

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-3.0291
RULE TITLE: Specifications for New School Buses
PURPOSE AND EFFECT: The purpose of the rule development is to implement Florida’s statutory requirements as amended for safe and efficient transportation of Florida public school students by county school districts and charter schools. The effect will be a rule which incorporates specifications for new school buses to ensure the safety of students.

SUBJECT AREA TO BE ADDRESSED: Specifications for new school buses.

SPECIFIC AUTHORITY: 1006.25(2) FS.

LAW IMPLEMENTED: 1006.25(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.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Charlie Hood, Director, Office of School Transportation, Department of Education, 325 West Gaines Street, Tallahassee, Florida, (850)245-9924

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

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER NO.: 14-22

RULE CHAPTER TITLE: Contractors – Highway – Qualification to Bid

RULE NOS.: 14-22.003
 14-22.015
RULE TITLES: Rating the Applicant
 Forms

PURPOSE AND EFFECT: Rule Chapter 14-22, F.A.C., is being amended to add a new section #(4) to the requirements required to be included with the Application for Qualification for Emergency Debris Removal, Form 375-020-37. The revised version of the form is incorporated by reference. The new provision being added to the form itself already is included in the Contracts Administration website as a requirement for the application.

SUBJECT AREA TO BE ADDRESSED: Rule Chapter 14-22, F.A.C., is being amended to incorporate a revised version of the Application for Qualification for Emergency Debris Removal form to include a requirement for written documentation regarding prior qualification. The requirement already is included in the instructions on the Contracts Administration website.

SPECIFIC AUTHORITY: 334.044(2), 337.14(1) FS.

LAW IMPLEMENTED: 120.569, 337.11(3)(b), 337.11(5)(a) 1.- 3., 337.11 (7)(b)1., 337.11(7)(c), 337.14, 337.16, 337.165, 337.167 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: 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 PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

- 14-22.003 Rating the Applicant.
 - (1) through (2)(b)3. No change.
 - (3) Classification of Work.
 - (a) through (d) No change.
 - (e) For the Work Class of Emergency Debris Removal, the contractor(s) shall complete the Application for Qualification for Emergency Debris Removal, DOT Form 375-020-37, Rev. 0704/06, incorporated herein by reference. The Application for Qualification shall be accompanied by a Reviewed Financial Statement prepared in accordance with GAAP.

Specific Authority 120.53(1)(a), 334.044(2), 337.14(1) FS. Law Implemented 337.11(3)(b), 337.11(5)(a) 1.-3., 337.11 (7)(b)1., 337.11(7)(c), 337.14, 337.167 FS. History—Formerly Chapter 14-8, Amended 7-1-67, 8-20-68, 5-9-70, 1-6-72, 9-24-75, Formerly 14-22.01(4), Amended 3-23-79, 11-10-82, 8-25-83, 1-9-84, 10-1-85, Formerly 14-22.03, Amended 12-20-89, 4-22-92, 1-4-94, 7-1-95, 7-2-95, 7-8-01, 6-27-04, 5-15-06,_____.

14-22.015 Forms.

The following forms are incorporated by reference as part of the rules of the Department and are available from the Contracts Administration Office, 605 Suwannee Street, Mail Station 55, Room 1-B, Tallahassee, Florida 32399-0455:

Form Number	Date	Title
375-020-32	01/06	Application for Qualification
375-020-22	05/05	Certification of Current Capacity
700-010-25	09/05	Contractor Past Performance Report

375-020-37 ~~0704/06~~ Application for Qualification for
Emergency Debris Removal

Specific Authority 334.044(2), 337.14(1) FS. Law Implemented 120.53(1)(b), 337.14, 337.167 FS. History—New 11-10-82, Amended 8-25-83, Formerly 14-22.15, Amended 12-20-89, 1-4-94, 7-1-95, 7-2-95, 7-8-01, 6-27-04, 12-18-05, 5-15-06, _____.

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

RULE NO.: RULE TITLE:
33-603.101 Use of Committed Name
PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify how an inmate's committed name is established.
SUBJECT AREA TO BE ADDRESSED: Committed Name.
SPECIFIC AUTHORITY: 944.09 FS.
LAW IMPLEMENTED: 944.09 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: Dorothy M. Ridgway, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-603.101 Use of Committed Name.
(1)(a) In order to avoid conflicts in mailing and visiting privileges, as well as to assist inmates in making bank and canteen transactions and ensure timely delivery of legal documents, and to provide staff with a consistent means of inmate identification for security and daily institutional operation purposes, each inmate shall be recognized by the department under the name on the initial commitment under which the inmate was received. The committed name shall be obtained from the information or indictment page of the commitment package, not from the uniform commitment to custody cover sheet. For multiple cases imposed on separate dates, the committed name is the name on the information page of the commitment of the earliest imposed case. For multiple cases imposed on the same date, commitments are arranged according to service of the sentences or sequential order as directed by the sentencing court and the committed name is the name on the information page of the first imposed case as so

designated. For multiple cases imposed on the same date where the order of sentencing cannot be determined, the cases are arranged numerically and the committed name is the name on the information page of the commitment with the lowest case number. For multiple cases imposed on the same date, the committed name is the name listed on the earliest chronological case. This name shall be the inmate's official identification throughout the continuous incarceration of the inmate on that sentence or combined sentences and must be included on any official document sent or received by the inmate except as provided in subsection (3) below.

- (b) through (d) No change.
- (2) through (4) No change.

Specific Authority ~~20-315~~, 944.09 FS. Law Implemented 944.09 FS. History—New 9-30-93, Formerly 33-6.012, Amended 4-29-02, 5-20-03, 7-7-05, _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:
59G-4.280 Rural Health Clinic Services
PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the revised Florida Medicaid Rural Health Clinic Services Coverage and Limitations Handbook, October 2006. The revised handbook contains updated policies for the services that are provided by Rural Health Clinics. The effect will be to incorporate by reference in the rule the Florida Medicaid Rural Health Clinic Services Coverage and Limitations Handbook, October 2006.
SUBJECT AREA TO BE ADDRESSED: Rural Health Clinic Services.
SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.905, 409.906, 409.908, 409.9081 FS.

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

DATE AND TIME: Monday, September 25, 2006, 11:00 a.m.
PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, Conference Room B, Tallahassee, Florida
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Glen Davis, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5403, (850)922-7305

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

- 59G-4.280 Rural Health Clinic Services.
- (1) No change.

(2) All rural health clinic providers enrolled in the Medicaid program must comply with the Florida Medicaid Rural Health Clinic Services Coverage and Limitations Handbook, October 2006 ~~October 2003~~, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS-1500, incorporated by reference in Rule 59G-4.001, F.A.C. Both handbooks are available from the Medicaid fiscal agent's website at <http://floridamedicaid.acs-inc.com> ~~agent~~. Click on Provider Support, and then on Handbooks. Paper copies of the handbooks may be obtained by calling Provider Inquiry at (800)377-8216.

Specific Authority 409.919 FS. Law Implemented 409.905, 409.906, 409.908, 409.9081 FS. History--New 4-14-80, Amended 12-28-80, Formerly 10C-7.51, Amended 8-11-91, 1-19-93, Formerly 10C-7.051, Amended 6-29-94, 6-10-96, 6-24-98, 12-4-00, 5-31-04,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE NO.: 61-5.007
 RULE TITLE: Disciplinary Guidelines for Unlicensed Activity

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to set disciplinary guidelines for violations of the unlicensed activity statutes articulated by Chapter 455, F.S., the professional practice acts administered by DBPR.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed in this rule is the standards for imposing discipline for violations of the unlicensed activity statutes articulated by Chapter 455, F.S., and the professional practice acts administered by DBPR.

SPECIFIC AUTHORITY: 455.2273 FS.

LAW IMPLEMENTED: 455.2273, 455.228 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. (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD.)

DATE AND TIME: Tuesday, September 26, 2006, 9:00 a.m. – 11:00 a.m.

PLACE: Department of Business and Professional Regulation, Northwood Centre Board Room, 1940 North Monroe Street, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND TO OBTAIN A COPY OF THE PRELIMINARY DRAFT IS: Jennifer A. Tschetter, Assistant General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)488-0062

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

at (850)488-0062. If you are hearing or speech impaired, please contact the Commission office using the Florida Dual Party Relay System which can be reached at 1(800)955-8700 (Voice) or 1(800)955-8771 (TTD).

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

RULE NO.: 61-20.002
 RULE TITLE: Expiration and Renewal of Manager's License

PURPOSE AND EFFECT: The Council proposes to review the rule to remove any unnecessary or obsolete language and clarify existing language.

SUBJECT AREA TO BE ADDRESSED: Inactive Status and renewal of manager's license.

SPECIFIC AUTHORITY: 455.271, 468.433 FS.

LAW IMPLEMENTED: 455.271, 468.433, 468.435, 468.436 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Anthony Spivey, Executive Director, Regulatory Council for Community Managers, 1940 North Monroe Street, Tallahassee, Florida 32399-0762

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Asbestos Consultants/Asbestos Consultant Examination

RULE NO.: 61E1-1.002
 RULE TITLE: Continuing Education Requirements for Asbestos Consultants/Contractors

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to create consistency between the continuing education monitoring requirements of the Asbestos Licensing Unit rules and the requirements of Section 455.2177(1), Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed in this rule is the regulatory scope of the Asbestos Licensing Unit over the monitoring of the continuing education requirements for Asbestos Consultants and Asbestos Contractors.

SPECIFIC AUTHORITY: 469.011 FS.

LAW IMPLEMENTED: 469.004(3), 469.012(4) 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. (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD.)

DATE AND TIME: Monday, September 25, 2006, 1:00 p.m. – 2:00 p.m.

PLACE: Department of Business and Professional Regulation, Northwood Centre Board Room, 1940 North Monroe Street, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND TO OBTAIN A COPY OF THE PRELIMINARY DRAFT IS: Jennifer A. Tschetter, Assistant General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)488-0062.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the agency at least 48 hours before the hearing by contacting Jennifer A. Tschetter at (850)488-0062. If you are hearing or speech impaired, please contact the Commission office using the Florida Dual Party Relay System which can be reached at 1(800)955-8700 (Voice) or 1(800)955-8771 (TTD).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Veterinary Medicine

RULE NO.: 61G18-17.001
 RULE TITLE: Exemptions and Exceptions

PURPOSE AND EFFECT: The purpose and effect of the rule is to repeal language that is deemed to be no longer necessary.

SUBJECT AREA TO BE ADDRESSED: Exemptions and Exceptions.

SPECIFIC AUTHORITY: 474.203, 474.206 FS.

LAW IMPLEMENTED: 474.202(9), 474.203(5) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Juanita Chastain, Executive Director, Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida State Boxing Commission

RULE NO.: 61K1-1.001
 RULE TITLE: Purpose, Applicability and Scope of Rules

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to bring amateur boxing and kickboxing within the regulatory scope of the Florida State Boxing Commission as required by Section 548.006, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed in this rule is the regulatory scope of the Florida State Boxing Commission over amateur boxing and kickboxing.

SPECIFIC AUTHORITY: 548.003(8), 548.006(4) FS.

LAW IMPLEMENTED: 548.004, 548.006, 548.007, 548.061 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. (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD.)

DATE AND TIME: Monday, September 25, 2006, 9:00 a.m. – 11:00 a.m.

PLACE: Department of Business and Professional Regulation, Northwood Centre Board Room, 1940 North Monroe Street, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND TO OBTAIN A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jennifer A. Tschetter, Assistant General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)488-0062

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the agency at least 48 hours before the hearing by contacting Jennifer A. Tschetter at (850)488-0062. If you are hearing or speech impaired, please contact the Commission office using the Florida Dual Party Relay System which can be reached at 1(800)955-8700 (Voice) or 1(800)955-8771 (TTD).

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 ENVIRONMENTAL PROTECTION

RULE CHAPTER NO.: RULE CHAPTER TITLE:
 62-531 Water Well Contractor Licensing Requirements

RULE NOS.: RULE TITLES:
 62-531.300 Application Requirements for Water Well Contractors
 62-531.330 Water Well Contractor License Renewal
 62-531.340 Water Well Contractor Fees
 62-531.350 Water Well Contractor Examinations
 62-531.450 Unlawful Acts, Grounds for Disciplinary Actions, and Penalties

PURPOSE AND EFFECT: To make Chapter 62-531, F.A.C., consistent with recent amendments to Chapter 373, F.S., address comments from the Joint Administrative Procedures Committee, and add rule changes to strengthen the licensing requirements for and disciplinary actions against water well contractors.

SUBJECT AREA TO BE ADDRESSED: Licensing requirements, agency preparation of the examination, exemption for contractors or spouse on active duty with the Florida National Guard or U.S Armed Services reserves, increase administrative fines not to exceed \$5000, allow a licensed well water contractor to facilitate the performance of additional work by an appropriately licensed contractor, allow administrative fees related to continuing education, adopt by reference the Manual for Coursework and Continuing Education for Water Well Contractors, modify language for contractors who are employees of a governmental agency engaged in water well contracting, and require a licensed water well contractor to provide the water management districts with a change of address.

SPECIFIC AUTHORITY: 373.337 FS.

LAW IMPLEMENTED: 373.303, 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, IF AVAILABLE, IS: David James, Department of Environmental Protection, Ground Water Regulatory Section, MS 3580, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; telephone (850)245-8648; e-mail david.james@dep.state.fl.us

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Recreation and Parks

RULE NO.: RULE TITLE:
 62D-2.014 Activities and Recreation

PURPOSE AND EFFECT: To amend the rule as required by HB 1029 (2006) to “allow the possession of weapons [in State Parks] in compliance with all applicable Florida Statutes.” The bill provides that subsection 62D-2.014(10), F.A.C., “shall be amended to indicate that such weapons shall be at all times in the possession of a responsible party or properly secured within or to a vehicle or temporary housing, which shall include motor homes, travel trailers, recreational vehicles, campers, tents, or other enclosed structures while in state parks.” HB 1029 was designated Ch. 2006-103, Laws of Florida, and is effective October 1, 2006.

SUBJECT AREA TO BE ADDRESSED: Possession of weapons in state parks.

SPECIFIC AUTHORITY: 258.007(2) FS.

LAW IMPLEMENTED: Ch. 2006-103, Laws of Fla.

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

DATE AND TIME: September 25, 2006, 7:00 p.m.

PLACE: Department of Environmental Protection, Marjory Stoneman Douglas Building, Conference Room A (First Floor), 3900 Commonwealth Blvd., 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 2 days before the workshop/meeting by contacting: Matt Mitchell, Assistant Bureau Chief, Division of Recreation and Parks, MS 535, 3900 Commonwealth Blvd., Tallahassee, FL 32399-3000; (850)245-3076; matthew.mitchell@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 PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Robert Wilhelm, Bureau Chief, Division of Recreation and Parks, MS 535, 3900 Commonwealth Blvd., Tallahassee, FL 32399-3000; (850)245-3076; robert.wilhelm@dep.state.fl.us

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:
 64B8-1.001 Probable Cause Determinations

PURPOSE AND EFFECT: The Board proposes the development of an amendment to the rule to address a physician assistant member of the probable cause panel.

SUBJECT AREA TO BE ADDRESSED: Composition of the probable cause panel.

SPECIFIC AUTHORITY: 120.53, 456.073(4) FS.

LAW IMPLEMENTED: 456.073(4), 458.331(10) 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: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B8-1.001 Probable Cause Determinations.

(1) through (2) No change.

(3) In instances when the probable cause panel is considering cases involving a physician assistant, the panel shall also have a physician assistant participating on the probable cause panel. The physician assistant is only permitted to hear cases involving discipline of physician assistants. If the physician assistant is not able to attend the meeting of the probable cause panel, the panel may consider the case and vote on the matter in the absence of the physician assistant.

~~(4)~~ No change.

~~(5)~~ No change.

Specific Authority 120.53, 456.073(4) FS. Law Implemented 456.073(4), 458.331(10) FS. History—New 12-5-79, Amended 11-26-80, 5-27-81, Formerly 21M-18.06, Amended 12-4-86, 7-4-88, 1-1-92, Formerly 21M-18.006, 61F6-18.006, 59R-1.006, Amended 3-29-01, _____.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-1.007
 RULE TITLE: List of Approved Forms; Incorporation

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to incorporate revised forms into the current forms rule.

SUBJECT AREA TO BE ADDRESSED: Revised forms.

SPECIFIC AUTHORITY: 120.55(1)(a), (4), 456.013, 456.036(5), 456.048(1), 458.309, 458.311, 458.312(4), 458.313(4), 458.3145, 458.315(2), 458.320(8), 458.321(2), 458.347(13), 458.3475, 458.351(6) FS.

LAW IMPLEMENTED: 456.013, 456.035, 4456.036, 456.048, 456.073, 458.309, 458.311, 458.3124, 458.313, 458.3145, 458.315, 458.316, 458.317, 458.319, 458.320, 458.321, 458.345, 458.347, 458.3475, 458.348, 458.351, 465.0276 FS.

IF REQUESTED 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: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-2.001
 RULE TITLE: Definitions

PURPOSE AND EFFECT: The Board proposes the definition of the term “record” with regard to the implementation of Section 456.50(2), Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Definition of the term “record.”

SPECIFIC AUTHORITY: 458.309, 458.315(1), 458.317(1)(c), 456.50(2), 458.319(1), 766.314(4) FS.

LAW IMPLEMENTED: 456.072(2)(g), 456.50(2), 458.303, 458.311, 458.313, 458.315(1), 458.317(1)(c), 458.331(1)(u), 458.3485, 766.314(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B8-2.001 Definitions.

(1) through (11) No change.

(12) The term “record” as it appears in Section 456.50(2), F.S., shall include a certified copy of the official tran of the civil or administrative proceeding resulting in a finding of medical malpractice, all evidence admitted, those matters officially recognized by the civil or administrative tribunal, and the final order or judgment reported or issued by the tribunal.

Specific Authority 458.309, 458.315(1), 458.317(1)(c), 456.50(2), 458.319(1), 766.314(4) FS. Law Implemented 456.072(2)(g), 456.50(2), 458.303, 458.311, 458.313, 458.315(1), 458.317(1)(c), 458.331(1)(u), 458.3485, 766.314(4) FS. History–New 11-10-82, Amended 12-4-85, Formerly 21M-29.01, Amended 12-4-86, 11-15-88, 3-13-89, 1-1-92, 9-24-92, 2-21-93, Formerly 21M-29.001, Amended 4-14-94, Formerly 61F6-29.001, 59R-2.001, Amended 4-7-99, 10-2-01, 11-10-02,_____.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-4.009
 RULE TITLE: Applications
 PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address recent legislative changes with regard to continuing education for initial licensure.

SUBJECT AREA TO BE ADDRESSED: Continuing education for initial licensure.

SPECIFIC AUTHORITY: 120.53, 456.031, 456.033, 458.309, 458.311, 458.3137, 458.319 FS.

LAW IMPLEMENTED: 120.53, 456.013(7), 456.031, 456.033, 458.311, 458.3124, 458.313, 458.3145, 458.315, 458.316, 458.3165, 458.317, 458.319 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: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NOS.: 64B8-8.001, 64B8-8.019
 RULE TITLES: Disciplinary Guidelines, Submission of Malpractice Record

PURPOSE AND EFFECT: The Board proposes the amendment to Rule 64B8-8.001, F.A.C., to address the violation and penalty for failing to submit the medical malpractice record as pursuant to Section 456.50(2), F.S. The Board also proposes the new Rule 64B8-8.019, F.A.C., to set forth the criteria for submission of the medical malpractice record.

SUBJECT AREA TO BE ADDRESSED: Setting forth a disciplinary guideline for failing to submit the medical malpractice record, and setting forth the criteria for submission of the medical malpractice record.

SPECIFIC AUTHORITY: 456.0375(4)(c), 456.50(2), 456.0575, 456.079, 458.309, 458.331(5) FS.

LAW IMPLEMENTED: 456.0375(4)(c), 456.50(2), 456.0575, 456.072, 456.079, 458.331(5) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B8-8.001 Disciplinary Guidelines.

(1) No change.

(2) Violations and Range of Penalties. In imposing discipline upon applicants and licensees, in proceedings pursuant to Sections 120.57(1) and (2), F.S., the Board shall act in accordance with the following disciplinary guidelines and shall impose a penalty within the range corresponding to the violations set forth below. The verbal identification of offenses are deive only; the full language of each statutory provision cited must be consulted in order to determine the conduct included.

RECOMMENDED RANGE OF PENALTY

VIOLATION	FIRST OFFENSE	SECOND OFFENSE
(a) through (w) No change.		
(x)1. through 2. No change.		
3. Failure to comply with any provision of Rule 64B8-8.019, F.A.C.	From a \$1,000.00 fine, letter of concern, demonstration of compliance with the rule or denial to a \$5,000.00 fine, a reprimand, completion of a laws and rules course, a term of probation, demonstration of compliance with the rule or denial.	From a \$7,500.00 fine, a reprimand, a term of probation, completion of a laws and rules course, demonstration of compliance with the rule or denial to a \$10,000.00 fine and revocation.

(y) through (tt) No change.

(3) through (7) No change.

Specific Authority 456.0375(4)(c), 456.50(2), 456.0575, 456.079, 458.309, 458.331(5) FS. Law Implemented 456.0375(4)(c), 456.50(2), 456.0575, 456.072, 456.079, 458.331(5) FS. History–New 12-5-79, Formerly 21M-20.01, Amended 11-4-93, Formerly 61F6-20.001, Amended 6-24-96, 12-22-96, Formerly 59R-8.001, Amended 5-14-98, 12-28-99, 1-31-01, 7-10-01, 6-4-02, 9-10-02, 12-11-02, 8-20-03, 6-7-04, 8-17-04, 1-4-06, 8-13-06, 8-29-06,_____.

64B8-8.019 Submission of Malpractice Record.

(1) All physicians licensed pursuant to Chapter 458, F.S., shall provide to the Board of Medicine a copy of the record of any finding of medical malpractice resulting from a civil or administrative proceeding, entered against the licensee in any jurisdiction on or after November 2, 2004, within 60 days of entry of the final judgment or order. The record shall be sent to the Board of Medicine, 4052 Bald Cypress Way, Bin C03, Tallahassee, Florida 32399-3253.

(2) The record shall include a certified copy of the official tran of the civil or administrative proceeding resulting in a finding of medical malpractice, all evidence admitted, those matters officially recognized by the civil or administrative tribunal, and the final order or judgment reported or issued by the tribunal.

(3) The record shall be provided to the Board in a read only CD ROM disc in portable document format (.pdf) or tagged image file format (.tif).

Specific Authority 456.50(2) FS. Law Implemented 456.50(2) FS. History--New _____.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-9.0075
 RULE TITLE: Standards of Practice in Certain Office Settings

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to clarify the authority for those who practice in clinics registered under Chapter 400, Part XIII, F.S.

SUBJECT AREA TO BE ADDRESSED: Clarification for those who practice in clinics registered under Chapter 400, Part XIII, F.S.

SPECIFIC AUTHORITY: 456.0375, 458.309, 458.331(1)(v) FS.

LAW IMPLEMENTED: 456.0375, 458.331(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B8-9.0075 Standards of Practice in Certain Office Settings.

(1) through (2) No change.

(3) Licensed physicians and physician assistants in a clinic registered under Chapter 400, Part XIII, F.S. Section 456.0375, F.S., may reasonably rely upon a Florida licensed medical director to ensure compliance with the responsibilities set forth ~~out~~ in Section 400.991, F.S., subsection (2), only if the medical director has specifically agreed to accept the responsibilities set forth in Section 456.0375(3)(b), F.S.

Specific Authority 456.0375, 458.309, 458.331(1)(v) FS. Law Implemented 456.0375, 458.331(1) FS. History--New 11-13-00, Amended 6-4-02, _____.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-11.003
 RULE TITLE: Disclosure of Licensure Status

PURPOSE AND EFFECT: The Board proposes the development of a new rule pursuant to recent legislation requiring appropriate notification to patients with regard to practitioner status.

SUBJECT AREA TO BE ADDRESSED: Disclosure of practitioner's licensure status to patients.

SPECIFIC AUTHORITY: s. 2, Chapter 2006-207, Laws of Florida.

LAW IMPLEMENTED: s 2, Chapter 2006-207, Laws of Florida.

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: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-13.005
 RULE TITLE: Continuing Education for Biennial Renewal

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address recent legislative changes with regard to continuing education for licensure renewal.

SUBJECT AREA TO BE ADDRESSED: Continuing education for licensure renewal.

SPECIFIC AUTHORITY: 456.013(6),(7), 456.031(2), 456.033, 458.309, 458.319 FS.

LAW IMPLEMENTED: 456.013(6),(7), 456.031(1), 456.033, 458.319(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NOS.:	RULE TITLES:
64B8-30.003	Physician Assistant Licensure
64B8-30.005	Physician Assistant Licensure Renewal and Reactivation

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address statutory changes for continuing education requirements for initial licensure and licensure renewal.

SUBJECT AREA TO BE ADDRESSED: Requirements for initial and renewal of physician assistant licensure.

SPECIFIC AUTHORITY: 456.013, 456.013(1)(a), (2), 456.033(1), (6), 458.309, 458.347 FS.

