S.

Specific Authority 440.13(7) FS. Law Implemented 440.13 FS. History—New

59A-31.006 Penalties.

(1) Penalties for Carrier Violations.

(a) A carrier found by the Agency to have engaged in a pattern or practice of improperly reducing or disallowing payments to a health care provider shall be subject to the penalties pursuant to Section 440.13(7)(f), F.S., and the following fine(s):

1. \$500 per instance of improper reduction or disallowance in direct conflict with the schedule of maximum reimbursement allowances or the agreed upon contract price in effect at the time the service was rendered.

2. \$2,500 per instance of improper reduction or disallowance in conflict with the carrier’s established utilization review program criterion in effect at the time the reimbursement determination was made, including practice parameters and protocols or standards of care mandated under Chapter 440, F.S.

(b) If the Agency determines that the carrier has engaged in a pattern or practice of arbitrarily or unreasonably disallowing or reducing payments within two (2) years of the date the Agency assesses a carrier penalty under subsection (a) of this rule, the carrier shall be fined \$200 per instance and fines thereafter shall be increased by increments of \$500 per case. A two (2) year period shall begin on the date of the Agency’s determination that a pattern or practice exists and shall run continuously for two (2) consecutive years or portions thereof.

(2) Penalties for Health Care Provider Violations.

(a) Health care provider medical claims data and complaint files may be reviewed, and medical bill review audits may be conducted pursuant to Section 440.13(11)(a), F.S., as the result of petitions filed in accordance with this rule and Section 440.13(7), F.S., to determine if a provider has engaged or engages in, as a general business practice, overutilization, improper billing or any violation of Chapter 440, F.S.

(b) Penalties and fines may be imposed pursuant to Section 440.13(8), F.S., or this rule for Agency findings of patterns and practices of overutilization, improper billing, or non-compliance with established medical treatment protocols and practice parameters.

(c) The fine amount shall be according to the following schedule and shall be based on the severity of the instances relating to the health, safety, or security of the injured employee:

1. \$500 per occurrence when the instance creates no actual harm or evidence of potential harm to the injured employee's ability to return to suitable gainful employment, his or her medical stability or appropriate progress in recovery.

2. \$1,000 per occurrence when the instance creates an indirect or potential harm to the injured employee's ability to return to suitable gainful employment, his or her medical stability or appropriate progress in recovery.

3. \$2,500 per occurrence, de-authorization of care under review, denial of payment of care rendered in the future and notification of and review by the appropriate licensing authority pursuant to Section 440.106(3), F.S., when the instance creates a direct or immediate harm to the injured employee's ability to return to suitable gainful employment, his or her medical stability or appropriate progress in recovery.

4. \$5,000 per occurrence, decertification as an Expert Medical Advisor, an order from the Agency barring the provider from payment under this chapter, when the instance creates imminent danger or the substantial probability that death or serious physical harm would result to the injured employee.

(d) A health care provider shall be assessed a \$200 penalty per instance for failure to refund an overpayment made by the carrier as the result of the health care provider's improper billing, overutilization, or provision of care in excess of established practice parameters or protocols, if such refund is not made within 30 days of notification by the Agency or carrier.

(e) Expert Medical Advisors shall be utilized and consulted with, pursuant to Section 440.13(9), F.S., in the Agency's determination of:

1. Provider violations specific to inappropriate utilization, improper billing and non-compliance with established medical treatment protocols and practice parameters; and,

2. Appropriate penalties and fines to be assessed pursuant to this subsection and Chapter 440, F.S.

Specific Authority 440.13(7),(11) FS. Law Implemented 440.13 FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Beverly J. Williams, Medical Health Care Program Analyst
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Samuel Willis, Workers Compensation Unit Manager
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 25, 2005
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 14, 2004

AGENCY FOR HEALTH CARE ADMINISTRATION

Certificate of Need

RULE TITLE: Certificate of Need Exemption Procedure
 RULE NO.: 59C-1.005

PURPOSE AND EFFECT: The agency is proposing to amend the rule currently used to request an exemption from batched and expedited Certificate of Need (CON) review process due to recent statutory amendments. The amended rule will rename the rule and redefine projects subject to exemption from batched or expedited Certificate of Need review pursuant to subsections 408.036(3) and 408.036(4), F.S. A preliminary draft of the rule amendments is included in this notice.

SUMMARY: Revisions in the current rule used in the request for exemption to batched and expedited Certificate of Need review.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None 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: 408.034(6), 408.15(8) FS.

LAW IMPLEMENTED: 400.071, 408.036(3), 408.036(4) 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: 2:00 p.m. (EST), June 7, 2005

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room C, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rommel Bain, Certificate of Need, 2727 Mahan Drive, Building 1, Tallahassee, Florida 32308

THE FULL TEXT OF THE PROPOSED RULE IS:

59C-1.005 Certificate of Need Exemptions Procedure.

(1) Request for Exemption. Certain projects are subject to exemption from batched or expedited Certificate of Need review pursuant to subsections 408.036(3) and 408.036(4), F.S., provided the conditions specified in this rule are met. To receive an exemption, the applicant shall file a Certificate of Need exemption request for exemption with the agency and provide documentation to justify the request. A request for exemption may be submitted at any time, and must be submitted to:

Agency for Health Care Administration
Certificate of Need
2727 Mahan Drive, Building 1
Tallahassee, Florida 32308

(2) General Requirements. In the case of any applicant filing a Certificate of Need exemption request applying for an exemption from certificate of need review, the request shall include:

(a) No change.

(b) The name of the health care facility ~~or hospice~~ involved, and the name of the licensee. A request for exemption affecting an existing licensed health care facility ~~or hospice~~ must be submitted by the current licensee.

(c) The location and service area of the project.

(d) through (h) No change.

(3) through (4) No change.

(5) Limitation on Validity. An exemption, when granted, is valid only for the project for which it was issued and for the health care facility ~~or hospice~~ on whose behalf the exemption was granted and, for projects subject to the monitoring requirements of Section 408.040, F.S., only for the time frame stated in the Agency's decision letter approving the exemption project.

(6) Project Specific Exemption Requests. In addition to meeting the requirements of subsections (1) and (2) of this rule, requests for exemption of certain projects must meet the additional requirements specified below:

~~(a) Termination of an inpatient health care service. A request for exemption of a proposed termination of an inpatient health care service is required only for the types of services whose establishment would be subject to certificate of need review under Section 408.036(1) or (2), F.S. Temporary cessation of an inpatient service, lasting 6 months or less, is not a termination of that service and does not require an exemption.~~

~~1. A request for termination of a service must acknowledge that a service continuously inactive for more than 12 months cannot be reestablished at the facility unless authorized by a new certificate of need.~~

~~2. A request for termination may be combined with a hospital bed increase exemption requested under paragraph (6)(e), provided the termination will occur at the same facility.~~

~~(b) Delicensure of beds. A request for exemption of a proposed delicensure of beds must comply with the following:~~

~~1. The request must identify the facility where the delicensure will occur, the current licensed capacity of each category of beds licensed at the facility, the category of beds where delicensure will occur, and the exact number of beds being delicensed.~~

~~2. The request must acknowledge that the delicensed beds cannot be reactivated in any licensed bed category at the facility without a certificate of need or, if applicable, an exemption letter.~~

~~3. A request for delicensure of beds may be combined with a hospital bed increase exemption requested under paragraph (6)(e), provided the delicensed beds will occur at the same facility.~~

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

~~(c)(e)~~ Addition of comprehensive medical rehabilitation beds, licensed under Chapter 395, F.S., and located within a unit of an acute care hospital or within a freestanding rehabilitation hospital beds in a number not exceeding 10 beds or 10 percent of the licensed capacity ~~of the bed category being expanded~~, whichever is greater, ~~except for the tertiary services beds and long term care hospital beds excluded under Section 408.036(3)(n), F.S.~~ A request for exemption of a proposed addition of comprehensive medical rehabilitation hospital beds shall specify:

1. The current number of licensed comprehensive medical rehabilitation beds ~~in the category of beds proposed to be expanded.~~

2. through 3. No change.

4. The request shall certify that:

a. The average occupancy rate for the 12-month period ending 1 month prior to the exemption request, ~~in the category of licensed beds being expanded at the facility~~, meets or exceeds 80 percent; ~~or, for a distinct part skilled nursing unit, the 12-month average occupancy rate meets or exceeds 96 percent.~~ For the purpose of calculating average occupancy under this sub-subparagraph, the 12-month total of patient days shall be divided by 365 to determine an average daily census, and the average daily census shall then be divided by the total of licensed and approved beds located at the premises of the facility within the category of beds being expanded as of the end of the 12-month period. Approved beds are beds authorized for the facility consistent with the provisions of paragraph 59C-1.008(2)(b), F.A.C.

b. No change.

5. through 6. No change.

~~(f)1. Temporary addition of acute care hospital beds in a number not exceeding 10 beds or 10 percent of the licensed acute care bed capacity, whichever is greater. An exemption~~

may be granted to a hospital which has previously experienced high seasonal occupancy or to a hospital that must respond to emergency circumstances. For purposes of this paragraph, "high seasonal occupancy" means that the average occupancy of acute care beds for a period of at least 3 consecutive months during the 12-month period ending one month prior to the exemption request, was at least 85 percent for the entire period of high occupancy considered as a whole. An exemption may be requested based upon the hospital's expectation that it will experience a comparable period of high seasonal occupancy during the 12 months following the exemption request.

2. A request for exemption of a proposed temporary addition of acute care beds shall:

a. Indicate the exact number of acute care beds to be added, the reason for the temporary addition, and the proposed beginning and ending dates of the temporary addition.

b. Certify that the applicant will comply with the provisions of Section 395.003(4), F.S., which requires approval from the hospital licensure unit within the agency's Bureau of Health Facility Regulation before operation of a number of beds that is greater than the number indicated on the hospital license.

(d)(g) Addition of nursing home beds in a number not exceeding 10 beds or 10 percent of the licensed capacity of the nursing home being expanded, whichever is greater. A request for exemption of a proposed addition of nursing home beds shall specify:

1. through 4. No change.

5. The request shall certify that:

a. The facility has not had any class I or class II deficiencies within the 30 months preceding the request for an addition. Effective beginning July 1, 2001, the facility must be designated as a Gold Seal nursing home.

b. through c. No change.

6. through 7. No change.

(e) Addition of nursing home beds to a facility that has been designated as a Gold Seal nursing home under Section 400.235, F.S., in a number not exceeding 20 beds or 10 percent of the licensed capacity of the nursing home being expanded, whichever is greater. A request for exemption of a proposed addition of nursing home beds shall specify:

1. The licensed bed capacity of the nursing home proposed to be expanded.

2. The current number of sheltered beds, if any, included within the licensed bed capacity.

3. The exact number of beds proposed to be added.

4. The number of sheltered beds, if any, proposed to be included within the total to be added.

5. The request shall certify that:

a. The facility has not had any class I or class II deficiencies within the 30 months preceding the request for an addition.

b. The average occupancy rate for the nursing home beds at the facility, for the 12-month period ending 1 month prior to the exemption request, meets or exceeds 96 percent. For the purpose of calculating average occupancy under this sub-subparagraph, the 12-month total of patient days shall be divided by 365 to determine an average daily census, and the average daily census shall then be divided by the total of licensed and approved beds as of the end of the 12-month period. Approved beds are beds authorized for the facility consistent with the provisions of paragraph 59C-1.008(2)(b), F.A.C.

c. Any beds previously authorized for the facility by an exemption under this paragraph have been licensed and operational for at least 12 months.

6. An exemption granted under this paragraph is subject to the project monitoring requirements of Section 408.040(2)(a)-(c), F.S., and subsections 59C-1.013(2) and (3), F.A.C., including project progress reports, an 18-month validity period for the exemption, and the circumstances for extension of the validity period.

7. Beds authorized under this paragraph shall be inventoried as approved beds until the beds are licensed.

(h) Provision of adult inpatient diagnostic cardiac catheterization services.

1. A request for exemption of a proposed adult inpatient diagnostic cardiac catheterization program shall include certifications by the applicant that:

a. The applicant will not provide therapeutic cardiac catheterization pursuant to the grant of the exemption;

b. The applicant will meet and continuously maintain the minimum licensure requirements specified in Rule 59A 3.2085(13), F.A.C.; and,

e. At least 2 percent of the applicant's annual adult diagnostic cardiac catheterization admissions will be charity and Medicaid patients.

2. An exemption granted for provision of adult inpatient diagnostic catheterization services remains in effect while the requirements specified in Section 408.036(3)(i), F.S., and Rule 59A 3.2085(13), F.A.C., are met.

3. Annual reports of compliance with standards for minimum program volume and minimum services to charity and Medicaid patients, as specified in paragraphs 59A 3.2085(13)(d) and (i), F.A.C., shall be forwarded to the agency's Certificate of Need Office. The total volume reported shall include both inpatient and outpatient admissions to the adult diagnostic cardiac catheterization program. A single admission is equal to one patient visit to the cardiac catheterization program. The first annual report for the exempted program shall be forwarded within 30 days of the end of the first 12 month period completed subsequent to the 18th month of operation. Annual reports thereafter shall be

forwarded within 30 days after the anniversary of the first annual report. The reports should be submitted to the address shown in subsection (1) of this rule.

4. ~~The agency shall provide written notification to the exempted hospital of a determination of non-compliance with the annual compliance requirements of subparagraph (h)3. of this rule. Action upon a finding of non-compliance shall be consistent with the provisions of Section 408.036(3)(i)3.b., F.S.~~

~~(i)1. Conversion of skilled nursing beds to acute care beds. A request for exemption of a proposed conversion of hospital-based distinct part skilled nursing unit (SNU) beds to acute care beds shall certify that:~~

~~a. The conversion will utilize or modify physical space that exists at the time of the exemption request, without construction of new facilities.~~

~~b. The acute care beds will be located at the same premises as the SNU beds.~~

~~e. The conversion will not increase the total licensed bed capacity of the hospital.~~

~~2. An exemption granted under this paragraph is subject to the project monitoring requirements of Section 408.040(2)(a) (e), F.S., and subsections 59C-1.013(2) and (3), F.A.C., including project progress reports, an 18-month validity period for the exemption, and the circumstances for extension of the validity period.~~

~~3. Beds authorized under this paragraph shall be inventoried as approved beds until the beds are licensed.~~

~~(f) Establishment of a Level II neonatal intensive care unit (NICU) within a licensed acute care facility if the facility can document that it has had a minimum of 1,500 births during the 12 months preceding the month the Certificate of Need exemption request was submitted and agrees to establish at least 10 Level II NICU beds.~~

~~1. The total licensed bed capacity of the hospital~~

~~2. The total licensed bed capacity if the Certificate of Need exemption request is granted.~~

~~3. Applicants for exemption under this paragraph must certify that the NICU unit will provide a level of charity care or Medicaid patient days equal to or greater than the district average. The district average will be determined by averaging all Medicaid, Medicaid HMO, and charity care reported to the State Center for Health Statistics for the most recent 12-month period in which data has been cleared by the State Center for Health Statistics.~~

~~a. Applicants seeking exemption under this paragraph will verify the district average with the State Center for Health Statistics and certify to provide a certain percentage of patient days to either Medicaid, including Medicaid HMO, or charity care patients or a combination of Medicaid, including Medicaid HMO, and charity care patients.~~

b. Applicants granted exemption under this paragraph shall report annually, pursuant to Section 408.040, F.S. and Rule 59C-1.013, F.A.C.

4. Applicants for exemption under this paragraph shall demonstrate that it meets the requirements for quality of care, nurse staffing, physician staffing, physical plant, equipment, emergency transportation, and data reporting found in Rule 59C-1.042, F.A.C.

a. Documentation of staffing patterns shall be submitted in a clearly organized format and certified to be correct by the applicant or its authorized representative.

b. Physical plant requirements shall be presented in a clearly organized format and certified to be correct by the applicant or its authorized representative and must indicate the establishment of at least a 10-bed unit.

c. A listing of equipment and equipment specifications should be presented and the applicant or its authorized representative must certify that listed equipment will be purchased.

d. Documentation from authorized emergency transportation providers must be presented attesting to the availability of such transportation to the applicant and certifying that it will provide emergency transportation to the applicant's NICU patients.

(g) Establishment of a Level III neonatal intensive care unit (NICU) within a licensed acute care facility if the facility has at least a 10-bed Level II NICU and can document that it has had a minimum of 3,500 births during the 12 months preceding the month the Certificate of Need exemption request was submitted and agrees to establish at least 15 Level II NICU beds.

1. The total licensed bed capacity of the hospital

2. The total licensed bed capacity if the Certificate of Need exemption request is granted.

3. Applicants for exemption under this paragraph must certify that the NICU unit will provide a level of charity care or Medicaid patient days equal to or greater than the district average. The district average will be determined by averaging all Medicaid, Medicaid HMO, and charity care reported to the State Center for Health Statistics for the most recent 12-month period in which data has been cleared by the State Center for Health Statistics.

a. Applicants seeking exemption under this paragraph will verify the district average with the State Center for Health Statistics and certify to provide a certain percentage of patient days to either Medicaid, including Medicaid HMO, or charity care patients or a combination of Medicaid, including Medicaid HMO, and charity care patients.

b. Applicants granted exemption under this paragraph shall report annually, pursuant to Section 408.040, F.S. and Rule 59C-1.013, F.A.C.

4. Applicants for exemption under this paragraph shall demonstrate that it meets the requirements for qualify of care, nurse staffing, physician staffing, physical plant, equipment, emergency transportation, and data reporting found in Rule 59C-1.042, F.A.C.

a. Documentation of staffing patterns shall be submitted in a clearly organized format and certified to be correct by the applicant or its authorized representative.

b. Physical plant requirements shall be presented in a clearly organized format and certified to be correct by the applicant or its authorized representative and must indicate the establishment of at least a 15-bed unit.

c. A listing of equipment and equipment specifications should be presented and the applicant or its authorized representative must certify that listed equipment will be purchased.

d. Documentation from authorized emergency transportation providers must be presented attesting to the availability of such transportation to the applicant and certifying that it will provide emergency transportation to the applicant's NICU patients.

(h) The addition of mental health services (or beds, as defined in Rule 59C-1.002, F.A.C., to licensed acute care or mental health facilities if the applicant commits to providing services to Medicaid or charity care patients at a level equal to or greater than the district average. A request for exemption of a proposed addition of mental health beds or services shall specify:

1. The licensed bed capacity of the mental health facility or unit to be expanded.

2. The current number of mental health beds by bed category as defined is Rule 59C-1.002, F.A.C.

3. The exact number of beds proposed to be added.

4. The total number of mental health beds, by category, should this exemption be granted.

5. The request shall certify that the level of charity care or Medicaid patient days will be no less than the district average. The district average will be determined by averaging all Medicaid, Medicaid HMO, and charity care reported to the State Center for Health Statistics for the most recent 12-month period in which data has been cleared by the State Center for Health Statistics.

6. Mitigating evidence of compliance under this paragraph may include care provided to and state sponsored patients at a reduced rate and Baker Acted patients. Documentation to demonstrate this care shall be produced annually with the condition compliance report pursuant to Section 408.040, F.S. and Rule 59C-1.013, F.A.C.

7. Beds authorized under this paragraph shall be inventoried as approved beds until the beds are licensed.

8. Notification to the CON office of the conversion of beds from one type of mental health bed to another as defined in Rule 59C-1.002, F.A.C., does not require a Certificate of Need exemption request and satisfies the requirements of Section 408.036(5)(c), F.S.

(i) The consolidation or combination of licensed nursing homes or transfer of beds between licensed nursing homes within the same planning subdistrict, by providers that operate multiple nursing homes within that same planning subdistrict, if there is no increase in the planning subdistrict total number of nursing home beds and the site of the relocation is not more than 30 miles from the original location. A request for exemption under this paragraph shall specify:

1. For transfer requests:

a. The name and licensed bed capacity of nursing home from which beds will be transferred.

b. The name and licensed beds capacity of the nursing home to which beds will be transferred.

c. The exact number of beds proposed to be added.

d. The total number of licensed beds at each facility should this exemption be granted.

e. The subdistrict location of each facility as defined in Rule 59C-2.200 F.A.C.

f. The physical location of each facility.

2. For consolidation or combination requests:

a. The name and licensed bed capacity of each nursing home to be consolidated

b. The name of the resulting consolidated nursing home.

c. The total number of licensed beds at the consolidated facility should this exemption be granted.

3. Verification that the providers operate the nursing homes from which beds will either be transferred, consolidated, or combined. Certificate of Need exemption requests under this provision shall require verification that providers operate the nursing facilities in question under a common ownership or control. Verification may include copies of nursing home licenses showing common ownership or appropriate documentation that establishes the subject nursing homes are affiliates through a shared common ownership or controlling interest as defined in Section 400.021(5), Florida Statutes. If agency records indicate information inconsistent with that presented by the requesting parties, then agency records create a rebuttable presumption as to the correctness of those records and the request for exemption will be denied.

Specific Authority 408.034(6)(5), 408.15(8) FS. Law Implemented 400.071, 408.036(3), 408.036(4) FS. History—New 1-1-77, Amended 6-5-79, 2-1-81, Formerly 10-5.05, Amended 11-17-87, 3-23-88, 1-31-91, Formerly 10-5.005, Amended 7-13-98, 4-2-01, 11-12-01, _____.

Note – Cardiac catheterization services shall be reviewable pursuant to Section 408.0361(2), F.S.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Rommel Bain, Health Services and Facilities Consultant
 NAME OF SUPERVISOR OR PERSON WHO APPROVED
 THE PROPOSED RULE: Karen Rivera, Consultant
 Supervisor
 DATE PROPOSED RULE APPROVED BY AGENCY
 HEAD: April 25, 2005
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT
 PUBLISHED IN FAW: March 4, 2005

AGENCY FOR HEALTH CARE ADMINISTRATION

Certificate of Need

RULE TITLE: Project Specific Certificate of Need
 Application Procedures

RULE NO.: 59C-1.0085

PURPOSE AND EFFECT: The agency is proposing to amend the rule currently used to describe certain types of applications including transfer, shared service, and mental health conversions. The amended rule removes requirement for hospitals to submit transfer applications, for expedited shared service applications, clarifies conversion requires for mental health services located at the same facility and amends the minimum fee required for application submission. A preliminary draft of the rule is included in this Notice.

SUMMARY: The proposed rule specifies when an application to transfer of a certificate of need is subject to expedited review. The amended rule increases the application fee for transfer of certificate of need. The proposed rule defines mental health beds. Conversion of mental health beds shall require notification rather than expedited review. The proposed rule specifies when an application for a shared service arrangement is subject to comparative reviews. The amended rule removes some projects from certificate of need review.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None 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: 408.034(6), 408.15(8) FS.

LAW IMPLEMENTED: 408.033, 408.034, 408.035, 408.036, 408.037(2), 408.038, 408.039, 408.042 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: 2:00 p.m. (EST), June 1, 2005

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room C, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Rommel Bain, Certificate of Need, 2727 Mahan Drive, Building 1, MS 28, Tallahassee, Florida 32308

THE FULL TEXT OF THE PROPOSED RULE IS:

59C-1.0085 Project Specific Certificate of Need Application Procedures.

In addition to the requirements set forth in Rule 59C-1.008, F.A.C., the following requirements apply to the projects described below:

(1) No change.

(a) An application to transfer a certificate of need is subject to an expedited review, as specified in Section 408.036(2)(a)(e), F.S., except that when an existing hospital is acquired by a purchaser, all certificates of need issued to the hospital which are not yet operational shall be acquired by the purchaser, without need for a transfer.

(b) No change.

(c) The application fee for transfer of a certificate of need is \$10,000 ~~5,000~~ provided there is no increase in the project cost approved for the certificate of need that is being transferred. The filing fee for a transfer involving an increase in the project cost shall be calculated based on the amount of increase in accordance with Section 408.038, F.S., and paragraph 59C-1.008(3)(a), F.A.C.

(d) A transfer application is required if the intended licensee or operator for approved nursing home beds in a combined certificate of need, as authorized by an exemption under Section 408.036(3)(g)(4), F.S., will be an entity other than the holder of any of the uncombined certificates of need.

(e) A transfer application is required if the intended licensee or operator for the approved nursing home beds included in a component or components of a divided certificate of need, as authorized by an exemption under Section 408.036(3)(h)(m), F.S., will be an entity other than the holder of the undivided certificate of need.

(f) through (h) No change.

(2) Conversion of licensed mental health ~~hospital~~ beds. As provided in Section 408.036(5)(c)(2)(f), F.S., notification to the agency an expedited review is applicable for hospital projects proposing to increase ~~the licensed capacity of acute care beds or~~ the licensed capacity of a category of mental health services beds through conversion of other mental health specified beds at the same hospital.

(a) Mental health beds include adult and child/adolescent psychiatric beds and adult and child/adolescent substance abuse beds. Conversion under this subsection may not establish a new licensed bed category at the hospital.

(b) ~~Licensed acute care bed capacity may be increased under this subsection through:~~

1. Conversion of beds in one or more of the categories of licensed mental health services beds; or

2. Conversion of distinct part skilled nursing unit (SNU) beds.

(e) Licensed bed capacity in a category of mental health services beds may be increased under this subsection through:

1. Conversion of beds in one or more of the other categories of licensed mental health services beds; or

2. Conversion of acute care beds.

(b)(4) Conversions under this subsection shall not increase the total licensed bed capacity of the hospital.

(e) Beds added by conversion under this subsection must be licensed and operational for at least 12 months before the hospital may apply for additional conversion affecting beds of the same type.

(3) Shared service arrangement. Any application for a project involving a shared service arrangement is subject to a comparative review when the health service being proposed requires a Certificate of Need to implement and is not currently provided by any of the applicants, or an expedited review when the health service being proposed is currently provided by one of the applicants. Proposals for a shared service arrangement must be limited to hospitals located in the same service planning area, as defined by the agency and applicable for the service being proposed.

(a) The following factors are considered when reviewing applications for shared services where none of the applicants are currently authorized to provide the service:

(a)1. Each applicant jointly applying for a new health service must be a party to a formal written legal agreement.

(b)2. Certificate of Need approval for the shared service will authorize the applicants to provide the new health service as specified in the original application.

(c)3. Certificate of Need approval for the shared service shall not be construed as entitling each applicant to independently offer the new health service. Authority for any party to offer the service exists only as long as the parties participate in the provision of the shared service.

(d)4. Any of the parties providing a shared service may seek to dissolve the arrangement upon notice to the agency consistent with Section 408.036(5)(3)(4), F.S. If termination of the agreement occurs, all parties to the original shared service give up their rights to provide the service.

(e)5. Parties seeking to provide the service independently in the future must submit applications in the next applicable review cycle and compete for the service with all other applicants.

(f)6. All applicable statutory and rule criteria are met.

(b) The following factors are considered when reviewing applications for shared services when one of the applicants has the service:

1. A shared services contract occurs when two or more providers enter into a contractual arrangement to jointly offer an existing or approved health care service. A shared services contract must be written and legal in nature. These include legal partnerships, contractual agreements, recognition of the provision of a shared service by a governmental payor, or a similar documented arrangement.

a. Each of the parties to the shared services contract must contribute something to the agreement including but not limited to facilities, equipment, patients, management or funding.

b. For the duration of a shared services contract, none of the entities involved has the right or authority to offer the service in the absence of the contractual arrangement except the entity which originally was authorized to provide the service.

e. A shared services contract is not transferrable. New parties to the original agreement constitute a new contract and require a new Certificate of Need.

d. A shared services contract may encompass any existing or approved health care service. The following items will be evaluated in reviewing shared services contracts:

(I) The demonstrated savings in capital equipment and related expenditures;

(II) The health system impact of sharing services, including effects on access and availability, continuity and quality of care; and;

(III) Other applicable statutory review criteria.

e. A shared services arrangement may be terminated upon notice to the agency consistent with Section 408.036(3)(1), F.S. If termination of the agreement occurs, the entity(ies) authorized to provide the service prior to the contract retains the right to continue the service. All other parties to the contract who seek to provide the service in their own right must request the service as a new health service and are subject to full Certificate of Need review as a new health service.

(4) No change.

(5) Reestablishment of an inpatient health service regulated under this Chapter. Reestablishment of a health service which was not offered continuously at a health care facility for the 12-month period prior to the proposed reestablishment is a substantial change in health services, and requires a certificate of need.

Specific Authority 408.034(6), 408.15(8) FS. Law Implemented 408.033, 408.034(2), 408.036(2), 408.037(2), 408.038, 408.039, 408.042 FS. History—New 1-31-91, Formerly 10-5.0085, Amended 10-18-95, 10-8-97, 12-12-00, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Rommel Bain, Health Services and Facilities Consultant
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Karen Rivera, Consultant Supervisor

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 15, 2005
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 8, 2004

AGENCY FOR HEALTH CARE ADMINISTRATION

Certificate of Need

RULE TITLE: Hospital-Based Skilled Nursing Units
 RULE NO.: 59C-1.0365

PURPOSE AND EFFECT: The agency is repealing Rule 59C-1.0365, F.A.C., which sets forth Certificate of Need review criteria for hospital-based skilled nursing units. Section 6 of Chapter 2004-383, Laws of Florida, revised Chapter 408, F.S., necessitating repeal of the rule.

SUMMARY: Rule 59C-1.0365, F.A.C., is being repealed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None 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: 408.15(8), 408.034(5) FS.

LAW IMPLEMENTED: 408.036(1)(g) 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: 2:00 p.m. (EST), June 2, 2005

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room C, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Rommel Bain, Certificate of Need, 2727 Mahan Drive, Building 1, MS 28, Tallahassee, Florida 32308

THE FULL TEXT OF THE PROPOSED RULE IS:

59C-1.0365 Hospital-Based Skilled Nursing Units.

Specific Authority 408.15(8), 408.034(5) FS. Law Implemented 408.036(1)(g) FS. History—New 4-7-02, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Rommel Bain, Health Services and Facilities Consultant

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Karen Rivera, Consultant Supervisor

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE TITLES: Certification of Swimming Pool Structural Specialty Contractors
 RULE NOS.: 61G4-15.032

Certification of Swimming Pool Trim, Deck and Piping Specialty Contractors
 61G4-15.033

Certification of Swimming Pool Finishes Specialty Contractors
 61G4-15.034

PURPOSE AND EFFECT: The proposed new rules are intended to address criteria for swimming pool specialty contractors.

SUMMARY: The proposed rules set forth the criteria for certification as swimming pool structural specialty contractors; as pool trim, deck, and piping specialty contractors; and as pool finishes specialty contractors.

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: 455.217, 489.108, 489.115(4), 489.113(6) FS.

LAW IMPLEMENTED: 455.217, 489.108, 489.115(4), 489.113(6) FS.

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

TIME AND DATE: 8:00 a.m. or as soon thereafter as can be heard, June 10, 2005

PLACE: Sawgrass Marriott Resort & Spa, 100 PGA Tour Boulevard, Ponte Vedra Beach, Florida 32082

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Tim Vaccaro, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULES IS:

61G4-15.032 Certification of Swimming Pool Structural Specialty Contractors.

(1) Scope of Rule. The purpose of this rule is to provide for the voluntary certification of swimming pool structural specialty contractors for any residential and commercial swimming pool, spa or hot tub.

(2) Definition.

(a) A “Swimming Pool Structural Specialty Contractor” is a contractor whose services are limited to the execution of contracts requiring the experience, knowledge and skill necessary for the layout, excavation, construction, installation and backfill of pool, spa or hot tub shells.

(b) The scope of work shall include and be limited to the layout, clearing of land of surface debris and vegetation; general leveling and grading of the site; the excavation and removal of excavated materials; the shaping and contouring of the excavation; construction and erection of concrete forms; the fabrication, placing and tying of steel reinforcing bars of any profile, perimeter, or cross-section which is used, intended or designed to be used to reinforce concrete, gunite, shotcrete or similar material in a pool or spa; shaping and shooting of gunite, shotcrete, concrete or similar product mix over the structural steel cage of the pool or spa; installation of prefabricated pool, spa or hot tub shells; operating of construction pumps for dewatering purposes. Nothing in this rule shall be deemed to restrict or limit in any manner the scope of work authorized by law of other contractor classifications.

(3) Certificate Procedures.

(a) Qualifications.

1. Any person who desires to become a swimming pool structural specialty contractor shall apply to the Construction Industry Licensing Board of the Department of Business and Professional Regulation in writing and on a form provided by the Department.

2. A person shall be certified as a swimming pool structural specialty contractor if said person:

- a. Is eighteen (18) years of age;
- b. Is of good moral character;

c. Meets eligibility requirements according to one of the criteria established in Section 489.111(2)(c), F.S.; and

d. Takes and successfully completes the examination for certification as a swimming pool structural specialty contractor.

(b) Other Certification Procedures and Fees. Other certification procedures and fees for certified swimming pool structural specialty contractors shall be the same as those provided for the certification of other contractors as set forth in Sections 489.109, 489.111(3), 489.113, F.S., and Rules 61G4-12.009 and 61G4-15.005, F.A.C. Applicants must also submit evidence of having met the requirements of paragraphs 61G4-15.003(2)(i) and 61G4-15.005(3)(a), F.A.C., for this specialty.

