

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF STATE

Division of Cultural Affairs

RULE NO.: IT-1.001 RULE TITLE: Division of Cultural Affairs

PURPOSE AND EFFECT: The purpose of this amendment is to establish in rule the most recent eligibility criteria, application submission criteria including the required use of the Division's new on-line grants system; and criteria related to compliance with and the recordation of restrictive covenants.

SUBJECT AREA TO BE ADDRESSED: Cultural Facilities Program eligibility, application procedures, matching funds, evaluation criteria, reporting requirements, and grant administration.

SPECIFIC AUTHORITY: 265.284(5)(d), 265.285(1)(c), 265.286(1), 265.701(4) FS.

LAW IMPLEMENTED: 215.97, 265.284, 265.285, 265.286, 265.701, 286.011, 286.012, 286.25 FS.

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

DATE AND TIME: Monday, March 10, 2008, 9:30 a.m.

PLACE: Division of Cultural Affairs, R. A. Gray Building, 3rd Floor, Room 307, 500 S. Bronough Street, Tallahassee, Florida 32399-0250

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Donald R. Blancett, Division of Cultural Affairs, (850)245-6483

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Water Policy

RULE NO.: 5M-10.001 RULE TITLE: Northern Everglades Manure Application

PURPOSE AND EFFECT: The purpose of this notice is to develop standards for agricultural producers to use when land-applying animal manures in the Northern Everglades area. Subsequently, the Department will initiate formal rule making to adopt these measures by rule.

SUBJECT AREA TO BE ADDRESSED: The subjects to be addressed are the thresholds for the requirement to develop a conservation or nutrient management plan, requirements for

plan approval, and associated recordkeeping requirements necessary for landowners to receive a presumption of compliance with state water quality standards.

SPECIFIC AUTHORITY: 373.4595(4)(a)2. FS.

LAW IMPLEMENTED: 373.4595(4)(a)2. FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Bill Bartnick, Environmental Administrator, Office of Agricultural Water Policy, 1203 Governor's Square Boulevard, Suite 200, Tallahassee, Florida 32301, (850)617-1700 or Fax (850)617-1701

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-1.099823 RULE TITLE: Performance Standards for Children Participating in the Voluntary Prekindergarten (VPK) Education Program

PURPOSE AND EFFECT: The purpose of this rule development is to discuss proposed revisions to the education standards for children in the Voluntary Prekindergarten (VPK) Education Program. The effect of the rule will be the adoption of uniform standards that describe the skills that a four-year-old child should know and be able to demonstrate by the end of the VPK program.

SUBJECT AREA TO BE ADDRESSED: Voluntary Prekindergarten (VPK).

SPECIFIC AUTHORITY: 1002.79(1) FS.

LAW IMPLEMENTED: 1002.67(1) FS.

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

DATES AND TIMES: Tuesday, March 11, 2008, 6:00 p.m. – 9:00 p.m.; Wednesday, March 12, 2008, 10:00 a.m. – 1:00 p.m.; Thursday, March 13, 2008, 2:00 p.m. – 5:00 p.m.; Tuesday, March 18, 2008, 2:00 p.m. – 5:00 p.m.; Thursday, March 20, 2008, 5:30 p.m. – 8:30 p.m.

PLACES: March 11 – Florida Community College at Jacksonville, Main Auditorium, Room A 1068, 101 W. State Street, Jacksonville, FL 32202

March 12 – United Way Building, Dr. Nelson Ying Center, 1940 Traylor Blvd., Orlando, FL 32804

March 13 – Miami Lakes CDS Office, 15790 N. W. 57th Ave., Miami Lakes, FL 33014

March 18 – Hodges University, 4501 Colonial Blvd., Fort Myers, FL 33966

March 20 – Auditorium of Florida State University/Panama City Campus, 4750 Collegiate Dr., Panama City, FL 32405

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Shan Goff, Executive Director, Office of Early Learning, at (850)245-0445 or Shan.Goff@fldoe.org
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-10.040
RULE TITLE: Basic Skills Requirements for Postsecondary Vocational Certificate Education

PURPOSE AND EFFECT: To remove obsolete tests no longer approved by the United State Department of Education.

SUBJECT AREA TO BE ADDRESSED: Postsecondary Career Certificate Education.

SPECIFIC AUTHORITY: 1001.02(1), 1004.91(1), 1007.271(3) FS.

LAW IMPLEMENTED: 1004.91 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: Lucy Hadi, Chancellor for Workforce Education, (850)245-0409 or lucy.Hadi@fldoe.org

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

DEPARTMENT OF TRANSPORTATION

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

PURPOSE AND EFFECT: The purpose of this rule development notice is to allow the public an opportunity to review and comment on proposed changes to the toll rates along the Pinellas Bayway System in Pinellas County.

SUBJECT AREA TO BE ADDRESSED: Current toll rates and the cost of the general public annual pass on the Pinellas Bayway system were established by the Florida Legislature in 1986. Toll rates and the cost of the general public annual pass

have not changed since 1986. The Department is proposing a legislative repeal of the 1986 act and to establish toll rates and the cost of the general public annual pass by rule. Toll rates at the east and west plazas are proposed to increase from the current \$.50 for cash to \$1.25 for cash and \$1.00 for SunPass. Toll rates at the south plaza are proposed to increase from the current \$.35 for cash to \$2.50 for cash and \$2.00 for SunPass. The cost of the general public annual pass is proposed to increase from the current \$50 per year to \$125 per year. The additional revenue from the increased tolls and cost of the general annual public pass will be used to finance the construction of the Pinellas Bayway and Tierra Verde bridges. Following a toll rate rule development workshop, a toll rate rule making public hearing will be scheduled to set the toll rates and the cost of the general annual public pass.

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

LAW IMPLEMENTED: 316.1001, 338.155, 338.222, 338.231 FS.

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

DATE AND TIME: March 12, 2008, 6:00 p.m. – 8:00 p.m.

PLACE: City of St. Pete Beach Community Center, 7701 Boca Ciega Drive, St. Pete Beach, FL

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 7 days before the workshop/meeting by contacting: Lee Royal, Community Liaison Administrator, at (813)975-6427 or (800)226-7220 at least seven days prior to the workshop. Written comments may also be sent to Scott Collister, P.E., CPCM, Director of Transportation Development, Florida Department of Transportation, District Seven, 11201 N. McKinley Drive, MS 7-400, Tampa, Florida 33612. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: James C. Myers, Clerk of Agency Proceedings, 605 Suwannee Street, MS 58, Tallahassee, Florida 32399-0458

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

14-15.0081 Toll Facilities Description and Toll Rate Schedule.

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

February 12, 1998, June 30, 1998, July 29, 1998, January 6, 1999, February 9, 1999, April 29, 1999, June 21, 1999, September 4, 2001, March 26, 2002, April 10, 2003, October 1, 2003, December 11, 2003, March 7, 2004, May 20, 2004, November 1, 2005, February 5, 2006, July 27, 2006, October 26, 2006, January 15, 2007, and _____ is hereby incorporated by this rule and made a part of the rules of the Department. Copies of this Department of Transportation Toll Facilities Description and Toll Rate Schedule and any amendments thereto are available at no more than cost.

Specific Authority 334.044(2), 338.155(1) FS. Law Implemented 316.1001, 338.155, 338.222, 338.231 FS. History—New 11-15-87, Amended 2-8-88, 8-1-88, 2-2-89, 5-10-89, 7-1-91, 8-1-91, 11-6-91, 7-11-93, 11-28-93, 9-18-94, 6-6-95, 7-9-95, 1-1-96, 3-31-96, 4-28-96, 6-2-96, 7-28-96, 9-23-97, 11-24-97, 2-12-98, 6-30-98, 7-29-98, 1-6-99, 2-9-99, 4-29-99, 6-21-99, 9-4-01, 3-26-02, 4-10-03, 10-1-03, 12-11-03, 3-7-04, 5-20-04, 11-1-05, 2-5-06, 7-27-06, 10-26-06, 1-15-07, _____.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

REGIONAL PLANNING COUNCILS

Withlacoochee Regional Planning Council

RULE NOS.:	RULE TITLES:
29E-1.004	Membership and Voting Privileges
29E-1.005	Term and Compensation of Members
29E-1.006	Powers
29E-1.007	Officers
29E-1.008	Executive Committee
29E-1.009	Staff
29E-1.010	Office
29E-1.011	Meetings
29E-1.0121	Committees
29E-1.013	Budget
29E-1.014	Finances
29E-1.016	Procedure for Presentation to Council

PURPOSE AND EFFECT: Changes in the Withlacoochee Regional Planning Council Bylaws.

SUBJECT AREA TO BE ADDRESSED: Changes to the population thresholds which control membership on the Withlacoochee Region Board of Directors. Other minor changes to the current Bylaws.

SPECIFIC AUTHORITY: 112.061, 120.53, 160.04, 160.06, 163.01, 286.011, 380.06 FS.

LAW IMPLEMENTED: 112.061, 120.53, 160.04, 160.06, 160.07, 163.01, 286.011, 286.26, 380.06 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: Michael R. Moehlman, Executive Director, Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34471-0323

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

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-108.101
 RULE TITLE: Inmate Substance Abuse Testing
 PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend Rule 33-108.101, F.A.C., to allow for use of the dry cell procedure when an inmate indicates an inability to urinate in the presence of others and provide definitions for "confirmation testing" and "threshold levels."
 SUBJECT AREA TO BE ADDRESSED: Substance Abuse Testing.

SPECIFIC AUTHORITY: 944.09, 944.472, 944.473 FS.

LAW IMPLEMENTED: 944.09, 944.472, 944.473 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: Jamie Leigh Jordan, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-108.101 Inmate Substance Abuse Testing.

The Office of the Inspector General shall be responsible for the development and implementation of the department's substance abuse testing program.

(1) Definitions.

(a) No change.

(b) Tester – a correctional officer who has been trained and certified as competent by the manufacturer of the onsite testing device or certified training personnel, affiliated with the department, on the proper procedures for collecting urine specimens, including the completion and maintenance of the Chain of Custody Form, the handling and disposing of urine specimens, and the administration and interpretation of the

on-site testing device. All testing personnel must be approved by the Office of the Inspector General. The Chain of Custody Form is incorporated by reference in paragraph (3)(h)(g) of this rule.

(c) through (f) No change.

(g) Confirmation Testing – testing conducted by an outside contract laboratory using gas chromatography coupled with mass spectrometry (GC/MS) when on-site results of a test are positive and the inmate refuses to sign an Affidavit for Admission of Drug Use, Form DC1-824. Form DC1-824 is incorporated by reference in paragraph (3)(h) of this rule.

(h) Threshold Level – the concentration of a drug in the urine used to determine whether the test will be considered positive or negative. The threshold level for confirmation testing is the lowest legally defensible, scientifically acceptable, level of quantification (L.O.Q.) as determined by the contract tester.

(2) The Department of Corrections conducts the following types of inmate substance abuse testing:

(a) For-Cause or Reasonable Suspicion Testing.

1. through 5. No change.

6. A copy of the Incident Report, Form DC6-210, shall be attached to the facility's copy of the Chain of Custody Form for positive specimens sent to the laboratory for confirmation testing. Form DC6-210 is incorporated in Rule 33-602.210, F.A.C. The Chain of Custody Form is incorporated by reference in paragraph (3)(h)(g) of this rule.

(b) through (c) No change.

(3) Procedures.

(a) No change.

(b) Specimen Collection Procedures.

1. through 7. No change.

8. An inmate who has not provided an adulterated urine specimen and who indicates a claimed inability to provide an adequate urine specimen shall be detained in the presence of the tester or other designated person for a period not to exceed 1 hour to provide an adequate specimen. During that time, the inmate shall be allowed to consume one cup (8 oz.) of water every 1/2 hour, not to exceed a total of 2 cups during this time period and an Acknowledgement of Beverage Form, DC1-823, shall be completed. Form DC1-823, Acknowledgement of Beverage Form, is incorporated by reference in paragraph (3)(h)(g) of this rule. If after the 1 hour period an inmate still fails to submit a valid adequate urine specimen, the inmate shall be considered to have refused to provide a urine specimen and a disciplinary report shall be prepared in accordance with Rules 33-601.301-601.314, F.A.C. If an inmate claims an inability to urinate ~~due to a medical condition~~, the procedures set forth in paragraph (3)(d)(e) shall apply.

9. through 12. No change.

(c) Upon notification from an inmate that he is unable to urinate due to a medical condition, the officer shall verify with medical staff that the inmate possesses a specific medical condition or is taking medication which inhibits the inmate from urinating within the designated time frame. Upon receiving such verification, the inmate shall be given the opportunity to provide a urine specimen under the following conditions:

1. through 5. No change.

6. Upon receipt of the urine specimen the tester shall visually inspect the urine specimen to ensure it appears valid and unadulterated and the procedures outlined in subparagraph (3)(e)(d)1. for the testing of urine specimens shall be followed.

(d) If an inmate claims an inability to urinate in front of or in the presence of others, the tester shall collect the urine specimen under the conditions outlined in subparagraphs (3)(c)1.-6.

(e)(d) Testing of urine specimens.

1. Only certified testing personnel are authorized to utilize the on-site testing equipment. For every on-site test conducted, regardless of purpose, the Inmate Scannable Drug Testing Control Card shall be filled out. The Inmate Scannable Drug Testing Control Card, DC1-826 is incorporated in paragraph (3)(h)(g) of this rule.

2. through 5. No change.

6. Positive test results. The tester shall inform the inmate of the positive results of the on-site testing device. The inmate will then be given the opportunity to sign an Affidavit for Admission of Drug Use, DC1-824. Form DC1-824, Affidavit for Admission of Drug Use, is incorporated by reference in paragraph (3)(h)(g) of this rule.

a. through c. No change.

7. No change.

(f)(e) Other on-site testing device procedures.

1. Due to product limitations, it may become necessary to utilize other noninvasive on-site testing devices for alcohol testing. In such instances, the certified tester will utilize the on-site testing device in the presence of the inmate following the manufacturer's testing protocols. If the initial result of the on-site testing device is positive, and the inmate declines to sign the Affidavit for Admission of Drug Use Form, DC1-824, then a urine specimen will be obtained from the inmate and sent to a designated outside laboratory for confirmation testing, in accordance with the procedures outlined in paragraph (3)(b), specimen collection procedures, and paragraph (3)(e)(d), testing of urine specimens.

2. All correctional facilities shall maintain a record of all reasonable suspicion substance abuse tests conducted. This record shall be maintained by the correctional officer chief or his designee. Form DC1-827, Reasonable Suspicion Testing Tracking Form, shall be utilized for this purpose. Form DC1-827, Reasonable Suspicion Testing Tracking Form, is incorporated by reference in paragraph (3)(h)(g) of this rule.

(f) through (g) renumbered (g) through (h) No change.

Specific Authority 944.09, 944.472, 944.473 FS. Law Implemented 944.09, 944.472, 944.473 FS. History—New 2-8-00, Amended 2-5-01, Formerly 33-602.2045, Amended 7-2-02, 2-19-07,_____.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NO.: 40C-4.091
 RULE TITLE: Publications Incorporated by Reference

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment is to delete the requirement that mitigation banks include property tax costs as part of the financial responsibility mechanism covering mitigation bank costs, due to the amendment of Section 704.04(6), F.S., in the 2007 legislative session.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendment would delete the requirement in Section 12.4.8(j) of the Applicant’s Handbook: Management and Storage of Surface Waters, that the financial responsibility cost estimate for mitigation banks include property taxes.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.4136, 373.414 FS.

LAW IMPLEMENTED: 373.413, 373.4135, 373.4136, 373.414, 373.416, 373.429 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: Norma Messer, Rules Coordinator, Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, (386)329-4459, Suncom 860-4459, email nmesser@sjrwmd.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40C-4.091 Publications Incorporated by Reference.

(1) The Governing Board hereby adopts by reference:

(a) Part I “Policy and Procedures,” Part II “Criteria for Evaluation,” subsections 18.0, 18.1, 18.2, and 18.3 of Part III and Appendix K “Legal Description Upper St. Johns River Hydrologic Basin,” “Legal Description Ocklawaha River Hydrologic Basin,” “Legal Description of the Wekiva River Hydrologic Basin,” “Legal Description of the Wekiva Recharge Protection Basin,” “Legal Description of the Wekiva Recharge Protection Basin,” “Legal Description of the Econlockhatchee River Hydrologic Basin,” “Legal Description of the Sensitive Karst Areas Basin, Alachua County,” “Legal Description Tomoka River Hydrologic Basin,” “Legal

Description Spruce Creek Hydrologic Basin,” “Legal Description of the Sensitive Karst Areas Basin, Marion County,” and “Legal Description of the Lake Apopka Hydrologic Basin,” and Appendix M “Regional Watersheds for Mitigation Banking,” of the document entitled “Applicant’s Handbook: Management and Storage of Surface Waters,” effective (*effective date*) July 1, 2007.

(b) through (d) No change.

(2) No change.

Specific Authority 369.318, 373.044, 373.046(4), 373.113, 373.4136, 373.414, 373.415, 373.416, 373.418, 373.421, 373.461 FS. Law Implemented 120.60, 369.316, 369.318, 373.016(2), 373.042, 373.0421, 373.046, 373.085, 373.086, 373.103, 373.109, 373.146(1), 373.406, 373.413, 373.4135, 373.4136, 373.414, 373.4141, 373.415, 373.416, 373.417, 373.418, 373.421(2)-(6), 373.423, 373.426, 373.461(3), 380.06(9), 403.813(2) FS. History—New 12-7-83, Amended 10-14-84, Formerly 40C-4.091, Amended 5-17-87, Formerly 40C-4.0091, Amended 8-20-87, 10-1-87, 10-11-87, 11-26-87, 8-30-88, 1-1-89, 8-1-89, 10-19-89, 4-3-91, 9-25-91, 11-12-91, 3-1-92, 7-14-92, 9-8-92, 9-16-92, 11-12-92, 11-30-92, 1-6-93, 1-23-94, 2-27-94, 11-22-94, 10-3-95, 8-20-96, 11-25-98, 12-3-98, 1-7-99, 1-11-99, 8-21-00, 7-8-01, 10-11-01, 4-10-02, 9-26-02, 3-7-03, 11-11-03, 2-1-05, 12-3-06, 7-1-07,_____.

APPLICANT’S HANDBOOK SECTION:

12.4.7 Land Use Restrictions on Mitigation Banks

(a) through (e) No change.

(f) The District shall require additional documentation or actions from the grantor of the conservation easement or fee interest if such additional documentation or actions are necessary to adequately protect the District’s interest in, or the integrity of, the mitigation bank.

(g) through (j) No change.

12.4.8 Financial Responsibility.

(a) through (i) No change.

(j) Cost estimates.

1. For the purposes of determining the amount of financial responsibility that is required in this section, the banker shall submit a detailed written estimate, in current dollars, of the total cost of construction and implementation, and of the cost of perpetual management of the mitigation bank. The written cost estimate shall be certified by a licensed professional whose license authority in the State of Florida includes the ability to provide such certified written estimates.

2. The cost estimate for construction and implementation shall include all costs associated with completing construction and implementation of the mitigation bank, or phase thereof, including, as applicable, earthmoving, planting, exotic/nuisance vegetation removal, land surveying, structure installation, consultant fees, and taxes, monitoring activities and reports.

3. The cost estimate for the perpetual management of the mitigation bank shall be based on the costs of maintaining, operating, and replacing any structures, controlling nuisance or

exotic species, fire management, consultant fees, monitoring activities and reports, taxes and any other costs associated with perpetual management. The amount of financial responsibility shall equal the cost of perpetual management for the bank, or, for banks constructed in phases for all phases for which credits have been released.

- 4. through 5. No change.
- (k) through (l) No change.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NOS.:	RULE TITLES:
40C-400.443	General Permit to the Florida Department of Transportation, Counties and Municipalities for Minor Bridge Alteration, Replacement, Maintenance and Operation
40C-400.447	General Permit to the Florida Department of Transportation, Counties and Municipalities for Minor Activities Within Existing Rights-of-Way or Easements

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment is to: (1) clarify the scope of the noticed general permit authorized by Rule 40C-400.443, F.A.C., (for minor bridge activities by the Florida Department of Transportation (FDOT), counties, and municipalities), and (2) clarify the 0.25 acre wetlands and other surface waters impact area limitation in the noticed general permit authorized by Rule 40C-400.447, F.A.C., (for minor activities by FDOT, counties, and municipalities within existing rights-of-way or easements).

SUBJECT AREA TO BE ADDRESSED: This proposed rule amendment would clarify that: (1) the scope of the noticed general permit authorized by Rule 40C-400.443, F.A.C., includes bridge maintenance activities and that the authorized replacement or modification of a bridge includes changes in bridge configuration or fill due to changes in materials, construction techniques, or to meet current construction codes or safety standards, and (2) the 0.25 wetlands and other surface waters impact area limitation in the noticed general permit authorized by Rule 40C-400.447, F.A.C., applies to each culverted crossing.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.118, 373.414, 373.418 FS.

LAW IMPLEMENTED: 373.118, 373.413, 373.414, 373.416, 373.418, 373.426 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: Norma Messer, Rules Coordinator, Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, (386)329-4459, Suncom 860-4459, email nmesser@sjrwmd.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40C-400.443 General Permit to the Florida Department of Transportation, Counties and Municipalities for Minor Bridge Alteration, Replacement, Maintenance and Operation.

(1) A general permit is hereby granted to the Florida Department of Transportation, counties and municipalities to conduct the activities described below:

(a) The replacement, ~~or~~ modification, or maintenance of bridges and approaches where the combined total of dredging and filling, both temporary and permanent, in wetlands and other surface waters does not exceed 0.5 acres.

(b) No change.

(2) This general permit shall be subject to the following specific conditions:

(a) through (k) No change.

(l) This general permit authorizes dredging and filling for the replacement or modification of a bridge and approaches for a specific crossing of a wetland or other surface water. Replacement of a bridge or modification of a bridge that includes changes in the configuration of the bridge or fill areas due to changes in materials, construction techniques, or meeting current construction codes or safety standards are authorized under this permit. Any connecting road expansion or alteration associated with such replacement or modification must be authorized by a separate general or individual permit under Chapter 40C-4, 40C-40, 40C-42 or 40C-400, F.A.C., as applicable, before the start of construction; and

(m) No change.

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.118, 373.413, 373.416, 373.426 FS. History—New 10-3-95, Amended _____.

40C-400.447 General Permit to the Florida Department of Transportation, Counties and Municipalities for Minor Activities Within Existing Rights-of-Way or Easements.

(1) A general permit is hereby granted to the Florida Department of Transportation, counties and municipalities to conduct the activities described below:

(a) The extension of existing culverts and crossing approaches to accommodate widening of the roadway where excavation or deposition of material shall not exceed 1000 cubic yards in wetlands and other surface waters and the area from which material is excavated or to which material is deposited shall not exceed a total of 0.25 acres at any one

~~culverted crossing location (project site)~~. The 1000 cubic yardage limitation shall be separately applied to excavation and deposition of material.

- (b) through (g) No change.
- (2) through (3) No change.

Specific Authority 373.044, 373.113, 373.118, 373.414, 373.418 FS. Law Implemented 373.118, 373.413, 373.414, 373.416, 373.418, 373.426 FS. History–New 10-3-95, Amended 1-11-99, 10-11-01,_____.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:
40D-1.659 Forms and Instructions

PURPOSE AND EFFECT: The purpose of this rulemaking is to adopt by reference two forms used by the District in the review of applications for water well construction permits. A form requesting additional information for applications to construct a public supply well will be adopted. An existing form used to confirm whether a water use permit is required for wells to be constructed within the Most Impacted Area of the former Easter Tampa Bay Water Use Caution Area is renamed to reference the Southern Water Use Caution Area. The effect of this rulemaking will be to incorporate these forms into District rules.

SUBJECT AREA TO BE ADDRESSED: Water well construction permitting.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.149, 373.171, 373.337 FS.

LAW IMPLEMENTED: 373.116, 373.206, 373.207, 373.209, 373.216, 373.219, 373.229, 373.239, 373.306, 373.308, 373.309, 373.313, 373.323, 373.324, 373.413, 373.414, 373.416, 373.419, 373.421 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: Martha A. Moore, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40D-1.659 Forms and Instructions.

The following forms and instructions have been approved by the Governing Board and are incorporated by reference into this chapter. Copies of these forms may be obtained from the District.

GROUND WATER

- (1) through (6) No change.

(7) WELL VERIFICATION FOR ALL NON-DOMESTIC USE WELLS LOCATED IN THE MOST IMPACTED AREA OF THE SOUTHERN EASTERN TAMPA BAY WATER USE CAUTION AREA, FORM NO. LEGR-016.00 () 42.10-005 (10/95).

- (8) through (25) No change.

(26) PUBLIC SUPPLY WELL INFORMATION AND CLASSIFICATION FORM, FORM NO. LEG-R.015.00 (),
SURFACE WATER

- (1) through (14) No change.

Specific Authority 373.044, 373.113, 373.149, 373.171, 373.337 FS. Law Implemented 373.116, 373.206, 373.207, 373.209, 373.216, 373.219, 373.229, 373.239, 373.306, 373.308, 373.309, 373.313, 373.323, 373.324, 373.413, 373.414, 373.416, 373.419, 373.421 FS. History–New 12-31-74, Amended 10-24-76, Formerly 16J-0.40, 40D-1.901, 40D-1.1901, Amended 12-22-94, 5-10-95, 10-19-95, 5-26-96, 7-23-96, 2-16-99, 7-12-99, 7-15-99, 12-2-99, 5-31-00, 9-3-00, 10-26-00, 6-26-01, 11-4-01, 6-12-02, 8-25-02, 2-26-03, 9-14-03, 9-30-04, 2-1-05, 6-5-05, 10-19-05, 2-6-07, 9-27-07, 11-11-07, 11-25-07, 1-8-08,_____.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NOS.: RULE TITLES:
40D-2.091 Publications Incorporated by Reference

40D-2.301 Conditions for Issuance of Permits
40D-2.321 Duration of Permits

PURPOSE AND EFFECT: As directed by the Governing Board, the district is seeking public input on proposed rule amendments requiring 75% of irrigation water needs to be met with alternative water supplies to obtain a 20 year permit for multi-phase, long-term projects that require both a WUP and ERP.

SUBJECT AREA TO BE ADDRESSED: Proposed rule amendments concerning environmental resource permit and water use permit requirements for issuance of a water use permit to applicants that desire 20 year permits for multi-phase, long-term projects.

SPECIFIC AUTHORITY: 373.044, 373.103, 373.113, 373.118, 373.171 FS.

LAW IMPLEMENTED: 373.036, 373.0361, 373.042, 373.0421, 373.0831, 373.103, 373.116, 373.117, 373.118, 373.149, 373.171, 373.1963, 373.216, 373.219, 373.223, 373.229, 373.236, 373.239, 373.243 FS.

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

DATE AND TIME: March 14, 2008, 9:00 a.m.

PLACE: Southwest Florida Water Management District Tampa Service Office, Governing Board Room, 7601 Hwy 301 North, Tampa, FL 33637-6759

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 days before the workshop/meeting by contacting: Dianne Lee at (352)796-7211 or 1(800)423-1476, extension 4658; TDD only number 1(800)231-6103; FAX number (352)754-6878/SUNCOM 663-6878. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Karen A. Lloyd, Assistant General Counsel, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40D-2.091 Publications Incorporated by Reference.

The following publications are hereby incorporated by reference into this Chapter, and are available from the District upon request:

- (1) Water Use Permit Information Manual Part B, "Basis of Review" (____) ~~(2/08)~~ and Part D, "Requirements for the Estimation of Permanent and Temporal Service Area Populations in the Southern Water Use Caution Area" (1/07);
- (2) through (5) No change.

Specific Authority 373.044, 373.113, 373.118, 373.171 FS. Law Implemented 373.036, 373.0361, 373.042, 373.0421, 373.0831, 373.116, 373.117, 373.118, 373.149, 373.171, 373.1963, 373.216, 373.219, 373.223, 373.229, 373.239, 373.243 FS. History—New 10-1-89, Amended 11-15-90, 2-10-93, 3-30-93, 7-29-93, 4-11-94, 7-15-98, 7-28-98, 7-22-99, 12-2-99, 8-3-00, 9-3-00, 4-18-01, 4-14-02, 9-26-02, 1-1-03, 2-1-05, 10-19-05, 1-1-07, 8-23-07, 10-1-07, 10-22-07, 11-25-07, 12-24-07, 2-13-08, 2-18-08, _____.

40D-2.301 Conditions for Issuance of Permits.

(1) In order to obtain a Water Use Permit, an Applicant must demonstrate that the water use is reasonable and beneficial, is in the public interest, and will not interfere with any existing legal use of water, by providing reasonable assurances, on both an individual and a cumulative basis, that the water use:

- (a) through (n) No change.

(2) For projects which require both an ERP and a WUP, an application for an ERP shall be completed prior to issuance of the WUP when the design of the surface water management system can affect the quantities developed from the project site and the quantities needed to supply project water demands from other sources. The application may be for a Conceptual Environmental Resource Permit, provided that the application contains information from which supplemental irrigation demands, potable water demands, other use demands and water supply quantities derived from the surface water management system can be calculated. Permit Applicants for projects which require both a water use permit and a surface water permit

~~pursuant to District Rules shall submit a completed surface water management permit application to the District prior to issuance of a Water Use Permit.~~ If the District determines that a permit application involves an area where the Water Use Permit may not be granted because of water resource problems, the requirement for a complete Environmental Resource Permit application may be waived by the District. Where such waivers are granted, the Water Use Permit shall specify that a well construction permit will not be issued and that withdrawals cannot commence until the appropriate District surface water permit is issued.

- (3) No change.

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.219, 373.223, 373.229 FS. History—Readopted 10-5-74, Amended 12-31-74, 2-6-78, 7-5-78, Formerly 16J-2.11, 16J-2.111, Amended 1-25-81, 10-1-89, 2-10-93, 8-3-00, 4-14-02, 1-1-07, _____.

40D-2.321 Duration of Permits.

(1) The District shall determine the duration of a Water Use Permit, including Standby Permits, based on the degree and likelihood of potential adverse impacts to the water resource or existing users.

(2) The duration of a water use permit shall not exceed six years when:

- (a) The permit is for a new use greater than or equal to 500,000 gpd;
- (b) The District determines there is a potential for significant adverse impacts and further evaluation is needed to develop an effective mitigation plan; or
- (c) The permit is for a renewal to significantly increase quantities.

(3) The duration of a water use permit shall not exceed 10 years when:

- (a) The permit is for a new use less than 500,000 gpd;
- (b) The permit is for a renewal with an effective mitigation plan to address potential adverse impacts; or
- (c) The permit is for a renewal with no significant modification.

(4) If the District determines that a permit term longer than 10 years is appropriate based on facts presented by an Applicant, the District shall issue a permit for a period up to 50 years in accordance with Section 373.236, F.S.

(5) Where a permit is required for the development of Alternative Water Supplies, such permit will be granted for a duration of 20 years. If the permittee issued bonds for the project's construction, the permit shall be extended for the time required to retire the bonds, in accordance with Section 373.236(4), F.S.

(6) For projects that will meet at least 75% of supplemental irrigation demands during average annual rainfall conditions with Alternative Water Supplies through a conjunctive use system at project build-out, an applicant may

request a 20 year permit duration for Alternative Water Supplies and ground water quantities, including those for standby for temporary or permanent losses of Alternative Water Supplies. Where the project requires a complete Environmental Resource Permit (ERP) pursuant to subsection 40D-2.302(2), F.A.C., a permit condition shall be applied that requires the permittee to re-evaluate water demands and sources at the submittal of any Individual ERP applications pertaining to the project. If the re-evaluation indicates sources or demands have changed from those presented in the original application, the water use permit shall be modified to take into account the updated information, provided, however, that the water use shall continue to meet all conditions for issuance for a water use permit.

~~(7)(6)~~ Permits with annual average daily withdrawals of less than 500,000 gpd shall be eligible for extension of the expiration date in accordance with procedures set forth in Section 1.9 of the District’s “Basis of Review for Water Use Permit Applications” as described in Rule 40D-2.091, F.A.C.

(8) Where necessary to maintain reasonable assurances that the conditions for issuance continue to be met, a permit condition shall be applied that requires reports at specified times that demonstrate continuing compliance with conditions for issuance and the permit. For permits with a 20 year duration, the compliance report provisions Section 373.236(3), F.S., shall apply.

Specific Authority 373.044, 373.103, 373.113, 373.171 FS. Law Implemented 373.103, 373.171, 373.236 FS. History—Readopted 10-5-74, Amended 12-31-74, 10-24-76, 1-6-82, 3-11-82, Formerly 16J-2.13, Amended 10-1-89, 7-28-98, 1-1-03, 1-1-07, _____.

The following provision of the Water Use Permit Information Manual, Part B, Basis of Review, incorporated by reference in 40D-2.091, F.A.C., is proposed to be amended as shown:

Water Use Permit Information Manual
Part B, Basis of Review

Section 3.1 Determining Reasonable Quantities

PERMITS WITH ALTERNATIVE WATER SUPPLIES ~~IN~~ THE SWUCA

New Permits – If an application includes the use of Alternative Water Supplies to supply all or a portion of the requested demand, and the applicant demonstrates that, through no fault of the applicant, the Alternative Water Supplies are vulnerable to becoming unavailable, insufficient or unsuitable for the authorized use, upon request by the applicant, a permit will be issued that puts use of the non-alternative source on standby status, provided the withdrawal and use of the non-alternative water supply source meets all the conditions for issuance. The standby quantity will be for an amount equal to the quantity offset by the Alternative Water Supplies. This standby quantity is to be used only when the Alternative Water Supplies become unavailable, insufficient or unsuitable; or economically,

technically or environmentally infeasible for the authorized use. In no case will the standby quantity exceed the permitted quantity.

New 1-1-07.

Existing Permits – Where Alternative Water Supplies provide all or a portion of permitted quantities, and if requested by the applicant, a permit will be issued that puts use of the water source on standby status, in an amount equal to the quantity offset by the Alternative Water Supplies. This standby permit is to be used only when, for reasons outside the Permittee's control, the Alternative Water Supplies become unavailable, insufficient or unsuitable for the authorized use; or economically, technically or environmentally infeasible. In no case will the standby quantity exceed the permitted quantity.

New 1-1-07.

Loss of Alternative Water Supplies – Where a permittee is to use an Alternative Water Supply in lieu of a non-Alternative Water Supply and the Alternative Water Supply becomes temporarily (exceeding 30 days) insufficient or unsuitable, the permittee shall notify the District in writing within 15 days of the event. Such notification shall be submitted monthly for each subsequent 30 days, for up to one year from the date of first loss, while the supply of alternative water supplies remains insufficient or unsuitable for the authorized use. During this time, the withdrawal of standby quantities is allowed to meet the authorized use up to the maximum amount of the permitted standby quantities. If the loss of the Alternative Water Supplies exceeds one year, the District shall issue a Letter of Modification, subject to all requirements of subsection 40D-2.331(2), F.A.C., to modify the non-alternative water supplies quantities that may be withdrawn. If the standby permit is for a withdrawal within the SWUCA, a Letter of Modification shall be issued to modify the quantities that may be withdrawn even if the quantities to be withdrawn exceed the quantity thresholds included in subsection 40D-2.331(2), F.A.C.

New 1-1-07, _____.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NOS.:	RULE TITLES:
40D-3.021	Definitions
40D-3.037	Rules and Publications Incorporated by Reference
40D-3.038	Violations of Contractor Licensing Requirements
40D-3.101	Content of Application
40D-3.301	Conditions for Issuance of Permits
40D-3.411	Well Completion Report
40D-3.531	Abandoned Well Plugging

PURPOSE AND EFFECT: The purpose of this rulemaking is to make minor corrections to existing District water well construction permitting rules and incorporate related

amendments recently adopted by the Department of Environmental Protection for water well construction. Rule 40D-3.021, F.A.C., is amended to correct typographical errors; Rule 40D-3.037, F.A.C., is amended to reference updated DEP rules and the District’s website; Rule 40D-3.038, F.A.C., is revised to conform the District’s rule to the related DEP rule; Rule 40D-3.101, F.A.C., is amended to incorporate revisions made to other District rules cited therein; subsection 40D-3.301(3), F.A.C., is deleted as it is no longer required; and minor clarifying edits are made to Rules 40D-3.411 and 40D-3.531, F.A.C. The effect of this rulemaking will be to make the District’s well construction permitting rules more accurate and up to date.

SUBJECT AREA TO BE ADDRESSED: Water well construction permitting.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171, 373.309, 373.323(8), 373.337 FS.

LAW IMPLEMENTED: 373.046, 373.106, 373.109, 373.206, 373.207, 373.209, 373.306, 373.308, 373.309, 373.313, 373.316, 373.319, 373.323, 373.324, 373.333, 373.336 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40D-3.021 Definitions.

When used in this Chapter:

- (1) No change.
- (2) “Annulus” or “annular space” means any artificially created void existing between a well casing or liner pipe and a borehole wall, or between two casings or between tubing and the casing or ~~for~~ liner pipe.
- (3) through (34) No change.

Specific Authority 373.044, 373.113, 373.171, 373.309, 373.337 FS. Law Implemented 373.106, 373.306, 373.308, 373.309, 373.313, 373.316, 373.319, 373.323 FS. History–Readopted 10-5-74, Formerly 16J-3.02, Amended 7-1-90, 9-30-91, 12-31-92,_____.

40D-3.037 Rules and Publications Incorporated by Reference.

- (1) The regulations promulgated by the Department governing the construction of water wells as set forth in Chapter 62-532, F.A.C. (3-28-02), the construction of water wells in delineated areas as set forth in Chapter 62-524, F.A.C. (6-27-00), the licensing requirements for Water Well

Contractors as set forth in Chapter 62-531, F.A.C. (~~11-25-07~~ ~~(7-17-03)~~), and the construction of public supply water wells as set forth in Chapter 62-555, F.A.C. (~~1-17-05~~ ~~(4-10-03)~~), are hereby incorporated by reference and made a part of this rule and shall apply to all water wells constructed, repaired, modified or abandoned in the District.

- (2) No change.
- (3) Well Construction Forms are incorporated by reference into Rule 40D-1.659, F.A.C., and are available from the District upon request and from the District’s website at www.watermatters.org.

Specific Authority 373.044, 373.113, 373.309 FS. Law Implemented 373.046, 373.308, 373.309, 373.323, 373.324, 373.333 FS. History–New 7-1-90, Amended 12-31-92, 4-11-94, 6-27-94, 9-22-94, 7-5-95, 10-19-95, 7-15-99, 6-23-03, 1-8-04,_____.

40D-3.038 Violations of Contractor Licensing Requirements.

- (1) No change.
- (2) A contractor is requested ~~required~~ to inform the District within 15 days of any change in the contractor’s mailing address.
- (3) through (4) No change.

Specific Authority 373.044, 373.113, 373.171, 373.309, 373.323(8), 373.337 FS. Law Implemented 373.323, 373.324, 373.333, 373.336 FS. History–New 7-1-90, Amended 12-31-92, 2-1-05,_____.

40D-3.101 Content of Application.

- (1) Applications for permits required by this chapter shall be submitted to the District. All permit applicants shall submit the form entitled “State of Florida Permit Application to Construct, Repair, Modify or Abandon a Well”, adopted by reference in Rule subsection 40D-1.659(4), F.A.C. Except for replacement and domestic use wells, all applications to construct a well within the Most Impacted Area of the Southern ~~Eastern Tampa Bay~~ Water Use Caution Area, as set forth in subparagraph 40D-2.801(3)(b)2, and Figure 2.1, Section 7.2.8.A and Figure 7.2 2, of the Basis of Review for Water Use Permit Applications, adopted by reference in Rule 40D-2.091, F.A.C., shall include the form entitled “Well Verification For All Non-Domestic Use Wells Located in the Most Impacted Area of the Southern ~~Eastern Tampa Bay~~ Water Use Caution Area”, adopted by reference in Rule subsection 40D-1.659(7), F.A.C.

- (2) A permit applicant seeking to drill a public supply well shall submit:
 - (a) No change.
 - (b) A completed Southwest Florida Water Management District “Public Supply Well Information and Classification Form”, adopted by reference in Rule 40D-1.659, F.A.C. form number 42.10-001, revised August 1992; and

(c) Four sets of site plans signed, sealed and dated prepared by a licensed professional ~~registered~~ engineer. Applicants for permits on existing projects may submit pre-existing site plans or detailed legal plats.

(3) No change.

Specific Authority 373.044, 373.113, 373.171, 373.309, 373.337 FS. Law Implemented 373.109, 373.308, 373.309, 373.313, 373.316 FS. History-Readopted 10-5-74, Formerly 16J-3.07, Amended 7-1-90, 9-30-91, 12-31-92, 4-11-94, 10-19-95, 2-26-07, _____.

40D-3.301 Conditions for Issuance of Permits.

(1) through (2) No change.

~~(3) All non government (privately) owned public supply applicants in Florida Public Service Commission (FPSC) jurisdictional counties, and applicants otherwise regulated by the FPSC, must submit with their application, either an FPSC certificate of authorization to provide water service, or an order of exemption from the FPSC.~~

Specific Authority 373.044, 373.113, 373.171, 373.309, 373.337 FS. Law Implemented 373.109, 373.306, 373.308, 373.309, 373.313 FS. History-Readopted 10-5-74, Formerly 16J-3.11(1)-(3), Amended 1-8-87, 7-1-90, 12-31-92, 7-2-98, _____.

40D-3.411 Well Completion Report.

(1) Well completion reports are required for the construction, repair, modification or abandonment of all wells. The District's receipt of a well completion report raises the rebuttable presumption that all work under the permit has been completed or has ceased.

(a) The water well contractor or any individual permittee shall submit to the District the form entitled "Well Completion Report", adopted by reference in Rule subsection 40D-1.659~~(5)~~, F.A.C., within 30 days of the expiration of the permit.

(b) No change.

(c) The District shall require a record of the well construction at any time prior to the submittal of the completion report if any drilling problems are encountered during well construction. The District may request a record either orally or in writing. The water well contractor or individual permittee shall provide the record within seven days of receipt of the District's request.

(d) No change.

(2) No change.

Specific Authority 373.044, 373.113, 373.171, 373.309, 373.337 FS. Law Implemented 373.308, 373.309, 373.313 FS. History-Readopted 10-5-74, Amended 10-24-76, Formerly 16J-3.09, 16J-3.14, Amended 7-1-90, 9-30-91, 12-31-92, 10-19-95, 1-1-01, 2-26-07, _____.

40D-3.531 Abandoned Well Plugging.

(1) The form entitled "State of Florida Permit Application to Construct, Repair, Modify or Abandon a Well", adopted by reference in Rule subsection 40D-1.659~~(4)~~, F.A.C., shall be submitted to the District prior to the abandonment of any well, including an incomplete well.

(2) No change.

(3) All abandoned and incomplete wells shall be plugged by filling them from bottom to top with grout. The work shall be performed by a licensed water well contractor except for wells exempted under subsection 40D-3.051(1) and wells permitted to be constructed or abandoned pursuant to paragraph 40D-3.301(1)(a), F.A.C.

(a) through (b) No change.

(4) No change.

(5) The "Well Grouting/Abandonment Form", adopted by reference in Rule subsection 40D-1.659~~(6)~~, F.A.C., will be used to document the well abandonment.

Specific Authority 373.044, 373.113, 373.171, 373.309, 373.337 FS. Law Implemented 373.206, 373.207, 373.209, 373.306, 373.308, 373.309 FS. History-New 7-1-90, Amended 9-30-91, 12-31-92, 7-2-98, 9-26-02, 2-26-07, _____.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.:	RULE TITLE:
40D-8.624	Guidance and Minimum Levels for Lakes

PURPOSE AND EFFECT: To amend Chapter 40D-8, Florida Administrative Code, to establish minimum levels for the next set of priority lakes pursuant to Section 373.042, Florida Statutes and to establish guidance levels for those lakes.

SUBJECT AREA TO BE ADDRESSED: Establishment of minimum lake levels and guidance levels for Lake Iola, Jessamine Lake, Pasco Lake, Pierce Lake and Unnamed Lake Number 22 (a.k.a. Loyce Lake) in Pasco County, Florida. These lakes were previously noticed for adoption, but the notice expired and the lakes are now being renoticed.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.036, 373.0361, 373.042, 373.0421, 373.086 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: Karen A. Lloyd, Assistant Deputy Counsel, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

RULE NO.: 61G3-16.0092
 RULE TITLE: Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (HIV/AIDS) Education Provider Requirements

PURPOSE AND EFFECT: Continuing education providers are required to submit proof electronically to DBPR that a licensee has taken a course. Section 455.2178(1), Florida Statutes, was recently amended to provide a specific time period within which the providers must submit the proof. The amendment conforms the rule to the specific time period provided by the statute.

SUBJECT AREA TO BE ADDRESSED: HIV/AIDS Education Provider Requirements.

SPECIFIC AUTHORITY: 455.2228, 476.064(4) FS.

LAW IMPLEMENTED: 455.2178, 455.2179, 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 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G3-16.0092 Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (HIV/AIDS) Education Provider Requirements.

(1) through (5) No change.

(6) Providers shall maintain a system of recordkeeping which provides for storage of approved courses. Providers shall maintain a roster of participants for four years. The records and roster shall be available for inspection by the Board or Department. Providers must electronically provide to the Department a list of attendees taking the course for continuing education purposes within 30 business days of the completion of the course ~~or prior to the licensee's renewal date, whichever occurs sooner. However, the continuing education provider shall electronically report to the Department completion of a licensee's course within 10 business days beginning on the 30th day before the renewal deadline or prior to the renewal date, whichever occurs sooner.~~ The list of

attendees submitted electronically to the Department shall not include applicants taking the course for initial licensure. For home study courses, the provider must electronically supply the list of those individuals successfully completing the course by the 5th of the month following the calendar month in which the provider received documentation and was able to determine the successful completion of the course by the licensee. This list shall include the provider's name and provider number, the name and license number of the attendee, the date the course was completed and the course number. Failure to comply with the time and form requirements will result in disciplinary action taken against the provider.

Specific Authority 455.2228, 476.064(4) FS. Law Implemented 455.2178, 455.2179, 455.2228 FS. History--New 9-12-01, Amended 11-2-06_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: 61J2-4.010
 RULE TITLE: Successor Partnerships

PURPOSE AND EFFECT: The purpose of the amendment is to provide that a partnership can continued being registered with the Department with two or more partners.

SUBJECT AREA TO BE ADDRESSED: Successor Partnerships.

SPECIFIC AUTHORITY: 475.05 FS.

LAW IMPLEMENTED: 475.01, 475.15 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: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Suite N801, Orlando, Florida 32801

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: 61J2-6.006
 RULE TITLE: Employment by More Than One Entity

PURPOSE AND EFFECT: The amendment changes the terms salesperson and broker-salesperson to sale associate and broker-associate, respectively.

SUBJECT AREA TO BE ADDRESSED: Employment by More Than One Entity.

SPECIFIC AUTHORITY: 475.05 FS.
 LAW IMPLEMENTED: 475.01(1)(d), 475.011(2) FS.
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Suite N801, Orlando, Florida 32801
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: RULE TITLE:
 61J2-9.007 Change of Name
 PURPOSE AND EFFECT: The amendment requires a licensee to submit documentary proof of the licensee’s name change.
 SUBJECT AREA TO BE ADDRESSED: Change of Name.
 SPECIFIC AUTHORITY: 475.05 FS.
 LAW IMPLEMENTED: 475.01(1)(d), 475.011(2) FS.
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Suite N801, Orlando, Florida 32801
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: RULE TITLE:
 61J2-10.022 Office
 PURPOSE AND EFFECT: The proposed rule amendment deletes a reference to Rule 61J2-10.24, F.A.C.
 SUBJECT AREA TO BE ADDRESSED: Office.
 SPECIFIC AUTHORITY: 475.05 FS.
 LAW IMPLEMENTED: 475.22 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: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Suite N801, Orlando, Florida 32801
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: RULE TITLE:
 61J2-14.009 Real Estate Sales Associate
 PURPOSE AND EFFECT: The amendment corrects a citation to the Florida Administrative Code.
 SUBJECT AREA TO BE ADDRESSED: Real Estate Sales Associates.
 SPECIFIC AUTHORITY: 475.05 FS.
 LAW IMPLEMENTED: 475.25(1)(k) FS.
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Suite N801, Orlando, Florida 32801
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: RULE TITLE:
 61J2-17.013 Interpretation of Particular Phrases
 PURPOSE AND EFFECT: The proposed amendment prohibits any person, school or institution from guaranteeing a pupil will pass any examination required for licensure.
 SUBJECT AREA TO BE ADDRESSED: Interpretation of Particular Phrases.
 SPECIFIC AUTHORITY: 475.05 FS.
 LAW IMPLEMENTED: 475.04, 475.451 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: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Suite N801, Orlando, Florida 32801

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: 61J2-17.014
RULE TITLE: Guest Lecturers

PURPOSE AND EFFECT: The amendment requires guest lecturers to have prior written approval of the Division Director (instead of the Commission).

SUBJECT AREA TO BE ADDRESSED: Guest Lecturers.

SPECIFIC AUTHORITY: 475.05 FS.

LAW IMPLEMENTED: 475.04(1), 475.451(1), (2)(a),(c) 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: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Suite N801, Orlando, Florida 32801

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Mental Health Program

RULE NOS.: 65E-9.001, 65E-9.002, 65E-9.003, 65E-9.005
RULE TITLES: Applicability, Definitions, Licensure, Operating Standards

65E-9.006 Program Standards
65E-9.007 Staffing
65E-9.008 Admission
65E-9.012 Rights of Children
65E-9.013 Restraint, Seclusion, and Time Out

PURPOSE AND EFFECT: The purpose of the rule development is to amend the current rule to correct technical errors and statutory changes and to modify sections related to applicability, definitions, licensure, operating and program standards; staffing and admissions criteria, rights of children, and restraints and use of seclusion. These rules shall apply to all residential treatment centers, including therapeutic group homes under contract with the department or the agency to provide treatment services to children with emotional disturbances who are admitted to services pursuant to Chapter 39 or Chapter 394, F.S. These rules shall also apply to providers serving children through age 20 who have been committed to the department under Section 985.19, F.S.

SUBJECT AREA TO BE ADDRESSED: Those sections related to applicability, definitions, licensure, operating and program standards; staffing, and admissions criteria, rights of children, restraints seclusion, and time out.

SPECIFIC AUTHORITY: 39.407 FS.

LAW IMPLEMENTED: 394.875 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: Michael Sorrell, Medicaid Program Analyst, Department of Children and Families, Mental Health Program, 1317 Winewood Blvd., Building 6, Room 293, Tallahassee, Florida 32399

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

**Section II
Proposed Rules**

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

RULE NO.: 9B-7.0042
RULE TITLE: Florida Accessibility Code for Building Construction

PURPOSE AND EFFECT: The Florida Building Commission's staff has discovered a formatting glitch that impacts the rule as it appears in the Florida Administrative Code relative to the Notice of Proposed Change published on

November 16, 2007, and one instance in which the width of the accessible route needs to be specifically identified. This rule amendment will address those limited issues.