LAW IMPLEMENTED: 456.013, 456.017, 456.031, 456.033, 458.036, 458.347 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: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NOS.:	RULE TITLES:
64B8-31.003	Application for Licensure and Licensure Requirements for Anesthesiologist Assistants

64B8-31.007	Anesthesiologist Assistant Licensure Renewal and Reactivation
64B8-31.012	Fees Regarding Anesthesiologist Assistants

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to clarify continuing education requirements for initial licensure, renewal and reactivation of anesthesiologist assistants and additional criteria with regard to renewal and reactivation. In addition the Board proposes the development of rule amendments to set forth a fee for reactivation and retired status.

SUBJECT AREA TO BE ADDRESSED: Educational requirements for initial licensure, renewal and reactivation of anesthesiologist assistants and additional criteria with regard to renewal and reactivation. In addition, fees for reactivation and retired status.

SPECIFIC AUTHORITY: 456.013, 456.031(1)(a), 456.033(1), 456.036(5), 458.309, 458.3075 FS.

LAW IMPLEMENTED: 456.013, 456.031, 456.033, 456.036(5), (7), 458.3075 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: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Optometry

RULE NOS.:	RULE TITLES:
64B13-15.003	Range of Penalties for Administrative Violations
64B13-15.005	Designation of Administrative Violations; Major; Minor

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

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

SPECIFIC AUTHORITY: 456.079 FS.

LAW IMPLEMENTED: 456.079 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe Baker, Jr., Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NOS.:	RULE TITLES:
64B15-6.003	Physician Assistant Licensure
64B15-6.0035	Physician Assistant Licensure Renewal and Reactivation

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address statutory changes for continuing education requirements for initial licensure and licensure renewal.

SUBJECT AREA TO BE ADDRESSED: Requirements for initial and renewal of physician assistant licensure.

SPECIFIC AUTHORITY: 458.347(7), 459.005, 459.022 FS.

LAW IMPLEMENTED: 120.53(1)(a), 456.013, 456.031, 456.033, 459.022 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Pamela King, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NOS.:	RULE TITLES:
64B15-7.003	Application for Licensure and Licensure Requirements for Anesthesiologist Assistants
64B15-7.007	Anesthesiologist Assistant Licensure Renewal and Reactivation
64B15-7.012	Fees Regarding Anesthesiologist Assistants

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to clarify continuing education requirements for initial licensure, renewal and reactivation of anesthesiologist assistants and additional criteria with regard to renewal and reactivation. In addition the Board proposes the development of rule amendments to set forth a fee for reactivation and retired status.

SUBJECT AREA TO BE ADDRESSED: Educational requirements for initial licensure, renewal and reactivation of anesthesiologist assistants and additional criteria with regard to renewal and reactivation. In addition, fees for reactivation and retired status.

SPECIFIC AUTHORITY: 456.013, 456.031(1)(a), 456.033(1), 456.036(5), 459.005, 459.023 FS.

LAW IMPLEMENTED: 456.013, 456.031, 456.033, 456.036(5), (7), 459.023 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Pamela King, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
65A-1	Public Assistance Programs
RULE NO.:	RULE TITLE:
65A-1.400	Forms for Client Notice and Contact

PURPOSE AND EFFECT: The proposed rule amendments make changes to forms necessary to implement the Social Security Protection Act of 2004 and the Deficit Reduction Act of 2005 and to amend forms for clarity and ease of use.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendment makes changes to forms necessary to implement the Social Security Protection Act of 2004 and the Deficit Reduction Act of 2005 and to amend forms for clarity and ease of use.

SPECIFIC AUTHORITY: 409.919, 409.953, 414.033, 414.45 FS.

LAW IMPLEMENTED: 400.903, 409.904, 410.033, 414.065, 414.075, 414.085, 414.095, 414.105, 414.115, 414.122, 414.125, 414.13, 414.16, 414.21, 414.28, 414.31 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: October 9, 2006, 1:30 p.m.

PLACE: 1317 Winewood Boulevard, Building 3, Room 455, Tallahassee, Florida 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Lonna Cichon, Government Operations Consultant II, Food Stamp/TANF Policy, Economic Self-Sufficiency, 1317 Winewood Boulevard, Building 3, Room 406, Tallahassee, Florida 32399-0700, telephone 488-8004

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Agent and Agency Services

RULE NO.: 69B-211.002
 RULE TITLE: General Procedures

PURPOSE AND EFFECT: The purpose of the proposed rule development is to adopt revisions to the Department’s application form for licensing and registration of insurance agencies and to provide that applications are to be submitted electronically via the Department’s website.

SUBJECT AREA TO BE ADDRESSED: Application form for licensing and registration of insurance agencies.

SPECIFIC AUTHORITY: 624.308, 626.161, 626.171, 626.172 FS.

LAW IMPLEMENTED: 624.308, 624.321, 624.501, 626.171, 626.172, 626.201, 626.211, 626.271, 626.541, 626.592, 626.611, 626.621, 626.752, 626.793, 626.837, 626.8417 FS.

IF REQUESTED 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: September 18, 2006, 1:30 p.m.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Hazel Muhammad, Chief, Bureau of Licensing, Department of Financial Services, 200 E. Gaines Street, 412 Larson Building, Tallahassee, FL 32399-0319, (850)413-5460

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting Serica Johnson, (850)413-4241.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69B-211.002 General Procedures.

(1) through (11) No change.

(12) An applicant for an insurance agency license or registration shall complete and submit Form DFS-H2-495 ~~296~~, “Application for Insurance Agency License,” rev. ~~7/06~~ ~~10/95~~. All applications shall be submitted through the Department’s website at https://aalf.fldfs.com/common/com_index.asp.

Specific Authority 624.308, ~~626.161~~, ~~626.171~~, ~~626.172~~ FS. Law Implemented 624.308, 624.321, 624.501, 626.171, 626.172, 626.201, 626.211, 626.271, 626.541, 626.592, 626.611, 626.621, 626.752, 626.793, 626.837, 626.8417 FS. History–New 6-4-92, Amended 5-17-94, 6-7-99, Formerly 4-211.002, Amended.

DEPARTMENT OF FINANCIAL SERVICES

Division of Consumer Services

RULE NO.: 69J-7.003
 RULE TITLE: Inspections

PURPOSE AND EFFECT: This rule implements Section 215.5586, F.S., by incorporating the pamphlet which contains the procedures for determining the eligibility of homes for free inspection under the Florida Comprehensive Hurricane Damage Mitigation Program.

SUBJECT AREA TO BE ADDRESSED: The Florida Comprehensive Hurricane Damage Mitigation Program.

SPECIFIC AUTHORITY: 215.5586(6) FS.

LAW IMPLEMENTED: 215.5586 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: Wednesday, September 27, 2006, 12:00 Noon

PLACE: Room 116, 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 Jill Chamberlin, (850)413-2496. 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: Jill Chamberlin, Research and Planning Administrator, Division of Consumer Services, Department of Financial Services, 200 East Gaines Street, Tallahassee, FL 32399-0320; (850)413-2496

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

FLORIDA COMPREHENSIVE HURRICANE DAMAGE MITIGATION PROGRAM (MY SAFE FLORIDA HOME PROGRAM)

69J-7.003 Inspections.

The standards and procedures for determination of eligibility for a free home inspection pursuant to Section 215.5586, F.S. are set forth in Florida Department of Financial Services Florida Comprehensive Hurricane Damage Mitigation Program My Safe Florida Home Program Homeowner’s Guide to Free Home Inspections (Eff. _____), which is hereby incorporated by reference into this rule.

Specific Authority 215.5586(6) FS. Law Implemented 215.5586 FS. History–New _____.

FINANCIAL SERVICES COMMISSION

Office of Financial Regulation – Banking

RULE NOS.:	RULE TITLES:
69U-110.002	Definitions
69U-110.005	Application and Filing Fee
69U-110.0061	Bylaws
69U-110.008	Branches
69U-110.021	Filling of Appointments
69U-110.0211	Liability and Bond Insurance
69U-110.0212	Policies
69U-110.026	Supervisory/Audit Committee; Audit
69U-110.031	Powers
69U-110.038	Applications for Credit
69U-110.0381	Loans Secured by Real Estate
69U-110.0382	Credit Cards
69U-110.042	Investments
69U-110.043	Reserves
69U-110.0431	Depletion of Regular Reserves
69U-110.0432	Equity Plan Requirements
69U-110.044	Accounting Practices
69U-110.045	Reports to OFR
69U-110.050	Currency Reporting Compliance Requirements
69U-110.062	Capitalization Criteria for Conservatorship or Involuntary Liquidation Actions
69U-110.063	Credit Unions Liquidation Certificate and Maintenance of Records
69U-110.065	Merger
69U-110.068	Central Credit Unions

PURPOSE AND EFFECT: Chapter 2005-181, Laws of Florida, revises provisions contained in Chapters 655 and 657, Florida Statutes, relating to state-chartered financial institutions in general and the regulation of state-chartered credit unions in particular. In summary, the law incorporates changes to provide consistency with the National Credit Union Administration guidelines and federal regulations; authorizes the Financial Services Commission to adopt rules to establish criteria under which the Office of Financial Regulation may

place a credit union in involuntary liquidation; updates accounting requirements to conform with generally accepted accounting principles of the United States; revises procedures governing a merger of credit unions; removes specific powers of a credit union in favor of broader business powers; broadens the authority of the Office of Financial Regulation to issue an emergency order to require merger, conversion, or other appropriate action for a failing bank or trust company to apply to other financial institutions, including credit unions; and removes obsolete language relating to the Florida Credit Union Guaranty Corporation, which no longer exists. In light of this law, the Office of Financial Regulation is proposing the adoption of new rules, and amendments to, or the repeal of, certain existing administrative rules governing the regulation of state-chartered credit unions.

SUBJECT AREA TO BE ADDRESSED: State-Chartered Credit Unions.

SPECIFIC AUTHORITY: 120.54, 655.012(2), 657.005, 657.062, 657.063 FS.

LAW IMPLEMENTED: 655.044, 655.045, 655.057, 655.60, 655.061, 657.005, 657.008, 657.021, 657.026, 657.028, 657.031, 657.038, 657.042, 657.043, 657.0061, 657.062, 657.063, 657.065 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Sharon Whiddon, Chief, Bureau of Credit Union Regulation, Office of Financial Regulation, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida 32399, telephone: (850)410-9536

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69U-110.002 Definitions.

Specific Authority 120.54, 655.012(2) FS. Law Implemented 657.002, 657.008(2), 657.038(12) FS. History–New 7-25-66, Renumbered from 3-5.02 to 3D-10.01 on 7-18-75, Amended 10-13-81, Formerly 3C-30.01, 3C-30.001, Amended 10-8-95, Formerly 3C-110.002, Repealed _____.

69U-110.005 Application and Filing Fee.

Application for authority to organize and operate a credit union shall be made to OFR per Rules 69U-105.001, 69U-105 Part I, F.A.C., and as follows:

(1) The organizers of the proposed credit union shall complete and file Form OFR-U-60, Application for Authority to Organize and Operate a Credit Union (revised 3/2003), which is hereby incorporated by reference, in triplicate and proposed bylaws on Form OFR-U-61, Model Credit Union

~~Bylaws~~ ~~By-laws~~ (revised ~~6/2006~~ ~~3/2003~~), which is hereby incorporated by reference, in triplicate. The original shall be submitted to OFR with a nonrefundable filing fee of \$250. A copy shall be submitted to the National Credit Union Administration and a copy shall be retained by the organizers.

(2) Each proposed director, member of the supervisory committee, ~~and~~ member of the credit committee, ~~and executive officer~~ shall complete the biographical report section only of Form OFR-U-10, Biographical Report (revised 3/2003) and Form OFR-U-10-A (revised 6/2006), which are hereby incorporated by reference, in triplicate. The original shall be submitted to OFR, a copy shall be submitted to the National Credit Union Administration, and a copy shall be retained by the organizers.

(3) Filing: Pre-filing meeting. OFR encourages that the applicant, including a member of the proposed board of directors, meet with staff of OFR to discuss the procedures and requirements for opening a new state financial institution prior to filing an application.

Specific Authority ~~120.543(4)(b), 655.012(2)(3), 657.005 FS. Law Implemented 657.005 FS. History—New 10-21-75, Amended 3-21-77, 10-13-81, Formerly 3C-30.02, 3C-30.002, Amended 10-8-95, Formerly 3C-110.005, Amended _____.~~

69U-110.0061 Bylaws.

(1) New Credit Unions. Newly organized credit unions shall adopt bylaws in such form as provided by OFR, Form OFR-U-61, Model Credit Union Form Bylaws (revised 6/2006), which is hereby incorporated by reference, as their initial set of bylaws. The Model Credit Union Bylaws may be obtained from the OFR website or upon request.

(2) Amendments. All proposed bylaw amendments shall be submitted to OFR by filing Bylaw Amendment Form OFR-U-61-A (revised 6/2006), which is hereby incorporated by reference. OFR shall approve or disapprove proposed bylaw amendments within 60 days after receipt of a complete application, after receipt of same, except that amendments to the bylaws affecting the following subjects shall not require prior approval before they become operative:

- (a) ~~Receipting for moneys received.~~
- (b) ~~Dividends and interest refunds.~~
- (c) ~~Executive officers.~~

~~Bylaw Amendment Form OFR U 61 A (revised 3/2003), which is hereby incorporated by reference, shall be used for submitting all bylaw amendments to OFR.~~

(3) To ensure compliance with Section 657.0061(1), F.S., a credit union that is proposing to expand its field of membership through a bylaw amendment must:

(a) Be operating in a safe and sound manner per paragraph 69U-100.948(2)(a), F.A.C., unless evidence is provided to show that a field of membership expansion will improve the

financial condition of the credit union, and; OFR shall require any credit union filing a bylaw amendment which expands its field of membership to complete Form

(b) Complete Form OFR-U-70, Field of Membership Expansion Questionnaire (effective 10/95, revised 6/2006 3/2003), which is hereby incorporated by reference, when the expansion is geographic or increases the credit union's potential field of membership by more than five percent (5%); or

(c) Provide to the OFR written notice of the number of potential new members if the field of membership expansion is non-geographic, and the resulting increase is five percent or less than the potential membership.

(4) Relocation. A credit union may change its principal place of doing business upon approval of OFR and filing an amendment on Form OFR-U-61-A to its bylaws. The filing shall include appropriate and sufficient financial information as OFR may require to document the investment in fixed assets.

(5)(4) Adoption of OFR Model Credit Union Form Bylaws. Any existing credit union may which desires to adopt the OFR form Model Credit Union Bbylaws as their bylaws may do so, in whole or in part, without prior application or notice to the OFR, however, no credit union shall change its name, the address of its principal place of business, or its field of membership through this process. The credit union shall file its amended bylaws with OFR within 10 business days of such adoption by the appropriate bylaw amendment process, and file with OFR after adoption by the credit union. Prior approval of the OFR shall not be required for such adoption provided that no credit union shall change its name, the address of its principal place of business, its field of membership, or the par value of each share without first obtaining the written approval of OFR.

(6)(5) Restatement of Bylaws. Any existing credit union may administratively which desires to restate its bylaws for clarity, correction of typographical errors, and to incorporate, incorporateing all previously approved bylaw amendments without prior application or notice to the OFR, may do so. No However, a credit union may not make additional changes to its bylaws are authorized through the bylaw restatement procedure. The credit union shall file its restated bylaws with OFR within 10 business days of such restatement.

Specific Authority ~~120.54, 655.012(2) FS. Law Implemented 657.005(3)(c), 657.0061(4), 657.008 FS. History—New 7-25-66, Renumbered from 3-5.10 to 3D-10.05 on 7-18-75, Amended 10-21-75, Formerly 3D-10.06, Amended 10-13-81, Formerly 3C-30.06, 3C-30.006, Amended 10-8-95, Formerly 3C-110.0061, Amended _____.~~

69U-110.008 Branches Relocation and Place of Doing Business.

(1) “Branch office” means any permanent location or mobile unit other than the principal place of business where membership services are provided by credit union staff. Relocation. A credit union may change its principal place of doing business in the state upon approval of OFR.

(a) OFR shall approve such request when the credit union has shown that:

1. The relocation of the principal place of business is reasonably necessary to furnish service to its members; and

2. The new location will not unduly injure any state or federal credit union whose field of membership overlaps that of the applicant credit union.

(b) A credit union may change the location of its office without approval of OFR provided the street address as filed with OFR is not changed.

(2) Branches. A credit union operating in a safe and sound manner in paragraph 69U-100.948(2)(a), F.A.C., may open a branch office or relocate branch offices previously established by providing separate from its principal place of business with 30 days² after prior written notification to OFR not less than thirty (30) days before the opening of the branch. The notification must specify the name and location of the branch office and effective date of the change. The branch office location and operations must comport with the credit union’s bylaws and authorized field of membership. Notification shall be made on Form OFR U-65, Notice of Establishment of a Credit Union Branch Office (revised 3/2003), which is hereby incorporated by reference.

(3) Any additional investment in fixed assets related to be made in conjunction with a change in location or opening of a branch office may not exceed the statutory limits of investments in real estate and equipment without prior written approval of OFR unless the credit union meets the criteria of subparagraph 69U-110.031(2)(a)2., F.A.C.

(4) OFR shall be notified in writing within ten business days of the closing of an established branch office.

Specific Authority 120.54, 655.012(2) FS. Law Implemented 657.008(1), (2), (5), 657.042(5) FS. History–New 6-16-78, Amended 10-13-81, _____.

69U-110.021 Filling of Appointments.

(1) Within thirty (30) days after election or appointment, including any change of position, each executive officer, director, member of the supervisory or audit committee, and member of the credit committee, or credit manager, and chief executive officer shall complete and file with the OFR the biographical report section only of Form OFR-U-10, Biographical Report (revised 3/2003) and Form OFR-U-10-A (revised 6/2006). The foregoing forms are hereby incorporated

by reference file Form OFR-U-62, Statement of Directors, Committee Members and Certain Officers (revised 3/2003) which are hereby incorporated by reference, with OFR.

(2) No change.

(3) Within 30 days after election or appointment, a record of the names and addresses of the members of the board, members of committees, and all officers of the credit union shall be filed with the office. This filing may be satisfied by providing the office with a copy of reports filed with the National Credit Union Administration per 12 C.F.R. § 741.6 (2006), which is incorporated by reference.

Specific Authority 120.54, 655.012(2) FS. Law Implemented 657.021(3), 657.028(4), (6) FS. History–New 7-24-66. Renumbered from 3-5.07 to 3D-10.08 on 7-18-75, Amended 10-21-75, Formerly 3D-10.08, Amended 10-13-81, Formerly 3C-30.08, 3C-30.008, Amended 10-8-95, Formerly 3C-110.02, Amended _____.

69U-110.0211 Liability and Bond Insurance Surety Bonds.

The credit union shall maintain officer and director liability insurance and blanket bond insurance in such amounts and terms as required to maintain insurance of accounts by the National Credit Union Share Insurance Fund, as provided in National Credit Union Administration Rules 741.3(c) and 741.201(a) (codified at 12 C.F.R. §§ 741.3(c) and 741.201(a), respectively (2006)), which are hereby incorporated by reference. The liability and bond insurance shall provide, at a minimum, coverage for errors, omissions, negligence, fraud, and dishonesty by all employees, directors, officers, supervisory or audit committee members, and credit committee members. The credit union shall also maintain applicable insurance coverage with respect to all operations and activities. All officers, directors, committee members and employees of a credit union handling or having access to money, bank accounts, or securities owned by or pledged to the credit union shall be covered by a blanket surety bond protecting the credit union against loss due to fraud or dishonesty in an amount not less than that shown in the following schedule based on the assets of the credit union at the end of the preceding calendar year:

(a) The minimum required amounts of blanket bond coverage, based on the credit union’s total assets, are:

<u>Assets</u>	<u>Minimum Bond</u>
<u>\$0 to \$10,000</u>	<u>Coverage equal to the credit union’s assets.</u>
<u>\$10,001 to \$1,000,000</u>	<u>\$10,000 for each \$100,000 or fraction thereof in assets.</u>
<u>\$1,000,001 to \$50,000,000</u>	<u>\$100,000 plus \$50,000 for each million or fraction thereof over \$1,000,000 in assets.</u>
<u>\$50,000,001 to \$295,000,000</u>	<u>\$2,550,000 plus \$10,000 for each million or fraction thereof over \$50,000,000 in assets.</u>
<u>Over \$295,000,000</u>	<u>\$5,000,000</u>

~~The board of directors is required to provide adequate protection to meet the credit union's unique circumstances by obtaining, when necessary, bond and insurance coverage in excess of the required minimum. The board of directors must also conduct an annual review of all bond and insurance policies to ascertain that such coverage adequately covers the risks of operating the credit union, and also meets the minimum requirements. The board shall ensure that the credit union complies with all National Credit Union Administration rules relating to surety bonds.~~

~~(2) The maximum amounts of permissible deductibles, based on the credit union's assets, are:~~

Assets	Deductible allowed:
Assets of \$1 to \$100,000	No deductible allowed
Assets of \$100,001 to \$250,000	\$1,000 deductible
Assets of \$250,001 to \$1,000,000	\$2,000 deductible
Assets over \$1,000,001	\$2,000 plus 1/1,000 of total assets up to a maximum deductible of \$200,000

~~Specific Authority 120.54, 655.012(2) FS. Law Implemented 657.021(7)(a) FS. History--New 10-13-81, Formerly 3C-30.33, 3C-30.033, Amended 10-8-95,_____.~~

69U-110.0212 Policies.

The board of directors shall establish appropriate written policies and operating strategies to conduct prudent credit union operations based on the complexity of the credit union. Policies shall be reviewed and approved/reaffirmed per a schedule adopted by the Board, but no less than once every two years from the previous adoption or reaffirmation of each policy. The board is encouraged to consider published industry guidance provided by regulatory agencies in the development of policies, if available. The policies shall ensure that the credit union complies with all applicable state and federal requirements with respect to all operations and activities.

Specific Authority 120.54, 655.012 FS. Law Implemented 657.021 FS. History--New _____.

69U-110.026 Supervisory/Audit Committee; Audit.

~~(1) The supervisory committee of each state chartered credit union shall perform, or cause to be performed, an audit of the credit union to include every general ledger control account and related internal control procedures within each calendar year and within 15 months of the previous audit. Such audit shall be in compliance with the Comprehensive Annual Audit - Minimum Audit - Procedures Report and shall be filed on Form OFR-U-63 (revised 3/2003), which is hereby incorporated by reference. No audit performed to satisfy this requirement shall be made within six (6) months of the previous audit, unless prior written consent has been obtained from OFR.~~

(1) Audit Committee.

~~(2) In lieu of establishing a supervisory committee, a credit union may elect or appoint an audit committee in compliance with the following conditions:~~

~~(a) The credit union's bylaws must be amended to provide for an audit committee, to set forth the membership of the audit committee, and to establish whether the members of the audit committee are appointed or elected to such position;~~

~~(b) Directors Any director which participates on the audit committee shall not perform or participate in any audits an audit for the audit committee; and~~

~~(c) No change.~~

(2) The supervisory or audit committee of each state chartered credit union shall perform, or cause to be performed, an annual audit of the credit union in each calendar year and within 15 months of the previous audit. The complete audit, including all summaries, reports, drafts, work papers, and similar documents, shall be made available upon request to the OFR for examination, copying, and review at the credit union's principal place of business. The annual audit shall be performed in such a manner as to ensure the maintenance of account insurance as required by Section 657.033, F.S., as provided in National Credit Union Administration Rule 741.202 (codified at 12 C.F.R. § 741.202 (2006)), which is hereby incorporated by reference.