Specific Authority 455.217, 489.108, 489.115(4), 489.113(6) FS. Law Implemented 455.217, 489.108, 489.115(4), 489.113(6) FS. History—New

61G4-15.033 Certification of Swimming Pool Trim, Deck and Piping Specialty Contractors.

(1) Scope of Rule. The purpose of this rule is to provide for the voluntary certification of swimming pool trim, deck and piping specialty contractors for any residential and commercial swimming pool, spa or hot tub.

(2) Definition.

(a) A “Swimming Pool Trim, Deck and Piping Specialty Contractor” is a contractor whose services are limited to the execution of contracts requiring the experience, knowledge and skill necessary for the piping, placing of the deck and trim work for a pool, spa or hot tub.

(b) The scope of work shall include the design, layout and installation of ceramic tile and similar materials, and coping and other headpiece treatments used on pools, spas and hot tubs. This work includes decking, patios, aprons, walks, and ramps abutting or near pools, spas and hot tubs, including walls, fences and retaining walls. This work also includes the layout and installation of all perimeter, circulation and filter piping, and associated equipment, filters, chemical feeders, heaters and cleaners including controllers and valving. The scope of work does not include direct connections to a sanitary sewer system, potable water lines, electrical supply. Nothing in this rule shall be deemed to restrict or limit in any manner the scope of work authorized by law of other contractor classifications.

(3) Certificate Procedures.

(a) Qualifications.

1. Any person who desires to become a swimming pool trim, deck and piping specialty contractor shall apply to the Construction Industry Licensing Board of the Department of Business and Professional Regulation in writing and on a form provided by the Department.

2. A person shall be certified as a swimming pool trim, deck and piping specialty contractor if said person:

- a. Is eighteen (18) years of age;
- b. Is of good moral character;

c. Meets eligibility requirements according to one of the criteria established in Section 489.111(2)(c), F.S.; and

d. Takes and successfully completes the examination for certification as a swimming pool trim, deck and piping specialty contractor.

(b) Other Certification Procedures and Fees. Other certification procedures and fees for certified swimming pool trim, deck and piping specialty contractors shall be the same as those provided for the certification of other contractors as set forth in Sections 489.109, 489.111(3), 489.113, F.S., and Rules 61G4-12.009 and 61G4-15.005, F.A.C. Applicants must also submit evidence of having met the requirements of paragraphs 61G4-15.003(2)(i) and 61G4-15.005(3)(a), F.A.C., for this specialty.

Specific Authority 455.217, 489.108, 489.115(4), 489.113(6) FS. Law Implemented 455.217, 489.108, 489.115(4), 489.113(6) FS. History—New

61G4-15.034 Certification of Swimming Pool Finishes Specialty Contractors.

(1) Scope of Rule. The purpose of this rule is to provide for the voluntary certification of swimming pool finishes specialty contractors for any residential and commercial swimming pool, spa or hot tub.

(2) Definition.

(a) A “Swimming Pool Finishes Specialty Contractor” is a contractor whose services are limited to the execution of contracts requiring the experience, knowledge and skill necessary for the coating or plastering of a pool, spa or hot tub interior surfaces.

(b) The scope of work shall include and be limited to the coating or plastering of the interior surfaces of a pool, spa or hot tub with materials such as marcite, water type plaster, fiberglass or other similar use products designed to create a permanent surface coating. Nothing in this rule shall be deemed to restrict or limit in any manner the scope of work authorized by law of other contractor classifications.

(3) Certificate Procedures.

(a) Qualifications.

1. Any person who desires to become a swimming pool finishes specialty contractor shall apply to the Construction Industry Licensing Board of the Department of Business and Professional Regulation in writing and on a form provided by the Department.

2. A person shall be certified as a swimming pool finishes specialty contractor if said person:

- a. Is eighteen (18) years of age;
- b. Is of good moral character;
- c. Meets eligibility requirements according to one of the criteria established in Section 489.111(2)(c), F.S.; and
- d. Takes and successfully completes the examination for certification as a swimming pool finishes specialty contractor.

(b) Other Certification Procedures and Fees. Other certification procedures and fees for certified swimming pool finishes specialty contractors shall be the same as those provided for the certification of other contractors as set forth in Sections 489.109, 489.111(3), 489.113, F.S., and Rules 61G4-12.009 and 61G4-15.005, F.A.C. Applicants must also submit evidence of having met the requirements of paragraphs 61G4-15.003(2)(i) and 61G4-15.005(3)(a), F.A.C., for this specialty.

Specific Authority 455.217, 489.108, 489.115(4), 489.113(6) FS. Law Implemented 455.217, 489.108, 489.115(4), 489.113(6) FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE: Rules Committee

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Construction Industry Licensing Board

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

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Employee Leasing

RULE TITLE: RULE NO.:

Annual Assessment on Gross Florida Payroll 61G7-5.002

PURPOSE AND EFFECT: The Board has proposed to amend this rule to delete subsection (2).

SUMMARY: Subsection (2) will be deleted from this rule.

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

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

SPECIFIC AUTHORITY: 468.522 FS.

LAW IMPLEMENTED: 468.526 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, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE FULL TEXT OF THE PROPOSED RULE IS:

61G7-5.002 Annual Assessment on Gross Florida Payroll.

(1) No change.

~~(2) In order to ensure compliance with the requirements of subsection (1), each employee leasing company or employee leasing company group shall annually submit a statement of total gross Florida payroll along with copies of all Florida Unemployment Compensation Tax returns (UCT-6) for the preceding calendar year and payment of the assessment levied under subsection (1). Every employee leasing company shall submit the statement of total gross Florida payroll and copies of all Florida Unemployment Compensation Tax returns (UCT-6) on or before April 1 of every year. Total gross Florida payroll shall be subject to independent verification by the Board with the Agency for Workforce Innovation, Division of Unemployment and shall also be subject to audit by the Board.~~

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

Specific Authority 468.522 FS. Law Implemented 468.526 FS. History—New 7-15-92, Formerly 21EE-5.002, Amended 4-25-94, 6-10-96, 6-22-98, 7-11-00, 9-5-04, 3-27-05,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Employee Leasing

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

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

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

RULE TITLE: Deputy Pilots’ and State Pilots’ Physical and Mental Capabilities

RULE NO.: 61G14-20.001

PURPOSE AND EFFECT: The Board proposed to amend the rule in order to outline the documentation required for drug testing.

SUMMARY: The rule amendment will outline the documentation required for drug testing.

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: 310.185(1) FS.

LAW IMPLEMENTED: 310.071, 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 32399-0783

THE FULL TEXT OF THE PROPOSED RULE IS:

61G14-20.001 Deputy Pilots’ and State Pilots’ Physical and Mental Capabilities.

(1) through (2) No change.

1. through 2. No change.

3. Documentation that the applicant or pilot, within six months prior to the date the document is submitted, has met one of the Coast Guard drug testing requirements for transactions regarding licensing as follows: been found to be

drug free by a test approved by the United States Coast Guard. “Submitted” shall mean received at the Board office at 1940 North Monroe Street, Tallahassee, Florida 32399-0773.

a. Submitted documentation that the applicant or the pilot has passed a USCG drug test conducted within the past six months by a laboratory accredited by the Substance Abuse and Mental Health Services Administration, Department of Health and Human Services;

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

c. Submitted documentation demonstrating that the applicant or pilot has passed a pre-employment chemical test for any controlled substances regulated under Chapter 893, Florida Statutes, within the past six months.

The term “submitted” as used in this subsection shall mean provided to and received at the Board office at 1940 North Monroe Street, Tallahassee, Florida 32399-0773.

(3) through (6) No change.

Specific Authority 310.185(1) FS. Law Implemented: 310.071, 310.073 FS. History—New 2-22-95, Amended 1-4-00, 6-24-03,_____.

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: April 8, 2005

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: List of Approved Forms; Incorporation

RULE NO.: 64B8-1.007

PURPOSE AND EFFECT: The proposed rule amendment is intended to incorporate the revised Physician Assistant Licensure Application into the rule.

SUMMARY: The proposed rule amendment incorporates the revised Physician Assistant Licensure Application into the forms rule.

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

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

SPECIFIC AUTHORITY: 120.55(1)(a),(4), 456.013, 456.036(5), 456.048(1), 458.309, 458.311, 458.3124(6), 458.313(4), 458.3145, 458.315(2), 458.320(8), 458.321(2), 458.347(13), 458.3475, 458.351(6) FS.

LAW IMPLEMENTED: 456.013, 456.035, 456.036, 456.048, 456.073, 458.309, 458.311, 458.3124, 458.313, 458.3145, 458.315, 458.316, 458.317, 458.319, 458.320, 458.321, 458.345, 458.347, 458.3475, 458.348, 458.351, 465.0276 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: Larry McPherson, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-1.007 List of Approved Forms; Incorporation.

The following forms used by the Board in its dealings with the public are listed as follows and are hereby adopted and incorporated by reference, and can be obtained from the Board office by writing to the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-1753, or by telephoning (850)245-4131:

(1) through (27) No change.

(28) DH-MQA 2000, entitled "Application for Licensure as a Physician Assistant," ~~(3/02)~~ (3/05).

(29) through (31) No change.

Specific Authority 120.55(1)(a),(4), 456.013, 456.036(5), 456.048(1), 458.309, 458.311, 458.3124(6), 458.313(4), 458.3145, 458.315(2), 458.320(8), 458.321(2), 458.347(13), 458.3475, 458.351(6) FS. Law Implemented 456.013, 456.035, 456.036, 456.048, 456.073, 458.309, 458.311, 458.3124, 458.313, 458.3145, 458.315, 458.316, 458.317, 458.319, 458.320, 458.321, 458.345, 458.347, 458.3475, 458.348, 458.351, 465.0276 FS. History—New 4-17-01, Amended 11-20-01, 8-13-02, 11-10-02, 3-19-03, 6-4-03, 11-17-03, 4-19-04, 1-31-05, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Council on Physician Assistants

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 2, 2005

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

DEPARTMENT OF HEALTH

Division of Family Health Services

RULE CHAPTER TITLE: Volunteer Health Care Provider Program
 RULE CHAPTER NO.: 64F-11

RULE TITLES: Definitions
 RULE NOS.: 64F-11.001

Client Eligibility 64F-11.002

Patient Selection and Referral 64F-11.003

Volunteer Provider Eligibility 64F-11.004

Contract Requirements 64F-11.005

Covered Services 64F-11.006

Annual Report 64F-11.009

PURPOSE AND EFFECT: To implement amended statutory provisions of Section 766.1115, Florida Statutes.

SUMMARY: Deleted duplication, clarified definitions, modified sovereign immunity contract, and defined who may be authorized to perform the eligibility and referral process for the department.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: None 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: 766.1115 FS.

LAW IMPLEMENTED: 766.1115 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: Mark Lundberg, Director, Volunteer Health Services Program, 4052 Bald Cypress Way, Bin #C23, Tallahassee, Florida 32399-1743, (850)245-4151

THE FULL TEXT OF THE PROPOSED RULES IS:

64F-11.001 Definitions.

For the purpose of this rule chapter, the following definitions will apply:

(1) "Adverse incident": as defined in subsection 395.0197(5), F.S., or its successor statute. ~~59A-10.002(4)~~, F.A.C.

~~(2) "Contract" means an agreement executed between a health care provider and a governmental contractor for the purpose of providing health care to individuals who qualify under the Volunteer Health Care Provider program.~~

~~(2)(3) "Corporate medical group" means a corporation for profit established under the provisions of Chapter 607, F.S., or a corporation not for profit established under the provisions of Chapter 617, F.S., for the purpose of providing health care as specified in paragraph (10) below.~~

~~(4) "Department" means the Department of Health.~~

~~(3)(5)~~ “Emergency medical condition”: as defined in Section 395.002(9), or its successor statute, 395.0142(2)(e), F.S.

~~(4)(6)~~ “Family” means one or more persons living in one dwelling place who are related by blood, marriage, law, or conception. A pregnant woman and her unborn child or children are considered to be two or more family members. If the dwelling place includes more than one family or more than one unrelated individual, the poverty guidelines are applied separately to each family or unrelated individual and not to the dwelling place as a whole. A single adult, over 18, living with relatives is considered to be a separate family for income determination purposes. ~~However, A~~ a student, age 18-21, living at the dwelling place, shall be considered a family member if it is in the best interest of the family.

~~(5)(7)~~ “Federal poverty level or poverty level” means the family poverty income levels published and updated annually by the federal Office of Management and Budget (OMB). For the purposes of this rule the poverty levels will be effective ~~April~~ July 1 of each year following publication in the Federal Register.

~~(8)~~ “~~Governmental contractor or contractor~~” means the department, county health departments (CHD), a special taxing district with health care responsibilities, or a hospital owned and operated by the federal or state government, state agencies, and subdivisions as defined in Section 768.28(2), F.S.

~~(6)(9)~~ “Gross family income” means the sum of income available to a family at the time of application. Gross family income shall be based on all income ~~to be earned or received in the last four (4) weeks or anticipated to be earned or received in the current month.~~ Income shall not include Supplemental Security Income (SSI), income from trusts fully funded by SSI payments, and Temporary Assistance to Needy Families (TANF). ~~Aid to Families with Dependent Children (AFDC).~~ ~~Individuals receiving assistance payments under these programs are already eligible under the provisions of paragraph 64F 11.002(1)(a), F.A.C.~~ Income shall include but not be limited to the following:

- (a) Wages and salary.
- (b) Child support.
- (c) Alimony.
- (d) Unemployment compensation.
- (e) Worker’s compensation.
- (f) Veteran’s pension.
- (g) Social security.
- (h) Pensions and annuities.
- (i) Dividends and interest on savings, stocks, and bonds.
- (j) Income from estates and trusts.
- (k) Net rental income or royalties.
- (l) Net income from self employment.
- (m) Contributions.

(7) “Net family income” means gross family income minus the standard work related, child care, and child support deductions as used in determining Medicaid presumptive eligibility for pregnant women.

(8) “Verification” means to confirm the accuracy of information through sources other than the self declaratory statement of the individual originally supplying the information. Verification may be by telephone, in written form, or by face-to-face contact. Verification does not require written documentation to confirm an applicant’s statement. Examples of verification include:

- (a) A statement from a state or federal agency which attests to the applicant’s financial status.
- (b) A statement from the applicant’s or family member’s employer.
- (c) Pay stubs for four consecutive weeks.
- (d) A statement from a source providing unearned income to the applicant or family unit.

(9) “Self-declaration” means a statement of income, expenses, and family size made by the individual applying for the program. Self-declaration does not include any documentation other than the signature of the person making the statement. The self-declaration statement shall include a signed acknowledgement that the statement is true at the time it is made and that the person making the statement understands that the contractor shall have the option of verifying the statement.

(10) “Health care provider or provider” includes: means:
~~(a)~~ a full-time student enrolled in an accredited program that prepares the student to be a health care provider licensed under Chapter 458, 459, 460, 461, 464, 466, or 467, F.S. The student must perform duties under the supervision and license of a health care provider who is contracted under the Volunteer Health Care Provider Program and is practicing in the student’s area of study.

- ~~(a) A birth center licensed under Chapter 383, F.S.~~
- ~~(b) An ambulatory surgical center licensed under Chapter 395, F.S.~~
- ~~(c) A hospital licensed under Chapter 395, F.S.~~
- ~~(d) A physician licensed, or physician assistant certified, under Chapter 458, F.S.~~
- ~~(e) An osteopathic physician licensed, or osteopathic physician assistant certified, under Chapter 459, F.S.~~
- ~~(f) A chiropractic physician licensed under Chapter 460, F.S.~~
- ~~(g) A podiatrist licensed under Chapter 461, F.S.~~
- ~~(h) A registered nurse, nurse midwife, licensed practical nurse, or advanced registered nurse practitioner licensed or registered under Chapter 464, F.S., or any facility that employs nurses licensed or registered under Chapter 464, F.S., to supply all or part of the care delivered under this section.~~
- ~~(i) A midwife licensed under Chapter 467, F.S.~~

(j) A health maintenance organization certified under Part I of Chapter 641, F.S.

(k) A full time student enrolled in an accredited program that prepares the student to be a health care provider licensed under Chapter 458, 459, 460, 461, 464, or 467, F.S. The student must perform duties under the supervision and license of a health care provider who participates in the Voluntary Health Care Provider program and is practicing in the student's area of study.

(l) A health care professional association and its employees or a corporate medical group and its employees.

(m) Any other medical facility the primary purpose of which is to deliver human medical diagnostic services or that delivers nonsurgical human medical treatment, and that includes an office maintained by a provider.

(n) Any nonprofit corporation qualified as exempt from federal income taxation under Section 501(c) of the Internal Revenue Code that delivers health care services provided by licensed professionals listed in this paragraph, any federally funded community health center, and any volunteer corporation or volunteer health care provider that delivers health care services.

(11) "Health care professional association" means an organization as defined in Section 621.03, F.S., and includes the licensed health care providers specified in paragraph (10) above.

(12) "Injury": as defined in subsection 59A-10.002(5), F.A.C.

(13) "Net family income" means gross family income minus the standard work related, alimony, child care, and child support deductions as used in determining Medicaid presumptive eligibility for pregnant women.

(14) "Verification" means to confirm the accuracy of information through sources other than the self-declaratory statement of the individual originally supplying the information. Verification may be by telephone, in written form, or by face-to-face contact. Verification does not require written documentation to confirm an applicant's statement. Examples of verification include:

(a) A statement from a state or federal agency which attests to the individual's financial status.

(b) A statement from the employer.

(c) Pay stubs for four weeks if available.

(d) A statement from a source providing unearned income to the applicant or family unit.

(15) "Volunteer corporation" means a not for profit corporation, consisting of its employees and volunteers, established under the provisions of Chapter 617, F.S., for the purpose of providing volunteer health care as specified in paragraph (10) above, under contract with a governmental contractor, and thereby qualifying its employees and volunteers for sovereign immunity pursuant to Section 766.1115, F.S.

(16) "Volunteer provider or volunteer health care provider" means a health care provider under contract with a governmental contractor for the provision of health care services pursuant to Section 766.1115, F.S.

(17) "Self declaration" means a statement of income, expenses, and family size made by the individual applying for the program. Self declaration does not include any documentation other than the signature of the person making the statement. The self declaration statement shall include a signed acknowledgement that the statement is true at the time it is made and that the person making the statement understands that the contractor shall have the option of verifying the statement.

Specific Authority 766.1115(10) FS. Law Implemented 766.1115 FS. History—New 1-20-93, Formerly 10D-122.002, Amended _____.

64F-11.002 Client Eligibility.

(1) The governmental contractor has the option to include one or more of the following eligibility groups:

(a) Individuals eligible for services under the Florida Medicaid Program when a provider is not available and who meet the program income eligibility requirements.

(b) Individuals whose family income does not exceed 150 percent of the federal poverty level.

(c) Individuals who are clients of the department, and volunteer to participate in the a program, offered or approved by the department and who meet the program income eligibility requirements guidelines of that program.

(2) In order to be eligible, an individual individuals shall not have medical or dental care coverage for health insurance or shall not have health insurance that covers the illness, injury, or condition for which medical or dental health care is sought.

(3) The governmental contractor has the option to establish an eligibility limit at a level lower than 150 percent of the poverty level, but not lower than 100 percent of the poverty level.

(4) The governmental contractor is responsible for determining if applicants meet the eligibility criteria for participation in the Volunteer Voluntary Health Care Provider Program program and shall establish the written procedures necessary to determine eligibility.

(5) Applicants shall furnish to the governmental contractor information regarding the gross family income for the family unit, work related expenses, child care expenses, and child support payments. The applicant's self declaration of income and expenses is acceptable for eligibility determination, but the governmental contractor may verify income and expenses. Verification of income and expenses shall be required only if the self declaration does not reasonably represent income and expenses and shall be requested for the four week period prior to the date of application. Additional verification for the preceding 12 month period may be requested if the income for

the four week period is not representative of the family income and the additional information is in the best interest of the applicant.

(6) The governmental contractor shall use net family income to determine eligibility.

Specific Authority 766.1115(10) FS. Law Implemented 766.1115 FS. History—New 1-20-93, Formerly 10D-122.003, Amended _____.

64F-11.003 Patient Selection and Referral.

(1) The governmental contractor is responsible for ~~determining an applicant's eligibility and referral selection and initial referral of individuals to contracted health care providers receive health care services~~ under this chapter.

(2) The volunteer provider shall accept all individual referrals up to the numerical limit, if any, that is specified in the contract.

(3) The governmental contractor shall not refer an ~~applicant individual~~ to a ~~health care volunteer~~ provider until ~~after~~ the governmental contractor determines the individual to be eligible.

(4) The governmental contractor may convey to any provider the responsibility for determining eligibility and the referral of clients for the department. The provider may perform the eligibility and referral process in accordance with a contract with the governmental contractor.

~~(4) Once a governmental contractor refers an individual and the provider treats the individual, sovereign immunity granted under this chapter shall not be removed even if the individual who received treatment may later be found to be ineligible.~~

~~(5) If an emergency medical condition exists, a volunteer provider may accept for treatment, prior to receiving a referral from the governmental contractor, an individual previously determined eligible for the program. In this event, the volunteer provider must notify the governmental contractor of the need for a referral for an individual in the program within 48 hours after treatment commenced or within 48 hours after the patient has the mental capability to consent to treatment, whichever occurs later.~~

Specific Authority 766.1115(10) FS. Law Implemented 766.1115 FS. History—New 1-20-93, Formerly 10D-122.004, Amended _____.

64F-11.004 Volunteer Provider Eligibility.

~~(1) The governmental contractor has sole responsibility to determine the type of services that are needed in a service area and to recruit volunteer providers that can meet those needs. The governmental contractor shall consider in that determination the following:~~

- ~~(a) The population that the contractor serves.~~
- ~~(b) The benefit of that service to the population being served.~~
- ~~(c) The current availability of the service to the population being served.~~

~~(d) The expected improvement in access to care that would result from contracting with the volunteer provider.~~

~~(2) The governmental contractor may contract with one or more volunteer providers in a given specialty or type of service but does not have to contract with each volunteer provider that may volunteer to provide care.~~

~~(1)(3) In order to participate in this program, a health care provider shall comply with the following:~~

~~(a) Have a current valid Florida health professional license or authorization to practice under Florida Statutes or Florida Administrative Code.~~

~~(b) Sign a contract with the governmental contractor.~~

~~(c) Not be under obligations investigation, probation, or restrictions with the suspension by Department of Health, Professional Regulation or sanctioned by Health Care Financing Administration for Medicaid or Medicare violations. If obligations are assigned after the provider has participated in the program, then the governmental contractor will determine contract status of the provider.~~

~~(d) Submit to a credential verification process to determine acceptability of participation.~~

~~(e) Participate in a the governmental contractor's quality assurance program as delineated by the governmental contractor in a manner commensurate with the level of participation in the Voluntary Health Care Provider program.~~

~~(2)(4) The health care provider shall not subcontract for the provision of services under this chapter.~~

Specific Authority 766.1115(10) FS. Law Implemented 766.1115 FS. History—New 1-20-93, Formerly 10D-122.005, Amended _____.

64F-11.005 Contract Requirements.

~~(1) The contract shall allow the health care provider to deliver health care services as an agent of the governmental contractor to individuals determined eligible in accordance with Rule 64F 11.002, F.A.C. The contract must be for volunteer, uncompensated services.~~

~~(2) The governmental contractor shall use the model contracts, DH DOH Form 1029 and 1031, developed by the department specifically for this program. Provisions of the model contract shall include the requirements specified in Section 766.1115(4), F.S.~~

Specific Authority 766.1115(10) FS. Law Implemented 766.1115 FS. History—New 1-20-93, Formerly 10D-122.006, Amended _____.

64F-11.006 Covered Services.

~~(1) The governmental contractor shall specify the services that will be available under the local Voluntary Health Care Provider program and what limitations and restrictions, if any, may apply.~~

~~(1)(2) Experimental procedures and clinically unproven procedures are not covered under this program. The governmental contractor shall determine whether or not a procedure is covered. For the department, the State Health Officer shall make that determination.~~

~~(2)(3)~~ The governmental contractor reserves the right to approve through written protocols all referrals for specialty care and hospitalization, ~~except emergency care as specified in Rule 64F-11.007, F.A.C.~~

Specific Authority 766.1115(10) FS. Law Implemented 766.1115 FS. History--New 1-20-93, Formerly 10D-122.007, Amended _____.

64F-11.009 Annual Report.

(1) Each governmental contractor, by August ~~31~~ ~~30~~ of each year, shall submit to the Director of the Volunteer Health Services Program ~~State Health Office~~ information required to prepare the annual report to the Legislature as specified in Section 766.1115(8), F.S.

(2) The report period shall be July 1 to June 30.

(3) The governmental contractor shall include in the report participating clinics and organizations, a list of the types of services that are needed for the service area, a list of available referral services the number of providers, and the number of patient encounters, and the value of services and donations rendered individuals served.

Specific Authority 766.1115(10) FS. Law Implemented 766.1115 FS. History--New 1-20-93, Formerly 10D-122.012, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mark Lundberg

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Phil E. Williams

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 21, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 15, 2005

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE TITLE: RULE NO.:

Hunting Dogs; Molesting Game in Closed Season; Training; Field Trials; Prohibited for Certain Hunting 68A-12.007

PURPOSE AND EFFECT: The purpose of the proposed rule changes is to establish registration requirements for use of dogs to take deer on private lands statewide. Registration requirements were implemented during the 2004-2005 hunting season on a pilot basis in the Commission's Northwest Region. The effect of the proposed rule would be to require registration statewide for the 2005-2006 hunting season and thereby promote hunter responsibility.

SUMMARY: Proposed rule changes would require a no-cost registration for any person using dogs to take deer on private lands statewide. The statewide registration program would replace the Northwest Region pilot registration program. Registration would be required during the deer-dog training season and during any open deer hunting season when taking of deer with dogs is permitted on private lands. Registration

would be required in addition to all existing rules regarding the use of dogs for hunting including the hunter responsibility and road hunting rules. Registration would be issued to the landowner or any other individual who has rights to hunt the property as designated by the landowner in a hunting lease or through written permission. Registration would require completion of an application that will require information about the private property including a boundary map, description of the property, a copy of a hunting lease or written permission from the landowner for hunting the property. The landowner(s) would not be required to sign the application. Contact information for the landowner(s) would be required on the application. Applicants would be able to register multiple properties with different landowners under one registration number if requested on the application. Once a registration has been issued the following would be required: the registration number must be on or attached to the collar of any dog used for taking deer on registered property; a copy of the registration must be in possession, while using dogs to take deer on registered property; person(s) using dogs to take deer must keep their dogs on the registered property; failure to abide by the above requirements would be a violation of the rule and could result in a citation.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: It is estimated that the proposed action will cost the agency approximately \$450 for administrative preparation and \$214 for legal advertising.

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: Art. IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const.

A HEARING ON THE PROPOSED RULE WILL BE HELD DURING THE COMMISSION'S MEETING AT THE TIME, DATES AND PLACE SHOWN BELOW:

TIME AND DATES: 8:30 a.m. – 5:00 p.m. each day, June 15-17, 2005

PLACE: Hilton Daytona Beach/Ocean Walk Village, 100 N. Atlantic Ave., Daytona Beach, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: James Antista, General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-12.007 Hunting Dogs; Molesting Game in Closed Season; Training; Field Trials; Prohibited for Certain Hunting.

(1) through (2) No change.

(3)(a) The purpose and intent of this subsection is to implement registration requirements for use of dogs to take deer on private lands. ~~It is the intent of the Commission to~~

~~implement this subsection as a pilot project to be in effect in for the Commission's Northwest Region. The Commission shall review this subsection on or before March 30, 2005 to determine if continuation, modification or expansion is warranted.~~

(b) Registration.

1. No person shall use dogs to take, attempt to take, trail, pursue or molest deer on any privately-owned property ~~in the Northwest Region~~ unless such property has been registered with the Commission as set forth under this subsection. Privately-owned property shall be registered by the landowner(s), lessee, or other person designated by the landowner(s) via written permission as required under subsection (2) of this section. Individuals may register an aggregate of private lands including different ownerships under one registration. No more than one registration shall be in effect for each parcel of land at any given time. Registration shall not be required for use of dogs on leashes for trailing wounded game.

2. Applications for registering private lands for taking deer with dogs shall be on such form as prescribed by the Commission and shall include: a written description of the property boundaries and map showing property boundaries; total acreage of the property; name, street or physical address, and telephone numbers for the applicant and the landowner; a copy of a lease for hunting rights or written permission as required under subsection (2) of this section where the landowner is not the applicant, and other information pertaining to the proposed activity necessary for registration issuance and enforcement of this rule.

(c) Requirements.

1. Each registration issued pursuant to this subsection shall include a registration number. In addition to requirements under subsection (1) of this section, no person shall use any dog for taking, attempted taking, trailing, pursuing or molesting deer ~~in the Northwest Region~~ unless such dog is wearing a collar or attachment to the collar legibly displaying the entire registration number specific to the registered property where said use of the dog is occurring.

2. No person using any dog for taking or attempting to take, trailing, pursuing, or molesting deer ~~in the Northwest Region~~ shall allow a dog off the registered property, whether intentionally or negligently.

3. No person shall participate in taking, attempted taking, trailing, pursuing or molesting deer on any privately-owned property ~~in the Northwest Region~~ unless such person is in possession of a copy of the registration for said privately-owned property.

(4) through (10) No change.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History--New 8-1-79, Amended 6-22-80, 6-21-82, 7-27-83, 7-5-84, 7-1-85, Formerly 39-12.07, Amended 4-11-90, 3-1-94, 7-1-94, 9-7-97, Formerly 39-12.007, Amended 12-9-99, 8-22-04, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mr. Nick Wiley

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 14, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 10, 2004

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE FAW.

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE CHAPTER TITLE: Reef Fish

RULE TITLE: Regulation and Prohibition of Certain

RULE NO.:

Harvesting Gear: Allowable Gear, Incidental Bycatch, Violation

68B-14.005

PURPOSE AND EFFECT: The purpose of this rule is to specify buoy and trap marking for black sea bass traps. The effect will be to allow the prosecution of the black sea bass trap fishery while clearly identifying those traps being used in it.

SUMMARY: A new sub-paragraph 4. is added to paragraph (2)(b) of Rule 68B-14.005, F.A.C., to establish marking requirements for traps used in the directed harvest of black sea bass.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A statement of estimated regulatory cost has not been prepared regarding these proposed rules.

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

SPECIFIC AUTHORITY: Article IV, Section 9, Florida Constitution.

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

THE FISH AND WILDLIFE CONSERVATION COMMISSION WILL CONDUCT A PUBLIC RULEMAKING HEARING ON THE PROPOSED RULES DURING THE REGULAR MEETING OF THE COMMISSION TO BE HELD AT THE TIME, DATES AND PLACE SHOWN BELOW:

TIME AND DATES: 8:30 a.m. – 5:00 p.m. each day, June 15-17, 2005

PLACE: Hilton Daytona Beach/Ocean Walk Village, 100 North Atlantic Avenue, Daytona Beach, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting: ADA Coordinator, (850)488-6411. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: James V. Antista, Fish and Wildlife Conservation Commission, 620 Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-14.005 Regulation and Prohibition of Certain Harvesting Gear: Allowable Gear, Incidental Bycatch, Violation.

(1) Allowable gear. Except as provided in subsection (2), the following shall be the only gear types and methods allowed for the harvest in or from state waters of any of the species specified in subsection 68B-14.001(2), F.A.C.:

(a) No change.

(b) A black sea bass trap, which shall only be used north of Latitude 27 North. Each such trap shall comply with the following specifications:

1. The outer dimensions do not exceed 2 feet in height, 2 feet in width, and 2 feet in depth, and the throat or entrance does not exceed 5 inches in height and 2 inches in width at its narrowest point.

2. A biodegradable panel shall be part of each trap used to take black sea bass. A black sea bass trap shall be considered to have a "biodegradable panel" or a "degradable panel" if one of the following methods is used in construction of the trap:

a. The trap lid tie-down strap is secured to the trap at one end by a single loop of untreated jute twine. The trap lid must be secured so that when the jute degrades, the lid will no longer be securely closed.

b. The trap lid tie-down strap is secured to the trap at one end with a corrodible loop composed of non-coated steel wire measuring 24 gauge or thinner. The trap lid must be secured so that when the loop degrades, the lid will no longer be securely closed.

c. The trap lid tie-down strap is secured to the trap at one end by an untreated pine dowel no larger than 2 inches in length by 3/8 inch in diameter. The trap lid must be secured so that when the dowel degrades, the lid will no longer be securely closed.

d. The trap contains at least one sidewall with a vertical rectangular opening no smaller in either dimension than 6 inches in height by 3 inches in width. This opening must be laced, sewn, or otherwise obstructed by a single length of

untreated jute twine knotted only at each end and not tied or looped more than once around a single mesh bar. When the jute degrades, the opening in the sidewall of the trap will no longer be obstructed.

e. The trap contains at least one sidewall with a vertical rectangular opening no smaller in either dimension than 6 inches in height by 3 inches in width. This opening must be obstructed with an untreated pine slat or slats no thicker than 3/8 inch. When the slat degrades, the opening in the sidewall of the trap will no longer be obstructed. "Untreated pine" means raw pine wood that has not been treated with any preservative or pine wood that has been pressure treated with no more than 0.40 pounds of chromated copper arsenate (CCA) compounds per cubic foot of wood.

f. The trap contains at least one sidewall with a vertical rectangular opening no smaller in either dimension than 6 inches in height by 3 inches in width. The opening may either be laced, sewn, or otherwise obstructed by non-coated steel wire measuring 24 gauge or thinner or be obstructed with a panel of ferrous single-dipped galvanized wire mesh made of 24 gauge or thinner wire. When the wire or wire mesh degrades, the opening in the sidewall of the trap will no longer be obstructed.

g. The trap contains at least one sidewall with a vertical rectangular opening no smaller in either dimension than 6 inches in height by 3 inches in width. The opening may be obstructed with a rectangular panel made of any material, fastened to the trap at each of the four corners of the rectangle by rings made of non-coated 24 gauge or thinner wire or single strands of untreated jute twine. When the corner fasteners degrade, the panel will fall away and the opening in the sidewall of the trap will no longer be obstructed.