SUMMARY: The revised rule is reformatted to specifically integrate text included in the Notice of Change referred to above in a new subparagraph, and a new subparagraph is included amending the Accessibility Code for Building Construction specifically referencing the 44 inch width required for an accessible route.

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

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

SPECIFIC AUTHORITY: 553.512(1) FS.

LAW IMPLEMENTED: 553.512(1) FS.

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

DATE AND TIME: March 19, 2008, 8:30 a.m., or as soon thereafter as the matter comes before the Commission in accordance with its agenda.

PLACE: Embassy Suites Hotel, 3075 Spectrum Boulevard, Tampa, Florida 33612

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 7 days before the workshop/meeting by contacting: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824

THE FULL TEXT OF THE PROPOSED RULE IS:

9B-7.0042 Florida Accessibility Code for Building Construction.

(1) The 1997 Florida Accessibility Code for Building Construction (the Code) is adopted by reference as the rule of this Commission, effective October 1, 1997. The 2001 and 2004 revisions to the Code are herein incorporated into this rule by reference and shall take effect on the effective date of this rule. Copies of the Code and the 2001 and 2004 revisions

are available by writing to the Codes and Standards Section, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

(2) The Code is amended, and such amendments shall be integrated into the Florida Building Code, as follows:

(a) A second exception is added to section 4.3.3 providing that all spaces must be located on an accessible route no less than 44 inches (1118 mm) wide so that users will not be compelled to walk or wheel behind parked vehicles.

(b) The first paragraph of Section 4.6.4 is amended to read:

“Each such parking space must be prominently outlined with blue paint, and must be repainted when necessary, to be clearly distinguishable as a parking space designated for persons who have disabilities and must be posted with a permanent above-grade sign of a color and design approved by the Department of Transportation which is placed on or at a distance of 84 inches above the ground to the bottom of the sign and which bears the international symbol of accessibility. ADAAG s. 4.30.7 and the caption “PARKING BY DISABLED PERMIT ONLY”. Such sign erected after October 1, 1996, must indicate the penalty for illegal use of the space.”
The shaded text that comprises the balance of Section 4.6.4 shall remain as currently adopted.

Specific Authority 553.503 FS. Law Implemented 553.503 FS. History—New 9-14-97, Amended 10-31-99, 1-20-02, 1-20-08, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Janice Browning, Director, Division of Housing and Community Development, Department of Community Affairs

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 29, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 15, 2008

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

RULE NO.:	RULE TITLE:
9B-70.002	Commission Approval and Accreditation of Advanced Building Code Training Courses

PURPOSE AND EFFECT: To review the provisions of these rules in light of the past two years experience and implement changes beneficial to the program.

SUMMARY: The rule amendment further specifies and defines grounds for revoking the status of accreditor of Building Code Education Courses and modifies the deadline for updates to accredited courses to coincide with the effective date of code changes that created the need for the update.

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

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

SPECIFIC AUTHORITY: 553.841(2), 553.841 FS.

LAW IMPLEMENTED: 553.841(2), 553.841 FS.

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

DATE AND TIME: March 19, 2008, 8:30 a.m. (or as soon thereafter as the matter is brought before the Commission in accordance with its agenda)

PLACE: Embassy Suites Hotel, 3075 Spectrum Boulevard, Tampa, Florida 33612

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 7 days before the workshop/meeting by contacting: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824

THE FULL TEXT OF THE PROPOSED RULE IS:

9B-70.002 Commission Approval and Accreditation of Advanced Building Code Training Courses.

(1) Approval of Course Accreditors. The Commission shall approve persons to serve as accreditors of advanced training courses. Persons desiring to be accreditors shall apply using Form FBCED 2003-001 adopted herein by reference and available from the Building Code Information System at www.floridabuilding.org. Applications shall be accompanied by an application fee of \$100.00. Applications shall be approved by the Commission if the applicant has demonstrated five years of Florida Building Code expertise in the field for which approval is sought, and possesses an active license

issued pursuant to Sections 471.015, 481.213, 481.311; Chapter 489, Part I or II, F.S.; or a standard certificate issued pursuant to Section 468.609, F.S. When an accreditor application is submitted to accredit only accessibility courses by an individual who can demonstrate proficiency acceptable to the Commission as a subject matter expert in the field of accessibility the Commission shall approve that applicant to accredit accessibility courses. Accreditors approved by the Commission under prior versions of this rule are authorized to continue accreditation of building code courses. ~~Approval as an accreditor shall be revoked upon a finding by the Florida Building Commission that the accreditor has committed misfeasance or malfeasance related to the process of accreditation; accredited courses in violation of Florida Building Commission rule(s) related to courses reflecting the building code(s), or Florida Statutes or rules; or failed to maintain the license that provided the basis for approval as an accreditor.~~

(2) Revocation of approval as an accreditor.

(a) Any accreditor shall have his/her approval status revoked for any of the following reasons:

1. Knowingly providing a fraudulent application to the Commission, when applying for accreditor status.

2. Suspension or revocation of a trade license submitted to the Commission as part of the initially approved accreditor application, which was not reported to the Commission at the time of suspension or revocation.

3. Failure to effectively and/or accurately accredit courses, specifically relating to the correctness of the course building code content references.

4. Failure to remove him/herself from any "conflict of interest" situations, such as accrediting own courses.

5. Accrediting courses in which the accreditor has a financial interest.

6. Failure of the accreditor to cooperate with a Commission ordered investigation.

(b) The Commission may revoke the approval status of any accreditor based on any provision of Rule 9B-70.002, F.A.C., until such time as the accreditor demonstrates that the accreditor's status is currently in compliance with this rule.

(c) The Commission shall initiate an investigation based on a written complaint containing substantial material evidence of a violation of this rule by any substantially affected party.

(d) The Commission shall clearly post the status of an investigation on its website, the Florida Building Codes Information System, www.floridabuilding.org.

(3) Accreditor Review of Courses. Accreditors shall review courses submitted by providers approved by the Department of Business and Professional Regulation to determine if the course accurately presents the technical and administrative responsibilities reflected in the current edition of the Florida Building Code, or future editions of the Code if the accreditor is reviewing a course revised to comply with an

updated edition of the Code in accordance with paragraph (4)(f) of this Rule; or Florida Statutes or rules related to the Florida Building Code. Accreditors shall not mutually accredit each others' courses. The accreditor shall determine if the course meets the following minimum criteria:

- (a) Course Title/Number. The word "advanced" and, if appropriate, "internet" shall be in the title;
- (b) Hours of Credit;
- (c) Name, address, telephone number and e-mail address of the provider;
- (d) Course Description completely describing what the particular course is designed to address;
- (e) Course/Learning Objectives;
- (f) Course Time allotments for course content;
- (g) Course Outline/Instructional Methods – detailed description of course content in sequence of how taught and methods used to teach that content. The following instructional methods are authorized, but are not limited to: exercises, quizzes, discussion groups, reading assignments, projects, simulations, and presentations;
- (h) Code edition to which the course relates;
- (i) Course references cited in the outline;
- (j) Method of Course Evaluations;
- (k) A minimum of 50% of the actual training materials content shall be related to the Florida Building Code or Florida Statutes or rules related to the Florida Building Code;
- (l) Course materials shall accurately reflect the Florida Building Code and other topics under the jurisdiction of the Florida Building Commission; and
- (m) Course materials provided to the student shall be provided to the Accreditor.

~~(4)(3)~~ Course Accreditation by the Florida Building Commission. Accredited Courses are to effectively and accurately address the technical and administrative responsibilities in the effective execution of the Florida Building Code; or Florida Statutes or rules related to the Florida Building Code. In the event the Commission identifies areas or topics of advanced Building Code education with an insufficient number of courses available through existing resources, the Commission shall report the areas or topics to the appropriate licensing board. If additional courses do not become available within six months of notification to the licensing board, upon a finding that the absence of course work in the identified subject area is detrimental to the effective administration and enforcement of the Florida Building Code, and funds are available in the Commission's budget for course development, the Commission will develop a minimum of one (1) course that will be made available to training providers.

(a) Training providers approved by the Department of Business and Professional Regulation who desire Commission approval and accreditation for advanced Building Code courses shall register with the Building Code Information

System Form FBCED 2003-002, Provider Registration, adopted herein by reference and available from the Building Code Information System at www.floridabuilding.org, and pay a registration fee of \$25.00.

(b) Registered training providers shall submit materials and information pertaining to courses for which Commission accreditation and approval is sought utilizing Form FBCED 2003-003, Course Accreditation Application, adopted herein by reference and available from the Building Code Information System at www.floridabuilding.org.

(c) The provider shall select an approved accreditor and shall provide payment for services directly to the accreditor. The accreditor selected shall meet the criteria for independence identified in paragraph (d) and shall be listed with expertise in the field for which approval is sought.

(d) Upon submittal by a training provider, the selected accreditor shall receive an e-mail notification from the Building Code Information System at www.floridabuilding.org and shall review the materials provided by the provider in accordance with the criteria identified herein. The accreditor shall complete the application by providing comments containing the results of the accreditor's review and updating the Accreditation Approval Status on the Building Code Information System. The accreditor shall also provide a certification of independence that attests the person or entity does not have, nor does it intend to acquire or will acquire, a financial interest in the training provider seeking accreditation.

(e) The Building Code Information System www.floridabuilding.org shall assign an accreditation number to the application upon submittal. The application shall be accredited completely and placed in the "Pending FBC Action" file on the Building Code Information System at www.floridabuilding.org no later than 23 calendar days prior to the next scheduled meeting of the Florida Building Commission. The Commission shall finalize the accreditation process utilizing the Building Code Information System at www.floridabuilding.org and notify the provider and accreditor within 3 business days of the Florida Building Commission's action on the applications.

~~(f) On or before the effective date of changes to the Florida Building Code, providers shall either have 120 calendar days from the date of the code adoption to update existing accredited courses affected by the code changes and submit for accreditation or designate on the Building Code Information System at www.floridabuilding.org that the course is not affected by the code changes or update existing accredited courses affected by the code changes and submit for accreditation. If the course is not affected by the code changes, the course's status shall remain active and the course status should remain active. Existing courses may continue to be delivered during the 120 calendar day period.~~ The code version that initiated the update and reaccreditation process must be noted on the application. Accreditation of revisions to

accredited courses and courses in alternative formats to approved accredited courses shall be accomplished in the same manner as described in paragraphs (a) through (f) hereof, except that only the revision submitted shall be subject to review and these courses shall be approved by the administrator of the education program subject to ratification by the Florida Building Commission.

(g) The Commission shall audit 2% of all courses submitted for accreditation and of all courses submitted for reaccreditation. Any courses submitted for accreditation or re-accreditation determined to not accurately reflect the Florida Building Code Edition; or Florida Statutes or rules related to the Florida Building Code shall be denied. All approved Advanced Building Code Courses must reflect the Florida Building Code Edition; or Florida Statutes or rules related to the Florida Building Code. Any courses accredited and found by audit or any means to inaccurately reflect the Florida Building Code Edition; or Florida Statutes or rules related to the Florida Building Code or accredited by an accreditor outside the approved areas of expertise shall have the accreditation revoked, the status of the course communicated to the respective licensing board, and the provider required to file a new application for accreditation, if the course would comply.

Specific Authority 553.841(2) FS. Law Implemented 553.841 FS. History--New 6-8-05, Amended 4-30-07,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Janice Browning, Director, Division of Housing and Community Development

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 29, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 11, 2008

DEPARTMENT OF TRANSPORTATION

RULE NO.: RULE TITLE:

14-10.025 Wall Murals

PURPOSE AND EFFECT: New Rule 14-10.025, F.A.C., Wall Murals, is being adopted to implement provisions of Section 479.156, Florida Statutes, regulating wall murals as defined in Section 479.01(27), Florida Statutes. A new application form is incorporated by reference.

SUMMARY: This is a new rule to implement the provisions of Section 479.156, Florida Statutes, regulating wall murals.

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

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

SPECIFIC AUTHORITY: 334.044(2), 479.02(7) FS.

LAW IMPLEMENTED: 479.156 FS.

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

DATE AND TIME: March 18, 2008, 10:00 a.m.

PLACE: Department of Transportation Headquarters, Haydon Burns Building, Room 479, 605 Suwannee Street, Tallahassee, Florida

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

THE FULL TEXT OF THE PROPOSED RULE IS:

14-10.025 Wall Murals.

(1) Wall murals displaying commercial messages within 660 feet of the nearest edge of the right of way of an interstate or federal aid primary highway must obtain Department approval prior to installation.

(2) Application for approval of a wall mural is made by completing and submitting the form Application for Wall Mural Approval, Form 575-070-31, 09/07, incorporated herein by reference, to the address listed in subsection 14-10.003(2), F.A.C. The application form may be obtained from the State Outdoor Advertising License and Permit Office.

(a) A separate application is required for each wall mural.

(b) Priority of applications will be based upon the order of the receipt of completed applications.

1. An application will be considered complete when all items on the application form have been filled in, and all required attachments received.

2. Incomplete applications will be returned to the applicant without Departmental action. Applications containing incorrect information will be returned to the applicant as denied.

3. Once an application form has been received by the Department, any change or addition to the application form as submitted must be initialed by the applicant on the original application document.

(c) Each application must include the following attachments:

1. A statement from the local government within whose jurisdiction the mural is to be located that the property on which the mural is to be located is zoned for commercial or industrial use.

2. A statement from the local government approving the placement of the wall mural as described in the Application.

3. A copy of the local ordinance enacted in conformance with Section 479.156, F.S., allowing for the placement of wall murals.

4. A photograph of the building on which the mural will be displayed, and

5. Payment of the initial fee in the amount set forth in Rule 14-10.0043, F.A.C., for outdoor advertising permit fees.

(3) In order to be approved by the Department, all the following requirements must be met:

(a) The property on which the wall mural is to be located must be zoned for commercial or industrial uses.

(b) The height of the mural facing may not exceed 30 feet.

(c) The width of the mural facing may not exceed 60 feet.

(d) The total area of the mural may not exceed 1200 square feet.

(e) Wall murals must meet minimum spacing requirements from any permitted outdoor advertising sign or previously approved wall mural. Minimum spacing is 500 feet on the federal aid primary highway system and 1,000 feet on the Interstate highway system. Measurements are taken from the midpoint of a mural placed parallel to the controlled roadway and from the point of the mural closest to the roadway for right or left read displays.

(f) Wall murals may not be located within 500 feet of an interstate interchange outside an incorporated area.

(g) In lieu of the requirements set forth in paragraphs (3)(a) through (3)(f) the applicant must demonstrate that the wall mural constitutes a customary use which was recognized as a widespread, long-standing and common general practice within the local jurisdiction as of the January 27, 1972, agreement between the State of Florida and the United States Department of Transportation implementing the requirements of the Highway Beautification Act of 1965, 23 U.S.C. Sec. 131.

(h) An annual fee in the amount established in Rule 14-10.0043, F.A.C., for outdoor advertising permit fees must be paid.

(4) The Department shall deny any application for a wall mural and will revoke any previously issued permit if the Department receives notification from the Federal Highway Administration that the wall mural is not approved under federal laws or regulations.

(5) The Department will approve or deny complete applications within 30 days of receipt by the Department.

Specific Authority 334.044(2), 479.02(7) FS. Law Implemented 479.156 FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Lynn Holschuh, Administrator, Outdoor Advertising Control

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Stephanie C. Kopelousos, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 12, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 19, 2007

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

PUBLIC SERVICE COMMISSION

RULE NO.:	RULE TITLE:
25-6.0183	Electric Utility Procedures for Generating Capacity Shortage Emergencies

PURPOSE AND EFFECT: To adopt the revised and updated amendment to the generating capacity shortage emergency plan.

SUMMARY: Rule 25-6.0183, F.A.C., is amended to adopt the July, 2007, version of the Florida Reliability Coordinating Council's Generating Capacity Shortage Plan. Docket No. 070642-EI.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: There should be no impact from the rule changes on ratepayers, small businesses, small cities, or small counties, or on businesses, cities, or counties. Electric utilities would incur minor costs to update their plans. Customers would benefit from warnings of outages, but incur no new costs.

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

SPECIFIC AUTHORITY: 350.127(2), 366.05 FS.

LAW IMPLEMENTED: 366.04(2)(c), (2)(f), (5) FS.

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

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 48 hours before the workshop/meeting by contacting: Office of Commission Clerk, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6770. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tom Ballinger, Division of Economic Regulation, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6680

THE FULL TEXT OF THE PROPOSED RULE IS:

25-6.0183 Electric Utility Procedures for Generating Capacity Shortage Emergencies.

The Commission adopts the Florida Reliability Coordinating Council's Generating Capacity Shortage Plan, dated July 2007, ~~August 2002~~ as the Commission's plan to address generating capacity shortage emergencies within Florida. A copy of the Generating Capacity Shortage Plan may be obtained from the Director, Division of Economic Regulation, Florida Public Service Commission.

Specific Authority 350.127(2), 366.05 FS. Law Implemented 366.04(2)(c), (f), (5) FS. History--New 2-12-91, Amended 3-19-98, 4-27-03,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Tom Ballinger, Division of Economic Regulation, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6680

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 29, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 2, 2007

DEPARTMENT OF CORRECTIONS

RULE NOS.:	RULE TITLES:
33-601.800	Close Management
33-601.820	Maximum Management

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify and simplify the Department's Rules by amending Rules 33-601.800 and .820, F.A.C., to use form DC6-229 "Daily Record of Special Housing," to document provision of services to inmates in special housing statutes.

SUMMARY: Combines two forms (DC6-229A, Close Management Daily Record of Segregation; DC6-229, Daily Record of Segregation) into one form (DC6-229 Daily Record of Special Housing) that can be used for various housing statuses. Revises title of DC6-229B in accordance with change to DC6-229 – Daily Record of Segregation – Supplemental changed to Daily Record of Special Housing – Supplemental.

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

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

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULES IS:

33-601.800 Close Management.

(1) through (5) No change.

(6) Close Management Facilities.

(a) through (d) No change.

(e) Water Supply to CM Units. All close management cells will be equipped with toilet facilities and running water for drinking and other sanitary purposes. Water in the cell can be turned off when necessary due to misbehavior. Misbehavior is defined as any activity exhibited by an inmate which causes an interruption in the water system and its proper function, such as intentionally clogging a toilet bowl or sink with paper in order to then flood the housing area. It also includes the intentional misuse of the water for such purposes as throwing it on staff or other inmates, or mixing it with another substance for an unauthorized purpose (inmate mixes water with soap or shampoo and apply to the floor or himself or herself to hinder cell extraction). In such event, the inmate will be furnished with an adequate supply of drinking water by other means to prevent dehydration. This action can be taken in addition to formal disciplinary action being taken against the inmate pursuant to established procedures regarding disciplinary action. Any misbehavior from an inmate and subsequent action by security staff will be documented on the ~~Close Management Daily Record of Segregation~~, Form DC6-229A. Form DC6-229A is incorporated by reference in subsection (19) of this rule.

(f) through (g) No change.

(h) Inmates shall be weighed upon entering close management, at least once a week while in close management, and upon leaving close management. The weight of the inmate shall be documented on Form DC6-229A, ~~Close Management Daily Record of Segregation~~.

(7) through (9) No change.

(10) Conditions and Privileges in CM Units.

(a) Clothing – Inmates in close management shall be provided the same clothing and clothing exchange as the general inmate population unless there are facts to suggest that on an individual basis exceptions are necessary for the welfare of the inmate or the security of the institution. In such cases, the exceptions shall be documented on Form DC6-229A and approved by the chief of security. Shower slides may be

substituted for regulation shoes. Any item may be removed from the cell in order to prevent the inmate from inflicting injury to him or herself or others or to prevent the destruction of property or equipment. If an inmate's clothing is removed, a modesty garment shall be immediately obtained and given to the inmate. If the inmate chooses not to wear the garment, the garment shall be left in the cell and this action shall be documented on Form DC6-229A, ~~Close Management~~ Daily Record of Special Housing Segregation. Under no circumstances shall an inmate be left without a means to cover him or herself.

(b) Bedding and linen – Bedding and linen for inmates in close management shall be issued and exchanged the same as is provided to the general inmate population. Any exceptions shall be based on potential harm to individuals or a threat to the security of the institution. The shift supervisor or the senior correctional officer must approve the action initially. Such exceptions shall be documented on Form DC6-229A and the chief of security shall make the final decision in regard to action no later than the next working day following the action.

(c) Personal Property – Inmates shall be allowed to retain personal property including stamps, watches, rings, writing paper, envelopes and health and comfort items unless there is a indication of a security problem. Close management inmates at all levels shall be allowed to possess a “walkman” type radio with approved headphones as is allowed for general population inmates. Exceptions or removal of any item will be documented on the Form DC6-229A. An Inmate Impounded Personal Property List, Form DC6-220, will be completed by security staff and signed by the inmate designating what personal items were removed. The original will then be placed in the inmate's property file and a copy of the form will be given to the inmate for his or her records. If items of clothing, bedding or personal property are removed in order to prevent the inmate from inflicting injury to him or herself or others, to prevent the destruction of property or equipment, or to prevent the inmate from impeding security staff from accomplishing functions essential to the unit and institutional security, staff shall re-assess the need for continued restriction every 72 hours thereafter. The warden, based on this assessment, will make the final determination on the continued denial or return of the items. The items will be returned to the inmate when no further behavior or threat of behavior of the type leading to the restriction has occurred. Form DC6-220 is incorporated by reference in Rule 33-602.220, F.A.C.

(d) Comfort Items – Inmates in close management shall be permitted personal hygiene items and other medically needed or prescribed items such as eye glasses or hearing aids, except when security requirements dictate otherwise. Inmates in close management shall not possess any products that contain baby oil, mineral oil, cocoa butter, or alcohol. In the event certain items that inmates in close management are not normally prohibited from possessing are removed, the senior

correctional officer shall be notified and must approve the action taken, or the item must be returned to the inmate. Action taken shall be recorded on the ~~Close Management~~ Daily Record of Special Housing Segregation, Form DC6-229A, which must be reviewed by the chief of security. When any personal property is removed, an Inmate Impounded Personal Property List, Form DC6-220, designating what personal items were removed, shall be completed by security staff and signed by the inmate. The following comfort items shall be provided as a minimum: toothbrush, toothpaste, bar of soap, towel or paper towels, and feminine hygiene products for women, and toilet tissue.

(e) No change.

(f) Diet and Meals – All inmates in close management shall receive normal institutional meals as are available to the general inmate population except that if any item on the regular menu might create a security problem in the close management area, then another item of comparable quality shall be substituted. An alternative meal (special management meal) may be provided for any inmate in close management who uses food or food service equipment in a manner that is hazardous to him or herself, staff, or other inmates. The issuance of a special management meal will be in strict accordance with Rule 33-602.223, F.A.C. Any deviation from established meal service is to be documented by security staff on the ~~Close Management~~ Daily Record of Special Housing Segregation, Form DC6-229A.

(g) through (k) No change.

(l) Reading materials – Reading materials, including scriptural or devotional materials and books that are in compliance with admissibility requirements, are allowed in close management units unless there is an indication of a threat to the safety, security, or sanitation of the institution. If it is determined that there is a safety, security or sanitation risk, the items will be removed. Such removal of reading materials will be documented on Form DC6-229A, ~~Close Management~~ Daily Record of Special Housing Segregation. If items are removed in order to prevent the inmate from inflicting injury to him or herself or others or to prevent the destruction of property or equipment, staff shall re-assess the need for continued restriction every 72 hours thereafter. The warden, based on this assessment, will make the final determination on the continued denial or return of the items. The items will be returned to the inmate when no further behavior or threat of behavior of the type leading to the restriction has occurred. An inmate who receives services from the Bureau of Braille and Talking Book library will be allowed to have his tape player, devotional or scriptural material tapes, and other books on tape which are in compliance with Rule 33-501.401, F.A.C.

(m) Exercise – Those inmates confined on a 24-hour basis excluding showers and clinic trips may exercise in their cells. If the inmate requests a physical fitness program handout, the wellness specialist or the close management officer shall

provide the inmate with an in-cell exercise guide and document such on the ~~Close Management~~ Daily Record of Special Housing Segregation, Form DC6-229A. However, an exercise schedule shall be implemented to ensure a minimum of six hours per week (two hours three days per week) of exercise out of doors. The assignment and participation of an inmate on the restricted labor squad or other outside work squad required to work outside at least one day per week will satisfy the minimum exercise requirements for the week. Such exercise periods shall be documented on Form DC6-229A. The ICT is authorized to restrict exercise for an individual inmate only when the inmate is found guilty of a major rule violation as defined in this rule, or if the inmate has pending a disciplinary hearing for a major rule violation as defined in this rule. Inmates shall be notified in writing of this decision and may appeal through the grievance procedure. The denial of exercise shall be for no more than 15 days per incident and for no longer than 30 days in cumulative length. Medical restrictions determined by health services staff can also place limitations on the amount and type of exercise permitted. Such restrictions of exercise periods will be documented on the ~~Close Management~~ Daily Record of Special Housing Segregation, Form DC6-229A. A disabled inmate who is unable to participate in the normal exercise program will have an exercise program developed for him that will accomplish the need for exercise and take into account the particular inmate's limitations. Close management inmates shall be allowed equal access to outdoor exercise areas with exercise stations.

(n) No change.

(11) No change.

(12) Suspension of Privileges. The ICT shall suspend an inmate's privileges if security and safety concerns would preclude an inmate from receiving certain privileges. Any action taken by the ICT regarding the suspension or limiting of privileges will be documented on the ~~Close Management~~ Daily Record of Special Housing Segregation, Form DC6-229A. Privileges suspended by the ICT in excess of 30 days will require the review and approval of the SCO.

(13) through (14) No change.

(15) Contact by Staff. The following staff members shall be required to officially inspect and tour the close management unit. All visits by staff shall be documented on the Inspection of Special Housing Record, Form DC6-228. Form DC6-228 is incorporated by reference in subsection (19) of this rule. The staff member shall also document his or her visit on the ~~Close Management~~ Daily Record of Special Housing Segregation, Form DC6-229A, if there is any discussion of significance, action or behavior of the inmate, or any other important evidential information which may have an influence or effect on the status of confinement. These visits shall be conducted at a minimum of:

(a) through (i) No change.

(16) Review of Close Management.

(a) No change.

(b) All services provided by any mental health or program staff member shall be recorded on the ~~Close Management~~ Daily Record of Special Housing Segregation, Form DC6-229A, which shall be kept in the CM unit.

(c) through (g) No change.

(17) Close Management Records.

(a) A Report of Close Management, Form DC6-233C, shall be kept for each inmate placed in close management.

(b) A ~~Close Management~~ Daily Record of Special Housing Segregation, Form DC6-229A, shall be maintained for each inmate as long as he is in close management. Form DC6-229A shall be utilized to document any activities, including cell searches, items removed, showers, outdoor exercise, haircuts and shaves. If items that inmates in close management are not prohibited from possessing are denied or removed from the inmate, the shift supervisor or the senior correctional officer must approve the action initially. The Central Office ADA coordinator shall be contacted within 24 hours if any item is removed that would be considered an auxiliary aid or device that ensures a disabled inmate an equal opportunity as a non-disabled inmate. The items denied or removed shall be documented on Form DC6-229A and the chief of security shall make the final decision in regard to the action no later than the next working day following the action. Staff shall re-assess the need for continued restriction every 72 hours thereafter as outlined in subsection (10) of this rule. The close management unit officer shall make a notation of any unusual occurrences or changes in the inmate's behavior and any action taken. Changes in housing location or any other special action shall also be noted. Form DC6-229A shall be maintained in the housing area for 30 days. After each 30 day review of the inmate by a member of the ICT, Form DC6-229A shall be forwarded to classification to be filed in the institutional inmate record.

(c) A Daily Record of Special Housing Segregation – Supplemental, Form DC6-229B, shall be completed and attached to the current Form DC6-229A whenever additional written documentation is required concerning an event or incident related to the specific inmate.

(d) through (e) No change.

(18) No change.

(19) Forms. The following forms referenced in this rule are hereby incorporated by reference. Copies of any of these forms are available from the Forms Control Administrator, Office of Research, Planning and Support Services, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

(a) through (d) No change.

(e) Form DC6-229, Daily Record of Special Housing Segregation, effective date 12-16-01.

~~(f) Form DC6-229A, Close Management Daily Record of Segregation, effective date 4-9-06.~~

(f)(g) Form DC6-229B, Daily Record of Special Housing Segregation – Supplemental, effective date 4-8-04.
 (h) through (l) renumbered (g) through (k) No change.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History–New 2-1-01, Amended 12-16-01, 4-8-04, 3-10-05, 4-9-06, 8-23-07,_____.

33-601.820 Maximum Management.

(1) through (3) No change.

(4) Conditions of Placement in Maximum Management.

Inmates shall be subject to the following conditions upon initial placement in maximum management:

(a) The inmate shall be provided clothing and bedding. If the inmate’s behavior requires, the Shift Supervisor may authorize the removal of clothing or bedding or that the solid door be closed for security reasons either upon initial placement or at any time during maximum management status. The Shift Supervisor shall notify the Warden. If in agreement with the action, the Warden shall notify the Regional Director. If the Regional Director agrees with the action, the Deputy Assistant Secretary of Institutions – Operations will be contacted for final approval no later than the first work day following the Shift Supervisor’s action. If an inmate’s clothing is removed, a modesty garment shall be immediately given to the inmate. If the inmate chooses not to wear the garment, the garment shall be left in the cell and this action shall be documented on Form DC6-229A, ~~CM~~ Daily Record of Special Housing Segregation. Form DC6-229A is incorporated by reference in Rule 33-601.800, F.A.C. Under no circumstances shall an inmate be left without a means to cover him or herself.

(b) through (g) No change.

(5) Initial Placement Hearing and Decision Process.

(a) through (j) No change.

(k) The Classification Supervisor at the maximum management facility shall ensure that Form DC6-229A, ~~CM~~ Daily Record of Special Housing Segregation, is documented with any status or condition changes approved by the Maximum Management Review Team. The Classification Supervisor shall also ensure that the inmate is informed verbally and in writing of the Maximum Management Review Team’s decision. Form DC6-229A is incorporated by reference in Rule 33-601.800, F.A.C.

(l) through (m) No change.

(6) Review of Maximum Management Status and Conditions.

(a) The Institutional Classification Team shall review the inmate’s maximum management status, the conditions set forth in subsection (4) above, and previously modified conditions, weekly for the first sixty days from the date of placement, and at least monthly thereafter.

1. Weekly reviews by the Institutional Classification Team during the first sixty days of maximum management status and monthly thereafter shall be documented on Form DC6-229A, ~~CM~~ Daily Record of Special Housing Segregation.

2. through 3. No change.

(b) through (e) No change.

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

(g) through (h) No change.

(7) through (9) No change.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History–New 12-7-00, Amended 11-23-03, 4-1-04, 4-13-06, 10-30-06,_____.

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

RULE NOS.: RULE TITLES:

40B-2.031 Implementation

40B-2.041 Permits Required

PURPOSE AND EFFECT: The purpose of the proposed rule is to update these sections of Chapter 40B-2, Florida Administrative Code, to codify a new water use permit category and revise the general and individual permit categories for consistency. The effect of the rule will be to provide for a more efficient water use permitting program.

SUMMARY: This proposed rule will codify a new water use permit category and revise the general and individual permit categories for consistency to provide for a more efficient permitting program.

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

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

SPECIFIC AUTHORITY: 373.044, 373.113, 373.118, 373.171 FS.

LAW IMPLEMENTED: 373.103, 373.118, 373.216, 373.219, 373.226, 373.244 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: Linda Welch, Administrative Assistant, Suwannee River Water Management District, 9225 C.R. 49, Live Oak, Florida 32060, (386)362-1001 or (800)226-1066 (FL only)

THE FULL TEXT OF THE PROPOSED RULE IS:

40B-2.031 Implementation.

(1) An individual water use permitting program, Chapter 40B-2 shall become effective on October 1, 1982, and has been implemented throughout the District.

(2) A general water use permitting program, became effective on October 1, 1982, and has been implemented throughout the District.

(3) A minor use permit by rule permitting program became effective on _____, and has been implemented throughout the District.

Specific Authority 373.044, 373.113, 373.118, 373.171 FS. Law Implemented 373.103(+), 373.118, 373.216, 373.226 FS. History–New 10-1-82, Amended _____.

40B-2.041 Permits Required.

(1) A water use permit is required This rule requires a permit prior to the withdrawal or diversion of water for any consumptive use except those expressly as exempted by law or District rule. Exempted uses are defined in Section 40B-2.051. Any person may request a conceptual approval permit under the procedures in subsection 40B-1.703(3). Otherwise, one of the following types of permits may be requested:

(2) The District issues three types of water use permits: minor water use permit by rule, general water use permit, and individual water use permit.

Minor Water Use Permit

(a) Except as provided in paragraphs (b), (c) and (d) below, a minor permit by rule is hereby granted for the following water uses as referenced in subsection 40B-2.501(3), F.A.C.: agricultural, aquacultural, augmentation, commercial, golf course, landscape irrigation, nursery, power production, water-based recreation, water utility uses, and other outside uses, provided they meet the criteria specified below:

1. The average daily use is less than 100,000 gallons per day and the maximum daily use is less than 250,000 gallons per day.

2. The water will be either withdrawn from a single well with a uniform casing diameter of four inches or less or from a single withdrawal point with a pipe diameter of four inches or less.

3. The water is not transported across water management district boundaries.

4. All uses shall employ standard water conservation practices for the use type.

5. In the event of a water shortage as declared by the Board, the permittee shall adhere to all limitations on withdrawal or use ordered by the District pursuant to Chapter 40B-21, F.A.C.

6. The Permittee shall allow District personnel access at reasonable times and at District expense, or with District equipment, to monitor withdrawal rates and volumes authorized by this permit.

(b) Except as provided in paragraphs (c) and (d) below, a minor permit by rule is hereby granted for hydrostatic testing, provided:

1. The Permittee provides written notice to the District at least ten (10) business days prior to each hydrostatic test. The written notice shall include a location map showing the pipeline to be tested, volume of water to be pumped, test duration and discharge point(s).

2. The water is not transported across water management district boundaries.

3. The Permittee allows District personnel access at reasonable times and at District expense, or with District equipment, to monitor the test.

4. In the event of a water shortage as declared by the Board, the permittee adheres to all limitations on withdrawal or use ordered by the District pursuant to Chapter 40B-21, F.A.C.

5. In the event the use interferes with any existing legal use, the Permittee shall mitigate for these impacts.

General Water Use Permit

(c) Except as provided in paragraphs (a) and (b) above or (d) below, a general permit is required shall be requested under the general permit procedures in paragraph 40B-1.703(1)(c), F.A.C., (a) For all withdrawals or diversions from ground waters or closed systems which are less than ten million gallons per day maximum daily rate of withdrawal and less than two million gallons per day average daily rate of withdrawal, a general permit application may be submitted and considered under the general permit procedures in paragraph 40B-1.703(1)(c). Either the Executive Director, the Assistant Executive Director, or the Deputy Executive Director shall approve general permit applications under this paragraph without a hearing, except that any application recommended for denial shall be presented to the Governing Board for final agency action.

Individual Water Use Permit

(d)(b) An individual permit is required under the individual permit procedures in subsection 40B-1.703(2), F.A.C., For all withdrawals or diversions which exceed the limits established in paragraph s. 40B-2.041(2)(+)(b)(a), F.A.C., and for all bottled water uses regardless of the quantity of the withdrawal or diversion, an individual permit application may be submitted and considered under the individual permit procedures in s. 40B-1.703(2).

(2) Water uses existing prior to the implementation date of this chapter shall be governed under the provisions of s. 373.226, Florida Statutes, and this chapter.

Specific Authority 373.044, 373.113, 373.118, 373.171 FS. Law Implemented 373.103, 373.118, 373.219, 373.226, 373.244 FS. History–New 10-1-82, Amended 5-1-83, 6-16-88, _____.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: February 12, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: December 21, 2007

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

RULE NO.:	RULE TITLE:
40B-4.1090	Publications and Agreements Incorporated by Reference

PURPOSE AND EFFECT: The purpose of the proposed rule is to update this section of Chapter 40B-4, Florida Administrative Code, to adopt the most current version of the items incorporated by reference. The effect of the proposed rule amendments will incorporate the new flood insurance study for the Suwannee River and its tributaries in Suwannee County.

SUMMARY: These proposed amendments will address items incorporated by reference.

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

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

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.019, 373.083, 373.084, 373.085, 373.086, 373.403, 373.413, 373.416 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: Linda Welch, Administrative Assistant, Suwannee River Water Management District, 9225 C.R. 49, Live Oak, Florida 32060, (386)362-1001 or (800)226-1066 (FL only)

THE FULL TEXT OF THE PROPOSED RULE IS:

40B-4.1090 Publications and Agreements Incorporated by Reference.

(1) through (2)(d) No change.

(e) Suwannee County, Florida and Incorporated Areas, Effective September 28, 2007.

Specific Authority 373.044 FS. Law Implemented 373.083, 373.084, 373.085, 373.086, 373.413, 373.416 FS. History--New 11-21-02, Amended 5-13-07.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: February 12, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: November 21, 2007

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

RULE NOS.:	RULE TITLES:
40B-21.631	Water Shortage, Phase II
40B-21.641	Water Shortage, Phase III

PURPOSE AND EFFECT: The purpose of the proposed rule is to update these sections of Chapter 40B-21, Florida Administrative Code, to provide an exemption from water shortage restrictions for high pressure/high volume irrigation systems that have been certified within the past two years to be as efficient as practicable. The effect of the proposed rule will be to amend the rule language to allow for certification within five years prior to the effective date of a water shortage order.

SUMMARY: This proposed rule will provide an exemption from water shortage restrictions for high pressure/high volume irrigation systems that have been certified within the past two years to be as efficient as practicable.

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

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

SPECIFIC AUTHORITY: 373.044, 373.113 FS.

LAW IMPLEMENTED: 373.175, 373.246 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: Linda Welch, Administrative Assistant, Suwannee River Water Management District, 9225 C.R. 49, Live Oak, Florida 32060, (386)362-1001 or (800)226-1066 (FL only)

THE FULL TEXT OF THE PROPOSED RULES IS:

40B-21.631 Water Shortage, Phase II.

(1) through (3)(b) No change.

(c) Overhead irrigation by high pressure/high volume systems shall be prohibited between the hours of 10:00 a.m. and 4:00 p.m. Systems that have been certified by an independent irrigation laboratory within the past five ~~two~~ years prior to the effective date of a water shortage order to be as efficient as practicable shall not be restricted, except in accordance with subsection 40B-21.601(1), F.A.C.

(d) through (7)(g)2. No change.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.175, 373.246 FS. History—New 7-30-06, Amended_____.

40B-21.641 Water Shortage, Phase III.

(1) through (3)(b) No change.

(c) Overhead irrigation by high pressure/high volume systems shall be prohibited between the hours of 10:00 a.m. and 4:00 p.m. Systems that have been certified by an independent irrigation laboratory within the past five ~~two~~ years prior to the effective date of a water shortage order to be as efficient as practicable shall not be restricted, except in accordance with subsection 40B-21.601(1), F.A.C.

(d) through (7)(g)2. No change.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.175, 373.246 FS. History—New 7-30-06, Amended_____.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 12, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 18, 2008

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: 40D-1.002 RULE TITLE: Delegation of Authority

PURPOSE AND EFFECT: The purpose of the proposed amendments to subsection 40D-1.002(2), F.A.C., is to delegate to designated staff the authority to act on requests for variances and waivers to Chapters 40D-21, Water Shortage Plan, and 40D-22, F.A.C., Year-Round Water Conservation Measures in order to streamline the variance and waiver process and to correct certain staff titles.

SUMMARY: This rulemaking to amend subsection 40D-1.002(2), F.A.C., will delegate authority from the Governing Board to designated staff to act on requests for variances and waivers to Chapters 40D-21, F.A.C., Water

Shortage Plan, and 40D-22, F.A.C., Year-Round Water Conservation Measures. The delegation will streamline the variance and waiver processes under those rule chapters. The rulemaking will add the Demand Management Coordinator and the Water Use Permit Program Director as staff authorized to grant variances and waivers and will also update the titles of staff positions already delegated authority to act on requests for variances and waivers from both rules, remove the reference to the Assistant Executive Director (a position that no longer exists) and replace the reference to the Records and Data Director with one for the head of the department that Records and Data has been merged into (Regulation Performance Management).

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

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

SPECIFIC AUTHORITY: 373.044, 373.103, 373.113, 373.118, 373.171, 373.219, 373.309 FS.

LAW IMPLEMENTED: 253.002, 373.083, 373.103, 373.149, 373.171, 373.175, 373.219, 373.223, 373.224, 373.226, 373.246, 373.308, 373.309, 373.427 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: Karen A. Lloyd, Assistant Deputy Counsel, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651

THE FULL TEXT OF THE PROPOSED RULE IS:

40D-1.002 Delegation of Authority.

(1) No change.

(2) The Governing Board delegates to the Executive Director, ~~the Assistant Executive Director~~, the Deputy Executive Director for Resource Regulation, the Regulation Performance Management Director, the Regulation Program Director – WUP Program, and the Demand Management Coordinator ~~Director of Records and Data~~ the authority to take final agency action on petitions for variances and waivers pursuant to Rule 40D-21.441, F.A.C., subsection 40D-1.1002(5), F.A.C., and Rule 40D-22.303, F.A.C.

(3) No change.

Specific Authority 373.044, 373.103, 373.113, 373.118, 373.171, 373.219, 373.309 FS. Law Implemented 253.002, 373.083, 373.103, 373.149, 373.171, 373.175, 373.219, 373.223, 373.224, 373.226, 373.246, 373.308, 373.309, 373.427 FS. History—New 3-1-84, Amended 3-10-96, 7-22-99, 12-2-99, 9-26-02, 7-20-04, 10-19-05, 5-21-06, 7-13-06, 12-24-07,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Karen A. Lloyd, Assistant Deputy Counsel, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Southwest Florida Water Management District Governing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 29, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 8, 2008

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Landscape Architecture

RULE NO.: 61G10-12.001 RULE TITLE: Application and Examination Fees

PURPOSE AND EFFECT: The Board proposes to amend the rule to incorporate changes in CLARB examination and fees.

SUMMARY: The rule amendment incorporates changes in CLARB examination and fees.

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

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

SPECIFIC AUTHORITY: 481.306, 481.307 FS.

LAW IMPLEMENTED: 481.307 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: Juanita Chastain, Executive Director, Board of Landscape Architecture, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G10-12.001 Application and Examination Fees.

(1) No change.

(2) The following is the examination fee schedule for the Landscape Architectural Registration Examination and the Florida Section:

Section A	Fee is set by and \$65.00 payable to the Council of Landscape Architectural Registration Boards.
Section B	Fee is set by and \$115.00 payable to the Council of Landscape Architectural Registration Boards.

Section C	The fee for each examination offering is as follows: <u>December 2007 and June 2008 – \$260.00.</u> <u>December 2008 and June 2009 – \$270.00.</u> <u>December 2009 and June 2010 – \$276.00.</u> \$230.00 payable to the Department.
Section D	Fee is set by and \$180.00 payable to the Council of Landscape Architectural Registration Boards.
Section E	The fee for each examination is as follows: <u>December 2007 and June 2008 – \$260.00.</u> <u>December 2008 and June 2009 – \$270.00.</u> <u>December 2009 and June 2010 – \$276.00.</u> \$225.00 payable to the Department.
Florida Section	\$300.00 of which, \$282.00 is payable to the department and is due at the time of application, \$18.00 is payable to the Department’s contracted testing service, and is due at the time of the testing.

(3) No change.

Specific Authority 481.306, 481.307 FS. Law Implemented 481.307 FS. History–New 2-4-80, Amended 3-9-84, 7-26-84, Formerly 21K-12.01, Amended 10-7-87, 11-12-89, 3-11-91, Formerly 21K-12.001, Amended 8-7-95, 1-13-99, 8-16-99, 8-27-00, 8-21-05,

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Board of Landscape Architecture

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 25, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 19, 2007

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: 61H1-33.0035 RULE TITLE: Continuing Professional Education/Governmental Auditing

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to provide an update of the documents incorporated into the rule.

SUMMARY: The rule amendment will update the documents incorporated into the rule.

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

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

SPECIFIC AUTHORITY: 473.312(3) FS.
LAW IMPLEMENTED: 473.312(3) FS.
IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-33.0035 Continuing Professional Education/ Governmental Auditing.

~~(1) Effective with the CPE reporting period ending June 30, 2006:~~

~~(1)(a)~~ Any licensee who is involved in governmental audits shall be required to comply with the CPE requirements imposed by Government Auditing Standards ~~2007~~ ~~1994~~ commonly referred to as the "Yellow Book," ~~effective July 2007~~, which is hereby incorporated by reference, if during the engagement:

- ~~(a)1-~~ The licensee is the in charge person, or
- ~~(b)2-~~ The licensee reviews the working papers or report or both, or
- ~~(c)3-~~ The licensee supervises others, or
- ~~(d)4-~~ The licensee is the only licensee performing the work.

~~(2)(b)~~ Licensees conducting audits controlled by either subparagraph ~~(a)1-~~ or ~~(b)2-~~ below, shall be required to take 24 hours of governmental CPE and shall be required to comply with the CPE requirements imposed by Government Auditing Standards.

~~(a)1-~~ Government Auditing Standards ~~2007~~ ~~1994~~ Revision, issued by the U. S. Government Accountability Office, which may be obtained at <http://www.gao.gov/govaud/ybk01.htm> ~~Comptroller General of the United States.~~

~~(b)2-~~ The Rules of the Auditor General, Chapter 10.550, which may be obtained at <http://www.myflorida.com/audgen/pages/rules.htm>.

~~(3)(2)~~ The required 24 hours of governmental CPE may be used to meet the courses required in paragraph 61H1-33.003(1)(a), F.A.C., provided they meet the requirements of subsection 61H1-33.003(2), F.A.C.

Specific Authority 473.312(3) FS. Law Implemented 473.312(3) FS. History--New 8-22-90, Amended 7-7-92, Formerly 21A-33.0035, Amended 5-2-96,_____.

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 1, 2008
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 4, 2008

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: 64B5-15.030
RULE TITLE: One-Time Fee

PURPOSE AND EFFECT: The Board proposes the rule amendment to correct the date of the one-time fee of \$250.00 and to delete the reference to the written notice of the one-time fee requirement.

SUMMARY: The rule amendment will correct the date of the one-time fee of \$250.00 and to delete the reference to the written notice of the one-time fee requirement.

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

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

SPECIFIC AUTHORITY: 456.025(4), 466.004(4), 466.015(1), (2) FS.

LAW IMPLEMENTED: 456.025(4) FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-15.030 One-Time Fee.

(1) Each dentist licensed by the Department pursuant to Chapter 466, F.S., on or before ~~November 1, 2007~~ ~~March 1, 2008~~, and still holding such a license, whether active or inactive, on November 1, 2007 ~~March 1, 2008~~, shall pay a one-time fee of \$250.00 to the Board of Dentistry. Payment of the one-time fee must be postmarked to the Board no later than February 28, 2008.

(a) through (c) No change.

~~(2) The Department shall mail written notice of the one-time fee requirement to each licensed dentist's address of record by no later than November 1, 2007.~~

Specific Authority 456.025(4), 466.004(4), 466.015(1), (2) FS. Law Implemented 456.025(4) FS. History--New 10-23-07, Amended

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Dentistry
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Dentistry
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 6, 2007
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 11, 2008

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NO.: 64B18-24.001
RULE TITLE: Initial Certification for Podiatric X-Ray Assistants

PURPOSE AND EFFECT: The Board proposes the rule amendment to update language concerning certification for podiatric x-ray assistants.

SUMMARY: Language concerning certification for podiatric x-ray assistants will be updated.

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

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

SPECIFIC AUTHORITY: 461.005, 461.0135 FS.
LAW IMPLEMENTED: 120.52(9), 456.013(2), 456.025(1), 456.064, 461.003(2), 461.0135 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: Joe Baker, Jr., Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B18-24.001 Initial Certification ~~License~~ for Podiatric X-Ray Assistants.

(1) Each applicant for initial certification ~~license~~ as a ~~certified~~ podiatric x-ray assistant shall submit an certification application, on form DH-MQA 1026, ~~12/99~~, entitled, "Application For Certified Podiatric X-Ray Assistant," which is hereby incorporated by reference, ~~and will be~~ effective

February 16, 2000, copies of which may be obtained from the Board of Podiatric Medicine's website <http://www.doh.state.fl.us/mqa/podiatry/index.html> office and applicants shall pay a licensure certification fee of \$75. ~~shall include:~~

- (a) A certification fee of \$75.00; and
- (b) The name(s) of the applicant's supervising Florida licensed podiatric physician(s).

(2) Any change of supervisor must be reported by the applicant/certified podiatric x-ray assistant to the Board within 30 days of the change on form DH-MQA 1118, 02/08, entitled, "Update Supervisor for Certified Podiatric X-ray Assistant," which is hereby incorporated by reference and will be effective _____, and can be obtained from the Board of Podiatric Medicine's website <http://www.doh.state.fl.us/mqa/podiatry/index.html>.

(3) The Board shall verify successful passage of the course and examination required by Section 461.0135, F.S., prior to issuance of the ~~certified~~ podiatric x-ray assistant certification.

Specific Authority 461.005, 461.0135 FS. Law Implemented 120.52(9), 456.013(2), 456.025(1), 456.064, 461.003(2), 461.0135 FS. History--New 2-16-00, Amended

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Podiatric Medicine
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Podiatric Medicine
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 14, 2007
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 18, 2008

DEPARTMENT OF HEALTH

Division of Disease Control

RULE NO.: 64D-2.002
RULE TITLE: Definitions

PURPOSE, EFFECT AND SUMMARY: This rule chapter is amended to update the effective date of the federal poverty level (FPL) from February 2007 to February 2008, to comply with the most current federal poverty level standards. The Department of Health and Human Services updates the federal poverty level annually to better serve low-income persons living with HIV disease. This amended rule updates the effective date of the FPL from the year 2007 to 2008. The U.S. Department of Health and Human Services publishes the FPL level annually, which is used for eligibility purpose for the HIV/AIDS Patient Care Programs.

SPECIFIC AUTHORITY: 381.0011(13) FS.
LAW IMPLEMENTED: 381.001(1), 381.003(1)(c), 381.0011(5) FS.

THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION 120.54(6), F.S. WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO: Joseph P. May, Program Administrator,

Department of Health, Division of Disease Control, Bureau of HIV/AIDS, Patient Care, 2585 Merchants Row Boulevard, 3rd Floor, Room 345, Tallahassee, Florida 32399-1715

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64D-4.002 Definitions.

For the purpose of this rule chapter, the words and phrases listed below are defined in the following manner:

(1) through (9) No change.

(10) "Federal Poverty Level" (FPL) means the poverty income levels (effective February 2008 ~~2007~~) as published by the U.S. Department of Health and Human Services (HHS), Federal Office of Management and Budget (OMB), which is incorporated by reference. The federal poverty guidelines are located on the Department of Health, Bureau of HIV/AIDS website or can be obtained at any Florida county health department.

(11) through (16) No change.