~~(3) Persons Qualified to Perform Audits. Any person which performs audits for a credit union must qualify pursuant to one of the following classes:~~

~~(a) The supervisory committee which has been duly elected by the membership or appointed by the board of directors. The supervisory committee must complete all the requirements contained in the Comprehensive Annual Audit - Minimum Audit - Procedures Report, Form OFR-U-63, including preparing supporting work papers;~~

~~(b) Any person with a minimum of two (2) years of experience in auditing or examining financial institutions and which person has been duly appointed by the supervisory committee to perform such audit. Such person shall complete all the requirements of the Comprehensive Annual Audit - Minimum Audit - Procedures Report, Form OFR-U-63, including all supporting work papers.~~

~~(c) Certified public accountants which are licensed to practice in the State of Florida and which are independent of the credit union and its affiliates. Certified public accountants shall complete all of the requirements of the Comprehensive Annual Audit - Minimum Audit Procedures Report, Form OFR-U-63. Such minimum audit procedures shall include preparation of supporting work papers and the inclusion of the written comments of the credit union's management. In lieu of completing the requirements of the Comprehensive Annual Audit - Minimum Audit Procedures Report, Form OFR-U-63, an opinion audit meeting minimum compliance with the American Institute of Certified Public Accountant's (AICPA)~~

~~“Audit and Accounting Guide—Audits of Credit Unions” (dated May 1, 1994), which is hereby incorporated by reference, will satisfy the audit requirement.~~

~~(3)(4) Content, Submission and Review of Audit Reports.~~

~~(a) Within 90 days after the completion of the audit, and within 45 days of acceptance by the board of directors, the board of directors shall submit with the report or shall be included in the report the following to the OFR: The audit report submitted to OFR shall include the following:~~

~~1. The date or dates on which the audit was conducted and the completion date;~~

~~2. A statement indicating that all of the procedures in the Comprehensive Annual Audit—Minimum Audit Procedures Report, Form OFR-U-63, were performed, or specific reasons why required procedures were not included in the audit. Additionally, a completed copy of Form OFR-U-63 shall also be included. If an opinion audit prepared by a certified public accountant is submitted, the opinion audit must include a statement that certifies that the minimum audit procedures required by the AICPA’s “Audit and Accounting Guide—Audits of Credit Unions” (dated May 1, 1994), which is hereby incorporated by reference, have been performed;~~

~~2.3. A statement of condition as of the audit date;~~

~~3.4. A statement of income and expense for the calendar period year-to-date;~~

~~5. A schedule of verifications;~~

~~6. A summary schedule of delinquent accounts;~~

~~4.7. A statement describing the audit findings and recommendations; and~~

~~5.8. The A statement of the credit union’s response to the audit findings and recommendations.~~

~~(4) OFR shall review each audit and, if it finds that the audit does not comprehensively address all relevant areas of concern or accurately reflect the condition of the credit union, OFR shall require an audit pursuant to paragraph 655.045(3)(a), F.S.~~

~~(b) The completed audit report shall be submitted to the board of directors within thirty (30) days of the completion date of the audit report. Within forty-five (45) days of the acceptance date of the audit report by the board of directors, the completed audit report, including all the requirements of paragraph (4)(a), and a notice of acceptance and consideration by the board of directors shall be submitted to OFR.~~

~~(c) Each audit report and supporting work papers shall be subject to review by OFR. Upon completion of OFR’s review, an acknowledgment will be furnished to the credit union noting acceptance of the audit report or indicating specific areas of inadequate compliance with the Comprehensive Annual Audit—Minimum Audit Procedures Report, Form OFR-U-63.~~

~~(5) Minimum Audit Requirements.~~

~~(a) To be acceptable, every audit of a credit union must be made in accordance with the Comprehensive Annual Audit—Minimum Audit Procedures Report, Form OFR-U-63, and supported by work papers. An opinion audit by an independent certified public accountant together with the management letter comments and the credit union’s response thereto, can be accepted as satisfaction of the minimum audit requirements.~~

~~(b) OFR shall determine whether an audit is acceptable. OFR shall reject any audit which does not materially conform with the minimum prescribed requirements. OFR shall reject any audit if OFR finds that any person who has performed such audit has not followed recognized rules of ethics or conduct, or has not met the minimum standards of this section. Any material misstatement of facts or circumstances or any misrepresentation of any kind knowingly made shall also cause the audit to be rejected. If the audit is rejected, OFR shall have the option of requiring an acceptable audit to be made at the expense of the credit union.~~

~~(c) The scope of the audit, the extent to which accounts must be tested and the audit comments required, will vary according to the adequacy of the internal control procedures. Credit unions having sound established internal control procedures may find these minimum requirements sufficient. However, the minimum procedures should not be construed as restrictive. Circumstances may make it necessary or desirable to expand certain procedures, apply alternative procedures, or extend the audit procedures to additional areas. The audit shall include a general review of the credit union’s operating procedures and system of internal controls and the audit report shall include comments and recommendations resulting from this review. Unless otherwise stated, all test check procedures are to be performed from the previous audit date.~~

~~(d) Verification of accounts:~~

~~1. The verification of accounts required by section 115 of the Federal Credit Union Act (12 U.S.C. §1761d) and section 741.2 of the National Credit Union Administration Rules and Regulations (12 C.F.R. §741.2), which are hereby incorporated by reference, as such provisions existed on 10/95 could be substituted for the verification required in conjunction with the minimum audit requirements if performed using the same as of date as the audit.~~

~~2. Loans:~~

~~a. Commercial or Business Loans—20 percent of the total dollar volume provided that at least 5 percent of the total number of loans outstanding are represented, exclusive of past due loans, by positive verification.~~

~~b. Installment Loans—10 percent of the total number of outstanding loans (unless warranted, such confirmations need not exceed 250 accounts), exclusive of past due loans, by positive or negative verification.~~

~~c. Credit Card Accounts—5% of the total number of loans outstanding, exclusive of past due credit card accounts, by positive or negative verification.~~

d. Past Due Loans and Credit Card Accounts 100 percent, by positive or negative verification.

3. Shares, Share Drafts and Deposits.

a. Shares 10 percent of the total number of accounts provided that 10 percent of the total dollar volume is represented, by positive or negative verification.

b. Term Share and Deposits 100 percent of all accounts with a balance of \$100,000 or more and 10 percent of the total number of remaining accounts, by positive or negative verification.

4. Information required: The number of accounts, dollar amounts, customer response and reconciliation information will be included in the audit report in tabular form showing percentages in each case. Other sampling methods, used in an opinion audit, will be permitted if such methods meet the minimum requirements of minimum auditing standards which are generally recognized industry wide. In such a case, however, a schedule of confirmations showing the percentage of each type of account performed shall be included in the audit report in tabular form.

Specific Authority 120.54, 655.012(2) FS. Law Implemented 655.045(3), 657.026 FS. History—New 7-25-66, Renumbered from 3-5.08 to 3D-10.10 on 7-18-75, Amended 10-21-75, Formerly 3D-10.10, Amended 10-13-81, Formerly 3C-30.10, 3C-30.010, Amended 10-8-95, Formerly 3C-110.026, Amended _____.

69U-110.031 Powers.

(1) Definitions. As used in Chapter 69U-110, F.A.C., and the Financial Institutions Codes, Title 38, Florida Statutes, as applicable to credit unions, and unless the context otherwise indicates a different meaning was intended, the term:

(a) “General Powers” means the same powers as an individual to do all things necessary, convenient, or useful to carry out its business and affairs as a financial institution, consistent with the Financial Institutions Codes, in providing financial services and benefits to its members.

(b) “Incidental Powers” means those powers necessary to conduct business activities that may only indirectly or coincidentally benefit or serve the credit union’s members, mission, or business, or are the functional equivalent or logical outgrowth of activities that are part of the mission or business of credit unions and involves risks similar in nature to those already assumed as part of the business of credit unions.

(2) General Powers Activities. Credit unions are authorized to engage in those general powers activities to provide financial services and benefits to their members without prior approval of the OFR, unless such approval is otherwise specifically required by law or is necessary to achieve competitive equality per Section 655.061, F.S. The following general powers activities are so authorized for competitive equality:

(a) Credit unions exempted from significant events reporting per Section 655.948(4)(a), F.S., and meeting the net worth and Capital, Asset, Management, Earnings and Liquidity (CAMEL) rating eligibility criteria for the National Credit Union Administration’s Regulatory Flexibility Program, as specified in 12 C.F.R Part 742 (2006), which is hereby incorporated by reference, may:

1. Establish and maintain Federal public unit and nonmember accounts in accordance with National Credit Union Administration (NCUA) Rule 701.32 (codified at 12 C.F.R. § 701.32 (2006)), which is hereby incorporated by reference, and the exemption of NCUA Rule 742.4(a) (codified at 12 C.F.R. § 742.4(a)(2006)), which is hereby incorporated by reference, consistent with the limitations of Chapter 280, F.S.:

2. Invest in real estate and equipment for the credit union as provided in Section 657.042(5), F.S., that may exceed five percent of the capital of the credit union, without prior notice or approval of the OFR; and

3. Invest in commercial mortgage related securities as may be permitted by NCUA Rule 703.16 (codified at 12 C.F.R. § 703.16 (2006)), which is hereby incorporated by reference, and the exemption, limitations and restrictions of NCUA Rule 742.4(b) (codified at 12 C.F.R. § 742.4(b) (2006)), which is hereby incorporated by reference.

(b) Credit unions may serve as a United States Treasury Department tax and loan depository, a depository of Federal taxes, and a financial agent of the United States Government, in accordance with NCUA Rules (codified at 12 C.F.R. Chapter VII (2006)), which is hereby incorporated by reference.

(3) Incidental Powers Activities. Credit unions are authorized to engage in such incidental powers activities as authorized by law or approved by the OFR. The following category of activities is pre-approved as incidental to carrying on credit union business:

Trustee or custodial services. Trustee or custodial services are services in which the credit union is authorized to act under any written trust instrument or custodial agreement created or organized in the United States and forming part of a tax-advantaged savings plan, as authorized under the Internal Revenue Code. These services may include acting as a trustee or custodian for member retirement, education and health savings accounts.

Specific Authority 120.54, 655.012(2) FS. Law Implemented 655.061, 657.031, 657.042 FS. History—New _____.

69U-110.038 Applications for Credit.

Specific Authority 120.54, 655.012(2) FS. Law Implemented 657.038(12) FS. History—New 7-25-66, Renumbered from 3-5.01 to 3D-10.11 on 7-18-75, Amended 10-21-75, Formerly 3D-10.11, Amended 10-13-81, Formerly 3C-30.11, 3C-30.011, Amended 10-8-95, Formerly 3C-110.038, Repealed _____.

69U-110.0381 Loans Secured by Real Estate Minimum Requirements for Certain Types.

The board of directors shall adopt and maintain written policies that establish appropriate limits and standards for loans that are secured by liens on or interests in real estate. Real estate lending policies must be: consistent with safe and sound industry practices; appropriate for the size of the credit union and scope of its operations; and reviewed and approved by the board of directors in accordance with Rule 69U-110.0212, F.A.C. The lending policies must establish: loan portfolio diversification standards; prudent underwriting standards; loan administration procedures for the credit union's real estate portfolio; and documentation, approval, and reporting requirements to monitor compliance with the credit union's real estate lending policies.

~~(1) Loans secured by real estate. The board of directors must establish a mortgage loan policy which specifies the types of mortgage loans that can be made, the dollar limit on such loans, and the maximum maturity and minimum documentation requirements. An asset/liability management policy must also be established which limits the total percentage amount of all mortgage loans and the type of individual mortgage loans offered. The maximum amount (or credit limit) of a mortgage plus the outstanding balances (or credit limits) of any outstanding prior liens may not exceed appraised or documented property value. The minimum documentation required for all loans primarily secured by real estate includes:~~

~~(a) Appraisal or determination of property value as required by Rule 69U-100.600, F.A.C., Appraisal Standards;~~

~~(b) Mortgagee title insurance or an attorney's opinion of title. However, in the case of a home equity loan, mortgagee title insurance or an attorney's opinion of title is not required.~~

~~(c) Hazard insurance, including fire and extended coverage, in an amount of at least the outstanding mortgage balance or value of any improvements used to determine value, whichever is less, with the credit union named as loss payee.~~

~~(d) Flood insurance, if the property is located in a special flood hazard area, in an amount of at least the value of the improvements or the maximum amount obtainable under standard flood insurance policies.~~

~~(e) Mortgage recorded in the public records of the county or counties wherein the property is located.~~

~~(f) Closing statement reflecting the allocation/disbursement of the mortgage loan proceeds.~~

~~(2) The minimum documentation requirements for loans based on the collateral consisting of motor vehicles, mobile homes, airplanes or boats include:~~

~~(a) Evidence of a properly recorded lien in favor of the credit union, including the original title certificate where available, retained in the files of the credit union.~~

~~(b) Security agreement.~~

~~(c) Evidence of hazard insurance insuring against fire, theft, comprehensive and collision coverage with a loss payee clause in favor of the credit union; provided, however, in lieu of hazard insurance purchased by the borrower, the credit union may purchase vendor's single interest insurance; the credit committee, or credit manager, may waive comprehensive and collision coverage by executing a statement of justification thereof, which statement shall be kept in the loan file.~~

~~(3) The provisions of this rule are not all inclusive and all credit unions shall comply with all state and federal requirements with respect to all loans.~~

Specific Authority 120.54, 655.012(2) FS. Law Implemented 655.60, 657.038(5)(6); (11)(12) FS. History--New 7-25-66, Amended 10-26-67, 3-9-70, Renumbered from 3-5.01 to 3D-10.13 on 7-18-75, Amended 10-21-75, Formerly 3D-10.13, Amended 10-13-81, Formerly 3C-30.13, 3C-30.013, Amended 10-8-95, Formerly 3C-110.0381, Amended _____.

69U-110.0382 Credit Cards.

Specific Authority 120.54, 655.012(2) FS. Law Implemented 655.954(1), 657.031(27), 657.038 FS. History--New 2-1-78, Amended 10-13-81, Formerly 3C-30.28, 3C-30.028, Amended 10-8-95, Formerly 3C-110.0382, Repealed _____.

69U-110.042 Investments.

Specific Authority 120.54, 655.012(2) FS. Law Implemented 657.042(2), (6) FS. History--New 10-13-81, Amended 12-16-85, Formerly 3C-30.34, 3C-30.034, Amended 10-8-95, Formerly 3C-110.042, Repealed _____.

69U-110.043 Reserves Allowance for Loan Losses.

(1) Allowance for Loan Losses. The board of directors must establish procedures to verify that the allowance for loan losses account methodology is valid and conforms to generally accepted accounting principles and supervisory guidance. At a minimum, the board shall require an annual review through the annual audit or otherwise, by an independent party, as to the validity of, conformance to, and effectiveness of the established methodology and allowances. The allowance for loan loss account (allowance account) is a contra-asset account to the loan accounts on the financial statement of a credit union. Each state chartered credit union must establish an allowance account within the records of the credit union. A credit union must thereafter maintain a reasonable balance in the account through periodic charges to the operating expense account (provision for loan loss account) of the credit union.

(2) All loan and negative balance share or deposit balances charged-off shall be reported to the board of directors in accordance with a policy adopted by the board wherein parameters are set when to report individual amounts or aggregate amounts by classification, or both. The report shall be approved by the board. The amount of the allowance account must be adequate to cover specifically identified loans, as well as estimated losses inherent in the loan portfolio, such

as loans and pools of loans for which losses are probable but not identifiable on a specific loan by loan basis. At a minimum, the following formula shall be used to determine the adequacy of the allowance account:

(a) 100% of classified loans; plus

(b) The outstanding principal balance of all loans, less those which are classified, times the five year average loan loss ratio.

(c) Classified loans include all loans that are delinquent or nonperforming and which have been determined by the board of directors to be worthless or doubtful of collection. To determine the dollar value of classified loans, the credit union management shall regularly review and report to the board of directors all delinquent or nonperforming loans. Nonperforming loans shall include all loans which have been refinanced or extended without adequate payment history.

(d) The five year average loan loss ratio, as determined by the credit union, may be changed by OFR or the National Credit Union Administration if it is determined through an examination or visitation that the required amount is not representative of the losses inherent in the loan portfolio.

(e) Credit unions which maintain sufficient detail to compute a loan loss ratio for each loan category or loans acquired through merger may establish a loan loss ratio for each category of loan.

(f) The board of directors shall review the allowance account and direct any necessary adjustments to the account balance. If, at any time, the actual allowance account balance falls below the required balance, the board of directors shall increase the balance to the required amount before paying dividends.

(3) Each credit union shall establish a monthly accrual based on estimated losses. The monthly accrual shall be credited to the allowance account and debited to the expense account.

(4) The board of directors shall approve all charge offs of loans prior to such charge off. To record the charge off of a loan, the allowance account will be debited for the net amount charged off and the loan account will be credited. Any note or other obligation, either secured or unsecured, which is past due for 12 months or longer, is deemed to be worthless, or upon which no interest has been paid for 12 months or longer shall be charged off against the allowance account, except that:

(a) Any such note or other obligation which is secured by a lien or other collateral may be carried as an asset of the credit union at the current fair market value of the collateral securing the note or obligation.

(b) Any note or other obligation upon which payments are being made in a manner which will retire the debt may be carried as an asset of the credit union to the extent of its reasonable or market value as determined by the board.

(c) Any such note or other obligation may be refinanced if a new note or obligation is executed and:

1. All past due interest is paid;

2. The loan is collateralized fully and such collateral amply secures the obligation; or

3. The member meets the underwriting criteria established in the loan and credit policy. The new note or obligation may then be carried as an asset of the credit union at full face value. Refinancing of a note or obligation, either secured or unsecured, which is past due for 12 months or longer or upon which no interest has been paid for 12 months or longer will be permitted only one time.

(5) To record a recovery the allowance account will be credited and the cash account debited. If interest is collected, the amount will be credited to income.

(6) When setting aside the required transfer to the regular reserve the amount previously credited to the allowance account for loan losses in the form of monthly or special transfers during the period will be deducted from the required transfer first, then the regular reserve account.

(7) For the purpose of determining the regular reserve to risk asset ratio, the total regular reserve will equal the sum of regular reserve plus allowance for loan losses.

Specific Authority 120.54, 655.012(2) FS. Law Implemented 655.044, 657.043(2) FS. History—New 10-13-81, Formerly 3C-30.32, 3C-30.032, Amended 10-8-95, Formerly 3C-110.043, Amended _____.

69U-110.0431 Depletion of Regular Reserves.

Specific Authority 120.54, 655.012(2) FS. Law Implemented 657.043(3) FS. History—New 2-4-85, Formerly 3C-30.38, 3C-30.038, Amended 10-8-95, Formerly 3C-110.0431, Repealed _____.

69U-110.0432 Equity Plan Requirements.

Specific Authority 120.54, 655.012(2) FS. Law Implemented 657.043(8) FS. History—New 10-8-95, Formerly 3C-110.0432, Repealed _____.

69U-110.044 Accounting Practices.

Specific Authority 120.54, 655.012(2) FS. Law Implemented 655.044(1) FS. History—New 2-4-85, Formerly 3C-30.40, 3C-30.040, Amended 10-8-95, Formerly 3C-110.044, Repealed _____.

69U-110.045 Reports to OFR.

Each credit union shall prepare and submit an accurate and complete OFR shall require a quarterly report of financial condition to the OFR. The reports shall reflect the credit union's condition to be prepared as of the close of business on March 31, June 30, September 30, and December 31. Each credit union shall file its report electronically with the OFR and National Credit Union Administration (NCUA). The credit union shall provide the report required to maintain insurance of accounts by the National Credit Union Share Insurance Fund, as provided in NCUA Rule 741.6 (codified at 12. C.F.R. § 741.6 (2006)), which is hereby incorporated by reference. Form NCUA 5300 (revised 12/01), which is hereby

~~incorporated by reference.~~ Such reports shall be due no later than April 22, July 22, October 22, and January 22, respectively, of each year. If any due date falls on a weekend or holiday, a quarterly report is timely filed if it is ~~postmarked or~~ electronically transmitted no later than the next business day. ~~An administrative late fee of \$100.00 per day shall be levied against a credit union pursuant to Section 655.045(2)(b), F.S., for reports not timely filed unless the administrative fine is waived by OFR for good cause, such as incidental and isolated clerical errors or omissions.~~

Specific Authority 655.012(2) FS. Law Implemented 655.045(2) FS. History—New 10-31-81, Formerly 3C-30.31, 3C-30.031, Amended 10-8-95, 3-20-02, Formerly 3C-110.045, Amended _____.

69U-110.050 Currency Reporting Compliance Requirements.

Specific Authority 120.54, 655.012(2) FS. Law Implemented 655.50, 657.021(7) FS. History—New 2-24-88, Formerly 3C-30.041, Amended 10-8-95, Formerly 3C-110.050, Repealed _____.

69U-110.062 Capitalization Criteria for Conservatorship or Involuntary Liquidation Actions.

The office may take action to have a credit union placed into a conservatorship or involuntary liquidation upon finding that, among other reasons, the credit union is significantly undercapitalized or undercapitalized, and has no reasonable prospect of becoming adequately capitalized. The criteria for such determination of capitalization shall be as defined in the net worth categories contained in s. 216, the Federal Credit Union Act, codified at 12 U.S.C. 1790d(c), and the regulations promulgated thereunder in 12 C.F.R. Part 702 (2006), which are incorporated by reference.

Specific Authority 655.012, 657.062, 657.063 FS. Law Implemented 657.062, 657.063 FS. History—New _____.

69U-110.063 Credit Unions Liquidation Certificate and Maintenance of Records.

(1) No change.

(2) ~~OFR itself shall be authorized to receive and maintain the books and records of a credit union upon dissolution or it shall be authorized to~~ appoint as custodian the National Credit Union Administration to keep and maintain the books and records of such dissolved credit union.

(3) No change.

Specific Authority 120.54, 655.012(2) FS. Law Implemented 655-057, 657.062, 657.063, 657.064 FS. History—New 11-7-84, Formerly 3C-30.39, Amended 1-25-87, Formerly 3C-30.039, Amended 10-8-95, Formerly 3C-110.063, Amended _____.

69U-110.065 Merger.

In conjunction with the requirements of Section 657.065, F.S., if the proposed surviving credit union is state chartered, it shall submit a nonrefundable application fee of \$500 to OFR, along with an Application for Approval of Merger on Form

OFR-U-64, (revised 3/2003), which is hereby incorporated by reference. If the proposed surviving credit union is federally chartered, the credit union shall submit a copy of the federal merger application to OFR. The Credit union shall notify OFR, NCUA and other regulatory agencies, as applicable, upon consummation of the merger.

Specific Authority 120.54, 655.012(2) FS. Law Implemented 657.065 FS. History—New 7-25-66, Renumbered from 3-5.12 to 3D-10.23 on 7-18-75, Amended 10-21-75, Formerly 3D-10.23, Amended 10-13-81, Formerly 3C-30.23, 3C-30.023, Amended 10-8-95, Formerly 3C-110.065, Amended _____.

69U-110.068 Central Credit Unions.

Specific Authority 120.54, 655.012(2) FS. Law Implemented 657.068(2)(d), (e) FS. History—New 10-13-81, Formerly 3C-30.36, 3C-30.036, Amended 10-8-95, Formerly 3C-110.068, Repealed _____.

Section II Proposed Rules

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER NO.: RULE CHAPTER TITLE:

14-57 Railroad Safety and Clearance Standards, and Public Railroad-Highway Grade Crossings

RULE NO.: RULE TITLE:

14-57.012 Standards for Opening and Closing of Railroad-Highway Grade Crossings – Opening and Closure

PURPOSE AND EFFECT: The rule is being amended to add consideration of closing one or more public highway-rail grade crossings to offset opening a new crossing.

SUMMARY: Rule subsection 14-57.012(2), F.A.C., is being amended to add consideration of closing one or more public highway-rail grade crossings to offset opening a new crossing.

SPECIFIC AUTHORITY: 334.044(2) FS.

LAW IMPLEMENTED: 335.141 FS.

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

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

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: 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:

14-57.012 Standards for Opening and Closing of Railroad-Highway Grade Crossings – Opening and Closure.

(1) No change.

(2) Opening and Closing Public Railroad-Highway Grade Crossings. The Department will accept applications for the opening and closing of public railroad-highway grade crossings from the governmental entity that has jurisdiction over the public street or highway; any railroad operating trains through the crossing; any other applicant for a public railroad-highway grade crossing provided there is in existence an agreement between the applicant and governmental entity to assume jurisdiction as a public crossing. The Department, on behalf of the State of Florida, will also open or close public railroad-highway grade crossings in accordance with the criteria set forth herein. Closure applications will also be accepted from individual citizens or groups, such as neighborhood associations. Opening or closure of public railroad-highway grade crossings shall be based upon Notices of Intent issued by the Department, administrative hearings conducted pursuant to Chapter 120, Florida Statutes, or upon a Stipulation of Parties executed by any applicant, governmental entity, the appropriate railroad, and the Department. The burden of proof for the opening or closing of a crossing is on the applicant. Acceptance of any application for processing by the Department shall not be construed as indicating the Department’s position regarding the application. If the preliminary review of the application does not support the crossing opening or closure, the applicant will be advised of these findings. The applicant may choose to withdraw the application or continue the process. If withdrawn, the process is concluded. An applicant may suspend an application at any time. If the applicant chooses to pursue the opening or closure of the public railroad-highway crossing, the railroad and governmental entity having jurisdiction at the location are notified and provided a copy of the application. The governmental entity should provide a public forum for community involvement and contact affected individuals or groups to obtain input on impacts to the community. The expense of crossing closures or openings, which shall include installation, maintenance, and replacement of grade crossing traffic control devices and grade crossing surfaces, will be the responsibility of the applicant, unless otherwise negotiated and accepted by all parties.

(a) Opening of Public Railroad-Highway Grade Crossings. In considering an application to open a public railroad-highway grade crossing, the following criteria will apply:

1. Safety.
2. Necessity for rail and vehicle traffic.
3. Alternate routes.
4. Effect on rail operations and expenses.

5. Closure of one or more public railroad-highway grade crossings to offset opening a new crossing.

~~6.5.~~ Design of the grade crossing and road approaches.

~~7.6.~~ Presence of multiple tracks and their effect upon railroad and highway operations.

(b) through (4) No change.