3. Escape vents. All black sea bass traps shall have an unobstructed escape vent opening on at least two opposite vertical sides, excluding top and bottom, that complies with one of the following minimum sizes:

a. A rectangular vent, 1.125 inches (2.9 cm) by 5.75 inches (14.6 cm).

b. A circular vent, 2 inches (5.1 cm) in diameter.

c. A square vent with sides of 1.75 inches (4.4 cm) measured inside the square.

4. Trap marking requirements.

a. Each black sea bass trap used for harvesting black sea bass shall have the trap owner's saltwater products license number permanently attached. Each buoy attached to such trap shall have the letter "B" and the owner's saltwater products license number affixed to it in legible figures at least 1.5 inches high.

b. A buoy or time-release buoy shall be attached to each black sea bass trap or at each end of a weighted trap trotline. The buoy shall be constructed of styrofoam, cork, molded polyvinyl chloride, or molded polystyrene, be of sufficient strength and buoyancy to float, and be either white in color or

the same color as the owner's blue crab or stone crab buoy colors. Buoys shall be either spherical in shape with a diameter no smaller than 6 inches or some other shape so long as it is no shorter than 10 inches in the longest dimension and the width at some point exceeds 5 inches. No more than 5 feet of any buoy line attached to a buoy used to mark a black sea bass trap or attached to a trotline shall float on the surface of the water.

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

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History--New 12-11-86, Amended 2-1-90, 3-1-94, 10-4-95, 7-15-96, 1-1-98, 12-31-98, 6-1-99, Formerly 46-14.005, Amended 1-1-03, 3-1-05, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mr. Mark Robson

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 29, 2005

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE FAW.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Uniform Firesafety Standards For Educational Facilities	69A-58
RULE TITLES:	RULE NOS.:
Administration and General Requirements	69A-58.001
Scope	69A-58.002
Definitions	69A-58.003
Firesafety Inspections	69A-58.004
Serious Life Safety Hazards	69A-58.005
Inspections In General	69A-58.006
Counties, Municipalities, and Special Districts	
Having Firesafety Responsibilities,	
Without Firesafety Inspectors	69A-58.007
Standards and Requirements for Buildings;	
Exceptions to Rule Chapter 69A-60,	
the Florida Fire Prevention Code	69A-58.008
Florida Firesafety School Evaluation System	69A-58.009
Other Applicable Codes and Standards	69A-58.010

PURPOSE AND EFFECT: Update the firesafety codes and standards for educational facilities after experience in administering the rules currently in existence and after

extensive and continued consultation with the Department of Education and representatives from various school boards. In addition, these rulemaking proceedings include a substantial re-write of Rule 69A-58.008, F.A.C., to provide better organization and more clarity to the rule subjects. The effect of the rule development proceedings will be to adopt changes which will result in the administration of Sections 633.01(7), 633.022 and 1013.12, Florida Statutes, relating to educational facilities, in a more efficient and economic manner.

SUMMARY: These rule provide updated codes and standards for firesafety in educational facilities.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Regulatory Costs was prepared.

Any person who wishes to provide information regarding the statement of 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: 633.01(7), 633.022, 1013.12 FS.

LAW IMPLEMENTED: 633.01(7), 633.022, 1013.12 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: 8:00 a.m., June 1, 2005

PLACE: North Park Center, 6800 Dale Mabry Hwy., Conference Room 220, Tampa, FL 33614

TIME AND DATE: 8:00 a.m., June 2, 2005

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

Pursuant to the provisions of the Americans with Disabilities Act and Section 286.26, F.S., any person requiring special accommodations to participate in this program please advise the department at least 5 calendar days before the program by contacting: Millicent King, (850)413-3619, Fax (850)922-2553.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Jim Goodloe, Chief, Bureau of Fire Prevention, 200 East Gaines Street, Tallahassee, FL 32399-0342, (850)413-3171, Fax (850)922-2553, e-mail: goodloej@dfs.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

69A-58.001 Administration and General Requirements.

The division in consultation with the Department of Education hereby adopts firesafety rules for the use by boards and local fire officials when conducting firesafety inspections of new and existing buildings located in educational facilities, educational plants, ancillary plants, and auxiliary facilities to ensure the safety of occupants.

Specific Authority 1013.12 FS. Law Implemented 1013.12 FS. History--New 2-18-03, Formerly 4A-58.001, Amended _____.

69A-58.002 Scope: New and Existing Facilities.

(1) This rule chapter establishes uniform requirements to provide a reasonable degree of safety from fire in existing buildings located in educational facilities, educational plants, ancillary plants, and auxiliary facilities under a school board or a community college board of trustees' jurisdiction.

~~(2) Nothing in this rule chapter is intended to be more restrictive than a similar requirement for new construction.~~

~~(2)(3)~~ This rule chapter includes procedures for withdrawal of sites and facilities from use until unsafe conditions are corrected.

~~(3)(4)~~ These rules apply to charter schools built on school district property and to charter schools electing to be constructed to State Requirements for Educational Facilities, or Florida Building Code, Section 423 Standards, as provided in Sections 1002.33(16)(a)5. and 1002.33(18)(b), Florida Statutes. Charter schools that are not located on school district property and elect not to be constructed under State Requirements for Educational Facilities, or Florida Building Code, Section 423 Standards, shall meet the firesafety standards set forth in NFPA 1 and NFPA 101, the editions as adopted in Rules 69A-60.003 and 69A-60.004 Rule 69A-3-012, F.A.C.

~~(4)(5)~~ Existing educational and ancillary facilities shall comply with the applicable provisions in NFPA 101, the edition adopted in Rule 69A-60.004 69A-3-012, F.A.C., in the Florida Fire Prevention Code, except as modified by Chapter 1013, F.S., and this rule chapter.

EXCEPTION: NFPA 101, horizontal exits, which are referred to in subdivision 15-2.2.5, "and exit passageways, which are referred to in subdivision 15-2.2.7," are not permitted.

~~(5)(6)~~ New construction and new buildings are subject to and controlled by the Florida Edition of NFPA 1, 2003 edition, relating to "Educational occupancies" and the Florida Edition of NFPA 101, 2003 edition, Chapter 14, "New educational occupancies," except where specifically otherwise provided in this rule chapter Section 1013.38, F.S.; Notwithstanding any rule or adopted code or standard in conflict herewith, the following procedures apply with respect to new construction and new buildings:

1. Prior to commencement of any new construction or renovation, the authority having jurisdiction as defined in subsection 69A-58.003(2) shall approve the plans, drawings, designs, proposals, blueprints, and other construction or renovation documents and evaluate the same for complete compliance with the Florida Fire Prevention Code.

2.a. At least one time during construction as well as immediately prior to the issuance of a certificate of occupancy by the entity authorized to issue the certificate of occupancy for any new construction or renovation, the authority having jurisdiction as defined in subsection 69A-58.003(2), F.A.C., shall inspect or cause to be inspected the structure for complete compliance with the Florida Fire Prevention Code.

b. The authority having jurisdiction is permitted to perform an inspection of new construction or renovation as many times as he or she deems necessary to insure compliance with the Florida Fire Prevention Code.

c. A certificate of occupancy shall not be issued until the authority having jurisdiction has determined that the building or structure complies with the Florida Fire Prevention Code.

3. If any dispute arises between the authority having jurisdiction as defined in this rule chapter and the school district, such dispute shall be resolved in accordance with Rule 69A-60.007, F.A.C.

(6) Any time NFPA 101 refers to any other NFPA standard, the referenced standard shall be the edition adopted in Rule Chapter 69A-60 Rule 69A-3-012, F.A.C., the Florida Fire Prevention Code.

(7) These rules do not apply to any state-owned building.

Specific Authority 1013.12 FS. Law Implemented 1013.12 FS. History--New 2-18-03, Formerly 4A-58.002, Amended _____.

69A-58.003 Definitions.

As used in this rule chapter, the following definitions apply:

(1) "Ancillary plant" is comprised of the building, site, and site improvements necessary to provide such facilities as vehicle maintenance, warehouses, maintenance, or administrative buildings necessary to provide support services to an educational program.

(2) "Authority having jurisdiction" means the county, municipality, or special district having firesafety responsibility or, where the context requires, the State Fire Marshal, as referred to in Section 1013.12(2)(b), F.S.

(3) "Auxiliary facility" means the spaces located at educational plants which are not designed for student occupant stations.

(4) "Building" or "board building" means any building or structure located on, upon, or in any educational facility, educational plant, ancillary plant, or auxiliary facility owned, rented, leased, or under lease-purchase agreement or lease-purchase option with a board. "Building" includes any permanent, fixed, relocatable, and manufactured building or structure.

(5) "Division" means the Division of State Fire Marshal.

(6) "Educational facilities" means the buildings and equipment, structures, and special educational use areas that are built, installed, or established to serve primarily the educational purposes and secondarily the social and recreational purposes of the community and which may lawfully be used as authorized by the Florida Statutes and approved by the boards. As used in these rules and unless otherwise clearly indicated by the context, "educational facilities" includes each educational facility, educational plant, ancillary plant, and auxiliary facility and all buildings and structures contained therein.

(7) "Educational plant" comprises the educational facilities, site and site improvements necessary to accommodate students, faculty, administrators, staff, and the activities of the education program of each plant.

(8) "Existing" ~~facility~~ means a facility or building that has been issued a certificate of occupancy prior to the effective date of this edition of this rule chapter ~~occupied for one year or longer~~.

(9) "Florida Building Code" means the Florida Building Code as adopted in Rule 9B-3.047, F.A.C., adopted pursuant to Section 552.73, F.S.

(10) "Florida Fire Prevention Code" means the Florida Fire Prevention Code as adopted in Rule Chapter 69A-60 ~~69A-3.012~~, F.A.C.

(11) "Local fire official" or "fire official" means a firesafety inspector certified under Section 633.081(2), F.S., and employed by or under contract with a county, municipality, or special district having firesafety responsibilities, ~~and includes the chiefs of county, municipal, and special district fire departments~~. The term does not include a special state firesafety inspector employed by the board certified to conduct inspections of buildings as defined herein under Section 633.081(3), F.S.

(12) "New" facility means a facility that has not been occupied or issued a certificate of occupancy prior to the effective date of this edition of this rule chapter ~~for more than one year~~.

(13) "NFPA 101" means National Fire Protection Association Code 101, the Life Safety Code, the edition as adopted in Rule 69A-60.004 ~~69A-3.012~~, F.A.C.

(14) "Special district that has firesafety enforcement responsibilities" means a special fire control district or a special district which was created for the purposes of fire prevention, fire suppression, or fire protection.

(15) The definitions in Section 1013.01, F.S., of words and terms found in Section 1013.12, F.S., or of words or terms found in this rule chapter apply to this rule chapter.

Specific Authority 1013.12 FS. Law Implemented 1013.12 FS. History--New 2-18-03, Formerly 4A-58.003, Amended.

69A-58.004 Firesafety Inspections.

(1) There shall be two annual inspections of educational facilities, ancillary plants, and auxiliary facilities, as follows:

(a) Pursuant to Section 1013.12(1)(b), F.S., firesafety inspections of each building of each educational plant and each ancillary plant shall be made annually by a person certified by the division to conduct firesafety inspections of educational and ancillary plants pursuant to Section 633.081(3), F.S., which is permitted to ~~may~~ be an employee of the board.

(b) Pursuant to Section 1013.12(2)(b), F.S., each county, municipality, or special district having firesafety responsibilities shall, by and through a local firesafety inspector certified pursuant to Section 633.081(2), F.S.,

conduct at least one firesafety inspection of each building of each educational plant and each ancillary plant, whether owned or leased, each calendar year to determine compliance with this rule chapter.

(2) The inspections in subsection (1):

(a) Are applicable to all buildings owned, leased, or being lease-purchased by the board, including all permanent and relocatable buildings;

(b) Shall begin not sooner than one year after a new building has been occupied; and

(c) Shall be performed in accordance with any applicable code or standard, such as NFPA 101, the edition as adopted in Rule 69A-60.004 ~~69A-3.012~~, F.A.C., or any other applicable code or standard which has been adopted in this rule chapter; and

~~(d) Are not applicable to new construction or new buildings. New construction and new buildings are subject to and controlled by Section 1013.38, F.S.~~

(3) Reports of the inspections in subsection (1) shall be filed with the local school board and the local site administrator.

(4) A plan and schedule for correction of any deficiency in the inspection report shall be developed by any firesafety inspector finding a deficiency in conjunction with the board and shall be adopted and complied with by the board.

(5) Each inspection report and plan of correction shall contain, at a minimum, the following information:

(a) The name of the school district or community college;

(b) The name of the local authority having jurisdiction (i.e., municipality, county, or special district);

(c) The name of the facility inspected;

(d) The type of facility inspected (i.e., K-5, 6-9, 10-12, CC, other);

(e) The facility address;

(f) The number of the facility as listed in the Florida Inventory of School Houses (FISH #);

(g) The name, address, and phone number of each inspector, and the designation of whether such inspector is a special firesafety inspector or a municipal firesafety inspector;

(h) The date of the inspection;

(i) Each violation or deficiency noted during the inspection, each violation or deficiency report shall contain:

1. The building name or number and, if applicable, the room number of the building in which the violation was noted;

2. A description of the violation or deficiency;

3. The specific code reference for the violation or deficiency;

~~4.3-~~The number of times this violation or deficiency has been cited, if applicable;

~~5.4-~~The estimated correction date;

~~6.5-~~The total number of violations or deficiencies cited not involving serious life safety hazards;

~~7.6.~~ The total number of violations or deficiencies cited involving serious life safety hazards;

~~8.7.~~ The date of the scheduled reinspection;

~~9.8.~~ A statement that the district has or has not complied with Section 1013.12(1)(c), F.S.;

~~10.9.~~ A statement that the local authority having jurisdiction has or has not complied with Section 1013.12(2)(c), F.S.;

~~11.10.~~ Verification that the required fire drills have been completed; and

~~12.11.~~ The signature of the district inspector if the inspection was made by the special inspector, or the signature of the local fire official if the inspection was made by the local fire official. If the inspection was made by both the special firesafety inspector and the local fire official, each one must sign.

(6) When the violation or deficiency has been corrected, the board sending the report required by paragraph (i) shall notify the division of such correction.

(7) The inspection reports in subsection (1) together with the plan and schedule for correction of any deficiency shall be submitted to the division by June 30, of each year.

(8) Nothing contained in these rules prohibits an authority having jurisdiction and a school board from entering into an agreement or an understanding which governs inspections, reviews, and approvals of new construction in the subject jurisdiction.

(9) Auxiliary Spaces. Auxiliary spaces within an educational plant, such as administrative suites, libraries, and food service areas, shall be considered as a mixed occupancy and shall be included in the annual fire inspections of existing facilities.

(10) Grandstands and Bleachers.

(a) Biennial inspections shall be performed in accordance with NFPA 102, Grandstands and Bleachers, the edition as adopted in Rule 69A-60.005, F.A.C.

(b) A Certificate of Inspection provided to the district by a structural engineer of all concrete, structural members, stadiums and bleachers, masonry, masonry veneers, metals, structural steel, and parking structures shall be on file in the district office, and shall be made available to the fire official upon request.

Specific Authority 1013.12 FS. Law Implemented 1013.12 FS. History--New 2-18-03, Formerly 4A-58.004, Amended _____.

69A-58.005 Serious Life Safety Hazards.

(1) Serious life safety hazards as set forth in Section 1013.12, F.S., and in paragraph (b), below, require prompt corrective action by the board or withdrawal of the educational or ancillary plants from use until corrected.

(2)(a) Serious life safety hazards include:

1. Non-functional fire alarm systems;
2. Non-functional fire sprinkler system;

3. Doors with padlocks or other locks or devices which preclude egress at any time;

4. Inadequate exits;

5. Hazardous electrical system conditions;

6. Potential structural failure;

7. Storage conditions that create a fire hazard.

(b) Other conditions may be identified to the division by the authority having jurisdiction for designation as a serious life safety hazard, including:

1. Placement of functional smoke and heat detectors in a manner not consistent with NFPA 72, the edition as adopted in Rule ~~69A-60.005~~ ~~69A-3-012~~, F.A.C.;

2. Inaccessible or expired fire extinguishers; and

3. Fire doors with doorstops or wedges holding them open.

(c) The criteria to be used by the division to determine whether such other condition shall be designated as a serious life safety hazard shall be either:

1. Those conditions located in Section 6.2, NFPA 101, the edition as adopted in Rule ~~69A-60.004~~ ~~69A-3-012~~, F.A.C., to wit:

a. The relative danger to the start and spread of fire,

b. The danger of smoke or gases generated, and

c. The danger of explosion or other occurrence potentially endangering the lives and safety of the occupants of the building or structure. Hazard of contents shall be determined by the authority having jurisdiction on the basis of the character of the contents and the processes or operations conducted in the building or structure. For the purposes of these rules, where different degrees or hazard of contents exist in different parts of a building or structure, the most hazardous shall govern the classification unless hazardous areas are separated or protected as specified in Section 8.4 and the applicable sections of Chapters 11 through 42 of NFPA 101, the edition as adopted in Rule ~~69A-60.004~~ ~~69A-3-012~~, F.A.C.; or

2. The criteria located in NFPA 1, ~~the Fire Prevention Code~~, Section 2-28.1, the edition as adopted in Rule ~~69A-60.003~~ ~~69A-3-012~~, F.A.C., for hazardous occupancies, to wit, the total amount of Class A combustibles and Class B flammables present, in storage, production, use, finished product, or combination thereof, is over and above those expected in occupancies classed as ordinary (moderate) hazard. Those occupancies could consist of woodworking, vehicle repair, cooking areas, product displays, and storage and manufacturing processes such as painting and coating, including flammable liquid handling. Also included is warehousing of or in-process storage of other than Class I and Class II commodities as defined by NFPA 13, *Standard for the Installation of Sprinkler Systems*, Section 10:1-5.3, the edition as adopted in Rule ~~69A-60.005~~ ~~69A-3-012~~, F.A.C.

Specific Authority 1013.12 FS. Law Implemented 1013.12 FS. History--New 2-18-03, Formerly 4A-58.005, Amended _____.

69A-58.006 Inspections in General.

(1) Each building inspected shall be accounted for on the inspection report.

(2) The board shall forward one copy of the completed inspection report to the division and retain one copy for its files.

(3) The board shall maintain with each yearly inspection report a list of corrected deficiencies from the prior fiscal year report.

(4) Remodeling and Renovation shall be performed in accordance with the requirements of the Florida Building Code Section 423.

~~(5) Returning Buildings to Use. Any existing building which has been removed from instructional use for more than 180 days shall be inspected for deficiencies, and remodeled, renovated, or have its deficiencies corrected in accordance with the new construction requirements of the Florida Building Code before returning it to instructional purposes.~~

~~(6) Abandoned Buildings. Board buildings no longer in use and abandoned shall be free of combustible waste and secured in such a manner as to prevent safety hazards, unlawful entry, and undue vandalism from occurring.~~

Specific Authority 1013.12 FS. Law Implemented 1013.12 FS. History—New 2-18-03, Formerly 4A-58.006, Amended _____.

69A-58.007 Counties, Municipalities, and Special Districts Having Firesafety Responsibilities, Without Firesafety Inspectors.

(1) Any county, municipality, or special district having firesafety responsibilities which does not yet employ or has not yet contracted with a firesafety inspector certified as required by ~~under~~ Section 633.081(1), F.S., to enforce the Florida Fire Prevention Code as required by Section 633.025(2), F.S., at the time of the adoption of this rule chapter is permitted to ~~may~~ contact the division and request that the division perform the inspections required by Section 1013.12, F.S., and this rule chapter and performed under Section 633.081(1), F.S.

(2) Upon receiving such request, the division shall perform the inspections required by this rule chapter during the period of time the county, municipality, or special district is not in compliance with Section 633.081(1), F.S., and does not employ or is not under contract with a firesafety inspector certified under Section 633.081(2)(4), F.S., not, however, to exceed one annual inspection per facility.

(3) Each such county, municipality, or special district having firesafety enforcement responsibilities shall, ~~if practicable,~~ employ or contract with a firesafety inspector certified under Section 633.081(2)(4), F.S., pursuant to the requirement of Section 633.081(1), F.S., within one year after the county, municipality, or special district first contacted the division requesting the division to perform the inspection to fulfill the obligation imposed by Section 633.025(2), F.S.

(4) No county, municipality, or special district having firesafety enforcement responsibilities which employs or contracts with a firesafety inspector as of the effective date of Section 1013.12, F.S., is authorized to request that the State Fire Marshal perform the inspections referred to in this section, and the State Fire Marshal shall not perform any inspection for such county, municipality, or special district having firesafety responsibilities.

(5) As provided in Section 633.081(1), F.S., each county, municipality, and special district that has firesafety enforcement responsibilities is permitted to provide a schedule of fees to pay for the costs of inspections conducted under that subsection and related administrative expenses.

Specific Authority 1013.12 FS. Law Implemented 1013.12 FS. History—New 2-18-03, Formerly 4A-58.007, Amended _____.

(Substantial rewording of Rule 69A-58.008 follows. See Florida Administrative Code for present text.)

69A-58.008 Standards and Requirements for Buildings; Exceptions to Rule Chapter 69A-60, the Florida Fire Prevention Code.

(1) Except as set forth in this rule chapter, educational facilities are subject to Rule Chapter 69A-60, Florida Administrative Code, the Florida Fire Prevention Code.

(2) The following standards and requirements pertain to educational facilities and are exceptions to Rule Chapter 69A-60, Florida Administrative Code. In the event of a conflict between this rule and Rule Chapter 69A-60, Florida Administrative Code, relating to educational facilities, the provisions of this rule chapter control standards and requirements for educational facilities.

(3) Darkroom Doors.

(a) In darkrooms with a capacity of 10 or more persons, a revolving darkroom door, if used, shall:

1. Have a pop-out safety feature; and

2. Be equipped with a remotely located side-hinged door for secondary egress.

(b) In darkrooms with a capacity of fewer than 10 people, a revolving darkroom door with a pop-out safety feature is permitted to be used as the primary means of egress.

(c) Revolving darkroom doors with a pop-out safety feature shall be conspicuously labeled.

(d) In buildings designed on or after October 18, 1994, the requirements of this section apply to darkrooms with an occupancy of 6 or more.

(4) Kilns.

(a) Kiln rooms and areas shall be provided with adequate exhaust to dispel emitted heat to the exterior.

(b) Kilns shall be located away from paths of egress or exits.

(c) Kilns shall be located in separate rooms when serving students through grade three.

(d) Kiln rooms shall be provided with automatic heat or smoke detection devices appropriate for the environment.

(5) Boilers shall comply with Chapter 554, Florida Statutes, and Rule Chapter 69A-51, F.A.C. A valid boiler inspection certificate of compliance issued by the State Fire Marshal shall be displayed and clearly visible.

(6) Relocatable buildings shall be separated as required by the Florida Building Code.

(a) Relocatable buildings shall be located to allow access by emergency vehicles to at least one elevation of each building as approved by the local fire fighting authority that services the site.

(b) EXCEPTION: Emergency vehicle access is permitted to be achieved for a cluster of relocatable buildings designed in accordance with the following. Vehicle access provided to within 200 feet of the entrance of the most remote relocatable unit and an independent fire alarm system with a manual pull station within 100' of each egress door provided the following conditions are met:

1. Maximum conditioned gross area of the units in a cluster is 12,000 square feet.

2. Minimum separation between individual units is 20 feet.

3. Nearest permanent building or cluster is 60 feet.

4. Maximum of 20% unprotected opening between adjacent wall spaces.

5. Minimum overhead open space within the perimeter of the cluster is 50 percent, and

6. Minimum setback for Type IV (non-combustible) relocatable buildings shall be as required by local zoning.

(7) Rule 69A-58.0086, F.A.C., Seclusion Time Out Rooms.

(a) Secured seclusion time-out rooms, when provided, shall be equipped with doors which allow egress at all times in the event of an emergency.

(b) Locking devices on secured seclusion time-out rooms are prohibited; provided that the division is permitted to approve the use of locking devices on secured seclusion time-out rooms if such locking devices meet the following criteria:

1. The use of a secured seclusion time-out room must be explicitly stated in the student's exceptional student educational (ESE) records and shall include parental consent for the use of a secured seclusion time-out room. The use of secured seclusion time-out rooms by the district must be expressly permitted by the action of the school board. Compliance with this section shall be certified by the school administrator or his or her designee.

2. Locking Device. An electro-magnetic locking device is the only approved device to secure a secured seclusion time-out room. The lock shall remain engaged only when the

human hand continuously depresses a push button mounted outside the secured seclusion time-out room within 12 inches of the doorframe.

a. Upon release of pressure, the door shall unlock. The locking device shall be designed so that it cannot be engaged by leverage of an inanimate object or in any manner except by constant human contact.

b. The push button shall be recessed from the face of the unit housing, or in some other way designed to prevent taping or wedging the button in the engaged mode.

c. The device shall have an interface with the fire alarm system and shall automatically release and disengage upon activation of the fire alarm. The locking device shall automatically release and disengage in the event of power failure.

d. A timer shall not be used on the locking device.

(c) Door Requirements. The door shall have only a push panel exposed on the interior of the room. A vision panel shall be provided in the door, and it shall be no larger than 12" x 12" (144) square inches. The view panel shall consist of clear one-quarter (1/4) inch thick unbreakable plastic panel, flush with the face of the door on the inside. The view panel shall be positioned in the door so that a staff member continuously keeps the student under observation. The view panel shall not be covered with any material.

(d) Finishes and materials. The ceiling, floor, and walls must be free of any loose, torn or potentially hazardous materials. All surfaces must be kept smooth and free of any hooks, outlets, switches or similar items. Construction materials shall meet all applicable provisions of the Florida Fire Prevention Code and the Florida Building Code. Each secured seclusion time-out room must be identified with a permanently mounted room number.

(e) All secured seclusion time-out rooms must have natural or mechanical ventilation.

(f) Students in a secured seclusion time-out room must be observed continuously by a teacher or trained staff member.

(g) Written records must be kept of each occasion when a secured seclusion time-out room is used and shall include date, time of occurrence, description of event, duration, and who placed and who observed the student while in the secured seclusion time-out room. Such records must be readily available for review and inspection.

(h) The division and the local fire official are permitted to conduct unannounced inspections of all secured seclusion time-out rooms to ensure compliance with this rule chapter. A written record of each inspection must be made and a copy must be provided to the school administrator or designee.

(i) During each unannounced inspection, the fire official is permitted to review logs, observe secured seclusion time-out rooms for compliance, interview teachers, review staff development activities, and conduct other activities as deemed appropriate to ensure compliance with this rule chapter.

(j) Permit Required.

(I) Any secured seclusion time-out room which is constructed following the effective date of this rule shall be allowed to become operational only after the issuance of a permit.

(II) Any secured seclusion time-out room which is in operation upon the effective date of this rule shall be allowed to continue in use provided a secured seclusion time-out room operational permit has been issued by the division or the local fire official.

(III) Each district or school wishing to use a secured seclusion time-out room shall apply to the local fire official for a permit to operate a secured seclusion time-out room.

(IV) All secured seclusion time-out rooms must be constructed and operated in accordance with this rule chapter.

(V) A permit shall be issued only after an inspection by the local fire official has determined that such secured seclusion time-out room has been designed and constructed in accordance with this rule chapter.

(VI) Application for a permit need not be on any specific form and is permitted to be in the form of a letter, a memorandum, or a similar document; however, the application must be signed by the school administrator or his or her designee and must include the district's name, the school's name, the school's address, and contact information which must designate the name and phone number of the contact person at the school who is permitted to be the school administrator or anyone designated by the school administrator. For the school's convenience, a form for an application for the operation of a secured seclusion time-out room which is permitted, but is not required, to be used can be obtained electronically from the web site www.fldfs.com/SFM/ or by contacting the local fire official.

(VII) If during any fire safety inspection, a secured seclusion time-out room is found in violation of this rule chapter, the local fire official shall immediately report the deficiency to the division in accordance with subsection 1013.12(5), Florida Statutes, and such violation shall be considered an immediate life threatening deficiency, and the secured seclusion time-out room shall be immediately withdrawn from use.

(VIII) Each permit shall be valid for a period of one year from the date of issue.

(IX) There shall be no fee for the issuance of the permit.

Specific Authority 1013.12 FS. Law Implemented 1013.12 FS. History--New 2-18-03, Formerly 4A-58.008, Amended _____.

69A-58.009 Florida Firesafety School Evaluation System.

(1) Any Florida school building which was initially occupied prior to January 1, 1985, is permitted to use the Florida Firesafety School Evaluation System originally dated September 19, 2000, and Amended June 28, 2001, which is located in Form DI4-1546, (Rev 10-02) and which is hereby adopted and incorporated by reference, in lieu of or as an alternative to the requirements of Rule 69A-58.008, F.A.C.

(2) The Florida Firesafety School Evaluation System, Form DI4-1546, may be obtained by writing to the Division of State Fire Marshal, Bureau of Fire Prevention, 200 East Gaines Street, Tallahassee, Florida 32399-0342.

(3) The Florida Firesafety School Evaluation System must be authorized by the local fire official prior to the implementation of any of its alternative code provisions; however, a local fire official is not permitted to prohibit the use of the Florida Firesafety School Evaluation System for any building which was initially occupied prior to January 1, 1985.

Specific Authority 1013.12 FS. Law Implemented 1013.12 FS. History--New 2-18-03, Formerly 4A-58.009, Repromulgated _____.

69A-58.010 Other Applicable Codes and Standards.

~~Except as otherwise provided in this rule chapter, the codes and standards adopted in Rules 69A-60.003, 69A-60.004 and 69A-60.005, F.A.C., which are not in conflict with any provision of this rule chapter are applicable to all buildings and structures to which this rule chapter is applicable.~~

Specific Authority 1013.12 FS. Law Implemented 1013.12 FS. History--New 2-18-03, Formerly 4A-58.010, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Jim Goodloe, Chief, Bureau of Fire Prevention, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0340

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Randall A. Napoli, Director, Division of State Fire Marshal, Department of Insurance

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 17, 2004

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE CHAPTER TITLE: Firefighter Death Benefits
RULE CHAPTER NO.: 69A-64

RULE TITLE: Adjustments to Reflect Consumer Price Index
RULE NO.: 69A-64.005

PURPOSE AND EFFECT: To adopt price level changes relating to firefighter death benefits in Section 112.191, Florida Statutes, for the year 2005-2006.

SUMMARY: This rule adopts new benefits for the one year period from July 1, 2005, through June 30, 2006, based on the Consumer Price Index, as required by Section 112.191, Florida Statutes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Regulatory Costs was prepared.

Any person who wishes to provide information regarding the statement of 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: 112.191 FS.

LAW IMPLEMENTED: 112.191 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, THE HEARING WILL NOT BE HELD):

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

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

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing a special accommodation to participate in this meeting or workshop should contact Kimberly Riordan, (850)413-3607, no later than 48 hours prior to the meeting or workshop.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Harriett Abrams, Assistant Director, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (850)413-3170, Fax (850)922-1235

THE FULL TEXT OF THE PROPOSED RULE IS:

69A-64.005 Adjustments to Reflect Consumer Price Index.

(1) Section 112.191, F.S., requires that the Division adjust the statutory amount payable based on the Consumer Price Index for all urban consumers published by the United States Department of Labor. The adjustment is to be effective on July 1 of each year using the most recent month for which data is available as of the time of the adjustment.

(2) The amounts payable for the period from July 1, 2005 through June 30, 2006, using the Consumer Price Index for all urban consumers published by the United States Department of Labor for March, 2005, which is the most recent month for which data is available as of the time of the adjustment, are:

(a) For those benefits paid or to be paid under paragraph (a) of subsection (2) of Section 112.191, F.S.: \$53,999.14 52,375.50.

(b) For those benefits paid or to be paid under paragraph (b) of subsection (2) of Section 112.191, F.S.: \$53,999.14 52,375.50.

(c) For those benefits paid or to be paid under paragraph (c) of subsection (2) of Section 112.191, F.S.: \$161,997.42 157,126.50.