Specific Authority 381.0011(13) FS. Law Implemented 381.001(1), 381.003(1)(c), 381.0011(5) FS. History—New 1-23-07, Amended _____.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Agency for Persons with Disabilities

RULE NOS.:	RULE TITLES:
65G-8.001	Definitions
65G-8.002	Approved Emergency Procedure Curriculum
65G-8.003	Reactive Strategy Policy and Procedures
65G-8.004	Initial Assessments
65G-8.005	Authorizations for Specific Reactive Strategies
65G-8.006	Limitations on Use and Duration of Reactive Strategies
65G-8.007	Seclusion and Restraint
65G-8.008	Chemical Restraint
65G-8.009	Prohibited Procedures
65G-8.010	Documentation and Notification
65G-8.011	Access to Rules
65G-8.012	Enforcement

PURPOSE AND EFFECT: This rule will implement subsection 393.13(4)(h) and 916.1093(2), F.S., by establishing standards and procedures relating to the use of restraint and seclusion.

SUMMARY: The proposed rules comply with the legislative directive for rulemaking at subsection 393.13(4)(h) and legislative authorization for rules at Section 916.1093(2), F.S., with regard to the following subject matter areas: prohibiting inherently dangerous restraint or seclusion procedures; limitations on the use and duration of restraint and seclusion; measures ensuring the safety of clients and staff during an incident of restraint or seclusion; procedures for staff to following before, during, and after incidents of restraint and seclusion; professional qualifications and training; facility data collection and reporting; documentation of use in a facility or program record; and procedures for incorporating these rules into staff training and making them available to clients, parents, guardians, guardian advocates, and staff members.

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

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

SPECIFIC AUTHORITY: 393.501(1) F.S.

LAW IMPLEMENTED: 393.13(4)(h), 916.1093(2) FS.

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

DATE AND TIME: March 20, 2008, 1:00 p.m. – 4:00 p.m.

PLACE: Room 301, 4030 Esplanade Way, Tallahassee, Florida 32399-0950

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 3 days before the workshop/meeting by contacting: Ron Drake, at (850)414-8096. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Steve Coleman, Senior Behavior Analyst, at the above address and at (850)414-8695

THE FULL TEXT OF THE PROPOSED RULES IS:

REACTIVE STRATEGIES

65G-8.001 Definitions.

(1) "Approved emergency procedure curriculum" means a course of instruction in procedures and techniques for intervening in behavioral emergency situations, approved by

the Agency for Persons with Disabilities (“Agency”), and incorporated into a facility’s or program’s policy for utilizing reactive strategies.

(2) “Authorizing agent” means an individual authorized by the facility or program manager to approve use of a reactive strategy.

(3) “Authorized staff person” means an employee of a facility or program that has completed training in the approved emergency procedure curriculum and is approved by the authorizing agent to use restraint and seclusion procedures.

(4) “Local Review Committee” means the committee required by subsection 65G-4.008(3), F.A.C., to oversee and review all behavior analysis services provided to clients to ensure that the services are designed and approved in accordance with Florida Statutes and agency rules.

(5) “Behavioral protective device” means a device used as a means of interfering with or preventing specific results of a targeted behavior as part of a behavior program approved by the Local Review Committee.

(6) “Facility” means a residential operation serving Agency clients funded or licensed under Chapter 393, F.S., and includes separate and secure facilities serving forensics clients pursuant to Chapter 916, Part III, F.S.

(7) “Implementation plan” means an individualized plan utilizing services to assist a client with developmental disabilities in acquiring skills that enable the client to improve his or her physical, mental, and social functioning.

(8) “Medical protective equipment” means health-related protective devices prescribed by a physician or dentist for use during specific medical or surgical procedures, or for use as client protection in response to an existing medical condition.

(9) “Reactive strategies” means the procedures or physical crisis management techniques of seclusion or manual, mechanical, or chemical restraint utilized for control of behaviors that create an emergency or crisis situation.

(10) “Mechanical restraint” means a physical device used to restrict an individual’s movement or restrict the normal function of the individual’s body. The definition does not include the following:

(a) Medical protective equipment as defined by this rule;

(b) Physical equipment or orthopedic appliances, surgical dressings or bandages, or supportive body bands or other restraints necessary for medical treatment, routine physical examinations, or medical tests;

(c) Restraints necessary to support functional body position or proper balance, or to prevent a person from falling out of bed; or

(d) Restraints used for safety during transportation, such as seatbelts or wheelchair tie-downs.

(11) “Chemical restraint” means the use of medication to effect immediate control of an individual’s behavior. It does not include the medication administered as treatment for a medical or psychiatric condition.

(12) “Manual restraint” means the use of hands or body to immobilize a person’s freedom of movement or normal access to his or her body for more than fifteen continuous seconds. It does not include physically guiding or transporting a client during skill training for up to two minutes. Repeated applications and releases of manual restraint in order to circumvent the fifteen-second and two-minute criteria are prohibited.

(13) “Seclusion” means enforced isolation or confinement of an individual in a room or area. It does not mean “time out” or “time out from positive reinforcement” procedures as defined by this rule, or isolation resulting from medical conditions or symptoms of illness.

(14) “Time out” or “time out from positive reinforcement” means a procedure designed to interrupt a specific behavior of an individual by temporarily removing that individual to a separate area or room, or by screening him or her from others, or by signaling that the individual is in “time out.” “Time out” is not a reactive strategy regulated by these rules. “Time out” procedures differ from the reactive strategy of seclusion through the following characteristics:

(a) A “time out” is of short duration, as brief as one minute and never longer than twenty consecutive minutes;

(b) It is implemented only in response to a specified behavior;

(c) It is part of a written program that includes a functional assessment and is approved by a Local Review Committee; and

(d) The program is implemented either by a psychologist licensed under Chapter 490, F.S.; or a clinical social worker, mental health counselor, or therapist licensed under Chapter 491, F.S.; or a behavior analyst certified by the Behavior Analyst Certification Board; or a behavior analyst certified under Chapter 65G-4, F.A.C.;

(e) “Time out” data is collected for assessment, evaluation, and analysis;

(f) It is not used as a disciplinary act, threat, or as a tool for staff’s convenience;

(g) A termination criterion (e.g., “one minute of calm”) ends the time out period, ensuring that termination of the time out is under the control of the person in time out; and

(h) After termination, the individual returns to his or her previous activity.

NOTE: Use of time-out for a period exceeding twenty minutes constitutes the reactive strategy of seclusion.

(15) “Client” means any person with a developmental disability receiving services in the State of Florida.

(16) “Licensed medical professional” means a physician licensed under Chapter 458 or 459, F.S.; or registered nurse, licensed practical nurse, or Advanced Registered Nurse Practitioner licensed under Chapter 464, F.S.

(17) “Containment” means immobilizing an individual with any technique for the purpose of behavioral control.

Specific Authority 393.501 FS. Law Implemented 393.13(4)(h), 916.1093(2) FS. History--New _____.

65G-8.002 Approved Emergency Procedure Curriculum.

(1) All providers, facilities, and programs that use reactive strategies must utilize an emergency procedure training curriculum approved by the Agency, and require all staff to be trained in that curriculum.

(2) The training curriculum must meet the following minimum requirements for approval:

(a) It has a history of applied use to persons with developmental disabilities;

(b) It includes an ongoing training program;

(c) It requires certification of the persons administering the curriculum training;

(d) It provides for periodic review of both trainer and participant competency;

(e) It does not include reactive strategy procedures prohibited by this rule chapter or any other Florida law or rule;

(f) It requires at least sixteen direct training hours;

(g) It includes non-physical crisis intervention techniques;

(h) The curriculum incorporates training in the provisions of this rule chapter;

(i) It provides for supervised practice and performance-based competency evaluation, including a written test with a minimum passing achievement score of 80%;

(j) It includes training in criteria for use of reactive strategies, and methods for reducing physical interventions;

(k) It incorporates quality assurance and safety measures as well as incident data collection and review;

(l) It provides participants with a certificate displaying the name of the curriculum, the name of the trainer, the date(s) of training, and the date of certificate expiration;

(m) It incorporates transportation procedures that require the cooperation of the person being transported;

(n) It includes a "release" criterion (e.g., a stated period of calm behavior) that is of short duration and that is client-driven or initiated.

(3) Staff must be certified through an Agency-approved emergency procedure curriculum before being authorized or permitted to administer a reactive strategy technique. Providers and facilities must maintain copies of all staff training certificates and make the certificates available to the Agency upon request.

(4) Training certification is valid for one year. Before the certificate expires, staff must undertake a full training curriculum to obtain new certification.

(5) In order to obtain Agency approval for a proposed curriculum, the provider must submit a copy of the curriculum materials and an "Emergency Procedure Training Curriculum Application," APD Form 65G8-001 (00/00/00), incorporated herein by reference. A copy of the form may be obtained by

writing or calling the Agency for Persons with Disabilities, at 4030 Esplanade Way, Suite 380, Tallahassee, FL 32399-0950; main telephone number (850)488-4527.

(6) The Senior Behavior Analyst will refer the proposed curriculum to a multidisciplinary committee or a Peer Review Committee for additional review and comment.

(7) Review of a proposed emergency procedure curriculum must include:

(a) Verification of the curriculum's compliance with the minimum criteria established in this rule chapter;

(b) Direct observation of the reactive strategy techniques incorporated in the curriculum;

(c) Review of available data related to implementation of the curriculum;

(d) Committee recommendations to the Senior Behavior Analyst for either accepting or rejecting the proposed curriculum.

(8) Following review, the Senior Behavior Analyst will make a final determination to either accept or reject the proposed curriculum and provide notification of the determination in writing, stating the reasons for rejection. If the proposed curriculum is rejected, it may be resubmitted with appropriate modifications to meet minimum requirements provided by this rule chapter.

(9) No changes to approved curriculum materials or procedures may be incorporated until the curriculum, along with the proposed changes, is resubmitted to the Agency and approved.

(10) The Agency may deny or withdraw approval for any of the following acts or omissions:

(a) Obtaining or attempting to obtain course approval through fraud, false statements, deceit, or misrepresentation of material facts, whether those representations or statements are made knowingly or negligently;

(b) Failure to provide complete and accurate information in the initial application for approval or in any notification for a change in information;

(c) Failure to notify the Agency within six weeks of a change in the information required for course approval;

(d) Failure to maintain the curriculum format and content as approved by the Agency.

Specific Authority 393.501 FS. Law Implemented 393.13(4)(h), 916.1093(2) FS. History--New _____.

65G-8.003 Reactive Strategy Policy and Procedures.

(1) All facilities or programs subject to this rule shall develop and implement policies and procedures consistent with the provisions of this rule chapter, including adoption of an approved emergency procedure curriculum, appropriate staff training, record maintenance, reporting and recording the use of any reactive strategy, training in the provisions of this rule

chapter, data collection, and maintenance of reactive strategy consent information in patient records, and any other requirements established in this rule chapter.

(2) Facility or program policies may not include reactive strategies not provided in the Agency-approved curriculum or vary from the requirements of these rules without an Agency-approved variance or waiver obtained in advance through Section 120.542, F.S.

(3) Providers, facilities and programs that employ reactive strategies are required to implement procedures to ensure the safety of staff and clients during the use of reactive strategies and to ensure that Agency clients are not placed at risk because of existing medical conditions.

(4) All staff implementing reactive strategies must be certified in advance for all reactive strategy techniques used or approved for use by the facility, program, or provider.

(5) A variation of a specific reactive strategy may be employed only if it is designed for a specific client with documented evidence of need and benefit, and only if evaluated and approved in advance of implementation by the Local Review Committee and the Agency's Senior Behavior Analyst.

(6) The program or facility must conduct an internal review of its emergency procedures at least annually with a written evaluation that addresses the following issues:

(a) Proposed methods of reducing the use of reactive strategies;

(b) Policy evaluations and proposals to ensure that all applications of reactive strategies are being conducted in accordance with the Agency-approved emergency procedure curriculum, administered in a safe manner;

(c) Compliance with this rule chapter, including appropriate records and reports of reactive strategies. The facility, program, or provider must maintain this written evaluation for a minimum of five years and make it available to the Agency upon request.

Specific Authority 393.501 FS. Law Implemented 393.13(4)(h), 916.1093(2) FS. History–New _____.

65G-8.004 Initial Assessments.

(1) Upon an individual's admission to a facility or program and at least annually thereafter, the facility or program provider must obtain information and documents relevant to the use of reactive strategies from a variety of sources for the individual's records. Appropriate sources include the individual, his or her family members, treating medical professionals, and other informants familiar with the individual. The individual's records must include the following documentation:

(a) A medical release stating that the individual has no medical conditions or physical limitations that would place him or her at risk of physical injury during restraint or seclusion, as permitted by this rule chapter; or;

(b) A physician's report of any physical limitations that would preclude the use of one or more reactive strategies; and

(c) Documentation of any history of trauma, such as a history of sexual or physical abuse, that the informants, individual, facility, or providers believe to be relevant to the use of reactive strategies; and

(2) Medical conditions or physical limitations that might create a risk to the individual include, but are not limited to, the following:

(a) Obesity;

(b) Cardiac conditions;

(c) Pregnancy;

(d) Asthma or other respiratory conditions;

(e) Impaired gag reflex;

(f) Back conditions or spinal problems;

(g) Seizure disorders;

(h) Deafness;

(i) Blindness;

(j) Limitations on range of motion;

(k) Osteoporosis;

(l) Osteopenia; and

(m) Hemophilia.

(3) In addition to the annual review, the individual's file information must be updated whenever there is a change in the individual's physical or psychological condition that might affect his or her tolerance of one or more reactive strategies, or updated in compliance with any reassessments required by State or Federal law.

Specific Authority 393.501 FS. Law Implemented 393.13(4)(h), 916.1093(2) FS. History–New _____.

65G-8.005 Authorizations for Specific Reactive Strategies.

(1) Upon initiating any reactive strategy, staff must immediately notify the highest-level direct care supervisor.

(2) Each use of a reactive strategy requires continuous staff supervision.

(3) The following reactive strategies can be approved only by the following authorizing agents:

(a) The authorizing agent for medical protective equipment or chemical restraint must be a physician licensed under Chapter 458 or 459, F.S.;

(b) The authorizing agent for behavioral protective devices must be either a psychologist licensed under Chapter 490, F.S.; a clinical social worker, marriage and family therapist, or mental health counselor licensed under Chapter 491, F.S.; or a Certified Behavior Analyst certified by the Behavior Analyst Certification Board; or a behavior analyst certified by the rule Chapter 65G-4, F.A.C.;

(c) The authorizing agent for mechanical restraint must be a physician licensed under Chapter 458 or 459, F.S., a psychologist licensed under Chapter 490, F.S.; a clinical social

worker, marriage and family therapist, or mental health counselor licensed under Chapter 491, F.S.; or a Certified Behavior Analyst certified by the Behavior Analyst Certification Board; or a behavior analyst certified by the Rule Chapter 65G-4, F.A.C.;

(d) The authorizing agent or staff person with approval authority for seclusion must have at least a bachelor's degree, two years of experience serving individuals with developmental disabilities, and certified in reactive strategies through an Agency-approved emergency procedure curriculum;

(e) The authorizing agent or staff person with approval authority for manual restraint must be certified in reactive strategies through an Agency-approved emergency procedure curriculum.

Specific Authority 393.501 FS. Law Implemented 393.13(4)(h), 916.1093(2) FS. History—New _____.

65G-8.006 Limitations on Use and Duration of Reactive Strategies.

(1) All authorizations for a reactive strategy must include a clear rationale for its use.

(2) Reactive strategies must not be implemented automatically or as part of a deceleration plan for undesirable behaviors, as punishment, as a substitute for an implementation plan, or for the convenience of staff.

(3) At the onset of seclusion or restraint implementation, staff will notify the appropriate authorizing agent of the conditions leading up to the use of the reactive strategy. The authorizing agent is responsible for terminating any procedure not in compliance with this rule.

(4) Each use of a reactive strategy requires continuous staff monitoring.

(5) A reactive strategy must provide for the least possible restriction consistent with its purpose.

(6) A reactive strategy must be terminated immediately when the emergency ends.

(7) Reactive strategies must be implemented in a manner that permits the greatest possible amount of comfort and protection from injury to the individual.

(8) The Agency may disapprove the use of any emergency procedure, system, strategy, or program that does not meet the above requirements or that contains procedures the Agency determines to be unsafe.

(9) If an individual exhibits behavior requiring a reactive strategy at a frequency of more than two times in any thirty-day period, or six times in any twelve-month period, then the facility or provider should submit a request for behavior analysis services for that individual, including documentation of the frequency of reactive strategy use.

(10) The facility or program must provide written behavioral criteria for termination of a reactive strategy, conforming to the Agency-approved emergency procedure curriculum, to all staff trained in those techniques.

(11) Reactive strategies must be terminated within five minutes after predetermined behavioral criteria have been met. Providers and facilities may seek an exemption from this requirement through the variance and waiver process authorized by Section 120.542, F.S.

(12) Reactive strategies must be limited to one hour in duration; additional time for a reactive strategy requires reauthorization.

Specific Authority 393.501 FS. Law Implemented 393.13(4)(h), 916.1093(2) FS. History—New _____.

65G-8.007 Seclusion and Restraint.

(1) Every effort should be made to avoid unnecessary use of seclusion and restraint; therefore, staff should try to redirect and diffuse problem behavior before employing the reactive strategy of seclusion and restraint.

(2) Seclusion and restraint as a reactive strategy may be utilized only if adequate staff is available for safe implementation.

(3) Staff must continuously observe the client during restraint procedures, monitor respiration rate, and determine when release criteria have been met.

(4) Seclusion and restraint procedures exceeding one hour require approval by an authorizing agent.

(5) Seclusion and restraint may not exceed two hours without visual review and approval of the procedure by an authorizing agent or the agent's on-site designee.

(6) Staff must obtain additional authorization for use of seclusion and restraint for a behavioral episode occurring more than fifteen minutes after termination of a prior restraint procedure, and document the additional use of restraint in the individual's record.

(7) Before initiating a seclusion or restraint procedure, staff must inspect the environment and the individual to be restrained in order to ensure that any foreign objects that might present a hazard to the individual's safety are removed.

(8) Any room in which the individual is held must have sufficient lighting and ventilation to permit the individual to see and breathe normally, and must have enough space to permit him or her to lie down comfortably.

(9) The door to any room in which an individual is secluded without a caregiver must not be locked; however, the door can be held shut by a caregiver using a spring bolt, magnetic hold, or other mechanism that permits the individual in seclusion to leave the room if the caregiver leaves the vicinity. Forensic facilities may seek a waiver or variance from this requirement through Section 120.542, F.S.

(10) An individual mechanically restrained for more than one hour must be permitted an opportunity for motion and exercise for at least ten minutes of each hour that the individual is restrained.

Specific Authority 393.501 FS. Law Implemented 393.13(4)(h), 916.1093(2) FS. History–New _____.

65G-8.008 Chemical Restraint.

(1) Chemical restraint is used for behavioral control; it is not standard treatment for medical or psychiatric conditions.

(2) An individual may be given a chemical restraint only on the written order of an authorized physician who has determined that the chemical is the least restrictive, most appropriate alternative available.

(3) The authorizing physician either must be present at the onset of the emergency requiring restraint, or must provide telephone consultation with an authorized staff person who is present and has personally examined the individual.

(4) If the authorizing physician is not present to write the order, he or she must dictate the order's contents to another on-site licensed medical professional:

(5) An order for chemical restraint must be recorded in the individual's record on the same date it is issued, along with the expected results of the medication and a detailed description of the behaviors that justified the use of chemical restraint.

(6) A licensed medical professional must conduct a face-to-face evaluation of the individual within one hour of administration of a chemical restraint, if the restraint was authorized by telephone. The medical professional must record the results of this evaluation in the individual's records and document whether the administration of medication achieved the expected results.

(7) Staff must monitor an individual who has been chemically restrained at least once every half-hour and record the effects of the restraint in the individual's records.

Specific Authority 393.501 FS. Law Implemented 393.13(4)(h), 916.1093(2) FS. History–New _____.

65G-8.009 Prohibited Procedures.

The following reactive strategies are prohibited:

(1) Reactive strategies involving noxious or painful stimuli, as prohibited by Section 393.13(4)(g), F.S.:

(2) Untested or experimental procedures;

(3) Any physical crisis management technique that might restrict or obstruct an individual's airway or impair breathing, including techniques whereby staff persons use their hands or body to place pressure on the client's head, neck, back, chest, abdomen, or joints;

(4) Restraint of an individual's hands, with or without a mechanical device, behind his or her back;

(5) Physical holds relying on the inducement of pain for behavioral control;

(6) Movement, hyperextension, or twisting of body parts;

(7) Any maneuver that causes a loss of balance without physical support (such as tripping or pushing) for the purpose of containment;

(8) Any reactive strategy in which a pillow, blanket, or other item is used to cover the individual's face as part of the restraint process;

(9) Any reactive strategy that may exacerbate a known medical or physical condition, or endanger the individual's life;

(10) Use of any immobilizing technique prior to obtaining a medical release that rules out increased risk to the individual by use of this position;

(11) Containment without continuous monitoring and documentation of vital signs and status with respect to release criteria;

(12) Use of any reactive strategy on a "PRN" or "as required" basis.

Specific Authority 393.501 FS. Law Implemented 393.13(4)(h), 916.1093(2) FS. History–New _____.

65G-8.010 Documentation and Notification.

(1) Staff must document the following information in the individual's records immediately following the use of a reactive strategy:

(a) The behavior that necessitated a reactive strategy;

(b) The reactive strategy used;

(c) The date and time the reactive strategy was implemented and the time the strategy was terminated;

(d) The person(s) who initiated, applied, authorized, and terminated the reactive strategy;

(2) The authorizing agent must review and sign the reactive strategy documentation within twenty-four hours or by the end of the next business day.

(3) The service provider or facility must also document every use of a reactive strategy on the "Reactive Strategy Report," APD Form 65G8-002 (00/00/00), incorporated herein by reference. A copy of the form may be obtained by writing or calling the Agency for Persons with Disabilities, at 4030 Esplanade Way, Suite 380, Tallahassee, FL 32399-0950; main telephone number (850)488-4527. These Reports must be submitted within thirty days to the Local Review Committee chairperson, or the chairperson's designee, and copies of the Report made a part of the individual's record.

(4) Agency Area Offices and Developmental Services Institutions must submit copies of these Reports electronically to the Central Office Senior Behavior Analyst on a monthly basis.

Specific Authority 393.501 FS. Law Implemented 393.13(4)(h), 916.1093(2) FS. History–New _____.

65G-8.011 Access to Rules.

(1) The program or facility employing reactive strategies must maintain on-site a copy of these rules and provide access to staff, clients, parents, guardians, and guardian advocates.

(2) The requirements established in this rule chapter are to be incorporated into all staff pre-service training programs related to the use of reactive strategies.

Specific Authority 393.501 FS. Law Implemented 393.13(4)(h), 916.1093(2) FS. History--New _____.

65G-8.012 Enforcement.

(1) Use of a reactive strategy not authorized by or in violation of this rule chapter or any other provision of law is a violation of Section 393.13, F.S., "The Bill of Rights of Persons with Disabilities," or Section 916.107, F.S., and is subject to the enforcement proceedings, penalties, and private rights of action provided therein.

(2) A residential facility licensed under Section 393.067, F.S., that violates any reactive strategy provision or requirement of this rule chapter through the action of either facility management or staff, is subject to administrative disciplinary action authorized by Section 393.0673, F.S.

Specific Authority 393.501 FS. Law Implemented 393.13(4)(h), 916.1093(2) FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Steve Coleman
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Jane E. Johnson, Director, Agency for Persons with Disabilities
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 13, 2008
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 4, 2007

FISH AND WILDLIFE CONSERVATION COMMISSION

RULE NO.: 68-1.003
RULE TITLE: Florida Fish and Wildlife Conservation Commission Grants Program

PURPOSE AND EFFECT: The purpose of the proposed rule is to include the Boating Safety and Education Grant Program, the Florida Boating Improvement Program, and the Boating Infrastructure Grant Program with guidelines incorporated that have been developed because the agency has had sufficient time to acquire the knowledge and experience reasonably necessary to address rulemaking for these programs.

SUMMARY: The proposed changes to Rule 68-1.003, F.A.C., will include the Boating Safety and Education Grant Program with education in the title to reflect the education objectives, incorporates new program guidelines, and deletes a repealed rule. They will also include the Florida Boating Improvement

Program with the guidelines incorporated and a repealed rule deleted. These guidelines include recent changes to Section 206.606, F.S., to add other uniform waterway markers, public boat ramps, lifts, and hoists, marine railways, and other public launching facilities, and derelict vessel removal as eligible uses of program funds and deleted aquatic plant control. They also include a change that adds a new funding source for public launching facilities, giving priority to counties with 35,000 or more registered vessels, pursuant to Section 328.72(15), Florida Statutes.

The Boating Infrastructure Grant Program is being added to the rule and will incorporate guidelines that follow the requirements of Section 7404 of the Sportfishing and Boating Safety Act of 1998 and the Federal Register, 50 CFR Part 86.

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

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

SPECIFIC AUTHORITY: 206.606, 327.47 FS.

LAW IMPLEMENTED: 206.606, 327.47, 328.72 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: Susanna Stephens, FBIP Program Administrator, or Patricia Harrell, Boating Access Coordinator, Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, Boating and Waterways Section, 620 South Meridian Street, Room 235, Tallahassee, Florida 32399, telephone (850)488-5600, or email fbip@myfwc.com or bigp@myfwc.com

THE FULL TEXT OF THE PROPOSED RULE IS:

68-1.003 Florida Fish and Wildlife Conservation Commission Grants Program.

(1) through (7) No change.

(8) Florida Boating Safety and Education Grant Program grants shall meet all additional program requirements of Rules 62D-5.031-039, F.A.C. set forth in the Boating Safety and Education Grant Program Guidelines (dated Jan. 2008), which are hereby incorporated by reference. The guidelines are available from the Commission at 620 S. Meridian Street, 1M, Tallahassee, Florida 32399-1600 or www.myfwc.com/boating/grants/.

(9) Florida Boating Improvement Program grants shall meet all additional program requirements set forth in the Florida Boating Improvement Program Guidelines (dated Jan. 2008), which are hereby incorporated by reference. The guidelines are available from the Commission at 620 S.

Meridian Street, 1M, Tallahassee, Florida 32399-1600 or www.myfwc.com/boating/grants/fbip.htm be similar to eligible projects determined under the program administered by the Department of Environmental Protection and established in Rules 62D-5.031-036, F.A.C.

(10) through (11) No change.

(12) Boating Infrastructure Grant Program grants shall meet all additional requirements set forth in the Boating Infrastructure Grant Program Guidelines (dated Jan. 2008), which are hereby incorporated by reference. The guidelines are available from the Commission at 620 S. Meridian St., 1M, Tallahassee, Florida 32399-1600 or www.myfwc.com/boating/grants/bigp.htm.

Specific Authority 370.023 FS. Law Implemented 370.023 FS. History—New 4-4-04, Amended 3-15-05, Formerly 68A-2.015, Amended 5-22-07, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Patricia Harrell, Boating Access Coordinator, Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, Boating and Waterways Section

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission sitting as agency head

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 6, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 15, 2008

FISH AND WILDLIFE CONSERVATION COMMISSION

Vessel Registration and Boating Safety

RULE NO.: 68D-16.029
 RULE TITLE: Derelict Vessel Removal Grant Program

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend this rule to conform it to amendments made in Sections 206.606, 376.15, and 823.11, Florida Statutes.

SUMMARY: The amendment allows the Derelict Vessel Grant Program to award grants to all local governments as opposed to only coastal local governments, and to fund removal of vessels identified and marked by any law enforcement officer as opposed to only officers employed by the Fish and Wildlife Conservation Commission.

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

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

SPECIFIC AUTHORITY: 376.15 FS.

LAW IMPLEMENTED: 206.606, 376.15, 823.11 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: Tim Woody, Grants Specialist, Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, Boating and Waterways Section, 620 South Meridian Street, Room 235, Tallahassee, Florida 32399 or at (850)488-5600 or tim.woody@myfwc.com

THE FULL TEXT OF THE PROPOSED RULE IS:

68D-16.029 Derelict Vessel Removal Grant Program.

(1) In the event monies are appropriated by the Legislature for the funding of the Derelict Vessel Removal Grant Program for a given fiscal year, the Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement (Division) Executive Director may award said grants ~~only to coastal~~ local governments based on these criteria.

(a) through (f) No change.

(2) Only derelict vessels as defined in Section 823.11(1), F.S. shall be eligible for removal with grant funds. Derelict vessels must be designated and marked by a law enforcement officer as specified in Section 327.70, F.S. Such designation and marking shall be considered made when the law enforcement officer completes form number FWCDLE 048, Derelict or Abandoned Vessel Report, dated October 2005, incorporated herein by reference. This form may be obtained by contacting the Division ~~No vessel shall be eligible for removal with grant funds, unless and until, said vessel has been designated and marked as a derelict vessel by the Division of Law Enforcement. Such designation and marking shall be considered made when the division assigns a case number to the vessel and completes a derelict vessel report on it.~~

(3) Authorized disposal sites for derelict vessels shall be limited to permitted artificial reef sites and permitted landfill locations. Any exceptions must be approved in writing by the Division Executive Director.

(4) In the event monies are appropriated by the Legislature for the funding of the Derelict Vessel Removal Grant Program for a given fiscal year, the Division shall announce the availability of funding in the Florida Administrative Weekly and on the Web site at http://myfwc.com/boating/grants/derelict.htm. A grant applicant shall provide a completed grant application to the Division Commission no more than 60 days from the date the announcement is published later than August 1st of a given fiscal year, except for Fiscal Year 1985-86 in which said application must be provided to the Commission prior to January 1st. This application shall be submitted on the Form No. DVGrant.199 which is hereby incorporated by reference. This form FWC/DV-APP(12/2007), is entitled; "Application for Derelict

Vessel Removal Grant” ~~effective date 7/1/99, incorporated herein by reference,~~ and may be obtained by contacting the Fish and Wildlife Conservation Commission, Division of Law Enforcement, 620 S. Meridian Street, 1M, Tallahassee, Florida 32399-1600. No other form will be accepted.

(5) The ~~Division Executive Director~~ may within 30 days after the established submission closing date make the award of said grants pursuant to the criteria set forth in (1) above. Said grants may be awarded for the removal and disposal of all or part of the vessels designated on a given grant application. In the event the dollar amount of the awarded grant applications is less than the allocated funds or the ~~Division Executive Director~~ determines that any or all of the submitted applications do not adequately meet the established award criteria, or any of the designated derelict vessels contained within an awarded grant are removed prior to their removal with grants funds, the ~~Division Executive Director~~ may solicit additional applications from potential applicants for the balance of the allocated funds not expended pursuant to the grant program.

(6) A grant recipient shall administer the removal and disposal of designated derelict vessels as an independent governmental authority and not as an agent or representative of the Commission. In the event the ~~Division Executive Director~~ determines that a derelict vessel(s) included in a grant constitutes an immediate hazard to navigation or determines after consultation with the Department of Health that a vessel constitutes an immediate hazard to the public's health and safety, the ~~Division Executive Director~~ may suspend the grant procedures set forth in this rule and initiate emergency procedures under Section 823.11, F.S.

(7) No grant monies for the removal and disposal of a given derelict vessel shall be paid to the grant recipient until said vessel has been legally removed and such removal and disposal properly documented by the grant recipient. The grant recipient must submit documentation for the removal and disposal of derelict vessels along with a request for reimbursement to the Division on a monthly basis ~~Certification as to the removal and disposal of any designated derelict vessel during a given month shall be made by the submission to the Commission of Form DVGrant2.199, hereby incorporated by reference, along with a properly executed invoice. This form is entitled "Disposition Certificate for Derelict Vessels, effective 7/1/99, and may be obtained by contacting the Fish and Wildlife Conservation Commission, Division of Law Enforcement. Such request for reimbursement shall be made by the grant recipient on a monthly basis and shall be accompanied by a monthly status report and the required certification form.~~ Only costs directly associated with the actual removal and disposal of a designated derelict vessel(s) including the removal of pollutants are eligible for reimbursement from the grant program.

(8) No change.

Specific Authority 376.15(2)(c) FS. Law Implemented 376.15(2)(b) FS. History—New 11-11-85, Formerly 16N-16.29, Amended 5-20-86, Formerly 16N-16.029, 62N-16.029, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Patricia Harrell, Boating Access Coordinator, Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, Boating and Waterways Section
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: The Florida Fish and Wildlife Conservation Commission sitting as agency head
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 6, 2008
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 15, 2008

DEPARTMENT OF FINANCIAL SERVICES

Division of Consumer Services

RULE NO.: 69J-7.004
 RULE TITLE: Participating Contractors – Application and Participation Agreement

PURPOSE AND EFFECT: Section 215.5586(2)(c), Florida Statutes contemplates the Department will establish “qualifications and certification requirements for mitigation contractors,” and indicates the “program shall create a process in which contractors agree to participate and homeowners select from a list of participating contractors.” Subsection (6) of 215.5586, Florida Statutes provides rulemaking authority to adopt rules governing mitigation contractors. This rule establishes an application and qualification process for contractors to participate and be listed as participating contractors. The rule also incorporates a standard agreement form by which contractors may agree to participate.

SUMMARY: The rule adopts an application process for building contractors to provide hurricane damage mitigation services under the My Safe Florida Home Program.

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

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

SPECIFIC AUTHORITY: 215.5586(6) FS.

LAW IMPLEMENTED: 215.5586 FS.

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

DATE AND TIME: Tuesday, March 18, 2008, 9:30 a.m.

PLACE: 142 Larson Building, 200 East Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Ellen Simon, (850)413-4270 or Ellen.Simon@fldfs.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ellen Simon, Assistant General Counsel, Department of Financial Services 200 East Gaines Street, Tallahassee, Florida 32399, (850)413-4270

THE FULL TEXT OF THE PROPOSED RULE IS:

69J-7.004 Participating Contractors – Application and Participation Agreement.

(1) Definitions. As used in this rule the following abbreviations and definitions apply:

(a) “Applicant” means any person or entity applying to become a Participating Contractor.

(b) “Contractor license” means a license that is issued by a government agency based on taking and passing a competency test and/or meeting certain experience requirements, as required by local or state authorities under applicable Florida statute or local ordinance. The phrase “contractor license” as used herein does not refer to business or occupational licenses that are obtained by paying a fee or tax. A business or occupational license is insufficient to qualify any entity as a Participating Contractor. Only contractor licenses issued by Florida state or local government authorities are acceptable for Participating Contractor status in the My Safe Florida Home program.

(c) “CEI” means the Construction Estimating Institute, 5016 Calle Minorga, Sarasota, FL 34242, phone: 1(800)423-7058.

(d) “Department” means the Florida Department of Financial Services.

(e) “DBPR” means the Department of Business and Professional Regulation, operating under Chapter 455, Florida Statutes.

(f) “FCILB” means the Florida Construction Industry Licensing Board, operating under Chapter 489, Florida Statutes.

(g) “FLASH” refers to the Federal Alliance for Safe Homes, 1427 East Piedmont Drive, Suite 2, Tallahassee, FL 32308.

(h) “DBPR/FCILB license” refers to a contractor license issued by DBPR pursuant to authorization by the FCILB.

(i) “MSFH program” means the My Safe Florida Home program created by Section 215.5586, Florida Statutes.

(j) “Participating Contractor” means a contractor as contemplated by Section 215.5586(2)(c), Florida Statutes.

(k) “Grant” refers to a grant under Section 215.5586(2), Florida Statutes.

(2) Participating Contractor Categories.

(a) Persons desiring to be a Participating Contractor in the My Safe Florida Home program under Section 215.5586(2)(c), Florida Statutes, shall apply to the Department of Financial Services in one of the three categories listed below.

1. Category No. 1: INDIVIDUAL WITH DBPR/FCILB CONTRACTOR LICENSE. This applicant category is for an individual who will, in his or her own name, contract with homeowners, or who will contract with homeowners as a sole proprietor doing business under a fictitious name, and the work is to be performed under their certified or registered contractor license(s) issued by the DBPR/FCILB. See, Florida Statutes Section 489.119(1). (If the applicable DBPR/FCILB Contractor License has been issued to the applicant as an individual, regardless of whether it is a state-certified or state-registered license, this is the category the applicant must use, even if the applicant also has a local contractor’s license.)

2. Category No. 2: ENTITY WITH A DBPR/FCILB CERTIFICATE OF AUTHORITY AS A CONTRACTING BUSINESS. This category is for a business entity (corporation, LLC, or partnership) which holds a Certificate of Authority to engage in contracting, issued by DBPR/FCILB. See, Florida Statutes Section 489.119(2).

3. Category No. 3: LOCAL CONTRACTOR LICENSE. This applicant category is for a contractor (individual person or other entity) who does not have a DBPR/FCILB license and who will perform mitigation work under a contractor’s license issued by a Florida county or city contractor licensing board or other local authority.

(b) References in this rule to “category” or “categories” means one or more of the three categories identified above, as the context requires, unless expressly indicated otherwise.

(c) The information required to be provided to the Department by an applicant for Participating Contractor status will vary according to the category applied for by the applicant. The information required to be provided, and instructions specific to each category, are set forth in Department form DFS-I4-1808 (effective ___), entitled “Participating Contractor On-line Application Form.” Interested persons may apply to be a Participating Contractor by filling out the form on-line, at the Contractor’s section of the Department’s My Safe Florida Home website at www.mysafefloridahome.com.

(3) General matters.

(a) Any decision by the Department to deny or terminate a person or entity’s status as a Participating Contractor is subject to hearing rights as may be provided under Section 120.569, Florida Statutes, and related provisions of Chapter 120, Florida Statutes.

(b) To be a Participating Contractor, the applicant must hold in good standing a contractor's license issued by the FCILB, or by a Florida city or Florida county contractor licensing board or authority. Loss of such required licensing shall be grounds for termination of status as a Participating Contractor.

(c) An applicant possessing a state contractor's license(s) issued by DBPR/FCILB, who or which has completed a Participating Contractor application in either category 1 or 2, does not need to complete an additional application under category 3, even if the applicant also holds a local contractor license that is not required to be registered with the FCILB.

(d) An applicant cannot be approved as a Participating Contractor until the Department verifies that the applicant's contractor's license is valid and in good standing. Subsequent to application for Participating Contractor status, the Department will contact the licensing authority that issued that license to verify that said license was issued as indicated and is in good standing. An application submitted with inaccurate or incomplete information on the application may delay or prevent the applicant's approval as a Participating Contractor.

(e) The Department will terminate its Participation Agreement with a contractor in the following circumstances:

1. The contractor's licensure as a contractor is revoked or suspended by the contractor's licensing authority.

2. It is determined that the contractor made a material misrepresentation in their application to the Department for Participating Contractor status.

3. Failure to comply with the applicable Florida workers' compensation laws.

4. Displaying incompetency or misconduct in the practice or course of contracting with homeowners.

(f) Designation as a Participating Contractor does not eliminate, modify or expand the existing legal limitations relative to the types of work to be performed, or the geographical locations in which that work may be legally performed, under the Participating Contractor's then existing contractor's license(s).

(g) All work to be performed and materials to be used by a Participating Contractor under a My Safe Florida Home grant must comply with the Participation Agreement. All applicants for Participating Contractor status must agree to the Participation Agreement as set forth in this rule.

(h) The Department publicly lists all Participating Contractors on the Department's My Safe Florida Home website, at <http://www.mysafefloridahome.com/participatingcontractorsListSection.asp>. The Department lists only Participating Contractors on its website. The Department does not list on its website suppliers or manufacturers who are not also Participating Contractors.

(i) The Department does not endorse or recommend individual Participating Contractors or products. Participating Contractors shall not advertise or otherwise represent that they

or their business is endorsed or recommended by the My Safe Florida Home program, the Department, or the State of Florida. No Participating Contractor or other business may use the logo of the Department or the My Safe Florida Home program.

(j) Upon approval, all Participating Contractors will be assigned a unique Participating Contractor number by the Department. This number can be found on the Department's website list of Participating Contractors.

(k) This rule does not apply to competitively bid contracts between the Department and Participating Contractors for work performed under grants to low income homeowners under Section 215.5586(2)(g), Florida Statutes.

(l) After an application is submitted by the Participating Contractor applicant through the Department's online system, the Department will review the application and verify contractor licensure data. The Department will then mail the applicant a letter, at the address of record shown in the applicable licensing authority's records, which summarizes the information the applicant supplied, and indicates approval or denial of the application. Any approval is subject to successful completion of training required by this rule. Participating Contractor applicants approved subject to completion of required training, are not published as Participating Contractors on the Department's list of Participating Contractors until they have successfully completed the training required by this rule.

(m) Applicants or Participating Contractors who have questions about the Participating Contractor program, or want to change or delete their listing, should promptly email the Department to that effect at the following email address: ContractorInfo@fldfs.com. The full name and phone number, and Participating Contractor file number if one has been assigned, must be provided.

(4) Information Published on the Department's Online Participating Contractor List.

(a) Upon approval as a Participating Contractor and satisfaction of applicable training requirements specified in this rule, the Participating Contractor applicant will be included in the Department's online list of Participating Contractors. Information submitted in association with the Participating Contractor's application will be included in that online list, and potential customers will be able to view the following information:

1. The business name of the Participating Contractor (it is the Participating Contractor's responsibility to assure that the business name complies with any applicable licensing and fictitious name laws).

2. The Participating Contractor's website address, if any.

3. The Participating Contractor's telephone number(s).

4. The Participating Contractor's street address(es).

(5) Training.

(a) Prior to being accepted as a Participating Contractor, the contractor must complete the specialized training described in this subsection. The training must be successfully completed by the natural person holding the contractor's license shown on the Participating Contractor application form. Completion of the training by another natural person in the company does not satisfy the training requirement. There are two options, 1. and 2., below, for successfully completing the required training:

1. A. Free online courses offered by the "Construction Estimating Institute" (CEI). To proceed by this route, the Participating Contractor must go to the CEI website at <http://www.esteeming.org/mysafefloridahome/> and enter the Participating Contractor's business name and contractor license number. The Participating Contractor must successfully complete the course entitled "How Hurricanes Damage Homes," which includes an overview of the My Safe Florida Home program. The Participating Contractor must also complete at least one other free CEI course from among the following three courses. The choice of course should be selected in accordance with the type of improvements the Participating Contractor plans to perform for participating homeowners.

(I) Strengthening Roofs.

(II) Protecting Openings (Windows, Doors and Garage Doors).

(III) Bracing Gable Ends.

b. At the end of each CEI online training course, the Participating Contractor must successfully complete a short, online test. The Participating Contractor must receive at least a 90% grade on the test in order to successfully complete the course. If the Participating Contractor receives less than a 90% grade, the Participating Contractor may immediately retake the test, or review the training material and take it at a later time.

c. Upon successful completion of the online CEI training, an email notification will be sent by CEI to the My Safe Florida Home program confirming the Participating Contractor's successful completion of the training.

2. If the Participating Contractor has completed the Blueprint for Safety Retrofit – an Introduction, DBPR/FCILB Course Number 0005849 provided by the Federal Alliance for Safe Homes (FLASH), at any time since Jan. 1, 2000, the Participating Contractor will be deemed to have satisfied the training requirement.

(b) The applicant must indicate on its application form whether the applicant has already obtained the required training from one of the two approved sources.

(c) If the applicant has not completed the required training, the applicant may nevertheless submit its application, but will not be approved as a Participating Contractor until:

1. The Construction Estimating Institute (CEI) emails the Department confirmation that the applicant has completed the CEI training (the CEI will automatically email confirmation to the Department as soon as the applicant takes and passes the required tests with a score of at least 90% correct); or

2. The applicant submits to the Department proof of having successfully completed the FLASH Blueprint for Safety course by providing the certificate of completion issued by the course provider, or records provided by the DBPR/FCILB to: My Safe Florida Home Program, Attention: Participating Contractor Coordinator, Larson Building 5th Floor, 200 East Gaines St., Tallahassee, FL 32399.

(6) Background Questions. An affirmative answer to any question in the "Background Questions" section of the Participating Contractor online application (form DFS-I4-1808 (effective _____)), does not mean that the applicant is automatically barred from serving as a Participating Contractor, but an affirmative answer will require further inquiry by the Department before the applicant can be approved as a Participating Contractor. Any initial decision by the Department denying an application to the Participating Contractor program is subject to the provisions of Chapter 120, Florida Statutes.

(7) Participation Agreement. As a condition of being a Participating Contractor, all Participating Contractor applicants must agree to the terms and conditions of the "Participation Agreement" that is part of form DFS-I4-1808 (effective _____).

(8) There is hereby adopted and incorporated by reference Department form DFS-I4-1808 (effective _____), entitled "Participating Contractor On-line Application Form." Said form shall be used by interested persons to apply for Participating Contractor status, and sets forth the information required to be provided and instructions specific to each category of Participating Contractor applicant.

Specific Authority 215.5586(6) FS. Law Implemented 215.5586(2)(g) FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Ellen Simon, Assistant General Counsel, Division of Legal Services, Department of Financial Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Karen Chandler, Deputy Chief Financial Officer, Division of Consumer Services, Department of Financial Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 21, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 11, 2008

DEPARTMENT OF FINANCIAL SERVICES

Division of Consumer Services

RULE NO.: 69J-7.005
 RULE TITLE: My Safe Florida Home Program, Forms For Use Regarding Grants

PURPOSE AND EFFECT: This rule adopts two forms for use by the My Safe Florida Home program in awarding grants to homeowners. Section 215.5586(2), Florida Statutes provides that homeowners meeting certain criteria may be awarded grants by the Department to upgrade their home against hurricane wind damage. Both low income and non-low income persons may receive grants, but low-income applicants are in part subject to different requirements. This rule adopts two forms by which grants are awarded by the Department to grant applicants. One form is for low-income homeowners, and the other form is for non-low-income homeowners. Each form is a set of three standard documents that are sent together as a package to each homeowner awarded a grant. The three documents that make up each form are: 1) Cover letter awarding the grant; 2) document stating the terms and conditions of the grant; and 3) reimbursement request documents to be used by the homeowner to obtain disbursement of grant funds when the improvements are completed.

SUMMARY: The rule adopts forms for use in awarding grants to homeowners for the My Safe Florida Home Program.

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

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

SPECIFIC AUTHORITY: 215.5586(6) FS.

LAW IMPLEMENTED: 215.5586 FS.

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

DATE AND TIME: Tuesday, March 18, 2008, 9:30 a.m.

PLACE: 142 Larson Building, 200 East Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Ellen Simon, (850)413-4270 or Ellen.Simon@fldfs.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ellen Simon, Assistant General Counsel, Department of Financial Services 200 East Gaines Street, Tallahassee, Florida 32399, (850)413-4270

THE FULL TEXT OF THE PROPOSED RULE IS:

69J-7.005 My Safe Florida Home Program, Forms For Use Regarding Grants.

(1) The following forms are hereby adopted and incorporated by reference, for use in the My Safe Florida Home program under Section 215.5586, Florida Statutes:

(a) DFS-I4-1807, "LMI Grant Award Packet (low income)," (effective:_____).

(b) DFS-I4-1806, "Matching Grant Award Packet (non-low income)," (effective:_____).

(2) These forms may be obtained from the Department of Financial Services by request directed to the following address: My Safe Florida Home Program, Larson Building, 5th Floor, 200 East Gaines Street, Tallahassee, FL 32399-0333.

Specific Authority 215.5586(6) FS. Law implemented 215.5586 FS. History-New_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ellen Simon, Assistant General Counsel, Division of Legal Services, Department of Financial Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Karen Chandler, Deputy Chief Financial Officer, Division of Consumer Services, Department of Financial Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 21, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 11, 2008

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Fruit and Vegetables

RULE NOS:	RULE TITLES:
5G-6.007	Annual Food Permit Requirements of Tomato Packers and Repackers
5G-6.009	Tomato Best Practices Manual

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 33, No. 50, December 14, 2007 issue of the Florida Administrative Weekly.

The changes are in response to comments made at a public rule hearing held on January 7, 2008, written comments received from the public and department staff, and written comments received from the Joint Administrative Procedures Committee. Changes to Rule 5G-6.007, F.A.C., encompass an addition to the *Specific Authority* and *Law Implemented* cites relative to the Department's authority to set by rule a fee for the application for a food permit that may not exceed \$500. Section 500.12(1)(b), F.S., was added for clarification as follows:

5G-6.007 Annual Food Permit Requirements of Tomato Packers and Repackers.

Specific Authority 500.09(3), 500.12(1)(b)(f), 570.07(6), 570.07(23)
FS. Law Implemented 500.03(1)(n), 500.12(1)(a)(b), 570.48(2)(e),
570.481(1)(a), (b) FS. History—New _____.

A change to Rule 5G-6.009 encompasses an addition to the *Law Implemented* notes relative to the Department's authority to register pesticide products pursuant to the provisions of 487.041, Florida Statutes, as follows:

5G-6.009 Tomato Best Practices Manual.

Specific Authority 500.09(1)(b), (4), 500.12(1)(f), 570.07(6)
570.07(23) FS. Law Implemented 487.041, 500.09(1)(b), (4),
500.12(1)(f) FS. History—New _____.

Section 5G-6.009 of the proposed rule adopts the *Tomato Best Practices Manual* (November 2007) by reference. Changes to this document are as follows:

Part A, Page 5, (1)(c)1.a.: The Code of Federal Regulation (CFR) reference was incorrectly cited as "...CFR Part 131.41(c)". The document has been corrected to cite "...40 CFR Part 131.41(c)".

Part A, Page 6, (1)(c)1.e.: The CFR reference was incorrectly cited as "...prescribed in the U.S. Public Health Service Drinking Water Standards, published in 42 CFR Part 72". The document has been corrected to cite "...40 CFR Part 131.41(c)" only.

Part A, Page 6, (1)(d)1.a.: The document language will be modified for clarification as follows: Sanitation facilities shall be provided for all field workers during planting, harvest or other field activities in accordance with OSHA (29 CFR 1928.110), FDA Title 21 CFR 110. See also Florida Department of Health, Rule 64E-14.016, F.A.C., requirements for field sanitary facilities.

Part A, Page 8, (1)(j)1: The document language will be changed to remove the word "pathogens" and insert the word "organisms" for greater accuracy and clarity.

Part A, Page 8, (1)(k)3.: The document language will be modified as follows: Other records-Requirements for records relating to other state or federal laws may also apply. This change will make language consistent with Part B, Page 13,

(2)(o)3., which does not impose a requirement but informs and cautions that there may be other state of federal laws that may apply.

Part B, Page 9, (2)(b)3.: The document will be modified to delete "(Appendix A)" which is an editorial error in the language.

Part B, Page 10-11, (2)(g)3.: The words "...pursuant to Florida Statutes, Section 487.041 and Rule 5E-2.031, F.A.C." will be inserted in subsections a, b, c and e, following the words "...registered by the Department".

Part B, Page 11, (2)(g)3.d.: The document language will be changed to remove the word "pathogens" and insert the word "organisms" for greater accuracy and clarity.

Part B, Page 11, (2)(g)3.e.: The document language will be changed to remove the word "pathogens" and insert the word "organisms" for greater accuracy and clarity.