Specific Authority 334.044(2) FS. Law Implemented 335.141 FS. History–New 3-20-03, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Janice Bordelon, Rail Office

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Lowell Clary, Assistant Secretary for Finance and Administration, for Denver J. Stutler, Jr., P.E., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 23, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 21, 2006

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 CITRUS

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
20-7	Dues Collection on Behalf of Certain Not-For-Profit Corporations
RULE NOS.:	RULE TITLES:
20-7.001	Purpose
20-7.002	Request Procedure and Conditions
20-7.003	Commission Consideration of Properly Submitted Requests
20-7.004	Licensed Citrus Fruit Dealer Collection and Remittance Responsibilities
20-7.005	Fees

PURPOSE AND EFFECT: New rule implementing Section 601.992, F.S., collecting dues on behalf of certain not-for-profit corporations.

SUMMARY: Implementation of Section 601.992, F.S.

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

SPECIFIC AUTHORITY: 601.992 FS.

LAW IMPLEMENTED: 601.992 FS.

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

DATE AND TIME: October 25, 2006, 10:30 a.m.

PLACE: Department of Citrus Building, 1115 East Memorial Boulevard, Lakeland, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Alice P. Wiggins, License & Regulation Specialist, Legal Department, Florida Department of Citrus, P. O. Box 148, Lakeland, Florida 33802-0148

THE FULL TEXT OF THE PROPOSED RULES IS:

20-7.001 Purpose.

Florida Statute 601.992, as amended by Chapter Laws 2006-289 and signed by the governor on June 22, 2006, authorizes the Department to compel the entities regulated by the department to collect dues, contributions, or any other financial payments on behalf of certain specified not-for-profit corporations which are involved in citrus market news and citrus grower education. The purpose of this Rule is to establish:

(1) The guidelines and conditions upon which a specified not-for-profit corporation may request the Department to implement a mechanism to require licensed citrus fruit dealers to collect such dues, contributions or other financial payments;

(2) A procedure for the remittance of such collected funds to a specified not-for-profit corporation; and

(3) A fee system to ensure that the Department recoups from any such not-for-profit corporation any direct costs incurred by the Department in implementing the dues collection contemplated hereunder.

Specific Authority 601.10(1), 601.992 FS. Law Implemented 601.992 FS. History—New _____.

20-7.002 Request Procedure and Conditions.

(1) Any not-for-profit corporation meeting the requirements of Section 601.992, F.S., may request the Department to require licensed citrus fruit dealers to collect and remit dues, contributions, or other financial payments on behalf of that corporation pursuant to this Rule. Such request shall be initiated by the requesting corporation submitting a written request, which request shall be sworn under oath and signed before a notary public by the president of the corporation, and shall contain affirmations and, where applicable, proof or descriptions, as to each of the following:

(a) The requesting corporation is an active, not-for-profit corporation organized in, and whose principal office is located in, the State of Florida and which corporation is registered with the Florida Department of State, Division of Corporations;

(b) The specific dues structure of the requesting corporation, including, but not limited to, a detailed statement of how dues, contributions, or other financial payments are calculated and assessed to members of the corporation, and which such dues, contributions, or other financial payments are requested to be collected under this Rule;

(c) The specific mechanism for how licensed citrus fruit dealers are to collect and remit such dues, contributions, or other financial payments; Such submission shall also include a detailed description of the mechanism for the requesting corporation to process any refund requests from its members or licensed citrus fruit dealers. Such submission shall also include a draft of a proposed resolution, as outlined in subsection 20-7.003(2), F.A.C.

(d) The specific reporting format requested of the licensed citrus fruit dealers and the specific mechanism for how adjustments by the corporation in such dues, contributions, or other financial payments are to be calculated, and how such adjustments shall be communicated to licensed citrus fruit dealers for collection, adjustment;

(e) A statement affirming that the requesting corporation is engaged, to the exclusion of agricultural commodities other than citrus, in market news and grower education solely for citrus growers;

(f) A statement affirming that the requesting corporation has at least 5,000 members who are engaged in growing citrus in Florida for commercial sale;

(g) A statement acknowledging that all activities undertaken by the Department pursuant to this Rule, including, but not limited to, all submissions to the Department, are subject to Florida's Public Records and Government in the Sunshine Laws, as may be amended from time to time;

(h) A statement acknowledging that, if the corporation's request is granted by the Department, then the corporation agrees to execute a contract, the duration of which shall not exceed five years, including a continuing indemnity agreement, in the form attached to this Rule as Appendix A.

(i) A statement acknowledging that the Department is in no way an agent, for any purposes, of the requesting corporation, and in no way endorses the activities of the corporation;

(j) A statement acknowledging that, annually, the corporation shall pay to the Department a reasonable fee calculated by the Department to reimburse the Department for any and all direct costs (as defined in Rule 20-7.005, F.A.C.) attributable to such corporation's dues collection as implemented by this Rule.

(2) Any such request must be accompanied by a non-refundable processing fee made payable to the Department in the amount to be determined pursuant to Rule 20-7.005, F.A.C., which fee is intended to pay for the direct administrative costs incurred by the Department associated with processing the requesting corporation's application.

Specific Authority 601.992 FS. Law Implemented 601.992 FS. History--New _____.

20-7.003 Commission Consideration of Properly Submitted Requests.

(1) Upon the Department's receipt of any request pursuant to this Rule, the Department shall determine whether any such request meets the requirements of this Rule. Any request meeting this Rule's requirements shall be considered a properly submitted request and such request shall be placed as an agenda item for consideration by the Florida Citrus Commission at a regularly scheduled Commission meeting occurring no sooner than 15 days, but no later than 90 days, after the Department's receipt of any properly submitted request. In deciding upon any such properly submitted request, the Commission may consider the following factors:

(a) The logistics and impacts of requiring licensed citrus fruit dealers to collect and remit the requested dues, contributions or other financial payments;

(b) Whether approval of the properly submitted request advances the purposes of The Florida Citrus Code, as may be amended from time to time;

(c) Public comments; and

(d) Recommendations by Department staff.

(2) If the Commission, by majority vote, approves the properly submitted request, then such approval shall be manifested in the form of a Commission Resolution. The Resolution shall contain sufficient information, logistical and otherwise, to allow licensed citrus fruit dealers to collect dues, contributions, or any other financial payments on behalf of the corporation identified in the Resolution, and to remit those collected funds to said corporation.

(3) After passage of the Resolution, the Department shall cause a contract, the duration of which shall be not greater than five years, but which shall be terminable by the Department without cause upon providing the requesting corporation 60 days written notice, and a continuing indemnity agreement in the form attached to this Rule as Appendix A, to be presented to the requesting corporation identified in the Resolution. Each such contract shall include a requirement that the requesting corporation pay to the Department a fee equal to, but not exceeding, the amount necessary to ensure that any direct costs incurred by the Department in administering the contract are paid by the requesting corporation as calculated pursuant to Rule 20-7.005, F.A.C. Each such contract shall also include provisions to ensure that the requesting corporation continues to meet the requirements outlined in Section 601.992, F.S., and

this Rule, throughout the term of said contract. If the requesting corporation and the Department have not mutually agreed to a contract and indemnification agreement, for submission to the Commission for approval, within 63 days of the date of the Commission Resolution, then the Resolution shall be of no force and effect, except that the Department's Executive Director or Secretary of the Commission may expand this 63-day time limit if, in their sound discretion, more time is needed to effectuate a contract consistent with the Resolution.

Specific Authority 601.992 FS. Law Implemented 601.992 FS. History--New _____.

20-7.004 Licensed Citrus Fruit Dealer Collection and Remittance Responsibilities.

(1) Upon the execution of a Commission-approved contract as contemplated by this Rule, the Department shall cause a copy of the Resolution to be sent to each licensed citrus fruit dealer licensed by the Department. Pursuant to the terms of the Resolution, each licensed citrus fruit dealer shall collect the dues, contributions, or any other financial payments on behalf of the corporation named in the Resolution.

(2) Licensed citrus fruit dealers found by the Department to be in non-compliance with any Resolution duly-promulgated hereunder may be subject to disciplinary action of the Florida Department of Agriculture and Consumer Services, including, but not limited to, fines, license suspension or revocation as prescribed in Sections 601.67 and 601.68, F.S.

Specific Authority 601.992 FS. Law Implemented 601.992 FS. History--New _____.

20-7.005 Fees.

(1) Within 60 days of the effective date of this Rule, and prior to August 1 of each year thereafter, the Department shall calculate the direct costs incurred by the Department for (i) processing request(s) for dues collection, and (ii) contract administration.

(2) For the purposes of calculating such fees, the term "direct costs" shall mean any actual costs incurred by the Department, including, but not limited to, the pro-rated value of any portion of any and all employees' gross salary and benefits for any such employees' time spent on administration of the services contemplated hereunder and any fees, expenses or costs which the Department may pay to any licensed citrus fruit dealer for the dues collection and remittance contemplated herein. Such "direct costs" shall also include any portion of other Department expenses and/or overhead which may be reasonably allocated to the services contemplated hereunder.

(3) In no event shall the Department's calculation of fees hereunder result in the Department subsidizing any requesting corporation, nor shall any such calculation result in the

Department levying a fee in gross excess of those direct costs incurred by the Department in administering the services contemplated hereunder.

(4) The processing request fee established annually hereunder shall govern all processing requests for dues collection filed in the subsequent fee year (August 1 – July 31).

(5) The annual contract administration fee established hereunder shall be due as established by contract provision.

Specific Authority 601.992 FS. Law Implemented 601.992 FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Ken Keck, General Counsel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ken Keck, General Counsel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 17, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 1, 2006

FLORIDA PAROLE COMMISSION

RULE NO.: 23-15.012 RULE TITLE: Noticing of Proceedings and Proposed Rules

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to set forth procedures for requesting that the Florida Department of Corrections post notice of Parole Commission rule workshops, rule development, rule making, rule challenges and rule repeals on inmate bulletin boards and otherwise in all correctional institutions.

SUMMARY: The proposed rule provides procedures for requesting that the Florida Department of Corrections post notice of Parole Commission rule workshops, rule development, rule making, rule challenges and rule repeals on inmate bulletin boards and otherwise in all correctional institutions.

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

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

SPECIFIC AUTHORITY: 120.54(3)(a) FS.

LAW IMPLEMENTED: 120.54(3)(a) 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: Bradley R. Bischoff, Assistant General Counsel, Florida Parole Commission, 2601 Blair Stone Road, Bldg. C, Tallahassee, Florida 32399-2450

THE FULL TEXT OF THE PROPOSED RULE IS:

23-15.012 Notice of Proceedings and Proposed Rules. Notice of adoption, amendment or repeal of a commission rule shall be by publication in the Florida Administrative Weekly. Further, the Florida Parole Commission shall ask the rules administrator for the Department of Corrections to post by memorandum notices of rule workshops, rule development, rule making, rule changes and rule repeals on the inmate bulletin boards of all correctional institutions throughout the state and circulate a copy of the notice among the inmates in all disciplinary, administrative or close management confinement areas of all facilities. The commission will also request that a complete copy of the proposed rules be made available in each institutional library.

Specific Authority 120.54(3)(a) FS. Law Implemented 120.54(3)(a) FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Susan Schwartz, Assistant General Counsel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Monica David, Commissioner/Chairman, Tena M. Pate, Commissioner/Vice-Chairman, Federick B. Dunphy, Commissioner

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 16, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 13, 2006

LAND AND WATER ADJUDICATORY COMMISSION

Tomoka Community Development District

RULE CHAPTER NO.: 42LL-1 RULE CHAPTER TITLE: Tomoka Community Development District

RULE NO.: 42LL-1.002 RULE TITLE: Boundary

PURPOSE, EFFECT AND SUMMARY: The Petition, as amended during the public hearing held on February 22, 2006, before Judge J. Lawrence Johnston, was filed by the Tomoka Community Development District with its registered office located at 123 South Calhoun Street, Tallahassee, Florida 32301. The Petition, as amended, proposes to modify the land area presently serviced by the District by amending its boundary to add approximately 1,122 acres. (The District was originally established by Rule 42LL-1, F.A.C., effective October 10, 2003. Petitioner discovered flaws in the legal description of the external boundaries of the District contained in Rule Chapter 42LL-1.002, F.A.C., resulting in the exclusion of significant portions of the lands thought to be included in the original Petition establishing the District. The subject boundary amendment will correct the flaws.) The District currently covers approximately 846 acres of land located in Flagler County in an area west of Interstate 95, northeast of U.S. Highway 1, south of Old Dixie Highway, and bounded on the

east by the Florida Power and Light utility easement. After amendment, the District will encompass approximately 1,968 acres. The District currently contains two out-parcels located within the external boundaries of the District which remain excluded. Petitioner has written consent to amend the boundary of the District from the owners of one hundred percent of the lands comprising the expansion parcel. Pursuant to Section 190.046(1)(e), F.S., the filing of the Petition, as amended, for expansion by the District Board of Supervisors constitutes consent of the landowners. Development contemplated for the Tomoka CDD, after expansion, consists of 1,586 single family homes, 330 multi-family homes, 18 holes of championship golf, and recreation areas. Services and facilities to be provided by the District for lands within the expansion parcel are included in the District's adopted Improvement Plan and consist of stormwater infrastructure, entrances and landscaping, wetland compliance/mitigation, offsite improvements, and engineering and permitting. The District has already funded, acquired, and/or constructed infrastructure improvements to the expansion parcel. Construction of the improvements is expected to be complete in 2006.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: In association with the Petition, the Petitioner has caused a Statement of Estimated Regulatory Costs ("SERC") to be prepared in compliance with Section 120.541, F.S. The complete text of the SERC is contained at Exhibit "9" to the Petition. By way of summary, the SERC estimates the principal individuals and entities likely to be required to comply with the amended rule are the State of Florida and Flagler County. The SERC estimates that rule amendment implementation and enforcement costs to the above-described entities will be modest, are concurrently budgeted or not burdensome, and/or are offset by the payment of requisite filing and annual fees; and, estimates there will be no effect on state and local revenues from the proposed amendment of the rule. The SERC indicates the District may levy non-ad valorem special assessments on properties within its boundaries to finance infrastructure that the District funds and to defray the costs of operating and maintaining the infrastructure and associated community facilities. Prospective future landowners would be required to pay off such indebtedness over time in the form of non-ad valorem special assessments or other rates, fees or charges. The District may also impose an annual levy for the operations and maintenance of the District. The SERC further provides the decision to locate within the District is completely voluntary. The SERC concludes that the expansion of the District's boundary will have no impact or a positive impact on small businesses. As to impact on small counties, Flagler County is not a "small" county as defined by Section 120.52, F.S. The SERC analysis is based on a straightforward application of economic theory. Input was received from the developer's engineer and other professionals associated with the developer.

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, A HEARING WILL NOT BE HELD):

DATE AND TIME: Tuesday, October 3, 2006, 10:00 a.m.

PLACE: Room 1802M, The Capitol, Tallahassee, Florida

Any person requiring a special accommodation to participate in the hearing because of a disability should contact Barbara Leighty, (850)487-1884, at least two (2) business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Barbara Leighty, Senior Policy Analyst, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1802, Tallahassee, Florida 32399-0001, (850)487-1884

THE FULL TEXT OF THE PROPOSED RULE IS:

42LL-1.002 Boundary.

The boundaries of the district are as follows:

A portion of sections 3, 4, 5, 8, 9, 10, 15, 16, 21, and 22, Township 13 south, range 31 east, Flagler County, Florida, and a portion of Bunnell Development Company Subdivision, as recorded in plat book 1, page 1, of the Public Records of Flagler County, Florida, more particularly described as follows: and a portion of sections 14, 22 and 23, Township 13 south, range 31 east, Volusia County, Florida, described as follows:

From a Point of Beginning being the southwest corner of Section 3, Township 13 South, Range 31 East; thence, proceeding North 01 degrees, 46 minutes, 36 seconds West along the west line of said Section 3, a distance of 986.85 feet; thence, departing said westerly line of Section 3, North 89 degrees, 27 minutes, 53 seconds East, a distance of 150.00 feet; thence, North 01 degrees, 46 minutes, 33 seconds West a distance of 1287.05 feet to the southerly right-of-way line of Old Dixie Highway, a 66 foot wide right-of-way; thence North 89 degrees, 28 minutes, 05 seconds East, along said southerly right-of-way line, a distance of 1181.54 feet; thence departing said right-of-way line, run South 01 degrees, 48 minutes, 15 seconds East along the east line of Lot 4, Block C, Section 3, of said Bunnell Development Company subdivision, a distance of 1287.00 feet; thence, North 89 degrees, 28 minutes, 22 seconds East a distance of 110.00 feet to a point on the easterly line of the 236 foot wide Florida Power and Light Company easement recorded in O.R. Book 11, Page 493 and O.R. Book 34, Page 124 of the Public Records of Flagler County, Florida; thence South 01 degrees, 48 minutes, 15 seconds East, along the easterly line of said Florida Power and Light easement, a distance of 1182.92 feet; thence, continuing along said easterly line of said Florida Power and Light easement, South 50 degrees, 26 minutes, 59 seconds East a distance of 3340.24 feet; thence, South 01 degrees, 56 minutes, 33 seconds East a distance of 5789.89 feet more or less to a point on the northerly

line of Eagle Rock Ranch Subdivision, as recorded in Plat Book 26, Pages 51-52 of the Public Records of Flagler County, Florida; thence, departing said easterly line of the Florida Power and Light Easement, South 40 degrees, 11 minutes, 55 seconds West, along said northerly line of Eagle Rock Ranch, a distance of 856.60 feet; thence continuing along said northerly line of Eagle Rock Ranch South 88 degrees, 27 minutes, 37 seconds West a distance of 45.18 feet; thence, South 40 degrees, 11 minutes, 55 seconds West a distance of 2189.93 feet; thence, South 49 degrees, 47 minutes, 54 seconds East a distance of 1171.20 feet; thence, South 40 degrees, 14 minutes, 04 seconds West a distance of 2222.60 feet to a point on the easterly line of U.S. Highway 1, a 160 foot wide right-of-way; thence departing said northerly line of Eagle Rock Ranch subdivision, proceed northerly along said U.S. Highway 1 right-of-way North 49 degrees, 47 minutes, 21 seconds West a distance of 637.20 feet to the start of a curve concave northeasterly having a radius of 5619.59 feet; thence, run along the arc of said curve, through a central angle of 8 degrees, 42 minutes, 33 seconds a distance of 854.17 feet; thence, North 48 degrees, 55 minutes, 11 seconds East a distance of 35.00 feet to the start of a curve concave northeasterly having a radius of 5584.59 feet; thence, run along the arc of said curve, through a central angle of 1 degree, 40 minutes, 40 seconds a distance of 163.53 feet; thence, North 39 degrees, 24 minutes, 09 seconds West a distance of 276.47 feet; thence South 50 degrees, 35 minutes, 51 seconds West a distance of 35.00 feet; thence, North 39 degrees, 24 minutes, 09 seconds West a distance of 7995.87 feet to a point on the north line of Section 16, Township 13 South, Range 31 East; thence, departing said U.S. Highway 1 right-of-way, proceed, North 89 degrees, 11 minutes, 58 seconds East, along the north line of said Section 16, a distance of 999.49 feet; thence, departing said north line of Section 16, North 02 degrees, 00 minutes, 32 seconds West a distance of 1320.83 feet; thence, North 89 degrees, 12 minutes, 05 seconds East a distance of 1325.60 feet; thence, North 02 degrees, 04 minutes, 45 seconds West a distance of 1320.83 feet; thence, South 89 degrees, 12 minutes, 11 seconds West a distance of 1323.99 feet; thence, South 02 degrees, 00 minutes, 32.5 seconds East a distance of 1320.83 feet; thence, South 89 degrees, 12 minutes, 05 seconds West a distance of 662.80 feet; thence, North 01 degrees, 58 minutes, 26 seconds West a distance of 1981.25 feet; thence, South 89 degrees, 12 minutes, 14 seconds West a distance of 1396.16 feet; thence, North 07 degrees, 21 minutes, 09.5 seconds West a distance of 442.07 feet; thence, South 72 degrees, 34 minutes, 37 seconds West a distance of 267.61 feet; thence, North 17 degrees, 23 minutes, 09 seconds West a distance of 311.39 feet; thence, North 89 degrees, 14 minutes, 31 seconds East a distance of 310.90 feet; thence, North 17 degrees, 18 minutes, 16 seconds West a distance of 690.36 feet; thence, North 01 degrees, 07 minutes, 55 seconds West a distance of 235.10 feet; thence, South 89 degrees, 19 minutes, 05 seconds West a distance of 280.00 feet; thence, North 01 degrees, 07 minutes, 55 seconds

West a distance of 425.00 feet; thence, South 89 degrees, 19 minutes, 05 seconds West a distance of 152.45 feet; thence, North 01 degrees, 02 minutes, 20 seconds West a distance of 2338.83 feet; thence, North 89 degrees, 18 minutes, 57 seconds East a distance of 1328.19 feet; thence, North 89 degrees, 33 minutes, 19 seconds East a distance of 668.21 feet; thence, South 02 degrees, 54 minutes, 51 seconds East a distance of 660.00 feet; thence, South 89 degrees, 33 minutes, 49 seconds West a distance of 666.05 feet; thence, South 03 degrees, 06 minutes, 06 seconds East a distance of 1680.93 feet to the northwest corner of Section 9, Township 13 South, Range 31 East; thence, along the north line of said Section 9, North 89 degrees, 09 minutes, 34 seconds East a distance of 1320.73 feet; thence, departing said northerly line of said Section 9, North 02 degrees, 43 minutes, 34 seconds West a distance of 1011.14 feet; thence, North 89 degrees, 33 minutes, 56 seconds East a distance of 2657.49 feet; thence, South 02 degrees, 04 minutes, 00 seconds East a distance of 994.19 feet; thence, North 89 degrees, 15 minutes, 13 seconds East a distance of 1324.71 feet to the Point of Beginning.

Less and Except the Plantation Bay School Site recorded in Plat Book 29, Page 49 of the Public Records of Flagler County, Florida and excepting the following Park Site:

A portion of Sections 9 and 16, Township 13 South, Range 31 East, Flagler County, Florida, commencing as a point of reference being the northeast corner of said Section 16, run South 89 degrees 11 minutes, 58 seconds West along the north line of said section 16, a distance of 4981.16 feet more or less to the easterly right-of-way line of U.S. Highway 1, a 160 foot wide right-of-way; thence, South 39 degrees 24 minutes, 09 seconds East, along said right-of-way, a distance of 1525.00 feet; to the point of curvature of a curve concave northerly, having a radius of 25.00 feet and a central angle of 90 degrees 00 minutes 00 seconds; thence departing said right-of-way line, run easterly along the arc of said curve a distance of 39.27 feet; thence, North 50 degrees 35 minutes, 51 seconds East a distance of 353.91 feet to the point of curvature of a curve concave southeasterly, having a radius of 425.24 feet and a central angle of 37 degrees 57 minutes 36 seconds and a chord bearing of North 69 degrees 34 minutes 39 seconds East; thence run easterly along the arc of said curve a distance of 281.73 feet to the point of reverse curve of a curve concave northerly, having a radius of 390.67 feet and a central angle of 54 degrees 14 minutes 32 seconds and a chord bearing of North 61 degrees 26 minutes 12 seconds East; thence run easterly along the arc of said curve a distance of 369.85 feet to the point of compound curve of a curve concave northerly, having a radius of 2818.85 feet and a central angle of 02 degrees 04 minutes 29 seconds and a chord bearing of North 33 degrees 16 minutes 41 seconds East; thence run easterly along the arc of said curve a distance of 102.08 feet; thence, South 59 degrees 28 minutes, 19 seconds East a distance of 120.05 feet to the point of curvature of a curve concave northwesterly, having a radius of 2938.85 feet and a central angle of 08 degrees 19

minutes 23 seconds; thence run northeasterly along the arc of said curve a distance of 426.91 feet; thence, North 23 degrees 50 minutes 51 seconds East a distance of 125.00 feet to the point of beginning; thence, continue North 23 degrees 50 minutes 51 seconds East a distance of 350.00 feet; thence, South 76 degrees 52 minutes, 06 seconds East a distance of 679.42 feet; thence, South 48 degrees 20 minutes 31 seconds East a distance of 1737.34 feet; thence, South 04 degrees 12 minutes 29 seconds East a distance of 450.94 feet; thence, North 60 degrees 12 minutes 29 seconds West a distance of 698.75 feet; thence, North 79 degrees 12 minutes 29 seconds West a distance of 393.78 feet; thence, North 31 degrees 58 minutes 16 seconds West a distance of 463.90 feet; thence, North 64 degrees 20 minutes, 47 seconds West a distance of 474.24 feet; thence, North 48 degrees 09 minutes, 28 seconds West a distance of 628.10 feet to the point of beginning.