~~(2) On or before July 1, 2003, and each year thereafter, the Division shall adopt by rule the Consumer Price Index adjustment for the next annual period, in accordance with the most recent Consumer Price Index available at the time of such adoption.~~

Specific Authority 112.191 FS. Law Implemented 112.191 FS. History—New 3-13-03, Amended 7-10-03, Formerly 4A-64.005, Amended 7-13-04,

NAME OF PERSON ORIGINATING PROPOSED RULE: Harriett Abrams, Assistant Director, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0340

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Randall A. Napoli, Director, Division of State Fire Marshal, Department of Insurance

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 29, 2005

Section III Notices of Changes, Corrections and Withdrawals

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: 40D-4.021
RULE TITLE: Definitions

NOTICE OF CHANGE

Notice is hereby given in accordance with subparagraph 120.54(3)(d)1., F.S., that the following changes have been made to the proposed rule subsection 40D-4.021(11), F.A.C., published in Vol. 31, No. 9, March 4, 2005, issue of the Florida Administrative Weekly:

Subsection 40D-4.021(11), F.A.C., is changed as follows:

(11) "New surface water management system" means any surface water management system ~~that was which is~~ not in existence on October 1, 1984, ~~or was not authorized to be constructed on October 1, 1984.~~

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

Specific Authority 373.044, 373.113, 373.118, 373.149, 373.171 FS. Law Implemented 373.403, 373.413 FS. History-Readopted 10-5-74, Formerly 16J-4.02, Amended 10-1-84, 3-1-88, 9-11-88, 10-3-95, 7-23-96, 2-27-02, 9-26-02, 2-19-04, _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facilities and Agency Licensing

RULE NO.: 59A-8.0086
 RULE TITLE: Denial, Suspension, Revocation of License and Imposition of Fines
NOTICE OF CHANGE

Notice is hereby given that the following change has been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 31, No. 6, of the February 11, 2005, issue of the Florida Administrative Weekly. The change is made in response to comments received from the Joint Administrative Procedures Committee.

The change is as follows:

59A-8.0086(1) The AHCA shall deny, suspend or revoke an application for license, or impose a fine,

(a) If the applicant fails to submit all information required in the application within 30 days of being notified by AHCA Home Care Unit of the omissions in the application the application shall be denied.

(b) No change.

(c) If the applicant fails to provide at least one service directly to patients for a period of six consecutive months and to carry out its responsibilities for the care of patients as described in Section 400.487(5), F.S.

(d) through (e) No change.

~~(f) If AHCA finds evidence of any falsification of home health agency patient or personnel records, that are attributable to the home health agency's staff and of which the owners, managers or supervisors were aware or should have been aware, AHCA may deny or revoke the license.~~

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anne Menard, Supervisor, Home Care Unit, Bureau of Health Facility Regulation, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop 34, Tallahassee, Florida 32399-3253, e-mail: menarda@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
59A-33	Health Care Clinic Licensure
RULE NOS.:	RULE TITLES:
59A-33.001	Definitions
59A-33.002	License Applications
59A-33.003	Temporary Licenses
59A-33.004	Exemptions from Licensure
59A-33.005	Initial License Application Contents
59A-33.006	Renewal Licenses
59A-33.007	Health Care Clinics with Magnetic Resonance Imaging
59A-33.008	Change of Ownership
59A-33.009	Unique Clinic Name and Single Location
59A-33.010	Inspections of Health Care Clinics
59A-33.011	Clinic Administration and Services
59A-33.012	Medical Records
59A-33.013	Financial Instability
59A-33.014	Cessation of Business

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 29, No. 52, December 26, 2003, Florida Administrative Weekly has been withdrawn.

COPIES: Copies of the proposed rules being withdrawn may be obtained from: Gail Priest, Health Care Clinic Unit, Agency for Health Care Administration, 2727 Mahan Drive, Tallahassee, FL 32308, (850)488-1365, e-mail: priestg@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-4.250
 RULE TITLE: Prescribed Drug Services

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule as noticed in Vol. 31, No. 11, March 18, 2005, Florida Administrative Weekly has been withdrawn.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-6.030
 RULE TITLE: Payment Methodology for Outpatient Hospital Services

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 the Florida Administrative Weekly, Vol. 31, No. 7, on February 18, 2005.

Rule Number 59G-6.030, F.A.C., will incorporate the Florida Title XIX Outpatient Hospital Reimbursement Plan, Version XIII and not Version XIV as originally promulgated.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida State Boxing Commission

RULE CHAPTER NO.: 61K-1
 RULE CHAPTER TITLE: General Rules for Boxing, Kickboxing, and Mixed Martial Arts

RULE NO.: 61K1-1.0031
 RULE TITLE: Application Approval, Application Denial, and Disciplinary Action for Amateur Sanctioning Organizations in Boxing and Kickboxing

NOTICE OF CHANGE

In response to comments of the Joint Administrative Procedures Committee, the Department has made the following changes to the language of the proposed rule published in Vol. 30, No. 48, November 24, 2004 issue of the Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Gail Scott-Hill, Assistant General Counsel, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)488-0062

THE FULL TEXT OF THE PROPOSED RULE, AS SUBSTANTIALLY AMENDED, IS:

GENERAL RULES FOR BOXING, KICKBOXING AND MIXED MARTIAL ARTS

61K1-1.0031 Application Approval, Application Denial, and Disciplinary Action for Amateur Sanctioning Organizations in Boxing and Kickboxing.

(1) Criteria for Approval.

An amateur sanctioning organization seeking approval from the Florida State Boxing Commission to sanction and supervise matches involving amateur boxers or kickboxers shall meet the following criteria:

(a) For amateur boxing, a statement of agreement to adopt and enforce the following USA Boxing Standards in the Official USA Boxing Rulebook, incorporated herein by reference, effective May 2005:

1. Part I, Article I, Sections 101.7; 101.9(1),(4), and (8); 101.10(1); 101.11(2) and (3).

2. Part I, Article II, Sections 102.1(1)(a) and (d)-(e); 102.3; 102.4; and 102.6.

3. Part I, Article III, Sections 103.1(1)-(12); 103.2-103.3; 103.4(1)-(6) and (8)-(10); and 103.5-103.6.

4. Part I, Article IV.

5. Part I, Article V, Sections 105.1(2) and (4)-(15).

6. Part I, Article VII, Sections 107.1-107.2; 107.3(1); 107.5; 107.7(1)(a)-(c); 107.8(8)(a)(2)-(7); 107.10(2)(k) and (m)-(n); 107.14; and 107.15(1)(a)-(f), (i)-(l) and 107.15(2)(d)-(e).

7. Part I, Article VIII, Sections 108.1; Figure 50.1; 108.2(3) and 108.3.

8. Part I, Article IX.

9. Part I, Article X, Sections 110.2 and 110.3(1)-(2).

10. Part II, Article XXI, Sections 221.3(3) and 221.5(1).

11. Part II, Article XXV.

(b) For amateur kickboxing, a statement of agreement to adopt and enforce the health and safety standards of the International Sport Kickboxing Association (ISKA) as provided in the ISKA Amateur Rules Overview, incorporated herein by reference effective May 2005.

(c) A statement of agreement to adopt and enforce a Requirement that in matches sanctioned and supervised by the amateur sanctioning organization all participating amateurs must undergo a pre-match physical examination by a physician approved by the amateur sanctioning organization according to the criteria provided under (1)(f)(2), below.

(d) A statement of agreement that the organization will not hold, promote, or sponsor a match prohibited under Chapter 548, Florida Statutes, including, but not limited to, an amateur mixed martial arts match in Florida.

(e) A statement of agreement to secure, at a minimum, ambulance service with a minimum of two qualified attendants (either paramedics or emergency medical technicians) by notifying the service of the date and time of the amateur event for "on-call" ambulance service availability, acknowledged by the service, or assignment of ambulance service to the premises of the matches, whereupon the following requirements shall be enforced:

1. Ambulance attendants shall be stationed at a location determined by the amateur sanctioning organization's chief official or supervisor-in-charge at the event;

2. A portable resuscitator with all additional equipment necessary for its operation shall be in a state of readiness and situated along with the ambulance attendants;

3. A clean stretcher and clean blanket shall be situated with the ambulance attendants; and

4. A portable supply of oxygen shall be situated at an easily accessible location at ringside.

(f) A statement of agreement to abide by the following requirements:

1. No match shall begin or continue unless the appropriate medical equipment and personnel are on the premises, in a state of readiness, and in a pre-designated and readily accessible location known to the referee(s), physician(s), and chief official or supervisor of the amateur sanctioning organization. Whenever an ambulance service is "on-call" as it pertains to an amateur event, an oxygen supply with its

necessary equipment for proper administration shall be stationed at ringside at a location known to the referee(s), physician(s), and chief official or supervisor of the amateur sanctioning organization.

2. The sanctioning organization shall provide a physician approved by the organization according to the following requirements:

a. Holds a license, in good standing, to practice medicine in Florida pursuant to Chapter 458 or 459, Florida Statutes;

b. Is capable of initiating life-saving procedures; and

c. Demonstrates educational training or practical experience in sports medicine, trauma, neurology, or as a ringside physician.

3. A minimum of one physician approved by the amateur sanctioning organization shall be seated ringside whenever boxing or kickboxing activity is occurring. In situations where more than one ring is assembled and utilized simultaneously with the other, a minimum of one physician shall be seated ringside at each ring where boxing or kickboxing competitions are being held.

4. In the event of injury or illness of any person registered with the amateur sanctioning organization, a registered physician shall have complete charge of such person, shall provide medical assistance, and shall be accorded the full cooperation of all amateur sanctioning organization officials present.

5. Physicians shall not leave the premises until after the final match has been conducted, all amateurs participating have been cleared by the physician(s), and the chief official or supervisor-in-charge of the amateur sanctioning organization has cleared the physician to leave.

6. For amateur boxing, any referee assigned to perform official duties during a match shall be trained and certified to perform such duties by USA Boxing.

7. For amateur kickboxing, any referee assigned to perform official duties during a match shall be trained and certified to perform such duties by the International Sport Kickboxing Association (ISKA) or any other training and certification process for referees approved by the commission or its executive director.

(2) Approval of applications. Applications for approval of an amateur sanctioning organization shall specify either boxing or kickboxing. Accordingly, any approval shall be limited to the sport for which the amateur sanctioning organization has applied to obtain approval. An organization seeking approval for both amateur boxing and kickboxing may submit a single application; however, the commission may approve or deny the application of the organization either as a whole or as it pertains to a specific sport.

(3) Denial of application.

The application of an amateur sanctioning organization that does not meet the criteria specified by rule shall be denied by the commission or its executive director.

(4) Disciplinary action.

(a) Any member of the commission or its executive director shall fine, or suspend or revoke the approval of, an amateur sanctioning organization for violating any of the provisions Section 578.041, F.S., or any other provision of the practice act, or any rule promulgated thereto, based upon the severity or repetition of the offense.

(b) A suspension of approval based on an immediate threat to the health, safety, or welfare of the public, shall conform to the procedure for emergency suspension under Section 120.60(6), Florida Statutes.

Specific Authority 548.003(2) FS. Law Implemented 548.003, 548.006, 548.0065, 548.008 FS., CS for SB 538. History—New _____.

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."

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE CHAPTER NO.: RULE CHAPTER TITLE:

68A-1 General: Ownership, Short Title, Severability and Definitions

RULE NO.: RULE TITLE:

68A-1.004 Definitions

NOTICE OF CHANGE

The Fish and Wildlife Conservation Commission announces changes to the above-referenced proposed rule amendment in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 31, No. 10, March 11, 2005, issue of the Florida Administrative Weekly, as a result of the final public hearing on the rule held on April 14, 2005, in Tallahassee, Florida.

The rule will now read as follows:

68A-1.004 Definitions.

The following definitions are for the purpose of carrying out the provisions of the rules of the Fish and Wildlife Conservation Commission relating to wild animal life and freshwater aquatic life. As used herein, the singular includes the plural. The following shall be construed respectively to mean:

(1) through (26) No change.

(27) Endangered species – As designated by the Commission, a species, subspecies, or isolated population of a species or subspecies which is so few or depleted in number or so restricted in range or habitat due to any man-made or natural factors that it is in imminent danger of extinction, or extirpation from Florida, as determined by (a), (b), (c), (d), or (e) below in accordance with Rule 68A-27.0012, F.A.C.:

(a) Reduction in pPopulation size based on any of the following reduction in the form of either:

1. An observed, estimated, inferred or suspected population size reduction of at least 80% over the previous ten years or three generations, whichever is longer, where the reduction or its causes may not have ceased OR may not be understood OR may not be reversible, based on; (and specifying); any of the following:

- a. Direct observation
- b. An index of abundance appropriate for the taxon species
- c. A decline in area of occupancy, extent of occurrence, or quality of habitat
- d. Actual or potential levels of exploitation
- e. The effects of introduced taxa species, hybridization, pathogens, pollutants, competitors, or parasites

2. A population size reduction of at least 80%, projected or suspected to be met within the next ten years or three generations, whichever is longer (up to a maximum of 100 years), based on; (and specifying); any of 1.b., 1.c., 1.d., or 1.e. above.

3. An observed, estimated, inferred, projected, or suspected population size reduction of at least 80% over any 10 year or three generation period, whichever is longer (up to a maximum of 100 years in the future), where the time period must include both past and future, and where the reduction or its causes may not have ceased OR may not be understood OR may not be reversible, based on (and specifying) any of 1.a. 1.b., 1.c., 1.d., or 1.e. above.

4. An observed, estimated, inferred, or suspected population size reduction of at least 90% over the last 10 years or three generations, whichever is longer, where the causes of reduction are clearly reversible AND understood AND ceased, based on (and specifying) any of 1.a. 1.b., 1.c., 1.d., or 1.e. above.

(b) Geographic range in the form of either eExtent of occurrence estimated to be less than 40 square miles OR area of occupancy estimated to be less than 4 square miles, and estimates indicating any two of the following:

1. Severity fragmented or known to exist at only a single location.

2. Continuing decline, observed, inferred or projected, in any of the following:

- a. Extent of occurrence
- b. Area of occupancy
- c. Area, extent, and/or quality of habitat
- d. Number of locations or subpopulations
- e. Number of mature individuals

3. Extreme fluctuations in any of the following:

- a. Extent of occurrence
- b. Area of occupancy
- c. Number of locations or subpopulations
- d. Number of mature individuals

(c) Population size estimated to number fewer than 250 mature individuals and either:

1. An estimated continuing decline of at least 25% within three years or one generation, whichever is longer (up to a maximum of 100 years in the future), or

2. A continuing decline, observed, projected or inferred, in numbers of mature individuals and at least one of the following population structure in the form of either:

a. Population structure in the form of either no subpopulation estimated to contain more than 50 mature individuals, or at least 90% of mature individuals in one subpopulation. Severe fragmentation (that is, no subpopulation estimated to contain more than 50 mature individuals)

b. Extreme fluctuations in number of mature individuals All individuals are in a single subpopulation.

(d) Population size estimated to number less than 50 mature individuals.

(e) Quantitative analysis showing the probability of extinction in the wild is at least 50% within ten years or three generations, whichever is longer (up to a maximum of 100 years).

(28) through (73) No change.

(74) Species of special concern – As designated by the Commission, a species, subspecies, or isolated population of a species or subspecies which is facing a moderate risk of extinction, or extirpation from Florida, in the future, as determined by (a), (b), (c), (d), or (e) below in accordance with Rule 68A-27.0012, F.A.C.:

(a) Reduction in pPopulation size based on any of the following reduction in the form of either:

1. An observed, estimated, inferred or suspected population size reduction of at least ~~20%~~ 30% over the last ten years or three generations, whichever is longer, where the reduction or its causes may not have ceased OR may not be understood OR may not be reversible, based on; (and specifying); any of the following:

- a. Direct observation
- b. An index of abundance appropriate for the taxon species
- c. A decline in area of occupancy, extent of occurrence, and/or quality of habitat
- d. Actual or potential levels of exploitation
- e. The effects of introduced taxa species, hybridization, pathogens, pollutants, competitors, or parasites

2. A population size reduction of at least ~~20%~~ 30%, projected or suspected to be met within the next ten years or three generations, whichever is longer (up to a maximum of 100 years), based on; (and specifying), any of 1.b., 1.c., 1.d., or 1.e. above.

3. An observed, estimated, inferred, projected, or suspected population size reduction of at least 30% over any 10 year or three generation period, whichever is longer (up to a maximum of 100 years in the future), where the time period

must include both past and future, and where the reduction or its causes may not have ceased OR may not be understood OR may not be reversible, based on (and specifying) any of 1.a. 1.b., 1.c., 1.d., or 1.e. above.

4. An observed, estimated, inferred, or suspected population size reduction of at least 50% over the last 10 years or three generations, whichever is longer, where the causes of reduction are clearly understood AND reversible AND ceased, based on (and specifying) any of 1.a. 1.b., 1.c., 1.d., or 1.e. above.

(b) Geographic range in the form of either eExtent of occurrence estimated to be less than 7,700 square miles or area of occupancy estimated to be less than 770 square miles, and estimates indicating any two of the following:

1. Severely fragmented or known to exist at no more than 10 locations only a single location.
2. Continuing decline, observed, inferred or projected, in any of the following:
 - a. Extent of occurrence.
 - b. Area of occupancy.
 - c. Area, extent, and/or quality of habitat.
 - d. Number of locations or subpopulations.
 - e. Number of mature individuals.
3. Extreme fluctuations in any of the following:
 - a. Extent of occurrence.
 - b. Area of occupancy.
 - c. Number of locations or subpopulations.
 - d. Number of mature individuals.

(c) Population size estimated to number fewer than 10,000 mature individuals and either:

1. An estimated continuing decline of at least 10% within ten years or three generations, whichever is longer (up to a maximum of 100 years in the future); OR
2. A continuing decline, observed, projected, or inferred, in numbers of mature individuals AND at least one of the following population structure in the form of either:
 - a. Population structure in the form of either no subpopulations estimated to contain more than 1,000 mature individuals, OR all mature individuals are in one subpopulation. Severely fragmented (i.e., no subpopulation estimated to contain more than 1,000 mature individuals).
 - b. Extreme fluctuations in number of mature individuals All individuals are in a single subpopulation.

(d) Population very small or restricted in the form of either of the following:

1. Population size estimated to number fewer than 1,000 mature individuals.
2. Population with a very restricted is characterized by an acute restriction in its area of occupancy (typically less than 8 40 square miles) or in the number of locations (typically 5 or

fewer than 5) such that it is prone to the effects of human activities or stochastic events within a very short time period in an uncertain future.

(e) Quantitative analysis showing the probability of extinction in the wild is at least 10% within 100 years.

(75) through (77) No change.

(78) Threatened species – As designated by the Commission, a species, subspecies, or isolated population of a species or subspecies which is facing a very high risk of extinction, or extirpation from Florida in the future, as determined by (a), (b), (c), (d), or (e) below in accordance with Rule 68A-27.0012, F.A.C.:

(a) Reduction in pPopulation size based on any reduction in the form of either of the following:

1. An observed, estimated, inferred, or suspected population size reduction of at least 50% over the last ten years or three generations, whichever is longer, where the reduction or its causes may not have ceased OR may not be understood OR may not be reversible, based on; (and specifying); any of the following:
 - a. Direct observation
 - b. An index of abundance appropriate for the taxon species
 - c. A decline in area of occupancy, extent of occurrence, and/or quality of habitat
 - d. Actual or potential levels of exploitation
 - e. The effects of introduced taxa species, hybridization, pathogens, pollutants, competitors, or parasites
2. A population size reduction of at least 50%, projected or suspected to be met within the next ten years or three generations, whichever is longer (up to a maximum of 100 years), based on; (and specifying); any of 1.b., 1.c., 1.d., or 1.e. above.

3. An observed, estimated, inferred, projected, or suspected population size reduction of at least 50% over any 10 year or three generation period, whichever is longer (up to a maximum of 100 years in the future), where the time period must include both past and future, and where the reduction or its causes may not have ceased OR may not be understood OR may not be reversible, based on (and specifying) any of 1.a. 1.b., 1.c., 1.d., or 1.e. above.

4. An observed, estimated, inferred, or suspected population size reduction of at least 70% over the last 10 years or three generations, whichever is longer, where the causes of reduction are clearly understood AND reversible AND ceased, based on (and specifying) any of 1.a. 1.b., 1.c., 1.d., or 1.e. above.

(b) Geographic range in the form of either eExtent of occurrence estimated to be less than 2,000 square miles or area of occupancy estimated to be less than 200 square miles, and estimates indicating any two of the following:

1. Severely fragmented or known to exist at no more than five locations.

2. Continuing decline, observed, inferred or projected, in any of the following:

- a. Extent of occurrence.
- b. Area of occupancy.
- c. Area, extent, and/or quality of habitat.
- d. Number of locations or subpopulations.
- e. Number of mature individuals.

3. Extreme fluctuations in any of the following:

- a. Extent of occurrence.
- b. Area of occupancy.
- c. Number of locations or subpopulations.
- d. Number of mature individuals.

(c) Population size estimated to number fewer than 2,500 mature individuals and either:

1. An estimated continuing decline of at least 20% within five years or two generations, whichever is longer (up to a maximum of 100 years in the future); OR

2. A continuing decline, observed, projected, or inferred, in numbers of mature individuals AND at least one of the following population structure in the form of either:

a. Population structure in the form of either no subpopulation estimated to contain more than 250 mature individuals, OR at least 95% of mature individuals in one subpopulation. Severely fragmented (i.e., no subpopulation estimated to contain more than 250 mature individuals).

b. Extreme fluctuations in number of mature individuals. All individuals are in a single subpopulation.

(d) Population size estimated to number fewer than 250 mature individuals.

(e) Quantitative analysis showing the probability of extinction in the wild is at least 20% within 20 years or five generations, whichever is longer (up to a maximum of 100 years).

(79) through (90) No change.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 6-15-81, 11-17-81, 6-21-82, 7-1-83, 7-1-84, 7-1-85, Formerly 39-1.04, Amended 6-1-86, 5-10-87, 10-8-87, 3-1-88, 4-13-88, 4-27-89, 4-11-90, 7-1-92, 4-20-93, 3-1-94, 7-1-94, 4-1-96, 11-23-97, 7-1-98, 6-23-99, Formerly 39-1.004, Amended 7-1-00, 5-1-01, 5-1-03, 7-1-04, _____.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE CHAPTER NO.: 68A-15
 RULE NO.: 68A-15.062
 RULE CHAPTER TITLE: Type I Wildlife Management Areas
 RULE TITLE: Specific Regulations for Wildlife Management Areas – North Central Region

NOTICE OF CONTINUANCE OF RULEMAKING HEARING

The Fish and Wildlife Conservation Commission announces that its final public hearing regarding the proposed amendment of the above-referenced rule as published in Vol. 31, No. 11, March 11, 2005, issue of the Florida Administrative Weekly, has been continued until the next regular Commission meeting at the following time, dates, and place:

TIME AND DATES: 8:30 a.m. – 5:00 p.m. each day, June 15-17, 2005

PLACE: Hilton Daytona Beach/Ocean Walk Village, 100 North Atlantic Avenue, Daytona Beach, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting: ADA Coordinator, (850)488-6411. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
68A-27	Rules Relating to Endangered or Threatened Species
RULE NO.:	RULE TITLE:
68A-27.0012	Procedures for Listing, Delisting and Reclassifying Endangered, Threatened and Species of Special Concern

NOTICE OF CHANGE

The Fish and Wildlife Conservation Commission announces changes to the above-referenced proposed rule amendment in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 31, No. 10, March 11, 2005, issue of the Florida Administrative Weekly, as a result of the final public hearing on the rule held on April 14, 2005, in Tallahassee, Florida.

The rule will now read as follows:

68A-27.0012 Procedures for Listing, Delisting and Reclassifying Endangered, Threatened and Species of Special Concern.

(1) Petition to list, delist, or reclassify a species in Rule 68A-27.003, 68A-27.004 or 68A-27.005, F.A.C.

(a) Persons wishing to add, delete, or reclassify species in Rule 68A-27.003, 68A-27.004, or 68A-27.005, F.A.C., shall submit a written petition to the Commission. Petitions will be reviewed for completeness from July 1 through December 31.

~~(b)~~ Petitions shall be clearly identified as such, and must contain the following in order to be considered complete:

~~1.a.~~ The rule to which the species is proposed to be added, removed from, or reclassified to,

~~2.b.~~ The name, address, and signature of the petitioner, and

~~3.e.~~ Sufficient information on the biology and distribution of the species to warrant investigation of its status using the criteria contained in definitions of endangered, threatened, or species of special concern in Rule 68A-1.004, F.A.C.

~~(c)~~~~(b)~~ Incomplete petitions will be returned to the petitioner with insufficiencies clearly noted in writing. Corrected petitions may be resubmitted for consideration.

~~(d)~~~~(e)~~ Complete petitions will be evaluated in accordance with the provisions in subsection (2).

~~(e)~~~~(d)~~ Emergency petitions may be submitted at any time and, if in the opinion of the Executive Director, immediate inclusion of a species in Rule 68A-27.003, F.A.C., is essential to prevent imminent extinction, such listing may be effected on a temporary basis by Executive Order; provided that the Executive Order shall be approved or terminated at the next regularly scheduled meeting of the Commission. The Commission staff shall, within ~~365~~ ~~240~~ days after the effective date of such approval, conduct the evaluations prescribed in subsections (2) and (3) of this rule to determine the appropriate final classification of the species. The Commission shall take final action on the listing at the next regularly scheduled meeting following the ~~365~~ ~~240~~ day evaluation period.

~~(f)~~ Notwithstanding the provisions contained in this paragraph, these procedures shall not be applied to harvested marine species that: would only meet the listing criteria in Rule 68A-1.004, F.A.C., due to declines caused by either recreational harvest, commercial harvest, or both; that are monitored through periodic stock assessments or other techniques; that are the subject of any rule in Title 68B, F.A.C., that allows harvest; and that have a management plan or other system of rules and processes that functions as a management plan.

(2) Review of petitions to determine biological status; Phase 1.

~~(a)~~ The Commission shall establish an annual work plan for investigating pending complete petitions, considering conservation priorities and available resources. The work plan Commission shall establish a deadline for completion of each the biological status review of each complete petition. Complete petitions not identified for staff action will be reconsidered with new complete petitions each subsequent year.

(b) The Commission shall provide notice by mail to parties who request such notification and shall publish in the Florida Administrative Weekly a solicitation of information on the biological status of the petitioned species. Written

comments regarding biological status shall be accepted by the Commission for a period of no less than 45 days following public notice.

~~(c)~~ Staff shall recommend and the Commission shall designate a biological review panel of scientists with demonstrated knowledge of species conservation and management that consists of an odd number of three to seven members. The biological review panel shall summarize information provided in the petition, information obtained from the public, and other available biological data on the status of the petitioned species into a biological status report. When assessing a species, this panel shall follow "Guidelines for Application of IUCN Red List Criteria at Regional Levels Version 3.0" and "Guidelines for Using the IUCN Red List Categories and Criteria, March 2004." The biological status report shall contain a listing classification based on the IUCN guidelines and criteria in Rule 68A-1.004, F.A.C. In addition, the panel may provide within the report a biologically justified recommended classification which differs from the criteria-based classification by one level. The Commission shall summarize information provided in the petition, information obtained from the public and other available biological data on status of the petitioned species into a preliminary biological status report. The preliminary biological status report shall contain a recommended classification for the petitioned species consistent with the available biological data and based on the criteria established in Rule 68A-1.004, F.A.C.

~~(d)~~ Staff shall seek a minimum of three independent scientific reviews focused on the science used in the biological status report, including methodology, data, analysis, and interpretation. Reviewers will be provided no less than 45 days to comment on the biological status report. The Commission shall designate a biological review panel with a minimum of three scientists with demonstrated knowledge and expertise pertaining to species conservation and management. This panel shall independently evaluate information compiled on the petitioned species' biological status relative to its proposed classification in Rules 68A-27.003, 68A-27.004 or 68A-27.005, F.A.C.

~~(e)~~ The biological status report and the information referenced in paragraph (c) shall be provided to members of the panel of scientific experts for the review mandated in paragraph (d) of this rule. Panel members shall have no fewer than 45 days to review the document and provide recommendations to the Commission.

~~(e)~~~~(f)~~ The Commission shall consider the final biological status report, independent scientific reviews received, biological recommendations from the panel of scientific experts and public comments testimony regarding the biological status in making a final determination whether addition, deletion or reclassification of the petitioned species in Rule 68A-27.003, 68A-27.004, or 68A-27.005, F.A.C., is warranted.

(f)(g) If the petitioned species is determined by the Commission to warrant inclusion in or removal from Rule 68A-27.003, 68A-27.004, or 68A-27.005, F.A.C., the Commission shall:

1. Specify the appropriate listing category for the species based on biological status.

2. Establish a deadline for completion of Phase 2 for the species as described in subsection (3) below, considering the recommendation of Commission employees and other interested parties.

3. If the species is not already listed in Rule 68A-27.003, 68A-27.004, or 68A-27.005, F.A.C., it shall be added to the list of candidate species in Rule 68A-27.0021, F.A.C., and the protective provisions therein shall apply to the species.

(3) Development of management plans, ~~regulations, permit requirements for candidate species~~; Phase 2.

(a) Phase 2 will be initiated subsequent to Commission action pursuant to subsection (2) except for a decision not to list a previously unlisted species. Within 45 days following ~~designation of a candidate species~~ the Commission meeting, the Commission shall provide notice by mail to parties who request such notification and shall publish in the Florida Administrative Weekly a solicitation of information on the conservation needs of the species, and any economic and social factors that should be considered in its management.

(b) The Commission shall use information obtained from the public and other available information to develop a draft management plan for each ~~candidate~~ species described in paragraph (3)(a) of this rule section. This draft plan shall at a minimum ~~that~~ addresses:

1. Biological status as determined in Phase 1,
2. Conservation objectives,
3. Recommended management actions,
4. Recommended ~~Commission~~ regulations and incentives,
5. Anticipated economic, ecological, and social impacts of implementing or not implementing the recommended conservation actions.

(c) The Commission shall provide notice by mail to parties who request such notification and shall publish in the Florida Administrative Weekly a notice of the availability of the draft management plan. Written comments regarding conservation recommendations and expected economic and social impacts of implementation of the management plan shall be accepted by the Commission for a period of no less than 45 days following public notice.

(d) Final Commission action on the petition shall include:

1. Deletion of the species from Rule 68A-27.0021, F.A.C., if appropriate, and addition to and/or deletion from Rule 68A-27.003, 68A-27.004, or 68A-27.005, F.A.C., in accordance with the determination made in subsection (2) of this rule.

2. A determination on any proposed regulations in the management plan.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 6-23-99, Formerly 39-27.0012, Amended 7-1-03,

FISH AND WILDLIFE CONSERVATION COMMISSION

Manatees

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
68C-22	Manatees
RULE NO.:	RULE TITLE:
68C-22.005	Lee County Zones

NOTICE OF CONTINUANCE OF RULEMAKING HEARING

The Fish and Wildlife Conservation Commission announces that its April 14, 2005 final public hearing regarding the proposed amendment of the above-referenced rule, as originally published in Vol. 31, No. 2, January 14, 2005, issue of the Florida Administrative Weekly, has been continued until the next regular Commission meeting to be held at the following time, dates, and place. This continued hearing is being held for the sole purpose of reconsidering the zoning for Matlacha Pass. No further action will be taken regarding the zones in the rest of Lee County that were approved on April 14, 2005.

TIME AND DATES: 8:30 a.m. – 5:00 p.m. each day, June 15-17, 2005

PLACE: Hilton Daytona Beach/Ocean Walk Village, 100 North Atlantic Avenue, Daytona Beach, Florida

The agenda for the 3-day Fish and Wildlife Conservation Commission Meeting can be viewed on-line at: <http://myfwc.com/commission/index.html>

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting: ADA Coordinator, (850)488-6411. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Scott Calleson, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)922-4330

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

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that on April 20, 2005, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(7), F.A.C., from Surprise Cuban Bakery and Café located in Jacksonville. The above referenced F.A.C. states ...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.... They are requesting a variance to have a seating capacity of 20 with only one accessible bathroom facility accessible to customers and guests.

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 April 18, 2005, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(7), F.A.C., from Sally's Ice Cream located in Flagler Beach. The above referenced F.A.C. states ...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.... They are requesting a variance to have five picnic tables which seat approximately 20 people and use public bathrooms at Flagler Beach that are approximately 200 feet away.

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 April 22, 2005, the Division of Hotels and Restaurants received a Petition for a Routine Variance request for subsections 61C-4.0101(1) and 61C-4.010(6), F.A.C., from Kevin's Kitchen located in Clearwater. 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.

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 April 21, 2005, the Division of Hotels and Restaurants received a Petition for a Routine Variance request for subsections 61C-4.0101(1) and 61C-4.010(6), F.A.C., from Lily's Catering. The Petitioner filed an emergency variance request on March 17, 2005, to perform open air food service; that variance request was denied due to failure to adequately address possible environmental contamination of the bulk food to be dispensed.

The Petitioner has made modifications and has requested a variance from subsections 61C-4.0101(1) and 61C-4.010(6), F.A.C. The 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.