Part B, Page 12, (2)(m)1.: For increased accuracy and clarity, the document language will be modified as follows:

Only those chemicals allowed by the U.S. Food and Drug Administration (FDA), as specified in the FDA Food Code and adopted by reference in Department Rule 5K-4.002, F.A.C., shall be used for food contact waxing materials or food additives. Authorized nonfood chemicals registered for use can be found at: http://www.nsf.org/business/nonfood_compounds.

An electronic copy of the *Tomato Best Practices Manual* (November 2007), with all modifications completed as identified above, may be obtained by contacting Lee M. Cornman, Assistant Director, Division of Food Safety, with a request via telephone at (850)488-0295 or via electronic mail at: foodinsp@doacs.state.fl.us.

THE REMAINDER OF THE RULE WILL READ AS PUBLISHED.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.:	RULE TITLE:
40D-8.624	Guidance and Minimum Levels for Lakes

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 33, No. 14, April 6, 2007 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NO.: 61G15-20.006
 RULE TITLE: Educational Requirements

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 32, No. 30, July 28, 2006 issue of the Florida Administrative Weekly.

This change was made to address a concern expressed by the Joint Administrative Procedure Committee.

When changed, subsection (2)(a) shall now read as follows:

(2) A non-EAC/ABET accredited engineering degree program (hereinafter “engineering program”) which seeks approval pursuant to Section 471.013(1)(a), Florida Statutes, shall submit the following to the Board:

(a) A completed application form “Request for Evaluation” [FBPE/007 (11-07)] and “Self-Study Report” [FBPE/008 (1-08)] hereby incorporated by reference (which may be obtained from the Board by writing to: Executive Director, Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32304);
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Paul Martin, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32301

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NO.: 61G15-21.007
 RULE TITLE: Re-examination

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 32, No. 32, August 11, 2006 issue of the Florida Administrative Weekly.

The changes below are being made in order to update a change in statutory references:

1. Paragraph one of the rule, which is the rule in its entirety, shall now read as follows:

If an applicant fails three times to pass the examination, the applicant must take additional courses in order to reapply for examination. The applicant must submit to the Board of Professional Engineers transcripts for the enrollment and completion of twelve (12) college credit hours, with grades no lower than a “C” or its equivalent, of college level courses in the applicant's area of deficiency. For applicants to take Part I of the engineer examination, such additional courses shall be undergraduate college courses in higher mathematics, basic sciences or engineering as described in paragraphs

61G15-20.007(1)(a), (b), and (c), F.A.C. For applicants to take Part II of the engineer examination, such additional courses shall be upper level or higher courses in engineering, as defined in paragraph 61G15-20.007(1)(c), F.A.C.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

DEPARTMENT OF JUVENILE JUSTICE

Residential Services

RULE NOS.: 63E-7.013
 RULE TITLES: Safety and Security
 63E-7.016 Program Administration

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 33, No. 49, December 7, 2007 issue of the Florida Administrative Weekly.

63E-7.013 Safety and Security.

(1) Physical Security Features. A residential commitment program shall provide physical security features as required pursuant to Chapter 985, F.S., the provider’s contract with the department, if applicable, and the ~~following~~ following provisions listed below based on the restrictiveness level of the program; Unless specified otherwise in a provider’s contract with the department, and contingent upon legislative appropriations, the department is responsible for providing the following physical security features in a program operated in a state-owned building.

(a) through (d) No change.

(2) Staffing Ratios. Any low-risk residential commitment program of more than five beds, and any moderate-risk, high-risk, and maximum-risk restrictiveness level program shall provide awake staff supervision 24 hours per day.

(a) No change.

(b) Staff-to-youth ratios in a privately operated residential commitment program shall be provided as specified in the provider’s contract with the department and shall be monitored for compliance by the ~~residential monitor designated by the~~ department.

(c) No change.

(3) through (4) No change.

(5) Safe and Secure Facility. A residential commitment program shall maintain a safe and secure physical plant, grounds and perimeter and shall:

(a) Conduct weekly security audits and safety inspections;

(b) Develop and implement corrective actions warranted as a result of safety and security deficiencies found during any internal or external review, audit, or inspection; and

(c) Verify that deficiencies are corrected as follows and existing systems are improved or new systems are instituted as needed to maintain compliance. In cases where no corrective action can be reasonably implemented without the department's response to a request for use of facility maintenance funds, the provider's request shall constitute initiation of corrective action.

1. Immediate initiation of corrective actions necessary to eliminate any imminent threat to life and safety or any impending security breach; and

2. Initiation of other corrective actions needed within ~~at least~~ 30 days;

(6) No change.

(7) Classification of Youth. A residential commitment program shall establish a classification system that promotes safety and security, as well as effective delivery of treatment services, based on determination of each youth's individual needs and risk factors, that addresses, at a minimum, the following:

(a) Classification factors to ~~minimally~~ include, at a minimum, the following:

1. Physical characteristics, including sex, height, weight, and general physical stature;

2. Age and maturity level;

3. Identified special needs, including mental, developmental or intellectual, and physical disabilities;

4. Seriousness of the current offense, including whether or not the offense was against person or property;

5. Prior delinquent history and background, including gang affiliation, if applicable;

6. Current or past involvement in assaultive or aggressive behavior, sexual misconduct, or demonstration of emotional disturbance; and

7. Identified or suspected risk factors, such as medical, suicide, and escape risks;

(b) Initial classification of each newly admitted youth for the purpose of assigning him or her to a living unit, sleeping room, and youth group or staff advisor;

(c) Reassessment of a youth's needs and risk factors and reclassification, if warranted, prior to considering:

1. An increase in the youth's privileges or freedom of movement;

2. The youth's participation in work projects or other activities that involve tools or instruments that may be used as potential weapons or means of escape; and

3. The youth's participation in any off-campus activity; and

(d) A continually updated, internal alert system that is easily accessible to program staff and keeps them alerted about youth who are security or safety risks, including escape risks, suicide or other mental health risks, medical risks, sexual predator risks, and other assaultive or violent behavior risks.

The program shall design and implement this system to reduce risks by alerting program staff when there is a need for specific follow-up or precautionary measures or more vigilant or increased levels of observation or supervision, and by assisting staff when making treatment, or safety and security decisions. Although a direct care, supervisory, or clinical staff may place a youth on alert status if he or she meets the criteria for inclusion in the program's alert system, only the following may recommend downgrading or discontinuing a youth's alert status:

1. A licensed mental health professional or mental health clinical staff person for suicide risks or other mental health alerts;

2. A medical staff person for medical alerts upon verification that the health condition or situation no longer exists; or

3. The program director, assistant program director, or on-site supervisor for security alerts.

(8) through (9) No change.

(10) Contraband. A residential commitment program shall delineate items and materials considered contraband when found in the possession of youth. The program shall provide youth with the list of contraband items and materials and inform the youth of the consequences if found with contraband. The program shall establish a system to prevent the introduction of contraband and identify contraband items and materials through searches of the physical plant, facility grounds, and its youth.

(a) Before program staff conduct any strip search of a youth and, at a minimum, before staff conduct a youth's initial frisk search, staff shall prepare the youth by explaining the purpose of the search and what it entails, while assuring the youth of his or her safety. Throughout the search, staff shall avoid using unnecessary force and shall treat the youth with dignity and respect to minimize the youth's stress and embarrassment.

(b) Frisk and Strip Searches. Staff conducting a frisk search, which is conducted through the youth's clothing, shall be of the same sex as the youth being searched. A strip search, a visual check of a youth without clothing, shall be conducted in a private area with two staff members present, both of the same sex as the youth being searched. As an alternative when two staff of the same sex are not available, one staff of the same sex as the youth may conduct the strip search while a staff of the opposite sex is positioned to observe the staff person conducting the search, but cannot view the youth. Use of electronic search equipment is authorized to supplement any frisk search authorized in this rule section. The provisions below stipulate the minimum requirements for use of frisk searches and strip searches based on a program's restrictiveness level. However, a program at any level is permitted to conduct frisk or strip searches when authorized by the program director, or in the director's absence, his or her

designee, for purposes of controlling contraband or ensuring safety and security. When a frisk search is required based on the following provisions, yet the program director or designee authorizes a strip search for contraband control or safety and security purposes, the strip search shall be in lieu of the frisk search.

1. Programs at the Low-risk and Moderate-risk Restrictiveness Levels. In accordance with Rule 63E-7.013, F.A.C., a low-risk or moderate-risk program shall conduct a frisk search after a youth's participation in a vocational or work program or activity involving the use of tools or other implements that could be used as weapons or a means of escape. A frisk search shall also be conducted when a youth returns from a home visit. Consistent with Rule 63E-7.004, F.A.C., a low-risk or moderate-risk program shall conduct a strip search of every youth upon admission, except when a youth is admitted from secure detention, in which case a strip search is authorized rather than required.

2. Programs at the High-risk and Maximum-risk Restrictiveness Levels. In accordance with Rule 63E-7.013, F.A.C., a high-risk or maximum-risk program shall conduct a frisk search after a youth's participation in a vocational or work program or activity involving the use of tools or other implements that could be used as weapons or as a means of escape. Consistent with subsection 63E-7.013(11), F.A.C., a high-risk or maximum-risk program shall conduct a frisk search following a youth's involvement in a visitation activity. In the case of non-contact visitation, such as when the visitor and the youth are separated by an impenetrable barrier, the program director shall not authorize a strip search in lieu of a frisk search. A frisk search shall also be conducted when a youth returns from a supervised off-campus activity conducted away from the facility or its grounds. Although unsupervised off-campus activities, including home visits, are not permitted for youth in maximum-risk programs, a high-risk program shall strip search a youth returning from a home visit and shall frisk search a youth returning from any other unsupervised off-campus activity. Consistent with Rule 63E-7.004, F.A.C., a high-risk or maximum-risk program shall conduct a strip search of every youth upon admission, except when a youth is admitted from secure detention, in which case a strip search is authorized rather than required.

~~(b) Staff conducting a frisk search, which is conducted through the youth's clothing, shall be of the same sex as the youth being searched. A frisk search shall be conducted when a youth returns from a supervised activity away from the program, after a youth participates in vocational or work program involving the use of tools or other implements that could be used as weapons or as a means of escape, and when otherwise authorized by the program director or his or her designee for the purposes of controlling contraband or ensuring safety and security.~~

~~(c) A strip search, a visual check of a youth without clothing, shall be conducted in a private area with two staff members present, both of the same sex as the youth being searched. As an alternative when two staff of the same sex are not available, one staff of the same sex as the youth may conduct the search while a staff of the opposite sex is positioned to observe the staff person conducting the search, but cannot view the youth.~~

~~1. Low-risk. A program at this restrictiveness level may conduct a strip search of a youth only when authorized by the program director.~~

~~2. Moderate risk, High risk, and Maximum risk Programs. A program at any of these restrictiveness levels shall conduct a strip search of every youth upon admission, except when a youth is admitted from secure detention, in which case a strip search is authorized rather than required. The program shall also conduct a strip search of any youth returning from a home visit. When authorized by the program director, the program may conduct a strip search when a youth is returning from an off-campus activity, following a youth's involvement in visitation activities, or in response to a serious security breach.~~

~~(c)(d) A cavity search that involves the examination of the youth's body cavities, with the exception of visual inspection of ears, nose and mouth, may only be conducted by trained medical personnel in an emergency room setting when authorized by the program director because it is strongly suspected that a youth has concealed contraband in a body cavity.~~

~~(d)(e) With the exception of privileged mail to or from a youth's attorney of record, JPO, clergy, or a state or federally authorized advocate or advocacy group representative, the program shall search youths' incoming and outgoing mail, including correspondence and packages, for contraband and for any information that may threaten the security or safety of the program, including escape plans or gang-related information. During the search of incoming or outgoing mail, the youth receiving or sending the mail shall be present or, if the program conducts mail searches at a central location, a youth representative shall be present to witness the process.~~

~~(e)(f) The program shall confiscate any contraband item or material from a youth, documenting the reason for the confiscation and the manner of disposition. The program shall include a copy of the documentation in the youth's individual management record. If a confiscated item is not illegal, the program director or his or her designee has the discretion to discard the item, return it to its original owner, mail it to the youth's home, or return it to the youth upon his or her release from the program. In all instances involving the confiscation of contraband that is illegal, the program shall submit the item to local law enforcement and file a criminal report.~~

~~(11) Visitation. A residential commitment program shall provide for visitation of youth and, at a minimum, shall address the following:~~

(a) through (c) No change.

(d) Identification of authorized visitors, including the youth's parents or legal guardian, the youth's spouse, the youth's attorney of record, the youth's JPO, clergy, and others with a legitimate reason related to the youth's rehabilitation and treatment at the discretion of the program director or his or her designee, excepting. The program shall not allow visitation by any co-defendant in the youth's current offense, anyone prohibited by court order to have contact with the youth, anyone the youth is unwilling to receive as a visitor, or anyone whose presence or behavior during a prior visitation posed a safety or security threat;

(e) Verification of the identity of visitors by requiring a form of picture identification except in the case of children or siblings of the youth who are accompanied by a parent or legal guardian ~~and authorized by the program director or his or her designee;~~

(f) No change. ~~Documentation of all visitation to include:~~

- ~~1. The visitor's signature, the date, and the times of entry and exit;~~
- ~~2. The name of any visitor denied entry and the date, time, and reason for denial;~~

(g) Measures to prevent the introduction of contraband into the program to include:

1. Written notification to visitors before their entry into the facility that their person and any packages may be subject to search and that possession of illegal contraband could be subject to legal action;

2. Mandatory electronic search of visitors entering high-risk and maximum-risk programs and optional electronic search of visitors entering low-risk and moderate-risk programs;

3. Frisk search of a visitor by a staff person of the same sex when reasonable belief exists that the visitor is attempting to introduce contraband or otherwise compromise the security of the facility ~~probable cause exists to warrant the search;~~

4. Search of packages or other items for youth conducted in the presence of the visitor;

5. Prohibition of visitors bringing their personal possessions into the facility unless the program director or his or her designee makes an exception for a visitor needing a documented prescription medication or an adaptive device due to a disability;

6. Consistent with Rule 63E-7.010, F.A.C., frisk search of a youth in a high-risk or maximum-risk program ~~or, if authorized by the program director or his or her designee, strip search of a youth by staff~~ prior to the youth's exit from the visitation area; and

7. Search of the visitation area by staff after all visits are concluded; and

(h) Termination of the visit if the youth or visitor violates the program rules, is loud or disorderly or visibly angry or upset, engages or attempts to engage in sexual contact or activity, is physically aggressive, or otherwise poses an unsafe situation.

(12) through (13) No change.

(14) Flammable, Poisonous and Toxic Items. A residential commitment program shall maintain strict control of flammable, poisonous, and toxic items and materials. At a minimum, the program shall:

(a) through (c) No change.

(d) Dispose of hazardous items and toxic substances or chemicals in accordance with Occupational Safety and Health Administration (OSHA) Standard 29 CFR 1910.1030 (amended 1-1-2004) standards; and

(e) Maintain Material Safety Data Sheets (MSDS) on site in accordance with as required by OSHA Standard 29 CFR 1910.1030 (amended 1-1-2004).

(15) No change.

(16) Controlled Observation. A moderate-risk, high-risk, or maximum-risk residential commitment program may use controlled observation only when necessary and as a last resort. It is intended as an immediate, short-term, crisis management strategy for use during volatile situations in which one or more youths' sudden or unforeseen onset of behavior imminently and substantially threatens the physical safety of others and compromises security. Controlled observation is not authorized for use as punishment or discipline.

(a) The program is authorized to temporarily place ~~an out of control~~ youth in a controlled observation room only in the following situations when non-physical interventions would not be effective:

1. Emergency safety situations where there is imminent risk of the youth physically harming himself or herself, staff, or others; or

2. When the youth is engaged in major property destruction that is likely to compromise the security of the program or jeopardize the youth's safety or the safety of others, when the following three criteria are met:

1. The youth is exhibiting active aggression;

2. Continuation of the youth's acutely aggressive or violent behavior is likely to result in immediate injury or imminent harm to others or substantial damage to property; and

3. The youth is physically out of control, and less restrictive methods of dealing with the youth are ineffective or are unlikely to have the desired effects quickly enough to divert serious injuries, security breaches, or substantial property destruction.

(b) A supervisor with delegated authority ~~or staff person at a higher level~~ shall give prior authorization for each use of controlled observation unless the delay caused by seeking prior

approval would further jeopardize the safety of others and the program's security. In this case, as soon as the youth is placed in the controlled observation room and order is re-established within the program, staff shall obtain authorization for continued placement from a supervisor with delegated authority or staff person at a higher level or the youth shall be removed from the controlled observation room.

(c) No change.

(d) In order to determine if there are any observable injuries that would contraindicate a youth's placement in a controlled observation room, the program shall use the Health Status Checklist to conduct and document a visual check of the youth upon his or her placement. The Health Status Checklist (MHSA 008, August 2006) is incorporated into this rule and is available electronically at http://www.djj.state.fl.us/forms/mental_health_substance_abuse_services_forms_index.html. Prior to placing a youth into a controlled observation room, a staff person of the same sex as the youth or a health care professional shall use the Health Status Checklist to conduct and document a visual check of the youth to determine if there are any observable injuries that would contraindicate placement. The Health Status Checklist (MHSA 008, August 2006) is incorporated into this rule and is available electronically at http://www.djj.state.fl.us/forms/mental_health_substance_abuse_services_forms_index.html. If a physical injury is observed, the youth complains of injury or illness, or the youth experienced a fall, impact, or blow such that injury could reasonably be expected, a health care professional shall be immediately notified for timely assessment and treatment.

1. A healthcare professional or a staff person of the same sex as the youth shall conduct the visual check unless a same-sex staff person is unavailable in the vicinity, in which case a staff person of the opposite sex may conduct the visual check.

2. The visual check shall be conducted without the youth disrobing unless there is reason to suspect an injury that is hidden by clothing, in which case, a healthcare professional or a staff person of the same sex shall conduct the visual check.

3. If a physical injury is observed, the youth complains of injury or illness, or the youth experienced a fall, impact, or blow such that injury could reasonably be expected, a health care professional shall be immediately notified for timely assessment and treatment.

(e) Staff shall not place a youth in controlled observation when the youth is demonstrating acute psychological distress behaviors, such as panic, paranoia, hallucinations, and self-harming behaviors, or if the youth is a suicide risk, meaning a youth who demonstrates behaviors that indicate that he or she is thinking about or contemplating suicide or when the youth is identified as a suicide risk in the program's alert system, exhibiting behaviors indicative of a mental health crisis or suicide risk in controlled observation. Additionally, if

a youth in a controlled observation room begins demonstrating acute psychological distress or suicide risk behaviors manifesting behavior that would indicate that he or she is experiencing a mental health crisis or is a suicide risk, the youth shall immediately be removed from the room and follow-up mental health services shall be provided.

~~(f) Any physical restraints shall be removed after a youth is placed in a controlled observation room unless they are necessary to protect the youth from self-injury, in which case staff shall continuously monitor the youth and remove the restraints after 15 minutes of calm behavior.~~

~~(f)(g)~~ A staff person of the same sex shall frisk search the youth and remove any potentially dangerous or injurious items before the youth is left alone in a controlled observation room. Staff shall remove all jewelry, pocket items, hair ties, hairpins, belts, or other clothing or items that the youth could use for self-injury or injury to others; however, the youth shall not be stripped.

~~(g)(h)~~ Staff shall discuss with the youth the reasons for his or her placement in controlled observation; and the expected behavior for removal from placement and, if applicable, the expected behavior for removal of restraints. Later, when the youth's behavior has de-escalated and is conducive to constructive interaction, staff shall attempt to process with the youth what happened and explore alternative behaviors.

~~(h)(i)~~ To ensure the youth's safety while in the controlled observation room, staff shall conduct safety checks at least every fifteen minutes and shall observe the youth's behavior. However, continuous sight and sound supervision, defined as staff's provision of continuous, uninterrupted visual and sound monitoring of the youth, shall be provided when the youth is demonstrating physical behaviors that pose a in restraints or is physically out of control to the extent that he or she is at high risk of self-injury. Staff shall document all safety checks and observations on the Controlled Observation Safety Checks form.

~~(i)(j)~~ The program director or a supervisor with delegated authority shall approve a youth's release from controlled observation when it is determined that, based on the youth's verbal and physical behaviors, he or she is no longer an imminent threat of harm to self or others. This approval shall be based on a determination that the youth is no longer threatening harm to others, exhibits calm behavior, and expresses a willingness to positively rejoin the program.

1. The time limit for placement of a youth in the controlled observation room is two hours unless the program director or his or her designee grants an extension because release of the youth would imminently threaten his or her safety or the safety of others. No extension shall exceed two six hours except when a youth is sleeping between the hours of 10:00 p.m. and 6:00 a.m. when the approving authority could not reasonably

~~determine the youth's readiness for release, and~~ The total placement time for a youth in controlled observation, including all extensions, shall not exceed 24 hours.

2. When a youth is released from controlled observation, staff shall determine whether an in-house alert is warranted and, if so, take action as required pursuant to paragraph 63E-7.013(7)(d), F.A.C.

~~(j)(4)~~ The program director or assistant program director shall review the Controlled Observation Report within 14 days of the youth's release from controlled observation to determine if the placement was warranted and handled according to the provisions of this rule section. Any corrective actions deemed necessary to prevent potential misuse of controlled observation shall be immediately implemented.

~~(k)(4)~~ The program shall ensure completion of the Controlled Observation Report for each use of controlled observation, with the exception of the Extension of Controlled Observation section when a youth's placement is limited to the two-hour time period. Additionally, for each use of controlled observation, the program shall ensure completion of the Health Status Checklist and the Controlled Observation Safety Checks form. The program shall maintain these forms in an administrative file, as well as in the youth's individual management record.

(17) Escapes. For purposes of this rule, the definition of escape is consistent with Section 985.721, F.S.

(a) When a youth escapes from the facility or escapes from supervised activities away from the facility or while in transit to and from such activities, the program shall report the incident by telephone to law enforcement and the department's Central Communications Center immediately or within a timeframe not to exceed two hours of becoming aware of the escape. Additionally, the program shall telefax the completed Notification of Escape form to the following persons or entities as soon as practicable or within a timeframe not to exceed four hours:

1. Local law enforcement agency having jurisdiction over the locale where the program is sited;

2. through 7. No change.

(b) through (g) No change.

(18) Transportation. When transporting a youth, a residential commitment program shall maintain custody and control while ensuring the safety of youth, staff and the community.

(a) No change.

(b) When transporting youth, a high-risk or maximum-risk program shall provide secure transportation. A low-risk or moderate-risk program shall provide secure transportation for any youth who has been assessed and determined to be a security risk or risk to self and others and has demonstrated that he or she cannot be transported by less restrictive methods. The program shall comply with the following when securely transporting youth:

1. The use of mechanical restraints is required and shall be provided pursuant to Chapter 63H-1, F.A.C.

2. In addition to the requirements specified in paragraph section 63E-7.013(18)(a), F.A.C., of this rule chapter, the program shall comply with the following provisions when providing secure transportation:

a. The vehicle shall have rear doors that cannot be opened from the inside.

b. The vehicle shall be equipped with a safety screen separating the front seat or driver's compartment from the back seat or rear passengers' compartment, or a staff person shall occupy the back seat or rear passengers' compartment with the youth.

c. The program shall provide the minimum ratio of one staff for every five youth required for off-campus activities. However, if five or less youth are being transported, the program shall provide a minimum of two staff, with one being the same sex as the youth being transported.

(c) No change.

(19) A residential commitment program shall comply with the following provisions on youth's eligibility and participation in off-campus activities, defined as activities conducted away from the facility grounds:

(a) through (d) No change.

(e) Pursuant to subparagraph section 63E-7.012(2)(a)2., F.A.C., of this rule chapter, the program shall notify the victim or his or her designee, unless these notification rights have been waived, when allowing a youth committed for specified offenses to participate in a temporary release.

(f) The program shall prohibit any youth from participating in trips or functions requiring travel out of the state of Florida unless approved in writing by the department's residential regional director and Assistant Secretary for Residential and Correctional Facilities. Approval shall be granted or denied based on the youth's eligibility to engage in off-campus activities pursuant to paragraphs 63E-7.013(19)(a)-(b), F.A.C., and the purpose, objectives, travel plans and supervision arrangements pursuant to paragraphs 63E-7.013(19)(c)-(d), F.A.C.

(20) Disaster and Continuity of Operations Planning. A residential commitment program shall develop a disaster plan and a continuity of operations plan (COOP) that are coordinated or one comprehensive plan that incorporates both. The plans shall provide for the continuation of basic care and custody of youth in the event of an emergency or disaster, while ensuring safety of staff, youth and the public. The program shall conduct practice events or drills and shall be prepared for immediate implementation or mobilization of the plans whenever an emergency or disaster situation necessitates.

(a) No change.

(b) The program's COOP shall:

1. Provide for the continuity of care and custody of its youth and the protection of the public in the event of an emergency that prevents occupancy of the program's primary facility or structure;

2. ~~Be c~~Compatible with the COOP for the department's residential region;

3. ~~Be r~~Readily available to staff;

4. ~~Be r~~Reviewed and updated annually;

5. ~~Be s~~Submitted to the department's residential regional director, if requested; and

6. ~~Be a~~Approved by the Division of Emergency Management, Department of Community Affairs.

(21) Internet Access. A residential commitment program shall ensure that youth only have access to the Internet for the purposes of obtaining educational material. While youth are on-line, program staff shall continually monitor the computer screens to ensure that youth are accessing only the approved material.

(a) Youth shall be prohibited from accessing material considered harmful to minors which includes any picture, image, graphic image file, or other visual depiction that, taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion:-

~~1. Appeals to a prurient interest in nudity, sex, or excretion;~~

~~2. Depicts, describes, or represents in an offensive way an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or lewd exhibition of the genitals; and~~

~~3. Lacks serious literary, artistic, political, or scientific value.~~

(b) No change.

(22) Water Safety.

(a) No change.

(b) The program shall provide sufficient supervision to continuously account for youth and ensure their safety.

1. The program shall ensure a sufficient number of lifeguards for maximum safety, and lifeguards shall be certified consistent with American Red Cross or other nationally accepted standards for the type of water in which the activity is taking place.

a. If the water-related activity takes place in a pool, at least one staff person certified as a lifeguard shall be present.

b. If the water-related activity takes place in open water, at least one staff person certified in waterfront lifeguarding shall be present.

c. Shoreline and offshore activities do not require lifeguards present; however, the program shall provide supervision by staff trained in emergency procedures. Staffing shall be sufficient to continually account for youths' whereabouts and maintain safety.

d. Scuba diving activities shall be conducted by a scuba diving instructor certified by the National Association of Underwater Instructors (NAUI) or the Professional Association of Diving Instructors (PADI). Snorkeling or skin diving activities shall be conducted by a scuba diving instructor or a snorkeling or skin diving instructor certified by NAUI or PADI.

2. The program shall provide additional staff supervision to ensure youths' safety. If the activity is conducted away from the program or its grounds, a minimum ratio of one staff for every five youth is required.

3. The program shall conduct methods necessary to maintain an accounting of youth, including conducting head-counts at regular intervals.

~~(e) Scuba diving or snorkeling activities shall be conducted consistent with standards and procedures established or approved by nationally recognized organizations such as the Recreational Scuba Training Council, the National Association of Underwater Instructors, or the Professional Association of Diving Instructors.~~

Specific Authority ~~985.64, 985.601(3)(a), 985.441(1)(b), 985.03(44)~~ FS. Law Implemented ~~985.601(3)(a), 985.441(1)(b), 985.03(44)~~ FS. History—New _____.

63E-7.016 Program Administration.

(1) through (3) No change.

(4) A residential commitment program director shall ensure provisions for staffing that, at a minimum, address the following:

(a) through (g) No change.

(h) A code of conduct for staff that clearly communicates expectations for ethical and professional behavior, including the expectation for staff to interact with youth in a manner that promotes their emotional and physical safety.;

(5) A residential commitment program shall establish a system for fiscal management and control, ~~and, in the case of any contracted program, shall obtain at least one independent financial audit annually;~~

(6) through (9) No change.

(10) A residential program shall be reviewed, audited, or investigated as follows:

(a) The department shall conduct performance reviews of each residential commitment program at least annually. These reviews shall determine the program's compliance with the provisions of this rule chapter and, if applicable, the terms and conditions of the provider's contract with the department. Prior to a contracted provider opening a new program or assuming operation of an existing program, the department may conduct a pre-operational review to assess the program's readiness to commence operations. The program shall develop and implement an outcome-based corrective action plan to address deficiencies identified during a pre-operational review. After the program commences operations and as follow-up to the

~~pre-operational review, the department may conduct a post-operational review that may result in additional corrective actions:~~

~~(b) Based on the program's identified risk factors, the department's designated regional residential monitor shall conduct monthly, quarterly, or semi-annual reviews to determine if the program is providing services as specified in this rule chapter, other applicable rules and statutes, and the provider's contract with the department. The program shall develop and implement an outcome-based corrective action plan to address major deficiencies identified by the residential monitor during any such review. For purposes of this rule chapter, a major deficiency is defined as a deficiency that indicates the interruption of service delivery or the receipt of public funds for program services not delivered.~~

~~(b)(e) Pursuant to Section 985.632, F.S., the department shall conduct quality assurance reviews of residential commitment programs. Standards and indicators used for this purpose shall be based on provisions of this rule chapter. The program shall implement an outcome-based corrective action plan that addresses major deficiencies identified during any quality assurance review.~~

~~(c)(d) The program shall cooperate with any review or investigation coordinated or conducted by the department's Office of the Inspector General pursuant to Section 20.055, F.S.~~

~~(d)(e) In cases where federal funds are involved, audits may be conducted according to federal requirements.~~

~~(11) through (13) No change.~~

~~(14) A residential commitment program shall maintain confidentiality and not release any information to the general public about any youth. The program shall not allow the media to visit, interview youth or have access to youth records unless the Secretary or his or her designee grants approval. When seeking approval for a media request, the program director or designee shall immediately contact the department's regional residential director or designee who shall process the request within the department and provide feedback to the program director or designee as soon thereafter as is practicable.~~

~~(14)(15) A residential commitment program director shall immediately contact the department's regional residential director or designee to report the death of any youth residing in the program. The program director shall provide information as needed to enable the department to notify the youth's parents or legal guardian.~~

Specific Authority 985.64, ~~985.601(3)(a)~~ FS. Law Implemented 985.601(3)(a) FS. History—New _____.

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: 64B3-5.007
 RULE TITLE: Director; Limitations and Qualifications

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 33, No. 51, December 21, 2007 issue of the Florida Administrative Weekly.

The correction has been made to the Notice of Change published in the February 8, 2008 issue of the Florida Administrative Weekly in Vol. 34, No. 6. Subsection (1) should have read as follows: "All applicants for a Director license must have the qualifications for a High Complexity Laboratory Director, listed in 42 CFR 493.1443 as published on October 1, 2007."

THE PERSON TO BE CONTACTED REGARDING THE CORRECTION IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-4.002
 RULE TITLE: Possession of Gun While Using a Light Prohibited

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 34, No. 1, January 4, 2008 issue of the Florida Administrative Weekly.

68A-4.002 Possession of Gun While Using a Light Prohibited.

(1) Except while engaging in activities provided for in Rules 68A-9.010, 68A-23.002, 68A-24.002, 68A-25.003, 68A-25.032, and 68A-25.042, F.A.C., the displaying or use of a light at night in a place where wildlife or freshwater fish might be found and in a manner capable of disclosing the presence of wildlife or freshwater fish, together with the possession of a gun by one or more persons then and there in the presence of each other is prohibited.

(2) The possession of a gun by one or more persons then and there in the presence of each other while displaying or using a light at night shall constitute prima facie evidence of possession by such persons for the purpose of taking wildlife or freshwater fish in violation of this section.

(3) Notwithstanding the provisions above, a person in possession of a valid Concealed Weapon or Firearm License may possess concealed handguns under the provisions of Section 790.06, F.S., unless preempted pursuant to state or federal law. This shall not be construed to allow the use of handguns as a legal method of take unless specifically provided for in rule.

Specific Authority Art. IV, Sec. 9, Fla. Const., 372.021 FS. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.664, 372.99(2) FS. History—New 8-1-79, Amended 6-21-82, Formerly 39-4.02, 39-4.002, Amended _____.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-9.004
 RULE TITLE: Permits for Hunting or Other Recreational Use on Wildlife Management Areas

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 34, No. 1, January 4, 2008 issue of the Florida Administrative Weekly.

68A-9.004 Permits for Hunting or Other Recreational Use on Wildlife Management Areas.

(1) In addition to other licenses, permits and stamps required by law, stamp requirements for hunting, camping, fishing, or other recreational uses on lands owned, leased or managed by the Commission or the State of Florida for the use and benefit of the Commission shall be as provided by Section 372.57(8)(i)1., F.S.

(a) No change.

(b) The cost of recreational user permits as required for hunting on the following privately owned wildlife management areas as provided by Section 372.57(8)(i)1., F.S., shall be:

- 1. No change.
- 2. No change.
- ~~3. Blue Water Creek — \$200~~
- ~~3.4. No change.~~
- ~~4.5. Twelve Mile Swamp — \$525 \$425~~
- ~~5.6. No change.~~
- ~~6.7. Relay — \$425 \$275~~
- ~~7.8. Ft. McCoy — \$350 \$200~~
- ~~8.9. No change.~~
- ~~9.10. Grove Park — \$475 \$325~~

(c) The total number of permits available for each of the following privately owned wildlife management areas established pursuant to Section 372.57(8)(i)1., F.S., shall be:

- 1. Nassau WMA — 350
- 2. San Pedro Bay WMA — 310
- ~~3. Blue Water Creek — 400~~
- ~~3.4. Flint Rock — 450~~
- ~~4.5. Twelve Mile Swamp — 200~~
- ~~5.6. Robert Brent — 100~~
- ~~6.7. Relay — 300~~
- ~~7.8. Ft. McCoy — 150~~
- ~~8.9. Gulf Hammock — 450~~
- ~~9.10. Grove Park — 200~~

(d) through (f) No change.

(2) No change.

PROPOSED EFFECTIVE DATE: April 1, 2008.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented 372.121, 372.57, 375.313 FS. History—New 8-1-79, Amended 6-4-81, 6-21-82, Formerly 39-9.04, Amended 6-2-86, 11-1-89, 7-16-98, 5-13-99, Formerly 39-9.004, Amended 7-1-00, 5-29-01, 7-22-01, 6-2-02, 7-28-02, 5-1-03, 7-7-03, 10-12-03, 5-12-04, 7-15-04, 6-1-05, 4-1-08.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-9.008
 RULE TITLE: Permits for Physically Disabled

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 34 No. 1, January 4, 2008 issue of the Florida Administrative Weekly has been withdrawn.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-9.010
 RULE TITLE: Taking Nuisance Wildlife

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 34, No. 1, January 4, 2008 issue of the Florida Administrative Weekly.

68A-9.010 Taking Nuisance Wildlife.

Any person owning property may take nuisance wildlife or they may authorize another person to take nuisance wildlife on their behalf except those species listed in subsection (1) below on their property by any method except those methods listed in subsection (2) below. Persons responsible for government owned property are considered “landowners” for the purpose of this rule. The executive director or a designee may authorize the take of additional species of wildlife or additional methods of take for justifiable purposes by permit issued pursuant to Rule 68A-9.002, F.A.C.

(1) Wildlife that may not be taken as nuisance wildlife:

(a) Species listed in Chapter 68A-27, F.A.C.

(b) The following mammals:

1. Black bear.

2. Deer.

3. Bats — Except that bats may be taken either when:

a. That take is incidental to the use of an exclusion device, a device which allows escape from and blocks re-entry into a roost site located within a structure (including chemical repellants), at any time from August 15 to April 15 or

b. That take is incidental to permanent repairs which prohibit the egress of bats from a roost site located within a structure provided an exclusion device as described in sub-subparagraph a. above is used for a minimum of four consecutive days/nights for which the low temperature is forecasted by the U.S. National Weather Service to remain above 50F prior to repairs and during the time-period specified.

(c) The following birds:

1. All birds listed in 50 C.F.R. §10.13 as protected by the Migratory Bird Treaty Act unless the take is authorized by the U. S. Fish and Wildlife Service by a permit or depredation order.

2. Bobwhite quail.

3. Wild turkey.

(2) Methods that may not be used to take nuisance wildlife:

(a) Gun and light, except as provided in paragraph (4)(b) below.

(b) Steel traps.

(c) Poison, other than those pesticides that are registered by the Florida Department of Agriculture and Consumer Services without additional authorizations and are only used in a manner consistent with the product labeling.

(d) Bat exclusion devices or any other intentional use of a device or material at a roost site which may prevent or inhibit the free ingress and/or egress of bats from April 16 through August 14.

(e) Any method prohibited pursuant to Section 828.12, F.S.

(3) Transportation and release of nuisance wildlife.

(a) Live captured nuisance wildlife transported under authority of this section may be done only for the purpose of euthanizing the nuisance wildlife, provided any euthanasia shall be humane as defined by the American Association of Zoo Veterinarians. Euthanasia of those species listed in subsection 68A-6.0022(2), F.A.C., is not required.

(b) Live captured nuisance wildlife may be released on the property of the landowner provided the release site and capture site are located on one contiguous piece of property.

(4) Take of nuisance wildlife on airport property.

(a) Wildlife listed in Chapter 68A-27, F.A.C., that pose an imminent jeopardy to aircraft safety and human life, may be harassed by persistent, non-injurious disturbance without physical capture or direct handling to disperse wildlife by airport operators or their agents on airport property in order to prevent collisions between aircraft and wildlife.

(b) Airport personnel may take deer or wild turkey on airport property if their presence poses a potential threat to aircraft safety and human life. Deer may be taken by the use of a gun and light at night. Carcasses of deer or wild turkey taken under this rule shall be buried, incinerated on-site or donated to

a charitable, non-profit institution or agency. No deer or wild turkey carcasses taken under this rule shall be retained for use by airport personnel.

PROPOSED EFFECTIVE DATE: July 1, 2008.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 7-1-08.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.:

RULE TITLE:

68A-15.061

Specific Regulations for Wildlife Management Areas – Southwest Region

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 34, No. 1, January 4, 2008 issue of the Florida Administrative Weekly.

The only change made to the proposed amendments to this rule is to subsection (1). The remainder of the proposed rule amendments, to subsections (2) through (15), will be adopted as proposed. Subsection (1) will read as follows:

68A-15.061 Specific Regulations for Wildlife Management Areas – Southwest Region.

(1) Green Swamp Wildlife Management Area.

(a) Open season:

1. General gun – November ~~8~~ ~~10~~ through January ~~4~~ ~~6~~.

2. Archery – September ~~20~~ ~~22~~ through October ~~19~~ ~~21~~, Fridays, Saturdays and Sundays only.

3. Small game – January ~~10~~ ~~12~~ through February ~~8~~ ~~10~~, Saturdays and Sundays only.

4. Spring turkey – March ~~21~~ ~~15~~ through April ~~26~~ ~~20~~.

5. Fishing and frogging – Permitted during periods in which hunting is allowed; and Saturdays and Sundays from May ~~2~~ ~~3~~ to June ~~14~~ ~~15~~. Fishing and frogging is permitted at all other times provided that access is by foot only.

(b) Legal to take: All legal game, ~~hog~~, fish, frogs and furbearers. ~~No bag or size limit on hogs.~~

(c) Camping: Allowed by permit only and only within the designated campsites at the Rock Ridge Road and 471 campgrounds. Camping is allowed Permitted only at both campgrounds designated campsites during archery, general gun and spring turkey seasons. Camping is allowed Permitted only at the Rock Ridge Road campground campsite during the designated fishing and frogging season and only at the 471 campground campsite during the designated small game season. Camping permits are non-transferable. Camping along the Green Swamp Hiking Trail (Florida Trail) is prohibited except by written permission from the Southwest Florida Water Management District. Kitchen stoves, refrigerators and freezers, unless contained in mobile campers are prohibited.

Lumber, sheet metal or other building materials is prohibited. The alteration, defacing, moving or tampering in any way with official markings of campsites is prohibited. The use or operation of electrical generators powered by an internal combustion engine is prohibited within the campgrounds beginning each night at 10 p.m. until 4 a.m. A legible copy of the camping permit or the permittee's name and permit number must be visibly affixed to camping shelters. Camping equipment must be removed by 8 p.m. on the last date listed on the camping permit.

(d) General regulations:

1. through 2. No change.

3. No deer or wild hog shall be quartered or otherwise dismembered until checked at a designated check station and tagged.

4. through 7. No change.

8. Camps shall be removed by 8:00 p.m., April 20 and June 15 from the Rock Ridge campground and by April 20 from the 471 campground.

9. through 10. renumbered 8. through 9. No change.

10. Until July 1, 2010, the possession or consumption of intoxicating beverages is prohibited.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-15.062
 RULE TITLE: Specific Regulations for Wildlife Management Areas – North Central Region

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 34, No. 1, January 4, 2008 issue of the Florida Administrative Weekly.

Changes have been made to proposed new subsections (38), (39), and (42). No changes were made to the proposed amendments to the remaining subsections of the rule and they will be adopted as proposed. Subsections (38), (39), and (42) will read as follows:

68A-15.062 Specific Regulations for Wildlife Management Areas – North Central Region.

(38) Belmore Wildlife Management Area.

(a) Open season:

1. Archery – September 20-22, 26-28 and October 3-5.

2. Muzzleloading gun – October 24-26.

3. Family hunt – November 8-9.

4. General gun – November 13-16 and 19-23.

5. Small game – November 28 through January 4 (Fridays, Saturdays and Sundays only).

6. Trapping – Prohibited.

7. Spring turkey – March 21-23, 27-29 and April 3-5.

8. Fishing and frogging – Throughout the year.

(b) Legal to take: All legal game, fish, frogs and furbearers. During the archery season the bag limit for deer shall be one antlered or one antlerless deer per person per permit. During the family hunt the bag limit for deer shall be one antlered and one antlerless deer per permit. During the muzzleloading gun and general gun seasons the bag limit for deer shall be one antlered deer per person per permit per season. Taking antlered deer not having at least one antler with three or more points, each point one inch or more in length, is prohibited. During the spring turkey season the bag limit for wild turkey shall be one gobbler or bearded turkey per person per permit.

(c) Camping: Prohibited.

(d) General regulations:

1. Vehicles may be operated only on named or numbered roads.

2. Tracked vehicles, airboats, unlicensed motorcycles and all-terrain vehicles are prohibited.

3. Taking wildlife with dogs is prohibited, except with bird dogs during the small game season.

4. Horses and bicycles are allowed only on named or numbered roads, or designated trails.

5. Public access is prohibited from 1.5 hours after sunset until 1.5 hours before sunrise.

6. All persons shall enter and exit the area only at designated entrances.

7. The use of centerfire rifles for taking wild turkey during the spring turkey season is prohibited.

(39) Four Creeks Wildlife Management Area.

(a) Open season:

1. Archery – September 20-22, 26-28 and October 3-5.

2. Muzzleloading gun – October 24-26.

3. Family hunt – November 8-9.

4. General gun – November 13-16 and 19-23.

5. Small game – November 28 through January 4 (Fridays, Saturdays and Sundays only).

6. Trapping – Prohibited.

7. Spring turkey – March 21-23, 27-29 and April 3-5.

8. Waterfowl and coot – During seasons established by Rule 68A-13.003, F.A.C.

9. Fishing and frogging – Throughout the year.

(b) Legal to take: All legal game, fish, frogs and furbearers. During the archery season the bag limit for deer shall be one antlered or one antlerless deer per person per permit. During the family hunt the bag limit for deer shall be one antlered and one antlerless deer per permit. During the muzzleloading gun and general gun seasons the bag limit for deer shall be one antlered deer per person per permit per season. Taking antlered deer not having at least one antler with three or more points, each point one inch or more in length, is

prohibited. During the spring turkey season the bag limit for turkey shall be one gobbler or bearded turkey per person per permit.

(c) Camping: Prohibited.

(d) General regulations:

1. Vehicles may be operated only on named or numbered roads.

2. Tracked vehicles, airboats, unlicensed and unregistered motorcycles, and all-terrain vehicles are prohibited.

3. Taking wildlife with dogs is prohibited, except with bird dogs during the small game season and waterfowl retrievers during seasons established by Rule 68A-13.003, F.A.C.

4. Horses and bicycles are allowed only on named or numbered roads, or designated trails.

5. Public access is prohibited from 1.5 hours after sunset until 1.5 hours before sunrise.

6. All persons shall enter and exit the area only at designated entrances or via the Nassau River or Boggy Mills or Thomas Creeks.

7. The archery area will be open for taking wildlife only during the archery season and only with a bow.

8. The use of centerfire rifles for taking wild turkey during the spring turkey season is prohibited.

(42) Thomas Creek Wildlife Management Area – Kings Road Unit.

(a) Open season:

1. Archery – September 20-22, September 29 through October 1, and October 6-8.

2. Muzzleloading gun – October 24-26.

3. Family hunt – November 8-9.

4. General gun – November 14-16 and 19-21.

5. Small game – November 28 through December 3, 8-10, 19-21, 26-28 and January 5-7.

6. Trapping – Prohibited.

7. Spring turkey – March 21-23, March 30 through April 1 and April 6-8.

8. Fishing and frogging – Throughout the year.

(b) Legal to take: All legal game, fish, frogs and furbearers. The bag limit for deer shall be one antlered or one antlerless deer per person per permit during the archery season, one antlered deer per person during the family hunt and one antlered deer per person per permit per season during the muzzleloading gun and general gun seasons. During the spring turkey season the bag limit for wild turkey shall be one gobbler or bearded turkey per person per permit.

(c) Camping is prohibited.

(d) General regulations:

1. All persons shall enter and exit the area only at designated entrances.

2. Taking deer or wild hog with dogs is prohibited.

3. Motorized vehicles are prohibited.

4. The possession or use of dogs, other than bird dogs or dogs with a shoulder height of fifteen inches or less is prohibited, except as provided by paragraph 68A-15.004(7)(c) or (d), F.A.C.

5. Fires are prohibited.

6. During periods open to hunting, other than the small game season, public access is restricted to individuals with valid quota permits.

7. Bicycles shall be restricted to named or numbered roads and designated trails.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.:
68A-15.063

RULE TITLE:
Specific Regulations for Wildlife Management Areas – Northwest Region

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 34, No. 1, January 4, 2008 issue of the Florida Administrative Weekly.

The only change made to this proposed rule amendment is to strike through the entirety of subsection (9), relating to Blue Water Creek Wildlife Management Area. The remaining subsections are unchanged and those following stricken subsection (9), subsections (10) through (28), are renumbered as subsections (9) through (27).

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.:
68A-15.065

RULE TITLE:
Specific Regulations for Wildlife Management Areas – Northeast Region

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 34, No. 1, January 4, 2008 issue of the Florida Administrative Weekly.

Changes have been made to subsections (1) and (6) of the rule as proposed. The remaining proposed amendments to subsections (2) through (5) and (7) through (34) have not been changed. Subsections (1) and (6) of Rule 68A-15.065 will read as follows:

68A-15.065 Specific Regulations for Wildlife Management Areas – Northeast Region.

(1) Bull Creek Wildlife Management Area.

(a) Open season:

1. General gun – November ~~8~~ through January ~~4~~ **6**.

- 2. Small game – January ~~5~~ 7 through March ~~1~~ 2.
- 3. Spring turkey – March ~~21~~ 15 through April ~~26~~ 20.
- 4. Archery – September ~~20~~ 22 through October ~~19~~ 21. An archery/muzzleloading gun A special quota permit will be required for the September ~~20-21~~ 22-23 hunt.
- 5. Muzzleloading gun – October ~~24-26~~ 26-28.
- 6. No change.
 - (b) Legal to take: All legal game, ~~wild hogs~~, fish, frogs and furbearers (except bobcat and otter). Any deer except spotted fawns may be taken during the archery season. During the muzzleloading gun and general gun seasons, antlerless deer may be taken by permit only. Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited. Taking wild hog is prohibited during small game season. There shall be no bag or size limit restrictions on wild hogs.
 - (c) Camping: ~~Allowed~~ Permitted only at designated campgrounds during periods in which hunting is allowed and throughout the year at designated campsites on the Florida National Scenic Trail provided that access to area is via the Trail. Camping equipment may be taken onto the area after 8 a.m. seven days prior to the opening of archery season and shall be removed from the area before 6 p.m. seven days following the end of the spring turkey season. Camping shall be allowed from 8 a.m. one day prior to each season through 6 p.m. one day following each season. Only tents, trailers or self-propelled camping vehicles may be used for camping.
 - (d) General regulations:
 - 1. Persons hunting on the Crabgrass Creek portion of the area shall have a daily permit issued from the check station in their possession (except during the small game season) and shall enter and exit at the designated entrance point on Crabgrass Road.
 - 2. through 3. No change.
 - 4. No deer or wild hog shall be quartered or otherwise dismembered in the hunt area.
 - 5. through 6. No change.
 - 7. The use of centerfire rifles for taking wild turkey during the spring turkey season is prohibited. The possession of centerfire rifles is prohibited during spring turkey season.
 - 8. No change.
- (6) Three Lakes Wildlife Management Area.
 - (a) Open season:
 - 1. General gun – November ~~8~~ 10 through January ~~4~~ 6.
 - 2. Small game – January ~~5~~ 7 through March ~~1~~ 2.
 - 3. Spring turkey – March ~~21~~ 15 through April ~~26~~ 20.
 - 4. Archery – September ~~20~~ 22 through October ~~19~~ 21.
 - 5. No change.
 - 6. Muzzleloading gun – October ~~24-26~~ 26-28.
 - 7. General gun for mobility impaired – October 31 through November 2 ~~November 2-4~~.

- 8. General gun-dog – December ~~4-7~~ 6-9, ~~20-23~~ and ~~25-28~~ 27-30 in that area between the Florida Turnpike and U.S. 441 only.
- 9. No change.
 - (b) Legal to take: All legal game, fish, alligators as specified in Rule 68A-25.042, F.A.C., frogs and furbearers. The take of wild hog is prohibited during small game season and general-gun dog season. Hogs may be taken only during the archery, muzzleloading gun, general gun for the mobility-impaired, and the general gun seasons with no size or bag limit. Taking of hogs during the general gun dog seasons shall be prohibited.
 - (c) Camping: Permitted only at designated hunter campsites during the periods in which hunting is allowed and at designated campsites on the Florida Trail throughout the year. Camping equipment may be taken onto the area after 8:00 a.m. seven days prior to the opening of archery season and shall be removed from the area before 6:00 p.m. seven days following the end of the spring turkey season. Camping shall be allowed from 8 a.m. one day prior to each season through 6:00 p.m. one day following each season.
 - (d) General regulations:
 - 1. through 6. No change.
 - 7. No deer or wild hog shall be quartered or otherwise dismembered until it has been checked and tagged at a check station.
 - 8. through 9. No change.
 - 10. The use of centerfire rifles for taking wild turkey during the spring turkey season is prohibited. The possession of centerfire rifles is prohibited during the spring turkey season.
 - 11. through 13. No change.
 - (e) No change.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.:	RULE TITLE:
68A-20.005	Specific Fish Management Area Regulations

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 34, No. 1, January 4, 2008 issue of the Florida Administrative Weekly. Proposed amendments to Rule 68A-20.005, F.A.C., have been changed to include a PROPOSED EFFECTIVE DATE of July 1, 2008. No other changes were made to the rule amendments as proposed.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-23.002
 RULE TITLE: General Methods of Taking
 Freshwater Fish

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 34, No. 1, January 4, 2008 issue of the Florida Administrative Weekly.