From the southwest corner of said section 3, run north 01 degree 46 minutes 36 seconds west along the west line of said section 3 a distance of 451.12 feet to the point of beginning; thence continue north 01 degree 46 minutes 36 seconds west along said line a distance of 535.72 feet; thence departing said line, run north 87 degrees 27 minutes 53 seconds east a distance of 150.00 feet; thence north 01 degree 46 minutes 33 seconds west a distance of 1287.05 feet to the southerly right of way line of Old Dixie Highway, a 66 foot right-of-way; thence north 89 degrees 28 minutes 05 seconds east along said right-of-way line a distance of 1181.54 feet; thence departing said right-of-way line, run south 01 degree 48 minutes 15 seconds east along the east line of lot 4, block C, section 3, said Bunnell Development Company subdivision a distance of 1287.00 feet; thence north 89 degrees 28 minutes 22 seconds east along the north line of lot 10, block C, section 3, said Bunnell Development Company subdivision a distance of 110.00 feet; thence departing said line, run south 01 degree 48 minutes 15 seconds east along the easterly line of a 110 foot Florida Power & Light Company easement as recorded in deed book 116, page 128, of the Public Records of Flagler County, Florida, and the boundary of Plantation Bay phase I A, as recorded in plat book 29, pages 40-48, of the Public Records of Flagler County, Florida, a distance of 782.92 feet; thence departing said line, run south 89 degrees 35 minutes 22 seconds west a distance of 236.07 feet; thence north 01 degree 48 minutes 15 seconds west a distance of 399.99 feet; thence south 82 degrees 12 minutes 14 seconds west a distance of 1212.70 feet to the point of beginning.

Together with the following:-

From the southwest corner of said section 3, as the point of beginning, run south 02 degrees 08 minutes 04 seconds east along the east line of said section 9 a distance of 473.67 feet; thence departing said line, run south 62 degrees 28 minutes 42 seconds west a distance of 334.23 feet to a point on the arc of a curve, concave westerly, having a radius of 1380.00 feet, central angle of 40 degrees 46 minutes 36 seconds, and a chord

bearing of south 06 degrees 49 minutes 43 seconds west; thence run southerly along the arc of said curve a distance of 982.13 feet; thence south 27 degrees 13 minutes 01 second west a distance of 704.67 feet to the p.e. of a curve, concave easterly, having a radius of 571.65 feet and a central angle of 34 degrees 23 minutes 14 seconds; thence run southerly along the arc of said curve a distance of 343.09 feet to the p.e. of a curve, concave northwest, having a radius of 658.75 feet and a central angle of 32 degrees 59 minutes 14 seconds; thence run southerly along the arc of said curve a distance of 379.27 feet; thence south 25 degrees 49 minutes 00 seconds west a distance of 502.83 feet to the p.e. of a curve, concave southeast, having a radius of 670.00 feet and a central angle of 39 degrees 19 minutes 27 seconds; thence run southerly along the arc of said curve a distance of 459.84 feet; thence south 13 degrees 30 minutes 26 seconds east a distance of 180.63 feet to the p.e. of a curve, concave northeast, having a radius of 25.00 feet and a central angle of 88 degrees 29 minutes 15 seconds; thence run easterly along the arc of said curve a distance of 38.61 feet to the p.e. of a curve, concave southwest, having a radius of 2058.75 feet, central angle of 33 degrees 31 minutes 32 seconds, and a chord bearing of south 85 degrees 13 minutes 55 seconds east; thence run easterly along the arc of said curve a distance of 1204.64 feet; thence south 02 degrees 08 minutes 04 seconds east along the east line of said section 9 a distance of 1175.28 feet to the southeast corner thereof; thence south 02 degrees 02 minutes 03 seconds east along the east line of said section 16 a distance of 3104.20 feet; thence departing said line, run north 87 degrees 57 minutes 57 seconds east a distance of 860.71 feet to a point to be referenced as point "A"; thence south 13 degrees 56 minutes 20 seconds west a distance of 973.88 feet to the p.e. of a curve, concave easterly, having a radius of 2550.00 feet and a central angle of 31 degrees 08 minutes 05 seconds; thence run southerly along the arc of said curve a distance of 1385.68 feet; thence south 17 degrees 11 minutes 45 seconds east a distance of 731.09 feet to the p.e. of a curve, concave northwest, having a radius of 625.00 feet and a central angle of 61 degrees 22 minutes 11 seconds; thence run westerly along the arc of said curve a distance of 669.44 feet; thence south 44 degrees 10 minutes 26 seconds west a distance of 234.53 feet to the p.e. of a curve, concave northerly, having a radius of 25.00 feet, central angle of 90 degrees 16 minutes 05 seconds, and a chord bearing of south 89 degrees 33 minutes 29 seconds west; thence run northerly along the arc of said curve a distance of 39.61 feet to the p.e. of a curve, concave northeast, having a radius of 5619.59 feet, central angle of 03 degrees 58 minutes 40 seconds, and a chord bearing of north 43 degrees 04 minutes 09 seconds west; said point being on the easterly right-of-way line of U.S. Highway No. 1, a 160 foot right-of-way; thence northerly along said right of way line and the arc of said curve a distance of 390.13 feet; thence north 48 degrees 55 minutes 11 seconds east a distance of 35.00 feet to a point on the arc of a curve, concave northeast, having a radius of 5584.59 feet, central angle of 1

degree 40 minutes 40 seconds, a chord bearing of north 40 degrees 14 minutes 29 seconds west; thence run northerly along the arc of said curve a distance of 163.53 feet; thence north 39 degrees 24 minutes 09 seconds west a distance of 276.47 feet; thence south 50 degrees 35 minutes 51 seconds west a distance of 35.00 feet; thence north 39 degrees 24 minutes 09 seconds west a distance of 7995.87 feet; thence departing said right-of-way line, run north 89 degrees 11 minutes 58 seconds east along the south line of lots 8 and 9, block C, section 9, said Bunnell Development Company subdivision, a distance of 999.49 feet; thence north 02 degrees 00 minutes 32.5 seconds west along the east line of lot 9, block C, said section 9 a distance of 1320.83 feet; thence north 89 degrees 12 minutes 05 seconds east along the north line of lots 10 and 12, block C, said section 9 a distance of 1325.60 feet; thence north 02 degrees 04 minutes 45 seconds west along the west line of lots 5 and 6, block D, said section 9 a distance of 1320.83 feet; thence south 89 degrees 12 minutes 11 seconds west along the south line of lots 10 and 11, block B, said section 9 a distance of 1323.99 feet; thence south 02 degrees 00 minutes 32.5 seconds east along the east line of lot 4, block C, said section 9 a distance of 1320.83 feet; thence south 89 degrees 12 minutes 05 seconds west along the south line of lot 4, block C, said section 9 a distance of 662.80 feet; thence north 01 degree 58 minutes 26 seconds west along the west line of lot 4, block C, and lot 9, block D, said section 9 a distance of 19381.25 feet; thence south 89 degrees 12 minutes 14 seconds west along the south line of lot 7, block B, said section 9, and the south line of lot 12, block A, said section 8 and the westerly extension thereof, a distance of 1396.16 feet; thence north 07 degrees 21 minutes 09.5 seconds west a distance of 442.07 feet; thence south 72 degrees 34 minutes 37 seconds west a distance of 267.61 feet to the easterly right-of-way line of said U.S. Highway No. 1; thence north 17 degrees 23 minutes 09 seconds west along said right-of-way line a distance of 311.39 feet; thence departing said line, run north 89 degrees 14 minutes 31 seconds east along the north line of lot 12, block A, said section 8, and the westerly extension thereof a distance of 310.90 feet; thence north 17 degrees 18 minutes 16 seconds west a distance of 690.36 feet; thence north 01 degree 07 minutes 55 seconds west a distance of 235.10 feet; thence south 89 degrees 19 minutes 05 seconds west a distance of 280.00 feet; thence north 01 degree 07 minutes 55 seconds west a distance of 425.00 feet to the north line of said section 8; thence south 89 degrees 19 minutes 05 seconds west along said north line a distance of 152.45 feet; thence north 01 degree 02 minutes 20 seconds west along the west line of lots 3 and 10, block D, said section 5, a distance of 2338.83 feet; thence north 89 degrees 18 minutes 57 seconds east along the north line of lots 2 and 3, block D, said section 5 a distance of 1328.19 feet; thence north 89 degrees 33 minutes 19 seconds east along the north line of lot 5, block C, said section 4 a distance of 668.21 feet; thence south 02 degrees 54 minutes 51 seconds east along the east line of lot 5, block C, said section 4

a distance of 660.00 feet; thence south 89 degrees 33 minutes 49 seconds west along the south line of lot 5, block C, said section 4 a distance of 666.05 feet; thence south 03 degrees 06 minutes 06 seconds east along the east line of lots 1, 11 and 12, block D, said section 5, being the east line of said section 5, a distance of 1680.93 feet; thence north 89 degrees 09 minutes 34 seconds east along the north line of lots 4 and 5, block B, said section 9, being the north line of said section 9, a distance of 1320.73 feet; thence north 02 degrees 43 minutes 34 seconds west along the west line of lot 10, block C, said section 4, a distance of 1011.14 feet; thence north 89 degrees 33 minutes 56 seconds east along the north line of lots 10 and 12, block C, and lots 7 and 9, block D, said section 4 a distance of 2657.49 feet; thence south 02 degrees 04 minutes 00 seconds east along the east line of lot 9, block D, said section 4 a distance of 994.19 feet; thence north 89 degrees 15 minutes 13 seconds east along the north line of lots 2 and 3, block A, said section 9, being the north line of said section 9, a distance of 1324.71 feet to the point of beginning.

Together with the following:

From previously referenced point "A", run south 84 degrees 30 minutes 42 seconds east a distance of 101.10 feet to the point of beginning; thence north 87 degrees 57 minutes 57 seconds east a distance of 2815.27 feet to a point on the boundary of Eagle Rock Ranch subdivision, as recorded in map book 26, pages 51 and 52, of the Public Records of Flagler County, Florida; thence south 40 degrees 11 minutes 55 seconds west along said boundary a distance of 640.75 feet; thence south 88 degrees 27 minutes 37 seconds west along said boundary a distance of 45.18 feet; thence south 40 degrees 11 minutes 55 seconds west along said boundary a distance of 2189.93 feet; thence south 49 degrees 47 minutes 54 seconds east along said boundary a distance of 1171.20 feet; thence south 40 degrees 14 minutes 04 seconds west along said boundary a distance of 2222.60 feet to the easterly right-of-way line of U.S. Highway No. 1; thence along said right-of-way line, run north 49 degrees 47 minutes 21 seconds west a distance of 637.20 feet to the p.e. of a curve, concave northeast, having a radius of 5619.59 feet and a central angle of 3 degrees 11 minutes 42 seconds; thence run northerly along the arc of said curve a distance of 373.37 feet to the p.e. of a curve, concave southeast, having a radius of 25.00 feet and a central angle of 90 degrees 46 minutes 05 seconds; thence departing said right-of-way line, run easterly along the arc of said curve a distance of 39.61 feet; thence north 44 degrees 10 minutes 26 seconds east a distance of 234.53 feet to the p.e. of a curve, concave northwest, having a radius of 725.00 feet and a central angle of 61 degrees 22 minutes 11 seconds; thence run northerly along the arc of said curve a distance of 776.55 feet; thence north 17 degrees 11 minutes 45 seconds west a distance of 731.09 feet to the p.e. of a curve, concave southeast, having a radius of 2450.00 feet and a central angle of 31 degrees 08 minutes 05 seconds; thence run northerly along the arc of said

curve a distance of 1331.34 feet; thence north 13 degrees 56 minutes 20 seconds east a distance of 163.86 feet to the point of beginning.

Together with the following:

From the southeast corner of said section 22, run south 89 degrees 26 minutes 56 seconds west along the south line of said section 22 a distance of 757.21 feet to the easterly right-of-way line of U.S. Highway No. 1, a 160 foot right of way, thence north 49 degrees 48 minutes 44 seconds west along said right-of-way line a distance of 509.05 feet to the point of beginning; thence continue along said right-of-way line north 49 degrees 46 minutes 07 seconds west a distance of 100.10 feet; thence departing said right-of-way line, run north 42 degrees 47 minutes 46 seconds east, parallel with the southerly line of Eagle Rock Ranch subdivision, as recorded in map book 26, pages 51 and 52 of the Public Records of Flagler County, Florida, a distance of 2222.97 feet; thence north 49 degrees 46 minutes 12 seconds west a distance of 428.53 feet; thence north 40 degrees 11 minutes 55 seconds east a distance of 5473.32 feet to the westerly right-of-way line of Interstate No. 95, a 300 foot right-of-way; thence south 20 degrees 43 minutes 11 seconds east along said right of way line a distance of 5003.89 feet to the east line of said section 23; thence south 01 degree 50 minutes 39 seconds east along said east line a distance of 1773.40 feet to the southeast corner of said section 23; thence south 89 degrees 46 minutes 01 second west along the south line of said section 23 a distance of 2661.49 feet; thence departing said line, run north 49 degrees 46 minutes 12 seconds west a distance of 3006.16 feet; thence south 42 degrees 47 minutes 46 seconds west a distance of 2222.97 feet to the point of beginning.

Excepting there from the plat of Plantation Bay School site, as recorded in plat book 29, page 49 of the Public Records of Flagler County, Florida:

And excepting the following:

A portion of section 9 and 16, Township 13 south, range 31 east, Flagler County, Florida, described as follows: from the northeast corner of said section 16, run south 89 degrees 11 minutes 50 seconds west along the north line of said section 16, a distance of 4981.16 feet to the east right-of-way line of U.S. 1, a 160 foot right-of-way; thence south 39 degrees 24 minutes 09 seconds east, along said right-of-way line a distance of 1525.00 feet to and the p.c. of a curve, concave northerly, having a radius of 25.00 feet and a central angle of 90 degrees 00 minutes 00 seconds; thence departing said right-of-way line, run easterly along the arc of said curve a distance of 39.27 feet; thence north 50 degrees 35 minutes 51 seconds east a distance of 353.91 feet to the p.c. of a curve, concave southeast, having a radius of 425.24 feet, central angle of 37 degrees 57 minutes 36 seconds, and a chord bearing of north 69 degrees 34 minutes 39 seconds east; thence run easterly along the arc of said curve a distance of 281.73 feet to the P.R.C. of a curve, concave northerly, having a radius of

390.67 feet and a central angle of 54 degrees 14 minutes 32 seconds; thence run easterly along the arc of said curve a distance of 369.83 feet to the P.C.C. of a curve, concave northerly, having a radius of 2818.85 feet, central angle of 2 degrees 04 minutes 29 seconds; and a chord bearing of north 33 degrees 16 minutes 41 seconds east; thence run easterly along the arc of said curve a distance of 102.00 feet; thence south 49 degrees 15 minutes 56 seconds east a distance of 142.40 feet to the P.C. of a curve, concave easterly, having a radius of 25.00 feet, central angle of 80 degrees 21 minutes 26 seconds, and a chord bearing of north 08 degrees 00 minutes 29 seconds west, thence run northerly along the arc of said curve a distance of 35.06 feet to the P.R.C. of a curve, concave northwest, having a radius of 2938.85 feet, central angle of 8 degrees 19 minutes 23 seconds, and a chord bearing of north 28 degrees 00 minutes 33 seconds east; thence run northerly along the arc of said curve a distance of 126.91 feet; thence north 23 degrees 50 minutes 51 seconds east a distance of 125.00 feet; to the point of beginning; thence continue north 23 degrees 50 minutes 51 seconds east a distance of 227.35 feet to the north line of said section 16; thence continue north 23 degrees 50 minutes 51 seconds east a distance of 123.65 feet; thence south 76 degrees 52 minutes 06 seconds was a distance of 462.98 feet to the north line of said section 16; thence continue south 76 degrees 52 minutes 06 seconds east a distance of 216.11 feet; thence south 48 degrees 20 minutes 31 seconds east a distance of 1737.34 feet; thence south 04 degrees 12 minutes 29 seconds east a distance of 450.94 feet; thence north 60 degrees 12 minutes 29 seconds west a distance of 698.75 feet; thence north 79 degrees 12 minutes 29 seconds west a distance of 393.78 feet; thence north 31 degrees 58 minutes 15 seconds west a distance of 463.90 feet; thence north 64 degrees 20 minutes 47 seconds west a distance of 474.24 feet; thence north 48 degrees 09 minutes 28 seconds west a distance of 628.10 feet to the point of beginning. Also less and except the property described in Official Records Book 561, page 358; Official Records Book 318, page 1002; 1007; Official Records Book 276, page 61; Official Records Book 595, page 196; and Official Records Book 600, page 52, all of the public records of Flagler County, Florida:

Specific Authority 190.005, 190.046 FS. Law Implemented 190.004, 190.005, 190.046 FS. History—New 4-21-05, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Teresa Tinker, Florida Land and Water Adjudicatory Commission, Room 1801, The Capitol, Tallahassee, Florida 32399-0001

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Teresa Tinker, Florida Land and Water Adjudicatory Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 30, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
 PUBLISHED IN FAW: June 30, 2006

DEPARTMENT OF MANAGEMENT SERVICES

State Technology Office

RULE NO.: 60DD-1.002
 RULE TITLE: Rural County Grants

PURPOSE AND EFFECT: The purpose of the rule is to make changes to the rule to remove unnecessary language, update current language, and clarify existing board practices. The effect of the rule will be to remove unnecessary language, update current language, and clarify existing board practices.

SUMMARY: The rule removes unnecessary language, updates current language, and clarifies existing board practices.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: 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: 365.172(6)(a)12., 365.173(2)(c) FS.
 LAW IMPLEMENTED: 365.173(2)(c) 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: Winston E. Pierce, Executive Director, Wireless 911 Board, 4030 Esplanade Way, Suite 235M, Tallahassee, Florida 32399-0950

THE FULL TEXT OF THE PROPOSED RULE IS:

60DD-1.002 Rural County Grants.

The Wireless 911 Rural County Grant program is an annual grant provided for the purpose of assisting rural counties, as defined by Section 365.172(3)(o), F.S., with the installation and maintenance of an Enhanced 911 system.

(1) Eligibility. Any county with a population of fewer than 75,000 is eligible to apply. The county must be currently assessing the full \$0.50/month fee provided in Section 365.171(13)(a)1, 365.172(8), F.S.

(2) General conditions.

(a) Each rural county applying for Rural County Grant funds shall complete and submit W Form 1A, "Application for the Wireless 911 Rural County Grant Program," effective 12/1/2006 4/4/2004, which is incorporated herein by reference and which may be obtained from the Wireless 911 Board office at the following address:

State of Florida Wireless 911 Board
 ATTN: Administrative Assistant
 4050 Esplanade Way Building 4030 – Suite 125H 335V
 Tallahassee, Florida 32399-0950

The applicant county must submit the original grant application and seven copies postmarked or delivered to the Wireless 911 Board on or before March 1 of each year.

(b) No change.

(c) Applications for grants for each item over \$25,000 must be accompanied by at least three written competitive quotes. The Wireless 911 Board will compare the three quotes to any existing state contract in order to determine appropriate funding. Sole source funding will be considered on a case-by-case basis. Justification and documentation for sole-source funding must be provided with this application.

(d) Priorities for awarding of grants will be determined by the Board. Grant priorities may be adjusted by the Board and published with the grant application package three (3) months prior to the application submission date. The grant priority list is available as an addendum with the grant application at the start of each grant cycle at the address shown in paragraph (2)(a) above.

(e) through (g) No change.

(h) Grant funds shall be deposited in a bank account maintained by the grantee county, and each grant shall be assigned a unique accounting code designation for deposits, disbursements, and expenditures. All Wireless 911 Rural County Grant funds in the account shall be accounted for separately from other grantee funds. Grant funds including accrued interest may be used only between the beginning and ending dates of the grant, unless an extension is requested and authorized by the Wireless 911 Board.

(i) Grantee counties must submit quarterly reports to the Wireless 911 Board, summarizing the expenditures and activities of the grant funds. The reports are due 30 45 days after the end of the reporting period, which ends September 30, December 31, March 31, and June 30. In lieu of submitting a signed quarterly Grant Budget/Expenditure Report form, the updated form can be e-mailed to the Board's administrative/technical staff. A final report must be submitted to the Wireless 911 Board no more than 45 days after completion of the grant, detailing the activities, expenditures of the funds, and the ways in which the needs identified in the grant application were met. The final report must be accompanied by supporting documentation.

(j) through (k) No change.

~~(l) Applications must be postmarked by March 1 and must be mailed to the Board office.~~

(3) No change.

Specific Authority 365.172(6)(a)12., 365.173(2)(c) FS. Law Implemented 365.173(2)(c) FS. History–New 5-20-04, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Wireless 911 Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Wireless 911 Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 17, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 5, 2006

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 25, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 23, 2005

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE NO.: 61G1-17.001
RULE TITLE: Professional Fees and Penalties for Architects

PURPOSE AND EFFECT: The Board proposes the rule amendment to specify an application fee to reinstate a void license.

SUMMARY: An application fee of \$500 to reinstate a void license will be added to the rule.

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

Any person who wishes to provide information regarding 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: 455.217(2), 455.2281, 481.207 FS.

LAW IMPLEMENTED: 455.217(2), 455.2281, 455.207, 455.271, 481.207, 481.209, 481.219 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 Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G1-17.001 Professional Fees and Penalties for Architects.

(1) through (12) No change.

(13) The application fee to reinstate a void license is \$500.00.

Specific Authority 455.217(2), 455.2281, 481.207 FS. Law Implemented 455.217(2), 455.2281, 455.207, 455.271, 481.207, 481.209, 481.219 FS. History–New 12-23-79, Amended 12-19-82, 5-18-83, 6-12-84, 7-30-85, Formerly 21B-17.01, Amended 9-23-86, 5-16-87, 12-6-87, 12-24-89, 3-14-91, Formerly 21B-17.001, Amended 9-27-93, 8-21-94, 11-21-94, 4-22-97, 3-15-99, 9-7-04,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Architecture and Interior Design

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Architecture and Interior Design

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

RULE NOS: 61G14-12.001
RULE TITLES: Renewal of Licenses and Certificates

61G14-12.002 Definition of “Active Service”
PURPOSE AND EFFECT: The Board promulgated Rule 61G14-12.0015, F.A.C., making these rules obsolete.

SUMMARY: With the creation of Rule 61G14-12.0015, F.A.C., these rules are obsolete.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: 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: 310.185 FS.

LAW IMPLEMENTED: 310.081(3), 310.121 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

61G14-12.001 Renewal of Licenses and Certificates.

~~(1) Licenses and Certificates must be renewed by January 31 of each odd numbered year to remain valid and authorize continuing service. Unless then under suspension or revocation, each license and certificate will be renewed provided the holder:~~

~~(a) provides documentary evidence that he remains in “active service” as defined in Rule 61G14-12.002, or in the case of a deputy, is available for and is being satisfactorily trained in accordance with the approved training plan; and~~

~~(b) pays the fees specified in Rule Chapter 61G14, F.A.C.; and~~

~~(c) submits documentary evidence that the holder continues to meet the requirements for good physical and mental health required by Section 310.081, F.S. and Rule Section 61G14-20.001, F.A.C.;~~

~~(d) presents a certificate of successful completion, issued within five years of the date of renewal, of a Board approved course in professional skills including certification in the proper and efficient use of radar.~~

~~(2) Licenses and certificates are considered to be valid while in transit to and from the Department and while undergoing processing for re-issuance.~~

Specific Authority 310.185 FS. Law Implemented 310.081(3), 310.121 FS. History--New 2-25-91, Formerly 21SS-6.006, 21SS-12.001, Amended 1-9-95, 6-11-95, 10-30-95, 3-17-96, 11-1-99, Repealed _____.

61G14-12.002 Definition of "Active Service."

~~(1) The phrase "remain in active service" appearing in subsection 310.081(3), Florida Statutes, is understood to mean a pilot who has paid the current biennial renewal fee and who regularly takes a turn on duty. However, exceptions will be made from the "active service" requirement of subsection 310.081(3), Florida Statutes, for illness or injury not preventing performance as a pilot for more than twelve (12) consecutive months.~~

~~(2) At the time of applying for biennial renewal of his license, a pilot shall identify the number of vessels he has piloted during the prior biennial period.~~

Specific Authority 310.185 FS. Law Implemented 310.081(3) FS. History--New 4-2-86, Formerly 21SS-8.011, 21SS-12.002, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Pilot Commissioners

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 14, 2006

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

Probation and Community Corrections

RULE CHAPTER NO.: RULE CHAPTER TITLE:

63D-1	Intake
RULE NOS.:	RULE TITLES:
63D-1.001	Purpose and Scope
63D-1.002	Definitions
63D-1.003	Preliminary Screening
63D-1.004	Comprehensive Assessment
63D-1.005	Documentation

PURPOSE AND EFFECT: The proposed rule describes the uniform procedures performed upon intake for the preliminary screening and comprehensive assessment of youth.

SUMMARY: The proposed rule describes the means by which youth who have been taken into custody receive preliminary screening for substance abuse and mental health problems, the standards and requirements governing further assessment and evaluations, and the documentation of results.

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

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

SPECIFIC AUTHORITY: 20.316, 985.405, 985.21 FS.

LAW IMPLEMENTED: 985.21 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: October 2, 2006, 10:00 a.m.

PLACE: DJJ Headquarters, Knight Building, Conference Room 108, 2737 Centerview Drive, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Clyde Benedix, Policy Development Officer, Department of Juvenile Justice, Office of Deputy Secretary, 2737 Centerview Drive, Ste. 312I, Tallahassee, FL 32399-3100, phone number (850)921-4116

THE FULL TEXT OF THE PROPOSED RULES IS:

63D-1.001 Purpose and Scope.