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 April 15, 2005, Bureau of Elevator Safety received a Petition for Emergency Variance from Rule 3003.1.5, as adopted by Rule 9B-3.047, F.A.C., requiring elevator lobbies have access to at least one exit which shall not require the use of a key, tool special knowledge or effort. The petition requests to be allowed to use a ladder as the means of exit from a maintenance platform served by an elevator. The petition was received from Jeffrey Lane of Lane Architecture, P.A. on behalf of Clubhouse at Heron Creek Golf Club, North Port, Florida (Petition VW 2005-048).

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 April 15, 2005, the Bureau of Elevator Safety received a Petition for Variance from Rules 101.1a (2), 101.1a (3), 101.6, 212.1, 212.9a, A.S.M.E. 17.1, 1996 edition with 1997 Addenda, as adopted by Rule 61C-5.001, Florida Administrative Code, which require a machine room, steel ropes and non welded terminations, from Kenin Lynes of Otis Elevator Company. The Petitioner is requesting a variance to allow the installation of Gen2™ elevator systems in the following location: Vantana Condominium Project in Tampa, FLorida (Petition VW 2005-049).

A copy of the Petitions 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 April 15, 2005, the Bureau of Elevator Safety received a Petition for Variance from Rules 101.1a (2), 101.1a (3), 101.6, 212.1, 212.9a, A.S.M.E. 17.1, 1996 edition with 1997 Addenda, as adopted by Rule 61C-5.001, F.A.C., which require a machine room, steel ropes and non welded terminations, from Patricia Serley of Otis Elevator Company. The Petitioner is requesting a

variance to allow the installation of Gen2™ elevator systems in the following location: The Palmetto Hotel on Panama City Beach (Petition VW 2005-050).

A copy of the Petitions 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 April 18, 2005, the Bureau of Elevator Safety received Petitions for Variance from Rules 101.1a (2), 101.1a (3), 101.6, 212.1, 212.9a, A.S.M.E. 17.1, 1996 edition with 1997 Addenda, as adopted by Rule 61C-5.001, F.A.C., which require a machine room, steel ropes and non welded terminations, from Patricia Serley of Otis Elevator Company. The Petitioner is requesting a variance to allow the installation of Gen2™ elevator systems in the following locations: The Lost Key Beach & Yacht Club- La Salbadoro, San Andres and Santo Amaro (Petitions VW 2005-053, 2005-054, and 2005-052).

A copy of the Petitions 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 April 20, 2005, Bureau of Elevator Safety received a Petition for Emergency Variance from Section 2000.1h, ASME A17.1, 1996 edition with 1997 Addenda, as adopted by Rule 61C-5.001, F.A.C., requiring a minimum of 80 inches clearance throughout the range of travel. The petition was received from Jeanne Martin of Accessibility Lifts, Inc. on behalf of St. Petersburg College located at 6605 5th Avenue North, St. Petersburg, Florida (Petition VW 2005-057).

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 April 20, 2005, Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 100.3a and 101.6 and, ASME A17.2, Section 2.29.2, as adopted by Rule 61C-5.001, F.A.C., which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct

line-of-sight visual contact with the drive sheave. The petition was received from Steve Powell of KONE Inc, requesting a variance to allow the installation of MonoSpace® elevator systems in the following location: Positano on the Gulf, Longboat Key (Petition VW 2005-060).

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 April 20, 2005, Bureau of Elevator Safety received a Petition for Variance from Rule 1502.9, A.S.M.E. 17.1, 1996 edition with 1997 Addenda, as adopted by Rule 61C-5.001, F.A.C., limiting a special purpose elevator rated load as not exceeding 1000 lbs. and the inside net platform area not exceeding 13 square feet. The petition was received from Lee Rigby of Vertical Assessment Associates on behalf of Buckeye Powerhouse #3RB, Perry, Florida (Petition VW 2005-061).

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 April 26, 2005, Bureau of Elevator Safety received a Petition for Emergency Variance from Rule 2000.7a, AMSE A17.1, 1996 edition with 1997 Addenda, as adopted by Rule 61C-5.001, F.A.C., requiring vertical wheelchair lifts not travel greater than 12 feet. The petition is to allow a lift to travel 14 feet. The petition was received from Jeanne Martin of Accessibility Lifts, Inc. on behalf of Cape Canaveral Hospital, Cocoa Beach, Florida (Petition VW 2005-065).

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 April 26, 2005, Bureau of Elevator Safety received a Petition for Emergency Variance from Rule 2000.7a, AMSE A17.1, 1996 edition with 1997 Addenda, as adopted by Rule 61C-5.001, F.A.C., requiring vertical wheelchair lifts not travel greater than 12 feet. The petition is to allow a lift to travel 14 feet. The petition was received from Jeanne Martin of Accessibility Lifts, Inc. on behalf of Medulla Elementary School, Lakeland, Florida (Petition VW 2005-066).

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 April 26, 2005, Bureau of Elevator Safety received a Petition for Emergency Variance from Rule 2000.7a, AMSE A17.1, 1996 edition with 1997 Addenda, as adopted by Rule 61C-5.001, F.A.C., requiring vertical wheelchair lifts not travel greater than 12 feet. The petition is to allow a lift to travel 14 feet. The petition was received from Jeanne Martin of Accessibility Lifts, Inc. on behalf of Guang-Ming Temple, Orlando, Florida (Petition VW 2005-067).

A copy of the Petition can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

Section VI Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

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

DATE AND TIME: Saturday, May 21, 2005, 9:00 a.m.

PLACE: The Biltmore Hotel, The Biltmore Hotel Conference Center, 1200 Anastasia Avenue, Coral Gables, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by writing: Division of Historical Resources, 500 South Bronough Street, Tallahassee, Florida 32399-0250, (850)245-6300 or (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. Please contact the Division of Historical Resources, (850)245-6360, Fax (850)245-6435.

DEPARTMENT OF LEGAL AFFAIRS

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

NACW Committee

DATE AND TIME: May 17, 2005, 10:00 a.m.

WHOF Committee

DATE AND TIME: May 18, 2005, 10:00 a.m.

Executive Committee

DATE AND TIME: May 19, 2005, 10:00 a.m.

Full Com/A & R Committee

DATE AND TIME: May 19, 2005, 11:00 a.m.

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 5 days in advance 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 Florida **Agriculture in the Classroom**, Inc. announces a Board of Directors quarterly meeting to which all interested persons are invited to participate.

DATE AND TIME: Thursday, May 12, 2005, 10:00 a.m.

PLACE: Florida Citrus Mutual, 302 S. Massachusetts Ave., Lakeland, FL 33802

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

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

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

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

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

A copy of the meeting agenda may be obtained by contacting: Pesticide Registration Section, (850)487-2130, PREC Web Site: <http://www.flaes.org/pesticide/pesticideregistration.html>.

The **Pesticide Review Council** announces a meeting to which all interested persons are invited to participate.

DATE AND TIME: Thursday, June 2, 2005, 9:00 a.m.

PLACE: Florida Department of Agriculture and Consumer Services, Division of Plant Industry, Conner Building, 1911 S. W. 34th Street, Gainesville, Florida 32608, (352)372-3505

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the council during which there will be a review of pertinent pesticide issues impacting on Human Health and Environment.

A copy of the agenda may be obtained by contacting: Bureau of Pesticides, 3125 Conner Boulevard, Mail L-29, Tallahassee, Florida 32399-1650, (850)487-0532.

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. This meeting will be conducted by teleconference at the place and time indicated and coordinated by the Department of Agriculture and Consumer Services.

DATE AND TIME: Friday, May 20, 2005, 10:00 a.m.

PLACE: The Conner Building, Division of Standards Conference Room, 3125 Conner Boulevard, Suite E, Tallahassee, Florida 32399-1650

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

A copy of the agenda may be obtained by writing: Isadore Rommes, Assistant Director, Division of Standards, 3125 Conner Boulevard, Suite E, Tallahassee, Florida 32399-1650, (850)488-0645.

Pursuant to the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting: Isadore Rommes, (850)488-0645. If you are hearing or speech impaired please contact the agency by calling the State of Florida TDD line, 1(800)955-8771.

The Florida **Department of Agriculture and Consumer Services** announces the meeting of the Florida Tropical Fruit Advisory Council to which all interested persons are invited to participate.

DATE AND TIME: Thursday, May 12, 2005, 10:00 a.m.

PLACE: Miami-Dade Extension Office, 18710 S. W. 288 Street, Homestead, FL 33030

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Meeting. The purpose of this meeting is to conduct the general business of the Florida Tropical Fruit Advisory Council.

For additional information or if you need special accommodations, call: Sonia Baquero, (305)401-1502.

The Florida **Department of Agriculture and Consumer Services** announces the meeting of the Florida Tropical Fruit Advisory Council to which all interested persons are invited to participate.

DATE AND TIME: Thursday, June 9, 2005, 10:00 a.m.

PLACE: Miami-Dade Extension Office, 18710 S. W. 288 Street, Homestead, FL 33030

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Meeting. The purpose of this meeting is to conduct the general business of the Florida Tropical Fruit Advisory Council.

For additional information or if you need special accommodations, call: Sonia Baquero, (305)401-1502.

DEPARTMENT OF EDUCATION

The public is invited to a meeting of the **State Board of Education**.

DATE AND TIME: May 17, 2005, 8:30 a.m.

PLACE: Department of Education, 325 West Gaines Street, Room 1725, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of Minutes of meeting held April 19, 2005 and updates on various reports and status on education initiatives by the Chairman and Commissioner. Other items to be

considered include: Proposed Amendment to Rule 6A-10.060, The Dale Hickam Excellent Teaching Program; Equivalent Credentials for School-Year VPK Program; Commission on Independent Education proposed amendment to Rule 6E-1.003, Definition of Terms; Commission on Independent Education proposed amendment to Rule 6E-1.0032, Fair Consumer Practices; Commission on Independent Education proposed amendment to Rule 6E-2.0061, Actions Against A Licensee; Penalties; and consideration of requests for waivers by Volusia County School Board.

A copy of the agenda may be obtained from the Commissioner of Education's website at <http://www.fldoe.org>.

Persons with disabilities who require assistance to participate in the meeting are requested to notify the Office of Access and Equity, (850)245-9531 (Voice), at least 7 days in advance, so that their needs can be accommodated.

The **University of South Florida**, Louis de la Parte Florida Mental Health Institute announces The Florida Behavioral Health Collaborative (formerly the Medicaid Behavioral Health Pharmacy Management Program) Operations and Executive Committee Meetings to which all persons are invited.

DATE AND TIME: Wednesday, May 11, 2005, 10:00 a.m. – 3:00 p.m.

PLACE: University of South Florida, Louis de la Parte Florida Mental Health Institute, 13301 Bruce B. Downs Blvd., MHC 1503, Tampa, FL 33612

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review the status of the Florida Behavioral Health Collaborative and to make decisions about its future direction. Accommodations for Disabilities: Persons with a documented disability requesting reasonable accommodations should contact: Tracy-Ann Gilbert-Johnson, Department of Mental Health Law and Policy, 13301 Bruce B. Downs Boulevard, MHC 2725, Tampa, FL 33612, (813)974-9337, Suncom 574-9337, e-mail: tgilbert-johnson@fmhi.usf.edu, at least 10 days in advance of the meeting. Persons with hearing or speech impairments should also contact Tracy-Ann Gilbert-Johnson by using the Florida Relay System, 1(800)955-8770 (voice) or 1(800)955-8771 (TDD).

Events, activities, programs and facilities of the University of South Florida are available to all without regard to race, color, marital status, sex, religion, national origin, disability, age, Vietnam or disabled veteran status as provided by law and in accordance with the University's respect for personal dignity.

The **Florida Center for Advising and Academic Support (FCAAS)** announces a public meeting to which all persons are invited.

DATE AND TIME: May 12, 2005, 10:30 a.m. – 12:00 Noon

PLACE: Turlington Building, 325 W. Gaines Street, Room 1601E, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: FCAAS Executive Committee will meet to discuss the agenda for the upcoming FCAAS Board meeting.

A copy of the agenda may be obtained by writing: FCAAS, 325 West Gaines Street, Suite 1625, Tallahassee, Florida 32399-0400.

Any persons requiring special accommodations to attend this meeting because of a disability or physical impairment may contact: Mary-Beth Goetzke, FCAAS, (850)245-0518.

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

COMMITTEE: Art Selection Committee

DATE AND TIME: May 10, 2005, 8:30 a.m. – 9:30 a.m.

PLACE: Florida Atlantic University, Florida's Art in State Buildings Program, Boca Raton Campus, AD-350, 777 Glades Road, Boca Raton, FL 33431

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold an Orientation Meeting regarding Florida's Art in State Buildings Program for BT-621 Computer Center Expansion/Remodeling.

For more information or to obtain a copy of the agenda, please contact: Rachel Slaw, Program Administrator, Florida's Art in State Buildings Program, Florida Atlantic University, 777 Glades Road, ADM Bldg., Room 392, Boca Raton, Florida 33431, (561)297-2539. Should any person wish to appeal any decision made with respect to any matter considered at the above referenced meeting, he/she may need to ensure verbatim recording of the proceeding to provide a record for judicial review. This meeting will not be taped by the Florida's Art in State Buildings Program.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting: Rachel Slaw, (561)297-2539. If you are hearing or speech impaired, please contact the agency by calling TT: 1(800)955-8770.

The Board of Trustees of the **Florida School for the Deaf and the Blind** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, May 20, 2005, 9:00 a.m.

PLACE: Wilson Music Building Auditorium, FSDB Campus, St. Augustine, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Matters pertaining to the Florida School for the Deaf and the Blind.

A copy of the agenda may be obtained by writing: Elmer L. Dillingham, President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084-2799, (904)827-2000.

Should any person wish to appeal any decision made with respect to any matter considered at the above referenced meeting, he may need to ensure that a verbatim record of the proceedings be made, which record includes the testimony and evidence upon which the appeal is to be based.

Special accommodations for persons with disabling conditions should be requested at least 48 hours in advance from the aforementioned address.

The **Commission for Independent Education** announces meetings to which all persons are invited.

DATE AND TIMES: Thursday, May 19, 2005, 9:00 a.m. – Rules Committee meeting, upon adjournment Accountability/Methodology Committee; upon adjournment Health Science Curriculum; upon adjournment Accreditation Review Committee; 1:30 p.m. – Commission meeting

GENERAL SUBJECT MATTER TO BE CONSIDERED: The business of the Rules Committee, Accountability/Methodology Committee, Health Science Curriculum Committee, and Accreditation Review Committee will be conducted. The 1:30 p.m. Commission meeting will conduct the general business of the Commission including Informal Hearings, Motions, Discipline, Petitions for Variance and Waivers and Applications for Provisional Licensure, Program Additions and Modifications, Application for Extension of Annual License, Application for License By Means of Accreditation, Annual Review of License by Means of Accreditation, Applications for Licensure Extensions, Requests for Extension of Time to Comply with Contingencies and Institutions ordered to appear back before the Commission.

DATE AND TIME: May 20, 2005, 9:00 a.m. – Commission meeting

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will conduct the general business of the Commission including Attorneys and Executive Director reports, Applications for Annual License, Applications for Annual Renewal, Substantive Change Applications, Name Change Applications, Elective Clerkships Applications, Sworn Affidavits for Religious Colleges, Reports for School Closure, Agent Licenses, Report of Licenses Sent, Motions, Petitions for Variance and Waivers, and Committee reports.

PLACE: Marriott Tampa Airport, Tampa International Airport, Tampa, Florida 33607, (813)879-5151

Any person who decides to appeal a decision of the Commission with respect to any matter considered at this meeting or hearing may need to ensure upon which the appeal is to be based.

A copy of the agenda may be obtained by testimony and evidence upon which the appeal is to be based. A copy of the agenda may be obtained by writing: Commission for Independent Education, 2650 Apalachee Parkway, Suite A, Tallahassee, Florida 32301. Any person requiring a special accommodation for this meeting because of a disability or

physical impairment should contact the Area of Critical State Concern at (850)448-4925. If you are hearing impaired please contact the Area of Critical State Concern using the Florida Dual Party Relay System, 1(800)955-9770 (voice) and 1(800)955-8771 (TDD).

The **Articulation Coordinating Committee** announces a public meeting to which all interested persons are invited:

DATE AND TIME: Wednesday, May 25, 2005, 1:00 p.m. – 4:00 p.m.

PLACE: Room 1721/25, Turlington Building, 325 West Gaines Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Articulation issues regarding secondary and postsecondary education.

A copy of the items to be addressed may be obtained by contacting: Office of Articulation, Florida Department of Education, Room 1401, Turlington Building, Tallahassee, Florida 32399-0400, (850)245-0427, Suncom 205-0427.

Any person requiring special accommodations due to a disability or physical impairment should contact the agency by calling Dr. Laura Hébert, (850)245-0427, at least five days prior to the meeting in order to request any special assistance.

The **Department of Education, Division of Blind Services** announces a Selection Panel meeting: all persons are invited.

DATE AND TIME: May 18, 2005, 9:30 a.m. – 3:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review and interview applicants for the business opportunities announced in April 2005.

DEPARTMENT OF REVENUE

The **Department of Revenue** announces a public hearing to which all persons are invited:

DATE AND TIME: May 17, 2005, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of adoption of the proposed amendments to Rule 12A-1.005, F.A.C. (Admissions). A Notice of Proposed Rulemaking for the proposed rule changes was published in the Florida Administrative Weekly on February 11, 2005 (Vol. 31, No. 6, pp. 530-531).

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this hearing is asked to advise the Department at least 48 hours before the hearing by contacting: Larry Green,

(850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Revenue** announces a public hearing to which all persons are invited:

DATE AND TIME: May 17, 2005, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

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

SUBJECT MATTER TO BE CONSIDERED: Approval of adoption of the proposed amendments to Rule 12A-1.097, F.A.C., Public Use Forms (Sales and Use Tax). A Notice of Proposed Rulemaking for the proposed rule changes was published in the Florida Administrative Weekly on February 11, 2005 (Vol. 31, No. 6, pp. 531-533). A Notice of Change was published in the Florida Administrative Weekly on April 8, 2005 (Vol. 31, No. 14, pp. 1335-1336).

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this hearing is asked to advise the Department at least 48 hours before the hearing by contacting: Larry Green, (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Revenue** announces a public hearing to which all persons are invited:

DATE AND TIME: May 17, 2005, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of adoption of the proposed amendments to Rule 12A-16.008, F.A.C., Public Use Forms (Rental Car Surcharge). A Notice of Proposed Rulemaking for the proposed rule changes was published in the Florida Administrative Weekly on February 11, 2005 (Vol. 31, No. 6, pp. 533-534).

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this hearing is asked to advise the Department at least 48 hours before the hearing by contacting: Larry Green, (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Revenue** announces a public hearing to which all persons are invited:

DATE AND TIME: May 17, 2005, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of adoption of the proposed amendments to Rule 12A-17.005, F.A.C., Public Use Forms (Registration as Secondhand Dealer or Secondary Metals Recycler). A Notice of Proposed Rulemaking for the proposed rule changes was published in the Florida Administrative Weekly on February 11, 2005 (Vol. 31, No. 6, pp. 534-535).

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this hearing is asked to advise the Department at least 48 hours before the hearing by contacting: Larry Green, (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Revenue** announces a public hearing to which all persons are invited:

DATE AND TIME: May 17, 2005, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of adoption of the proposed amendments to Rules 12A-19.020, F.A.C., Tax Due at Time of Sale; Tax Returns, and 12A-19.100, F.A.C., Public Use Forms (Communications Services Tax). A Notice of Proposed Rulemaking for the proposed rule changes was published in the Florida Administrative Weekly on February 11, 2005 (Vol. 31, No. 6, pp. 535-536).

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this hearing is asked to advise the Department at least 48 hours before the hearing by contacting: Larry Green, (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Revenue** announces a public hearing to which all persons are invited:

DATE AND TIME: May 17, 2005, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of adoption of the proposed amendments to Rule 12B-4.003, F.A.C., Public Use Forms (Documentary Stamp Tax). A Notice of Proposed Rulemaking for the proposed rule changes was published in the Florida Administrative Weekly on February 11, 2005 (Vol. 31, No. 6, pp. 536-537).

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this hearing is asked to advise the Department at least 48 hours before the hearing by contacting: Larry Green,

(850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Revenue** announces a public hearing to which all persons are invited:

DATE AND TIME: May 17, 2005, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of adoption of the proposed amendments to Rule 12B-7.031, F.A.C., Public Use Forms (Severance Taxes and Fees). A Notice of Proposed Rulemaking for the proposed rule changes was published in the Florida Administrative Weekly on February 11, 2005 (Vol. 31, No. 6, pp. 537-538).

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this hearing is asked to advise the Department at least 48 hours before the hearing by contacting: Larry Green, (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Revenue** announces a public hearing to which all persons are invited:

DATE AND TIME: May 17, 2005, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of adoption of the proposed amendments to Rule 12B-8.003, F.A.C., Tax Statement; Overpayments (Insurance Premium Taxes, Fees and Surcharges). A Notice of Proposed Rulemaking for the proposed rule changes was published in the Florida Administrative Weekly on February 11, 2005 (Vol. 31, No. 6, pp. 538-539). A Notice of Change was published in the Florida Administrative Weekly on April 8, 2005 (Vol. 31, No. 14, p. 1336).

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this hearing is asked to advise the Department at least 48 hours before the hearing by contacting: Larry Green, (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Revenue** announces a public hearing to which all persons are invited:

DATE AND TIME: May 17, 2005, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of adoption of the proposed amendments to Rule Chapter 12B-11, F.A.C., (Tax on Gross Receipts on Dry-Cleaning). A Notice of Proposed Rulemaking for the proposed rule changes was published in the Florida Administrative Weekly on February 11, 2005 (Vol. 31, No. 6, pp. 539-542).

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this hearing is asked to advise the Department at least 48 hours before the hearing by contacting: Larry Green, (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Revenue** announces a public hearing to which all persons are invited:

DATE AND TIME: May 17, 2005, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of adoption of the proposed amendments to Rule 12B-12.0031, F.A.C., Imposition of the Tax (Tax on Perchloroethylene). A Notice of Proposed Rulemaking for the proposed rule changes was published in the Florida Administrative Weekly on February 11, 2005 (Vol. 31, No. 6, pp. 542-543).

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this hearing is asked to advise the Department at least 48 hours before the hearing by contacting: Larry Green, (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Revenue** announces a public hearing to which all persons are invited:

DATE AND TIME: May 17, 2005, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of adoption of the proposed amendments to Rule 12C-1.051, F.A.C., Forms (Corporate Income Tax). A Notice of Proposed Rulemaking for the proposed rule changes was published in the Florida Administrative Weekly on February 11, 2005 (Vol. 31, No. 6, pp. 544-545).

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this hearing is asked to advise the Department at least 48 hours before the hearing by contacting: Larry Green, (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Revenue** announces a public hearing to which all persons are invited:

DATE AND TIME: May 17, 2005, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of adoption of the proposed amendments to Rule 12C-2.0115, F.A.C., Public Use Forms (Intangible Personal Property Tax). A Notice of Proposed Rulemaking for the proposed rule changes was published in the Florida Administrative Weekly on February 11, 2005 (Vol. 31, No. 6, pp. 545-546).

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this hearing is asked to advise the Department at least 48 hours before the hearing by contacting: Larry Green, (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF TRANSPORTATION

The **Florida Seaport Transportation and Economic Development Council** announces a meeting of the Project Review Group in which all interested persons are invited to participate.

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

PLACE: Florida Department of Transportation, Executive Conference Room, Burns Building, 605 Suwannee Street, Tallahassee, Florida 32399-0450, Call In Number (850)414-1711, Suncom 994-1711

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

Information on the meeting may be obtained by contacting: Toy Keller, Florida Ports Council, 502 East Jefferson Street, Tallahassee, Florida 32301, (850)222-8028.

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

In accordance with provisions of the Americans with Disabilities Act, persons requiring special accommodations to participate in this public meeting should advise: Toy Keller, (850)222-8028.

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 Gift Fruit Advisory Council to which all persons are invited.

DATE AND TIME: Tuesday, May 10, 2005, 10:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Council will meet to review and discuss proposed Gift Fruit Marketing Plans for 2005/06. The Council will also discuss any other issues that may properly come before the Council.

If you would like to attend this meeting via telephone conference you may do so by calling 1(866)867-8301 and use passcode 8802679.

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, (863)499-2499.

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

DATE AND TIME: Tuesday, May 17, 2005, 1:30 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will meet to discuss current inspection services applicable to processed citrus products and to discuss any other matters which might relate to this committee.

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)499-2499.

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

DATE AND TIME: Wednesday, May 18, 2005, 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will convene for the purpose of standing committee meetings and the regular monthly meeting of the Florida Citrus Commission. The Commission will address issues pertaining to budget items and revisions, contracts, advertising programs, balanced scorecards, licensing, rulemaking, and other matters addressed during monthly meetings of the Commission. The Commission may also go into closed session pursuant to the provisions of Section 286.011(8), F.S., to address issues related to the Tampa Juice, et. al. & Graves Brothers, et. al. vs. FDOC and The Lakeland Ledger Publishing Company, Publisher of The Ledger vs. FDOC. The parties attending the closed session will be John R. Alexander, Patrick Carlton, Michael L. Carrere, Tristan G. Chapman, W. Cody Estes, Sr., Harry H. Falk, William J. Ferrari, George T. Pantuso, Anina C. McSweeney, Stephen W. Ryan, Ray Smith, Andrew R. Taylor, Dan Gunter, Hank B. Campbell, Esq., Monterey Campbell, Esq., Barry Richard, Esq., and Kenneth O. Keck, Esq.

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

FLORIDA PAROLE COMMISSION

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

DATE AND TIME: Wednesday, May 18, 2005, 9:00 a.m.

PLACE: Florida Parole Commission, 2601 Blair Stone Road, Bldg. C., Third Floor, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly Scheduled Meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery and Control Release Matters.

Any person who decides to appeal a decision of the Florida Parole Commission with respect to a matter considered at this meeting may need to ensure that a verbatim record of the proceedings is made, Chapter 80-150, Laws of Florida (1980).

A copy of the agenda may be obtained by writing: Florida Parole Commission, 2601 Blair Stone Road, Building C, Tallahassee, Florida 32399-2450.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the agency sending the notice not later than five working days prior to the proceeding at the address given on the notice. Telephone: (850)488-3417.

EXECUTIVE OFFICE OF THE GOVERNOR

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

DATE AND TIME: Friday, June 17, 2005, 1:00 p.m. – 5:00 p.m.

PLACE: Renaissance Tampa International, 4200 Jim Walter Boulevard, Tampa, FL 33607, (813)877-9200

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss general administrative matters of the Advisory Council.

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

Should any person wish to appeal any decision made with respect to the above referenced meeting, he may need to ensure verbatim recording of the proceedings in order to provide a record for judicial review. Pursuant to Section 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact the Commission at least 48 hours prior to the meeting in order to request any special assistance.

REGIONAL PLANNING COUNCILS

The **North Central Florida Regional Planning Council** announces the following meeting to which all persons are invited.

MEETING: North Central Florida (District 3) Local Emergency Planning Committee

DATE AND TIME: May 20, 2005, 9:30 a.m.

PLACE: Alachua Regional Service Center, 14101 U.S. Highway 441, Suite 100, Alachua, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the North Central Florida Local Emergency Planning Committee.

Any persons deciding to appeal any decision with respect to any matter considered at the meeting may need 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.

A copy of the agenda may be obtained by contacting: Charles F. Justice, Executive Director, North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Suite A, Gainesville, FL 32653.

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

The **Withlacoochee Regional Planning Council** announces a public meeting of its Board of Directors to which all persons are invited.

DATE AND TIME: Thursday, May 19, 2005, 7:00 p.m.

PLACE: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34474-2798

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

A copy of the agenda may be obtained by writing: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34474-2798.

Affected persons are advised that it may be necessary for them to ensure that a verbatim record of the meeting is made, including the testimony and evidence upon which the appeal is to be based.

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

DATE AND TIME: Wednesday, May 18, 2005, 10:00 a.m.

PLACE: 631 North Wymore Road, Suite 100, Maitland, Florida 32751 (Please call (407)623-1075, Ext. 304 to confirm date, time and place)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the East Central Florida Regional Planning Council.

A copy of the agenda may be obtained by writing: Mr. Jeff Jones, Executive Director, East Central Florida Regional Planning Council, 631 North Wymore Road, Suite 100, Maitland, Florida 32751, website: www.ecfrpc.org.

The ECFRPC desires to accommodate persons with disabilities. Accordingly, any physically handicapped person, pursuant to Section 286.26, Florida Statutes, should, at least 48 hours prior to the meeting, submit a written request to the Council that the physically handicapped person desires to attend the meeting.

The **Tampa Bay Regional Planning Council** announces the following meetings to which all persons are invited.

MEETING: Executive/Budget Committee

DATE AND TIME: Monday, June 13, 2005, 9:00 a.m.

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

MEETING: Tampa Bay Regional Planning Council

DATE AND TIME: Monday, June 13, 2005, 10:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Tampa Bay Regional Planning Council.

MEETING: TBRPC Legislative Committee
 DATE AND TIME: Monday, June 13, 2005, 11:30 a.m.
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the TBRPC Legislative Committee.

MEETING: Agency On Bay Management
 DATE AND TIME: Thursday, June 9, 2005, 9:00 a.m.
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Agency On Bay Management.

MEETING: Clearinghouse Review Committee
 DATE AND TIME: Monday, June 27, 2005, 9:30 a.m.
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Clearinghouse Review Committee

PLACE: 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782 (Please call to confirm date, time and location.)

Please note that if a person decides to appeal any decision made by Council with respect to any matter considered at the above cited meeting or hearing, he 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 based.

The **Tampa Bay Estuary Program** announces scheduling of a Management Board Meeting to which all persons are invited.

DATE AND TIME: Friday, May 13, 2005, 9:00 a.m.
 PLACE: Tampa Bay Regional Planning Council, 4000 Gateway Centre Boulevard, Suite 100, Pinellas Park, Florida
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Action will be taken on the FY05 Annual Workplan and Budget and acceptance of the annual audit report.

Please note that if a person decides to appeal any decision made by the Tampa Bay Estuary Program Management Board to any matter considered at the above cited meeting, he 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 based.

The **Tampa Bay Estuary Program** announces scheduling of a Policy Board Meeting to which all persons are invited.

DATE AND TIME: Friday, May 13, 2005, 1:00 p.m.
 PLACE: Tampa Bay Regional Planning Council, 4000 Gateway Centre Boulevard, Suite 100, Pinellas Park, Florida
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Action will be taken on the FY04 Annual Workplan and Budget and acceptance of the annual audit report.

Please note that if a person decides to appeal any decision made by the Tampa Bay Estuary Program Policy Board to any matter considered at the above cited meeting, he 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 based.

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

DATE AND TIME: May 19, 2005, 9:30 a.m.
 PLACE: Southwest Florida Regional Planning Council, 1st Floor Conference Room, 1926 Victoria Avenue, Fort Myers, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Regional Planning Council.

A copy of the proposed agenda may be obtained by writing: Mr. David Burr, Executive Director, Southwest Florida Regional Planning Council, 1926 Victoria Avenue, Fort Myers, FL 33901.

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

All Council Subcommittee meetings will immediately follow the Council meeting.

Any person requiring special accommodation due to disability or physical impairment should contact Mr. David Burr, (239)338-2550, at least five calendar days prior to the meeting. Persons who are hearing impaired should contact Mr. Burr using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

WATER MANAGEMENT DISTRICTS

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

GOVERNING/BASIN BOARDS WORKSHOP (Note: This meeting, originally scheduled for Friday, May 13, 2005, has been rescheduled for Friday, June 3, 2005)

GOVERNOR'S CITIZEN HOURS

DATE AND TIME: Friday, May 13, 2005, 8:00 a.m. – 12:00 Noon

PLACE: Sumter County Courthouse, Historic Court Room, 209 N. Florida Street, Bushnell, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: A forum to discuss issues and concerns in the Sumter County and surrounding areas.

LAKE PANASOFFKEE RESTORATION SITE VISITS

DATE AND TIME: Friday, May 13, 2005, following the Governor's Citizen Hours

PLACE: Sumter County Courthouse, 209 N. Florida Street, Bushnell, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Tour of the Lake Panasoffkee Restoration dredge and spoil sites.

LAKE PANASOFFKEE RESTORATION COUNCIL MEETING

DATE AND TIME: Monday, May 16, 2005, 5:00 p.m.

PLACE: Sumter County Courthouse Commission Chambers, 209 N. Florida Street, Bushnell, FL

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

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.

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

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

PLACE: South Florida Water Management, B1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Water Resources Advisory Commission Meeting – Issues Workshop Meeting – Lower East Coast Plan Update.

A copy of the agenda may be obtained at the (1) District Website <http://www.sfwmd.gov/gover/wrac/main.html> or (2) by writing: South Florida Water Management District, Mail Stop 1130, P. O. Box 24680, West Palm Beach, FL 33416-4680.

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)682-2087, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact: Paula Moree, District Headquarters, 3301 Gun Club Road, Mail Stop Code 1130, West Palm Beach, FL 33406, (561)682-6447.

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

DATE AND TIME: May 16, 2005, 4:00 p.m. – 7:00 p.m.