Proposed amendments to Rule 68A-23.002, F.A.C., have been changed to include a PROPOSED EFFECTIVE DATE of July 1, 2008. No other changes were made to the rule amendments as proposed.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-23.003
 RULE TITLE: Commercial Fishing Devices;
 Provision for Use in Certain Waters

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 34, No. 1, January 4, 2008 issue of the Florida Administrative Weekly.

Proposed amendments to Rule 68A-23.003, F.A.C., have been changed to include a PROPOSED EFFECTIVE DATE of July 1, 2008. No other changes were made to the rule amendments as proposed.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-23.004
 RULE TITLE: Lawful Methods for Using Trotlines
 and Bush Hooks or Set Lines

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 34, No. 1, January 4, 2008 issue of the Florida Administrative Weekly.

Proposed amendments to Rule 68A-23.004, F.A.C., have been changed to include a PROPOSED EFFECTIVE DATE of July 1, 2008. No other changes were made to the rule amendments as proposed.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-23.005
 RULE TITLE: Bag Limits, Length Limits, Open
 Season: Freshwater Fish

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 34, No. 1, January 4, 2008 issue of the Florida Administrative Weekly.

Proposed amendments to Rule 68A-23.005, F.A.C., have been changed to include a PROPOSED EFFECTIVE DATE of July 1, 2008. No other changes were made to the rule amendments as proposed.

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NOS.: 68B-14.0036
 RULE TITLES: Recreational Bag Limits: Snapper,
 Grouper, Hogfish, Black Sea Bass,
 Red Porgy, Amberjacks, Tilefish,
 Exception, Wholesale/Retail
 Purchase Exemption
 68B-14.005 Regulation and Prohibition of
 Certain Harvesting Gear:
 Allowable Gear, Incidental
 Bycatch, Violation

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 34, No. 1, January 4, 2008 issue of the Florida Administrative Weekly.

Proposed amendments for Rules 68B-14.0035, 68B-14.00355, and 68B-14.0045, F.A.C., have not been changed and will be adopted as proposed. Proposed amendment of Rule 68B-14.0038, F.A.C., is being withdrawn by separate notice in this issue of the F.A.W. Proposed amendments for Rules 68B-14.0036 and 68B-14.005, F.A.C., have been changed and will now read as follows:

68B-14.0036 Recreational Bag Limits: Snapper, Grouper, Hogfish, Black Sea Bass, Red Porgy, Amberjacks, Tilefish, Exception, Wholesale/Retail Purchase Exemption.

(1) Snapper.

(a) through (b) No change.

(c) Red snapper. Except as provided elsewhere in this rule, no recreational harvester shall harvest in or from state waters of the Atlantic Ocean, nor possess while in or on state waters of the Atlantic Ocean, more than 2 red snapper per day, nor shall a recreational harvester harvest in or from state waters of the Gulf of Mexico, nor possess while in or on state waters of

the Gulf of Mexico, more than 2 4 red snapper per day. On any vessel licensed to carry customers wherein a fee is paid, either directly or indirectly, for the purpose of taking or attempting to take marine fish in the Gulf of Mexico, the applicable bag and possession limit specified in this rule shall not extend to the operator of such vessel or any person employed as a crewman of such vessel. Such bag and possession limit shall be counted for purposes of the aggregate snapper bag and possession limit prescribed in paragraph (a).

- (d) through (f) No change.
- (2) through (9) No change.

PROPOSED EFFECTIVE DATE: April 1, 2008.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 12-31-98, Amended 3-1-99, Formerly 46-14.0036, Amended 10-22-99, 1-1-00, 3-6-00, 3-1-01, 1-1-03, 1-3-05, 9-16-05, 1-1-06, 7-1-06, 7-1-07, 4-1-08.

68B-14.005 Regulation and Prohibition of Certain Harvesting Gear: Allowable Gear, Incidental Bycatch, Violation.

- (1) through (2) No change.

(3) Required gear in the Gulf reef fish fishery. Beginning June 1, 2008, for a person on board a vessel harvesting any of the species listed in subsection 68B-14.001(2), F.A.C., the vessel must possess on board and such person must use the gear specified in subsections 1., 2., and 3.

1. Non-stainless steel circle hooks. Non-stainless steel circle hooks are required to be used on hook and line gear when fishing with natural baits. "Circle hook" means a fishing hook designed and manufactured so that the point is not offset and is turned perpendicularly back to the shank to form a general circular or oval shape.

2. Dehooking devices. At least one dehooking device is required and must be used to remove hooks embedded in Gulf reef fish with minimum damage. The dehooking device must be constructed to allow the hook to be secured and the barb shielded without re-engaging during the removal process. The dehooking device must be blunt, and all edges rounded. The device must be of a size appropriate to secure the range of hook sizes and styles used in the Gulf reef fish fishery.

3. Venting tool. At least one venting tool is required and must be used to deflate the swimbladders of Gulf reef fish to release the fish with minimum damage. This tool must be a sharpened, hollow instrument, such as a hypodermic syringe with the plunger removed, or a 16-gauge needle fixed to a hollow wooden dowel. A tool such as a knife or an ice-pick may not be used. The venting tool must be inserted into the fish at a 45-degree angle approximately 1 to 2 inches (2.54 to 5.08 centimeters) from the base of the pectoral fin. The tool must be inserted just deep enough to release the gases, so that the fish may be released with minimum damage.

~~(4)~~⁽³⁾ Violation. Possession of any of the species specified in subsection 68B-14.001(2), F.A.C., beyond the bycatch allowance in paragraph (2)(a), aboard a vessel fishing in state waters, while also in possession of unauthorized gear, constitutes a violation of subsections (1) and (2).

PROPOSED EFFECTIVE DATE: April 1, 2008.

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, 7-17-05, 7-1-07, 4-1-08.

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NO.: 68B-14.0038
 RULE TITLE: Recreational Red Snapper Season
 NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 1, January 4, 2008 issue of the Florida Administrative Weekly has been withdrawn.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: 69O-204.101
 RULE TITLE: Disclosures to Viator of Disbursement
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 33, No. 48, November 30, 2007 issue of the Florida Administrative Weekly.

The changed rule will read as follows:

69O-204.101 Disclosures to Viator of Disbursement.

(1) Prior to or concurrently with a viator’s execution of a viatical settlement contract, the viatical settlement provider shall provide to the viator, in duplicate, a disclosure statement in legible written form disclosing:

(a) The name of each viatical settlement broker who receives or is to receive compensation and the amount of each broker’s compensation related to that transaction. For the purpose of this rule, compensation includes anything of value paid or given by or at the direction of a viatical settlement provider or person acquiring an interest in one or more life insurance policies to a viatical settlement broker in connection with the viatical settlement contract; and

(b) A complete reconciliation of the gross offer or bid by the viatical settlement provider to the net amount of proceeds or value to be received by the viator related to that transaction. For the purpose of this rule, gross offer or bid shall mean the total amount or value offered by the viatical settlement provider for the purchase of an interest in one or more life

insurance policies, inclusive of commissions, compensation, or other proceeds or value being deducted from the gross offer or bid.

(2) The disclosure statement shall be signed and dated by the viator prior to or concurrently with the viator’s execution of a viatical settlement contract with the duplicate copy of the disclosure statement to be retained by the viator.

(3) If a viatical settlement contract has been entered into and the contract is subsequently amended or if there is any change in the viatical settlement provider’s gross offer or bid amount or change in the net amount of proceeds or value to be received by the viator or change in the information provided in the disclosure statement to the viator the viatical settlement provider shall provide, in duplicate, an amended disclosure statement to the viator, containing the information in paragraphs (1)(a) and (b). The amended disclosure statement shall be signed and dated by the viator with the duplicate copy of the amended disclosure statement to be retained by the viator. The viatical settlement provider shall obtain the signed and dated amended disclosure statement.

(4) Prior to a viatical settlement provider’s execution of a viatical settlement contract, the viatical settlement provider must have obtained the signed and dated disclosure statement and any amended disclosure statement required by this rule. In transactions where no broker is used the viatical settlement provider must have obtained the signed and dated disclosure statement from the viator.

(5) The documentation required in this rule shall be maintained by the viatical settlement provider pursuant to the provisions set forth in Subsection 626.9922(2), Florida Statutes, and shall be available to the office at any time for copying and inspection upon reasonable notice to the viatical settlement provider.

Specific Authority 624.308(1), 626.9925 FS. Law Implemented 626.9923, 626.9924, 626.9925 FS. History—New _____.

Section IV Emergency Rules

DEPARTMENT OF REVENUE

Property Tax Administration Program

RULE NOS.:	RULE TITLES:
12DER08-01	Scope of Rules 12DER08-01 Through 12DER08-06
12DER08-02	Transfer of Assessment Limitation Difference; “Portability;” Sworn Statement Required
12DER08-03	Tangible Personal Property Exemption

12DER08-04	Additional Homestead Exemption Pursuant to Section 196.031(1)(b), F.S.; 2008 Tax Year
12DER08-05	Submission of Compatible Electronic Format Computer Materials to the Department; Superseding Rule 12D-8.013, F.A.C. (2007) and Form DR-590
12DER08-06	Assessment Increase Limitation Applicability Contained in SB 4D; Application Required by Section 193.1556, F.S., Is Not Required Until March 1, 2009

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Chapter 2007-339, Laws of Florida, authorizes the Department of Revenue to adopt emergency rules that remain in effect for 18 months and that may be renewed. This act further provides that all conditions imposed by Chapter 120, Florida Statutes, are deemed to be met.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Legislature expressly authorized the Department of Revenue to adopt emergency rules that implement the provisions of Chapter 2007-339, Laws of Florida. The law provides that these emergency rules remain in effect for a period of 18 months and that they may be renewed. The Department of Revenue has taken several actions to inform interested parties about the forms, procedures, and emergency rules that are being developed to implement this new law, and to give these parties an opportunity to review and comment. These interested parties include Property Appraisers and the professional associations that represent them, counties, municipalities, and independent districts and their associations. The actions that the Department has taken include: requesting the assistance of other state agencies and professional associations in ascertaining if the information in the relevant sections of Chapter 2007-339, Laws of Florida, had been understood; posting information, forms, and procedures associated with implementation of this act on a special website the Department recently created for issues associated with recent legislative changes to the laws governing property tax; emailing and/or mailing copies of the draft forms to interested parties with requests for comment; and conducting a public workshop on January 22, 2008 to receive comments on the Department’s proposed procedures and drafts forms that are the basis of these emergency rules.

SUMMARY: Emergency Rule 12DER08-01 (Scope of Rules 12DER08-01 through 12DER08-06) explains that the procedures contained in Emergency Rules 12DER08-01 through 12DER08-06 supersede any other existing rules of the Department that deal with the same or similar issues. Emergency Rule 12DER08-02 (Transfer of Assessment Limitation Difference; “Portability;” Sworn Statement

Required) specifies the procedures persons can use to transfer their assessment limitation difference from their existing homestead to a different homestead they acquire. Emergency Rule 12DER08-03 (Tangible Personal Property Exemption) contains the procedures persons can use to apply for and receive this exemption, and clarifies how to determine if tangible personal property qualifies for this exemption. Emergency Rule 12DER08-04 (Additional Homestead Exemption Pursuant to Section 196.031(1)(b), F.S.; 2008 Tax Year) describes how affected taxpayers may apply for this additional homestead exemption, and the order in which each specific exemption authorized by law must be applied. Emergency Rule 12DER08-05 (Submission of Compatible Electronic Format Computer Materials to the Department; Superseding Rule 12D-8.013, F.A.C. (2007) and Form DR-590) explains the procedures Property Appraisers must use for submitting to the Department the data required by these new exemption provisions. Emergency Rule 12DER08-06 (Assessment Increase Limitation Applicability Contained in SB 4D; Application Required by Section 193.1556, F.S., Is Not Required Until March 1, 2009) describes how this provision limiting the annual increase in nonhomestead residential assessments will be administered.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULES IS: Sharon Gallops, Department of Revenue, Property Tax Technical Unit, 725 S. Calhoun Street, Tallahassee, Florida 32399-0100; telephone (850)414-6108; Fax (850)488-9482; email address gallops@dor.state.fl.us

THE FULL TEXT OF THE EMERGENCY RULES IS:

12DER08-01 Scope of Rules 12DER08-01 Through 12DER08-06.

(1) These rules shall supersede any existing rule to the contrary to the extent necessary to implement Chapter 2007-339, Laws of Florida, Senate Bill 4-D.

(2) These rules are to be read in conjunction with applicable statutes and not as a substitute for them. They are designed to assist with the understanding and deployment of the requirements of Chapter 2007-339, Laws of Florida. Users should consult that law as the source document that created the legal requirements, and not rely on these rules solely. This is the first in a planned anticipated series of rules. As provided in Chapter 2007-339, Laws of Florida, these rules are effective retroactive to January 1, 2008.

Specific Authority Chapter 2007-339, L.O.F. (Senate Bill 4-D) Law Implemented 193.155, 193.1556, 196.031, 196.183 FS. History--New 2-12-08.

12DER08-02 Transfer of Assessment Limitation Difference; "Portability;" Sworn Statement Required.

(1) Section 193.155(8), F.S., provides the procedures for the transfer of the assessment limitation difference, within stated limits, when a homestead is abandoned. These rules

describe those procedures, which are an alternative to assessment at just value. The transfer of assessment limitation difference is to the just value of the interest owned by those persons that qualify and receive homestead exemption on a new homestead.

(a) These rules set forth limitations and special rules that must be met consistent with Section 193.155(8), F.S. For 2008, a person may apply for the transfer of a homestead assessment difference from a previous homestead property to a new homestead property if:

1. That person received a homestead exemption on the previous property on January 1, 2007; and

2. The previous property was abandoned as a homestead during 2007 after January 1 and was reassessed at just value as of January 1, 2008; and

3. The new homestead property was assessed at just value without the homestead exemption either because it did not receive a homestead exemption, or the homestead exemption was abandoned, as of January 1, 2008.

(b) Under Section 193.155(8), F.S., the transfer of an assessment limitation difference is available to a person only from a prior homestead in which that person received a homestead exemption.

1. For husband and wife who owned, shared and both resided on, a previous homestead, each shall be considered to have received the homestead exemption for purposes of these rules.

2. For joint tenants with right of survivorship, those tenants that applied for and received the homestead exemption and resided on a previous homestead shall be considered to have received the homestead exemption for purposes of these rules.

3. For tenants in common, those tenants that applied for and received the homestead exemption and resided on a previous homestead shall be considered to have received the homestead exemption for purposes of these rules.

(2) The applicant taxpayer shall file Form DR-501T (Transfer of Homestead Assessment Difference-Attachment to Original Application for Ad Valorem Tax Exemption; N. 01/08) which the Department of Revenue hereby adopts and incorporates in this rule by reference, by March 1, as an attachment to the homestead exemption application. Form DR-501 (incorporated by reference in Rule 12D-16.002, F.A.C.), to apply for portability. Completing Form DR-501T, including a sworn statement, and Form DR-501 shall be considered sufficient documentation for applying for the transfer. Note: Section 192.047(2), F.S. provides "When the deadline for filing an ad valorem tax application or return falls on a Saturday, Sunday, or legal holiday, the filing period shall extend through the next working day immediately following such Saturday, Sunday, or legal holiday."

(3)(a) Upsizing – When the just value of the new homestead is equal to or greater than the just value of the previous homestead, the maximum assessment limitation difference that can be transferred is \$500,000. Within that limit, the differential between assessed value and just value can be transferred to the new property, subject also to provisions for multiple owners described below.

(b) Downsizing – When the just value of the new homestead is less than the just value of the previous homestead, the maximum assessment difference that can be transferred is \$500,000. However, within that limit, the transferred assessment difference must be the same proportion of the new homestead's just value as the proportion of the assessment difference of the previous homestead was of the just value of the previous homestead, subject also to provisions for multiple owners described below.

(4)(a) Transferring without splitting or joining – When one or more people who previously owned a single homestead and each received the homestead exemption as described in these rules together qualify for a new homestead, where all persons who qualify for homestead exemption in the new homestead also qualified for homestead exemption in the previous homestead without an additional person qualifying for homestead exemption in the new homestead, the maximum assessment difference that can be transferred is \$500,000. Within that limit, the assessment limitation difference from the previous homestead may be transferred, and it is not considered to be a splitting or joining as discussed in paragraphs (b) and (c) below. Further, the rules for “upsizing” and “downsizing” as set forth above apply.

(b) Splitting – When two or more people who previously owned a homestead, abandon that homestead and move to separate homesteads, the maximum total limitation that can be transferred from the previous homestead is \$500,000. However, within that limit, each person that received a homestead exemption and who is eligible to transfer an assessment limitation difference is also limited to a share of the previous homestead's difference between assessed value and just value equal to the full assessment limitation difference divided by the number of owners of the previous homestead. Within this limit, the rules for “upsizing” and “downsizing” as set forth above would apply. For purposes of the transfer of the assessment limitation difference, the shares of the assessment limitation difference are equal, and cannot be sold, transferred, or pledged to any person. For example, a husband and wife divorcing and both abandoning the homestead would each take one half of the assessment limitation difference and the property appraiser could not accept a stipulation otherwise. Section 193.155(8)(d), F.S., specifically states that the difference amount that can be transferred is to be calculated by dividing the difference by the number of owners of the prior

homestead. This is true even though some of the owners may not have lived on the property and qualified for the exemption and even if the ownership shares are not equal.

(c) Joining – When two or more people some of whom previously owned separate homesteads on which they received homestead exemption join together in qualifying for a new homestead, the maximum assessment limitation difference that can be transferred is \$500,000. However, within that limit, the assessment difference that can be transferred is further limited to the highest difference between assessed value and just value from any of the applicants' former homesteads. Within that limit, the rules for “upsizing” and “downsizing” as set forth above apply.

(5) For the applicant taxpayer to be eligible for any transfer, the prior homestead must be “reassessed” at just value in 2008, either under the “change in ownership” rules of Section 193.155(3), F.S., or because the property is no longer used as a homestead. After it is assessed at just value the prior homestead could have some assessment limitation difference transferred to it and be assessed under Section 193.155(8), F.S. Generally, if all joint owners of the prior homestead “abandon” it, then the prior homestead is reassessed at just value. However, under the referenced “change in ownership” rules of Section 193.155(3), F.S., some transfers are not re-assessable events, such as transfers between husband and wife, equitable and legal title, and addition of persons to a title. If only one of the previous homesteaders moved to another parcel and another previous homesteader stayed in the original homestead, the homestead would not be abandoned and the one who moved could not transfer any assessment limitation difference.

(6) Classified use assessment – The assessment limitation difference that is eligible for transfer under these rules is the amount of difference between assessed value and just value of the portion of the property used as a homestead. This difference is equal to the reduction in value due to Section 193.155, F.S. For property with both a classified use [such as agricultural] assessment and assessed pursuant to Section 193.155, F.S., the difference eligible for transfer is equal to the difference between just and assessed value on the homestead portion of the property. No portion of property classified and used for agricultural or other non-homestead purpose may be included in the calculation of the eligible assessment limitation difference under Section 193.155(8), F.S.

(7) Procedures for property appraiser:

(a) If the previous homestead was located in a different county than the new homestead, the property appraiser in the new county must transmit a copy of the completed Form DR-501T together with a completed Form DR-501 to the property appraiser in the previous county. If the previous homesteads of applicants for transfer were in more than one county, each applicant from a different county must fill out a separate Form DR-501T.

1. The property appraiser in the previous county must complete Form DR-501R (Certificate for Transfer of Homestead Assessment Difference; N. 01/08) which the Department of Revenue hereby adopts and incorporates in this rule by reference, by April 1 or within two weeks of receipt of Form DR-501T, whichever is later, and forward this form to the new property appraiser. As part of the information returned on this form, the previous property appraiser shall certify that the previous homestead has been or will be reassessed at just value as of January 1, 2008.

2. Based on the information provided on Form DR-501R from the previous property appraiser, the new property appraiser shall calculate the amount of the assessment limitation difference that may be transferred and apply such difference to the January 1, 2008 assessment of the new homestead.

(b) If the transfer is requested from the same county in which the new homestead is located the property appraiser shall retain the Form DR-501T and Form DR-501R is not required.

(c) The property appraiser in the county in which the new homestead is located shall record in the NAL file record, (see Emergency Rule 12DER08-05) the following information for the year in which the transfer is made to the homestead parcel:

1. Flag for current year assessment difference transfer;

2. Number of owners among whom previous assessment difference split. Enter 1 if previous difference was not split;

3. Assessment difference value transferred;

4. County number of previous homestead;

5. Parcel ID of previous homestead;

6. Year from which assessment difference value transferred.

(d) All information sharing agreements in effect in 2007 covering confidential tax information are hereby perpetuated and extended during the period these emergency rules are in effect, and property appraisers having information sharing agreements with the Department are authorized to share confidential tax information with each other pursuant to Section 195.084, F.S., including social security numbers and linked information on Forms DR-501, DR-501T, and DR-501R.

(8) Documenting changes in the assessment roll due to this provision will necessitate changes to the record layout and the information provided on the Rule 12D-8.013, F.A.C., NAL file submitted to the Department. See Emergency Rule 12DER08-05.

(9) The transfer of any limitation is not final until any values on the assessment roll on which the transfer is based are final. If such values are final after the procedures in these rules are exercised, the property appraiser(s) shall make appropriate corrections and a corrected tax notice bill shall be sent. Any values that are in administrative or judicial review shall be

noticed to the tribunal or court for accelerated hearing and resolution so that the intent of Section 193.155(8), F.S., may be carried out and fulfilled.

Specific Authority Chapter 2007-339, L.O.F. (Senate Bill 4-D), Law Implemented 192.047, 193.114, 193.155, 193.461 FS. History—New 2-12-08.

12DER08-03 Tangible Personal Property Exemption.

(1) For 2008, to apply for the exemption, no new form will be necessary; Form DR-405, DR-470, or Form DR-471, (incorporated by reference in Rule 12D-16.002, F.A.C.), if required, will be considered the application for exemption. Form DR-405EZ (Tangible Personal Property Exemption Application and Return; N. 02/08) which the Department of Revenue hereby adopts and incorporates in this rule by reference, may be used by property appraisers at their option. Nothing in this rule shall preclude a property appraiser from requiring that Form DR-405 be filed.

(2) For taxpayers who fail to make a complete return and file a return by April 1 or within any applicable extension period, or who late file, the penalties enumerated in Section 193.072, F.S., are applicable. If the return is not timely filed the penalty is calculated under Section 193.072(1), F.S., based on the tax without regard to the \$25,000 exemption; however the exemption shall not be lost from such late filing. If no return is filed, where a return is required, no exemption shall be granted. Note: Section 192.047(2), F.S. provides "When the deadline for filing an ad valorem tax application or return falls on a Saturday, Sunday, or legal holiday, the filing period shall extend through the next working day immediately following such Saturday, Sunday, or legal holiday."

(3) Section 196.183(1), F.S., specifically states that a single return must be filed, and therefore a single exemption granted, for all freestanding equipment not located at the place where the owner transacts business.

(4) "Site where the owner of tangible personal property transacts business"

(a) The "site where the owner of tangible personal property transacts business" includes facilities where the business ships or receives goods, employees of the business are located, goods or equipment of the business are stored, goods or services of the business are produced, manufactured or developed, or similar facilities located in offices, stores, warehouses, plants or other locations of the business. Section 196.183(1), F.S., specifically states that not considered a "site where the owner of tangible personal property transacts business" are sites where freestanding property, placed at multiple sites in a county, is located. Freestanding property placed at multiple sites includes vending and amusement machines, LP/propane tanks, utility and cable company property, billboards, leased equipment, and similar property that is not customarily located in the offices, stores, or plants of the owner, but is placed throughout the county.

(b) Example: For a business leasing copying machines or other freestanding equipment, the location where the leased equipment is located does not constitute a site where the owner transacts business. If it is not a site where one or more of the activities stated in paragraph (a) occur, for purposes of the tangible personal property exemption, it is not considered a site where the owner transacts business.

(5) Property Appraiser actions – maintaining assessment roll entry.

(a) For all freestanding equipment not located at a site where the owner transacts business, and for which a single return is required, and for centrally assessed property under Section 193.085, F.S., the property appraiser is responsible for allocating the exemption to taxing jurisdictions in which freestanding equipment or centrally assessed property is located. Allocation should be based on the proportionate share of the just value of such property in each jurisdiction. All accounts shall be listed on the Rule 12D-8.013, F.A.C. NAP file submitted to the Department, whether fully exempt or not.

(b) Documenting changes in the assessment roll due to this provision will necessitate changes to the record layout and the information provided on the Rule 12D-8.013, F.A.C. NAP file submitted to the Department. See Emergency Rule 12DER08-05.

Specific Authority Chapter 2007-339, L.O.F. (Senate Bill 4-D). Law Implemented 192.047, 193.063, 193.072, 193.114, 196.183(1) FS. History–New 2-12-08.

12DER08-04 Additional Homestead Exemption Pursuant to Section 196.031(1)(b), F.S.; 2008 Tax Year.

(1) For 2008, to apply for the additional homestead exemption, no new application form will be necessary; Form DR-501, “Original Application for Ad Valorem Tax Exemption” (r. 12/07) (incorporated by reference in Rule 12D-16.002, F.A.C.), will be considered the application for exemption.

(2) The additional homestead exemption shall only apply to non-school levies. In applying the exemption in Section 196.031, F.S., to non school levies, such exemption shall be applied as follows:

(a) First, the regular homestead exemption to the first \$25,000 of assessed value, both school and non school [Section 196.031(1)(a), F.S.];

(b) Second, the second \$25,000 of assessed value shall be taxable unless other exemption(s) may apply, as listed in subsection (3) of this rule;

(c) Third, all non-school assessed value above \$50,000 shall be first applied to the additional \$25,000 of the homestead exemption [Section 196.031(1)(b), F.S.], and after that any other exemption(s) that may apply, in the order as listed in subsection (3);

(3) Other exemptions include, and are to be applied in the following order: widows, widowers, blind and disabled [Section 196.202, F.S.] and disabled ex-servicemembers and surviving spouses [Section 196.24, F.S.] applicable to all levies; local option low-income senior exemption up to a total for the senior exemption of \$50,000, if applicable, applicable to county levies and/or municipal levies [Section 196.075, F.S.]; and the veterans percentage discount [Section 196.082, F.S.].

(4) Property appraiser actions – Documenting changes in the assessment roll due to this provision will necessitate changes to the record layout and the information provided on the Rule 12D-8.013, F.A.C., NAP file submitted to the Department. See Emergency Rule 12DER08-05. The property appraiser’s programming may use a different approach than that set forth in this rule for exemption ordering as long as such programming achieves the same result as this rule requires.

Specific Authority Chapter 2007-339, L.O.F. (Senate Bill 4-D). Law Implemented 193.114, 196.031, 196.075, 196.082, 196.202, 196.24 FS. History–New 2-12-08.

12DER08-05 Submission of Compatible Electronic Format Computer Materials to the Department; Superseding Rule 12D-8.013, F.A.C. (2007) and Form DR-590.

(1) Submission of Computer Materials to the Department as specified in Rule 12D-8.013, F.A.C. “Submission of Computer Tape Materials,” and Form DR-590 “Standard Record Layout for Chapter 12D-8, F.A.C., Name, Address and Legal (N.A.L.) File (required format)” (r. 12/00) (incorporated by reference in Rule 12D-16.002, F.A.C.), shall be modified as follows:

(a) For 2008, the submission shall be:

1.a. NAL file data fields as set forth in “Current and Proposed NAL File Data Fields”.

b. NAP file data fields as set forth in “Current and Proposed NAP File Data Fields”.

2. Formatted by including ASCII characters as described in “Specification of Comma Delimited Text File” [requests for hard code, fixed length file submission, will be handled on a case by case basis].

3. Utilizing “Exemption Type Codes,” as set forth in the document of this name, superseding paragraph 12D-8.011(2)(m), F.A.C., relating to Exemption Type, containing a code indicating the type of exemption granted the account.

(b) The Department of Revenue adopts, and hereby incorporates by reference in this rule, the above referenced four documents, entitled as set forth above in this rule.

Specific Authority Chapter 2007-339, L.O.F. (Senate Bill 4-D). Law Implemented 195.096, 196.031, 196.183 FS. History–New 2-12-08.

12DER08-06 Assessment Increase Limitation Applicability Contained in SB 4D; Application Required by Section 193.1556, F.S., is Not Required Until March 1, 2009.

(1) The constitutional amendment and SB4D require that all non-homestead residential property and certain residential and non-residential property be assessed at just value as of January 1, 2008. Thereafter, the property must be reassessed annually and any change resulting from the reassessment of such property may not exceed 10 percent of the assessment in the prior year.

(2) Section 193.1556, F.S., as created by section 14 of SB 4D requires that owners of property subject to the 10 percent assessment limitation shall, on or before March 1 of each year, apply with the county property appraiser. Failure to apply constitutes a waiver of the assessment limitation unless the failure was due to postal error or unless the Value Adjustment Board accepts a late application due to particular extenuating circumstances.

(3) While 2008 is the base year for the limitation, the application required by Section 193.1556, F.S., is not required to be made until March 1, 2009.

Specific Authority Chapter 2007-339, L.O.F. (Senate Bill 4-D), Law Implemented 193.1556 FS. History—New 2-12-08.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.
EFFECTIVE DATE: February 12, 2008

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

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

DEPARTMENT OF LAW ENFORCEMENT

NOTICE IS HEREBY GIVEN THAT on February 7, 2008, the Criminal Justice Standards and Training Commission has issued an order.

The CJSTC has taken action on a request by Joseph Carrafiello to waive Rule 11B-27.00213, F.A.C. The rule waiver request was received on January 28, 2008. Notice of the receipt of the request for rule waiver was published in the F.A.W., Vol. 34, No. 6, February 8, 2008. Mr. Carrafiello requested that the CJSTC waive the requirement that an officer have a four year break in service between the time he breaks one Temporary Employment Authorization and begins another. The CJSTC denied Mr. Carrafiello's request for a rule waiver at its regularly scheduled business agenda meeting on February 7, 2008. A final order in CJSTC Case No. VAR 08-3 has been issued by the Commission commemorating its vote to deny the requested rule waiver received from Mr. Carrafiello.

A copy of the Order may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, FDLE, P. O. Box 1489, Tallahassee, FL 32302-1489, (850)410-7676.

NOTICE IS HEREBY GIVEN THAT on February 7, 2008, the Criminal Justice Standards and Training Commission has issued an order.

The CJSTC has taken action on a request by Joshua Holloway to waive paragraphs 11B-30.007(6)(a), (c), F.A.C. The rule waiver request was received on January 30, 2008. Notice of the receipt of the request for rule waiver was published in the F.A.W., Vol. 34, No. 7, February 15, 2008. Mr. Holloway requested that the CJSTC permit him to use his examination fee for the State Officer Certification Examination from December 12, 2007, to be applied to another examination date in the future because of an injury that prevented Mr. Holloway from attending the examination for which he had registered. The CJSTC granted Mr. Holloway's request for a rule waiver at its regularly scheduled business agenda meeting on February 7, 2008. A final order in CJSTC Case No. VAR 08-4 has been issued by the Commission commemorating its vote to grant the requested rule waiver received from Mr. Holloway.

A copy of the Order may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, FDLE, P. O. Box 1489, Tallahassee, FL 32302-1489, (850)410-7676.

NOTICE IS HEREBY GIVEN THAT on February 7, 2008, the Criminal Justice Standards and Training Commission has issued an order.

The CJSTC has taken action on a request by Gary D. Jordan, to waive subsection 11B-27.002(4), F.A.C. The rule waiver request was received on November 26, 2007. Notice of the receipt of the request for rule waiver was published in the F.A.W., Vol. 33, No. 50, December 14, 2007. Mr. Jordan requested that the CJSTC waive the requirement that an officer become employed within four years of beginning basic recruit training. The CJSTC denied Mr. Jordan's request for a rule waiver at its regularly scheduled business agenda meeting on

February 7, 2008. A final order in CJSTC Case No. VAR 07-27 has been issued by the Commission commemorating its vote to deny the requested rule waiver received from Mr. Jordan.

A copy of the Order may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, FDLE, P. O. Box 1489, Tallahassee, FL 32302-1489, (850)410-7676.

NOTICE IS HEREBY GIVEN THAT on February 7, 2008, the Criminal Justice Standards and Training Commission has issued an order.

The CJSTC has taken action on a request by Benjamin Kirkpatrick to waive subsection 11B-27.002(4), F.A.C. The rule waiver request was received on January 15, 2008. Notice of the receipt of the request for rule waiver was published in the F.A.W., Vol. 34, No. 5, February 1, 2008. Mr. Kirkpatrick requested that the CJSTC waive the requirement that an officer become employed within four years of beginning basic recruit training. The CJSTC denied Mr. Kirkpatrick's request for a rule waiver at its regularly scheduled business agenda meeting on February 7, 2008. A final order in CJSTC Case No. VAR 08-1 has been issued by the Commission commemorating its vote to deny the requested rule waiver received from Mr. Kirkpatrick.

A copy of the Order may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, FDLE, P. O. Box 1489, Tallahassee, FL 32302-1489, (850)410-7676.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE IS HEREBY GIVEN THAT on January 25, 2008, the Agency for Health Care Administration has issued an order.

The Agency granted the Petition for Variance from subparagraph 59A-24.006(1)(a)2., Florida Administrative Code, as filed by Doctors Laboratory, Inc. on September 17, 2007. Notice of the filing of this Petition appeared in the October 5, 2007 edition of F.A.W., pp. 4655 of Vol. 33, No. 40. The Petition sought a variance from the requirements subparagraph 59A-24.006(1)(a)2., Florida Administrative Code, for Richard E. Struempler as to the qualifications for a Director of a forensic urine drug testing laboratory as licensed by the Agency for Health Care Administration for the Florida Drug Free Workplace Program. By Final Order dated January 25, 2008, the Petition was granted and a variance was issued to Doctors Laboratory, Inc. based on the unique academic background and work experience of Richard E. Struempler. Said Variance is limited in scope to the duration of Richard E.

Struempler's employment as Director of forensic urine drug laboratories at Doctors Laboratory, Inc. and is not transferable to any other entity or individual.

A copy of the Order may be obtained by contacting: Richard J. Shoop, Esquire, Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #3, Tallahassee, Florida 32308.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that on January 30, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from Exquisite Subs and Deli located in Tampa. 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....The proposed establishment has two unisex bathrooms for patrons and they are requesting a variance to have a seating capacity of twenty-four (24) and two bathrooms with a unisex designation. A copy of the Petition for Variance or Waiver may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN that on January 31, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for subsections 61C-4.010(1) and 61C-4.010(6), Florida Administrative Code, from Rod's Catering located in Orlando. 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 for Variance or Waiver may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN that on February 1, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

NOTICE WAS HEREBY GIVEN that on January 29, 2008, for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from Allie's Ice Cream and Goodies located in Crawfordville. 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....The proposed establishment has one bathroom facility for patrons and they are requesting a variance to have a seating capacity of twenty-five (25).

This variance request was approved and is contingent upon the Petitioner ensuring the public bathroom is functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, and kept in a clean and sanitary manner. Seating shall not exceed (25) which includes inside and outside seating. All provisos and plan review deficiencies shall be met prior to licensing. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

A copy of the Order may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN that on February 1, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

NOTICE WAS HEREBY GIVEN that on January 29, 2008, for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from Becky’s Philly-ing Station located in Pensacola. 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.....The proposed establishment has one bathroom facility for patrons and they are requesting a variance to have a seating capacity of thirty (30).

This variance request was approved and is contingent upon the Petitioner ensuring the public bathroom is functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, and kept in a clean and sanitary manner. Seating shall not exceed (30) which includes inside and outside seating. All provisos and plan review deficiencies shall be met prior to licensing. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

A copy of the Order may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN that on February 1, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

NOTICE WAS HEREBY GIVEN that on January 16, 2008, for a Routine Variance for subsections 61C-4.010(7) and 61C-4.010(5), Florida Administrative Code, from Sunside Café located in Destin. The above referenced F.A.C. state that all bathrooms shall be of easy and convenient access to both patrons and employees and Chapter four in the 2001 Federal Food and Drug Administration (FDA) Food Code. The Chapters in the 2001 FDA Food Code refer to required equipment in food service establishments. The Petitioner is requesting to share bathrooms; warewashing facilities and

service sink equipment with a licensed food service establishment on the same premises but with separate ownership.

This variance request was approved and is contingent upon the Petitioner ensuring a sufficient number of three-compartment sinks or mechanical warewashing machines for washing, rinsing, and sanitizing equipment and utensils for Sunside Café and Copper Grill. The Petitioner may use the mop sink located in Copper Grill as long as it is equipped with a floor drain for the disposal of mop water and similar liquid waste and it is sufficient to keep both the facility’s floors clean from food and dust debris. Approval is also contingent upon the Petitioner ensuring the bathrooms located inside of the Copper Grill are functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, kept in a clean and sanitary manner, and available during all hours of operation. The Petitioner shall also ensure directional signage is installed within/or outside the establishment clearly stating the location of the bathrooms. If operating hours or accessibility for Copper Grill changes, this variance request will be re-evaluated. All provisos shall be met prior to final licensing. Any violation of the variance is the equivalent of a violation of the rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

A copy of the Order may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN that on February 4, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

NOTICE WAS HEREBY GIVEN that on January 22, 2008, for an Emergency Variance for subsection 61C-4.010(7), paragraphs 61C-1.004(1)(a), 61C-1.004(1)(d) and subsection 61C-4.010(6), Florida Administrative Code (F.A.C.), from Cocoa Palms located in Orlando. The above referenced F.A.C.s state that all bathrooms shall be of easy and convenient access to both patrons and employees; the water supply shall meet the standards provided in Chapters 64E-8, 62-550 and 62-555 F.A.C., sewage shall be disposed of in a public sewerage system or other approved sewerage system in accordance with the provisions of Chapter 64E-6 or 62-601 F.A.C.; and physical facilities at public food service establishments shall be subject to the provisions of Chapter 6 of the Food Code. They are requesting a variance to use centrally located bathroom facilities inside the food court and to not have hard plumbing in their kiosk and use alternative methods for sewage disposal and obtaining potable water.

This variance request was approved and is contingent upon the Petitioner ensuring the centrally located bathrooms are functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, kept in a clean and sanitary manner, and available during all hours

of operation. The Petitioner shall also ensure directional signage is installed within or outside the establishment clearly stating the location of the bathrooms. Seating shall not exceed four (4) seats. Approval is also contingent upon Petitioner using a sufficiently sized potable water tank and utilizing a waste water holding tank that is at least 15% larger than the potable water holding tank. Waste water holding tanks are to be emptied at a frequency as to not create a sanitary nuisance. Petitioner must adhere strictly to the following operating procedures: Supply for potable water tank must be from an approved source with written documentation provided and sanitize the fresh water tank at least once every 24 hours. Handwashing procedures are to be strictly adhered to as specified in the Federal Food and Drug Administration 2001 Food Code Section 2-301.14. If the menu changes or expands in any manner or operating hours or accessibility for the janitor common area changes, this variance request will be re-evaluated. All provisos shall be met prior to licensing. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

A copy of the Order may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN that on February 4, 2008, Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from Domino's Pizza located in Miami. The above referenced F.A.C. states that all bathrooms shall be of easy and convenient access to both patrons and employees... They are requesting a variance to share bathroom facilities with an adjacent establishment, Westchester Barber Shop.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN that on February 4, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

NOTICE WAS HEREBY GIVEN that on January 15, 2008, for an Emergency Variance for subsections 61C-4.010(1) and 61C-4.010(6), Florida Administrative Code, from Sabor Latino located in Orlando. 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.

This variance request was approved and is contingent upon the Petitioner's use of open-air steam table properly covered and air curtain operating properly according to manufacturer's specifications and Section 6-202-15(D)(2), 2001 FDA Food Code, as to expel possible contaminants and vermin. Approval is also contingent upon Petitioner conducting all re-heating for hot holding at approved commissaries to the proper temperature per Section 3-403.11, 2001 FDA Food Code; and potentially hazardous food is held at proper temperatures according to Section 3-501.16, 2001 FDA Food Code.

The Petitioner shall strictly adhere to subsection 61C-4.0161(2)(c), Florida Administrative Code, and report to the commissary at least once daily when operating. All warewashing is to be conducted at the commissary and strict adherence to employee health guidelines as specified in the Section 2-201, 2001 FDA Food Code, are to be followed. Petitioner shall also use a potable water tank and utilize a wastewater holding tank that is at least 15% larger than the potable water holding tank; and sloped to a drain that is 1 inch in inner diameter or greater, equipped with a shut-off valve. Petitioner must receive potable water from an approved source with written documentation provided and sanitize the fresh water and wastewater tanks at least once every 24 hours.

Copies of the variance and operating procedures are to be present on the MFDV at all times of operation and shall be adhered to as approved by the Division. This variance is not transferable under any conditions. All provisos must be complied prior to final approval and licensing. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

A copy of the Order may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on February 5, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from Quiznos Subs located in Maitland. 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.....The proposed establishment has one bathroom facility for patrons and they are requesting a variance to have a seating capacity of twenty-five (25).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on February 7, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for subsections 61C-4.010(1) and

61C-4.010(6), Florida Administrative Code, from Antojos Latinos Catering located in Orlando. 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 for Variance or Waiver may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on February 13, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from the Prince of Wales located in St. Augustine. 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.....The proposed establishment has one bathroom facility for patrons and they are requesting a variance to have a seating capacity of forty-two (42).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN that on November 30, 2007, the Division of Pari-Mutuel Wagering, Department of Business and Professional Regulation, has issued an order.

The Final Order was in response to a Petition for Variance and/or Waiver from NCR Corporation, Petitioner, filed October 16, 2007, and advertised in the issue Vol. 33, No. 44, F.A.W.

The Final Order advises that the department will not waive the requirement for licensure but hereby grants a specific variance to the Petitioner for application and licensure under the circumstances of the instant case with conditions pursuant to Rule 61D-14.006, F.A.C., Occupational License Application Requirements for Business Entities. The Petitioner, upon availing itself of this specific variance, thereby agrees to subject its entire corporate entity to the regulatory requirements and mandates of Chapter 551, Florida Statutes, and applicable rules. This provision of the variance specifically instructs that any disciplinary action taken as to the Petitioner's Field Operations Director conduct or actions shall be applied to the Petitioner's corporate record of performance within this state as it relates to slot machine gaming licensure. The basis for this department action is that all requirements for investigation, licensure and enforcement shall be met under the proposed waiver without harm or impediment to the ongoing regulation of gaming within the state.

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

NOTICE IS HEREBY GIVEN THAT on January 31, 2008, the Board of Accountancy, received a petition for John Mort O'Sullivan III, seeking a variance or waiver of subsection 61H1-33.003(6), F.A.C., which requires that each CPA shall, on or before July 15 prior to the licensee's biennial license renewal, report on forms prescribed by the Board, programs of continuing professional education completed during the applicable reestablishment period. Petitioner is also seeking a variance or waiver of subsection 61H1-31.001(4), F.A.C., which requires a fee of \$250.00 for reactivation of a delinquent status license.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607, (352)333-2505. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on February 7, 2008, the Board of Accountancy has issued an order.

The Order is regarding the Petition for Waiver or Variance, filed on September 26, 2007, by Elizabeth Miller. The Notice of Petition for Waiver or Variance was published in Vol. 33, No. 42, of the October 19, 2007, F.A.W. Petitioner sought a waiver or variance of paragraph 61H1-27.002(2)(a), F.A.C., entitled "Concentrations in Accounting and Business" which requires that an applicant for licensure must hold a baccalaureate degree from an accredited college or university and that 36 semester or 54 quarter hours earned in accounting education must be above the elementary level. The Board considered the instant Petition at a duly-noticed public meeting, held December 7, 2007, in Tallahassee, Florida.

The Board's Order granted the petition finding that Petitioner established that the purpose of the underlying statute, Section 473.306(2), Florida Statutes, would be met by granting a variance or waiver from paragraph 61H1-27.002(2)(a), F.A.C. The Board further found that Petitioner established that applying the requirements of the aforementioned Rule to her circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607.

NOTICE IS HEREBY GIVEN THAT on February 7, 2008, the Board of Accountancy has issued an order.

The Order is regarding the Petition for Waiver or Variance, filed on October 8, 2007, by Elizabeth Perry. The Notice of Petition for Waiver or Variance was published in Vol. 33, No.

44, of the November 2, 2007, F.A.W. Petitioner sought a waiver or variance of paragraph 61H1-28.0052(1)(b), F.A.C., entitled "Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules" which requires that candidates must pass all four test sections of the CPA Examination within a rolling eighteen-month period, which begins on the date that the first test section passed is taken. The Board considered the instant Petition at a duly-noticed public meeting, held December 7, 2007, in Tallahassee, Florida.

The Board's Order granted the petition finding that Petitioner established that the purpose of the underlying statute, Section 473.306, Florida Statutes, would be met by granting a variance or waiver from paragraph 61H1-28.0052(1)(b), F.A.C. The Board further found that Petitioner had established that applying the requirements of the aforementioned Rule to her circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

NOTICE IS HEREBY GIVEN THAT on February 4, 2008, the Department of Environmental Protection has issued an order.

Petitioner withdrew the petition for variance under Section 120.542, F.S., received from TransMontaigne Limited Partners on December 12, 2007. The notice of receipt of this petition was published in the F.A.W., on December 28, 2007. The petition requested a variance from the requirement to install an impervious dike field area around new aboveground field-erected tanks under subparagraph 62-762.501(2)(c)1., Florida Administrative Code, and requested to install overflow retention and shell monitoring systems on the four new aboveground tanks at its Tampa Terminal. On February 4, 2008, Petitioner withdrew its petition for variance and requested an alternate procedure pursuant to subsection 62-762.851(2), F.A.C. An order was issued granting the alternate procedure on February 5, 2008.

A copy of the Order may be obtained by contacting: John Svec, Department of Environmental Protection, MS 4525, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)245-8845, e-mail john.svec@dep.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on February 13, 2008, the Bureau of Beaches and Coastal Systems has issued an order.

Gives notice of its intent to grant a variance under Section 403.201, F.S., from the provisions of sub-subparagraph 62-4.242(2)(a)2.b., subsections 62-302.700(1), 62-312.080(3), F.A.C., to the U.S. Army Corps of Engineers, Mobile District, P. O. Box 2288, Mobile, Alabama 36628-0001, (File No. 0129413-003-EV) to allow a maximum allowable turbidity level of 2 Nephelometric Turbidity Units (NTU) above background for work within Class III Waters of the Gulf of Mexico, St. Andrews Aquatic Preserve, Outstanding Florida Water (OFW).

A copy of the Order may be obtained by contacting: Matthew Mask during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the: Department of Environmental Protection, Bureau of Beaches and Coastal Systems, 5050 West Tennessee Street, Building B, Tallahassee, FL 32304, (850)488-7731.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT on January 31, 2008, the Board of Dentistry, received a petition for a waiver or variance of subsections 64B5-2.0146(2) and 64B5-7.003(4), F. A. C., by Edwin A. Bayo on behalf of Ernesto Ganaim, D.D.S., with respect to the following licensure requirement: that each applicant for a Florida dental license successfully completes supplemental remedial education to the level of a graduating senior; and that experience obtained by an individual pursuant to a permit issued under Rule 64B5-7.003, F.A.C., and Section 466.025, F.S., is not acceptable for the purpose of fulfilling the supplemental education program set forth in Section 466.006(3)(b), F.S.

Comments on this petition should be filed with: Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting Sue Foster, Executive Director, at the above address or telephone (850)245-4474.

NOTICE IS HEREBY GIVEN THAT on February 4, 2008, the Board of Dentistry, received a petition for a waiver or variance of Rule 64B5-15.030, F.A.C., by Maurice Goldberg, D.D.S., with respect to the following licensure requirement: that all licensees, whether active or inactive, must pay a one time fee on March 1, 2008.

Comments on this petition should be filed with the Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting Sue Foster, Executive Director, at the above address or telephone (850)245-4474.

NOTICE IS HEREBY GIVEN THAT on February 4, 2008, the Board of Dentistry, received a petition for a waiver or variance of subsections 64B5-2.0146(2) and 64B5-7.003(4), F.A.C., by Edwin A. Bayo on behalf of Hossein Panahi, D.M.D., with respect to the following licensure requirement: that each applicant for a Florida dental license successfully completes supplemental remedial education to the level of a graduating senior; and that experience obtained by an individual pursuant to a permit issued under Rule 64B5-7.003, F.A.C., and Section 466.025, F.S. is not acceptable for the purpose of fulfilling the supplemental education program set forth in Section 466.006(3)(b), F.S.

Comments on this petition should be filed with the Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting Sue Foster, Executive Director, at the above address or telephone (850)245-4474.

NOTICE IS HEREBY GIVEN THAT on February 5, 2008, the Board of Dentistry, received a petition for a waiver or variance of subsection 64B5-2.0146(2), F.A.C., by Lan-Chen, D.D.S., with respect to the following licensure requirement: that each applicant for a Florida dental license successfully completes supplemental remedial education to the level of a graduating senior.

Comments on this petition should be filed with the Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting Sue Foster, Executive Director, at the above address or telephone (850)245-4474.

NOTICE IS HEREBY GIVEN THAT on February 11, 2008, the Board of Hearing Aid Specialists, received a petition for a waiver or variance of subsection 64B6-8.003(5), F.A.C., filed by Rick Stegbauer seeking regarding the requirements to take the first licensure examination upon completion of the training program and the filing of the complete report as required.

Comments on this petition should be filed with the Board of Hearing Aid Specialists, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting Sue Foster, Executive Director, at the above address or telephone (850)245-4474.

NOTICE IS HEREBY GIVEN THAT on February 6, 2008, the Board of Occupational Therapy, received a petition for a waiver or variance, filed by Carla Kurtz, of Rule 64B11-5.001, F.A.C., regarding the requirements for license renewal of an active license and continuing education.

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

A copy of the Petition for Variance or Waiver may be obtained by contacting Susan Love, Executive Director, at the above address or telephone (850)245-4444.