The rule establishes uniform procedures performed upon intake for conducting and documenting the preliminary screening and comprehensive assessment of children in order to assist the juvenile probation officer in providing the most appropriate services and recommendations in the least intrusive manner.

Specific Authority 985.21, 985.405 FS. Law Implemented 985.21(1), (4) FS. History--New _____.

63D-1.002 Definitions.

For the purpose of this chapter, the following words, unless the context does not permit, shall have the meanings indicated:

(1) Comprehensive Assessment – The gathering of information for the evaluation of a youth’s physical, psychological, educational, vocational, social condition and family environment as they relate to the youth’s need for rehabilitative and treatment services, including substance abuse treatment services, literacy services, medical services, family services, and other specialized services, as appropriate.

(2) Comprehensive Evaluation – The gathering of information addressing physical health, mental health, substance abuse, academic, educational, or vocational problems of a youth for whom a residential commitment disposition is anticipated, which is summarized in the youth’s predisposition report.

(3) Predisposition Report – A multidisciplinary assessment reporting the youth’s priority needs, recommendations as to a classification of risk for the youth in the context of his or her program and supervision needs, and a plan for treatment that recommends the most appropriate placement setting to meet the youth’s needs with the minimum program security that reasonably ensures public safety.

(4) Preliminary Screening – The gathering of preliminary information to be used to determine a youth’s need for further evaluation or assessment or for referral for other substance abuse services through means such as psychosocial interviews, urine and breathalyzer screenings, and reviews of available educational, delinquency, and dependency records of the youth.

Specific Authority 985.21, 985.405 FS. Law Implemented 985.21(1), (4) FS. History–New _____.

63D-1.003 Preliminary Screening.

(1) The juvenile probation officer (JPO) or contracted intake screener shall conduct a preliminary screening on all youth charged with a criminal or delinquent offense, using the Positive Achievement Change Tool (PACT), which is the department-approved screening instrument. The PACT uses a series of risk factors that may indicate the presence of a substance abuse or mental health problem. The PACT is completed while screening a youth for detention eligibility, or during the initial intake conference if the youth was detention screened after hours. The Positive Achievement Change Tool (PACT) (8-27-06) is incorporated, and is available from the Assistant Secretary for Probation and Community Corrections at 2737 Centerview Dr., Suite 105, Tallahassee, FL 32399-3100.

(2) The PACT screening instrument is in the Juvenile Justice Information System (JJIS) web-based forms package and is scored automatically to determine the need for further assessments. The screening instrument must be completed in the JJIS. All juvenile assessment centers shall have access to JJIS. If there is no access to JJIS at the time of the screening or intake conference, the PACT screening instrument may be completed and scored by hand. However, the screening instrument must be entered in JJIS within 24 hours after the screening.

(3) The JPO or contracted intake screener administering the PACT screening instrument shall use the score on the PACT screening instrument to determine whether a referral for further

assessment or immediate attention must be made. The screener must refer youths directly to the designated assessment provider(s) for the comprehensive assessment.

(4) If the youth is to be released to his or her parents, the parents must be informed of the results of the PACT screening instrument and must be given information as to the location of the provider, the appointment time if one could be made, and the importance of delivering the youth for the follow-up appointment to complete any subsequent mental health or substance abuse assessment or any assessment of suicide risk.

(a) When the Suicide Ideation scale of the PACT screening instrument indicates further assessment is needed, or other information obtained at intake/admission suggests potential suicide risk, the youth must be immediately referred for an assessment of suicide risk and a comprehensive assessment. The assessment of suicide risk must be conducted within 24 hours unless the youth becomes unavailable. The JPO shall explain to the parent or responsible family member the importance of the assessment and the need to complete the assessment within 24 hours.

(b) If the PACT screening instrument score or treatment history indicates the need for further mental health or substance abuse assessment, the youth must be referred for comprehensive assessment.

(5) The screen is predominantly a self-report tool, and youth sometimes supply inaccurate information about themselves or their situation. The person conducting the PACT screening should use their own observations and those of collateral sources such as parents, agency staff, law enforcement or other informed persons who have knowledge of the youth’s behavior and condition. The PACT screening might calculate that no follow-up referral for further assessment is needed. Personal observations or collateral contacts can indicate that the youth’s response is a denial of a problem area. In those cases, despite the PACT screening instrument findings, a referral for further assessment must be recommended and documented.

(6) For detained youth, the PACT screening instrument results must be forwarded to the detention center where the youth is detained. The JPO must ensure that the detention center is informed of any youth who are to be detained and who are identified by the screening instrument, or identified through special circumstances or collateral information, as in need of crisis intervention/treatment or referral for assessment of suicide risk. The JPO is responsible for ensuring that detention staff are informed of the need for a referral for comprehensive assessment for detained youths.

(7) In all cases in which the PACT screening instrument screens the youth as needing further assessment, a referral shall be made by the JPO or intake screener and a copy of the PACT screening instrument results will be sent to the designated assessment contracted agent within the circuit. The JPO must advise the youth and family of the requirement for further

assessment. The JPO must encourage the youth and family to cooperate with any further evaluations indicated by the PACT screening.

(8) If there is no indication of a substance abuse or mental health problem, the youth has no further involvement with the substance abuse and mental health screening process. The JPO must place the completed screening instrument results in the youth's file.

Specific Authority 985.21, 985.405 FS. Law Implemented 985.21(1)(a)4.c., (4)(a) FS. History--New _____.

63D-1.004 Comprehensive Assessment.

(1) A comprehensive assessment may be completed using either:

(a) The Substance Abuse and Mental Health (SAMH-2 and SAMH-3) process in which an instrument specifically created by the Department of Children and Families is administered to youth in the DJJ system who, as a result of the preliminary screening process, are identified as having risk factors that require further evaluation, or

(b) An equivalent department-approved instrument.

(c) SAMH-2 (DJJ/PP Form 36, June 2000) and SAMH-3 (DJJ/PP Form 37, June 2000) are incorporated and available from the Assistant Secretary for Probation and Community Corrections at 2737 Centerview Dr., Suite 105, Tallahassee, FL 32399-3100.

(2) If there is a need for comprehensive assessment and the youth is not detained, the JPO must contact the designated assessment provider directly or have the parents make the initial contact within two working days of the screening interview to schedule an appointment for the youth.

(3) The JPO must forward a copy of the completed PACT screening instrument results to the designated comprehensive assessment provider and place another copy in the youth's file.

(4) The JPO shall assist the youth and family in complying with follow-up evaluations by providing directions, copies of documents and referrals to support service providers, if necessary.

(5) Required comprehensive assessments shall be administered in timely fashion, as follows:

(a) The designated contracted agents who perform comprehensive assessments must conduct a comprehensive assessment or equivalent department-approved assessment on all youths referred as a result of intake screening. Providers who perform comprehensive assessments shall conduct an in-depth assessment of the youth gathering information from interviews with the youth and from collateral sources.

(b) The designated comprehensive assessment provider must complete the comprehensive assessment or equivalent department-approved instrument within ten (10) calendar days on youths in secure detention. The designated comprehensive assessment provider must complete the comprehensive assessment or equivalent department-approved instrument

within fourteen (14) calendar days on youths not in secure detention. Time frames for completion may be modified by order of the court.

(c) Anytime a provider takes longer than 14 days to complete a comprehensive assessment the chief probation officer and the Department of Children and Families District Program Administrator shall be informed and a plan developed to improve performance or change providers.

Specific Authority 985.21, 985.405 FS. Law Implemented 985.21(1)(a)4.d., (4)(a) FS. History--New _____.

63D-1.005 Documentation.

(1) After the comprehensive assessment or equivalent department-approved instrument is completed, the designated contracted agents who perform comprehensive assessments must complete the SAMH-2, which provides summary results and outlines recommendations for the disposition of the case, for all youths referred for comprehensive assessment or treatment.

(a) Options include recommendations regarding treatment in a substance abuse or mental health setting, further in-depth evaluation to determine appropriate treatment response, or termination of substance abuse/mental health involvement.

(b) In some rare situations, a youth's problems may appear to be complex or his/her symptoms so confusing that an additional evaluation may be required before an appropriate recommendation for treatment can be made. If the designated contracted agents who perform comprehensive assessments determine that such an evaluation is necessary, a referral for further in-depth evaluations must be made prior to making a specific treatment recommendation.

(2) The designated contracted agents who perform comprehensive assessments must forward the original comprehensive assessment or equivalent department-approved instrument and SAMH-2 form to the JPO.

(a) The designated comprehensive assessment provider must retain a copy of the comprehensive assessment or equivalent department-approved instrument and SAMH-2 form in the assessment provider client file. The JPO must keep the SAMH-2 form in the youth's file.

(b) When completing the Preliminary Disposition Report (PDR), the JPO must incorporate the findings of the comprehensive assessment recommendation and attach the comprehensive assessment summary to the PDR. The JPO must not attempt to summarize or interpret the comprehensive assessment summary or any subsequent evaluation in the PDR.

(c) All individuals involved in the comprehensive assessment process shall comply with the confidentiality requirements of Section 985.04, Florida Statutes.

(3) If a PDR is required and the results have not been received from the designated assessment provider within seven (7) working days of the date the PDR must be submitted, the JPO must contact the contracted agents and request a

comprehensive assessment or inquire as to why the results have not been received. If the youth and family have not been cooperative, the JPO must intervene and encourage them to cooperate.

(4) If the SAMH-2 form is not received after diligent efforts, the JPO must document that fact in the PDR, and all efforts made to obtain the results.

(a) The JPO must notify the chief probation officer, through his/her supervisor, who will report in writing the noncompliance of the designated assessment provider to the district Department of Children and Family Services Alcohol, Drug Abuse and Mental Health Program Office contract manager.

(b) The JPO must also document (chronologically) this information in the chronological section of the case file.

(5) When the comprehensive assessment is received, the JPO will forward the assessment to the detention center for youths held in secure detention.

(6) The JPO is responsible for ensuring that youths are referred for a predisposition comprehensive evaluation when residential commitment disposition is anticipated or recommended. The purpose of the comprehensive evaluation is to collect sufficient information about the youth's medical, academic, psychological, behavioral and sociological needs to ensure an effective match between these needs and the service capacity provided by the residential commitment program.

(7) The JPO is responsible for ensuring that comprehensive assessments are forwarded to the provider(s) contracted to provide comprehensive evaluations. This ensures that data and information provided through the comprehensive assessment is not needlessly duplicated, but is included in the comprehensive evaluation.

Specific Authority 985.21, 985.405 FS. Law Implemented 985.21(1), (4) FS. History--New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Lee Ann Thomas, Operational Support Administrator,
Probation and Community Corrections, Department of
Juvenile Justice

NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Darryl Olson, Assistant Secretary
for Probation and Community Corrections, Department of
Juvenile Justice

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: August 28, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: February 17, 2006

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-8.001
RULE TITLE: Disciplinary Guidelines

PURPOSE AND EFFECT: The proposed rule amendments are intended to address the disciplinary guidelines with regard to the wrong site, wrong patient, or wrong procedure.

SUMMARY: The proposed rule amendments address a range of penalties, including penalties for a third offense of a violation of Section 456.072(1)(aa), F.S.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: 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: 456.0375(4)(c), 456.0575, 456.079, 458.309, 458.331(5) FS.

LAW IMPLEMENTED: 456.0375(4)(c), 456.0575, 456.072, 456.079, 458.331(5) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-8.001 Disciplinary Guidelines.

(1) No change.

(2) Violations and Range of Penalties. In imposing discipline upon applicants and licensees, in proceedings pursuant to Sections 120.57(1) and (2), F.S., the Board shall act in accordance with the following disciplinary guidelines and shall impose a penalty within the range corresponding to the violations set forth below. The verbal identification of offenses are deive only; the full language of each statutory provision cited must be consulted in order to determine the conduct included.

VIOLATION	RECOMMENDED RANGE OF PENALTY		
	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE
(a) through (pp) No change. (qq) Performing or attempting to perform health care services on the wrong patient, a wrong site procedure, a wrong procedure, or an unauthorized procedure or a procedure that is medically unnecessary or otherwise unrelated to the patient's diagnosis or medical condition. (456.072(1)(aa), F.S.)	(qq) From a \$1,000.00 <u>\$10,000.00</u> fine, a letter of concern, a minimum of five (5) hours of risk management education, a minimum of fifty (50) hours of community service and a one (1) hour lecture on wrong-site surgery in the State of Florida to a <u>\$10,000.00 fine, a letter of concern, a minimum of (5) hours of risk management education, a minimum of fifty (50) hours of community service, undergo a risk management assessment, a one (1) hour lecture on wrong-site surgery, and suspension to be followed by a term of probation</u> revocation .	(qq) From a \$10,000.00 fine, a reprimand, <u>a minimum of fifty (50) hours of community service, undergo a risk management assessment,</u> and probation or denial to a <u>\$10,000.00 fine and revocation</u> .	<u>(qq) From a \$10,000.00 fine, a reprimand, a minimum of one hundred (100) hours of community service, undergo a competency evaluation, and suspension to be followed by a term of probation to a \$10,000.00 fine and revocation.</u>
(rr) through (tt) No change. (3) through (7) No change.			

Specific Authority 456.0375(4)(c), 456.0575, 456.079, 458.309, 458.331(5) FS. Law Implemented 456.0375(4)(c), 456.0575, 456.072, 456.079, 458.331(5) FS. History—New 12-5-79, Formerly 21M-20.01, Amended 1-11-87, 6-20-90, Formerly 21M-20.001, Amended 11-4-93, Formerly 61F6-20.001, Amended 6-24-96, 12-22-96, Formerly 59R-8.001, Amended 5-14-98, 12-28-99, 1-31-01, 7-10-01, 6-4-02, 9-10-02, 12-11-02, 8-20-03, 6-7-04, 8-17-04, 1-04-06, 8-13-06, 8-29-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Medicine
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Medicine
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 22, 2006
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 4, 2006

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-9.0092
 RULE TITLE: Approval of Physician Office Accrediting Organizations

PURPOSE AND EFFECT: The proposed rule amendments are intended to set forth revised criteria for approval of physician office accrediting organizations.

SUMMARY: The proposed rule amendments set forth accreditation surveyor qualifications and set forth quality assurance criteria for accrediting agencies.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: 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: 458.309(3) FS.

LAW IMPLEMENTED: 458.309(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: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-9.0092 Approval of Physician Office Accrediting Organizations.

(1) Definitions.

(a) "Accredited" means full accreditation granted by a Board approved accrediting agency or organization. "Accredited" shall also mean provisional accreditation provided that the office is in substantial compliance with the accrediting agency or organization's standards; any deficiencies cited by the accrediting agency or organization do not affect the quality of patient care, and the deficiencies will be corrected within ~~thirty days~~ six (6) months of the date on which the office was granted provisional accreditation.

(b) through (c) No change.

(2) Application. An application for approval as an accrediting organization shall be filed with the Board office at 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253, and shall include the following information and documents:

(a) through (c) No change.

(d) Deion of accreditation process, including composition and qualifications of accreditation surveyors; accreditation activities; criteria for determination of compliance; and deficiency follow-up activities. Accreditation surveyors shall meet the following qualifications:

1. The surveyor must be an ABMS board certified physician with two (2) years experience performing office surgery; or

2. A Florida Health Care Risk Manager licensed through AHCA with two (2) years experience serving as a risk manager in a surgical facility; or

3. An ABMS board certified anesthesiologist with two (2) years experience administering anesthesia in a surgical facility.

4. In addition to the above-outlined qualification, accreditation surveyors may not have any disciplined imposed on his or her license within the preceding seven (7) years, may not be in direct competition with the subject of the review or have any direct or indirect contractual relationship with the inspected facility or any of its physicians.

(e) No change.

(f) Copies of all adverse incident reports filed with the state by any of the applicants accredited offices pursuant to Section 458.331, F.S.

(g) No change.

(3) Standards. The standards adopted by an accrediting organization for surgical and anesthetic procedures performed in a physician office shall meet or exceed provisions of Chapters ~~456~~ 455 and 458, F.S., and rules promulgated thereunder. Standards shall require that all health care practitioners be licensed or certified to the extent required by law.

(4) Requirements. In order to be approved by the Board, an accrediting organization must demonstrate compliance with the following requirements:

(a) The accrediting agency must implement, administer and monitor ~~have~~ a mandatory quality assurance program approved by the Board of Medicine that meets the following minimum standards:

1. General Provisions. Each office surgery facility surgical center shall have an ongoing quality assurance program that objectively and systematically monitors and evaluates the quality and appropriateness of patient care, evaluates methods to improve patient care, identifies and corrects deficiencies within the facility, alerts the Medical Director to identify and resolve recurring problems, and provides for opportunities to improve the facility's performance and to enhance and improve the quality of care provided to the public.

a. Such a system shall be based on the mission and plans of the organization, the needs and expectations of the patients and staff, up-to-date sources of information, and the performance of the processes and their outcomes.

b. Each system for quality assurance, which shall include utilization review, must be defined in writing, approved by the accrediting agencies governing body, enforced, and shall include:

I. A written delineation of responsibilities for key staff;

II. A policy for all members of the organized medical staff, whereby staff members do not initially review their own cases for quality assessment and improvement program purposes;

III. A confidentiality policy that complies with all applicable federal and state confidentiality laws;

IV. Written, measurable criteria and norms;

V. A deion of the methods used for identifying problems;

VI. A deion of the methods used for assessing problems, determining priorities for investigation, and resolving problems;

VII. A deion of the methods for monitoring activities to assure that the desired results are achieved and sustained; and

VIII. Documentation of the activities and results of the program.

c. Each quality assurance program shall include a peer review systems that entails the following:

I. Peer review is performed at least every six months and includes reviews of both random cases and unanticipated adverse office incidents as defined in Section 458.351, F.S. and as set forth in sub-subparagraph (4)(a)1.d. of this rule;

II. If the peer review sources external to the facility are employed to evaluate delivery of medical care, the patient consent form is so written as to waive confidentiality of the medical records or in the alternative medical records reviewed by such external peer review sources must use confidential patient identifiers rather than patient names; and

III. Peer review must be conducted by a recognized peer review organization or a licensed medical doctor or osteopathic physician other than the operating surgeon.

d. Each quality assurance program shall include a system where all adverse incidents as defined in Section 458.351, F.S., are reviewed. In addition to those incidents set forth in Section 458.351, F.S., the following incidents shall also be reviewed:

I. Unplanned hospital admissions that occurred within seven (7) days from the date the patient left the facility;

II. Unscheduled return to the operating room for complication of a previous procedure;

III. Untoward result of procedure such as infection, bleeding, wound dehiscence or inadvertent injury to other body structure;

IV. Cardiac or respiratory problems during stay at facility or within 48 hours of discharge;

V. Allergic reaction of medication;

VI. Incorrect needle or sponge count;

VII. Patient or family complaint;

VIII. Equipment malfunction leading to injury or potential injury to patient.

e. Each quality assurance program shall include an adverse incident chart review program which shall following information, in addition to the operative procedure performed:

I. Identification of the problem;

II. Immediate treatment or disposition of the case;

III. Outcome;

IV. Analysis of reason for problem; and

V. Assessment of efficacy of treatment.

2. Each office surgery facility shall have in place a systematic process to collect data on process outcomes, priority issues chosen for improvement, and the satisfaction of the patient. Processes measured shall include:

a. Appropriate surgical procedures;

b. Preparation of patient for the procedure;

c. Performance of the procedure and monitoring of the patient;

d. Provision of post-operative care;

e. Use of medications including administration and monitoring of effects;

f. Risk management activities;

g. Quality assurance activities including at least clinical laboratory services and radiology services;

h. Results of autopsies if needed.

3. Each center shall have a process to assess data collected to determine:

a. The level and performance of existing activities and procedures;

b. Priorities for improvement, and

c. Actions to improve performance.

4. Each center shall have a process to incorporate quality assurance and improvement activities in existing office surgery facility processes and procedures.

(b) The accrediting agency must implement, administer and monitor have anesthesia-related accreditation standards and quality assurance processes that meet the following minimum standards and are reviewed and approved by the Board of Medicine:-

1. Each accredited facility must have an anesthesia provider who participates in an ongoing continuous quality improvement and risk management activities related to the administration of anesthesia in that facility.

2. Each facility must have a written quality improvement plan that specifies the individuals who are responsible for performing each element of the plan.

3. The written plan should be in place to continually assess, document and improve the outcome of the anesthesia care provided.

4. The plan must include a review of quality indicators, to include measures of patient satisfaction.

5. The plan must include an annual review and check of anesthesia equipment to ensure compliance with current safety standards and the standards for the release of waste anesthetic gases.

6. The quality assurance plan should include routine review of anesthesia and surgical morbidity and adverse, sentinel or outcome events which include but are not limited to the following:

a. Follow-up on post-op day 1 and day 14;

b. Cancellation rates and reasons;

c. Central nervous system or peripheral nervous system new deficit;

d. Need for reversal agents: narcotic, benzodiazepine;

e. Reintubation;

d. Unplanned transfusion;

e. Aspiration pneumonitis;

f. Pulmonary embolus;

g. Local anesthetic toxicity;

h. Anaphylaxis;

i. Possible Malignant Hyperthermia;

j. Infection;

k. Return to operating room;

l. Unplanned Post-procedural Treatment in physician's office or emergency department within 30 days after discharge;

m. Unplanned Admission to hospital or acute care facility within 30 days;

n. Cardiopulmonary Arrest or Death within 30 days;

o. Continuous Quality Indicators;

p. Cardiovascular complications in recovery requiring treatment (including: arrhythmias; hypotension, hypertension);

q. Respiratory complications in recovery requiring treatment (including asthma);

r. Nausea not controlled within 2 hrs in recovery;

s. Pain not controlled within 2 hrs in recovery;

t. Postoperative vomiting rate;

u. Prolonged PACU stay in excess of 2 hours;

v. Medication error;

w. Injuries, e.g. eye, teeth;

x. Time to return to light activities of daily living (ADL);

y. Common postoperative sequelae, eg sore throat, muscle pain, headache;

z. Post-dural puncture headache or transient radicular irritation;

aa. Discharge without escort or against medical advice (AMA);

bb. Patient satisfaction;

cc. Equipment maintenance.

7. Each facility quality improvement plan must require annual reviews conducted by, at a minimum, the medical director, a representative of the anesthesia provider currently providing patient care and a representative of the operating room or recovery nursing staff.

8. The accrediting agency must have at least one anesthesiologist that implements, administers, and monitors the quality assurance processes set forth above.

~~(e) The accrediting agency must have ongoing anesthesia-related accreditation and quality assurance processes involving the active participation of anesthesiologists.~~

~~(c)(d)~~ No change.

~~(d)(e)~~ No change.

(e)(f) If the accrediting agency or organization finds indications at any time during accreditation activities that conditions in the physician office pose a potential threat immediate jeopardy to patients, the accrediting agency or organization will immediately report the situation to the Department.

~~(f)(g)~~ No change.

~~(g)(h)~~ No change.

(5) Accrediting Organizations shall be approved for a period time not to exceed three (3) years.

(6) If the Board discovers that an approved accrediting agency has violated or failed to comply with any provision of this rule, the Board shall issue an order to show cause outlining the alleged violation and requiring a representative from the accrediting agency to appear before the Board at its next regularly scheduled meeting to address the Board's concerns. After such an appearance, if the Board determines that a violation occurred, the accrediting agency's status as an office surgery accrediting agency shall be revoked. Failure to appear before the Board upon receipt of an order to show cause shall not preclude the Board from taking action against an accrediting agency.

(7)(5) Renewal of Approval of Accrediting Organizations. Every accrediting organization approved by the Board pursuant to this rule is required to renew such approval every 3 years. Each to submit to the Board a new complete written application submission shall be filed with the Board at least three months prior to the end of its term of approval third anniversary of the accrediting organization's initial approval and each subsequent renewal of approval by the Board. Upon review of the submission by the Board, written notice shall be provided to the accrediting organization indicating the Board's acceptance of the certification and the next date by which a renewal submission must be filed or of the Board's decision that any identified changes are not acceptable and on that basis denial of renewal of approval as an accrediting organization.

(8) Upon denial of its application, the accrediting organization must wait a minimum of six (6) months prior to reapplying.

~~(9)(6)~~ No change.

Specific Authority 458.309(3) FS. Law Implemented 458.309(3) FS. History--New 3-9-00, Amended 3-25-02, 12-28-04,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Surgical Care Committee, Board of Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 12, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 5, 2006

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE NO.: 64B10-11.011 RULE TITLE: Provisional License

PURPOSE AND EFFECT: The Board proposes a rule amendment to allow an applicant ample time to complete the application process before the expiration of his/her provisional license.

SUMMARY: The proposed rule amendment will allow a provisional license to be valid for a single 6 month period.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: 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: 468.1685(1), 468.1735 FS.

LAW IMPLEMENTED: 468.1735 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 Nursing Home Administrators/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B10-11.011 Provisional License.

(1) No change.

(2) A provisional license shall be valid for a single 6 month period ~~of 60 days~~.

(3) through (5) No change.