PLACE: South Florida Water Management, B1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Water Resources Advisory Commission Meeting – Issues Workshop Meeting – Recreational Activities.

A copy of the agenda may be obtained at the (1) District Website <http://www.sfwmd.gov/gover/wrac/main.html> or (2) by writing: South Florida Water Management District, Mail Stop 1130, P. O. Box 24680, West Palm Beach, FL 33416-4680.

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)682-2087, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact Paula Moree, District Headquarters, 3301 Gun Club Road, Mail Stop Code 1130, West Palm Beach, FL 33406, (561)682-6447.

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

DATE AND TIME: Thursday, May 26, 2005, 9:00 a.m.

PLACE: SFWMD Headquarters, B1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Water Resources Advisory Commission (WRAC) Initial Reservations and Lower East Coast Issues Workshop.

A copy of the agenda may be obtained by contacting: South Florida Water Management District, Mail Stop 1130, P. O. Box 24680, West Palm Beach, Florida 33416-4680, District Website: <http://www.sfwmd.gov/gover/wrac/main.html>.

Persons with disabilities who need assistance may contact the District Clerk, (561)682-2087, at least two business days in advance of the meeting to make appropriate arrangements.

Those who desire more information, please contact: Rick Smith, District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33406, (561)682-6517.

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

DATE AND TIME: Wednesday, June 1, 2005, 9:00 a.m. – 4:00 p.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: This workshop is to provide an overview of regional conditions and system operations for the prior 6-month period, and projected conditions and operations of Lake Okeechobee for the next 6-month period. All interested parties are invited to attend.

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, Florida 33416-4680, District Website: <http://www.sfwmd.gov>.

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 Rachel Rich, District Clerk, (561)682-2087, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact: Susan Gray, Ph.D., Lake Okeechobee Division, Watershed Management Department, District Headquarters, 3301 Gun Club Road, Mail Stop Code 4430, West Palm Beach, FL 33406, (561)682-6919.

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: Thursday, May 19, 2005, 11:00 a.m. – completion

PLACE: Hyatt Regency Jacksonville Riverfront, 225 Coast Line Drive, East, Jacksonville, Florida 32202, (904)588-1234

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss issues related to Medicaid Non-Emergency Transportation and other business.

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

REGIONAL UTILITY AUTHORITIES

The **Withlacoochee Regional Water Supply Authority** announces that the Authority will hold its regular May monthly board meeting as scheduled. This is a public meeting to which all persons are invited:

DATE AND TIME: May 18, 2005, 4:30 p.m.

PLACE: Citrus County Courthouse, Commission Chamber, First Floor, 110 N. Apopka Avenue, Inverness, Florida 34450

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

A copy of the agenda may be obtained by writing: Withlacoochee Regional Water Supply Authority, P. O. Drawer 190, Tallahassee, Florida 32302.

Although these board meetings are normally recorded, affected persons are advised that it may be necessary for them to make their own arrangements if a verbatim record of the meeting is needed, including testimony and evidence upon which any appeal is to be based.

DEPARTMENT OF ELDER AFFAIRS

Notice is hereby given that the **Department of Elder Affairs** is requesting input from stakeholders on development of the 2005 State Senior Employment Services Coordination Plan. The plan will be prepared in accordance with Section 503 of the Older Americans Act (OAA) Amendments of 2000, which requires the Governor of each state to submit annually to the Secretary of the U.S. Department of Labor a State Senior Employment Services Coordination Plan. The purpose of the Plan is to improve coordination among organizations that can be engaged in older worker activities, and to enhance employment services for older workers.

Advice and recommendations must be obtained from various organizations, including Area Agencies on Aging, local workforce investment boards, individuals representing public and private nonprofit agencies, Senior Community Service Employment Program National sponsors, individuals representing social services, organizations providing services to older individuals, grantees under Title III of the OAA, affected communities, underserved older individuals, community-based organizations serving the needs of older individuals, business organizations, and labor organizations.

A conference call will be held as follows:

DATE AND TIME: Tuesday, May 10, 2005, 1:00 p.m.

PLACE: The dial-in number is (850)921-6623, Suncom 291-6623

The 2004 State Plan is currently posted on the Department of Elder Affairs website: <http://elderaffairs.state.fl.us/doea/index.html>.

Please direct all questions to: JoAnn Williams, (850)414-2065, e-mail: Williamsja@elderaffairs.org.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a meeting of the Comprehensive Health Information System Advisory Council Health Plan Consumer Reports Technical Workgroup, to which all interested parties are invited.

DATE AND TIME: Wednesday, May 18, 2005, 10:00 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, Conference Rooms B and C, Tallahassee, FL 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Health Plan Consumer Reports Technical Workgroup to discuss the content and format of reports to be published in 2005-2006.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact William Dahlem, (850)410-0224, at least five calendar days prior to the meeting.

A copy of the agenda may be obtained by writing: William Dahlem, Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, Mail Stop #16, Tallahassee, FL 32308-5403.

DEPARTMENT OF MANAGEMENT SERVICES

The **State Technology Office**, Wireless 911 Board, hereby gives notice that a public workshop for the purposes of rule development on Rule 60DD-1.003, F.A.C., will be held at the time, date and place listed below.

DATE AND TIME: May 24, 2005, 9:00 a.m. or shortly thereafter as can be heard

PLACE: Sandestin Golf & Beach Resort, 9300 Emerald Coast Pkwy., W., Sandestin, FL 32550, 1(800)622-1038

THE PERSON TO BE CONTACTED REGARDING THE RULE DEVELOPMENT WORKSHOP IS: Winston E. Pierce, Chair, Wireless 911 Board, Suite 430V, 4050 Esplanade Way, Building 4030, Tallahassee, Florida 32399-0950

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

NOTICE IS HEREBY GIVEN that the **Digital Divide Council** will hold a one-day meeting to which all interested persons are invited to participate.

DATE AND TIME: Thursday, May 26, 2005, 1:30 p.m. – 3:00 p.m.

PLACE: Room, 117, Knott Building, 400 South Monroe Street, Tallahassee, Florida 32399 (Conference call capability will be available. The dial up number is (850)410-0968, Suncom 210-0968)

GENERAL SUBJECT MATTER TO BE CONSIDERED: The primary purpose of the meeting is as a continuation of planning for the next year.

Any additional information as to this meeting will be provided on the Digital Divide website: <http://www.digitaldividecouncil.com> or Meg Brown, State Technology Office, Building 4030, Esplanade Way, Suite 280 G, Tallahassee, Florida 32399, (850)488-1849 or (850)410-4777.

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 Council at least 48 hours before the meeting by contacting Meg Brown at the above stated number.

The State of **Florida Retirement Commission** announces public hearings to which all persons are invited.

DATES AND TIME: May 16-17, 2005, 8:30 a.m.

PLACE: Hilton Tampa Airport Westshore, 2225 North Lois Avenue, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct hearings pursuant to Section 121.23, Florida Statutes, and to consider other matters related to the business of the Commission.

A copy of the agenda may be obtained by writing: State Retirement Commission, Department of Management Services, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950, (850)487-2410.

A party who decides to appeal any decision made at such hearings will need a verbatim record of the hearing and may need to ensure that one is made, including the testimony and evidence, upon which the appeal is to be based.

Persons requiring accommodation because of a physical, visual, auditory, or speech impairment should contact the Commission Clerk at least ten days prior to the hearing. If you are hearing or speech impaired, call by using the Florida Relay Service, 1(800)955-8771 (TDD). Hearing rooms and facilities are wheelchair accessible.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Florida **Board of Pilot Commissioners** announces a telephone conference call to which all persons are invited to participate.

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

PLACE: Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, FL, Telephone Number To Call (850)921-6513, Suncom 291-6513

GENERAL SUBJECT MATTER TO BE CONSIDERED: Deputy Pilot Advancement.

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

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact Department of Business and Professional Regulation, Board of Pilot Commissioners, (850)922-6096, at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the board office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Business and Professional Regulation, Division of Real Estate** announces a meeting to which all persons are invited.

DATE AND TIME: May 24, 2005, 9:30 a.m. or soonest thereafter

PLACE: Division of Real Estate, Conference Room N901, North Tower, 400 West Robinson Street, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of the Department – disciplinary proceedings regarding unlicensed activity.

The Hearing Officer for the Department will be participating via teleconference.

If a person decides to appeal a decision made by the Department, with respect to any matter considered at this meeting or hearing, a record of the proceedings for such purpose, upon which the appeal is based, may be required.

A copy of the agenda may be obtained by writing: Deputy Clerk, Division of Real Estate, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Department of Business and Professional Regulation, (407)245-0800, 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 Probable Cause Panel of the **Florida Real Estate Commission** announces a meeting to which all interested persons are invited.

DATE AND TIME: May 16, 2005, 4:00 p.m. or the soonest thereafter (Portions of the probable cause proceedings are not open to the public.)

PLACE: Zora Neale Hurston Building, North Tower, Suite 901N, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases to determine probable cause and to conduct a public meeting to review cases where probable cause was previously found.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Commission members or its counsel.

Any person who desires a special accommodation at this meeting because of a disability or physical impairment should contact the Division of Real Estate, (407)245-0800 (between the hours of 8:30 a.m. – 4:00 p.m.), at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call the Real Estate Division using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Florida Real Estate Commission (FREC)** announces a public meeting to which all persons are invited.

DATES AND TIMES: Tuesday, May 17, 2005, 8:30 a.m.; reconvening Wednesday, May 18, 2005, 8:30 a.m.

PLACE: Division of Real Estate, Conference Room N901, North Tower, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of Commission – among topics included, but not limited to, are proposed legislation affecting Chapter 475, Part I, F.S., rule development workshops, Florida Administrative Code 61J2 rule amendments, budget discussions, escrow disbursement requests, recovery fund claims, education issues, petitions for declaratory statement, petitions for rule variance/waiver, and disciplinary actions.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Commission members or its counsel.

If a person decides to appeal a decision made by the Commission, with respect to any matter considered at this meeting or hearing, a record of the proceedings for such purpose, upon which the appeal is based, may be required.

A copy of the agenda may be obtained by writing: Deputy Clerk, Florida Real Estate Commission, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Department of Business and Professional Regulation, (407)245-0800, 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: Wednesday, May 11, 2005, 10:00 a.m.

PLACE: Colony Cove, 4313 Kings Drive, Ellenton, FL 34222

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."

DEPARTMENT OF HEALTH

The **Department of Health, Board of Dentistry** will hold a Probable Cause Panel meeting where reconsiderations will be heard.

DATE AND TIME: May 20, 2005, 9:30 a.m.

PLACE: Department of Health, Building 4042, Room 301, 4052 Bald Cypress Way, Tallahassee, FL 32399, (850)245-4474

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review reconsideration cases.

If a person decides to appeal any decision made by the Board 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 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**, Probable Cause Panel (South) announces a telephone conference call to be held via meet me number.

DATE AND TIME: May 13, 2005, 2:00 p.m.

PLACE: Meet Me Number (850)922-2903, Suncom 292-2903, Toll Free Number 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 322317-4229, (850)922-2414, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice) via Florida Relay Service.

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: May 18, 2005, 5:00 p.m.

PLACE: Department of Health, Tallahassee, FL, Meet Me Number (850)921-6433

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.

The **Board of Nursing Home Administrators** will hold a duly noticed telephone conference call, to which all persons are invited to attend.

DATE AND TIME: Tuesday, May 17, 2005, 2:00 p.m.

PLACE: Department of Health, 4042 Bald Cypress Way, Bin #C07, Tallahassee, FL, Meet Me Number (850)488-2854

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board, (850)245-4355, at least 48 hours prior to the meeting. If you are a hearing or speech impaired, please contact the Board office using the Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

A copy of the agenda item may be obtained by writing: Joe Baker, Jr., Executive Director, Board of Nursing Home Administrators, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257, website: www.doh.state.fl.us/mqa/nurshome/nha_home.html.

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

DATE AND TIME: June 15, 2005, 8:00 a.m.

PLACE: Suites at Mainsail Village, 5108 Eisenhower Blvd., Tampa, FL 33634, (813)243-2600

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will meet to conduct disciplinary proceedings and general board business.

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

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

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

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

DATE AND TIME: Monday, May 16, 2005, 2:00 p.m.

PLACE: Department of Health, 4042 Bald Cypress Way, Bin #C07, Tallahassee, FL, Meet Me Number (850)487-9552

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board, (850)245-4355, at least 48 hours prior to the meeting. If you are a hearing or speech impaired, please contact the Board office using the Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

A copy of the agenda item may be obtained by writing: Joe Baker, Jr., Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257, website: www.doh.state.fl.us/mqa/podiatry/po_home.html.

The Florida **Coordinating Council for Deaf and Hard of Hearing** announces its upcoming meeting to which all persons are invited.

DATE AND TIME: May 12, 2005, 1:00 p.m. – 6:30 p.m. (Committee meetings: 1:00 p.m. – 3:00 p.m.; Public comment is welcome from 3:30 p.m. – 6:30 p.m.)

Business meeting

DATE AND TIME: May 13, 2005, 8:00 a.m. – 4:00 p.m.

PLACE: The World Golf Village Renaissance Resort, 500 S. Legacy Trail, St. Augustine, FL, (904)940-8000

GENERAL SUBJECT MATTER TO BE CONSIDERED: Coordination of services and policy recommendations for accessibility, supports, and services in Florida.

To request the agenda or a FCCDHH Public Comment Card call toll free 1(866)602-3275 (Voice), e-mail: karen_anderson@doh.state.fl.us.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Sign language and oral interpreter services and computer-assisted real-time translation (CART) services will be provided at this meeting. Any person requiring additional accommodations (i.e., deaf-blind interpreting) needs to contact Karen Anderson at least 14 working days prior to the meeting.

The Florida **Department of Health**, Drug Wholesaler Advisory Council announces a meeting to be held via conference call to which all interested persons are invited to participate.

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

PLACE: Conference Call Number (850)410-0968

GENERAL SUBJECT MATTER TO BE CONSIDERED: The agenda will include Welcome/Introductions, Approval of Minutes from February 17, 2005, Meeting; Legislative and Rule Update; Old Business; New Business; Open Discussion.

Please contact Maxine Wenzinger, (850)922-5190, if you have any questions.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The Shared Services Alliance of Okeechobee and the Treasure Coast of The **Department of Children and Family Services**, District 15 announces the following public meeting to which all persons are invited:

Executive Committee

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

PLACE: Clem C. Benton Bldg., Room 335, 337 N. US Hwy. #1, Ft. Pierce, FL 34950

For more information, please contact: Linda Poston, Personal Secretary 1, 337 North US Hwy. 1, Room 327, Fort Pierce, Florida 34950, (772)467-4178.

SPECIAL ACCOMMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact Pearlie Clark, ADA Coordinator, (772)467-4184, at least five days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Shared Services Alliance of Okeechobee and the Treasure Coast of The **Department of Children and Family Services**, District 15 announces the following public meeting to which all persons are invited:

ALLIANCE MEETING

DATE AND TIME: May 27, 2005, 8:30 a.m. – 10:30 a.m.

PLACE: St. Lucie County Public School, School Board Office, 4204 Okeechobee Road, Fort Pierce, Florida 34947-5414

For more information, please contact: Linda Poston, Personal Secretary 1, 337 North US Hwy. 1, Room 327, Fort Pierce, Florida 34950, (772)467-4178.

SPECIAL ACCOMMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact Pearlie Clark, ADA Coordinator, (772)467-4184, at least five days prior to the

meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Children and Family Services**, Office on Homelessness hereby notices a conference call for the Application and Rulemaking Committee of the Council on Homelessness. All persons are invited to participate.

DATE AND TIME: Thursday, May 12, 2005, 9:00 a.m. – 10:00 a.m.

PLACE: Conference call number (850)487-9454, Suncom 277-9454

Please contact the Office on Homelessness, (850)922-4691, if you have any questions. The committee will continue to discuss provisions of the Homeless Housing Assistance Grant related to past performance, as well as other changes to the application for the Challenge and Homeless Housing Assistance grants.

Pursuant to Section 286.26, Florida Statutes, any disabled person wishing to access this meeting who may be in need of special assistance should contact the Office on Homelessness, (850)922-4691, at least 48 hours in advance of this meeting.

TECHNOLOGICAL RESEARCH AND DEVELOPMENT AUTHORITY

The **Technological Research and Development Authority** (TRDA) announces a long range strategic planning meeting of a committee appointed by the TRDA Board of Directors.

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

PLACE: TRDA Conference Room, 5195 South Washington Avenue, Titusville, FL 32780, (321)269-6330

GENERAL SUBJECT MATTER TO BE CONSIDERED: Strategic Planning Meeting.

A copy of the agenda may be obtained by contacting: Brenda McMillan, Administrative Secretary, (321)269-6330, Ext. 239, e-mail: bmcmillan@trda.org.

VISIT FLORIDA

VISIT FLORIDA announces a public meeting of the Cultural Heritage Tourism Committee of the New Product Development Council.

DATE AND TIME: Friday, May 13, 2005, 10:00 a.m. (EDT) – adjournment

PLACE: Old Fort Lauderdale Museum of History, 219 S. W. Second Avenue, Fort Lauderdale, FL 33301, (945)463-4431

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discuss current and future work of the Committee.

For further information contact: Jill Rutli, VISIT FLORIDA, P. O. Box 1100, Tallahassee, Florida 32302-1100, (850)488-5607, Ext. 347.

Any person requiring special accommodations at this meeting because of a disability should contact VISIT FLORIDA at least five business days prior to the meeting. Persons who are hearing or speech impaired can contact VISIT FLORIDA by using the Florida Relay Service, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

VISIT FLORIDA announces a public meeting of the Rural Tourism Committee of the New Product Development Council.
DATE AND TIME: Monday, May 16, 2005, 10:00 a.m. – adjournment

PLACE: The Clewiston Inn, 108 Royal Palm Avenue, Clewiston, FL 33440, (863)983-8151

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss ongoing business of the Committee.

For further information contact: Sherri Martin, VISIT FLORIDA, P. O. Box 1100, Tallahassee, Florida 32302-1100, (850)488-5607, Ext. 366.

Any person requiring special accommodations at this meeting because of a disability should contact VISIT FLORIDA at least five business days prior to the meeting. Persons who are hearing or speech impaired can contact VISIT FLORIDA by using the Florida Relay Service, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

SUNSHINE STATE GOVERNMENTAL FINANCING COMMISSION

The **Sunshine State Governmental Financing Commission** announces the following public meeting, where all interested parties are invited:

DATE AND TIME: Monday, May 16, 2005, 12:15 p.m.

PLACE: Room 212/213, Hollywood Diplomat Resort, 3555 South Ocean Drive, Hollywood, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Annual Membership Meeting and Board of Directors Meeting.

A copy of the agenda may be obtained by contacting: Mr. Richard C. Dowdy, Program Administrator, Post Office Box 15468, Tallahassee, FL 32317-5468, (850)878-1874.

WORKFORCE FLORIDA

Workforce Florida announces their quarterly Board of Directors' and related meetings to which all persons are invited.

DATES AND TIMES: Partners' Meeting, May 18, 2005, 1:00 – 4:00 p.m.; Board of Directors' and related meetings, May 19, 2005, 9:00 a.m. – 3:30 p.m.

PLACE: Embassy Suites Hotel, Downtown Orlando, 191 E. Pine Street, Orlando, Florida 32801, (407)841-1000

For more information contact: Peggy Dransfield, (850)921-1119.

DUVAL COUNTY RESEARCH AND DEVELOPMENT AUTHORITY

The **Duval County Research and Development Authority** announces a business meeting which will be held as follows:

DATE AND TIME: May 25, 2005, 12:00 Noon – 2:00 p.m.

PLACE: University of North Florida, University Center, Room 1058 BOT2, 12000 Alumni Drive, Jacksonville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business Meeting.

A copy of the meeting agenda may be obtained by contacting: Earle C. Traynham, Executive Director, Duval County Research and Development Authority, 4567 St. Johns Bluff Road, South, Jacksonville, Florida 32224-2645.

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."

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, State of Florida, received a Petition for Declaratory Statement In Re: Petition for Declaratory Statement, Bay Point Studio Villas III Association, Inc., Docket Number 2005022392.

Whether Bay Point Studio Villas III Association, Inc. may lease portions of the common elements to unit owners for their exclusive use and construction of improvements under Sections 718.111(7)(a), 718.113(2)(b) and 718.106, Florida Statutes, and, if so, what is required to effect the change.

A copy of the Petition for Declaratory Statement, Docket Number 2005022392, may be obtained by writing: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

The Board of Psychology hereby gives notice that on April 15, 2005, it received a Petition for Declaratory Statement filed by Donna L. Johnson on behalf of Citrus Health Network, Inc. The petition seeks the Board’s interpretation of paragraph 64B19-13.003(1)(c), F.A.C., and whether continuing education credit can be provided to members of the psychology field outside of the internship program.

The Board will consider this petition at its quorum conference call on June 17, 2005.

Copies of the petition may be obtained from: Kaye Howerton, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, FL 32399-3253.

**Section VIII
Notices of Petitions and Dispositions
Regarding the Validity of Rules**

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

**Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges**

NONE

**Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee**

NONE

**Section XI
Notices Regarding Bids, Proposals and
Purchasing**

DEPARTMENT OF EDUCATION

NOTICE TO CONSTRUCTION MANAGERS:

The University of Florida Board of Trustees, announces that construction management services will be required for the project listed below:

Project No.: UF-237

Project Name and Location: Hub Renovation, University of Florida, Gainesville, Florida.

The project consists of completely remodel the portion of the Hub west of the stairs. The eastern portion of first floor building would remain as a food service facility and has recently been remodeled by Aramark. The remainder of the building will be shared by the University of Florida International Center and several departments within Academic Technology. The Technology Hub, as part of Academic Technology is envisioned as a facility that allows student access to multiple information technologies in support of learning and extracurricular activities. Services at this facility would be comprehensive, including hardware, software, connectivity, collaboration, training, and support services. The facility would include private and public space for individual and workgroups in a comfortable and inviting environment. The facility would support and encourage interdisciplinary and cross-cultural collaboration. Facilities would include: Walkup Internet access stations, workgroup spaces supported with multimedia and videoconferencing, virtual reality stations, and video and audio studios. The estimated construction budget is \$8,328,400.00.

The project is in the Design Development phase. The construction management services for pre- construction phase will consist of constructability analyses, development of a cost estimating for phased construction and scheduling, and the development of a Guaranteed Maximum Price (GMP) at 100% Construction Document for phased construction. If the GMP is accepted, the construction phase, will be implemented. The construction for this project may be in phases depending on the funding availability. In this phase 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; ability to construct the project in phases with minimum interruption to daily operation, and qualification of the firm's personnel, 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 University of Florida 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 project specific "Construction Manager Qualifications Supplement" available from the website: www.facilities.ufl.edu. 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, Florida Statutes, 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 Construction Manager Qualifications Supplement forms, the Construction Manager Project Fact Sheet and instructions for registering as an applicant can be found on the Facilities Planning and Construction website.

Ten bounded copies of the required proposal must be received in the Facilities Planning and Construction office by 3:00 p.m. local time on Thursday, June 2, 2005. Facsimile (FAX) submittals are not acceptable and will not be considered.

Facilities Planning and Construction
232 Stadium/P. O. Box 115050
Gainesville, FL 32611-5050
Telephone: (352)392-1256.
Fax: (352)392-6378
Internet: www.facilities.ufl.edu

NOTICE TO DESIGN/BUILD TEAMS

The Florida State University, announces that Qualifications Based Design/Build Services for the design and construction of a new parking garage, will be required for the project listed below:

PROJECT NUMBER: FS-247
PROJECT AND LOCATION: Parking Garage No. 4
Florida State University,
Tallahassee, Florida

The project consists of the design and construction of a new parking garage. The site, an approximately 4 acre parcel, is located in the northeast quadrant of campus, on the corner of West Tennessee Street (U.S. 90) and Macomb Street. The new garage shall accommodate approximately 1,000 cars and will not include any retail, administrative, or instructional space, but design provisions shall be considered for future inclusion. Total planned new space is 347,446 gross square feet. The facility must be available for occupancy by July 16, 2007; the site will be available for construction May 2006.

The Design/Build Team shall be responsible for the management of the process and project to meet project scope, budget and schedule requirements. The management of the process and project by the Design/Build Team shall facilitate the needs of Parking Services, accomplishing those needs within the mandatory project schedule and budget for occupancy requirements. This project may be expanded to include Parking Garage No. 5, another 1,000 +/- car garage also located on FSU's main campus. This decision will be made by FSU Facilities/Business Services Departments, provided Parking Garage No. 4 is progressing satisfactorily and funds are available.

The Design/Build Services contract shall be in compliance with the qualifications based Design/Build selection provisions in Section 287.055, F.S. and Rule 6C-14.007, F.A.C., including pre-construction fees, construction related service costs and a guaranteed maximum price. It is the University's responsibility to negotiate a fair, competitive, and reasonable compensation per Section 287.055, F.S. A fair, competitive and reasonable compensation shall be evaluated based upon the following information: (1) compensation on similar projects, and (2) other compensation reference data.

The University will contract with a single contract entity whose Design/Build Team shall provide all services including, but not necessarily limited to professional services, budgeting, construction services, labor, materials, and equipment required to design and construct the project. The selected team will be

required to provide computer drawings according to the standards of Florida State University, including computer record drawings reflecting as-built conditions.

Blanket professional design 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.

The proposed contractual value of this project is approximately \$12,000,000.00. The respondent must be capable of bonding at 100% of the value of the contract with a surety licensed to do business in the State of Florida with a Best rating of A, Class IX. Project development including professional services is contingent upon availability of funds.

INSTRUCTIONS:

Teams desiring to apply for consideration shall submit a letter of interest, a completed "Design/Build Services Qualification Supplement" form (DBSQS), dated February 2005, with attachments, and additional information required as described in the DBSQS. Applications submitted in any other format may not be considered. The Design/Build Services Qualifications Supplement form dated February 2005, project information and selection criteria, may be obtained on line at www.fpc.fsu.edu or by contacting: Lynetta Mills, Facilities Design and Construction, 109 Mendenhall Maintenance Building A, Florida State University, Tallahassee, Florida 32306-4152, (850)644-2843 telephone, (850)644-8351 facsimile. For further information on the project, contact: Daryl Ellison, Associate Director, Facilities Design and Construction or Larry Rubin, Director, Facilities Design and Construction.

All teams must be properly licensed and registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, or a joint venture, it must be registered by the Department of State to do business in the State of Florida at the time of application. If the applicant is the contract entity and has a consultant to perform the design or construction services, the contract entity and consultant must have an agreement at the time of application to formally contract for consulting services. Firms applying as "Associations" without a registered joint venture agreement or a contract entity and consultant without an agreement will not be considered.

Selection of finalists for interview will be made on the basis of qualifications of the proposed design/build team, including team qualifications, team experience and ability to provide service in meeting the project requirements. Florida State University strongly encourages the use of certified Minority and Women-owned Business Enterprises ("MBEs") in the provision of design and construction-related services by providing a fair and equal opportunity to compete for, or for participation in, design and/or construction related services.

Applications that do not comply with the above instructions may be disqualified. Submittals are part of the public record and no submittal material will be returned. The plans and specifications for The 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 \$25,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Five (5) bound copies of the required proposal data shall be submitted. Submittals must be received in the FSU Facilities Design and Construction Office, 109 Mendenhall Maintenance Building A, Florida State University, Tallahassee, Florida 32306-4152 by 2:00 p.m., local time, on Monday, June 6, 2005. Facsimile (FAX) or electronic submittals are not acceptable and will not be considered.

The University reserves the right to suspend or discontinue the selection process at any time and to return or reject any or all submissions of Design/Build proposals without obligation to the respondent. The award of this contract is subject to availability of funds. If additional funding is realized, the University has the option to incorporate additional scope/funding under this contract.

The University of North Florida
Jacksonville

REQUEST FOR PROPOSALS

Major Campus Entry Points – Design and Identity

The University of North Florida (UNF) is requesting proposals from artists, designers, architects, engineers, faculty, staff and students to participate in the creation of a campus symbol and an ICONIC FEATURE to define the main entry points to the campus.

Competition Details

00 – Subject of the competition

The University is looking for your designs for an ICONIC FEATURE to be incorporated within a plan which identifies the major entry points to the campus and to represent the meaning and the spirit of the University. If appropriate and feasible, this feature may also be used in strategic locations throughout the campus as a visual focal point.

The University of North Florida has received regional and national recognition for the quality of its academic programs and service to the community. The University's most prominent symbols – its logo, the official seal, and the osprey –

represent UNF's identity. When they are used appropriately, they provide a visual expression of the University's commitment to quality and service.

All applicants interested in this project should contact UNF's Facilities Planning Office at (904)620-2016 for a complete package providing additional information on the university symbols, logos, official seal and major entry points to the campus.

01 – Theme / Explanations

The University of North Florida's strategic plan begins with the following institutional mission:

"The University of North Florida's primary focus is on instruction, with scholarship and community involvement playing vital roles. The University provides a comprehensive array of degree programs, with a targeted emphasis on select programs where the University is a national leader.

This mission statement affirms the importance of teaching and learning and clearly states UNF's role as a comprehensive or Masters I institution. We recognize that our focus on instruction mandates that the campus maintain an intellectual vitality requiring active faculty participation in research and other scholarly endeavors. Our commitment to relevance also mandates the University's active involvement in the community.

UNF's mission statement, in concert with the Florida Board of Governors' Strategic Objective II.C.6 (BOG Strategic Plan), also asserts that, as a comprehensive university, we offer and will continue to provide national leadership in specific disciplines and fields of study."

02 – Proposal Entry

Proposals are due no later than 2:00 p.m. EDST August 31, 2005.

1. The jury will be looking for designs and concepts which are innovative in terms of their form and technological aspects as well as their relevance to the University community.
2. There is no limitation on quantity of submitted works by any individual or groups.
3. Proposal may be two-dimensional and may be supplemented with a small-scale model to convey design intent.
4. Proposal must reflect the spirit, character and mission of the University.
5. Proposal must be concise, comprehensive and easily understood.
6. The proposal for competition should be mounted on foam-core board not to exceed 24" x 36". The boards MUST NOT have any identifying symbols or names indicating the identity of the competitor. The Board should be accompanied by an envelope containing the identity of

the artist, author or group submitting the entry as well as a written statement describing and explaining the submission.

7. Teams must register with one name only; however, team members' names are to be identified.
8. Applicants should keep a copy of the submission for themselves as submitted works will not be returned.

03 – Awards

Several entries will be chosen from all the entries for further technical and aesthetic deliberation. The chosen entries and a selection of the works submitted will be publicly shown on campus with possible publication in University publications. The most favored designs will be turned over to a group of selected consultants and contractors for further detailing and construction.

The University will award \$1,500 to the author(s) of the most favored entry and \$750 to the next most favored. Subject to an agreement on the amount of a fee, the University will engage the author of the final selected design as an artistic consultant to assist the technical consultant team. The anticipated award date is October, 2005.

04 – The Jury Is Composed Of:

Shari Shuman – VP – Finance and Administration

Richard Crosby – AVP – Finance and Administration

Zak Ovadia – Director – Facilities Planning Office

Charlie Bear – Director – Physical Facilities

Debra Murphy – Chair Department of Art and Design

Elizabeth Jones – Project Manager – Facilities Planning Office

Ken McMillan – Associate Professor – Faculty of Art and Design

Sharon Ashton – Media Relations and Special Events

Dan Dundon – Marketing and Publications

The make up of the jury is preliminary and may change.

05 – Criteria for Judging

The Jury will judge the effectiveness of a submission by asking the following questions:

1. Does the design accurately represent the University, its image, identity and its goals?
2. Does it distinguish the University from the other higher-education institutions?
3. Does the design convey the University's unique personality?
4. Is it visually consistent with other items in the identity program?
5. Does the submission address the stated Design Criteria above in a consistent and logical manner?
6. Will the feature stand the test of time?
7. Can it be built?

06 – Copyright

Entries submitted for the competition must be the original works of those submitting them. Submissions must be free from copyrights and any kind of obligation. The design shall not in any way infringe upon any third party’s right, including but not limited to copyright, logos, trademark, trade names, or other proprietary rights. The author(s) of the winning entry will convey all their right, title and interest in the works to UNF and will sign any document reasonably required by UNF to affect such conveyance.

Once selected, the proprietary rights, modification rights and usage rights of the design in its entirety shall belong solely to the University of North Florida.

The final interpretation of the theme, logo and other design elements shall remain in the sole and exclusive determination of the University of North Florida.

Applicants are solely responsible for any consequences arising from tort due to plagiary, citation, infringement of copyright, etc. The University of North Florida takes no responsibility for such consequences.

By participating in the competition, the participants accept acknowledge and agree that the designer’s name(s) and contact address may be used in UNF’s communication tools and publications.

07 – Project Inquiries

Direct inquiries and submissions to:

Zak Ovadia, AIA, MRAIC, NCARB

Facilities Planning Office

University of North Florida

4567 St. Johns Bluff Road

Jacksonville, FL 32224

(904)620-2016

The School Board of Bradford County will open bids on May 25, 2005 for the following bids:

10:00 a.m.	Milk	05-0525-05
10:10 a.m.	Snacks	05-0525-08
10:20 a.m.	Bread	05-0525-03
10:40 a.m.	Paper	05-0525-09
10:50 a.m.	Food	05-0525-01

Bid packets may be requested from: Wanda Bolin, 966-6002

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.”