FLORIDA HOUSING FINANCE CORPORATION

NOTICE IS HEREBY GIVEN THAT on February 12, 2008, the Florida Housing Finance Corporation, received a petition for Waiver of paragraphs 67ER06-27(14)(j) and 67ER06-27(14)(k), Florida Administrative Code, from Eclipse West Associates, Ltd., (“Petition”). The Petition is seeking a waiver of the restriction on changing the number of residential units and Total Set-Aside Percentage in the application.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. The Petition has also been posted on Florida Housing’s website at www.floridahousing.org. Florida Housing 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. (Eastern Standard Time), on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

NOTICE IS HEREBY GIVEN THAT on February 12, 2008, the Florida Housing Finance Corporation, received a petition for Waiver of paragraph 67-48.004(14)(g), F.A.C., and Part III.A.4. of the Universal Application Instructions Florida Administrative Code from Madison Manor, Ltd., (“Petition”). The Petition is seeking a waiver to change the development type from Garden Style Development to Mid-Rise with Elevator.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. Florida Housing 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. (Eastern

Standard Time), on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

NOTICE IS HEREBY GIVEN THAT on February 12, 2008, the Florida Housing Finance Corporation, received a petition for Waiver of paragraph 67-48.004(14)(j), Florida Administrative Code, from Maple Crest Limited Partnership, (“Petition”). The Petition is seeking a reduction of the total number of units.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. The Petition has also been posted on Florida Housing’s website at www.floridahousing.org. Florida Housing 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. (Eastern Standard Time), on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

NOTICE IS HEREBY GIVEN THAT on February 12, 2008, the Florida Housing Finance Corporation, received a petition for Waiver of paragraphs 67ER06-27(14)(g) and 67-21.003(14)(g), Florida Administrative Code, from Notre Dame Apartments, LLC, (“Petition”). The Petition is seeking a waiver of the restriction on changing the development type from a Mid-Rise with elevator to a High-Rise building.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. The Petition has also been posted on Florida Housing’s website at www.floridahousing.org. Florida Housing 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. (Eastern Standard Time), on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

NOTICE IS HEREBY GIVEN THAT on February 12, 2008, the Florida Housing Finance Corporation, received a petition for Amended Petition for Waiver of paragraphs 67-48.004(14)(e), (j) and (m), Florida Administrative Code, from Oviedo Town Center Partners, Ltd., (“Petition”). The Petition is seeking a waiver of the total number of units, a reduction in the requested SAIL Loan and a change in the development site.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. The Petition has also been posted on Florida Housing’s website at www.floridahousing.org. Florida Housing 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. (Eastern Standard Time), on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

Section VI Notices of Meetings, Workshops and Public Hearings

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

- State Board of Administration
- Financial Services Commission
- Department of Veterans’ Affairs
- Department of Highway Safety and Motor Vehicles
- Department of Law Enforcement
- Department of Revenue
- Department of Education
- Administration Commission
- Florida Land and Water Adjudicatory Commission
- Board of Trustees of the Internal Improvement Trust Fund
- Department of Environmental Protection
- DATE AND TIME: March 11, 2008, 9:00 a.m.
- PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Regular scheduled meeting of the Governor and Cabinet

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

will take action on matters duly presented on its agenda, which will deal with the issuance of State bonds, arbitrage compliance and related matters.

The Financial Services Commission will take action on matters duly presented on its agenda which may include, but not be limited to, matters relating to rulemaking for all activities concerning insurers and other risk bearing entities, including licensing, rates, policy forms, market conduct, claims, adjusters, issuance of certificates of authority, solvency, viatical settlements, premium financing, and administrative supervision, as provided under the Insurance Code or Chapter 636, F.S., and for all activities relating to the regulation of banks, credit unions, other financial institutions, finance companies, and the securities industry.

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

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

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

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

The Department of Education will finalize agency action on the business of the Florida Department of Education.

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

The Florida Land and Water Adjudicatory Commission will take action on matters duly presented on its agenda including appeals of local government development orders in areas of critical state concern or of developments of regional impact

under Section 380.07, F.S.; and review of water management matters under Chapter 373, F.S. The Commission will also review Department of Environmental Protection's rules and orders which, prior to July 1, 1993, the Governor and Cabinet, sitting as the head of the Department of Natural Resources, had authority to issue or promulgate.

The Board of Trustees of the Internal Improvement Trust Fund will take action on matters duly presented on its agenda which may include such matters as mineral leases or sales, state or sovereign land leases, sales, exchanges, dedications, and easements, Conservation and Recreation Lands (CARL) and other land purchases; land planning matters and other matters within its authority. Additionally, the Board will take action on matters presented by the Marine Fisheries Commission as set forth in Sections 370.025, 370.026 and 370.027, F.S., and matters pertaining to the Office of Greenways Management, the Office responsible for the management of lands which formerly fell within the Cross Florida Barge Canal project corridor.

The Department of Environmental Protection, while not a Cabinet agency, will present for consideration on its agenda those matters required by law to be reviewed by the Governor and Cabinet and those pertaining to the siting of power plants, electric and natural gas transmission lines and hazardous waste facilities; coastal zone management consistency and standards adopted by the Environmental Regulation Commission.

A copy of any of the above agendas (when applicable) may be obtained by contacting each agency.

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

The Governor and Cabinet will proceed through each agenda, item by item, in the order given above.

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

DEPARTMENT OF STATE

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

DATE AND TIME: Tuesday, March 11, 2008, 9:00 a.m. (EDT)

PLACE: Room 415, R. A. Gray Building, 500 S. Bronough St., Tallahassee, Florida 32399-0250

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review of 14 state historical marker applications by the State Historical Marker Council.

A copy of the agenda may be obtained by contacting Catherine Clark at (850)245-6354.

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 1 day before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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.

For more information, you may contact: Catherine Clark, State Historical Marker Coordinator, 500 S. Bronough Street, Tallahassee, FL 32399-0250, (850)245-6354.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Florida Coordinating Council of Mosquito Control Subcommittee on Managed Marshes** announces a public meeting to which all persons are invited.

DATE AND TIME: March 5, 2008, 5:00 p.m. – 6:30 p.m.

PLACE: John Ascuaga's Nugget, Washoe Room, 1100 Nugget Avenue, Sparks, Nevada 89431, (775)356-3300

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will be a follow up on the development of drift models and standards for aerial application in mosquito control.

A copy of the agenda may be obtained by contacting: Mr. Doug Carlson at (772)562-2393, dcarlson@hotmail.com.

The **Pesticide Review Council** announces a public meeting to which all persons are invited.

DATE AND TIME: April 23, 2008, 9:00 a.m.

PLACE: Mid-Florida Research and Education Center, 2725 Binion Road, Rooms 183 and 183A, Apopka, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the council during which there will be a review of pertinent pesticide issues impacting human health and the environment.

A copy of the agenda may be obtained by contacting: Bureau of Pesticides, 3125 Conner Boulevard, Building 6, Mail L-29, Tallahassee, Florida 32399-1650, (850)487-0532.

The **Private Investigation, Recovery and Security Advisory Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, March 27, 2008, 9:00 a.m.

PLACE: Embassy Suites Miami – Airport, 3974 N. W. South River Drive, Miami, Florida, (305)634-5000

GENERAL SUBJECT MATTER TO BE CONSIDERED: The quarterly meeting of the Council pursuant to the requirement of Section 493.6104(4), Florida Statutes. The Council will conduct a general business meeting.

A copy of the agenda may be obtained by contacting: April Howard, Post Office Box 6687, Tallahassee, Florida 32314-6687 or by calling April Howard at (850)245-5500.

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 days before the workshop/meeting by contacting April Howard at (850)245-5500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Private Investigation, Recovery and Security Advisory Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 26, 2008, 9:00 a.m.

PLACE: Hawthorn Suites, 7450 Augusta National Drive, Orlando, Florida, (407)438-2121

GENERAL SUBJECT MATTER TO BE CONSIDERED: The quarterly meeting of the Council pursuant to the requirement of Section 493.6104(4), Florida Statutes. The Council will conduct a general business meeting.

A copy of the agenda may be obtained by contacting: April Howard, Post Office Box 6687, Tallahassee, Florida 32314-6687 or by calling April Howard at (850)245-5500.

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 days before the workshop/meeting by contacting April Howard at (850)245-5500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF EDUCATION

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

DATE AND TIME: February 27, 2008, 1:00 p.m. – continuing on subsequent days until all business is concluded

PLACE: Division of Blind Services' District Office, 415 South Armenia Avenue, Conference Room, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Interview applicants and integrate findings to recommend candidates for the January 2008 Business Enterprises contractual opportunities.

A copy of the agenda may be obtained by contacting: Eugene R. Newcomb, Compliance Director, Division of Blind Services, Business Enterprises Program, 325 West Gaines Street, Turlington Building, Room 1114, Tallahassee, Florida 32399.

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 one day before the workshop/meeting by contacting: Eugene R. Newcomb, Compliance Director, Division of Blind Services, Business Enterprises Program, 325 West Gaines Street, Turlington Building, Room 1114, Tallahassee, Florida 32399. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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.

For more information, you may contact: Eugene R. Newcomb, Compliance Director, Division of Blind Services, Business Enterprises Program, 325 West Gaines Street, Turlington Building, Room 1114, Tallahassee, Florida 32399.

The **Department of Education, Digital Divide Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, March 6, 2008, 1:00 p.m. – 2:00 p.m.

PLACE: 116 Knott Building, Capitol Complex, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss annual report and next steps for implementing recommendations.

A copy of the agenda may be obtained by contacting: Kate Kemker at (850)245-9868 or Kate.Kemker@fldoe.org.

The **Florida Schools of Excellence Commission** announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 7, 2008, 10:00 a.m. – completion

PLACE: 1(888)808-6959, Conference Code 2450861

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Schools of Excellence Commission will be discussing legislative, budget and legal sub-committees.

A copy of the agenda may be obtained by contacting Rudy Rodriguez at Rudy.Rodriguez@fldoe.org.

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 days before the workshop/meeting by contacting Rudy Rodriguez at Rudy.Rodriguez@fldoe.org. If

you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Rudy Rodriguez at Rudy.Rodriguez@fldoe.org.

The **Education Practices Commission** announces a hearing to which all persons are invited.

DATE AND TIMES: February 28, 2008, An Administrator Hearing Panel, 9:00 a.m. or as soon thereafter as can be heard; February 28, 2008, A Teacher Hearing Panel will begin at 9:45 a.m. or as soon thereafter as can be heard

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

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

A copy of the agenda may be obtained by contacting: the Education Practices Commission, 325 W. Gaines Street, 224 Turlington Building, Tallahassee, Florida 32399-0400.

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 days before the workshop/meeting by contacting Kathleen M. Richards at (850)245-0455. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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.

For more information, you may contact: Janice Harris or Kathleen M. Richards, (850)245-0455.

The **Education Practices Commission** announces a hearing to which all persons are invited.

DATES AND TIMES: February 29, 2008, A Teacher Hearing Panel, 9:00 a.m. or as soon thereafter as can be heard

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

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

A copy of the agenda may be obtained by contacting: Education Practices Commission, 325 W. Gaines Street, 224 Turlington Building, Tallahassee, Florida 32399-0400.

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 days before the workshop/meeting by contacting Kathleen M. Richards at (850)245-0455. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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.

For more information, you may contact: Janice Harris or Kathleen M. Richards, (850)245-0455.

The **Florida Atlantic University** announces a public meeting to which all persons are invited.

DATE AND TIME: March 3, 2008, 9:00 a.m.

PLACE: 777 Glades Road, Bldg. 69, Room 118, Boca Raton, FL 33431

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss selection of artwork for BT-672 Office Depot Center for Executive Education.

A copy of the agenda may be obtained by contacting: Corina Mavrodin at (561)297-0541 or cmavrodi@fau.edu.

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 48 hours before the workshop/meeting by contacting Corina Mavrodin at (561)297-0541. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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.

For more information, you may contact Corina Mavrodin at (561)297-0541.

The **Commission for Independent Education** announces a public meeting to which all persons are invited.

DATE AND TIME: March 12, 2008, 9:00 a.m.

PLACE: Holiday Inn Hotel and Suites, 5905 S. Kirkman Road, Orlando, Florida 32819

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission for Independent Education will consider: All Degree Granting Institutions and Non-Degree granting institutions on March 12, 2008 for the following: Disciplinary Matters, Informal Hearings, Settlement Agreements,

Institutions Ordered to Appear Back Before the Commission, New Applications for Licensure, Institutional Applications for Program Modifications and Additional Programs, Application for Annual License, Motions for Extension of License, Motions for Request for Extension of Time to Comply with Contingencies, Reports, Approved Applicant Letters Sent, Licenses Sent, Closed Schools, Agent Training Programs, Annual Renewals, Extension of Annual License, Licenses by Means of Accreditation, Annual Reviews of License By Means of Accreditation, Substantive Change Applications, Name Change Applications, Attorney and Executive Director Reports, Applications for Exemption for Religious Colleges.

A copy of the agenda may be obtained by contacting: Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400.

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 days before the workshop/meeting by contacting the Area of Critical State Concern at (850)488-4925. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Florida Community College at Jacksonville District**, Board of Trustees announces the following meetings to which the public is invited.

STRATEGIC CONVERSATION

DATE AND TIME: March 4, 2008, 12:00 Noon – 2:00 p.m.

PLACE: Downtown Campus, Room A-1046, 101 West State Street, Jacksonville, Florida 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: Student Demographics and Trends.

REGULAR MONTHLY BOARD MEETING

DATE AND TIME: March 4, 2008, 2:00 p.m. – 3:00 p.m.

PLACE: Donald T. Martin Center for College Services, 501 West State Street, Boardroom 451, Jacksonville, Florida 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting.

DISCUSSION OF COLLEGE OPERATIONAL MATTERS, TIME PERMITTING

DATE AND TIME: March 4, 2008, 3:00 p.m. – 5:00 p.m.

PLACE: Donald T. Martin Center for College Services, Room 462, 501 West State Street, Jacksonville, Florida 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: College operational matters.

Copies of the agenda for the regular monthly Board meeting will be available for inspection on and after Tuesday, February 26, 2008, and copies will be provided upon written request and the payment of approved duplicating charges.

Any person wishing to address agenda items at the Board of Trustees meeting will be provided an opportunity to do so by appearing before the Board at the meeting. All objections to this notice or the propriety of the scheduled public meeting should be filed in writing with the College President, Florida Community College at Jacksonville, on or before March 4, 2008. All legal issues should be brought to the College's attention and an attempt made to resolve them prior to the public meeting.

Any person wishing to appeal a decision made by the Board with respect to any matter considered at this meeting will need a record of the proceeding for such an appeal and may, therefore, need to ensure that a verbatim record is made.

Through the months of March and April, 2008, the Board will hold informal meetings each Thursday from 12:00 Noon to 4:00 p.m., at the Donald T. Martin Center for College Services, Room 462, for the purpose of discussing College business as appropriate.

FCCJ does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services and is an equal access/equal opportunity/affirmative action college. If special accommodations are required, please advise human resources 24 hours in advance of the meeting.

DEPARTMENT OF LAW ENFORCEMENT

The **Violent Crime and Drug Control Council** announces a public meeting to which all persons are invited.

DATES AND TIMES: Wednesday, March 5, 2008, 8:30 a.m. – 5:00 p.m.; Thursday, March 6, 2008, 8:30 a.m. – 5:00 p.m.

PLACE: Embassy Suites Orlando North, 225 Shorecrest Drive, Altamonte Springs, FL 32701, (407)834-2400

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Violent Crime and Drug Control Council and any other interested individuals will meet to hear presentations and discuss issues relating to violent crime and multi-agency or statewide drug control or illicit money laundering investigative or task force efforts.

A copy of the agenda may be obtained by contacting: Government Analyst Joyce Gainous-Harris, Florida Department of Law Enforcement, Investigations and Forensic Science Program, Office of Field Services, Post Office Box 1489, Tallahassee, FL 32302 or by telephoning (850)410-7096.

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 days before the workshop/meeting by contacting: (850)410-7900, (Voice) or (850)656-9597, (TDD). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Government Analyst Joyce Gainous-Harris at (850)410-7096.

DEPARTMENT OF TRANSPORTATION

The **Florida Transportation Commission** announces a workshop to which all persons are invited.

DATE AND TIME: March 3, 2008, 11:00 a.m. – 12:00 Noon

PLACE: Florida Department of Transportation, 605 Suwannee Street, Burns Building, Executive Conference Room, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Transportation Commission Workshop.

A copy of the agenda may be obtained by contacting Cathy Goodman at (850)414-4105.

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 48 hours before the workshop/meeting by contacting Cathy Goodman at (850)414-4105. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Florida Transportation Commission, Room 176, M.S. 9, 605 Suwannee Street, Tallahassee, Florida 32399-0450, (850)414-4105.

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

DATE AND TIME: March 3, 2008, 1:00 p.m. – until completion of business

PLACE: Florida Department of Transportation, 605 Suwannee Street, Burns Building, Auditorium, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Transportation Commission Meeting.

A copy of the agenda may be obtained by contacting: Florida Transportation Commission, Room 176, M.S. 9, 605 Suwannee Street, Tallahassee, Florida 32399-0450, (850)414-4105.

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 48 hours before the workshop/meeting by contacting Cathy Goodman at (850)414-4105. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Cathy Goodman at (850)414-4105.

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

DATE AND TIME: March 4, 2008, 9:00 a.m. – 10:00 a.m.
 PLACE: Florida Department of Transportation, 605 Suwannee Street, Burns Building, Executive Conference Room, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida’s “Government in the Sunshine” Training.

A copy of the agenda may be obtained by contacting Cathy Goodman at (850)414-4105.

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 48 hours before the workshop/meeting by contacting Cathy Goodman at (850)414-4105. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Florida Transportation Commission, Room 176, M.S. 9, 605 Suwannee Street, Tallahassee, Florida 32399-0450, (850)414-4105.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

The **Department of Environmental Protection**, Office of Coastal and Aquatic Managed Areas, acting as staff to the **Board of Trustees of the Internal Improvement Trust Fund** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, March 19, 2008, 6:00 p.m.
 PLACE: GTMNERR Marineland Office, 9741 Ocean Shore Blvd., St. Augustine, FL 32080

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Management Advisory Group (MAG) for the Guana Tolomato Matanzas National Estuarine Research Reserve (GTMNERR) will hold its next meeting on Wednesday, March 19, 2008, 6:00 p.m. The MAG provides advisory input to the Office of Coastal and Aquatic Managed Areas for the management of the GTMNERR.

A copy of the agenda may be obtained by contacting Annette Odom at (904)823-4500.

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 days before the workshop/meeting by contacting Annette Odom at (904)823-4500. If you are hearing

or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

STATE BOARD OF ADMINISTRATION

The **Audit Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, February 14, 2008, 10:30 a.m. – 5:00 p.m.

PLACE: Hermitage Room, 1st Floor

DATE AND TIME: Friday, February 15, 2008, 9:00 a.m. – 3:00 p.m.

PLACE: Hermitage Room, 1st Floor

DATE AND TIME: Monday, February 18, 2008, 10:30 a.m. – 5:00 p.m.

PLACE: Emerald Coast Room, 6th Floor

DATE AND TIME: Thursday, February 21, 2008, 2:00 p.m. – 5:00 p.m.

PLACE: Hermitage Room, 1st Floor

DATE AND TIME: Monday, February 25, 2008, 10:30 a.m. – 5:00 p.m.

PLACE: Hermitage Room, 1st Floor

DATE AND TIME: Wednesday, February 27, 2008, 9:00 a.m. – 5:00 p.m.

PLACE: TBD

DATE AND TIME: Friday, February 29, 2008, 9:00 a.m. – 5:00 p.m.

PLACE: Hermitage Room, 1st Floor

DATE AND TIME: Monday, March 3, 2008, 10:30 a.m. – 5:00 p.m.

PLACE: Hermitage Room, 1st Floor

DATE AND TIME: Thursday, March 6, 2008, 9:00 a.m. – 5:00 p.m.

PLACE: Emerald Coast Room, 6th Floor

DATE AND TIME: Friday, March 7, 2008, 9:00 a.m. – 5:00 p.m.

PLACE: Hermitage Room, 1st Floor

DATE AND TIME: Monday, March 10, 2008, 10:30 a.m. – 5:00 p.m.

PLACE: Hermitage Room, 1st Floor

DATE AND TIME: Friday, March 14, 2008, 9:00 a.m. – 5:00 p.m.

PLACE: Emerald Coast Room, 6th Floor

DATE AND TIME: Monday, March 17, 2008, 2:30 p.m. – 5:00 p.m.

PLACE: Hermitage Room, 1st Floor

DATE AND TIME: Thursday, March 20, 2008, 9:00 a.m. – 12:00 Noon

PLACE: Emerald Coast Room, 6th Floor

DATE AND TIME: Monday, March 24, 2008, 1:00 p.m. – 5:00 p.m.

PLACE: Emerald Coast Room, 6th Floor

DATE AND TIME: Thursday, March 27, 2008, 1:30 p.m. – 5:00 p.m.

PLACE: Hermitage Room, 1st Floor

PLACE: Hermitage Centre, 1801 Hermitage Boulevard, Tallahassee, FL 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: Selection of a firm, review of deliverables, as well as address other general business of the Audit Committee.

The Florida **Commission on Hurricane Loss Projection Methodology** announces public meetings to which all persons are invited.

DATES AND TIMES: March 12, 2008, 9:00 a.m. – 4:00 p.m. (ET); March 21, 2008, 2:00 p.m. – 4:00 p.m. (ET)

PLACE: Hermitage Centre Conference Room, Hermitage Centre, 1801 Hermitage Blvd., Tallahassee, Florida. Persons who wish to participate by telephone may call 1(888)808-6959 and enter Conference Code 4765251363.

GENERAL SUBJECT MATTER TO BE CONSIDERED: These meetings are regular business meetings of the Commission during which the Commission will discuss the model submissions received under the standards and acceptability process for 2007. In addition, other general business of the Commission will be addressed.

A copy of the agenda may be obtained by contacting: Donna Sirmons, State Board of Administration, P. O. Box 13300, Tallahassee, FL 32317-3300, or donna.sirmons@sbafla.com, or (850)413-1349.

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 days before the workshop/meeting by contacting Donna Sirmons at the address given above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FLORIDA PAROLE COMMISSION

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

DATE AND TIME: Wednesday, March 5, 2008, 9:00 a.m.

PLACE: Florida Parole Commission, 2601 Blair Stone Road, Bldg. C, Tallahassee, FL 32399-2450

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery and Control Release matters as well as other Commission business.

A copy of the agenda may be obtained by contacting: Florida Parole Commission, 2601 Blair Stone Road, Bldg. C, Tallahassee, FL 32399-2450.

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 days before the workshop/meeting by contacting: Florida Parole Commission, 2601 Blair Stone Road, Bldg. C, Tallahassee, FL 32399-2450, (850)488-3417. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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.

For more information, you may contact: Florida Parole Commission, 2601 Blair Stone Road, Bldg. C, Tallahassee, FL 32399-2450, (850)488-3417.

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces a workshop to which all persons are invited.

DATE AND TIME: Tuesday, March 11, 2008, 1:30 p.m.

PLACE: Betty Easley Conference Center, Room 140, 4075 Esplanade Way, Tallahassee, FL 32399-0862

GENERAL SUBJECT MATTER TO BE CONSIDERED: DOCKET NO. 080001-EI – Fuel and Purchased Power Cost Recovery Clause With Generating Performance Incentive Factor. The purpose of this staff workshop is to discuss Florida Power & Light’s proposals to change or modify its hedging program.

Please be advised that one or more Commissioners may be in attendance.

If a named storm or other disaster requires cancellation of the workshop, Commission staff will attempt to give timely direct notice to all interested persons. Notice of cancellation of the workshop will also be provided on the Commission’s website <http://www.psc.state.fl.us/> under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199.

A copy of the agenda may be obtained by contacting: Pete Lester, Division of Economic Regulation, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0852, (850)413-6467 or Pete.Lester@psc.state.fl.us. Copies will be distributed to the parties by February 26, 2008.

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 48 hours before the workshop/meeting by

contacting the Office of Commission Clerk at (850)413-6770. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Lisa Bennett, Office of General Counsel, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6230 or lbennett@psc.state.fl.us.

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

DATE AND TIME: Wednesday, March 19, 2008, 6:00 p.m.

PLACE: County Commission Board Room, Suite 160, West Pasco Government Center, 7530 Little Road, New Port Richey, Florida 34654

GENERAL SUBJECT MATTER TO BE CONSIDERED: DOCKET NO. 070394-WU – Application for staff-assisted rate case by Holiday Utility Company, Inc. in Pasco County. The purpose of this customer meeting is to give customers and other interested persons an opportunity to offer comments regarding the quality of service the utility provides, the proposed rate increase, and to ask questions and comment on other issues. One or more of the Commissioners of the Florida Public Service Commission may attend and participate in the meeting.

Emergency Cancellation of Customer Meeting. If a named storm or other disaster requires cancellation of the meeting, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation of the meeting will also be provided on the Commission's website <http://www.psc.state.fl.us/> under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of General Counsel at (850)413-6199.

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 48 hours before the workshop/meeting by contacting the Office of the Commission Clerk at (850)413-6770. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Office of the Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

EXECUTIVE OFFICE OF THE GOVERNOR

The **Governor's Office of Film and Entertainment** and the **Florida Film and Entertainment Advisory Council**, Legislative Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, February 29, 2008, 9:30 a.m.

PLACE: Office of Film and Entertainment, The Capitol, Suite 2001, Tallahassee, FL 32399-0001. Call in: 1(888)808-6959, Conference Code: 4104765 #.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the status of proposed bills, new legislative assignments for upcoming session, hear public input and advisement.

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 48 days before the workshop/meeting by contacting the OFE at (850)410-4765. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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.

The **Governor's Office of Film and Entertainment** and the **Florida Film and Entertainment Advisory Council**, Legislative Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 6, 2008, 9:30 a.m.

PLACE: The Office of Film and Entertainment, Tallahassee, FL, Call In: 1(888)808-6959, Conference Code: 4104765 #

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the status of proposed bills, new legislative assignments for upcoming session, hear public input and advisement.

A copy of the agenda may be obtained by contacting the Office of Film and Entertainment at (850)410-4765.

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 48 days before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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.

REGIONAL PLANNING COUNCILS

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

DATE AND TIME: Thursday, March 6, 2008, 8:30 a.m.
PLACE: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, Florida 32216
GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss pending planning and growth management issues.
Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.
A copy of the agenda may be obtained by contacting: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, Florida, 32216.
For more information, you may contact Angela Giles at (904)279-0880.

The **Northeast Florida Regional Council**, Personnel, Budget, and Finance Policy Committee announces a public meeting to which all persons are invited.
DATE AND TIME: Thursday, March 6, 2008, 9:00 a.m.
PLACE: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216
GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss pending personnel, budget, and finance policy matters.
NOTICE is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.
A copy of the agenda may be obtained by contacting: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.
For more information, you may contact Angela Giles at (904)279-0880.

The **Northeast Florida Regional Council** announces a public meeting to which all persons are invited.
DATE AND TIME: Thursday, March 6, 2008, 10:00 a.m.
PLACE: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, Florida 32216
GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Monthly Meeting.
NOTICE is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.
A copy of the agenda may be obtained by contacting: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, Florida 32216.
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 3 days before the workshop/meeting by contacting Angela Giles at (904)279-0880. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).
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.
For more information, you may contact Angela Giles at (904)279-0880.

The **Northeast Florida Regional Council**, Legislative Committee announces a public meeting to which all persons are invited.
DATE AND TIME: Thursday, March 6, 2008, immediately following the Full Board Meeting
PLACE: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, Florida 32216
GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss legislative issues.
Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.
A copy of the agenda may be obtained by contacting: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, Florida 32216.
For more information, you may contact Angela Giles at (904)279-0880.

The **Wekiva River Basin Commissioner** announces a public meeting to which all persons are invited.
DATE AND TIME: Wednesday, February 27, 2008, 1:30 p.m.
PLACE: East Central Florida Regional Planning Council, 631 N. Wymore Road, Suite 100, Maitland, FL 32751
GENERAL SUBJECT MATTER TO BE CONSIDERED: The quarterly meeting of the Wekiva River Basin Commission.
A copy of the agenda may be obtained by contacting: Kimberly Loewen by email at loewen@ecfrpc.org.
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 24 hours before the workshop/meeting by contacting: Ruth Little at (407)623-1075 or rlittle@ecfrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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.

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

DATE AND TIME: February 27, 2008, 10:00 a.m.

PLACE: Treasure Coast Regional Planning Council, 301 East Ocean Boulevard, Suite 300, Stuart, FL 34994

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the meeting of the Energy Committee.

A copy of the agenda may be obtained by contacting Liz Gulick at (772)221-4060.

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 48 hours before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DATE AND TIME: March 21, 2008, 9:30 a.m.

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

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

A copy of the agenda may be obtained by contacting Liz Gulick at (772)221-4060.

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 48 hours before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

WATER MANAGEMENT DISTRICTS

The **R.O. Ranch Inc.**, a Florida non-profit corporation announces a public meeting to which all persons are invited.

DATE AND TIME: March 6, 2008, 6:30 p.m.

PLACE: R.O. Ranch, Cooks Hammock, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly Board of Directors meeting to discuss development of equestrian facilities on Suwannee River Water Management District properties.

A copy of the agenda may be obtained by contacting: Pennie Flickinger, Administrative Assistant at (386)362-1001, www.pff@srwmd.org.

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 2 days before the workshop/meeting by contacting: Pennie Flickinger, Administrative Assistant at (386)362-1001, www.pff@srwmd.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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.

For more information, you may contact: Pennie Flickinger, Administrative Assistant at (386)362-1001, www.pff@srwmd.org.

The **St. Johns River Water Management District**, Projects and Land Committee announces a public meeting to which all persons are invited.

Projects and Land Committee Tour

DATE AND TIME: Thursday, March 6, 2008, 1:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: North Shore Restoration at Apopka, Soil Inversion project, Shad Harvest dock and other points of interest.

Projects and Land Committee Business Meeting

DATE AND TIME: Thursday, March 6, 2008, 4:30 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business Meeting: The Projects and Land Committee will discuss agenda items, followed by committee recommendations to be approved by the full Governing Board.

Projects and Land Committee Public Meeting

DATE AND TIME: Thursday, March 6, 2008, 6:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Meeting: Update on restoration of Lake Apopka and restoration efforts in the Upper Ocklawaha River Basin.

Tour of Tampa Bay Seawater Desalination Plant and the C.W. Bill Young Regional Reservoir.

DATE AND TIME: Friday, March 7, 2008, 10:00 a.m.

PLACE: Business Meeting and Public Meeting will be held at Mission Inn, 10400 County Road 48, Howey-in-the-Hills, Florida 34737

NOTE: In the event a quorum of the Committee is not available for the business meeting at the date, time, and place set forth above, the Committee shall meet on Tuesday, March 11, 2008, 8:00 a.m. at District Headquarters, 4049 Reid Street

(Hwy. 100 West), Palatka, FL 32177. One or more Governing Board members may attend and participate in the meetings by means of communications media technology.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention: Missy McDermont, 4049 Reid Street, Palatka, FL 32177, (386)329-4347, or by visiting the District's website at www.sjrwm.com.

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 48 hours before the workshop/meeting by contacting Missy McDermont at (386)329-4347. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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.

The **St. Johns River Water Management District** announces a workshop to which all persons are invited.

Governing Board Workshop

DATE AND TIME: Monday, March 10, 2008, 2:00 p.m.

PLACE: District Headquarters, Governing Board Room, Executive Building, 4049 Reid Street (Hwy 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Informational workshop on Water Use and Water Conservation Metrics.

NOTE: One or more Governing Board members may attend and participate in the meeting by means of communications media technology.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention: Marji Hightower, 4049 Reid Street, Palatka, FL 32177, (386)329-4214, email: mhightower@sjrwm.com.

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 48 hours before the workshop/meeting by contacting the District Clerk at (386)329-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **St. Johns River Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, March 11, 2008:

8:15 a.m. Chair's Meeting

8:45 a.m. Finance, Administration and Audit Committee

10:00 a.m. Regulatory Committee

1:00 p.m. Governing Board Meeting and Public Hearing on Land Acquisition.

PLACE: District Headquarters, 4049 Reid Street (Hwy 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion and consideration of District business including regulatory and non-regulatory matters. Staff may recommend approval of external amendments which affect the adopted budget.

NOTE: One or more Governing Board members may attend and participate in the meetings by means of communications media technology.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention: Marji Hightower, 4049 Reid Street, Palatka, FL 32177, (386)329-4214 or by visiting the District's website at www.sjrwm.com.

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 48 hours before the workshop/meeting by contacting the District Clerk at (386)329-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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.

The **Southwest Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, March 3, 2008, 3:30 p.m.

PLACE: Springs Coast Environmental Education Center, 9170 Cortez Boulevard, Weeki Wachee, FL 34607

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of task force business for the Hernando County Task Force of the Citrus/Hernando Waterways Restoration Council. Hernando County residents are encouraged to attend and provide suggestions for restoration projects to enhance fish and wildlife habitat.

A copy of the agenda may be obtained by contacting: Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34604, (352)796-7211 or 1(800)423-1476 (Florida only), extension 4227.

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 days before the workshop/meeting by contacting: 1(800)423-1476 (Florida), or (352)796-7211, extension 4226, Fax (352)797-5806, TDD ONLY 1(800)231-6103 (Florida). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

Governing Board Strategic Planning Workshop

DATE AND TIME: March 6, 2008, 5:00 p.m.

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

Governing Board Strategic Planning Workshop

DATE AND TIME: March 7, 2008, 9:00 a.m.

PLACE: Jupiter Community Center, 200 Military Trail, Jupiter, FL 33458

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Governing Board will have facilitated Strategic Planning Workshop with presentations and discussions.

All or part of the meeting may be conducted as a teleconference in order to permit maximum participation by Governing Board members. The Governing Board may take official action at the meeting on any item appearing on the agenda and on any item that is added to the agenda as a result of a change to the agenda approved by the presiding officer of the meeting pursuant to Section 120.525, Florida Statutes.

A copy of the agenda may be obtained by contacting: Jacki McGorty, (561)682-2087, or at https://my.sfwmd.gov/portal/page?_pageid=382,935058&_dad=portal&_schema=PORTAL.

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 days before the workshop/meeting by contacting the District Clerk's Office at (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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.

For more information, you may contact the District Clerk's Office at (561)682-2087.

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

Lake Belt Mitigation Committee

DATE AND TIME: May 2, 2008, 9:00 a.m.

PLACE: South Florida Water Management District, 330 Gun Club Road, Building B-1, 3rd Floor Center, 3A Bridge Conference Room, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Lake Belt Mitigation Committee (LBMC), created pursuant to Section 373.41492, Florida Statutes, to discuss a variety of Lake Belt issues.

A copy of the agenda may be obtained by contacting: Susan Brown, (561)682-2743, <http://www.sfwmd.gov/org/pld/proj/lakebelt/mitigcom.html>. Teleconference information: Local SFWMD (561)682-6700, Nationwide Toll Free 1(866)433-6299, Meeting ID #: 7580.

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 days before the workshop/meeting by contacting the District Clerk's Office at (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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.

For more information, you may contact the District Clerk's Office at (561)682-2087.

COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

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

DATE AND TIME: Wednesday, March 5, 2008, 8:30 a.m. – until completion

PLACE: Park Plaza Hotel, 415 N. Monroe Street, Tallahassee, FL 32301, (850)224-6000

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discuss regular Executive-Personnel Committee business.

A copy of the agenda may be obtained by contacting: Nikki Smith, 605 Suwannee Street, MS-49, Tallahassee, FL 32399, (850)410-5703.

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 days before the workshop/meeting by contacting: Nikki Smith, 605 Suwannee Street, MS-49, Tallahassee, FL 32399, (850)410-5703. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Nikki Smith, 605 Suwannee Street, MS-49, Tallahassee, FL 32399, (850)410-5703.

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

DATE AND TIME: Wednesday, March 5, 2008, 10:00 a.m. – until completion

PLACE: Park Plaza Hotel, 415 N. Monroe Street, Tallahassee, FL 32301, (850)224-6000. Conference Call Number is: 1(888)808-6959 and the Conference Code is: 34767

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

A copy of the agenda may be obtained by contacting: Nikki Smith, 605 Suwannee Street, MS-49, Tallahassee, FL 32399, (850)410-5703.

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 days before the workshop/meeting by contacting: Nikki Smith, (850)410-5703. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Nikki Smith, 605 Suwannee Street, MS-49, Tallahassee, FL 32399, (850)410-5703.

DEPARTMENT OF ELDER AFFAIRS

The Florida **Department of Elder Affairs**, Statewide Public Guardianship Office announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 11, 2008, 8:00 a.m. – 10:00 a.m.

PLACE: Callers within Tallahassee and outside of Tallahassee: 1(888)808-6959, When prompted, enter Conference Code number 4142381 followed by #

GENERAL SUBJECT MATTER TO BE CONSIDERED: This will be a general business meeting of the Foundation for Indigent Guardianship, Inc.

A copy of the agenda may be obtained by contacting Ms. Frankie D. Leland at (850)414-2381.

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 48 hours before the workshop/meeting by contacting Ms. Frankie D. Leland at (850)414-2381. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

AGENCY FOR HEALTH CARE ADMINISTRATION

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

DATE AND TIME: March 7, 2008, 9:30 a.m.

PLACE: 2727 Mahan Drive, Building 3, 1st Floor, Conference Room C, Tallahassee, FL, Dial in number is 1(888)808-6959, Conference Code 487-0698

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discuss ideas and concerns related to implementing innovative projects in nursing homes intended to support a culture of resident autonomy and choice, and enhance a home like environment.

For more information, you may contact Erin Smith at (850)414-9707.

The **Agency for Health Care Administration**, in conjunction with the **Department of Elder Affairs** announces a workshop to which all persons are invited.

DATE AND TIME: Tuesday, March 4, 2008, 1:00 p.m. – 5:00 p.m. (Eastern)

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is a Florida Senior Care Health Plan Application Workshop. Florida Senior Care Health Plan Applicants will receive technical assistance on the FSC application process and have application related questions addressed by the Agency for Health Care Administration and the Department of Elder Affairs. Participants are requested to submit all questions in writing to:

- Email: managedilte@ahca.myflorida.com OR
- Florida Senior Care – Health Plan Applications
Agency for Health Care Administration
2727 Mahan Drive, Mail Stop #20
Tallahassee, Florida 32308.

Although questions will be received all through the application process, questions that are requested to be answered by March 4, 2008, at the public meeting should be submitted no later than February 27, 2008.

A copy of the agenda may be obtained by contacting: Cheryl Young, 2727 Mahan Drive, Mail Stop 20, Tallahassee, FL 32308, (850)487-2618, e-mail: youngc@ahca.myflorida.com.

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 7 days before the workshop/meeting by contacting: Cheryl Young, 2727 Mahan Drive, Mail Stop 20, Tallahassee, FL 32308, (850)487-2618, e-mail: youngc@ahca.

myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Agency for Health Care Administration**, in conjunction with the **Department of Elder Affairs** announces a public meeting to which all interested persons are invited.

DATE AND TIME: Tuesday, March 4, 2008, 9:30 a.m. – 11:30 a.m. (Eastern)

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to discuss the Florida Senior Care draft capitation rates. A brief overview of the program will be provided. Participants are requested to RSVP and submit all questions in writing no later than February 26, 2008 to:

- Email: managediltc@ahca.myflorida.com OR
- Florida Senior Care – Draft Capitation Rates
Agency for Health Care Administration
2727 Mahan Drive, Mail Stop #20
Tallahassee, Florida 32308

Participant questions will be addressed by the Agency for Health Care Administration, the Department of Elder Affairs, and the Agency's contracted actuary.

A copy of the agenda may be obtained by contacting: GP. Mendie, 2727 Mahan Drive, Mail Stop 20, Tallahassee, FL 32308, (850)487-2618, e-mail: managediltc@ahca.myflorida.com.

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 7 days before the workshop/meeting by contacting: GP. Mendie, 2727 Mahan Drive, Mail Stop 20, Tallahassee, FL 32308, (850)487-2618, e-mail: managediltc@ahca.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF MANAGEMENT SERVICES

The **Department of Management Services** announces a public meeting to which all persons are invited.

DATE AND TIME: March 11, 2008, 9:00 a.m.

PLACE: Cabinet Meeting Room, LL-03, The Capitol, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: At this meeting of the Administration Commission, the Department is seeking approval of Chapter 60L-35, F.A.C., Performance Evaluation System. Pursuant to Section 110.403(1), F.S., Administration Commission approval is required for rules regarding the Senior Management Service.

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 7 hours before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Ms. Anna B. Gray, Workforce Development and Benefits Manager, Department of Management Services, 4050 Esplanade Way, Tallahassee, Florida 32399-0950.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Electrical Contractors' Licensing Board** announces a public meeting to which all persons are invited.

PLACE: Orlando Metropolitan Resort, 8444 International Drive, Orlando, FL 32819, (407)345-0505

DATE AND TIME: March 12, 2008, 4:00 p.m.

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

DATE AND TIME: March 13, 2008, 8:30 a.m.;

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discipline and General Business.

DATE AND TIME: March 14, 2008, 8:30 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting Electrical Contractors' Licensing Board at (850)922-5012.

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 days before the workshop/meeting by contacting Electrical Contractors' Licensing Board at (850)922-5012. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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.

For more information, you may contact Electrical Contractors' Licensing Board at (850)922-5012.

The **Board of Pilot Commissioners** announces a public meeting to which all persons are invited.

DATES AND TIMES: April 3, 2008, 1:00 p.m.; April 4, 2008, 9:00 a.m.

PLACE: Sheraton Suites, 2001 South Roosevelt Boulevard, Key West, FL 33040

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee Meetings, General Board Business and Probable Cause Panel, of which portions may be closed to the public.

A copy of the agenda may be obtained by contacting: Board of Pilot Commissioners, 1940 North Monroe Street, Tallahassee, FL.

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 48 hours before the workshop/meeting by contacting the Board office. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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.

The **Board of Veterinary Medicine** announces a public meeting to which all persons are invited.

DATE AND TIME: March 18, 2008, 8:00 a.m.

PLACE: Embassy Suites, 1100 S. E. 17th Street, Ft. Lauderdale, FL 33316, (954)527-2700

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board and business meeting.

A copy of the agenda may be obtained by contacting: Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, FL 32399.

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 days before the workshop/meeting by contacting: Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, FL 32399. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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.

For more information, you may contact: Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, FL 32399, (850)922-7154.

The **Board of Accountancy** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, March 14, 2008, 9:00 a.m. – until all Board business is concluded

PLACE: Conference Call, Dial in Number 1(888)808-6959, Conference Code 9299108

GENERAL SUBJECT MATTER TO BE CONSIDERED: Exam and Licensure applications.

A copy of the agenda may be obtained by contacting: June Carroll, 240 N.W. 76th Drive, Suite A, Gainesville, Florida 32607, (850)487-1395.

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 2 days before the workshop/meeting by contacting June Carroll at (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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.

For more information, you may contact June Carroll, (850)487-1395.

The Probable Cause Panel of the **Florida Real Estate Appraisal Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, March 3, 2008, 9:00 a.m. or as soon thereafter as possible

PLACE: Division of Real Estate, Conference Room N901, North Tower, 400 West Robinson Street, Orlando, FL 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 Board members or its counsel. (Portions of the probable cause proceedings are not open to the public.)

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 days before the workshop/meeting by contacting: Division of Real Estate (407)481-5632. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

The **Department of Environmental Protection, Division of Water Resource Management** announces a workshop to which all persons are invited.

DATE AND TIME: Tuesday, February 26, 2008, 12:00 Noon (CT)

PLACE: Gulf Coast Community College, Sarzin Lecture Hall, Language and Literature Bldg., 5230 W. Hwy. 98, Panama City, FL

DATE AND TIME: Wednesday, February 27, 2008, 9:00 a.m. (CT)

PLACE: Pensacola Junior College, Hagler Auditorium Lecture Hall, Bldg. 2, Room 252, 1000 College Blvd., Pensacola, FL

DATE AND TIME: Friday, February 29, 2008, 9:00 a.m. (ET)

PLACE: Department of Environmental Protection, Room 609, Bob Martinez Center, 2600 Blair Stone Rd., Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Notice is hereby given that the following correction has been made to the workshop notice regarding Chapter 62-346, F.A.C., Environmental Resource Permitting, published in Vol. 34, No. 6, February 8, 2008, issue of the F.A.W. The workshop information is being republished to show the correct time zone and week day. The dates, times and locations remain the same.

A copy of the agenda may be obtained by contacting: Mary VanTassel, Department of Environmental Protection, Office of Submerged Lands and Environmental Resources, 2600 Blair Stone Road, MS 2500, Tallahassee, FL 32399-2400, (850)245-8486, e-mail: Mary.VanTassel@dep.state.fl.us or facsimile (850)245-8499. (The file tracking number is OGC 07-1321.)

The **Fisheating Creek Settlement Agreement Advisory Board (SAAB)** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, March 4, 2008, 1:30 p.m.

PLACE: Fisheating Creek Campground, 7555 N. U.S. Highway 27 N. W., Palmdale, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct business of the SAAB relating to the management of the expanded Fisheating Creek corridor pursuant to a settlement agreement rendered by the Circuit Court, 20th Judicial District, Glades County, Florida (Case No. CA93-136).

Agenda:

1. Confirmation requirements for voting members of the SAAB.
2. Deadlines for submittal of agenda to board members and procedures for handling unscheduled agenda items.
3. Resolution involving the Northern Everglades initiative.
4. Remedies to open the creek for canoeing/ kayaking per the settlement agreement.
5. Possible need for SAAB by-laws.

A copy of the agenda may be obtained by contacting: Dr. Harris Friedman, 1255 Tom Coker Road, S.W., LaBelle, Florida 33935, (863)675-4138, email Harrisfriedman@floraglad.es.org.

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 days before the workshop/meeting by contacting: Dr. Harris Friedman, 1255 Tom Coker Road, S.W., LaBelle, Florida 33935, (863)675-4138, email Harrisfriedman@floraglad.es.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Dr. Harris Friedman, 1255 Tom Coker Road, S.W., LaBelle, Florida 33935, (863)675-4138 or by email Harrisfriedman@floraglad.es.org.

The **Department of Environmental Protection, Division of Recreation and Parks** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, March 4, 2008, 7:00 p.m.

PLACE: Osceola National Forest, Ranger District Office, U.S. Highway 90, Olustee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presentation and discussion of the proposed management plan for Olustee Battlefield Historic State Park.

A copy of the management plan will be available at Olustee Battlefield Historic State Park and Stephen Foster Folk Culture Center State Park for review. Electronic versions of the plans are available upon request by emailing Ms. BryAnne White at BryAnne.White@dep.state.fl.us.

A copy of the agenda may be obtained by contacting: Ben Faure, Park Manager of this park at (386)397-4466 or email Benjamin.Faure@dep.state.fl.us.

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 48 hours before the workshop/meeting by contacting: Ben Faure, Park Manager of this park at (386)397-4466 or email Benjamin.Faure@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Ben Faure, Park Manager of this park at (386)397-4466 or email Benjamin.Faure@dep.state.fl.us.

The **Department of Environmental Protection, Division of Recreation and Parks** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, March 5, 2008, 9:00 a.m.
PLACE: Osceola National Forest, Ranger District Office, U.S. Highway 90, Olustee, Florida
GENERAL SUBJECT MATTER TO BE CONSIDERED: Presentation and discussion of the proposed land management plan for Olustee Battlefield Historic State Park with the park Advisory Group members.
A copy of the agenda may be obtained by contacting: Ben Faure, Park Manager at (386)397-4466 or email Benjamin.Faure@dep.state.fl.us.
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 48 hours before the workshop/meeting by contacting: Ben Faure, Park Manager at (386)397-4466 or email Benjamin.Faure@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).
For more information, you may contact: Ben Faure, Park Manager (386)397-4466 or email Benjamin.Faure@dep.state.fl.us.

The Florida **Department of Environmental Protection** announces a public meeting to which all persons are invited.
DATE AND TIME: Wednesday, March 5, 2008, 9:30 a.m.
PLACE: South Florida Water Management District, Lower West Coast Regional Service Center, 1st Floor, Conference Room, 2301 McGregor Boulevard, Fort Myers, FL 33901
GENERAL SUBJECT MATTER TO BE CONSIDERED: Draft verified lists of impaired waters for water bodies and water segments within the Everglades West Coast basin. The draft verified lists will be placed on the Department's TMDL website <http://www.dep.state.fl.us/water/tmdl> by February 22, 2008, and will be provided upon request to interested parties by mail or via e-mail distribution. The Department will accept written comments on the draft verified lists and revised draft lists for a period of 30 days, beginning February 22, 2008, and ending March 24, 2008.

Any and all written comments should be directed to: Jan Mandrup-Poulsen, Environmental Administrator, Watershed Assessment Section, Florida Department of Environmental Protection, Mail Station 3555, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Written comments may also be provided by e-mail directed to: jan.mandrup-poulsen@dep.state.fl.us.
A copy of the agenda may be obtained by contacting: Ms. Pat Waters, Watershed Assessment Section, MS 3555, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, or by calling (850)245-8449.
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 48 hours before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Department of Environmental Protection** announces a public meeting to which all persons are invited.
DATE AND TIME: Thursday, March 6, 2008, 9:30 a.m.
PLACE: South Florida Water Management District, Okeechobee Service Center, Auditorium, 205 North Parrott Avenue, Suite 201, Okeechobee, FL 34972
GENERAL SUBJECT MATTER TO BE CONSIDERED: Draft verified lists of impaired waters for water bodies and water segments within the Lake Okeechobee basin. The draft verified lists will be placed on the Department's TMDL website <http://www.dep.state.fl.us/water/tmdl> by February 22, 2008, and will be provided upon request to interested parties by mail or via e-mail distribution. The Department will accept written comments on the draft verified lists and revised draft lists for a period of 30 days, beginning February 22, 2008, and ending March 24, 2008.

Any and all written comments should be directed to: Jan Mandrup-Poulsen, Environmental Administrator, Watershed Assessment Section, Florida Department of Environmental Protection, Mail Station 3555, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Written comments may also be provided by e-mail directed to: jan.mandrup-poulsen@dep.state.fl.us.

A copy of the agenda may be obtained by contacting: Ms. Pat Waters, Watershed Assessment Section, MS 3555, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)245-8449.
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 48 hours before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Department of Environmental Protection** announces a public meeting to which all persons are invited.
DATE AND TIME: Friday, March 7 2008, 9:30 a.m.
PLACE: Bob Martinez Center, Room 609, 2600 Blair Stone Road, Tallahassee, FL 32399
GENERAL SUBJECT MATTER TO BE CONSIDERED: Draft verified lists of impaired waters for waterbodies and water segments within the Ochlockonee-St.Marks basins. The draft verified lists will be placed on the Department's TMDL website <http://www.dep.state.fl.us/water/tmdl> by February 22, 2008, and will be provided upon request to interested parties by mail or via e-mail distribution. The Department will accept

written comments on the draft verified lists and revised draft lists for a period of 30 days, beginning February 22, 2008, and ending March 24, 2008.

Any and all written comments should be directed to: Jan Mandrup-Poulsen, Environmental Administrator, Watershed Assessment Section, Florida Department of Environmental Protection, Mail Station 3555, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Written comments may also be provided by e-mail directed to: jan.mandrup-poulsen@dep.state.fl.us.

A copy of the agenda may be obtained by contacting: Ms. Pat Waters, Watershed Assessment Section, MS 3555, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)245-8449.

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 48 hours before the workshop/meeting by contacting Ms. Pat Waters at (850)245-8449. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Environmental Protection** announces a workshop to which all persons are invited.

DATE AND TIME: March 11, 2008, 1:00 p.m.