Specific Authority 468.1685(1), 468.1735 FS. Law Implemented 468.1735 FS. History--New 12-6-79, Amended 8-17-81, Formerly 21Z-11.11, Amended 4-22-87, Formerly 21Z-11.011, 61G12-11.011, Amended 7-21-97, Formerly 59T-11.011, Amended 10-30-00,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Nursing Home Administrators
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Board of Nursing Home
Administrators
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: August 29, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: May 5, 2006

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE NO.: RULE TITLE:
64B10-11.012 Notification of Change of Address or
Employing Facility

PURPOSE AND EFFECT: The Board proposes a rule amendment to address the requirements for notification of change of address or employing facility.

SUMMARY: The proposed rule amendment requires board notification of a change of mailing address within 48 hours.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: 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: 456.035, 468.1685(1), (5), (7), (8) FS.

LAW IMPLEMENTED: 456.035, 468.1685(1), (5), (7), (8) 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 Nursing Home Administrators/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B10-11.012 Notification of Change of Address or Employing Facility.

(1) Within 48 hours of assuming or leaving a position as a nursing home administrator, assistant nursing home administrator or any change in the identity of the employing facility within the State of Florida, each licensee must inform the Department of Health, Board of Nursing Home Administrators, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-3254, in writing of the exact date of assuming or leaving the position, or change in the identity of the facility.

(2) Each licensee shall notify the board office at the above address, within 48 hours of a change in their mailing address ~~keep the Board office informed of their current mailing address.~~

Specific Authority 456.035, 468.1685(1), (5), (7), (8) FS. Law Implemented 456.035, 468.1685(1), (5), (7), (8) FS. History—New 6-14-82, Formerly 21Z-11.12, 21Z-11.012, Amended 10-26-93, Formerly 61G12-11.012, Amended 10-17-94, 7-27-97, Formerly 59T-11.012, Amended 11-6-02,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Nursing Home Administrators

NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Board of Nursing Home
Administrators

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: August 29, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: May 5, 2006

DEPARTMENT OF FINANCIAL SERVICES

Division of Worker's Compensation

RULE NO.: RULE TITLE:
69L-7.020 Florida Workers' Compensation
Health Care Provider
Reimbursement Manual

PURPOSE AND EFFECT: To adopt the new version of the Florida Workers' Compensation Health Care Provider Reimbursement Manual, 2006 Edition, to implement the reimbursement rates authorized by the Three Member Panel pursuant to Section 440.13(12), F.S., at its meeting on April 11, 2006. In addition, the proposed Rule 69L-7.020, F.A.C., will adopt updated versions of the Physicians' Current Procedural Terminology Manual and the American Medical Association "Healthcare Common Procedure Coding System, Medicare's National Level II Codes Manual."

SUMMARY: Proposed revisions to the Florida Workers' Compensation Health Care Provider Reimbursement Manual, 2006 Edition, incorporated by reference into the rule, including amendments to the uniform schedules of maximum reimbursement allowances.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: 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: 440.13(14)(b), 440.591 FS.

LAW IMPLEMENTED: 440.13(7), (12), (14) 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):

TIME AND DATE: Tuesday, October 3, 2006, 9:30 a.m.

PLACE: Room 104J, Hartman Building, 2012 Capital Circle, 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 Don davis @ (850)413-1711. 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: Don Davis, Division of Workers' Compensation, Office of Data Quality and Collection, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-4226, phone (850)413-1711

THE FULL TEXT OF THE PROPOSED RULE IS:

69L-7.020 Florida Workers' Compensation Health Care Provider Reimbursement Manual.

(1) The Florida Workers' Compensation Health Care Provider Reimbursement Manual, 2006 2005-Second Edition, is adopted by reference as part of this rule. The manual contains the Maximum Reimbursement Allowances determined by the Three-Member Panel, pursuant to Section 440.13(12), Florida Statutes and establishes reimbursement policies, guidelines, codes and maximum reimbursement allowances for services and supplies provided by health care providers. Also, the manual includes reimbursement policies and payment methodologies for pharmacists and medical suppliers.

(2) The ~~Physicians' Current Procedural Terminology (CPT®), 2006 Current Procedural Terminology 2005 Professional Edition, Copyright 2005 2004, American Medical Association; the Current Dental Terminology, CDT-2005, Copyright 2004, American Dental Association; and in part for D codes and for injectable J codes, and for other medical services and supply codes, the American Medical Association "Healthcare Common Procedure Coding System, Medicare's National Level II Codes, HCPCS 2006 2005", American Medical Association, Eighteenth Seventeenth~~ Edition, Copyright 2005 2004, Ingenix Publishing Group, are adopted by reference as part of this rule. When a health care provider performs a procedure or service which is not listed in the Florida Workers' Compensation Health Care Provider Reimbursement Manual, 2006 2005-Second Edition incorporated above, the provider must use a code contained in the CPT®-2006, CDT-2005 or HCPCS-2006 as specified in this section.

(3) The Florida Workers' Compensation Health Care Provider Reimbursement Manual, 2006 2005-Second Edition incorporated above, is available for inspection during normal business hours at the Florida Department of Financial Services, Document Processing Section, 200 East Gaines Street, Tallahassee, Florida 32399-0311, or via the Department's web site at <http://www.fldfs.com/wc>.

Specific Authority 440.13(14)(b), 440.591 FS. Law Implemented 440.13(7), (12), (14) FS. History—New 10-1-82, Amended 3-16-83, 11-6-83, 5-21-85, Formerly 38F-7.20, Amended 4-1-88, 7-20-88, 6-1-91, 4-29-92, 2-18-96, 9-1-97, 12-15-97, 9-17-98, 9-30-01, 7-7-02, Formerly 38F-7.020, 4L-7.020, Amended 12-4-03, 1-1-04, 7-4-04, 5-9-05, 9-4-05, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Don Davis, Office of Data Quality and Collection, Division of Workers' Compensation

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dan Sumner, Assistant Director, Division of Workers' Compensation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 22, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 28, 2006

FINANCIAL SERVICES COMMISSION

Office of Insurance Regulation

RULE NO.: 69O-170.0155 RULE TITLE: Forms

PURPOSE, EFFECT, AND SUMMARY: The purpose is to amend an existing form and make it more consumer friendly and provide additional information that will benefit the consumer. Form OIR-B1-1655, Notice of Premium Discounts for Hurricane Loss Mitigation, sets forth mitigation credits. Section 627.711, F.S., requires the Commission to adopt a form for noticing premium discounts for hurricane loss mitigation.

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

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

SPECIFIC AUTHORITY: 624.308(1), 627.711 FS.

LAW IMPLEMENTED: 624.307(1), 624.424, 627.062, 627.0645, 627.711 FS.

IF REQUESTED IN WRITING 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: October 2, 2006, 9:30 a.m.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Michael Milnes, Property and Casualty Product Review, Office of Insurance Regulation, E-mail: michael.milnes@fldfs.com

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

THE FULL TEXT OF THE PROPOSED RULE IS:

690-170.0155 Forms.

The following forms are hereby adopted and incorporated by reference:

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

(j) OIR-B1-1655, "Notice of Premium Discounts for Hurricane Loss Mitigation," (Rev. 10/06) (~~New 10/1/05~~).

(2) All Office of Insurance Regulation forms may be obtained from:

(a) The ~~Office's Department of Financial Service's~~ website located at <https://www.floir.com> ~~https://www.fldfs.com~~; or

(b) ~~The Bureau of~~ Property and Casualty Product Review Forms and Rates, Office of Insurance Regulation, Larson Building, Tallahassee, FL 32399-0330, (850)413-3146.

Specific Authority 624.308(1), 627.711 FS. Law Implemented 624.307(1), 624.424, 627.062, 627.0645, 627.711 FS. History—New 6-19-03, Formerly 4-170.0155, Amended 2-23-06, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Michael Milnes, Property and Casualty Product Review, Office of Insurance Regulation

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 15, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 1, 2006

FINANCIAL SERVICES COMMISSION

Office of Insurance Regulation

RULE NO.: 690-170.017 RULE TITLE: Windstorm Mitigation Discounts

PURPOSE, EFFECT, AND SUMMARY: To implement the provisions of Section 627.0629, F.S., relating to credits for windstorm mitigation.

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

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

SPECIFIC AUTHORITY: 624.307(1), 624.308(1) FS.

LAW IMPLEMENTED: 624.307(1), 627.062, 627.0629(1) FS.

IF REQUESTED IN WRITING 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: October 2, 2006, 9:30 a.m.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Richard Koon, Director, Property and Casualty Product Review, Office of Insurance Regulation, E-mail: Richard.koon@fldfs.com

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

THE FULL TEXT OF THE PROPOSED RULE IS:

690-170.017 Windstorm Mitigation Shutter Discounts.

~~(1)(a) This rule applies to all residential property insurance rate filings filed on or after September 1, 2006. All residential property insurers must make new filings by January 1, 2007, to reflect the requirements in this rule. For the purpose of determining appropriate discounts, credits, rate differentials, or reductions in deductibles for residential properties on which shutters or other wind mitigation devices or fixtures have been installed, pursuant to Section 627.0629(1), Florida Statutes, any rate filing which provides discounts, credits, rate differentials, or reductions in deductibles consistent with any statewide rating organization plan currently approved pursuant to Section 627.062, Florida Statutes, shall be considered in compliance with the applicable requirements of Section 627.0629(1), Florida Statutes.~~

~~(b) A rate filing which does not provide at least the same level of discounts, credits, rate differentials, or reductions in deductibles as specified in such a plan will be disapproved, unless the insurer demonstrates that the discounts, credits, rate differentials, or reductions comply with the requirements of Sections 627.062 and 627.0629(1), Florida Statutes.~~

(2) Section 627.0629, F.S., states that discounts on an actuarially reasonable basis or appropriate reductions in deductibles must be provided in the rates for residential property insurance for fixtures or construction techniques, including minimum provisions of the Florida Building Code which have been demonstrated to reduce windstorm loss. The

discounts must reflect the discounts as set forth in the appendix, which is incorporated by reference, which are based upon the studies *Development of Loss Relativities for Wind Resistive Features of Residential Structures and Development of Loss Relativities for Wind-Resistive Features of Residential Structures of Five or More Units*. These discounts must be used without any modification unless they are supported by detail alternate studies where all assumptions are available to the Office for review. These public domain studies providing data and information on estimated loss reduction for wind resistive building features in residences are incorporated by reference, and are available for downloading at the website of the Florida Department of Community Affairs, at <http://www.floridadisaster.org/brm/RCMP/Wind%20Loss/> and <http://www.floridadisaster.org/brm/RCMP/Wind%20Loss/index2.htm> respectively. Any insurer that has implemented a residential property rate filing on or after July 1, 1994, that does not provide at least the level of discounts, credits, rate differentials, or reductions in deductibles provided for in an approved rating plan referenced in subsection (1) above, or otherwise comply with the requirements of Section 627.0629(1), Florida Statutes, shall make a shutter discount filing immediately.

(3) Filings can modify other rating factors to reflect revenue impact on current business only if they have actual information on policies receiving the discounts currently to support the modification. An insurer shall provide to residential property insurance policy applicants at the time of procurement of the policy application actual notice of the availability of discounts, credits, rate differentials, or reductions in deductibles, as well as all requirements that must be satisfied in order to qualify for such discounts, credits, rate differentials or reductions. For all residential property insurance policies in force on the effective date of this rule, an insurer shall, at the next renewal, provide such actual notice to the policyholder. After once providing such actual notice to a policyholder or policy applicant, an insurer shall not be required to again provide such notice at the time of renewal of the policy unless the insurer implements changes to its discounts, credits, rate differentials, reductions in deductibles, or requirements that must be satisfied to qualify for such discounts, credits, rate differentials, or reductions. Failure to provide such notice shall be considered a violation of Section 626.9541(1)(a)1., Florida Statutes.

Specific Authority 624.307(1), 624.308(1) FS. Law Implemented 624.307(1), 627.062, 627.0629(1) FS. History--New 4-1-98, Formerly 4-170.017, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Richard Koon, Director, Property and Casualty Product Review, Office of Insurance Regulation

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 15, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 1, 2006

FINANCIAL SERVICES COMMISSION

Office of Insurance Regulation – Residual Markets

RULE NOS.:	RULE TITLES:
69P-2.001	Purpose
69P-2.002	Adoption of Property and Casualty Risk Apportionment Plan

PURPOSE, EFFECT AND SUMMARY: To adopt a joint underwriting plan for commercial property insurance.

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

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

SPECIFIC AUTHORITY: 624.308(1), 627.351(5) FS.

LAW IMPLEMENTED: 624.307(1), 627.351(5) FS.

IF REQUESTED IN WRITING 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: October 2, 2006, 9:30 a.m.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Abby London, Director, Legislative and Cabinet Affairs, Office of Insurance Regulation, E-mail: abby.london@fldfs.com

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

THE FULL TEXT OF THE PROPOSED RULES IS:

69P-2.001 Purpose.

The purpose of this rule is to adopt a joint underwriting plan to equitably apportion among insurers authorized in this state to write property and casualty insurance the underwriting of insurance to persons with risks eligible, as defined in the statutes and this rule, and who are in good faith entitled to, but are unable to, obtain an adequate level of insurance coverage, including excess coverage, through the voluntary market. Upon adoption of this plan, all insurers authorized in this state to underwrite property or casualty insurance shall participate in this plan. This plan shall be construed to conform, and, when necessary, amended to conform to the provisions of Subsection

~~627.351(5), Florida Statutes. The purpose of these rules is to adopt a Plan for the provision of property and casualty insurance coverage to persons in Florida who are eligible for such insurance coverage when such coverage must be provided by the Florida Property and Casualty Joint Underwriting Association as specified in Section 627.351(5), Florida Statutes.~~

Specific Authority 624.308(1), 627.351(5) FS. Law Implemented 624.307(1), 627.351(5) FS. History—New 8-13-89, Formerly 4-87.001, 4J-2.001, Amended.

69P-2.002 Adoption of Property and Casualty Risk Apportionment Plan.

~~The Florida Property and Casualty Joint Underwriting Association Plan of Operation, as amended April, 1991, and Articles of the Association are hereby adopted as the plan for property and casualty insurance risk apportionment in Florida and incorporated by reference.~~

(1) The following terms have the following meanings for purposes of this rule:

(a) “Adequate level of coverage” means that coverage which is required by state law or by responsible or prudent business practices.

(b) “Assessable Premium” means the net direct premiums of each participating insurer for commercial property insurance risks written by the insurer, excluding the premium associated with commercial residential insurance policies. Assessable Premium does not include premium associated with liability insurance or kinds of insurance other than property insurance.

(c) “The Association” means the Property and Casualty Joint Underwriting Association.

(d) “Market assistance plan” means the market assistance plan adopted pursuant to Section 627.3515, Florida Statutes.

(e) “Net direct premium” means gross direct premiums, including policy and membership fees less return premiums and premiums on policies not taken.

(f) “Office” means the Office of Insurance Regulation.

(g) “Participating insurer” means each and every insurer authorized in this state to underwrite commercial property insurance. The term does not include an insurer who writes only reinsurance and does not write direct insurance in this state.

(h) “Qualifying quoted premium” means a quote on coverage from an insurer that meets the following criteria:

1. In the case of an authorized carrier, the quoted premium must not exceed the premium available for a given classification currently in use by the Association or the premium developed by using the rates and rating plans on file with the Office by the quoting insurer, whichever is greater.

2. In the case of an unauthorized surplus lines insurer, the quoted premium must not exceed the premium available for a given classification currently in use by the Association by more than 25 percent, after consideration of any individual risk surcharge or credit.

(i) “Servicing carrier” means a participating insurer which agrees to be and is designated by the office to provide policyholder and claims service, including the issuance of policies, on behalf of the participating insurers.

(j) “Substantially impair the ability of the entity to conduct its affairs” means that the lack of insurance would result in one or more of the following conditions:

1. An event of default on an existing business loan or mortgage; or

2. A structure that is necessary for the business to continue operations could not be rebuilt in the event of a catastrophe; or

3. The business entity could not continue to meet its legal obligations.

(k) “Unavailable in the voluntary market” means that the insured or agent has made a diligent search, has made a good-faith application for coverage from a minimum of one surplus lines insurance company, and three authorized insurance companies, and the Florida Market Assistance Plan has made a search and an adequate level of coverage has not been found or the quoted premium exceeds the limitations of Section 627.351(5)(a)1.e., Florida Statutes.

(2) Powers of the Association. The Association may perform any activity involved in the business of insurance including the borrowing of funds and entering into financing agreements.

(3) The Board of Governors. The Association shall be overseen by a thirteen-member Board of Governors (hereinafter “the Board”) as provided by statute. Board members shall be appointed to serve two-year terms, but may be removed and replaced at any time by the Chief Financial Officer. The first term of office for all Board members shall begin upon the date of the Chief Financial Officer’s first appointment and shall expire two years later unless replaced by the Chief Financial Officer at an earlier time. Any replacement appointments also shall be made for a period of two years. Four of the Board members shall be representatives of insurance company trade associations, and two members shall be representatives of agent associations. The remaining seven members may be any persons appointed by the Chief Financial Officer. The Board may appoint committees and advisory groups as it deems necessary. The Risk Underwriting Committee is appointed in the manner provided by the statute and is not a committee or subcommittee of the Board. However, its decisions are limited to the determination of eligibility of individual risks for coverage. The Board retains the authority to design the policy forms and rates for the insurance to be offered by the Association, subject to approval by the Office.

(4) Board Meetings. The Board shall meet as often as necessary, but at least twice annually. The Board will conduct its meetings in accordance with Robert's Rules of Order and will make its decisions on a simple majority of all Board members present unless otherwise provided by statute. Board meetings shall be conducted in compliance with Chapter 286, Florida Statutes (the Sunshine Law).

(5) Board Powers and Immunities. Board members are authorized to perform any activity that Directors of corporations may perform and any activity of the Association. Pursuant to Section 627.351(5)(f), Florida Statutes, Board members and employees of the Association are immune from liability for their actions taken in the performance of their duties for the association. In the event that a Board member is served with a civil complaint with respect to any business of the Association, the Board member shall be entitled to indemnification from the Association for costs and reasonable attorney's fees unless and until a determination is made by a court of competent jurisdiction that the Board member engaged in conduct that constitutes a felony under Florida law. Board members are also entitled to reimbursement for the ordinary costs of attending meetings, but are not otherwise entitled to salaries for Board service.

(6) Contracts and Employees.

(a) The Board may enter into contracts with experts and other advisors to assist in conducting the business of the Association at rates negotiated for each engagement. To the extent possible, unless the contract would be exempt from competitive bid for a state agency or unless the Board determines that an emergency exists, contracts for more than \$100,000 in any year shall be competitively bid, and contracts under \$100,000 shall be awarded only after a minimum of three quotes are obtained from competing vendors. The Association may enter into contracts with other statutorily-created entities such as other JUA's, guaranty associations or their managers, the Market Assistance Plan, or the Florida Hurricane Catastrophe Fund without competitive bids or quotes.

(b) The Board may hire such staff and executive staff as it deems necessary to be compensated by the Association. The Board shall make every effort to retain executive staff with previous experience or expertise in the commercial property insurance market. Because Section 627.351(5), Florida Statutes, requires that a servicing carrier be used for policyholder services, the Association is not expected to hire an extensive staff. However, it shall retain as many employees as necessary to ensure that an appropriate level of policyholder service is maintained.

(c) The Board shall designate positions that are to function as Senior Management of the organization. All senior managers and Board members shall comply with Part III of Chapter 112, Florida Statutes, including the code of ethics, and the public disclosure and reporting of financial interests

pursuant to Section 112.3145, Florida Statutes. Senior managers and Board members are required to file such disclosures with the Office. At least quarterly, the executive director shall submit a list of the names of the senior managers and members of the Board of Governors to the Commission on Ethics.

(d) A senior manager of the Association may not represent a person or entity before the Association for a period of two years after the date of termination of employment. The Board shall implement a detailed Ethics and Conflicts of Interest Policy and a Policy for Procurement of Contracts that avoids any actual or apparent conflict of interest by any employee, vendor, or Board member of the association.

(7) Appointment of Servicing Carriers. The Office may appoint one or more participating insurance companies to service policies either for policy issuance, claims, or any combination of services. The Association shall pay the fees of such appointed servicing carrier pursuant to a contract negotiated between the carrier and the association, and subject to the approval of the Office.

(8) Form of the insurance to be written by the Association. The Association may write commercial property insurance including direct insurance, excess insurance, and reinsurance of commercial property risks.

(9) Eligibility of Risks.

(a) A risk shall be eligible for such commercial property insurance as is required by Florida law if the insurance is unavailable in the voluntary market, including the market assistance program and the surplus lines market.

(b) A commercial risk not eligible under paragraph (a) (that is, because the coverage is not required by Florida law) shall be nevertheless eligible for such commercial property insurance if:

1. The insurance is unavailable in the voluntary market, including the market assistance plan and the surplus lines market in accordance with paragraph (1)(k); and

2. Failure to secure the insurance would substantially impair the ability of the entity to conduct its affairs; and

3. The risk is not determined by the Risk Underwriting Committee to be uninsurable.

(10) Classification System. For purposes of this rule commercial property insurance is considered a class of property insurance. Other classes of insurance may not be written by the Association without an amendment to this rule.

(11) Market Assistance Plan; Activation of Coverage.

(a) If the market assistance plan receives a minimum of 100 commercial property quote requests within a 3-month period, or 200 commercial property quote requests within a 1-year period or less, for a given class of risk contained in the classification system defined in the plan of operation of the Association, and unless at least 80 percent of such applicants find coverage as a result of the market assistance program

referral at or below the qualifying quoted premium, the Commercial Property Insurance class of risk shall immediately be eligible for coverage in the Joint Underwriting Association.

(b) Any market assistance plan application that is rejected because an individual risk is so hazardous as to be practically uninsurable, or because the likelihood of a loss for such a risk is substantially higher than for other risks of the same class due to individual risk characteristics, prior loss experience, unwillingness to cooperate with a prior insurer, physical characteristics and physical location, will be excluded from the minimum percentage calculation provided in paragraph (a).

(c) In the event that there is any legal or administrative challenge to a determination by the Office that the conditions of this subsection have been met for eligibility for coverage in the Association for a given classification, any eligible risk may obtain coverage during the pendency of any such challenge.

(12) Removal of Risks.

(a) The Association shall establish a procedure to identify and remove risks from the plan once such risks no longer meet the eligibility requirements for coverage by the Association. At each 6-month interval after the activation of any class of risks, the Board of Governors or its designated committee shall review the number of applications to the market assistance plan for that class. If, based on such review, it is determined that at least 90 percent of such applications have been provided a qualifying quoted premium, the Association shall cease underwriting new applications for such class within 30 days, and notification of this decision shall be sent to the Office, the major agents' associations, and the Board of Directors of the market assistance plan. All policies which were previously written for that class shall continue in force until their normal expiration date, at which time, subject to the required timely notification of nonrenewal by the Association, the insured may then elect to reapply to the Association according to the requirements of eligibility. If, upon reapplication, those previously insured Association risks meet the eligibility requirements, the Association shall provide coverage available from the Association.

(b) In addition, the Board may establish a plan for transfer of risk from the Association to other entities either through reinsurance or other risk transfer or risk financing mechanisms. The cost of such reinsurance or other risk transfer or risk financing arrangements may be included in the rates of the Association.

(13) Equitable apportionment of profits, losses and expenses.

(a) In the event an underwriting deficit exists for any calendar year the plan is in effect, any surplus which has accrued from previous years and is not projected within reasonable actuarial certainty to be needed for payment for claims in the year the surplus arose shall be used to offset the deficit to the extent available.

(b) As to any remaining deficit, the Board of Governors of the Association shall levy and collect an assessment from participating insurers in an amount sufficient to offset such deficit. Such assessment shall be levied against the insurers participating in the plan during the year giving rise to the assessment. Any assessments against insurers for the lines of property insurance issued to commercial risks shall be recovered from the participating insurers in the proportion that the assessable premium of each insurer for commercial risks written during the preceding calendar year bears to the aggregate assessable premium written by all members of the plan for the lines of insurance included in the plan.

(c) The Board shall take all reasonable and prudent steps necessary to collect the amount of assessment due from each participating insurer and policyholder, including, if prudent, filing suit to collect such assessment. If the Board is unable to collect an assessment from any insurer, the uncollected assessments shall be levied as an additional assessment against the participating insurers and any participating insurer required to pay an additional assessment as a result of such failure to pay shall have a cause of action against such nonpaying insurer. In addition, the failure of an insurer to pay an assessment timely shall constitute a violation of this rule subjecting the insurer to administrative action by the Office.

(14) Recoupment of Assessments. An insurer or insurer group may recoup any assessments that have been paid to the Association as provided for in Section 627.3512, Florida Statutes.

(15) Procedure for Assessments.

(a) Annually, no later than March 31, the Board shall calculate the participation ratio of each participating insurer and issue it to the insurer. The participation ratio is the share of any assessment that would be borne by that insurer, if an assessment is determined to be necessary. An insurer that disagrees with its participation ratio calculation has 30 days from issuance of the ratio within which to appeal to the Board to change the participation ratio calculation. If an insurer fails to appeal the calculation within 30 days from the date of issuance, the calculation for each participating insurer becomes final and unappealable.