FISH AND WILDLIFE CONSERVATION COMMISSION

ADVERTISEMENT FOR BIDS

BIDS ARE REQUESTED FROM QUALIFIED CONTRACTORS BY THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION FOR THE CONSTRUCTION OF:

PROJECT NO: FWC 04/05-116

PROJECT NAME: REBID FLORIDA BASS CONSERVATION CENTER–PHASE 2 POND RENOVATIONS

PROJECT LOCATION: WEBSTER, SUMTER COUNTY, FLORIDA

FOR:

The Phase 2 Pond Renovation Project consists of demolition of existing concrete water control structures, and earthwork restoration of existing aquaculture production ponds; sitework, including aggregate pond roads and asphalt parking lot, electrical distribution, site piping for pond supply mains and branches, new drain branches; a new low-pressure air (LPA) distribution system; new concrete water control structures and concrete harvest kettles in the production ponds.

QUALIFICATION:

Each bidder whose field is governed by Chapters 399, 455, 489, and 633 of the Florida Statutes for licensure or certification must submit qualification data of their eligibility to submit proposals with their bid.

PRE-BID CONFERENCE:

A non-mandatory pre-bid conference has been scheduled for 2:00 p.m. EDT on Friday, May 27, 2005 at Richloam Fish Hatchery, 3771 CR 788, Webster, FL 33597, (352)583-3545.

REQUIRED BONDS:

Bids shall be accompanied by a bid guarantee of not less than five (5) percent of the amount of the bid.

After award of Contract, a 100% Performance Bond and a 100% Labor and Material Payment Bond Will be required.

Sealed bids will be received, publicly opened and read aloud on:

DATE AND TIME: June 7, 2005, 3:00 p.m. (EDT)

PLACE: Purchasing Office, Room 364, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)488-3428

PROPOSAL:

Bids must be submitted in full accordance with the requirements of the Drawings, Specifications, Bidding Conditions and Contractual Conditions, which may be examined at the above-mentioned Purchasing Office.

CONTRACT DOCUMENTS:

Contract documents shall be obtained from the ENGINEER, upon payment of \$150.00, non-refundable, for one set. The bid package will be sent via overnight delivery upon Engineer's receipt of payment. Submit requests for documents to:

Mr. Bill Jensen

FishPro

5201 S. Sixth Street Rd.

Springfield, Illinois, 62703

Phone (217)585-8333

Fax (217)585-1890

email: bjensen@cochran-wilken.com

Provide contact information, phone and fax number, as well as complete return address. **DO NOT PROVIDE POST OFFICE BOX FOR RETURN ADDRESS.**

Checks or money orders shall be made payable to FishPro.

HILLSBOROUGH COUNTY AVIATION AUTHORITY

NOTICE TO DESIGN-BUILD FIRMS

The Hillsborough County Aviation Authority hereby requests, pursuant to the Consultants Competitive Negotiation Act, Florida Statutes 287.055, letters of interest from design-build firms desiring to render design-build services for the following project:

**CUSTOMS FACILITY IN THE GENERAL AVIATION
AREA AND RELATED WORK
TAMPA INTERNATIONAL AIRPORT
HCAA PROJECT NO. 5160**

Under this agreement the firm may be tasked to perform all architectural design and all engineering related to civil, airfield paving, structural, mechanical, plumbing, fire protection, electrical, electronic and information technology systems, basic services during construction, construction by a qualified contractor and related surveys and testing. A more detailed scope of services will be included in the formal request for qualifications.

Qualified design-build firms desiring consideration to provide these services should give written notification in the form of a letter of interest to: Dan Noettl, Manager, Planning and

Development, Hillsborough County Aviation Authority, Post Office Box 22287, Tampa, Florida 33622. The letters of interest must be received at or before 5:00 p.m. local time, Wednesday, June 1, 2005.

Additional information is available on the Authority's website at www.tampaairport.com; Quick Links, Airport Business, Request for Qualification/Proposal.

FLORIDA DEVELOPMENTAL DISABILITIES COUNCIL

Notice of Suspension of Project:

The Florida Developmental Disabilities Council, Inc. announces Invitation to Negotiate (ITN) FDDC #2005-SC-2700 has been suspended. This project was previously advertised in the "Florida Administrative Weekly" publication on April 29, 2005 to provide administrative support for the Southern Movement for Independence.

**Section XII
Miscellaneous**

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

**Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population**

Pursuant to Section 320.642, Florida Statutes, KTM North America, Inc., intends to allow the establishment of Kirt W. Lynch, Inc., d/b/a Atlantic Moto Sports, as a dealership for the sale of KTM motorcycles, at 1400 Mayport Road (Duval County), Altantic Beach, Florida 32233, on or after February 9, 2005.

The name and address of the dealer operator(s) and principal investor(s) of Kirt W. Lynch, Inc., d/b/a Atlantic Moto Sports are dealer operator: Kirt W. Lynch, 1400 Mayport Road, Atlantic Beach, Florida 32233; principal investor(s): Kirt W. Lynch, 1400 Mayport Road, Atlantic Beach, Florida 32233.

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: Evelyn Cornelius, Dealer Network Administrator, KTM North America, Inc., 1119 Milan Avenue, Amherst, Ohio 44001.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, MOD Cycles, Corp., intends to allow the establishment of Mister Moped International, Inc., as a dealership for the sale of Yumbo motorcycles, at 6227 North Washington Boulevard, Sarasota (Sarasota County), Florida 34243, on or after April 7, 2005.

The name and address of the dealer operator(s) and principal investor(s) of Mister Moped International, Inc., are dealer operator: Robert Fusco, 4850 Osprey Drive #105, St. Petersburg, Florida 33711; principal investor(s): Robert Fusco, 4850 Osprey Drive #105, St. Petersburg, Florida 33711.

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: Luz Martinez, MOD Cycles, Corp., 7547 Northwest 52nd Street, Miami, Florida 33166.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, LS MotorSports, LLC, intends to allow the establishment of Marine Outlet Center, Inc., as a dealership for the sale of Diamo scooters: Velux, Fury, Tracer & Retro (150CC), at 5701 Sarah Avenue, Sarasota (Sarasota County), Florida 34233, on or after April 22, 2005.

The name and address of the dealer operator(s) and principal investor(s) of Marine Outlet Center, Inc., are dealer operator: Chuck McFarlin, 5701 Sarah Avenue, Sarasota, Florida 34233; principal investor(s): Chuck McFarlin, 5701 Sarah Avenue, Sarasota, Florida 34233.

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: Jonathan Solo, VP of Sales, LS MotorSports, LLC, 12505 Reed Road #145, Sugar Land, Texas 77478.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, LS MotorSports, LLC, intends to allow the establishment of Affordable Auto Sales, as a dealership for the sale of Diamo motorcycles and scooters, at Miami (Dade County), Florida 33144, on or after April 19, 2005.

The name and address of the dealer operator(s) and principal investor(s) of Affordable Auto Sales are dealer operator: Manuel Binker, 1075 Southwest 67 Avenue, Miami, Florida 33144; principal investor(s): Manuel Binker, 1075 Southwest 67 Avenue, Miami Florida 33144.

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: Jonathan Solo, VP of Sales, LS MotorSports, LLC, 12505 Reed Road #145, Sugar Land, Texas 77478.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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

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

SPACEPORT FLORIDA AUTHORITY

Visit www.floridaspaceauthority.com for our
Communications/Marketing Manager employment
opportunity.

AGENCY FOR HEALTH CARE ADMINISTRATION

The Agency for Health Care Administration has received an emergency service exemption application from Capital Regional Medical Center, located at 2626 Capital Medical Boulevard, Tallahassee, Florida 32308, pursuant to Section 395.1041(3), Florida Statutes, and Rule 59A-3.255, Florida Administrative Code. The emergency service for which the exemption is requested is Neurosurgery, for the time period 7:00 a.m., Friday, June 3, 2005, to 7:00 a.m., Monday, June 6, 2005. Comments received within 15 days of publication will be considered by the Agency prior to making a determination of exemption status.

Additional information may be obtained by writing: Agency for Health Care Administration, 2727 Mahan Drive, MS #31, Tallahassee, Florida 32308, (850)487-2717, e-mail: Pat Underwood, Hospital and Outpatient Services Unit, underwop@ahca.myflorida.com.

**CERTIFICATE OF NEED
LETTERS OF INTENT**

The Agency for Health Care Administration received and accepted the following letters of intent for the May 25, 2005 application filing date for Other Beds and Programs batching cycle:

County: Franklin	District: 2
Date Filed: 4/21/2005	LOI #: N0504001
Facility/Project: AHI, LLC	
Applicant: AHI, LLC	
Project Description: Establish a 90-bed community nursing home	
County: Alachua	District: 3
Date Filed: 4/25/2005	LOI #: N0504002
Facility/Project: Hospice of Citrus County, Inc.	
Applicant: Hospice of Citrus County, Inc.	
Project Description: Establish a hospice program	

County: Alachua District: 3
 Date Filed: 4/21/2005 LOI #: N0504003
 Facility/Project: Hospice of the Palm Coast, Inc.
 Applicant: Hospice of the Palm Coast, Inc.
 Project Description: Establish a hospice program

County: Alachua District: 3
 Date Filed: 4/21/2005 LOI #: N0504004
 Facility/Project: VITAS Healthcare Corporation of Florida
 Applicant: VITAS Healthcare Corporation of Florida
 Project Description: Establish a hospice program

County: Columbia District: 3
 Date Filed: 4/22/2005 LOI #: N0504005
 Facility/Project: North Central Florida Hospice, Inc.
 Applicant: North Central Florida Hospice, Inc.
 Project Description: Establish a 12-bed freestanding inpatient hospice facility

County: Lake District: 3
 Date Filed: 4/25/2005 LOI #: N0504006
 Facility/Project: Hospice of Lake & Sumter, Inc.
 Applicant: Hospice of Lake & Sumter, Inc.
 Project Description: Establish a 10-bed freestanding inpatient hospice facility

County: Sumter District: 3
 Date Filed: 4/25/2005 LOI #: N0504007
 Facility/Project: Hospice of Lake & Sumter, Inc.
 Applicant: Hospice of Lake & Sumter, Inc.
 Project Description: Establish an 8-bed freestanding inpatient hospice facility

County: Volusia District: 4
 Date Filed: 4/20/2005 LOI #: N0504008
 Facility/Project: Halifax Hospice, Inc.
 Applicant: Halifax Hospice, Inc.
 Project Description: Establish a freestanding inpatient hospice facility of up to 16 beds

County: Pinellas District: 5
 Date Filed: 4/22/2005 LOI #: N0504009
 Facility/Project: Hospice of the Florida Suncoast, Inc.
 Applicant: Hospice of the Florida Suncoast, Inc.
 Project Description: Establish a freestanding inpatient hospice facility of up to 30 beds

County: Hardee District: 6
 Date Filed: 4/22/2005 LOI #: N0504010
 Facility/Project: HOPE of Southwest Florida, Inc.
 Applicant: HOPE of Southwest Florida, Inc.
 Project Description: Establish a hospice program

County: Highlands District: 6
 Date Filed: 4/25/2005 LOI #: N0504011
 Facility/Project: Hospice of Okeechobee, Inc.
 Applicant: Hospice of Okeechobee, Inc.
 Project Description: Establish a hospice program

County: Polk District: 6
 Date Filed: 4/21/2005 LOI #: N0504012
 Facility/Project: Hospice of the Palm Coast, Inc.
 Applicant: Hospice of the Palm Coast, Inc.
 Project Description: Establish a hospice program

County: Polk District: 6
 Date Filed: 4/21/2005 LOI #: N0504013
 Facility/Project: VITAS Healthcare Corporation of Florida
 Applicant: VITAS Healthcare Corporation of Florida
 Project Description: Establish a hospice program

County: Orange District: 7
 Date Filed: 4/22/2005 LOI #: N0504014
 Facility/Project: Hospice of the Palm Coast, Inc.
 Applicant: Hospice of the Palm Coast, Inc.
 Project Description: Establish a hospice program

County: Seminole District: 7
 Date Filed: 4/15/2005 LOI #: N0504015
 Facility/Project: Hospice of the Comforter, Inc.
 Applicant: Hospice of the Comforter, Inc.
 Project Description: Establish a 16-bed freestanding inpatient hospice facility

County: Collier District: 8
 Date Filed: 4/21/2005 LOI #: N0504016
 Facility/Project: Cleveland Clinic Florida Hospital Naples
 Applicant: Cleveland Clinic Florida Hospital Naples
 Project Description: Establish an adult open heart surgery program

The Florida Department of Juvenile Justice has posted the revision of an existing policy for review and comment on MyFlorida.com at: http://www.djj.state.fl.us/djj/djjservices/administration/policies_procedures/policyreview.shtml.

Development and Review of Policies, FDJJ-1000 (revised department-wide policy type B) makes a number of changes in how the department will formally review and approve all new and revised policies. Revisions to this policy were previously posted from June 29 through August 5, 2004. The most significant change in that draft of the policy dealt with the reduction in the number of times a draft policy would be posted, going from two – 20 working day to a single 20 working day review and comment period effective with the publication of notice in the FAW. Other changes in that draft clarified steps to be taken in the development and review of policies and spelled out the responsibilities of various parties in the process. This latest revision to the policy

requires the designation of department policy liaisons, responsible for printing and maintaining notebooks of applicable policies in their office, program or facility as well as requiring staff to complete a statement of understanding as it relates to applicable policies (new Attachment 5).

This new draft of the policy is posted for a single 20 working day review and comment period. The closure date for submission of comments on this policy is June 3, 2005. Responses to comments received will be posted during the review period to the extent possible, but no later than 10 working days after the end of the review period on the above Website.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE OF FILINGS

Office of Financial Regulation

**REQUEST FOR CORPORATE NAME APPROVAL
BY A NON-FINANCIAL INSTITUTION**

Notice is hereby given that the Office of Financial Regulation has received the following request for corporate name approval by a non-financial institution. Comments may be submitted to the Director, Office of Financial Regulation, Division of Financial Institutions, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record. Any comments submitted must be received by the Office within twenty-one (21) days from publication of this notice (by 5:00 p.m., May 27, 2005):

Applicant: Jose Mojica, c/o BlumbergExcelsior, 62 White Street, New York, New York 10013

Proposed Name: U.S.A. Mortgage Bankers of America, Inc.

Received: April 25, 2005

Section XIII
Index to Rules Filed During Preceding Week

**RULES FILED BETWEEN April 18, 2005
 and April 22, 2005**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
----------	-----------	----------------	-------------------	------------------

DEPARTMENT OF EDUCATION
University of South Florida

6C4-1.005	4/19/05	5/9/05		Newspaper
-----------	---------	--------	--	-----------

DEPARTMENT OF TRANSPORTATION

14-15.015	4/18/05	5/8/05		31/11
-----------	---------	--------	--	-------

STATE BOARD OF ADMINISTRATION

19-9.001	4/20/05	5/10/05		31/6
----------	---------	---------	--	------

PUBLIC SERVICE COMMISSION

25-4.003	4/18/05	5/8/05		31/5
25-4.044	4/18/05	5/8/05		31/5
25-4.079	4/18/05	5/8/05		31/5
25-4.115	4/18/05	5/8/05		31/5
25-4.118	4/18/05	5/8/05		31/5

DEPARTMENT OF CORRECTIONS

33-203.201	4/22/05	5/12/05		31/10
------------	---------	---------	--	-------

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
----------	-----------	----------------	-------------------	------------------

WATER MANAGEMENT DISTRICTS
Suwannee River Water Management District

40B-4.3040	4/18/05	5/8/05		31/7
------------	---------	--------	--	------

DEPARTMENT OF ENVIRONMENTAL PROTECTION

62-621.300	4/20/05	5/10/05		31/10
62-621.500	4/20/05	5/10/05		31/10
62-660.806	4/20/05	5/10/05		31/10

DEPARTMENT OF HEALTH

Board of Dentistry

64B5-12.020	4/21/05	5/11/05		31/9
64B5-15.011	4/21/05	5/11/05		31/9

Board of Occupational Therapy

64B11-4.006	4/20/05	5/10/05		31/8
-------------	---------	---------	--	------

Board of Osteopathic Medicine

64B15-19.007	4/22/05	5/12/05	30/50	31/12
--------------	---------	---------	-------	-------

Board of Pharmacy

64B16-28.402	4/21/05	5/11/05		31/8
--------------	---------	---------	--	------

Board of Psychology

64B19-11.001	4/20/05	5/10/05		31/10
--------------	---------	---------	--	-------

Rule No.	File Date	Effective	Proposed	Amended
		Date	Vol./No.	Vol./No.

Division of Environmental Health and Statewide Program

64E-17.001	4/20/05	5/10/05	31/2	
64E-17.002	4/20/05	5/10/05	31/2	
64E-17.003	4/20/05	5/10/05	31/2	
64E-17.004	4/20/05	5/10/05	31/2	31/12
64E-17.006	4/20/05	5/10/05	31/2	

Division of Health and Tobacco Awareness

64I-1.001	4/19/05	5/9/05	31/9	
-----------	---------	--------	------	--

Rule No.	File Date	Effective	Proposed	Amended
		Date	Vol./No.	Vol./No.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self Sufficiency Program

65A-4.208	4/20/05	5/10/05	31/6	
-----------	---------	---------	------	--

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

68A-17.004	4/22/05	7/1/05	30/53	31/13
------------	---------	--------	-------	-------

DEPARTMENT OF FINANCIAL SERVICES

Division of Workers' Compensation

69L-7.020	4/19/05	5/9/05	31/4	31/12
-----------	---------	--------	------	-------

Section XIV
List of Rules Affected

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
----------	----------------------	---------------------	---------------------

INSURANCE

This "List of Rules Affected" is a cumulative list of all rules which have been proposed but not filed for adoption. Beginning with the February 2, 1996 issue, the list will be published monthly for the period covering the last eight weeks.

- w – Signifies Withdrawal of Proposed Rule(s)
- c – Rule Challenge Filed
- v – Rule Declared Valid
- x – Rule Declared Invalid
- d – Rule Challenge Dismissed
- dw – Dismissed Upon Withdrawal

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
----------	----------------------	---------------------	---------------------

STATE

1A-35.002	31/13		
1A-35.005	31/13		
1A-35.007	31/13		
1B-24.002	26/43		
1SER05-1			31/15
1S-2.017	31/8		
1T-1.001	31/7	31/14	
	31/7	31/16	
	31/8		

LEGAL AFFAIRS

2B-1.0025		29/50	31/16
	30/48	31/10	31/16
2B-1.0027	30/48	31/10	31/16
2B-1.003	30/48	31/10	31/16
2B-1.004	30/48	31/10	31/16
2B-1.0045	30/48	31/10	31/16
2B-1.005	30/48	31/10	31/16
2B-1.0052	30/48		31/16
2B-1.0055	30/48		31/16

BANKING AND FINANCE

3C-22.005	31/1		31/13
3D-1.006	31/1		31/13
3D-1.010	31/1		31/13
3E-48.005	28/42		
3F-5.0015	29/39	29/45	
3F-5.0035	29/39	29/45	
3F-5.004	29/39	29/45	
3F-5.006	29/39	29/45	
3F-5.008	29/39	29/45	

4-138.047	28/41		
4-149.203	29/52	30/3	
4-149.204	29/52	30/3	
4-149.205	29/52	30/3	
4-149.206	29/52	30/3	
4-149.207	29/52	30/3	
4-154.201	29/37	30/3	
4-154.202	29/37	29/42	
		30/3	
4-154.203	29/37	29/46	
		30/3	
4-154.204	29/37	30/3	
4-154.210	29/37	30/3	
4-154.525	29/16	29/25	
4-166.045	30/1	30/3	
4-176.013	29/36	30/3	
4-200.007	29/44	30/3	
4-211.031	27/44		
4-228.055	26/35		
4A-3.002	27/12		
4A-21.115	29/37	29/46	
4A-41.108	29/25		
4A-62.0001	29/44	29/46	
4A-62.001	29/44	29/46	
4A-62.002	29/44	29/46	
4A-62.003	29/44	29/46	
4A-62.006	29/44	29/46	
4A-62.007	29/44	29/46	
4A-62.020	29/44	29/46	
4A-62.021	29/44	29/46	
4A-62.022	29/44	29/46	
4A-62.023	29/44	29/46	
4A-62.030	29/44	29/46	
4A-62.031	29/44	29/46	
4A-62.032	29/44	29/46	
4A-62.033	29/44	29/46	
4A-62.034	29/44	29/46	
4A-62.035	29/44	29/46	
4A-62.036	29/44	29/46	
4A-62.040	29/44	29/46	
4A-62.041	29/44	29/46	
4A-62.042	29/44	29/46	
4A-62.043	29/44	29/46	
4A-62.044	29/44	29/46	
4A-62.045	29/44	29/46	
4C-6.003	29/38	30/29	
4C-40.0055	28/47		
4L-24.0231	29/39	29/46	

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
AGRICULTURE AND CONSUMER SERVICES				6E-1.003	31/1		31/12
5-1	31/6c				31/13		
	31/14c			6E-1.0032	31/1		31/12
5B-54.003	31/18				31/10		
5B-54.014	31/18				31/13		
5B-54.017	31/18			6E-2.004	31/9		
5B-58.001	27/29			6E-2.0042	31/9		
5B-58.001(16)	27/50c			6E-2.0061	31/9		
5E-2.0042	30/15				31/13		
5E-2.011	29/32				31/18		
5E-14.106	31/10			6G-1	30/52c		31/14d
5F-2.001	31/4		31/15		31/6c		
5F-2.017	31/4		31/15	6L-1.001	28/12		
5F-3.001	31/13			6L-1.002	28/12		
5F-3.016	31/13			6L-1.004	28/12		
5F-5.001	31/13			6L-1.005	28/12		
5F-7.005	31/13			6L-1.006	28/12		
5F-8.0012	31/10			6L-1.007	28/12		
5F-8.002	31/10			6L-1.008	28/12		
5F-8.003	31/10			6L-1.009	28/12		
5F-8.004	31/10			6L-1.010	28/12		
5F-8.005	31/10			6L-1.011	28/12		
5F-8.0051	31/10			6L-1.012	28/12		
5F-8.009	31/10			6L-1.013	28/12		
5F-8.012	31/10			6M-7.0055	30/26		
5F-8.014	31/10			COMMUNITY AFFAIRS			
5F-8.0142	31/10			9BER05-1			31/6
5F-8.024	31/10			9B-3.047			31/13
5F-12.001	31/13					29/9	31/13
5J-12.002	31/17				30/13	30/26	31/13
5M-2.002	31/13					30/44	31/13
EDUCATION						30/52	31/13
6AER05-1			31/17	9B-3.048	31/7		
6A-1	31/12c			9B-3.049	31/7		
6A-1.0014	31/6		31/15	9B-3.050	31/7		
6A-1.09441	31/6		31/15	9B-70.001	31/7		
6A-4.0021	31/11			9B-70.002	31/7		
6A-4.003	30/42	31/5	31/11	9B-72.005	30/26		
6A-6.080	16/30			9B-72.010	30/26		
6A-10.044	31/2		31/11	9B-72.030	30/26		
	31/2		31/11	9B-72.040	30/26		
6A-10.060	31/5c			9B-72.045	30/26		
	31/15			9B-72.050	30/26		
6B-5.0012	31/11			9B-72.060	30/26		
6C-7.0055	30/26			9B-72.070	30/26		
6C2-4.061	Newspaper		31/14	9B-72.080	30/26		
6C2-6.005	Newspaper		31/14	9B-72.090	30/26		
6C4-1.005	Newspaper		31/18	9B-72.100	30/26		
6C5-1	31/12c		31/17d	9B-72.130	30/26		
6D-7.006	31/4		31/16w	9B-72.135	30/26		
6D-12.002	30/46		31/11	9B-72.160	30/26		
6D-16.002	30/46		31/11	9J-2.0252	31/5		
				9J-5.0055	18/40		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
9J-11.004	31/14			TRANSPORTATION			
9J-11.006	31/14			14-1	30/42c		31/14dw
9J-11.009	31/14			14-10.0052	31/1		31/17
9J-11.010	31/14			14-15.002	28/13		
9J-11.011	31/14			14-15.003	26/46		
9J-11.015	31/14			14-15.0081	30/9		
9J-11.020	31/14			14-15.015	31/11		31/18
9K-8.011	28/13			14-22.003(2)(a)4.	30/47c		
HEALTH AND REHABILITATIVE SERVICES				14-40.003	31/8		
10-5.011(1)(v)	15/46c			14-43.001	30/50	31/15	
10M-9.026	22/1			14-46.001	30/35		
10M-9.045	22/1			14-51.010	30/38		31/12
LAW ENFORCEMENT				14-51.011	30/38		31/12
11B-27.006	27/17			14-51.012	30/38		31/12
11B-30.014	19/40			14-51.013	30/38	31/6	31/12
REVENUE				14-51.014	30/38	31/6	31/12
12-24.022	28/4			14-51.020	30/38	31/6	31/12
12A-1.005	31/6			14-51.021	30/38	31/6	31/12
12A-1.097	31/6	31/14		14-51.022	30/38	31/6	31/12
12A-6.038	29/17			14-51.030	30/38	31/6	31/12
12A-16.008	31/6			14-51.031	30/38		31/12
12A-17.005	31/6			14-51.040	30/38		31/12
12A-19.020	31/6			14-51.041	30/38	31/6	31/12
12A-19.100	31/6			14-51.042	30/38		31/12
12BER05-1			31/14	14-51.043	30/38		31/12
12BER05-2			31/14	14-85.004	31/3		31/12
12BER05-3			31/14	14-90.001	31/18		
12BER05-4			31/14	14-90.002	31/18		
12B-4.003	31/6			14-90.003	31/18		
12B-7.031	31/6			14-90.004	31/18		
12B-8	23/8c			14-90.0041	31/18		
12B-8.003	31/6	31/14		14-90.005	31/18		
12B-11.001	31/6			14-90.006	31/18		
12B-11.0011	31/6			14-90.007	31/18		
12B-11.002	31/6			14-90.008	31/18		
12B-11.005	31/6			14-90.009	31/18		
12B-12.0031	31/6			14-90.010	31/18		
12C-1.0191	31/13			14-90.011	31/18		
12C-1.022	31/13			14-90.012	31/18		
12C-1.051	31/6			14-103.001	30/14		
12C-2.0115	31/6			14-103.002	30/14		
				14-103.003	30/14		
				14-103.004	30/14		
				14-103.005	30/14		
				14-103.006	30/14		
				14-103.007	30/14		
				14-103.0071	30/14		
				14-103.008	30/14		
				14-103.009	30/14		
				14-103.0091	30/14		
				14-103.010	30/14		
				14-103.011	30/14		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
HIGHWAY SAFETY AND MOTOR VEHICLES				CITRUS			
15B-2.0082	30/51			20ER05-1			31/5
15B-2.009	30/51			20-13.0011	30/53		31/11
ENVIRONMENTAL REGULATION				20-15.001	28/46	29/10	31/13w
17-503.420	16/15			20-15.002	28/46		31/13w
17-503.430	16/15			20-15.003	28/46	29/10	31/13w
17-503.500	16/15			20-39.003	31/1		31/11
17-660.300	15/50	16/8		20-109.005	31/8		
17-671.100	15/32			PROFESSIONAL REGULATION			
17-671.200	15/32			21M-49.002	19/6c		
17-671.300	15/32			21M-50.002	19/6c		
17-671.310	15/32			21M-50.003	19/6c		
BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST				21M-50.007	19/6c		
18-21.003(23)	31/16c			21M-50.009	19/6c		
18-21.004	25/48	25/50		PUBLIC SERVICE COMMISSION			
18-21.011	31/16c			25-4.002	30/52		31/13
STATE BOARD OF ADMINISTRATION				25-4.003	30/52		31/13
19-8.010	31/6	31/15			31/5		31/18
19-8.012	31/6			25-4.0185	30/52		31/13
19-8.013	31/6	31/15		25-4.023	30/52		31/13
19-8.028	31/15			25-4.038	30/52		31/13
19-8.029	31/6	31/15		25-4.044	31/5		31/18
19-8.030	31/6	31/15		25-4.066	30/52		31/13
19-8.031	31/6			25-4.070	30/52		31/13
19-9.001	31/6		31/18	25-4.070	30/52		31/13
19B-4.001	31/14			25-4.072	30/52		31/13
19B-15.001	28/8			25-4.073	30/52		31/13
19B-15.002	28/8			25-4.0770	30/52		31/13
19B-15.003	28/8			25-4.079	31/5		31/18
19B-15.004	28/8			25-4.080	30/52		31/13
19B-15.005	28/8			25-4.085	30/52	31/16	
19B-15.006	28/8			25-4.115	31/5		31/18
19B-15.007	28/8			25-4.118		24/46	31/18
19B-15.008	28/8				31/5		31/18
19B-15.009	28/8			25-6.109(4)	30/29c		
19B-15.010	28/8			25-24.455	31/5		
19B-15.011	28/8			25-24.465	31/5		
19B-16.002	31/14			25-24.470	31/5		
19B-16.003	31/14			25-24.4701	31/5		
19B-16.004	31/8		31/15	25-24.471	31/5		
19B-16.010	31/8		31/15	25-24.472	31/5		
19B-16.012	31/8		31/15	25-24.473	31/5		
				25-24.474	31/5		
				25-24.475	31/5		
				25-24.480	31/5		
				25-24.485	31/5		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
25-24.490	31/5			33-38.001	25/35	25/43	
25-24.491	31/5			33-38.003	25/35	25/43	
25-24.515	31/5		31/13	33-38.005	25/35	25/43	
25-24.600	31/5			33-38.006	25/35	25/43	
25-24.610	31/5			33-38.009	25/35	25/43	
25-24.640	31/5			33-38.010	25/35	25/43	
25-24.835	31/5			33-38.011	25/35	25/43	
25-24.840	31/5			33-38.012	25/35	25/43	
25-24.900	31/5			33-104.203	31/3		31/11
25-24.905	31/5			33-203.101	31/15		
25-24.910	31/5			33-203.201	31/10		31/18
25-24.915	31/5			33-204.111	27/29		
25-24.920	31/5			33-208.501	31/5		31/12
25-24.930	31/5			33-208.503	31/5		31/12
25-24.940	31/5			33-208.504	26/16	26/25	31/12
EXECUTIVE OFFICE OF THE GOVERNOR							
				33-208.506	31/5		31/12
				33-208.507	26/16		
27E-4.001	20/11				31/5		31/12
27E-4.002	20/11			33-208.509	31/5		31/12
27E-4.003	20/11			33-208.510	31/5		31/12
27E-4.004	20/11			33-209.101	31/14		
27E-4.005	20/11			33-209.102	31/14		
27E-4.006	20/11			33-209.1025	31/14		
27E-4.007	20/11			33-209.103	31/14		
27E-4.008	20/11			33-209.104	31/14		
ADMINISTRATION COMMISSION							
				33-209.105	31/14		
				33-209.106	31/14		
28-18.210	30/29			33-210.101	30/43		
	30/36c			33-301.605	31/7		
28-20	30/36c			33-302.104	31/17		
28-20.110	30/29			33-401.601	31/6		31/13
28-20.120	30/29			33-601.230	29/19		
				33-601.304	30/48		31/11
REGIONAL PLANNING COUNCILS							
				33-601.305	30/48		31/11
				33-601.307	30/48	30/52	31/11
29C-1.005	29/4			33-601.309	31/2		31/11
				33-601.313	30/48		31/11
CORRECTIONS							
				33-601.314	31/8		31/15
					31/15		
33-2.001	23/25			33-601.601	31/13		
33-3.0081	25/35	25/43		33-601.604	31/10		
33-3.0082	25/35	25/43		33-601.605	31/7		31/13
33-3.0084	25/35	25/43		33-601.720	31/8		31/15
33-3.0085	25/35	25/43		33-601.722	31/10		31/17
33-3.015	21/43			33-601.725	28/4	28/9	
33-3.018	17/14			33-601.737	31/2	31/4	31/12
33-8.0142	19/43					31/6	31/12
33-22.003	17/12					27/38	
33-22.009	17/12			33-601.738	26/48		
33-22.011	17/12			33-601.820	31/15		
33-32.021	19/5			33-602.210		28/19	31/15
33-32.022	19/5					28/21	31/15
					31/8		31/15
				33-603.101	31/15		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
LABOR AND EMPLOYMENT SECURITY				40E-7.532	28/39		
38E-106.401	24/1			40E-7.639	22/23	22/37	
38F-8.055	22/4			40E-20.651	29/17		
38I-60.200	20/7			40E-63.223	27/2	27/9	
38K-1.0045	23/27			40E-601.314	26/9		
WATER MANAGEMENT DISTRICTS				COMMISSION FOR THE TRANSPORTATION DISADVANTAGED			
40B-1.901	31/11			41-2.011	30/25		
40B-2.321	30/22	30/36		FLORIDA LAND AND WATER ADJUDICATORY COMMISSION			
40B-4.3040	31/7		31/18	42F-1.002	31/1		31/11
40C-1.101	27/52			42YY-1.001	31/4		31/15
40C-1.181	20/18			42YY-1.002	31/4		31/15
40C-4.091	31/12c			42YY-1.003	31/4		31/15
	31/12c			42ZZ-1.001	31/4		
40C-400.201	21/48	21/48		42ZZ-1.002	31/4		
40D-1.1023	31/14			42ZZ-1.003	31/4		
40D-1.202	19/36	19/42		EXPRESSWAY AUTHORITIES			
40D-1.602	31/14			45A-2.001	21/49		
40D-1.604	31/14			MARINE FISHERIES COMMISSION			
40D-1.607	31/14			46-15.002	21/35		
40D-1.608	31/14			46-21.007(1)	18/2		
40D-1.659	31/9			46-24.003	21/27		
	31/14			46-37.001	20/18		
40D-2.091	22/48			46-37.002	20/18	20/25	
40D-2.301	22/48			46-37.003	20/18		
40D-2.331	20/48			46-37.004	20/18	20/25	
40D-3.505	31/9		31/17	46-37.005	20/18		
40D-4.021	31/9	31/18		46-37.006	20/18	20/25	
40D-4.041	31/14c			46-42.003	20/35		
40D-4.051	31/17			46-47.007	22/27		
40D-4.091	22/48			LOTTERY			
	25/3			53ER05-1			31/2
	31/9		31/13w	53ER05-2			31/2
40D-4.201	21/22			53ER05-3			31/3
40D-4.302	31/17			53ER05-4			31/3
40D-4.351	31/9		31/17	53ER05-5			31/3
40D-6.521	24/50			53ER05-6			31/5
40D-8.624	31/13			53ER05-7			31/6
40D-8.6240	23/38	24/48		53ER05-8			31/6
40D-40.381	31/9		31/17	53ER05-9			31/6
40D-45.341	19/42	20/3		53ER05-10			31/6
40D-116.002	29/52			53ER05-11			31/6
40D-400.500		21/36	31/17	53ER05-12			31/6
	31/9		31/17	53ER05-13			31/6
40D-602.221	28/47			53ER05-14			31/6
40E-1.510	20/18	21/36		53ER05-15			31/6
40E-1.607	19/43			53ER05-16			31/6
40E-1.612	20/18	21/36					
40E-1.614	20/18	21/36					
40E-3.032	28/5						
40E-3.0391	28/5						
40E-4.091	29/50c						
40E-7.523	28/39						