PLACE: Bob Martinez Center, 2600 Blair Stone Rd., Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Chapter 62-520, F.A.C., that addresses contents of ground water monitoring plans, modifications to reporting requirements, references a Guidance for Ground Water Monitoring Plan Design and a Department Well Design and Construction Manual, and updates administrative procedures.

A copy of the agenda may be obtained by contacting: Linda Clemens, 2600 Blair Stone Rd., Tallahassee, FL 32399-2400, (850)245-8647, or by visiting: www.dep.state.fl.us/water/groundwater/rule_development.

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 days before the workshop/meeting by contacting: Linda Clemens, 2600 Blair Stone Rd., Tallahassee, FL 32399-2400, (850)245-8647. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Environmental Protection** announces a workshop to which all persons are invited.

DATE AND TIME: March 11, 2008, 1:00 p.m.

PLACE: Bob Martinez Center, Room 609, 2600 Blair Stone Rd., Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The remaining provisions for ground water permitting and monitoring in Chapter 62-522, F.A.C., are being added to Chapter 62-520, F.A.C., as part of that Chapter's rule development.

A copy of the agenda may be obtained by contacting: Linda Clemens, 2600 Blair Stone Rd., Tallahassee, FL 32399-2400, (850)245-8647 or by visiting: www.dep.state.fl.us/water/groundwater/rule_development.htm.

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 days before the workshop/meeting by contacting: Linda Clemens, 2600 Blair Stone Rd., Tallahassee, FL 32399-2400, (850)245-8647. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Division of Air Resource Management** announces a workshop to which all persons are invited.

DATE AND TIME: Tuesday, March 18, 2008, 10:00 a.m.

PLACE: Department of Environmental Protection, Carr Building, Room 170, 3800 Commonwealth Blvd., Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The department is holding a third workshop on rulemaking to adopt the California emissions standards for new motor vehicles pursuant to Section 177 of the Federal Clean Air Act. The department proposes to create new rule Chapter 62-285, F.A.C., Greenhouse Gas Emissions Reduction, and develop new Rule 62-285.400, F.A.C., Adoption of California Motor Vehicle Emissions Standards, to accomplish this purpose. The notice of rule development was published July 27, 2007. The purpose of this workshop is to offer rule proposals and to present an opportunity for interested persons to provide comments and recommendations to the department as we continue this rulemaking process.

A copy of the agenda may be obtained by contacting: Mr. Greg DeAngelo at (850)921-9548 or Gregory.DeAngelo@dep.state.fl.us.

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 48 hours before the workshop/meeting by contacting: Ms. Lynn Scarce at (850)921-9551 or lynn.scarce@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Division of Air Resource Management** announces a workshop to which all persons are invited.

DATE AND TIME: Wednesday, March 19, 2008, 10:00 a.m.
 PLACE: Department of Environmental Protection, Carr Building, Room 170, 3800 Commonwealth Blvd., Tallahassee, Florida
 GENERAL SUBJECT MATTER TO BE CONSIDERED: The department is holding a third workshop on rulemaking to reduce long-duration diesel engine idling. The department proposes to create new rule Chapter 62-285, F.A.C., Greenhouse Gas Emissions Reduction, and develop new Rule 62-285.420, F.A.C., Heavy-Duty Vehicle Idling Reduction, to accomplish this purpose. The notice of rule development was published July 27, 2007. The purpose of this workshop is to offer rule proposals and to present an opportunity for interested persons to provide comments and recommendations to the department as we continue this rulemaking process.

A copy of the agenda may be obtained by contacting: Ms. Sandy Bowman at (850)921-9583 or sandy.bowman@dep.state.fl.us.

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 48 hours before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Environmental Protection** announces a hearing to which all persons are invited.

DATE AND TIME: April 9, 2008, 2:00 p.m.
 PLACE: The Bob Martinez Center, Room 611, 2600 Blair Stone Road, Tallahassee, FL
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive testimony and public comment and take final action on management of the FY 2008 State Revolving Fund priority list for water pollution control loan projects under Chapter 62-503, Florida Administrative Code (F.A.C.), and management of the FY 2006 Financially Disadvantaged Small Community Grants priority list under Chapter 62-505, F.A.C.

Projects qualifying under Chapter 62-503, F.A.C., for wastewater, stormwater, or non-point source loans will be ranked and added to the FY 2008 priority list if requests and required documentation are received by March 10, 2008 and approved by the Department by March 25, 2008.

Pursuant to subsection 62-503.600(4), F.A.C., the Department's funding commitment to projects currently assigned to the water pollution control loan priority list may be withdrawn at the hearing if a local government is delinquent in submitting documents as scheduled.

Eligible grant amounts may be adjusted for projects already listed on the FY 2006 Financially Disadvantaged Small Community Grants priority list which remain incompletely funded.

Prior to Department action at the hearing, all interested persons will have the opportunity to testify regarding the lists and any proposed actions. The Department may adopt, modify, or deny the proposed actions at the hearing.

After the hearing, the Department will file the written Record of Final Agency Action. A copy of the Record of Final Agency Action will be made available to persons sponsoring the projects at issue and to any person submitting a timely written request. Such written requests must be submitted at the hearing or must be filed with the Department's Bureau of Water Facilities Funding, 2600 Blair Stone Road, Mail Station #3505, Tallahassee, Florida 32399-2400, no later than 5:00 p.m. on the first working day after the public hearing.

A copy of the draft priority lists may be obtained by contacting Gary Powell at the same address, phone (850)245-8358 or Suncom 205-8358, e mail: gary.powell@dep.state.fl.us.

A copy of the agenda may be obtained by contacting Gary Powell at the same contact information as shown above.

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 days before the workshop/meeting by contacting Gary Powell at the same contact information as shown above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

The **Board of Acupuncture** announces a meeting to which all interested persons are invited to attend.

DATE AND TIME: Friday, March 14, 2008, 9:00 a.m. or soon thereafter

PLACE: Marriott Tampa Airport, Tampa International Airport, Tampa, FL 33607, (813)879-5151

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

A copy of the agenda may be obtained by writing: Board of Acupuncture, 4052 Bald Cypress Way, Bin C-06, Tallahassee, Florida 32399-3256.

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

Any person requiring special accommodations at this meeting due to disability or physical impairment should contact the Board of Acupuncture, (850)245-4161, at least five (5) calendar days prior to the meeting. If you are hearing or speech

impaired, please contact the Board office using the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Board of Clinical Laboratory Personnel** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, March 7, 2008, 9:00 a.m.

PLACE: Meet Me Number 1(888)808-6959, Conference Code 9849329103, then #. Department of Health, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257 or accessing www.doh.state.fl.us/mqa/clinlab/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 48 hours before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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.

The **Board of Dentistry** announces a public meeting to which all persons are invited.

DATES AND TIMES: March 6, 2008, 6:00 p.m.; March 7, 2008, 8:00 a.m.

PLACE: Marriott Tampa Airport, Tampa International Airport, Tampa, FL 33607, (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general board business.

A copy of the agenda may be obtained by contacting Sarah Walls at (850)245-4474, at least five calendar days prior to the meeting.

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

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Sarah Walls, (850)245-4474, at least five calendar days prior to

the meeting. Persons who are hearing or speech impaired, can contact Ms. Walls using the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771(TDD).

The **Board of Hearing Aid Specialists** announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 13, 2008, 2:00 p.m.

PLACE: (850)245-4474 to inquire about call-in number

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause in which Reconsiderations will be held.

A copy of the agenda may be obtained by contacting: Sue Foster, Executive Director, Department of Health, Board of Hearing Aid Specialists, 4052 Bald Cypress Way, BIN #C08, Tallahassee, FL 32399-3258.

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

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster, (850)245-4474, at least one week prior to meeting date.

NOTICE OF CANCELLATION – The **Board of Hearing Aid Specialists** announces a public meeting to which all persons are invited.

DATES AND TIMES: March 13, 2008, 3:00 p.m. (Reconsiderations); March 14, 2008, 9:00 a.m. (General Business)

PLACE: Omni Jacksonville Hotel, 245 Water Street, Jacksonville, FL 32202, (904)355-6664

GENERAL SUBJECT MATTER TO BE CONSIDERED: PCP with Reconsiderations and General Business Meeting.

A copy of the agenda may be obtained by contacting: Sue Foster, Executive Director, Department of Health, Board of Hearing Aid Specialists, 4052 Bald Cypress Way, BIN #C08, Tallahassee, FL 32399-3258.

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

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster, (850)245-4474, at least one week prior to meeting date.

The **Board of Hearing Aid Specialists** announces a public meeting to which all persons are invited.

DATE AND TIME: March 14, 2008, 9:00 a.m.

PLACE: (850)245-4474 to inquire about call-in number

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Sue Foster, Executive Director, Department of Health, Board of Hearing Aid Specialists, 4052 Bald Cypress Way, BIN #C08, Tallahassee, FL 32399-3258.

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

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster, (850)245-4474, at least one week prior to meeting date.

The **Department of Health, Board of Physical Therapy** announces a workshop to which all persons are invited.

DATES AND TIMES: March 6, 2008, 4:00 p.m. or soon thereafter; General Business Meeting, March 7, 2008, 8:00 a.m. or thereafter

PLACE: Renaissance Orlando Hotel, 5445 Forbes Place, Orlando, FL 32812, (407)240-1000

GENERAL SUBJECT MATTER TO BE CONSIDERED: Rule 64B17-3.001, F.A.C., Licensure as a Physical Therapist by Examination and General Business.

A copy of the agenda may be obtained by contacting: Board of Physical Therapy Practice, 4052 Bald Bypass Way BIN C05, Tallahassee, FL 32399-3255 or by calling the board office at (850)245-4373, ext. 3473.

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 48 hours before the workshop/meeting by contacting: the Department of health, Board of Physical Therapy Practice, 4052 Bald Cypress Way, BIN C05, Tallahassee, FL 32399-3255 or by calling the board office at (850)245-4373, ext 3467. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The Florida **Department of Children and Family Services** announces a public meeting to which all persons are invited.

DATE AND TIME: February 15, 2008, 10:00 a.m.

PLACE: Workforce Development Board Offices

GENERAL SUBJECT MATTER TO BE CONSIDERED: A public meeting to plan and provide direction on the Circuit 19 Prevention and Permanency Planning Team under the direction of the statewide advisory council and the Office of the Governor.

A copy of the agenda may be obtained by contacting: Department of Children and Family Services, 337 N. U.S. Highway # 1, Ft. Pierce, FL 34950 (Attn: Melissa McInturff).

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 2 days before the workshop/meeting by contacting Melissa McInturff at (772)429-2109. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Florida Department of Children and Family Services, Circuit 19, Melissa McInturff (772)429-2109.

The **Local Planning Team** announces a public meeting to which all persons are invited.

DATES AND TIMES: February 21, 2008; March 13, 2008; April 10, 2008; April 24, 2008; May 8, 2008; The Adoption Workgroup, 9:00 a.m., Prevention Workgroup meeting, 10:30 a.m.

PLACE: Government Services Center, 1769 East Moody Blvd., 3rd Floor, Bunnell, Florida. All meetings will be held in Room A except the April 24th meeting which will be held in the Superintendent's Conference Room.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Workgroups will meet to discuss and prepare the five year plan.

A copy of the agenda may be obtained by contacting: Betsy Lewis at (386)947-4048.

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 24 hours before the workshop/meeting by contacting Betsy Lewis at (386)947-4048. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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.

The **Osceola County Alliance** announces a public meeting to which all persons are invited.

DATE AND TIME: March 18, 2008, 11:30 a.m.

PLACE: County Administration Building, 1 Courthouse Square, Kissimmee, FL 34741

GENERAL SUBJECT MATTER TO BE CONSIDERED: Bi monthly meeting of the Osceola County Alliance. Alliance business and community initiative updates.

A copy of the agenda may be obtained by contacting Bobby Shea at (407)846-5103.

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 10 days before the workshop/meeting by contacting Bobby Shea at (407)846-5103. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Local Planning Team** announces a public meeting to which all persons are invited.

DATE AND TIME: March 10, 2008, 12:00 Noon

PLACE: 1010 Executive Center Dr., Suite 250, Orlando, FL 32803

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion regarding updating the current 5 year Child Abuse Prevention Plan.

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 10 days before the workshop/meeting by contacting Tia Llewellyn, Program Director Devereux at (407)367-1503, ext. 1561. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Tia Llewellyn at (407)367-1503, ext. 1561.

The **Department of Children and Family Services** announces a hearing to which all persons are invited.

DATE AND TIME: February 29, 2008, 1:30 p.m.

PLACE: 1317 Winewood Blvd., Building 6, Second Floor, Conference Room A, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Revisions to Rules 65E-5.100 and 65E-5.180, F.A.C., regarding the use of seclusion and restraint in civil facilities.

A copy of the agenda may be obtained by contacting: Wendy Scott at (850)413-7282 or email: Wendy_Scott@dcf.state.fl.us. 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 3 days before the workshop/meeting by contacting: Wendy Scott at (850)413-7282 or email: Wendy_Scott@dcf.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Wendy Scott, (850)413-7282 or email at Wendy_Scott@dcf.stte.fl.us.

DEPARTMENT OF FINANCIAL SERVICES

The Florida **Board of Funeral, Cemetery and Consumer Services** announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 5, 2008, 9:00 a.m. – 11:00 a.m.

PLACE: Department of Financial Services, Alexander Building, Suite 2100, 2020 Capital Circle, S. E., Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Board business.

A copy of the agenda may be obtained by contacting: Department of Financial Services, Division of Funeral, Cemetery and Consumer Services, Attn: LaTonya Bryant, 200 East Gaines Street, Tallahassee FL 32399-0361, or by calling Ms Bryant at (850)413-3039.

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 48 hours before the workshop/meeting by contacting LaTonya Bryant. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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.

FINANCIAL SERVICES COMMISSION

The **Office of Insurance Regulation** announces a hearing to which all persons are invited.

DATE AND TIME: March 6, 2008, 1:30 p.m.

PLACE: City Commission Chamber, City Hall, 228 South Massachusetts Avenue, Lakeland, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: American Federation Insurance Company, Foremost Property and Casualty Insurance Company, Foremost Insurance Company, and Foremost Signature Insurance Company have

requested rate increases for their mobile homeowners' programs. The companies have requested average statewide rate increases of 72.9%, 14.4%, 22.9%, and 31.5%, respectively. The proposed rate increases would be effective March 1, 2008, for new and renewal business. The requested rate increases are not uniform and some areas are subject to higher rate increases.

Florida law allows the Office of Insurance Regulation to hold a public hearing for any purpose within the scope of the Insurance Code deemed to be necessary. Input from the insurers as well as interested parties will be received at this public hearing. If you are unable to attend this public hearing, please forward your comments to the Office of Insurance Regulation at ratehearings@fldfs.com; the subject line of your e-mail should read "Foremost."

A copy of the agenda may be obtained by contacting: Rhoda K. Johnson, Esquire at (850)413-4252 or Denielle Petty at (850)413-5312.

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 48 hours before the workshop/meeting by contacting: Denielle Petty at (850)413-5312 or e-mail her at denielle.petty@fldfs.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Denielle Petty at (850)413-5312 or e-mail her at denielle.petty@fldfs.com.

The **Financial Services Commission** announces a public hearing to which all persons are invited.

DATE AND TIME: March 11, 2008, 9:00 a.m., during a regular meeting of the Financial Services Commission

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the Final Public Hearing on the adoption of proposed amendments to Rule 690-143.041-.042, Florida Administrative Code, published on October 12, 2007 in Vol. 33, No. 41, of the F.A.W. A notice of change was published on January 25, 2008 in Vol. 34, No. 4.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the contact person at least 5 calendar days before the program by contacting Steve Szyplula at e-mail steve.szyplula@fldfs.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE FULL TEXT OF THE PROPOSED RULE IS:

690-143.041 Definitions.

For the purpose of this chapter, the following definitions shall apply (for any terms defined in Section 628.511(2), F.S., these definitions are supplementary):

(1) "Agent" shall mean a national bank, state bank, ~~or~~ trust company or broker/dealer which maintains an account in its name in a clearing corporation or which is a member of the Federal Reserve System and through which a custodian participates in a clearing corporation, including the Treasury/Reserve Automated Debt Entry Securities System (TRADES) or Treasury Direct System ~~the Federal Reserve book entry system~~, except that with respect to securities issued by institutions organized or existing under the laws of any foreign country or securities used to meet the deposit requirements pursuant to the laws of a foreign country as a condition of doing business therein, "agent" may include a corporation which is organized or existing under the laws of any foreign country and which is legally qualified under such laws to accept custody of securities.

(2) "Custodian" shall mean:

(a) ~~A~~ national bank, state bank, ~~or~~ trust company which shall has at all times during which it acts as a custodian pursuant to this chapter be no less than adequately capitalized as determined by the standards adopted by United States banking regulators and that aggregate capital, surplus and undivided profits of not less than \$500,000 and which is regulated by either state banking laws or is a member of the Federal Reserve System and which is legally qualified to accept custody of securities in accordance with the standards set forth below,

~~(b) except that W~~with respect to securities issued by institutions organized or existing under the laws of any foreign country, or securities used to meet the deposit requirements pursuant to the laws of a foreign country as a condition of doing business therein, "custodian" may include a bank, ~~or~~ trust company incorporated or organized under the laws of a country other than the United States that is regulated as such by that country's government or an agency thereof that at all times during which it acts as a custodian pursuant to this chapter be no less than adequately capitalized as determined by the standards adopted by international banking authorities and that is legally qualified to accept custody of securities; or similar institution which has at all times aggregate capital, surplus and undivided profits of not less than the equivalent of \$500,000 and which is legally qualified to accept custody of securities.

(c) ~~A~~ broker/dealer that is registered with and subject to jurisdiction of the Securities and Exchange Commission, maintains membership in the Securities Investor Protection Corporation, and has a tangible net worth equal to or greater than two hundred fifty million dollars (\$250,000,000).

(3) “Custodied securities” means securities held by the custodian or its agent or in a clearing corporation, including the Treasury/Reserve Automated Debt Entry Securities System (TRADES) or Treasury Direct systems.

(4) “Tangible net worth” means shareholders equity, less intangible assets, as reported in the broker/dealer’s most recent Annual or Transition Report (S.E.C. Form 10-K) filed with the Securities and Exchange Commission.

(5) “Treasury/Reserve Automated Debt Entry Securities Systems (TRADES)” and “Treasury Direct” mean the book entry securities systems established pursuant to 31 U.S.C. chapter 31, 12 U.S.C. s. 391 and 5 U.S.C. s. 301.

Specific Authority 624.308(1), 628.511(1), 628.511(4), 628.535 FS. Law Implemented 624.307(1), 628.511 FS. History—New 2-7-85, Formerly 4-66.01, 4-66.001, 4-143.041, Amended _____.

690-143.042 Custody Agreement; Requirements.

(1) A domestic insurance company may, by written agreement with a custodian, provide for the custody of its securities with ~~that a custodian,~~ The securities that are the subject of the agreement which securities may be held by the custodian or its agent or in a clearing corporation, ~~or in the Federal Reserve book entry system. Securities so held, whether held by the custodian or its agent or in a clearing corporation or in the Federal Reserve book entry system, are referred to herein as “custodied securities.” However, securities which are used to meet the deposit requirements of Section 624.411, F.S., shall only be placed in the custody of a Florida institution which has been approved by the Office of Insurance Regulation for the purpose and under custodial arrangements likewise approved by it.~~

(2) Any such agreement shall be in writing and shall be authorized by a resolution of the Board of Directors of the insurance company or of an authorized committee thereof. The terms of the agreement shall comply with the following:

(a) ~~Certificated~~ Securities’ certificates held by the custodian shall be held ~~either~~ separate from the securities certificates of the custodian and of all of its other customers ~~or in a fungible bulk of securities as part of a Filing of Securities by Issue (FOSBI) arrangement.~~

(b) Securities held indirectly in a fungible bulk by the custodian and securities in a clearing corporation ~~or in the Federal Reserve book entry system~~ shall be separately identified on the custodian’s official records as being owned by the insurance company. Said records shall identify which ~~custodied~~ securities are held by the custodian or by its agent and which securities are in a clearing corporation ~~or in the Federal Reserve book entry system~~. If the securities are in a clearing corporation ~~or in the Federal Reserve book entry system~~, said records shall also identify where the securities are and if in a clearing corporation, the name of the clearing corporation and if through an agent, the name of the agent.

(c) All custodied securities that are registered shall be registered in the name of the company or in the name of a nominee of the company or in the name of the custodian or its nominee or, if in a clearing corporation, in the name of the clearing corporation or its nominee.

(d) Custodied securities shall be held subject to the instructions of the insurance company and shall be withdrawable upon the demand of the insurance company, except that custodied securities used to meet the deposit requirements set forth in Section 624.411, F.S., shall, to the extent required by that section, be under the control of the ~~Office Director~~ and shall not be withdrawn by the insurance company without the approval of the Office Director.

~~(e) The custodian shall arrange for execution of transactions in custodied securities in accordance with the insurance company’s instructions and shall not exercise discretionary authority to effect transactions in custodied securities except in such limited or special circumstances as the insurance company may authorize.~~

~~(e)(A)~~ The custodian shall be required to send or cause to be sent to the insurance company a confirmation of all transfers of custodied securities to or from the account of the insurance company. In addition, the custodian shall be required to furnish no less than monthly the insurance company with reports of holdings of custodied securities at such times and containing such information as may be reasonably requested by the insurance company. The custodian’s trust committee’s annual report of its review of the insurer’s trust accounts shall also be provided to the insurance company. Reports and verifications may be transmitted in electronic or paper form.

~~(f)(e)~~ During the course of the custodian’s regular business hours, any officer or employee of the insurance company, any independent accountant selected by the insurance company and any representative of an appropriate regulatory body shall be entitled to examine, on the premises of the custodian, the custodian’s records relating to custodied securities, but only upon furnishing the custodian with written instructions to that effect from an appropriate officer of the insurance company.

~~(g)(h)~~ The custodian and its agents shall be required to send to the insurance company all reports which they receive from a clearing corporation ~~or the Federal Reserve book entry system~~ on their respective systems of internal accounting control and reports prepared by outside auditors on the custodians or its agent’s internal accounting control of custodied securities that the insurance company may reasonably request.

~~(h)(A)~~ The custodian shall maintain records sufficient to determine and verify information relating to custodied securities that may be reported in the insurance company’s Annual Statement and supporting Schedules and information required in any audit of the financial statements of the insurance company.

(i)(j) The custodian shall provide, upon written request from the ~~Office Insurance Director~~ or from an appropriate officer of the insurance company, the appropriate affidavits, on Forms OIR-~~A1D0~~-341 (A), (B), or (C) rev. 12-07, or substantially similar forms with respect to custodied securities. Forms OIR-~~A1D0~~-341 (A), (B) and (C) (rev. 12-07), entitled "Custodian Affidavit," are hereby incorporated by reference. These forms may be obtained from the Office of Insurance Regulation, Larson Building, Tallahassee, Florida.

(j) A national bank, state bank or trust company shall secure and maintain insurance protection in an adequate amount covering the bank's or trust company's duties and activities as custodian for the insurer's assets, and shall state in the custody agreement that protection is in compliance with the requirements of the custodian's banking regulator. A broker/dealer shall secure and maintain insurance protection for each insurance company's custodied securities in excess of that provided by the Securities Investor Protection Corporation in an amount equal to or greater than the market value of each respective insurance company's custodied securities.

(k) The custodian shall be obligated to indemnify the insurance company for any loss of custodied securities occasioned by the negligence or dishonesty of the custodian's officers or employees, or burglary, robbery, holdup, theft or mysterious disappearance, including loss by damage or destruction.

(l) In the event that there is a loss of custodied securities for which the custodian shall be obligated to indemnify the insurance company as provided in paragraph (k) above, the custodian shall promptly replace the securities or the value thereof and the value of any loss of rights or privileges resulting from said loss of securities.

(m) The agreement may provide that the custodian will not be liable for any failure to take any action required to be taken under the agreement in the event and to the extent that the taking of such action is prevented or delayed by war (whether declared or not and including existing wars), revolution, insurrection, riot, civil commotion, act of God, accident, fire, explosion, stoppage of labor, strikes or other differences with employees, laws, regulations, orders or other acts of any governmental authority, or any other cause whatever beyond its reasonable control.

(n) In the event that the custodian gains entry in a clearing corporation ~~or in the Federal Reserve book entry system~~ through an agent, there shall be an agreement between the custodian and the agent under which the agent shall be subject to the same liability for loss of custodied securities as the custodian, provided, however, that, if the agent shall be subject to regulation under the laws of a jurisdiction which is different from the jurisdiction the laws of which regulate the custodian, the Director may accept a standard of liability applicable to the agent which is different from the standard of liability applicable to the custodian.

(o) The custodian shall provide written notification to the Office if the custodial agreement with the insurer has been terminated or if 100% of the account assets in any one custody account have been withdrawn. This notification shall be remitted to the Office within three (3) business days of the receipt by the custodian of the insurer's written notice of termination or within three (3) business days of the withdrawal of 100% of the account assets agreement must be terminable by the insurance company on not more than thirty (30) days' notice.

(3)(a) Nothing in this rule shall prevent an insurance company from depositing securities with another insurance company with which the depositing insurance company is affiliated, provided that the securities are deposited pursuant to a written agreement authorized by the board of directors of the depositing insurance company or an authorized committee thereof and that the receiving insurance company is organized under the laws of one of the states of the United States of America or of the District of Columbia. If the respective states of domicile of the depositing and receiving insurance companies are not the same, the depositing insurance company shall have given notice of the deposit to the insurance commissioner in the state of its domicile and the insurance commissioner shall not have objected to it within thirty (3) days of the receipt of the notice.

(b) The terms of any such agreement shall comply with the following:

1. The insurance company receiving the deposit shall maintain records adequate to identify and verify the securities belonging to the depositing insurance company.

2. The receiving insurance company shall allow representatives of an appropriate regulatory body to examine records relating to securities held subject to the agreement.

3. The depositing insurance company may authorize the receiving insurance company:

a. To hold the securities of the depositing insurance company in bulk, in certificates issued in the name of the receiving insurance company or its nominee, and to commingle them with securities owned by other affiliates of the receiving insurance company, and

b. To provide for the securities to be held by a custodian, including the custodian of securities of the receiving insurance company or in a clearing corporation.

Specific Authority 624.308(1), 628.511(1) and (4), 628.535 FS. Law Implemented 624.307(1), 625.55, 628.511 FS. History—New _____.

A copy of the agenda may be obtained by contacting the Governor and Cabinet Website at <http://www.myflorida.com/myflorida/cabinet/mart.html>. The agenda should be available approximately one week before the cabinet meeting.

NOTICE OF CANCELLATION – The **Florida Surplus Lines Service Office**, Audit Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: February 12, 2008, 2:00 p.m.

PLACE: 1441 Maclay Commerce Drive, Suite 200, Tallahassee, FL 32312

GENERAL SUBJECT MATTER TO BE CONSIDERED: THIS MEETING HAS BEEN CANCELLED.

A copy of the agenda may be obtained by contacting: Georgie Barrett at gbarrett@fslso.com or by sending a faxed request to (850)513-9624.

The **Florida Surplus Lines Service Office**, Audit Committee announces a public meeting to which all persons are invited.

DATE AND TIME: April 14, 2008, 11:00 a.m.

PLACE: 1441 Maclay Commerce Drive, Suite 200, Tallahassee, FL 32312

GENERAL SUBJECT MATTER TO BE CONSIDERED: 2007 Financial Audit.

A copy of the agenda may be obtained by contacting: Georgie Barrett at gbarrett@fslso.com or by sending a faxed request to (850)513-9624.

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 7 days before the workshop/meeting by contacting Georgie Barrett at (850)224-7676, ext. 101. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Florida Surplus Lines Service Office** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, April 14, 2008, 1:00 p.m.

PLACE: 1441 Maclay Commerce Drive, Ste. 200, Tallahassee, FL 32312

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Matters.

A copy of the agenda may be obtained by contacting Georgie Barrett at gbarrett@fslso.com.

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 days before the workshop/meeting by contacting Georgie Barrett at (850)224-7676, ext 101. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FLORIDA ASSOCIATION OF COMMUNITY COLLEGES

The **Florida Council of Community College Presidents** announces a public meeting to which all persons are invited.

DATE AND TIME: February 11, 2008, 11:00 a.m

PLACE: TCC Capitol Center, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: President Weatherell's Proposal.

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 days before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Michael Comins, CEO, Florida Association of Community Colleges, 113 East College Ave., Tallahassee, FL 32301.

The **Florida Council of Community College Presidents** announces a public meeting to which all persons are invited.

DATE AND TIME: February 13, 2008, 2:00 p.m.

PLACE: Conference Call. For call in information, please contact Tina Ingrammat (850)222-3222

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conference Call with Senator Lynn.

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 days before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Michael Comins, CEO, Florida Association of Community Colleges, 113 East College Ave., Tallahassee, FL 32301.

The **Florida Council of Community College Presidents** announces a public meeting to which all persons are invited.

DATE AND TIME: February 28, 2008, 8:00 a.m.

PLACE: TCC Capitol Center

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues pertaining to Florida's public community colleges.

A copy of the agenda may be obtained by contacting Tina Ingrammat at (850)222-3222.

For more information, you may contact: Michael Comins, CEO, Florida Association of Community Colleges, 113 East College Ave., Tallahassee, FL 32301.

H. LEE MOFFITT CANCER CENTER AND RESEARCH INSTITUTE, INC.

The **H. Lee Moffitt Cancer Center and Research Institute, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, February 26, 2008, 1:30 p.m.
PLACE: Stabile Trustees Board Room, 12902 Magnolia Drive, Tampa, FL
GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the general business of the Board of Directors.
A copy of the agenda may be obtained by contacting: Lori Payne, Administration, Moffitt Cancer Center, 12902 Magnolia Drive, SRB-ADM, Tampa, FL 33612.

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 4 days before the workshop/meeting by contacting Lori Payne. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

TECHNOLOGICAL RESEARCH AND DEVELOPMENT AUTHORITY

The **Technological Research and Development Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, February 26, 2008, 2:00 p.m.
PLACE: TRDA Business Innovation Center, 1050 West NASA Boulevard, Melbourne, FL 32901
GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Audit Committee for annual audit review.
A copy of the agenda may be obtained by contacting: Dave Kershaw, TRDA Deputy Director at (321)872-1050, ext. 102 or email: dkershaw@trda.org.

For more information, you may contact: Dave Kershaw at (321)872-1050, ext. 102 or email: dkershaw@trda.org.

The **Technological Research and Development Authority** announces a workshop to which all persons are invited.

DATE AND TIME: February 28, 2008, 2:00 p.m.
PLACE: TRDA Business Innovation Center, 1050 West NASA Boulevard, Melbourne, FL 32901
GENERAL SUBJECT MATTER TO BE CONSIDERED: WORKSHOP/Planning Session of the TRDA Board of Directors.
A copy of the agenda may be obtained by contacting: Dave Kershaw at dkershaw@trda.org or (321)872-1050, ext. 102.

TAMPA BAY ESTUARY PROGRAM

The **Tampa Bay Estuary Program** announces a public meeting to which all persons are invited.

DATE AND TIME: February 29, 2008, 9:00 a.m. – 4:30 p.m.
PLACE: Tampa Bay Regional Planning Council, 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Tampa Bay Estuary Program (TBEP) announces scheduling of a Management Board Meeting to which all persons are invited.
DATE AND TIME: Friday, February 29, 2008, 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 conceptual approval of the FY 2008/2009 Annual Workplan and Budget and a Joint Participation Agreement with the Tampa Port Authority.

Policy Board Meeting

DATE AND TIME: Friday, February 29, 2008, 2:00 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 conceptual approval of the FY 2008/2009 Annual Workplan and Budget and a Joint Participation Agreement with the Tampa Port Authority.

A copy of the agenda may be obtained by contacting: ron@tbep.org.

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 7 days before the workshop/meeting by contacting: ron@tbep.org If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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.

ABLE TRUST

The **Able Trust** announces a public meeting to which all persons are invited.

DATE AND TIME: February 29, 2008, 12:00 Noon – 4:30 p.m.

PLACE: Chesterfield Hotel, 363 Cocoanut Row, Palm Beach, FL 33480

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Able Trust (Florida Endowment Foundation for Vocational Rehabilitation).
Board Meeting

DATE AND TIME: February 29, 2008, 11:30 a.m. – 3:00 p.m.

PLACE: The Chesterfield Hotel, 383 Cocoanut Row, Palm Beach, Florida 33480, (561)659-5800

GENERAL SUBJECT MATTER TO BE CONSIDERED: The agenda will include review and approval of grants to assist persons with disabilities in securing employment; reviewing committee reports; presentation of financial reports; and other business that may come before the organization.

Please contact The Able Trust at 1(888)838-2253 or (850)224-4493, by February 22, 2008, for a copy of the agenda and if you need additional information or accommodations.

A copy of the agenda may be obtained by contacting: The Able Trust at 1(888)838-2253 or (850)224-4493, by February 22, 2008.

FLORIDA DEVELOPMENTAL DISABILITIES COUNCIL, INC.

The **Florida Developmental Disabilities Council, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, March 6, 2008, 8:30 a.m. – 5:30 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee Meetings.

DATE AND TIME: Friday, March 7, 2008, 8:30 a.m. – 2:30 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Full Council Meetings.

PLACE: Crowne Plaza Hotel, 200 East Gregory Street, Pensacola, Florida 32502

Meeting times are subject to change.

A copy of the agenda may be obtained by contacting: Debra Dowds, 124 Marriott Drive, Suite 203, Tallahassee, Florida 32301-2981, or call toll free 1(800)580-7801, (850)488-4180, or TDD toll free 1(888)488-8633.

To receive special accommodations for participation in the meeting, please contact Shanette Peters at the number listed above. 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 48 hours before the workshop/meeting by contacting Shanette Peters. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Shanette Peters.

CITIZENS PROPERTY INSURANCE CORPORATION

The Audit Committee of **Citizens Property Insurance Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, March 12, 2008, 2:30 p.m. (EDT)

PLACE: Doubletree Hotel, 101 South Adams Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Items of discussion includes, but is not limited to, the Audit Committee Charter.

For additional information, please call Betty Veal at (904)407-0440.

In accordance with the Americans with Disabilities Act, people with disabilities or physical impairments who require assistance to participate in this meeting are requested to contact Betty Veal at least 5 days prior to the meeting.

A copy of the agenda may be obtained by contacting: <http://www.citizensfla.com>.

The **Citizens Property Insurance**, Board of Governors announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, March 13, 2008, 9:00 a.m. (EDT).

PLACE: DoubleTree Hotel, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Items of discussion include, but are not limited to, financial statements and committee reports.

A copy of the agenda may be obtained by contacting: www.citizensfla.com.

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 days before the workshop/meeting by contacting Barbara Walker. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Barbara Walker at 1(800)807-7647, extension 3744.

HINKLEY CENTER FOR SOLID AND HAZARDOUS WASTE MANAGEMENT

The **Hinkley Center for Solid and Hazardous Waste Management Research Selection Committee** announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 12, 2008, 3:00 p.m.

PLACE: Contact (352)392-6264 for more information

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Research Selection Committee will meet to finalize the review of pre-proposals received in response to the RFP released in September 2007, and to determine which researchers will be invited to submit a full proposal.

A copy of the agenda may be obtained by calling (352)392-6264.

ORANGE COUNTY RESEARCH AND DEVELOPMENT AUTHORITY

The **Orange County Research and Development Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: March 13, 2008, 8:00 a.m.
PLACE: Central Florida Research Park, 12424 Research Parkway, Suite 100, Orlando, FL 32826
GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.
A copy of the agenda may be obtained by contacting Joe Wallace at (407)282-3944.

Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN THAT the Florida Public Service Commission has issued an order disposing of the petition for declaratory statement filed by Embarq Florida, Inc. on February 11, 2008. The following is a summary of the agency's disposition of the petition:

The petitioner may require a deposit pursuant to Rule 25-4.094, F.A.C., as a condition to providing carrier-of-last-resort service to the Treviso Bay Development. Docket No. 070649-TL.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Office of Commission Clerk, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6770.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Rick and Christine H. Irizarry, Unit Owners, In RE: Laguna Pointe Condominium Association of Pensacola, Inc., Docket No. 2008007346. The petition seeks the agency's opinion as to the applicability of Chapter 718, F.S. as it applies to the petitioner. Whether Laguna Pointe Condominium Association of Pensacola, Inc. may adopt a rule for responding to informal unit owner inquiries not governed by Section 718.112(2)(a)2., Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division 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.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Rick and Christine H. Irizarry, Unit Owners, In RE: Laguna Pointe Condominium Association of Pensacola, Inc., Docket No. 2008007352. The petition seeks the agency's opinion as to the applicability of Chapter 718, F.S., as it applies to the petitioner. Whether an architect's fees due under a contract with Laguna Pointe Condominium Association of Pensacola, Inc. for services previously rendered continues to be a common expense under Section 718.115, Florida Statutes, payable by special assessment under Section 718.116, Florida Statutes, where the architect has placed individual liens on units under Section 718.121, Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division 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.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Douglas LeFevre, Unit Owner, In RE: Sandpiper Resort Co-op, Inc., Docket No. 2008004050. The petition seeks the agency's opinion as to the applicability of Chapter 719, F.S., as it applies to the petitioner.

Whether Sandpiper Resort Cooperative, Inc. may revoke its prior authorization for an owner to park his boat on the common area by amending its rules and regulations under Section 719.106, Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division 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.

The Board of Employee Leasing Companies hereby gives notice that it has received a Petition for Declaratory Statement filed on behalf of American Pool Service of Orlando, LLC., on February 5, 2008. The Petitioner seeks the Board's opinion as to whether the terms of an agreement to provide personnel to one of its customers amounts to a "temporary help arrangement" within the meaning of Section 468.520(4)(a), Florida Statutes (2007), or a "facilities staffing arrangement" within the meaning of Section 468.520(4)(c), Florida Statutes (2007). The Board will consider this Petition during a telephonic conference call to be held on March 19, 2008. The call-in number for the meeting is 1(888)808-6959, and the Conference Code is 9226020.

Copies of the Petition may be obtained by writing: Mr. Richard Morrison, Executive Director, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT the Board of Dentistry has received the petition for declaratory statement from Lester J. Perling, P.A. on behalf of Larry B. Kawa, D.D.S. The petition seeks the agency's opinion as to the applicability of Section 466.028(1)(x), Florida Statutes, as it applies to the petitioner.

The petition seeks the Board's interpretation of Section 466.028(1)(x), Florida Statutes, and whether use of alternative imaging resources in lieu of plaster models in the diagnosis and treatment of malocclusions does not constitute a departure from "the minimum standards of performance in diagnosis and treatment when measured against generally prevailing peer performance" for an orthodontic practitioner licensed under Chapter 466, Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

Please refer all comments to: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

NOTICE IS HEREBY GIVEN THAT the Board of Dentistry has received the petition for declaratory statement from Steven M. Kiffel, M.D., D.D.S., on February 5, 2008. The petition seeks the agency's opinion as to the applicability of paragraph 64B5-14.003(1)(f), F.A.C., as it applies to the petitioner.

The petition seeks the Board's interpretation of paragraph 64B5-14.003(1)(f), F.A.C., and whether a dentist who is not certified in IV sedation can assist a physician anesthesiologist to provide IV sedation in a dental office; and if he/she can provide portions of the dental treatment with a dentist who is trained in IV sedation present or immediately available at the dental facility.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

Please refer all comments to: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

NOTICE IS HEREBY GIVEN THAT the Board of Dentistry has received the petition for declaratory statement from Steven M. Kiffel, M.D., D.D.S., on February 4, 2008. The petition seeks the agency's opinion as to the applicability of Rules 64B5-14.005, 64B5-14.007, 64B5-14.008, 64B5-14.009 and 64B5-14.010, F.A.C., as it applies to the petitioner.

The petition seeks the Board's interpretation of Rules 64B5-14.005, 64B5-14.007, 64B5-14.008, 64B5-14.009 and 64B5-14.010, F.A.C., and whether establishment of an Outpatient Dental Surgery Center (ODSC) that would offer the equivalent environment provided to the medical community in an Ambulatory Surgery Center (ASC) would violate the credentialing and accreditation requirements.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

Please refer all comments to: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, Division of State Fire Marshal, has declined to rule on the petition for declaratory statement filed by John J. Cunningham, Fire Marshal City of Cape Canaveral, on November 27, 2007. The following is a summary of the agency’s declination of the petition: The Petition was withdrawn by the Petitioner.

Please refer all comments to: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0340.

FINANCIAL SERVICES COMMISSION

NOTICE IS HEREBY GIVEN THAT the Office of Insurance Regulation has received the petition for declaratory statement from the AFP Accumulation Trust. The petition seeks the agency’s opinion as to the applicability of “Florida’s Viatical Settlement Laws” and alternatively Section 626.9911(10), F.S., as it applies to the petitioner.

A Florida resident establishes an Irrevocable Life Insurance Trust. The beneficiary of the trust wishes to sell its interest to an accredited investor in California. Petitioner wishes to know if “Florida’s Viatical Settlement Laws” and alternatively Section 626.9911(10), F.S., apply to the situation.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Bob Prentiss at bob.prentiss@fldfs.com. Please refer all comments to Bob Prentiss at bob.prentiss@fldfs.com.

NOTICE IS HEREBY GIVEN THAT the Office of Insurance Regulation has issued an order disposing of the petition for declaratory statement filed by NMHC Group Solutions Insurance, Inc. on February 8, 2008. The following is a summary of the agency’s disposition of the petition:

The operation NMHC has described in its Petition falls within the purview of Section 626.88(1), Florida Statutes, which provides the definition of an “administrator”. If NHMC seeks to offer the self-insured EGWP product as started in its Petition, NMHC must either maintain its Florida Certificate of Authority as a life and health insurer or obtain a Certificate of Authority as a third party administrator in the State of Florida, in accordance with the Florida Insurance Code.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting Amanda Parnell at amanda.parnell@fldfs.com.

**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 of Bid

The University of Florida, Purchasing and Disbursement Services will receive sealed bids for the following: ITN08SV-211, Annual Contract for Underground Construction. Proposals are due on or before April 1, 2008 at 3:00 p.m., in 101 Elmore Hall, Radio Road, Gainesville, FL. Scope of work: Annual contract for machine and hand trenching, pushing/boring under or saw cutting of asphalt, concrete surfaces (sidewalks, streets, road ways, etc.), machine or hand digging splice/test holes, laying PVC conduit or other pipes for utility services, placing telecommunications cabling and fiber optic cables, termination of telecommunications

cabling and fiber optics, constructing above ground communications cabinets and larger Prefab vaults, placement of Blue light Emergency telephone units and associated concrete foundations, installation of related electrical, piping, sanitary or mechanical work and other work underground services related work. The location of the work to be provided by the Contractor will largely be confined to the University of Florida main campus. The size of each project will vary from directing the Contractor to provide a singular splice pit, a trench a few feet in length to a conduit structure thousands of feet in length with many man / hand holes. All services shall be performed on an as needed basis. Mandatory Pre-Proposal Conference will be held March 12, 2008, 10:00 a.m., in 101 Elmore Hall, Radio Road, Gainesville, FL. Questions should be directed to: Karen Olitsky, Purchasing and Disbursement Services, kolitsk@ufl.edu or (352)392-1331. For more information visit www.purchasing.ufl.edu.

AMERICANS WITH DISABILITY ACT OF 1991 – If special accommodations are needed in order to attend the Pre-Bid Meeting or the Bid opening, contact Purchasing, purchasing@ufl.edu or (352)392-1331, within three (3) days of the event.

NOTICE TO PROFESSIONAL CONSULTANTS

The Florida International University Board of Trustees announces that Professional Services in the discipline of Architecture will be required for the project listed below:

Project Name and Number:

Science/Graduate Classroom Complex, BT-876 & 877

Project Location:

University Park Campus, Miami, Florida

Project Description:

The Science/Graduate Classroom Complex will provide specialized classrooms for teaching science, a large lecture hall, breakout rooms that facilitate large instructional needs, flexible research space, vivarium (currently under consideration), study rooms for graduate student cubicles, offices, media rooms and student gathering spaces that promote collaborative work. The project consists of site development and construction of a multi-story facility sited north of the existing Chemistry-Physics Building #09. It will be a critical part of the Academic Health Sciences Center at the University Park Campus serving as the north gateway to the campus with an approximate total gross square footage of 198,000. Construction costs are estimated at \$52 million. Occupancy for this project is expected for Fall 2011.

The selected firm will provide programming, design development, construction documents, and construction administration. Blanket Professional liability insurance will be required and will be provided as a part of Basic Services.

Project development including professional services is contingent upon availability of funds.

INSTRUCTIONS:

Firms and Joint Ventures desiring to apply for consideration shall submit a letter of application.

The letter of application should have attached:

1. A completed (former Board of Regents) "Professional Qualifications Supplement (SUSPQS)," dated September 1999. Applications on any other form will not be considered. The MBE point scale in the PQS is no longer used. Disregard paragraph 4 on page 2 of the instructions.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be properly chartered by the Florida Department of State to operate in Florida.

Submit seven (7) copies of the above requested data bound in the order listed above. Applications that do not comply with the above instructions will not be considered. State of Florida Minority Business Enterprise certification is no longer requested. Application material will not be returned.

The plans and specifications for A/E 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 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 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.

Professional Qualifications Supplement forms and the Project Fact Sheet may be obtained from the web-site <http://facilities.fiu.edu> (Applicant firms may find project under Selection Process information). Requests for meetings by individual firms will not be granted. Once the firm acquires the required forms, questions may be directed to Facilities Planning at (305)348-4090.

Submit qualifications to: Selection Committee, Facilities Planning, Florida International University, Campus Support Complex, Room #236, University Park, Miami, Florida 33199, by 2:00 p.m. (Local Time), on Monday, March 24, 2008. Late submittals shall be disqualified. Facsimile (FAX) 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 without obligation to the respondent. If additional funding is realized, the University has the option to incorporate additional scope/funding under this contract.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF CORRECTIONS

ADVERTISEMENT FOR BIDS

PROPOSALS ARE REQUESTED FROM GENERAL CONTRACTORS BY THE STATE OF FLORIDA, DEPARTMENT OF CORRECTIONS, FOR THE CONSTRUCTION OF:

PROJECT NAME: Avon Park Correctional Institution WWTP Improvements

LOCATION: County Road 64 East, Avon Park, Florida 33826-1100

PROJECT NO: EK-03 (WWTM)

FOR: Construction of Wastewater Treatment Plant Improvements, including aeration modifications; the addition of denitrification filters; a new chlorine contact chamber; a new electrical building; alum and methanol feed systems; and associated work to increase the treatment level of the facility.

PERFORMANCE BOND AND LABOR AND MATERIAL PAYMENT BOND: If the construction contract award amount is \$100,000.00 or less, a Performance Bond and a Labor And Material Payment Bond are not required.

PUBLIC ENTITY CRIME INFORMATION STATEMENT: A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, F.S., for Category Two for a period of 36 months from the date of being placed on the convicted vendor list.

PREQUALIFICATION: Each bidder whose field is governed by Chapters 399, 489, and 633 of the Florida Statutes for licensure or certification must submit prequalification data of their eligibility to submit proposals. If not previously qualified by the Department, for the current biennium (July 1 through June 30) of odd numbered years, please call Ms. Sandra Rogers at (850)922-8855 for Prequalification Requirements. You must be prequalified five (5) working days prior to bid opening; otherwise you are ineligible to bid. After the bid opening the low bidder must qualify in accordance with Rule 60D-5.004,

F.A.C. A copy of the rule requirements is included in the Instruction To Bidders under Article B-2 "Bidder Qualification Requirements and Procedures".

Sealed bids will be received, publicly opened and read aloud on:

DATE AND TIME: March 27, 2008, 2:00 p.m. (EST)

Any person with a qualified disability requiring special accommodations at the pre-bid conference, and/or bid/proposal opening, shall contact the person listed below at least (5) working days prior to the event. If you are hearing or speech impaired, please contact this office by using Florida Relay Services by dialing 1(800)955-8771 (TDD).

PLACE: Hartman & Associates, Inc., 4415 Metro Parkway, Suite 320, Fort Myers, FL 33916

PROPOSAL: Bids must be submitted in full in accordance with the requirements of the Drawings, Specifications, Bidding Conditions and Contractual Conditions, which may be examined and obtained from the:

ARCHITECT-ENGINEER: Hartman & Associates, Inc., 4415 Metro Parkway, Suite 320, Fort Myers, FL 33916, (239)277-5155

Drawings and specifications may be purchased for \$225.00 per set from the Architect/Engineer.

PRE-BID CONFERENCE: A Pre-Bid Conference will be held at the Avon Park Correctional Institution Administrative Conference Room on March 11, 2008, 10:00 a.m. The Avon Park Correctional Institution is located 10 miles east of Avon Park on CR 64. CR 64 ends at the entrance to the Institution. Check in with the Officer at the Front Gate, stating you are there for the Pre-Bid Conference. Should you need directions, call Avon Park CI at (863)453-1511.

CONTRACT AWARD: Bid Tabulation and Notice of Award Recommendation will be sent to all bidders by Facsimile (FAX), Return Receipt Required. If no protest is filed per Article B-20 of the Instructions to Bidders, "Bid Protests, Points of Entry", the contract will be awarded by the Secretary, Department of Corrections. Right is reserved to reject any or all bids.

METROPOLITAN PLANNING ORGANIZATIONS

RFQ No. 2008039 – Request for Letters of Interest and Qualifications for Indian River County Community Transportation Coordinator (CTC)

The Indian River County Metropolitan Planning Organization is seeking letters of interest and statements of qualifications from qualified agencies or firms interested in coordinating transportation services for the transportation disadvantaged in Indian River County, Florida. Subsequent to submittal of letters of interest, qualified firms will be asked to submit a formal response to a request for proposals. The selected firm will be the designated Community Transportation Coordinator

for the Transportation Disadvantaged Program, as authorized by Chapter 427, Florida Statutes, and more fully described in Rule 41-2 of the Florida Administrative Code. State statutes mandate the competitive selection of a Community Transportation Coordinator for the Transportation Disadvantaged Program every five years.

The Community Transportation Coordinator is defined by Chapter 427, Florida Statutes, as a transportation entity recommended by the appropriate designated official planning agency to ensure that coordinated transportation services are provided to the transportation disadvantaged population in a designated service area. The Community Transportation Coordinator has full responsibility for the delivery of transportation services for the transportation disadvantaged as outlined in Section 427.015(2), Florida Statutes.

The transportation disadvantaged are defined by Chapter 427, Florida Statutes as “those persons who because of physical or mental disability, income status, or age are unable to transport themselves or purchase transportation and are, therefore, dependent upon others to obtain access to health care, employment, education, shopping, social activities, or other life sustaining activities, or children who are handicapped or high-risk or at-risk as defined in Section 411.202, Florida Statutes.”

Interested firms/agencies are required to have capabilities to coordinate all transportation disadvantaged trips within Indian River County. The interested firm/agency could function as a COORDINATOR only (acts as total brokerage system that does not operate vehicles) or could function as a COORDINATOR/TRANSPORTATION OPERATOR (acts as brokerage and also provides all or part of the needed transportation services by operating vehicles).

Indian River County is a predominantly rural county, consisting of a small permanent resident population of approximately 135,000 persons. Currently, the Indian River County Senior Resource Association (SRA) serves as the Community Transportation Coordinator for the county. The SRA functions as a COORDINATOR/TRANSPORTATION OPERATOR, operating and maintaining its own fleet of vehicles as well as acting as a broker of trips for other transportation service providers. In addition, the SRA coordinates all trips for the Transportation Disadvantaged Program at no cost to system users.

Letters of interest and qualifications should be limited to a maximum of five (5) pages. The following information should be included in letters of interest and qualifications:

- Name, address, phone number, fax number, and e-mail address (if available) of firm or agency.
- Name and address of the contact person.
- Staffing chart of the agency (list current staff, position, education, experience).
- Agency’s past experience as a Community Transportation Coordinator (list locations and contact persons including phone numbers for references).
- Statement of whether the agency either has or will be able to establish a local office in Indian River County.
- Statement of whether and to what extent the agency is familiar with Indian River County.
- Agency’s past experience with providing, brokering, or managing Mass Transit services, Americans with Disabilities Paratransit Services, and eligibility-based ridership transportation services (list locations and contact persons including phone numbers).

Potential providers should submit one (1) original and five (5) copies of their expression of interest and qualifications in a sealed envelope to: Jerry Davis, Manager, Purchasing Department, Indian River County, 1800 27th Street, Vero Beach, FL 32960.

Letters must be marked “RFQ No. 2008039 – LETTER OF INTEREST AND QUALIFICATIONS FOR INDIAN RIVER COUNTY COMMUNITY TRANSPORTATION COORDINATOR.” Letters of interest and qualifications must be received by 2:00 p.m., Monday, March 24, 2008.

Written questions should be addressed to: Phil Matson, MPO Staff Director, 1801 27th Street, Vero Beach, FL 32960.

Faxed and e-mailed responses will not be accepted. Late letters will be returned unopened with the notation, “This letter of interest was received after the delivery time designated for receipt and opening in the legal notice.” Only responses to the request for letters of interest will be considered if a request for proposals is issued for Community Transportation Coordinator. The Indian River County Metropolitan Planning Organization reserves the right to accept or reject any and all responses in the best interest of the County and State Commission for the Transportation Disadvantaged.

All proposers must certify that they are not on the State of Florida Comptroller General’s List of Ineligible Bidders. Proposers must also certify that no principal of the firm is presently suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in the type of work required by this letter of interest by any federal, state, or local department or agency.

The MPO recognizes fair and open competition as a basic tenet of public procurement and encourages participation by minority- and women-owned/managed or Disadvantaged Business Enterprises (DBE). While the MPO does not award advanced standing for such business classifications, the MPO requests that DBEs submit evidence of such classification with their letters of interest.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

NOTICE OF INVITATION TO BID

BID NO. BDC 55-07/08

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Construction is soliciting formal competitive bids for the project listed below:

PROJECT NAME: Bahia Honda State Park – Boat Ramp Construction.

SCOPE OF WORK: The Bureau of Design and Construction is requesting certified General Contractors, licensed in the State of Florida to provide the necessary labor, supervision, equipment and materials required to successfully construct a Boat Ramp in accordance with Monroe County, Florida, local permitting requirements, plans and specifications.

PARK LOCATION: Bahia Honda State Park, 36850 Overseas Hwy., Big Pine Key, FL 33043.

PROJECT MANAGER: Suzannah Ray, Bureau of Design and Construction, Alfred B. Maclay Gardens State Park, 3540 Thomasville Road, Tallahassee, Florida 32309, (850)488-5372, Fax (850)488-1141.

MINORITY BUSINESS REQUIREMENT: The Department of Environmental Protection supports diversity in its Procurement Program and requests that all sub-contracting opportunities afforded by this bid embrace diversity enthusiastically. The award of sub-contracts should reflect the full diversity of the citizens of the State of Florida. The Department will be glad to furnish a list of Minority Owned Firms that could be offered sub-contracting opportunities.

PREQUALIFICATION: When the total bid price including alternates exceeds \$200,000.00, each bidder whose bid is governed by Chapters 399, 489, and 633 of the Florida Statutes, for licensure or certification must submit prequalification data of their eligibility prior to the bid closing date.

INSTRUCTIONS: Any firm desiring plans and bid specifications for this project may obtain a copy by writing the address or calling the telephone number below. Plans and specifications will be available on February 22, 2008 at: Bahia Honda State Park, 36850 Overseas Hwy., Big Pine Key, FL 33043, Attention: Manny Perez, Park Manager, telephone (305)872-2353, Fax (305)292-6957.

ADA REQUIREMENTS: Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact Michael Renard with the Bureau of Design and Construction, (850)488-5372, at least five (5) workdays prior to openings. If you are hearing or speech impaired, please contact the Florida Relay Services by calling 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

BID SUBMITTAL DUE DATE: No later than 3:30 p.m., Tuesday, April 1, 2008, to the below address: Florida Department of Environmental Protection, Bureau of Design

and Construction, 3540 Thomasville Road, Tallahassee, Florida 32309, Attention Michael Renard, Construction Projects Administrator, Bureau of Design and Construction, (850)488-5372. The Department reserves the right to reject any or all bids.

BID POSTING DATE: No later than 2:00 p.m., Friday, April 4, 2008, unless extended by the Department for good cause.

DEPARTMENT OF MILITARY AFFAIRS

Notice of Bid/Request for Proposal

PROPOSALS ARE REQUESTED FROM QUALIFIED LICENSED GENERAL CONTRACTORS BY THE State of Florida, Department of Military Affairs HEREINAFTER REFERRED TO AS OWNER, FOR CONSTRUCTION OF:

PROJECT NUMBER: 207039

FUNDING CODE: SRM 2065 FY08

PROJECT NAME AND LOCATION: Simulation Center, Camp Blanding Joint Training Center, Stake, Florida 32091

POTENTIAL RESPONDENTS TO THE SOLICITATION ARE ENCOURAGED TO CAREFULLY REVIEW ALL THE MATERIALS CONTAINED HEREIN AND PREPARE RESPONSES ACCORDINGLY.

A COMPLETE COPY OF THIS SOLICITATION MUST BE OBTAINED FROM THE MYFLORIDA.COM, MYFLORIDAMARKETPLACE, VENDOR BID SYSTEM.

FOR (PROJECT DESCRIPTION): Construction of a new interior build-out for a Simulation Center within an existing building is required at the Camp Blanding Joint Training Site in Starke, Florida. The build-out will include new assembly room, lobby, reception area, male and female restrooms and a communications room. The build-out will consist of approximately 4800 square feet within an existing 19,663 square foot single story building. The interior build-out will include, but not be limited to, selective demolition, concrete floor slab remediation, reconfiguration of some of the existing structural steel, metal wall panels on waterproofing membrane on sheathing on load bearing metal studs at the exterior walls, cabinetry, steel doors and frames, wood doors, painted gypsum wallboard walls on metal framing, carpeting, resilient flooring and base, ceramic tile floor and wall tile, suspended acoustical ceilings and suspended gypsum wallboard ceilings, interior signage, fire extinguishers, suspended cable trays and toilet accessories. The mechanical system will include package system HVAC units and associated ductwork, trim and equipment, and restroom exhaust fans. The plumbing will include waste and supply piping, toilet fixtures and all associated components for both a single handicapped accessible restroom and multiple fixture male and female restrooms. The electrical work will include reconfiguration of the electrical service to the building, all distribution, panels, devices and lighting. The communications work will include

reconfiguration of the existing system and all associated communications infrastructure and devices. A new wet pipe fire sprinkler system will be required for the entire building.

PREQUALIFICATION: Each bidder whose field is governed by Chapters 399, 455, 489, and 633 of the Florida Statutes, for licensure or certification must submit prequalification data of their eligibility with their bid at or prior to the bid opening. After the bid opening, the low bidder must qualify in accordance with Rule 60D-5.004, F.A.C. A copy of the requirements is included in the Non-Technical Specifications Level IV/V, Instructions To Bidders under Section B-2 "Bidder Qualification Requirements and Procedures". Note: A completed experience questionnaire and financial statement form number DBC 5085 (Exhibit 3) must be submitted with bid.

BID SECURITY: Bids/Proposals in total excess of \$100,000.00, the bidder must provide with bid, a good faith deposit in the amount of 5% of the bid by way of a bid bond from a surety insurer authorized to do business in the STATE OF FLORIDA as surety or a certified check or cashier's check accompanying the bid.

PERFORMANCE BOND AND LABOR AND MATERIAL PAYMENT BOND'S are required from any persons or parties entering into a formal contract with the STATE OF FLORIDA for contracts in total excess of \$100,000.00 for construction, additions, renovations, repairs, or demolition of any public building pursuant to Section 255.05(1)(a), Florida Statutes.

PROCUREMENT RULES AND INFORMATION: Any technical questions from proposers concerning this solicitation shall be submitted in writing, identifying the submitter, to the Architect/Engineer listed by facsimile no later than the date specified in this solicitation. All questions regarding this procurement will be accepted in writing ONLY to Mr. Tom Norman at fax number (904)241-7526. **ABSOLUTELY NO TELEPHONE CALLS WILL BE ACCEPTED.**

INFORMATION WILL NOT BE AVAILABLE BY TELEPHONE. All information received through any oral communication shall not be binding on the Department of Military Affairs and shall not be relied upon by an offerer.

Pursuant to Section 287.057(26), Florida Statutes, Respondents to this solicitation of persons acting on their behalf may not contact, between the release of the solicitation and the end of the 72-hour period following the agency posting the notice of intended award, excluding Saturdays, Sundays, and state holidays, any employee or officer of the executive or legislative branch concerning any aspect of this solicitation, except in writing to the procurement officer or as provided in the solicitation documents. Violation of this provision may be grounds for rejecting a response.

Final date for questions from potential bidders is March 14, 2008, 4:30 p.m. No questions will be accepted after that date.

All questions and answers/changes to the solicitation will be provided in writing and posted on the DMS Vendor Bid System (VBS). It is the prospective contractor's responsibility to check periodically for any information updates to the solicitation which are posted to the VBS. The Department of Military Affairs bears no responsibility for any delays, or resulting impacts, associated with a prospective contractor's failure to obtain information made available through the DMS Vendor Bid System.

MANDATORY PRE-BID MEETING

DATE AND TIME: February 28, 2008, 10:00 a.m. (Local Time)

PLACE: Camp Blanding Post Headquarters, Command Conference Room, Building 2300, Starke, Florida 32091

All interested parties should call Mrs. Bobbie Smith at (904)823-0256, to be placed on the access list by February 27, 2008 before 4:00 p.m. All General Contractors interested in bidding on this project are required to attend this pre-bid meeting.

Sealed bids will be received, publicly opened and read aloud on: **BIDS / RESPONSES TRANSMITTED ELECTRONICALLY WILL NOT BE CONSIDERED. BIDS/RESPONSES RECEIVED AT THE LOCATION DESIGNATED AFTER THE EXACT TIME SPECIFIED FOR RECEIPT WILL NOT BE CONSIDERED.**

DATE AND TIME: March 26, 2008, 2:00 p.m. (Local Time)

PLACE: Camp Blanding Post Headquarters, Command Conference Room, Building 2300, Starke, Florida 32091

MARK ENVELOPES: SEALED BID for Project Number 207039, Sim Center, Camp Blanding Joint Training Center, Starke, Florida 32091, Attn: Michele M. Dobbs, (904)823-0255/0256.

Bids submitted prior to the bid opening via courier or mail, are to be delivered in a SEALED package to: State of Florida, Camp Blanding Joint Training Center, Attn: Major Bob Thomas, Bldg. 2300, 5629 State Road 16 West, Starke, Florida 32091.

BID/PROPOSAL: All responses must be submitted in a sealed package and shall be clearly marked on the outside of package with the above information. Department of Military Affairs is not responsible for the opening of any solicitation package which is not properly marked. It is the respondent's responsibility to assure its response is submitted in the place and time indicated in this solicitation. Also, all responses must be in full in accordance with the requirements of the Drawings, Specifications, Bidding Conditions and Contractual Conditions, and Non-Technical Specifications, which have been prepared by the Engineer as listed, and may be obtained as follows:

ARCHITECT-ENGINEER: Ebert Norman Brady (ENB) Architects – Mr. Tom Norman

TELEPHONE: (904)241-9997

Make all checks or money orders payable to: Ebert Norman Brady Architects. No Credit cards are accepted.

DEPOSIT: \$150.00 per set of Drawings and Specifications is required with a limit of two (2) sets per General Contractor or Prime Bidder and one set per mechanical subcontractor and/or electrical subcontractor. The deposit shall only be returned to those General Contractors, or Prime Bidders, mechanical subcontractors and/or electrical subcontractors, who, after having examined the Drawings and Specifications:

- a. Submit a request for pre-qualification and fail to qualify, or
- b. Submit a bid (in the case of mechanical and/or electrical subcontractor's submission of a bid to a prime bidder), and return the Drawings and Specifications in good condition within fifteen (15) days of the date of receipt of bids.

-OR-

FULL SETS of drawings and specifications may be purchased by payment of the printing and handling cost at the rate of \$150.00 per set.

CONTRACT AWARD: Contract Award will be on Base Bid items only. The official Notice of Award Recommendation will be by electronic posting on the Department's website at http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu.

Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. If no protest is filed, the contract will be awarded to the qualified, responsible and responsive low bidder in accordance with Chapter 60D-5, F.A.C., by the Owner.

The Department reserves the right to accept or reject any or all proposals received and reserves the right to make an award with or without further discussion of the proposals submitted or accept minor informalities or irregularities in the best interest of the State of Florida, which are considered a matter of form and not substance, and the correction or waiver of which is not prejudicial to other proposers. Minor irregularities are defined as those that will not have an adverse effect on the Department's interest and will not affect the price of the proposal by giving a proposer an advantage or benefit not enjoyed by all other proposers. It is understood the proposal will become a part of the Department's official file, without obligation to the Department. Proposals may be rejected if found to be irregular or not in conformance with the requirements and instructions contained herein. A proposal may be found to be irregular or non-responsive by reasons that include, but are not limited to failure to utilize or complete in their entirety prescribed forms, conditional proposals, incomplete proposals, ambiguous proposals, and improper, missing and/or undated signatures.

The Non-Technical Specifications Level IV and V are considered to be applicable to this solicitation and award of contract when made and are made a part hereof.

The State of Florida's performance and obligation to pay under this contract is contingent upon availability of funding and an annual appropriation by the Legislature.

For the purposes of this solicitation, the terms proposer, respondent, offerer and contractor/vendor are used interchangeably and mean a person(s) or firm(s) submitting a response to this solicitation, including joint ventures.

NO VERBAL STATEMENTS MADE BY ANY STATE OF FLORIDA EMPLOYEE OR AGENCY REPRESENTATIVE WILL OPERATE TO SUPERSEDE INFORMATION PUBLISHED IN THIS SOLICITATION ONLY WRITTEN ADDENDUMS ISSUED BY THE DEPARTMENT OF MILITARY AFFAIRS CONSTRUCTION AND FACILITY MANAGEMENT OFFICE OR ITS REPRESENTATIVES WILL OPERATE TO ALTER OR OTHERWISE AMEND THIS SOLICITATION.

BALFOUR BEATTY CONSTRUCTION, LLC

INVITATION TO BID

Lowell Correctional Institution and Annex Addition Phase 1 Balfour Beatty Construction, LLC. is accepting bids for all phases of work (div. 1 through 16) for the above referenced project.

No later than 2:00 p.m., Tuesday, February 26, 2008

SEALED BIDS AND PREQUALIFICATION FORMS ARE TO BE SENT TO:

Balfour Beatty Construction, LLC.
 8529 South Park Circle, Suite 200
 Orlando, FL 32819
 Ph: (407)226-9819

Attn: John Parker – Project Manager

The bids will be opened on Wednesday, February 27, 2008, at 10:00 a.m., at the same location as the Pre-bid Conference.

Interested parties can obtain plans, specifications, bid package and prequalification forms, beginning Friday, January 25, 2008, at the following locations.

NGI
 Tel: (352)622-5039 – Ocala
 Tel: (407)898-3881 – Orlando

Estimated cost of a full set of Bidding Documents is \$480. Partial / half size sets may be requested.

A pre bid conference will be held:

February 12, 2008, 9:00 a.m.
 Ocala-Courtyard by Marriott
 3712 S. W. 38th Ave.
 Ocala, FL. 34474
 Ph: (352)237-8000

Balfour Beatty Construction does not discriminate on the basis of race, color, religion, age, sex, national origin, marital status, handicap or other reason prohibited by law.
 LICENSE CGC 05623.

PETER R. BROWN CONSTRUCTION, INC.

Notice of Request for Proposals

Polk County Health Department – Lake Wales Public Health
 Clinic DOH #70053350
 Polk County
 Lake Wales, FL

Peter R. Brown Construction, Inc. (CGC-061419), the Construction Manager for the Florida Department of Health – Polk County Health Department Lake Wales Public Health Clinic (DOH #70053350) hereby solicits sealed proposals for the referenced project in accordance with the proposal documents to include but not limited to the following:

The construction of a new 15,000 sq. ft. Health Clinic and WIC Services building and associated site work development. The new buildings are one-story masonry structures with structural steel framing, pre-engineered wood trusses and a standing seam metal roof system. The standing seam metal roof system will be a continuous roof system which will encompass both buildings and create a covered courtyard. The courtyard area consists of an open area with decorative planters and a bead board soffit ceiling with recessed lighting fixtures. Exterior glazing will be a combination of fixed aluminum windows and aluminum storefront with laminated tinted glass. Interior doors are a combination of wood doors and interior storefront door systems. Cabinets, standing wood trim and chair rails are included for each of these buildings. Interior partitions will be drywall and the inside face of the exterior masonry walls will be furred-out with drywall partitions. Porcelain tile, ceramic wall tile, carpet, sheet vinyl and VCT are included throughout both buildings. Standard public building toilet accessories, partitions, signs, tack boards, projection screens and miscellaneous accessories will be installed throughout each building. A fire sprinkler system and addressable fire alarm system are included as part of this work. The HVAC system will be a DX split system with additional mini-split systems for additional cooling at the Computer Server Rooms. The electrical system includes standard lighting, power receptacles and related components for a complete system with provisions for a future standby generator. Additionally, the low voltage system including television CCTV system, security/intrusion alarm system and telephone data system is included as part of this work.

A pre-proposal meeting will be held at 10:30 a.m. (Local Time); Thursday, April 10, 2008 at the following location:

Polk County Health Department
 Administration Building
 1290 Golfview Avenue
 Bartow, FL 33830

Deadline for receipt of All Proposal Packages has been set for 2:00 p.m., on April 23, 2008. Only proposals received on or before the time and date listed will be considered. All proposals received after 2:00 p.m., of the day specified above, will be returned unopened.

All interested subcontractors must be pre-qualified or have completed the pre-qualification process within the last year. Subcontractors must submit pre-qualification prior to March 21, 2008, in order to be considered for this project. Please contact the following person to obtain information or documents about the pre-qualification requirements for this project:

Jenny Sanchez, Estimator

Phone: (727)535-6407 – Fax: (727)539-8485

Florida Department of Health and Peter R. Brown Construction, Inc., are committed to provide equal opportunity and strongly encourage all interested M/WBE and SBE firms to submit proposals.

One set of plans and specifications will be supplied to all pre-qualified trade contractors at no cost. Proposal Documents will be available March 31, 2008. Trade contractors are responsible for the cost of shipping. Additional sets may be purchased directly from the copy center. Copy center information will be distributed with the Proposal Packages.

Florida Department of Health and Peter R. Brown Construction, Inc., reserve the right to accept or reject any and all proposals in whole or part and to waive informalities and irregularities.

No verbal instruction or directives will be accepted regarding this project during the proposal period. All instructions or directives must be clarified through written Addenda or Supplements. All questions regarding the work should be directed to the Construction Manager, in writing by April 16, 2008. The Owner and Architect will not accept calls regarding this project.

ELKINS CONSTRUCTORS, INC.

CALL FOR PREQUALIFICATION AND BID
 UNIVERSITY OF NORTH FLORIDA, STUDENT UNION
 JACKSONVILLE, FLORIDA

Elkins Constructors, Inc., Jacksonville, Florida, as Construction Manager, is pre-qualifying suppliers and trade contractors for construction for all work relating to Landscape, Irrigation, Hardscape and Theatre Seating at the University of North Florida. Qualified trade contractors are needed to complete a corresponding bid package.

Interested parties should request a pre-qualification form by mail, e-mail, or by faxing a letter of interest to:

Katie Chesney
 Elkins Constructors, Inc.
 Student Union Jobsite
 1 UNF Dr.
 Jacksonville, FL 32224
 Fax: (904)642-1131
 E-mail: katie@elkinsconstructors.com

Bids for Theatre Seating are due in Elkins' field office by Friday, February 29, 2008, at 2:00 p.m.

Bids for Landscape, Irrigation and Hardscape are due in Elkins' field office by Friday, March 14, 2008, at 2:00 p.m.

There will be a pre-bid meeting for Landscape, Irrigation and Hardscape on Thursday, March 6, 2008, at 10:00 a.m., at the UNF Student Union Jobsite Trailer.

Elkins Constructors Inc., highly encourages participation by all minority subcontractors, suppliers, vendors, and manufacturers.

Section XII Miscellaneous

DEPARTMENT OF EDUCATION

NOTIFICATION OF INTENT TO OPERATE THE SUMMER FOOD SERVICE PROGRAM FOR CHILDREN

In accordance with Title 7 Code of Federal Regulations, Part 225, it is the intent of the Florida Department of Education, Office of Food and Nutrition Management, to continue to administer the Summer Food Service Program for the fiscal year 2008. The primary purpose of the program is to provide food service to children from low-income areas during periods when schools are closed for vacation.

Eligible children are those 18 years of age and under and persons over 18 years of age who are determined by the state educational agency or local public educational agency to be mentally or physically handicapped and who participate in a public or nonprofit private school program established for the mentally or physically handicapped.

The program will be made available throughout Florida by state-approved sponsors. Sponsors for the program may be a public or nonprofit private school, nonprofit private organization, residential or non-residential camp, government organization, or a National Youth Sports Program.

For more information, please contact the Office of Food and Nutrition Management, Summer Food Service Program for Children at 1(800)622-5985.

“In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability.”

To file a complaint of discrimination, write: USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S. W., Washington, D.C. 20250-9410 or call 1(800)795-3272 or 1(202)720-6382 (TTY). “USDA is an equal opportunity provider and employer.”

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE OF INTENT TO FIND PUBLIC SCHOOLS INTERLOCAL AGREEMENT INCONSISTENT WITH SECTIONS 163.31777(2) and (3), FLORIDA STATUTES DCA DOCKET NO. 27-01

The Department gives notice of its intent to find the Public Schools Interlocal Agreement (“Agreement”) entered into by Hernando County, the City of Brooksville and Hernando County School Board, pursuant to Section 163.31777, F.S., to be inconsistent with the minimum requirements of Sections 163.31777(2) and (3), F.S.

The Agreement is available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at Hernando County Planning Department, 20 North Main Street, Room 262, Brooksville, Florida 34601-2828.

Any affected person, as defined in Section 163.31777(3)(b), F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Agreement is inconsistent with the minimum requirements of Sections 163.31777(2) and (3), F.S. The petition must be filed within twenty-one (21) days after publication of this notice in the Florida Administrative Weekly, and must include all of the information and contents described in Uniform Rule 28-106.201, F.A.C. The petition must be filed with the Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and a copy mailed or delivered to Hernando County and Hernando School Board. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action and will be forwarded to the Administration Commission, which may impose sanctions pursuant to Section 163.31777(3)(c), F.S.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and

contents described in Uniform Rule 28-106.205, F.A.C. A petition for leave to intervene shall be filed at the Division of Administrative Hearings, Department of Management Services, 1230 Apalachee Parkway, Tallahassee, Florida 32399-1550. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

If a formal or informal proceeding is commenced as described above, any party to that proceeding may suggest mediation under Section 120.573, F.S. Mediation is not available as of right, and will not occur unless all parties agree to participate in the mediation. Choosing mediation does not affect the right to an administrative hearing.

-s-Mike McDaniel, Chief
Office of Local Planning
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

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, notice is given that MVP Enterprises, Inc., intends to allow the establishment of Affordable Space, Inc., as a dealership for the sale of motorcycles manufactured by Qianjiang Motorcycle Group Corporation (QINJ) at 4129 Old Winter Garden Road, Orlando (Orange County), Florida 32805, on or after February 11, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Affordable Space, Inc. are dealer operator(s): Steven M. Austad, Sr., 4129 Old Winter Garden Road, Orlando, Florida 32805; principal investor(s): Steven M. Austad, Sr., 4129 Old Winter Garden Road, Orlando, Florida 32805.

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: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Amy Davis, MVP Enterprises, Inc., Post Office Box 1779, Russellville, Arkansas 72811.

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 the Relocation of a
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, American Suzuki Motor Corporation ("American Suzuki") gives notice of its intent to permit the reestablishment of a successor dealership at a different location. This relocation does not qualify for any of the exemptions from notice and protest provided in Section 320.642(5), Florida Statutes. The existing dealership is King Motor Company of Fort Lauderdale d/b/a King Suzuki which is currently located at 700-900 East Sunrise Boulevard, Fort Lauderdale, Florida 33304. Subsequent to sale of the dealership, the existing dealership will close and the successor dealership, Alliance Autoplaza, Inc. d/b/a Pompano Suzuki, will be established at 1080 – 1150 South Federal Highway, Pompano Beach, FL 33062.

The dealer operator and principal investor of Alliance Autoplaza, Inc. d/b/a Pompano Suzuki will be Dimitry Agrachov, whose address is 3101 N. W. 36th Street, Miami, Florida 33142.

Alliance Autoplaza, Inc. d/b/a Pompano Suzuki intends to engage in business at its new location on or after February 15, 2008.

The notice indicates an intent to permit the relocation of a dealership 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-makes 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: Ms. Nalini Vinayak, 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 U.S. Mail to: John Walsh, American Suzuki Motor Corporation, 3251 East Imperial Highway, Brea, CA 92821.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the relocation of the dealership location, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that KTM North America, Inc., intends to allow the establishment of Ameri-Recreational Sports, LLC d/b/a ARS Powersports, as a dealership for the sale of KTM motorcycles (KTM) at 4163 U.S. Highway 27, Sebring (Highlands County), Florida 33870, on or after January 31, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Ameri-Recreational Sports, LLC d/b/a ARS Powersports are dealer operator(s): Larry J. Woerner, 4163 U.S. Highway 27, Sebring, Florida 33870; principal investor(s): Larry J. Woerner, 4163 U.S. Highway 27, Sebring, Florida 33870.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Jon-Erik Burleson, 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, notice is given that Spyker of North America, LLC, intends to allow the establishment of C.M.Z. Enterprises, Inc., as a dealership for the sale of Spyker Automobielen B.V. automobiles (SPYK) at 6870 Okeechobee Boulevard, West Palm Beach (Palm Beach County), Florida 33411, on or after March 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of C.M.Z Enterprises, Inc. are dealer operator(s): Craig M. Zinn, 16150 Pines Boulevard, Pembroke Pines, Florida 33027; principal investor(s): Craig M. Zinn, 16150 Pines Boulevard, Pembroke Pines, Florida 33027.

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: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Carsten F. Preisz, Spyker of North America, LLC, 3075 East Thousand Oaks Boulevard, Suite 32, Westlake Village, California 91362.

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, notice is given that MVP Enterprises, Inc., intends to allow the establishment of Cycles Unlimited, Inc., as a dealership for the sale of motorcycles manufactured by Qianjiang Motorcycle Group Corporation (QINJ) at 302 6th Street Northwest, Winter Haven (Polk County), Florida 33881, on or after February 11, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Cycles Unlimited, Inc. are dealer operator(s): Jimel Baz, 302 6th Street Northwest, Winter Haven, Florida 33881 and Shane Baz, 302 6th Street Northwest, Winter Haven, Florida 33881; principal investor(s): Jimel Baz, 302 6th Street Northwest, Winter Haven, Florida 33881 and Shane Baz, 302 6th Street Northwest, Winter Haven, Florida 33881.

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: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Amy Davis, MVP Enterprises, Inc., Post Office Box 1779, Russellville, Arkansas 72811.

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, notice is given that KTM North America, Inc., intends to allow the establishment of Douglas Powersports of Sarasota, Inc., as a dealership for the sale of KTM motorcycles (KTM) at 6051 North Washington Boulevard, Sarasota (Sarasota County), Florida 34243, on or after January 31, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Douglas Powersports of Sarasota, Inc. are dealer operator(s): Gregory Douglas, 6051 North Washington Boulevard, Sarasota, Florida 34243; principal investor(s): Gregory Douglas, 6051 North Washington Boulevard, Sarasota, Florida 34243.

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: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Jon-Eric Burlison, 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, notice is given that MVP Enterprises, Inc., intends to allow the establishment of Grandpa's Cycle Center, Inc., as a dealership for the sale of motorcycles manufactured by Qianjiang Motorcycle Group Corporation (QINJ) at 3596 Fowler Street, Fort Myers (Lee County), Florida 33901, on or after February 11, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Grandpa's Cycle Center, Inc. are dealer operator(s): Marion Stewart, 3596 Fowler Street, Fort Myers, Florida 33901 and Lynda Stewart, 3596 Fowler Street, Fort Myers, Florida 33901; principal investor(s): Marion Stewart, 3596 Fowler Street, Fort Myers, Florida 33901 and Lynda Stewart, 3596 Fowler Street, Fort Myers, Florida 33901.

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: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Amy Davis, MVP Enterprises, Inc., Post Office Box 1779, Russellville, Arkansas 72811.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Mod Cycles Corporation, intends to allow the establishment of Jelsea Scooters, Inc., as a dealership for the sale of motorcycles manufactured by Deceste, S.A. (DECE) at 512 East Osceola Parkway, Kissimmee, (Osceola County), Florida 34744, on or after February 11, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Jelsea Scooters, Inc. are dealer operator(s): Fabio Alzate, 512 East Osceola Parkway, Kissimmee, Florida 34744; principal investor(s): Fabio Alzate, 512 East Osceola Parkway, Kissimmee, Florida 34744.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Javier Opoczynski, General Manager, Mod Cycles Corp., 7547 Northwest 52 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 Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Mod Cycles Corporation, intends to allow the establishment of Jelsea Scooters, Inc., as a dealership for the sale of motorcycles manufactured by Qingqi Group Ningbo Cycles (NING) at 512 East Osceola Parkway, Kissimmee (Osceola County), Florida 34744, on or after February 11, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Jelsea Scooters, Inc. are dealer operator(s): Fabio Alzate, 512 East Osceola Parkway, Kissimmee, Florida 34744; principal investor(s): Fabio Alzate, 512 East Osceola Parkway, Kissimmee, Florida 34744.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Javier Opoczynski, General Manager, Mod Cycles Corp., 7547 Northwest 52 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 Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Mod Cycles Corporation, intends to allow the establishment of Jelsea Scooters, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Taizhou Wangye Power Co. Ltd. (ZHEJ) at 512 East Osceola Parkway, Kissimmee (Osceola County), Florida 34744, on or after February 11, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Jelsea Scooters, Inc. are dealer operator(s): Fabio Alzate, 512 East Osceola Parkway, Kissimmee, Florida 34744; principal investor(s): Fabio Alzate, 512 East Osceola Parkway, Kissimmee, Florida 34744.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Javier Opoczynski, General Manager, Mod Cycles Corp., 7547 Northwest 52 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 Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Mod Cycles Corporation, intends to allow the establishment of Jelsea Scooters, Inc., as a dealership for the sale of motorcycles manufactured by Zongshen Industrial Group (ZONG) at 512 East Osceola Parkway, Kissimmee, (Osceola County), Florida 34744, on or after February 11, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Jelsea Scooters, Inc. are dealer operator(s): Fabio Alzate, 512 East Osceola Parkway, Kissimmee, Florida 34744; principal investor(s): Fabio Alzate, 512 East Osceola Parkway, Kissimmee, Florida 34744.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Javier Opoczynski, General Manager, Mod Cycles Corp., 7547 Northwest 52 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, notice is given that Flyscooters, LLC, intends to allow the establishment of Mopeds and More, Inc., as a dealership for the sale of motorcycles manufactured by Taizhou Zhongneng Motorcycle Co. Ltd. (BAMC) at 6191 South Pine Avenue, Ocala (Marion County), Florida 34480, on or after January 10, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Mopeds and More, Inc. are dealer operator(s): Ronda Castongue, 6191 South Pine Avenue, Ocala, Florida 34480 and Brian Martin, 6191 South Pine Avenue, Ocala, Florida 34480; principal investor(s): Ronda Castongue, 6191 South Pine Avenue, Ocala, Florida 34480 and Brian Martin, 6191 South Pine Avenue, Ocala, Florida 34480.

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: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Daniel Pak, Flyscooters, LLC, 4804 Lawton Avenue, Oakland, California 94609.

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, notice is given that Big Bear American Made Choppers, Inc., intends to allow the establishment of PMA Customs, LLC d/b/a Haus of Trikes & Bikes, as a dealership for the sale of motorcycles manufactured by Big Bear American Made Choppers, Inc. (BGCH) at 4607A Fowler Street, Fort Myers (Lee County), Florida 33907, on or after March 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of PMA Customs, LLC d/b/a Haus of Trikes & Bikes are dealer operator(s): Paul Skrzyniarz, 1740 Southeast 44th Street, Cape Coral, Florida 33904; principal investor(s): Paul Skrzyniarz, 1740 Southeast 44th Street, Cape Coral, Florida 33904, Deborah Skrzyniarz, 1740 Southeast 44th Street, Cape Coral, Florida 33904, Manfred Glanzner, 1434 Argyle Drive, Fort Myers, Florida 33919 and Axel W. Schulz, 926 3rd Street, Fort Myers Beach, Florida 33931.

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: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Dena Valenzuela, Big Bear American Made Choppers, Inc., Post Office Box 1741, Big Bear Lake, California 92315.

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, notice is given that MVP Enterprises, Inc., intends to allow the establishment of Palm City Corporation, Inc. d/b/a Dragon Cycle, as a dealership for the sale of motorcycles manufactured by Qianjiang Motorcycle Group Corporation (QINJ) at 11100 South Cleveland Avenue, Fort Myers (Lee County), Florida 33907, on or after February 11, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Palm City Corporation, Inc. d/b/a Dragon Cycle are dealer operator(s): Jim Wilson, 11100 South Cleveland Avenue, Fort Myers, Florida 33907; principal investor(s): Jim Wilson, 11100 South Cleveland Avenue, Fort Myers, Florida 33907.

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: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Amy Davis, MVP Enterprises, Inc., Post Office Box 1779, Russellville, Arkansas 72811.

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, notice is given that MVP Enterprises, Inc., intends to allow the establishment of Palm City Corporation, Inc. d/b/a Dragon Cycle, as a dealership for the sale of motorcycles manufactured

by Guangzhou Panyu Huanan Motors Group, LLC (GUNG) at 11100 South Cleveland Avenue, Fort Myers (Lee County), Florida 33907, on or after February 11, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Palm City Corporation, Inc. d/b/a Dragon Cycle are dealer operator(s): Jim Wilson, 11100 South Cleveland Avenue, Fort Myers, Florida 33907; principal investor(s): Jim Wilson, 11100 South Cleveland Avenue, Fort Myers, Florida 33907.

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: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Amy Davis, MVP Enterprises, Inc., Post Office Box 1779, Russellville, Arkansas 72811.

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, notice is given that MVP Enterprises, Inc., intends to allow the establishment of Pine Woods Center, Inc., as a dealership for the sale of motorcycles manufactured by Qianjiang Motorcycle Group Corporation (QINJ) at 10312 State Road 52, Hudson (Pasco County), Florida 34669, on or after February 11, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Pine Woods Center, Inc. are dealer operator(s): Andrew Hennosy, 10312 State Road 52, Hudson, Florida 34669 and Connie Hennosy, 10312 State Road 52, Hudson, Florida 34669; principal investor(s): Andrew Hennosy, 10312 State Road 52, Hudson, Florida 34669 and Connie Hennosy, 10312 State Road 52, Hudson, Florida 34669.

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: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Amy Davis, MVP Enterprises, Inc., Post Office Box 1779, Russellville, Arkansas 72811.

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, notice is given that Power Group International, LLC, intends to allow the establishment of Southern Custom Carts, Inc., as a dealership for the sale of Tomberlin golfcars (TOMB) at 1015 West Broward Boulevard, Fort Lauderdale (Broward County), Florida 33312, on or after February 11, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Southern Custom Carts, Inc. are dealer operator(s): John H. Baker, 1015 West Broward Boulevard, Fort Lauderdale, Florida 33312; principal investor(s): John H. Baker, 1015 West Broward Boulevard, Fort Lauderdale, Florida 33312.

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: Nalini Vinayak, Administrator, Dealer License

Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Michelle Nobles, Power Group International, LLC, 3123 Washington Road, Augusta, Georgia 30907.

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, notice is given that Classic Motorworks, Ltd., intends to allow the establishment of Thunder Cycle Design, Inc., as a dealership for the sale of Royal Enfield motorcycles (ENFI) at 550 West Sunrise Boulevard, Fort Lauderdale (Broward County), Florida 33311, on or after March 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Thunder Cycle Design, Inc. are dealer operator(s): Eddie Trotta, 1901 Southeast 19 Street, Fort Lauderdale, Florida 33708; principal investor(s): Eddie Trotta, 1901 Southeast 19 Street, Fort Lauderdale, Florida 33708.

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: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Kevin Mahoney, President, Royal Enfield USA, a Division of Classic Motorworks, 1405 Cannon Circle, Suite 12, Faribault, Minnesota 55021.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that MVP Enterprises, Inc., intends to allow the establishment of Travanna Management, Inc. d/b/a KC Cycle Sports, as a dealership for the sale of motorcycles manufactured by Guangzhou Panyu Huanan Motors Group, LLC (GUNG) at 313 Commerce Center Drive, St. Cloud (Osceola County), Florida 34769, on or after January 25, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Travanna Management, Inc. d/b/a KC Cycle Sports are dealer operator(s): Chad Smith, 313 Commerce Center Drive, St. Cloud, Florida 34769; principal investor(s): Chad Smith, 313 Commerce Center Drive, St. Cloud, Florida 34769.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Amy Davis, MVP Enterprises, Inc., Post Office Box 1779, Russellville, Arkansas 72811.

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, notice is given that Isuzu Commercial Truck of America, Inc., intends to allow the establishment of Parkway Auto Sales and Service, LLC d/b/a Truck Max Isuzu, as a dealership for the sale of Isuzu medium duty trucks at 29120 South Dixie Highway, Homestead (Dade County), Florida 33033, on or after March 10, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Parkway Auto Sales and Service, LLC d/b/a Truck Max Isuzu are dealer operator(s): Robert J. Dollar, 5651 Northwest 38 Terrace, Coconut Creek, Florida 33073; principal investor(s): Robert J. Dollar, 5651 Northwest 38 Terrace, Coconut Creek, Florida 33073.

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: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Russ Sims, Isuzu Commercial Truck of America, Inc., 13340 183rd Street, Cerritos, California 90702-6007.

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**

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE OF LITIGATION

The Agency for Health Care Administration has received the following petitions for administrative hearings as of the close of business on January 18, 2008, concerning certificate of need decisions. No decision has been made as to the sufficiency of these petitions. A brief description of these projects is listed below. Resolution of these requests for hearings by way of a grant or denial of their certificate of need at issue will determine the substantial interest of persons. Those persons whose substantial interest may be determined by these proceedings including settlements, grants, and denials are advised to govern themselves accordingly and may wish to exercise rights including intervention. See Chapter 120, F.S., as well as Section 408.039, F.S. and Rule 59C-1.012, F.A.C. In deference to rights of substantially affected persons, AHCA will not settle or otherwise reach a final resolution of these matters for a period of 30 days from the date of the publication.

CON#	INITIAL DECISION, PROJECT, CTY, APPLICANT, PARTY REQUEST HEARING (PRH)
9990	Denial, establish a long term acute care hospital within Edward White Hospital, Pinellas County, Tampa Bay Long Term Acute Care Hospital, LLC, (PRH) same as applicant
9992	Approval, construct a new hospital to replace and relocate existing hospital, Hillsborough County, Sun City Hospital, Inc. d/b/a South Bay Hospital, (PRH) St. Joseph's Hospital, Inc. d/b/a St. Joseph's Hospital
9992	Approval, construct a new hospital to replace and relocate existing hospital, Hillsborough County, Sun City Hospital, Inc. d/b/a South Bay Hospital, (PRH) Florida Health Sciences Center, Inc. d/b/a Tampa General Hospital
9993	Denial, establish a 90 bed acute care hospital, Hillsborough County, St. Joseph's Hospital, Inc. d/b/a St. Joseph's Hospital, (PRH) same as applicant
9993	Supports Denial, establish a 90 bed acute care hospital, Hillsborough County, St. Joseph's Hospital, Inc. d/b/a St. Joseph's Hospital, (PRH) Florida Health Sciences Center, Inc. d/b/a Tampa General Hospital

9994 Approval, establish a 60 bed acute care hospital, Osceola County, Osceola Regional Hospital, Inc. d/b/a Osceola Regional Medical Center (PRH) Osceola, LLC d/b/a St. Cloud Regional Medical Center

providing comments are available at: <http://approd.dep.state.fl.us/clearinghouse/>. For information, call (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

The Agency for Health Care Administration announces a change to the Consumer Directed Care Plus (CDC+) Program. The Agency has submitted an application to the Centers for Medicare and Medicaid Services requesting that effective February 28, 2008, the CDC+ Program, 1115 Waiver will end. Effective February 29, 2008, a Self Directed State Plan, 1915J Amendment will begin.

For additional information, please contact: Ms. Vennie Smith at (850)415-8599 or by email at smithv@ahca.myflorida.com.

DEPARTMENT OF HEALTH

On February 6, 2008, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with the regard to the license of Christine M. Falowski, L.M.T., license number MA 38731. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

On February 6, 2008, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with the regard to the license of Miriam S. Acosta, L.C.S.W., license number LSW 3323. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

City of Coral Springs

The Florida Department of Environmental Protection has determined that the City of Coral Springs's project involving rehabilitation of 10 existing wells, replacement of 6 old and deteriorated wells, water treatment plant improvements, replacement of old, corroded, leaking galvanized service lines, construction of additional utility interconnects will not adversely affect the environment. The total cost of the project is estimated to be \$ \$12,207,143. The project may qualify for a Drinking Water State Revolving Fund loan composed of federal funds and state funds.

On February 13, 2008, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with the regard to the license of Brandi Nicole Bishop, R.N., license number RN 3404042. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

A full copy of the Florida Categorical Exclusion Notification can be obtained by writing to: Venkata Panchakarla, Department of Environmental Protection, Bureau of Water Facilities Funding, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400 or by calling (850)245-8366.

FLORIDA STATE CLEARINGHOUSE

The state is coordinating reviews of federal activities and federally funded projects as required by Section 403.061(40), F.S. A list of projects, comments deadlines and the address for

On February 11, 2008, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with the regard to the license of Kimberly Lee Woodruff, R.N., license number RN 9230924. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections

456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On February 11, 2008, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with the regard to the license of Paul M. Inkeles, Ph.D., license number PY 5479. This Emergency Suspension Order was predicated upon the Secretary’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF FINANCIAL SERVICES

IN THE MATTER OF:

CASE NO. 94216-07-AG

JUSTIN HOWARD STAIR

Petition for Variance From subparagraph 69B-211.042(10)(a)6.

MR. JUSTIN HOWARD STAIR
 7214 20TH AVENUE WEST
 BRADENTON, FL 34209
 (941)812-4224

COMES NOW Petitioner Justin Howard Stair, by and through his undersigned counsel, and files this Petition for Variance from subparagraph 69B-211.042(10)(a)6., F.A.C., which rule is implementing Section 626.621, et seq., Florida Statutes, as permitted under Section 120.542(2), Florida Statutes. Petitioner argues that a strict application of the Rule would produce an inequitable result without taking into account the alternative means available for safeguarding the public. In support thereof, Petitioner states as follows:

1. On or about June 1, 2007, Petitioner filed a license application with the Florida Department of Financial Services, seeking licensure as a residential customer representative agent.
2. On or about June 14, 2007, Petitioner received a letter from the Florida Department of Financial Services denying his application for lack of documentation of Petitioner’s previous criminal history and requesting a return of documents within sixty (60) calendar days of receipt of the letter.
3. Petitioner provided the requested documents to the Florida Department of Financial Services, along with a cover letter explaining his honorable discharge from the armed services due to a medical circumstances, the circumstances surrounding his arrests on criminal charges, the successful completion of his probationary requirements and the resulting early termination of his probation, the restoration of his civil rights, his current employment in the insurance field, and his desire to work as a residential customer representative agent in the insurance industry.
4. On September 20, 2007, the Florida Department of Financial Services sent Petitioner a Notice of Denial, stating that under the Rule, there would be a waiting period of nineteen (19) years before he could apply for licensure, due to his plea of guilty or no contest to past criminal charges. The Notice of Denial also stated that the Petitioner might be subject to a reduction of the waiting period under the Rule, but that he had to file a Petitioner In Support of Proceeding under Florida Statutes, Rule 28-106.201, F.A.C.
5. On or about October 15, 2007, Petitioner filed an Election of Proceeding Form requesting a telephonic hearing to review his license application before a Hearing Officer.
6. On December 11, 2007, a telephonic hearing was held before the Florida Department of Financial Services at the office of Petitioner’s counsel.
7. On December 26, 2007, Hearing Officer Donald A. Dowdell issued a Recommended Order, in which he recommended denial of the Petitioner’s license based on the mandatory provision of subsection 626.621(8), Florida Statutes, and the waiting period applied under Rule 69B-211.040, et seq, F.A.C. See attached exhibit. Petitioner was given a mitigation of four (4) years, the maximum allowed.
8. Petitioner is requesting a variance from subparagraph 69B-211.040(10)(a)6., F.A.C., because Petitioner feels the waiting period imposed by said rule creates a substantial hardship and is not necessary in this case as there are alternative means of accomplishing the goals of the licensing rules and regulations. Petitioner has studied to become a residential customer representative agent, passing all of the required courses, in anticipation of working as an agent and owning his own agency. The waiting period imposed by the Recommended Order is

sixteen (16) years, and will prevent the Petitioner from applying for a license in his chosen field until the year 2018. This would, of course, create an economic hardship.

9. Petitioner was under the age of 21 at the time of the criminal offenses in 2000. Petitioner had joined the U.S. National Guard after high school in 1998, but was forced to resign after suffering an epileptic seizure. Although given an honorable discharge, this was a blow to Petitioner's self-esteem and resulted in feelings of hopelessness and despair that led to poor choices and criminal behavior. After accepting responsibility and actively cooperating with law enforcement, Petitioner complied with all of his probationary requirements and was granted an early termination of supervision. Petitioner has been steadily employed for the past several years. Petitioner has worked in a clerical capacity for Atlantis Insurance Company for the past one and one-half years and has passed all of the courses required to become licensed as a residential customer representative agent.
10. Petitioner feels that a variance from the Rule, with certain restrictions on Petitioner's license, would serve the underlying purpose of the statute. Petitioner's mother, Jean McNaught, has been a licensed insurance agent for approximately forty years, owns her own insurance agency, and could actively supervise Petitioner as a residential customer representative agent. Petitioner proposes that this supervision as an alternate means to the imposition of the Rule's sixteen (16) year waiting period for license application.
11. Petitioner is willing to accept, in the alternative, a provisional license, should the Florida Department of Financial Services be amenable. Petitioner feels this

would allow his activities to be adequately monitored by the Department of Financial Services in a way that would insure compliance with both the Rules and the Statutes.

WHEREFORE, Petitioner requests that the Department of Financial Services grant his Petition for Variance from subparagraph 69B-211.042(10)(a)6., F.A.C. Petitioner request a permanent variance.

Respectfully,
 JODAT LAW GROUP,P.A.

Melanie A. Newby, Esq.
 FBN: 0870481
 521 Ninth Street West
 Bradenton, FL 34205
 (941)749-1901
 Fax No. (941)751-8642

Certificate of Service

I HEREBY CERTIFY that a true and correct copy of the foregoing was sent via U.S. Mail, First Class, Postage Prepaid to: Alex Sink, Chief Financial Officer, Florida Department of Financial Services, 200 E. Gaines Street, Tallahassee, FL 32399-0319; Regina Keenan, Esq., Division of Legal Services, 612 Larson Building, Tallahassee, FL 32399-0333; Joint Administrative Review Procedures Committee, Room 120, The Holland Building, Tallahassee, FL 32399-1300; and Donald A. Dowdell, Hearing Officer, 2142 Deerfield Drives, Tallahassee, FL 32308 on this 18th day of January, 2008

Melanie A. Newby, Esq.

Section XIII
Index to Rules Filed During Preceding Week

**RULES FILED BETWEEN February 4, 2008
 and February 8, 2008**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
----------	-----------	----------------	-------------------	------------------

DEPARTMENT OF CORRECTIONS

33-503.001	2/5/08	2/25/08	33/49	
33-602.201	2/7/08	2/27/08	33/49	
33-602.207	2/5/08	2/25/08	33/48	

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid Program Office

59G-14.001	2/7/08	2/27/08	33/41	33/52
59G-14.002	2/7/08	2/27/08	33/41	33/52
59G-14.003	2/7/08	2/27/08	33/41	
59G-14.004	2/7/08	2/27/08	33/41	33/52
59G-14.005	2/7/08	2/27/08	33/41	33/52
59G-14.006	2/7/08	2/27/08	33/41	33/52
59G-14.007	2/7/08	2/27/08	33/41	

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
 REGULATION**

Division of Hotels and Restaurants

61C-1.004	2/4/08	2/24/08	33/45	
-----------	--------	---------	-------	--

Board of Accountancy

61H1-28.0052	2/4/08	2/24/08	34/1	
61H1-31.001	2/4/08	2/24/08	34/1	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
----------	-----------	----------------	-------------------	------------------

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

64B10-14.006	2/4/08	2/24/08	33/34	33/52
--------------	--------	---------	-------	-------

Board of Psychology

64B19-13.003	2/4/08	2/24/08	34/1	
--------------	--------	---------	------	--

Council of Licensed Midwifery

64B24-1.002	2/4/08	2/24/08	33/47	
64B24-3.001	2/4/08	2/24/08	33/47	
64B24-3.012	2/4/08	2/24/08	33/47	

Naturopathic Examiners

64B28-1.006	2/8/08	2/28/08	33/51	
-------------	--------	---------	-------	--

Division of Environmental Health

64E-5.1003	2/8/08	2/28/08	33/51	
------------	--------	---------	-------	--

FLORIDA HOUSING FINANCE CORPORATION

67-37.002	2/4/08	2/24/08	34/1	
67-37.005	2/4/08	2/24/08	34/1	
67-37.006	2/4/08	2/24/08	34/1	
67-37.007	2/4/08	2/24/08	34/1	
67-37.008	2/4/08	2/24/08	34/1	
67-37.010	2/4/08	2/24/08	34/1	
67-37.011	2/4/08	2/24/08	34/1	
67-37.019	2/4/08	2/24/08	34/1	