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
59C-1.004(2)(a)	30/49c		31/12d	59G-9.070	30/9	31/4	31/15
59C-1.005	31/18				31/9c		31/12d
59C-1.0085	31/18				31/9c		31/12d
59C-1.010	31/15			59G-12.001	29/41		31/15w
59C-1.022	31/15			59G-12.002	29/41	29/48	31/15w
59C-1.0365	31/18			59G-12.003	29/41		31/15w
59C-1.037(2)	30/49c		31/12d	59G-12.004	29/41		31/15w
59C-1.038	31/6			59G-12.005	29/41	29/48	31/15w
	31/6c			59G-13.030	31/6	31/13	
59E-1.001	20/27			59G-208.101	27/4	27/16	
59E-1.002	20/27			59H-1.00352	26/3	26/17	
59E-1.003	20/27			59M-3.005	21/25		
59E-1.004	20/27			59O-2.002	22/34	24/49	
59E-1.005	20/27			59O-2.003	22/34	24/49	
59E-1.006	20/27			59O-3.002	22/34	24/49	
59E-1.007	20/27			59O-9.003	22/34	24/48	
59E-7.012	31/15			59Q-9.002	20/39		
59E-7.014	31/15			59R-62.010	21/5		
59E-7.015	31/15			59R-62.040	21/5		
59E-7.016	31/15			59T-11.013	23/22	23/35	
59F-1.002	20/33			59T-14.004	23/22	23/35	
59G-4.002	31/16			59T-15.002	23/22	23/35	
59G-4.010	31/16			59T-16.001	23/22	23/35	
59G-4.030	31/16			59T-16.002	23/22	23/35	
59G-4.040	31/16			59U-11.019	20/51	21/7	
59G-4.055	21/39	21/45		59U-14.002	23/24	23/35	
59G-4.060	31/10	31/15		59V-3.007	20/34	20/48	
59G-4.070	27/6	27/18		59Y-5.001	23/11		
59G-4.110	31/14						
	31/16						
59G-4.160	31/16						
59G-4.190	31/16			60A-1.016	31/5		31/14w
59G-4.210	31/6			60BB-1	31/2c		31/17d
	31/16				31/2c		31/17d
59G-4.220	31/16				31/2c		31/17d
59G-4.230	31/6c			60DD-8.001	30/51	31/8	
	31/16			60DD-8.002	30/51	31/8	
59G-4.231	31/16				30/51	31/14	
59G-4.240	31/16			60DD-8.003	30/51	31/8	
59G-4.250	28/8	28/31		60DD-8.004	30/51	31/8	
	31/11		31/18w	60DD-8.005	30/51	31/8	
	31/16c			60DD-8.006	30/51	31/8	
59G-4.270	31/16			60H-9.001	30/51	31/10	31/16
59G-4.340	31/16			60H-9.002	30/51	31/10	31/16
59G-5.010	31/13			60H-9.003	30/51	31/10	31/16
59G-6.030	31/7	31/18		60H-9.004	30/51	31/10	31/16
	31/7		31/17w	60H-9.005	30/51	31/10	31/16
59G-8.200	29/30	29/42		60P-10.004	31/3		31/15
		29/47	31/17x	60S-9.001	30/50		
	30/6c			60T-25.001	18/41	18/44	
	30/9c			60T-25.002	18/41	18/44	
	31/5c		31/17x	60Y-1	31/14c		
					31/16c		
					31/16c		

MANAGEMENT SERVICES

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
BUSINESS AND PROFESSIONAL REGULATION				61C-5.001	26/24		
61-2.0010	31/15			61C-76.0061	21/35		
61-2.0011	31/15			61C-76.0062	21/35		
61-2.014	31/15			61D-3.003	23/36	23/44	
61-2.026	31/15			61D-3.004	23/36	23/44	
61-6.001	31/15			61D-6.008	30/48		
61-20.0025	30/27	31/9	31/16		31/2c		
61-20.508	30/45	31/9	31/16	61D-7.013	31/10		
61-32.001	31/17			61D-8.003	31/10		
61-32.003	31/17			61D-11.010	24/3		
61-50.1405	30/12			61F3-8.002	20/27	20/32	
61A-2.019	31/5c		31/17dw	61F6-34.001	20/7		
	31/5c		31/17dw	61F6-50.007	18/53	20/24	
61A-4.0271	22/47			61F9-6.0035	19/36		
61A-5.0105(2)	31/5c		31/17dw	61F9-6.011	19/36		
	31/5c		31/17dw	61F9-6.013	19/36		
61A-5.747	31/5c		31/17dw	61F14-3.016	19/36		
61A-5.747(1)	31/5c		31/17dw	61G-3.5082	27/4		
61A-5.7475(1)	31/5c		31/17dw	61G1-11.012	31/17		
	31/5c			61G1-14.001	31/17		
61A-7.001	29/41	30/17		61G1-14.002	31/17		
61A-7.002	29/41			61G1-14.003	31/17		
61A-7.003	29/41	30/17		61G1-14.004	31/17		
61A-7.004	29/41	30/17		61G1-14.005	31/17		
	29/41	31/14		61G1-14.0051	31/17		
61A-7.005	29/41	31/14		61G1-14.006	31/17		
61A-7.006	29/41			61G1-14.007	31/17		
	31/10			61G1-14.008	31/17		
61A-7.007	29/41			61G1-20.002	31/17		
	31/10			61G1-20.003	31/17		
61A-7.008	29/41			61G1-20.004	31/17		
	31/10			61G1-20.005	31/17		
61A-7.009	31/10			61G1-20.006	31/17		
61A-7.010	29/41	31/14		61G1-20.007	31/17		
61A-7.011	29/41			61G1-21.001	31/17		
61A-7.012	29/41			61G1-23.040	29/28	30/21	
61A-7.013	29/41	30/17		61G1-24.001	31/17		
	29/41	31/14		61G2-3.005	21/33		
61A-7.014	29/41	30/17		61G2-3.0055	23/38	24/6	
61A-7.015	29/41	31/14		61G2-4.001	21/29		
61B-23.0021	31/17			61G3-16.0091	27/11		
61B-23.00215	31/17			61G3-20.009	27/11		
61B-30.004	20/19			61G3-30.001	28/2		
61B-30.006	22/45			61G4-15.002	27/23		
61B-31.001	23/2			61G4-15.0021	31/5		
61B-31.002	23/2			61G4-15.005	30/6	30/8	
61B-32.001	21/30			61G4-15.026	31/5		
61B-36.001	29/17	29/46		61G4-15.027	31/5		
61B-36.002	29/17	29/46		61G4-15.028	31/5		
61B-36.003	29/17	29/46		61G4-15.029	31/5		
61B-39.001	22/33			61G4-15.030	31/13		
61B-39.002	22/33			61G4-15.031	31/5		
61B-82.005	30/40			61G4-15.032	31/18		
61C-1.002	22/23	22/36		61G4-15.033	31/18		
61C-3.002	22/23	22/36		61G4-15.034	31/18		
				61G4-17.001	19/29		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
61G4-18.001	31/13			61J1-3.002	28/41	28/43	
61G4-18.003	31/5				31/13		
61G4-21.001	31/6			61J1-4.001	30/37	31/10	
61G4-21.002	31/6			61J1-4.003	30/37	31/10	
61G4-21.003	31/6			61J1-4.005	28/41	28/43	
61G4-21.004	31/6				31/14		
61G4-21.005	31/6			61J1-4.240	27/45		
61G4-21.006	31/10			61J1-7.004	28/41	28/43	
61G6-5.001	22/36	22/49		61J1-7.005	28/41	28/43	
61G6-9.001	31/6		31/14	61J2-2.027	30/35	30/48	
61G7-5.002	31/5		31/12	61J2-3.008	30/22		
	31/18			61J2-3.009	30/22		
61G7-10.011	26/13			61J2-3.020	30/22		
61G7-33.065	30/16			61J2-17.009	29/44		
61G8-30.001	30/50			61J2-17.012	28/3	28/17	
	31/4c		31/17d	61J2-25.001	31/17		
61G8-30.004	30/6			61J2-25.002	31/17		
61G9-9.001	31/6			61J2-25.003	31/17		
61G10-11.006	31/8		31/16	61J2-25.004	31/17		
61G10-12.001	26/24			61J2-25.005	31/17		
	31/12			61J2-25.006	31/17		
61G10-18.002	30/43	31/14		61J2-25.007	31/17		
61G11-25.001	20/22			61J8-4.022	29/10		
61G14-12.003	30/36			61K1-1.0031	30/48	30/51	
61G14-15.001	27/43				30/48	31/18	
61G14-20.001	31/18						
61G15-24.001	30/50						
61G15-24.002	30/50						
61G16-2.001	23/12						
61G16-5.003	21/43	21/50		62-1	31/16c		
61G16-9.001	31/7				31/16c		
61G17-1.006	21/6			62-17.151	24/45	24/45	
61G17-5.0031	31/13			62-40	29/9c		
61G17-5.0043	31/13				29/13c		
61G17-5.0051	31/13				29/13c		
61G17-6.002	30/52			62-40.474	28/51		
61G17-6.003	30/52			62-204.800	31/8		31/15
61G17-6.004	30/52			62-210.200	31/8		31/15
61G17-9.006	31/13			62-302.540	27/52		
61G17-9.0065	31/13				29/12		
61G18-16.002	26/29			62-304.510	29/25		
61G18-16.003	26/29			62-304.700	29/43c		31/17x
61G18-16.0035	26/29			62-312.122	24/18		
61G19-7.0010	26/41			62-330.2001	26/9		
61H1-20.0053	26/28			62-345.100	31/5		31/16
61H1-27.001	30/48	31/5	31/11	62-561.100	24/52		
61H1-33.003	30/47	31/3	31/11	62-610.814	24/52		
	31/5			62-621.200	21/52		
61H1-33.0031	31/5			62-621.300	31/7		31/15
61H1-33.0032	31/5				31/10		31/18
61H1-33.0033	31/5			62-621.500	31/10		31/18
61H1-33.0034	31/5			62-660.806	31/10		31/18
61H1-33.00341	31/5			62-673	31/16c		
61H1-54.002	21/29			62-730.050	23/7		
61J1-2.005	28/41	28/43		62-761.891	24/14		
61J1-3.001	28/41	28/43		62-770.140	30/52	31/9	31/15
				62-770.160	30/52	31/9	31/15

ENVIRONMENTAL PROTECTION

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
62-770.200	30/52	31/9	31/15	62-782.800	30/52		31/15
62-770.220	30/52	31/9	31/15	62-782.900	30/52	31/9	31/15
62-770.220(3),(4)	31/9c			62-785.100	30/52	31/9	31/15
62-770.250	30/52	31/9	31/15	62-785.150	30/52	31/9	31/15
62-770.300	30/52	31/9	31/15	62-785.200	30/52	31/9	31/15
62-770.400	30/52	31/9	31/15	62-785.220	30/52	31/9	31/15
62-770.490	30/52	31/9	31/15	62-785.300	30/52	31/9	31/15
62-770.600	30/52	31/9	31/15	62-785.400	30/52	31/9	31/15
62-770.610	30/52	31/9	31/15	62-785.450	30/52	31/9	31/15
62-770.650	30/52	31/9	31/15	62-785.500	30/52	31/9	31/15
62-770.680	30/52	31/9	31/15	62-785.600	30/52	31/9	31/15
62-770.690	30/52	31/9	31/15	62-785.610	30/52	31/9	31/15
62-770.700	30/52	31/9	31/15	62-785.650	30/52	31/9	31/15
62-770.750	30/52	31/9	31/15	62-785.680	30/52	31/9	31/15
62-770.800	30/52	31/9	31/15	62-785.690	30/52	31/9	31/15
62-770.830	30/52		31/15	62-785.700	30/52	31/9	31/15
62-770.890	30/52	31/9	31/15	62-785.750	30/52	31/9	31/15
62-770.900	30/52	31/9	31/15	62-785.800	30/52		31/15
62-777.100	30/52	31/9	31/15	62-785.900	30/52	31/9	31/15
62-777.150	30/52	31/9	31/15	62N-36.004	21/43		
62-777.170	30/52	31/9	31/15	62R-7.022	21/17		
62-780.100	30/52	31/9	31/15	62R-7.025	21/17		
62-780.110	30/52	31/9	31/15	62R-7.026	21/17		
62-780.150	30/52	31/9	31/15	62R-7.028	21/17		
62-780.200	30/52	31/9	31/15		22/47		
62-780.220	30/52	31/9	31/15	62R-7.032	21/17		
62-780.300	30/52	31/9	31/15				
62-780.400	30/52	31/9	31/15				
62-780.450	30/52	31/9	31/15				
62-780.500	30/52	31/9	31/15	64-1	30/29c		
62-780.550	30/52	31/9	31/15		30/52c		
62-780.600	30/52	31/9	31/15	64-2.010(4)	30/49c		
62-780.610	30/52	31/9	31/15	64B-1.009	25/39	26/1	
62-780.650	30/52	31/9	31/15	64B-1.016	31/3	31/14	
62-780.680	30/52	31/9	31/15		31/3	31/16	
62-780.690	30/52	31/9	31/15	64B-2.001	25/8	25/26	31/12
62-780.700	30/52	31/9	31/15		31/5		31/12
62-780.750	30/52	31/9	31/15	64B-2.003	31/5		31/12
62-780.790	30/52	31/9	31/15	64B-4.002	31/8	31/16	
62-780.900	30/52	31/9	31/15	64B-10.001	31/7		31/16
62-782.100	30/52	31/9	31/15	64B-21.0015	27/39		
62-782.150	30/52	31/9	31/15	64B-21.004	27/39		
62-782.200	30/52	31/9	31/15	64B-21.006	27/39		
62-782.220	30/52	31/9	31/15	64B1-6.011	30/4		31/14w
62-782.300	30/52	31/9	31/15	64B1-31.001	27/51	28/6	
62-782.400	30/52	31/9	31/15	64B2-13.004	30/44	30/53	31/15
62-782.450	30/52	31/9	31/15			31/9	31/15
62-782.500	30/52	31/9	31/15	64B2-16.003	31/7		31/14
62-782.600	30/52	31/9	31/15	64B2-16.0075	31/7		31/14
62-782.610	30/52	31/9	31/15	64B2-18.002	31/9		31/16
62-782.650	30/52	31/9	31/15	64B3-2.001	23/51		
62-782.680	30/52	31/9	31/15	64B3-2.002	22/34	24/49	
62-782.690	30/52	31/9	31/15	64B3-2.003	22/34	24/49	
62-782.700	30/52	31/9	31/15	64B3-3.004	23/51		
62-782.750	30/52	31/9	31/15	64B3-5.003	31/12		
62-782.790	30/52	31/9	31/15	64B3-6.001	27/5	27/17	

HEALTH

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
64B4-3.001	25/22			64B8-54.004	27/41		
64B4-3.003	30/43	31/9		64B8-304.700	29/43c		
64B4-4.017	25/32			64B9-3.007	25/9		
64B4-4.018	25/32			64B9-8.006	30/30		
64B4-5.001	31/5		31/12	64B9-15.008	30/52		
64B4-5.007	31/5		31/12	64B9-17.001	31/11		
64B4-6.0013	25/32			64B9-17.002	31/11		
64B4-6.0045	25/32			64B9-17.003	31/11		
64B4-7.007	31/5		31/12	64B9-17.004	31/16		
64B4-11.007	31/2			64B11-4.005	31/4		
64B4-21.007	31/2			64B11-4.006	31/8		31/18
64B4-31.007	31/2			64B11-5.003	31/10		
64B5-2.013	31/11			64B12-19.002	27/11		
64B5-2.0135	31/17			64B13-18.002	30/21	30/29	
64B5-2.0144	31/9					30/53	
64B5-2.0146	31/7					31/9	
64B5-7.0035	30/44		31/17w			31/16	
64B5-7.007	31/9			64B14-3.001	31/2		31/16w
64B5-12.013	30/41	31/11		64B15-7.001	30/52		
	30/41	31/15		64B15-7.002	30/52		
64B5-12.018	30/41			64B15-7.003	30/52		
64B5-12.020	31/9		31/18	64B15-7.004	30/52		
64B5-14.001	31/14			64B15-7.005	30/52		
64B5-14.004	31/8			64B15-7.006	30/52		
64B5-14.005	31/14			64B15-7.007	30/52		
64B5-15.010	27/30			64B15-7.008	30/52		
64B5-15.011	31/9		31/18	64B15-7.009	30/52		
64B6-1.016	28/52			64B15-7.012	30/52		
64B6-7.007	31/4	31/13		64B15-9.007	30/41	31/1	31/11w
64B6-55.004	27/41			64B15-14.006	30/50		31/13
64B7-27.012	24/12			64B15-19.007	30/50	31/12	31/18
64B7-32.001	26/6			64B15-19.008	30/50	31/11	31/17
64B8-1.007	31/18			64B16-26.103	30/52		31/14
64B8-5.001	31/15			64B16-26.2032	30/52		
64B8-8.015	31/3	31/15		64B16-26.300	31/1	31/7	31/17
64B8-9.009	25/3	25/16	31/11	64B16-26.301	31/1		31/17
		25/24	31/15	64B16-26.302	31/1	31/12	31/17
		25/33	31/15	64B16-26.402	30/52		
		26/7	31/15	64B16-26.601	30/52		
	31/4		31/11	64B16-26.6011	30/52		
	31/7		31/15	64B16-27.100	30/50		
64B8-9.0092	31/9c			64B16-27.1001	30/50		
64B8-13.0045	27/48	28/16		64B16-27.1003	30/50		
64B8-13.005	30/48	31/7	31/13	64B16-27.103	30/50		
64B8-30.012	29/23c			64B16-27.104	30/50		
64B8-31.001	30/52			64B16-27.105	27/4	27/21	
64B8-31.002	30/52			64B16-27.210	30/50		
64B8-31.003	30/52			64B16-27.211	30/50		
64B8-31.004	30/52			64B16-27.220	30/50	31/2	
64B8-31.005	30/52			64B16-27.300	30/50		
64B8-31.006	30/52			64B16-27.410	30/50		
64B8-31.007	30/52			64B16-27.530	30/50		
64B8-31.008	30/52			64B16-27.615	30/50		
64B8-31.009	30/52			64B16-27.700	30/50		
64B8-31.012	30/52			64B16-27.830	31/17		
64B8-44.005	31/9			64B16-27.831	30/50		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
64B16-28.101	31/2		31/17	64B32-5.001	28/3	28/5	
64B16-28.102	31/2		31/17		31/12		
64B16-28.103	31/2		31/17	64B32-6.001	31/12		
64B16-28.1035	31/2		31/17	64B32-6.005	31/12		
64B16-28.104	31/2		31/17	64C-1.003	30/36c		
64B16-28.105	31/2		31/17	64C-4.003	30/29		
64B16-28.106	31/2		31/17	64C-13.018	24/22		
64B16-28.107	31/2		31/17	64C-23.002	27/17		
64B16-28.108	31/3		31/12	64C-27.001	27/17		
64B16-28.1081	31/3		31/14	64C-27.002	27/17		
64B16-28.109	31/3		31/14	64D-3.022	31/13		
64B16-28.111	31/3		31/14	64D-3.023	31/13		
64B16-28.112	31/3		31/14	64D-4.001	31/15		
64B16-28.1191	31/3		31/14	64D-4.002	31/15		
64B16-28.120	31/13			64D-4.003	31/15		
64B16-28.121	31/3		31/14	64D-4.004	31/15		
64B16-28.130	31/3		31/14	64D-4.005	31/15		
64B16-28.140	24/38			64D-4.006	31/15		
64B16-28.150	31/5		31/17	64E-2.001	31/3	31/15	
	31/13		31/16w	64E-2.015	31/3		
64B16-28.201	31/3		31/13	64E-2.016	31/3		
64B16-28.202	31/3		31/13	64E-2.018	31/3		
64B16-28.2021	31/3		31/13	64E-2.019	31/3		
64B16-28.203	31/3		31/13	64E-2.021	31/3		
64B16-28.301	31/13			64E-2.022	31/3		
64B16-28.303	31/13			64E-2.023	31/3		
64B16-28.402	31/8		31/18	64E-2.024	31/3	31/15	
64B16-28.404	31/3			64E-2.025	31/3		
64B16-28.405	31/3			64E-2.026	31/3		
64B16-28.605	31/4			64E-2.027	31/3		
64B16-28.607	31/4			64E-2.028	31/3		
64B16-28.810	31/13			64E-2.029	31/3		
64B16-28.850	31/13			64E-2.031	31/3		
64B16-28.860	31/13			64E-6.007	25/48		
64B16-28.900	31/4		31/13	64E-17.001	31/2		31/18
64B16-28.901	31/4		31/13	64E-17.002	31/2		31/18
64B16-28.902	31/4		31/13	64E-17.003	31/2		31/18
64B16-29.0041	31/5		31/12	64E-17.004	31/2	31/12	31/18
64B19-11.001	31/10		31/18	64E-17.006	31/2		31/18
64B19-11.007	31/7		31/15	64E-18.002	30/40	31/4	
64B19-17.002	30/45	31/7	31/13	64E-18.003	30/40	31/4	
64B20-2.002	25/45	26/30		64E-18.004	30/40		
64B20-6.001	31/13			64E-18.005	30/40		
64B20-7.001	31/2			64E-18.007	30/40	31/4	
64B20-8.0045	31/13			64E-18.008	30/40	31/4	
64B20-8.007	31/13			64E-18.0091	30/40		
64B20-9.003	31/13			64E-18.010	30/40	31/18	
64B21-504.002	31/5		31/14	64FER05-1			31/2
64B21-504.003	31/5		31/14	64F-11.001	31/18		
64B21-504.004	31/5		31/14	64F-11.002	31/18		
64B21-505.001	31/5		31/14	64F-11.003	31/18		
64B27-2.001	31/5		31/12	64F-11.004	31/18		
64B27-2.002	31/5		31/12	64F-11.005	31/18		
64B27-2.003	31/5		31/12	64F-11.006	31/18		
64B27-2.004	31/5		31/12	64F-11.009	31/18		
64B32-4.001	31/12			64F-12.001	31/13		
				64I-1.001	31/9		31/18
				64V-1.018	30/2		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
CHILDREN AND FAMILY SERVICES				65E-5.310	31/2		31/13
				65E-5.320	31/2		31/13
65-1	30/6c			65E-5.330	31/2		31/13
	30/9c			65E-5.350	31/2		31/13
	30/15c			65E-5.352	31/2		31/13
65A-1.205	31/16			65E-5.353	31/2		31/13
65A-1.601	28/11	28/23		65E-5.400	31/2		31/13
		28/31					
		28/41		NAVIGATION DISTRICTS			
65A-1.7141	30/48	31/12		66B-1.003	31/3		31/15
	30/48	31/14		66B-1.004	31/3		31/15
65A-1.900	31/15			66B-1.005	31/3		31/15
65A-4.208	31/6		31/18	66B-1.006	31/3		31/15
65A-4.213	25/32			66B-2.003	31/3		31/15
65A-4.216	25/32			66B-2.004	31/3		31/15
65A-15.0095	26/4			66B-2.005	31/3		31/15
65B-6.014	30/43	31/2		66B-2.006	31/3		31/15
	31/7c		31/17dw				
65C-21.001	23/20			FLORIDA HOUSING FINANCE CORPORATION			
65C-22.002	31/17			67-4.032	29/9	29/45	
65C-22.003	31/17			67-18.005	28/42		
65C-22.007	29/9			67-21	31/6c		
65E-2.003	26/20	26/28		67-21.019	24/46	24/46	
65E-5.100	31/2		31/13	67-32.009	24/28		
65E-5.110	31/2		31/13	67-48	31/6c		
65E-5.115	31/2		31/13	67-48.002	30/39		
65E-5.120	31/2		31/13	67-50.001	31/17		
65E-5.130	31/2		31/13	67-50.005	31/17		
65E-5.1301	31/2		31/13	67-50.010	31/17		
65E-5.1302	31/2		31/13	67-50.030	31/17		
65E-5.1303	31/2		31/13	67-50.040	31/17		
65E-5.1304	31/2		31/13	67-50.045	31/17		
65E-5.1305	31/2		31/13	67-50.050	31/17		
65E-5.140	31/2		31/13	67-50.060	31/17		
65E-5.150	31/2		31/13	67-50.070	31/17		
65E-5.160	31/2		31/13	67-50.080	31/17		
65E-5.1601	31/2		31/13	FISH AND WILDLIFE CONSERVATION COMMISSION			
65E-5.1602	31/2		31/13	68A-1.004	31/10	31/18	
65E-5.170	31/2		31/13	68A-9.004	31/10		
65E-5.1703	31/2		31/13	68A-12.007	31/18		
65E-5.180	31/2		31/13	68A-13.003	31/10		
65E-5.190	31/2		31/13	68A-15.004	30/53	31/8	31/17
65E-5.200	31/2		31/13			31/12	31/17
65E-5.210	31/2		31/13	68A-15.062	31/10		
65E-5.220	31/2		31/13	68A-15.063	30/53	31/8	31/13
65E-5.230	31/2		31/13	68A-15.064	30/53	31/8	31/13
65E-5.2301	31/2		31/13	68A-17.004	30/53	31/13	31/18
65E-5.250	31/2		31/13	68A-23.005	30/1		
65E-5.260	31/2		31/13	68A-24.003	28/17		
65E-5.2601	31/2		31/13	68A-24.004	28/17		
65E-5.270	31/2		31/13	68A-24.0055	30/1		
65E-5.280	31/2		31/13	68A-24.006	28/17		
65E-5.2801	31/2		31/13		30/1		
65E-5.285	31/2		31/13				
65E-5.290	31/2		31/13				
65E-5.300	31/2		31/13				

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
68A-24.009	30/1			69H-2.010	30/50	31/6	31/17
68A-27.0012	31/10	31/18		69JER05-1			31/3
68B-4.0081	30/53	31/7	31/11	69J-2.001	31/9		
68B-13.008	27/31	26/13		69L-5.101(4)	31/14c		
68B-14.0045	31/11			69L-5.102(2)(b),(3)	31/14c		
	31/17			69L-5.103(3)(a)	31/14c		
68B-14.005	31/18			69L-6.025	30/48		31/13
68B-27.017	31/10	31/17		69L-6.028	31/13		
68B-27.019	31/10	31/17		69L-7.020	31/4	31/12	31/18
68B-45.002	31/10	31/17		69L-7.100	31/16		
68B-45.007	31/10	31/17		69L-7.501	31/16		
68C-22.005	31/2			69L-56.001	31/3	31/13	
68DER05-1			31/16	69L-56.002	31/3		
68D-36.004	31/10			69L-56.100	31/3		
68D-36.008	31/10			69L-56.110	31/3	31/13	
68D-36.009	31/10			69L-56.200	31/3		
68D-36.101	31/10			69L-56.210	31/3	31/13	
68D-36.102	31/10			69L-56.310	31/3	31/13	
68D-36.103	31/10			69L-56.330	31/3	31/13	
68D-36.104	31/10			69L-56.500	31/3		
68D-36.105	31/10			69L-56.530	31/3		
68D-36.106	31/10			69M-1	29/52c		
68D-36.107	31/10			69OER04-10			31/1
68D-36.108	31/10			69OER05-5			31/14
				69OER05-6			31/13
				69O-125.005	31/6		
					31/14c		
				69O-137.001	31/16		
				69O-137.004	31/15		
				69O-138.001	31/16		
				69O-149.0055	30/39		31/11
				69O-149.022	30/44	30/44	31/13
						31/3	31/13
					31/17		
				69O-149.038	30/39		31/11
					31/15		
				69O-149.041	30/51		
					31/6c	31/12	
				69O-149.044	31/15		
				69O-149.205	30/52		
				69O-149.206	30/52		
				69O-149.207	30/52		
				69O-154.112	31/15		
				69O-154.203	30/48		31/13
				69O-154.204	30/48		31/13
				69O-156.002	31/13		
				69O-156.003	31/13		
				69O-156.004	31/13		
				69O-156.005	31/13		
				69O-156.006	31/13		
				69O-156.007	31/13		
				69O-156.008	31/13		
				69O-156.0095	31/13		
				69O-156.011	31/13		
				69O-156.012	31/13		
				69O-156.014	31/13		
FINANCIAL SERVICES							
69-1	30/42c						
69A-3.012	31/13						
69A-58.001	31/18						
69A-58.002	31/18						
69A-58.003	31/18						
69A-58.004	31/18						
69A-58.005	31/18						
69A-58.006	31/18						
69A-58.007	31/18						
69A-58.008	31/18						
69A-58.009	31/18						
69A-58.010	31/18						
69A-62.001	29/44	29/46					
69A-62.002	29/44	29/46					
69A-64.005	31/18						
69BER04-21			31/1				
69BER05-2			31/7				
69BER05-3			31/6				
69BER05-4			31/8				
69BER05-7			31/15				
69B-220.051	30/44	31/4	31/12				
69B-220.201	30/44	31/4	31/12				
69D-1.001	30/43						
69D-1.002	30/43						
69D-1.003	30/43	31/16					
69D-1.004	30/43						
69H-2.004	30/50	31/6	31/17				
		31/10	31/17				
69H-2.008	30/50		31/17				

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
69O-156.015	31/13			69O-170.0143	30/46	31/2	
69O-156.017	31/13			69O-170.0155	30/46	31/15	
69O-156.018	31/13				31/2c		
69O-156.030	31/13			69O-171.002	31/14		
69O-162.201	31/10			69O-171.008	31/14		
69O-162.202	31/10			69O-175.001	31/2c		
69O-164.020	31/10				31/13		
69O-170.003	31/13			69O-175.003	30/46	31/2	
69O-170.005	30/46	31/2			30/46	31/15	
	30/46	31/15			31/2c		
	31/2c			69O-189.001	30/46		31/12
69O-170.006	30/46			69O-189.003	30/46		31/12
	31/2c			69O-189.004	30/46		31/12
69O-170.007	30/46	31/2		69O-189.007	30/46		31/12
	30/46	31/15		69O-189.014	30/46		31/12
	31/2c			69O-189.015	31/6	31/17	
69O-170.013	30/14	31/7		69O-191.0545	30/39		31/11
	30/46	31/2		69O-193.023	31/15		
	30/46	31/15		69O-196.010	31/2		
	31/2c			69O-203.201	30/44	31/3	31/13
69O-170.013(7)	30/21c			69O-203.202	30/44	31/3	31/13
69O-170.0135	30/46	31/2		69O-203.203	30/44	31/3	31/13
	30/46	31/15		69O-203.204	30/44	31/3	31/13
	31/2c			69O-203.210	30/53		
69O-170.014	30/46	31/15		69U-120.680	31/1		31/13
	31/2c			69V-40.031	31/10		
69O-170.0141	30/46	31/15		69W-301.004	31/1		31/13
	31/2c						
69O-170.0142	30/46	31/2					
	30/46	31/15					
	31/2c						