(b) To issue an assessment, the Board shall determine that the need for an assessment exists, and shall certify the need and the amount of the assessment to the Office. The Board may determine that an assessment is needed for start-up costs for the Association. The Office shall provide the Board with a list of participating insurers and the corresponding reported Assessable Premium volume. The Association may then apply any credits earned by the insurer and issue an assessment invoice to each participating insurer.

(c) The invoice must be paid within 30 days, provided, however, that if a hurricane makes landfall in Florida and the Board anticipates that the assessment will be needed to fund claim payments, the Board may require the invoice be paid

within 10 days. In addition to the civil action provided by statute, the failure of an insurer to pay an invoice when due shall constitute a violation of this rule subjecting the insurer to administrative action by the Office.

(16) Credits Against Assessments. The Board shall adopt a plan, subject to the approval of the Office, to provide each participating insurer the opportunity to earn credits against any deficit assessment for commercial property risks voluntarily written through the Market Assistance Plan by such insurer. Credits may be based upon the premium or policy limits for risk taken by the insurer pursuant to contract of excess insurance coverage or a reinsurance contract between the insurer and the Association. Credits may also be established, and may be greater, for risks taken by the insurer where the insurer writes the insurance coverage through the Market Assistance Plan without any participation by the Association whether or not the risk has been insured by the Association in preceding years. The Board may file amended plans for credit against assessments as often as necessary to encourage participation by the voluntary market. The plans shall be effective when approved and shall apply prospectively to assessments levied for the plan year during which they are in effect. The credit plan may provide for no credits to be given in the event that bonds are issued and the assessment is being made for the purpose of repayment of bond debt. An insurer shall not receive credits for its participation in a policy for an insured which it had nonrenewed or cancelled within the two years preceding the inception of the policy issued to the same insured by the Association.

(17) Reporting Requirements. The Board may establish the format of a report to be sent each quarter to each participating insurer, with respect to its commercial property written, informing the insurer of its share of profits, losses, and expenses under the plan. The Office may also establish the format of a report to be sent each quarter to the Office by each participating insurer with respect to its commercial property written reporting the volume of net direct premium to enable the Office to calculate each insurer's portion of any potential deficit assessment under this plan. The Office may require separate reporting for commercial residential and commercial non-residential risks for each line of insurance listed in the report. The lines of insurance anticipated to be included are lines 1, 2, 5.1, 5.2, 3, and 12 of the state page of the annual statement. The purpose of including the commercial residential premium written for property risks is solely to allow the total on the report to correlate to annual statement reporting, and is not intended to make commercial residential property premium part of the assessment base for this Association.

(18) Financing Arrangements.

(a) There are three different aspects of financing in which the Association is involved:

1. Financing for Operations – The Board may borrow money and may enter into financing agreements to fund start-up costs, operating expenses, or claim payments and associated loss adjustment expenses that occur during the existence of the Association.

2. Assessments for Underwriting Deficits – In the event an underwriting deficit exists for any calendar year the plan is in effect, any surplus which has accrued from previous years and is not projected within reasonable actuarial certainty to be needed for payment for claims in the year the surplus arose shall be used to offset the deficit to the extent available. As to any remaining deficit, the Board shall levy and collect an assessment as provided above.

3. Assessments Following Issuance of Bonds – The governing body of any unit of local government, any residents or businesses of which are insured by the Association, may issue bonds as defined in Section 125.013, Florida Statutes, or Section 166.101, Florida Statutes, from time to time to fund an assistance program, in conjunction with the Association, for the purpose of defraying deficits of the Association. Revenue bonds may not be issued until validated pursuant to Chapter 75, Florida Statutes, unless a state of emergency is declared by executive order or proclamation of the Governor pursuant to Section 252.36, Florida Statutes, making such findings as are necessary to determine that it is in the best interests of, and necessary for, the protection of the public health, safety, and general welfare of residents of this state and the protection and preservation of the economic stability of insurers operating in this state, and declaring it an essential public purpose to permit certain municipalities or counties to issue such bonds as will provide relief to claimants and policyholders of the joint underwriting association and insurers responsible for apportionment of association losses. The unit of local government shall enter into such contracts with the Association as are necessary to carry out this subsection. Any bonds issued shall be payable from and secured by moneys received by the Association from assessments under this subsection, and assigned and pledged to or on behalf of the unit of local government for the benefit of the holders of such bonds. The funds, credit, property, and taxing power of the state or of the unit of local government shall not be pledged for the payment of such bonds. If any of the bonds remain unsold 60 days after issuance, the Office shall require all insurers subject to assessment to purchase the bonds, which shall be treated as admitted assets; each insurer shall be required to purchase that percentage of the unsold portion of the bond issue that equals the insurer's relative share of assessment liability under this subsection. An insurer shall not be required to purchase the bonds to the extent that the Office determines that the purchase would endanger or impair the solvency of the insurer.

(b) Section 627.351(5)(c)6.a., Florida Statutes, states, "The Legislature finds that the potential for unlimited assessments under this paragraph may induce insurers to

attempt to reduce their writings in the voluntary market, and that such actions would worsen the availability problems that the Association was created to remedy. It is the intent of the Legislature that insurers remain fully responsible for covering any deficits of the association; however, it is also the intent of the Legislature to provide a means by which assessment liabilities may be amortized over a period of years.” The total amount of deficit assessments with respect to the deficit in any year may not exceed 10 percent of the Assessable Premium for all insurers for the prior year, except that if the deficit with respect to any plan year exceeds such amount and bonds are issued to defray the deficit, the total amount of assessments with respect to such deficit may not in any year exceed 10 percent of the original deficit, or such lesser percentage as is sufficient to retire the bonds as determined by the Board, and shall continue annually until the bonds are retired.

(19) Deferment of Assessments. An assessment of an insurer may be deferred, in whole or in part, if the Office finds that payment of the assessment would endanger or impair the solvency of the insurer. In the event an assessment against an insurer is deferred in whole or in part, the amount by which such assessment is deferred may be assessed against the other member insurers in a manner consistent with the basis for assessments.

(20) Risk Underwriting Committee.

(a) A Risk Underwriting Committee of the Joint Underwriting Association composed of three members experienced in evaluating insurance risks is created to review risks rejected by the voluntary market for which application is made for insurance through the joint underwriting plan. The committee shall consist of a representative of the market assistance plan created under Section 627.3515, Florida Statutes, a member selected by the participating insurers, and a member named by the Chief Financial Officer. The Risk Underwriting Committee shall appoint such advisory committees as are provided for in the plan and are necessary to conduct its functions. The Association may pay or reimburse the salaries and expenses of the members of the Risk Underwriting Committee and its advisory committees for the time spent on behalf of the Risk Underwriting Committee. The Risk Underwriting Committee shall recommend a plan, subject to approval by the Office, to establish criteria and procedures for use by the Risk Underwriting Committee for determining whether an individual risk is so hazardous as to be uninsurable. In making this determination and in establishing the criteria and procedures, the following shall be considered in addition to criteria commonly used in the market for determining the insurability of the risk:

1. Whether the likelihood of a loss for the individual risk is substantially higher than for other risks of the same class; and

2. Whether the uncertainty associated with the individual risk is such that an appropriate premium cannot be determined.

(b) The Risk Underwriting Committee shall not be required to review a risk for insurability if an authorized insurer agrees to accept some portion of the risk under an excess of loss contract or reinsurance contract between the insurer and the Association. In accordance with the statute, the acceptance or rejection of a risk by the Underwriting Committee is final and is the private placement of insurance, and is not subject to the provisions of the Administrative Procedure Act, Chapter 120, Florida Statutes.

(21) Policy Forms and Applications.

(a) No policy or policy form shall be used unless it has been approved by the Office. The Association may offer coverage that is more restrictive than the coverage offered by the voluntary market, and may limit its property coverage for a particular risk to cover only a specified structure or structures. It may limit coverage for contents or business interruption and may provide coverage limited to the value of the insured structure. It may offer direct insurance, excess insurance or reinsurance if approved by the Board and the Office.

(b) The application form to be required of insureds shall also be filed and must be approved by the Office prior to its use by the Association. The application form must include, as a minimum, the following:

1. Underwriting information on each building that is to be insured.

2. The name of the prior insurer of the account, if any, along with a copy of the policy or declarations page showing the coverage written for the year prior to application.

3. A copy of any non-renewal or cancellation notice issued by the prior insurer.

4. A certification from the agent that a good-faith effort has been made to find coverage and that the coverage is unavailable in the voluntary market, including a list of the three carriers, plus the surplus lines carrier to which the risk was submitted.

(22) Underwriting Rules. Underwriting Rules shall be filed and shall not be used until approved by the Office of Insurance Regulation. The Underwriting Rules shall include a requirement that the application for coverage be submitted to the Market Assistance Plan prior to coverage by the Association. A waiting period of a minimum of ten days shall be required as an underwriting requirement to afford the voluntary market a reasonable opportunity to underwrite and take the risk. In an emergency, the waiting period may be waived upon terms and conditions established in the underwriting rules of the Association. Inspections may be required.

(23) Rates. The Association shall establish a rating plan to be filed with and approved by the Office in advance of implementation. Rates shall be actuarially sound and consistent with the applicable standards of Sections 627.062 and 627.351(5), Florida Statutes. The Association may have

multiple programs for direct insurance, excess insurance, and reinsurance business, and may establish a separate rating plan for each program. The rating plan shall include the following:

(a) An appropriate rate level or levels for risks with loss experience equal to or better than that contemplated by the expected loss ratio in the filing.

(b) An appropriate rate level or levels for risks with loss experience worse than that contemplated by the expected loss ratio in the filing.

(24) Deductibles. The Association may establish in its rating plan(s) applicable deductibles as may be necessary to meet the needs of the insureds and to protect the interests of the Association. A deductible of five percent shall apply for the initial policies written by the Association. If the Board determines that a higher or lower deductible amount is needed, the Board may approve different deductibles for each of its programs, file an amended rating plan with the Office, and upon Office approval, offer policies with the new approved deductible amount.

(25) Policy Limits. The Board may establish reasonable limits on available amounts of insurance. Initial policies issued by the Association shall have limits not exceeding one million dollars. If the Board determines that higher or lower limits are needed, the Board may adopt different limits, and file an amended rating plan and policy form with the Office. Upon Office approval, the Association may offer policies with the new approved limits.

(26) Commissions. The commissions payable to producers shall be determined by the Board and set forth in the Association's rating plan, but shall be less than the typical commissions earned for the sale or placement of risk with a private insurance company, and shall not reward an agent for placing a higher volume of risk with the Association.

(27) Policy Cancellations and Renewals.

(a) Unless otherwise required by law, the Board may establish procedures for the cancellation of policies for nonpayment of premium, misrepresentation of material fact, or failure to comply with risk management programs or other underwriting criteria. Policies may also be cancelled or nonrenewed if there has been a substantial and material change in the nature of the risk that renders it uninsurable or otherwise ineligible for coverage by the Association. Return premiums shall be on a pro rata basis unless determined otherwise by the Board and included in the rating plan.

(b) Renewals may be offered, but each risk shall apply for renewal prior to the expiration of the policy period and shall include with its application for renewal such information as the Association may reasonably require to confirm that the risk remains eligible for coverage.

(28) Risk Management Programs. The Board may establish Risk Management Programs and require compliance with such programs as a condition of coverage at policy inception and as a condition of renewal. The Risk Management

Programs may require reasonable efforts to mitigate against the risk of loss from hurricanes, including the installation of shutters, tied-down roofing materials, and other devices designed to prevent unnecessary losses from the peril of wind. The Risk Management Programs shall be included in the Association's underwriting rules subject to approval by the Office.

(29) Amendments to this Plan of Operation of the Association. The Board of Governors may adopt amendments to this plan of operation to be submitted for review to the Office. The Office will review the amendments and may place the proposed plan amendments on the calendar for a meeting of the Financial Services Commission for approval. Plan amendments shall not be effective until approved by the Financial Services Commission.

(30) Deactivation of the Joint Underwriting Association.

(a) If, at any time, the Financial Services Commission determines that the purposes of the Association have been served or that the Association is no longer necessary or advisable, the Financial Services Commission may deactivate the Association. Such deactivation plan shall provide that upon deactivation, the assets of the Association shall be applied first to pay all debts, claims, liabilities, expenses and obligation of the Association including the establishment of reasonable reserves for any contingent liabilities or obligations. Any remaining assets shall be paid to the state of Florida and deposited into or for the benefit of the Florida Comprehensive Hurricane Damage Mitigation Program, the Florida Hurricane Catastrophe Fund or such other fund as may be designated by the Financial Services Commission. However, no deactivation shall take effect as long as the Association has bonds or other financial obligations outstanding unless adequate provision has been made for the payment of the bonds or other financial obligations pursuant to the documents authorizing the issuance of the bonds or other financial obligations.

(b) Deactivation by the Financial Services Commission is the only method for termination of the business of the Association. The Association shall not be subject to the appointment of a receiver pursuant to Chapter 631, Florida Statutes, and no employee, Board member, insured, participating insurer or other person is authorized to file for bankruptcy protection of the Association on a voluntary or involuntary basis.

Specific Authority 624.308(1), 627.351(5) FS. Law Implemented 624.307(1), 627.351(5) FS. History—New 8-13-89, Formerly 4-87.001, 4J-2.001, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Abby London, Director, Legislative and Cabinet Affairs,
Office of Insurance Regulation

NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Dave Foy, Chief of Staff, Office of
Insurance Regulation

DATE PROPOSED RULE APPROVED BY AGENCY
 HEAD: August 1, 2006
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT
 PUBLISHED IN THE FAW: August 11, 2006

RULE NOS.:	RULE TITLES:
59A-31.007	Service of Petition on Carrier and Affected Parties
59A-31.009	Carrier Response Requirements
59A-31.010	Effect of Non-Response by Carrier

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF REVENUE

Miscellaneous Tax

RULE NO.:	RULE TITLE:
12B-7.0225	Computation of Phosphate Rock Tax Rate

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made in accordance with subparagraph 120.54(3)(d)1., F.S., to the proposed amendments to Rule 12B-7.0225 F.A.C., published in Vol. 32, No. 25, pp. 2817-2819, June 23, 2006, issue of the Florida Administrative Weekly.

In response to written comments received from the Joint Administrative Procedures Committee, dated July 7, 2006, Rule 12B-7.0225, F.A.C., has been changed, so that, when adopted, that rule will read as follows:

12B-7.0225 Computation of Phosphate Rock Tax Rate.

The U.S. Bureau of Labor Statistics Producer Price Index, North American Industry Classification System (NAICS) National Code 212392, Phosphate Rock Commodity Code 147, Chemical and Fertilizer Mineral Mining, is ~~used hereby adopted by reference~~ for the purpose of calculating the annual base rate adjustment to the phosphate rock tax rate, beginning with the year 2007 and annually thereafter. For the purpose of implementing the provisions Section 211.3103(9), F.S., the method used to compute the tax rate for the year 2006 will be the percentage change in phosphate rock prices as published by the U.S. Geological Survey, from 2004 to 2005, times the 2005 tax rate for phosphate rock as published by the Department, all incorporated by reference.

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

Division of Health Quality Assurance

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
59A-31	Disputed Reimbursement Rule

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rules in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 32, No. 29 (July 21, 2006), issue of the Florida Administrative Weekly.

59A-31.007 Service of Petition on Carrier and Affected Parties.

(1) No change.

(2) Carrier designation of an entity to receive service on behalf of the carrier and all affected parties, as required by paragraph 69L-7.602(5)(q), F.A.C., does not confer standing on the designated entity beyond that which the entity would otherwise have under applicable law.

(2) through (4) renumbered (3) through (5) No change.

59A-31.009 Carrier Response Requirements.

(1) The Carrier Response to Petition for Resolution of Reimbursement Dispute Form, accompanied by all requested information, must be served upon the Agency within ten calendar (10) days after receipt of a copy of the petition by United States Postal Service (USPS) certified mail. However, where the carrier has received curative documentation from the petitioner pursuant to subsection 59A-31.005(2), F.A.C., the Carrier Response to Petition for Resolution of Reimbursement Dispute Form, accompanied by all requested information, must be served upon the Agency within ten (10) calendar days after receipt, by the carrier of the curative documentation from the petitioner. The carrier's response to the petition must include a completed Carrier Response to Petition for Resolution of Reimbursement Dispute Form (AHCA Form 3160-0024, effective September 8, 2006). Failure of the carrier to meet these requirements constitutes waiver of all objections to the petition.

(2) through (3) No change.

59A-31.010 Effect of Non-Response by Carrier.

(+) Failure of the carrier to timely submit a Carrier Response to Petition for Resolution of Reimbursement Dispute Form (AHCA Form 3160-0024, effective September 8, 2006) and accompanying documentation substantiating its disallowance or adjustment of payment constitutes a waiver of all objections to the petition. Waiver of all objections to the petition shall result in the Agency determination and final order being based solely upon the allegations and supporting documentation submitted by the petitioner.

(2) ~~If a carrier has waived all objections to the petition under Section 440.13(7), F.S., with regard to a particular disallowance, adjustment or denial of payment, the carrier has~~

~~also waived relief under Section 440.13(8), F.S., or Section 440.13(11), F.S. with regard to the payment(s) that was in dispute in the petition under Section 440.13(7), F.S.~~

DEPARTMENT OF MANAGEMENT SERVICES

Division of State Purchasing

RULE NOS.:	RULE TITLES:
60E-1.001	Definitions
60E-1.003	Central, Non-Profit Agency (“CNA”)
60E-1.004	Employment Centers
60E-1.005	Procurement Requirements and Procedures

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 31, No. 49, December 9, 2005, issue of the Florida Administrative Weekly. These changes are in response to both written material received on or before the date of the final public hearing and comments received from staff of the Joint Administrative Procedures Committee.

The above-mentioned rules are changed as follows:

60E-1.001 Definitions.

(1) ~~Central, Non-Profit Agency (“CNA”) – means the central, nonprofit an agency authorized under section 413.035(1), F.S., to facilitate the allocation of orders as specified therein organized under the laws of Florida, operated in the interest of the blind, or other severely handicapped, the net income of which does not accrue in whole, or in part, to the benefit of any shareholder or other individual, and designated by the Department to facilitate the distribution of orders of the State for commodities and services on the procurement list of employment centers for the blind, or employment centers for other severely handicapped, and to assist the Department in administering these regulations.~~

(2) No change.

(3) Purchasing Office – means ~~a~~ the state office, including the office of any political subdivisions, such as a county, municipality, or school district, that places orders for the procurement of any commodity or service.

(4) Employment Centers – means a workshop for the blind or other severely handicapped person as used in Chapter 413, F.S., that is geographically located in the State of Florida.

Specific Authority 413.035, 413.036 FS. Law Implemented 413.033(2), (3)(c), (6), 413.034, 413.035, 413.036 FS. History–New 10-12-81, Formerly 13G-1.01, Amended 2-22-89, Formerly 13G-1.001, Amended 12-31-95,_____.

60E-1.003 Central, Non-Profit Agency (“CNA”).

(1) By way of competitive solicitation conducted as prescribed by Chapter 287, F.S., a CNA may be designated to represent the employment centers for the blind and other severely handicapped in facilitating the allocation of orders by purchasing offices.

(2) The following shall be responsibilities of the CNA:

(a) ~~Assist Represent~~ employment centers by facilitating the allocation of orders among employment centers in dealing with the Department or other state agencies or political subdivisions under the Act.

(b) Evaluate the ability of employment centers to provide the products or services they offer and advise the Department of its findings qualifications and capabilities of employment centers and provide the Department with pertinent data concerning employment centers, their status as qualified non-profit entities, the quality of the products they manufacture and plan to make available for sale to state agencies or political subdivisions, their manufacturing or service capabilities, and other information required by the Department.

(c) Based on the cost to the employment centers, provide the Department with its current recommended prices for suitable commodities or services for procurement from its employment centers.

(d) Maintain an internet website providing, at a minimum, a listing of its network of employment centers and a listing of all commodities and services offered by each employment center. The CNA’s website can be found at <http://secure.imarcsgroup.com/respect/Default.asp>.

(e) No change.

(f) Monitor the employment centers and advise the Department of any concerns the CNA may have regarding an employment center’s ability to provide the products or services they offer ~~Supervise its employment centers to ensure contract compliance.~~

(g) No change.

~~(h) Monitor and inspect the activities of its employment centers to ensure compliance with the Act and applicable regulations.~~

~~(i)(j)~~ Provide the Department with full and complete access to all purchasing office records as required by the Department.

~~(j)(k)~~ Make commodities and services offered by its employment centers available to eligible users through the MyFloridaMarketPlace procurement system.

(3) No change.

(4) Assignment of commodity or service –

(a) Any employment center may, in writing to the CNA, propose to have the employment center assigned to the procurement list to provide a particular commodity or service to the CNA for consideration for addition to the procurement list. Proposals for addition to the procurement list shall at a

minimum: clearly identify the commodity or service the employment center proposes to offer; include a cost proposal for the offered commodity or service; and specify why it would be in the state's best interest to assign the commodity or service to the employment center.

(b) No change.

(c) The employment center ~~assigned~~ approved by the Department to provide a particular commodity or service shall be placed on the procurement list within 60 days after it is ~~assigned~~ approved to make available the commodities or services it offers for purchase by purchasing offices.

(d) No change.

(5) Distribution of orders – The CNA shall allocate ~~distribute~~ orders from purchasing offices only to employment centers which the Department has ~~assigned~~ approved to produce the specific commodity or to perform the particular service. When the Department has ~~assigned~~ approved two or more employment centers to produce a specific commodity, or perform a particular service, the CNA shall allocate ~~distribute~~ orders among those employment centers in a fair and equitable manner.

(6) No change.

(7) Waiver of priority – Within thirty (30) days after notification by the Corporation operating the correctional work programs; that the Corporation has proposed a commodity or service to be produced by correctional work programs and offered for purchase to purchasing offices, the Department CNA shall notify the Corporation and the CNA of its intention to exercise or waive the priority on the proposed commodity or service. Waiver of priority shall occur only when determined by the Department that such waiver will provide the best value to the state.

~~(a) The CNA may waive priority on a proposed commodity or service if the Corporation operating the correctional work programs was the State of Florida government contractor within the most recent three-year period, or if a similar commodity or service is currently being produced or provided by the correctional work programs.~~

~~(a)(b)~~ The Corporation operating the correctional work programs need not request waiver of priority when a proposed commodity change only involves a change of color or size of an item which is part of a sequence of identical items and is that are currently provided by the correctional work programs under an existing contract.

~~(b)(e)~~ Priority may be exercised by the Department, through the CNA, if a proposed or similar commodity or service is currently on the Department's procurement list; or if a qualified employment center is in the process of adding a same or similar commodity or service to the Department's Commission's procurement list. Addition of a same or similar commodity or service to the procurement list shall be done in accordance with the process describe in subsection 60A-1.003(4), F.A.C.

Specific Authority 413.035, 413.036 FS. Law Implemented 413.033(3), (4), 413.035, 413.036 FS. History–New 10-12-81, Formerly 13G-1.03, Amended 2-22-89, Formerly 13G-1.003, Amended 12-31-95, _____.

60E-1.004 Employment Centers.

(1) Procedures for qualification ~~qualifications~~ of employment centers –

(a) To qualify for participation under the Act, an employment center must:

1. Be certified as a qualified agency for the blind or other severely handicapped ~~an accredited nonprofit employment center~~ as provided in Section 413.033 ~~413.031(1)~~, Florida Statutes.

2. Apply to the CNA to provide the commodities or contractual services under the Act. The application shall be standardized in form, created and furnished by the CNA, and shall be subject to approval by the Department before used.

~~(i) The application shall be standardized in form, created and furnished by the CNA, and shall be subject to approval by the Department before used.~~

(b) No change.

(2) Responsibilities –

(a) Each employment center participating under the Act shall:

1. Maintain its status as a qualified nonprofit agency as defined in Section 413.033, F.S., while providing commodities or contractual services ~~current certification~~ as an employment center;

2. Furnish commodities or services in accordance with purchasing office orders.

3. Make its records available for inspection at any reasonable time.

(3) The CNA shall ensure employment centers comply with all governing laws and rules ~~regulations~~ regarding the commodities or contractual services offered pursuant to Chapter 413, F.S. the Act. Substantial and continuing non-compliance ~~Failure~~ by an employment center in complying to comply with all governing laws or rules ~~regulations that relate to the commodities or contractual services they offer shall~~ may result in the employment center being suspended or removed from the procurement list by the Department.

Specific Authority 413.035, 413.036 FS. Law Implemented 413.035, 413.036 FS. History–New 10-12-81, Formerly 13G-1.04, 13G-1.004, Amended 12- 31-95, 7-9-97, _____.

60E-1.005 Procurement Requirements and Procedures.

(1) No change.

(2) Purchases of commodities and services by purchasing offices from the procurement list are exempt from the competitive bidding requirements of Chapter 287, Part I, Florida Statutes; ~~or other applicable local ordinances.~~

(3)(a) through (c) No change.

(d) If a commodity or service is available from both an employment center and under a state term contract, the agency or eligible user may purchase such commodity or service from whichever of the two procurement options provides the best greatest value to the agency or eligible user.

(e) No change.

~~(f) When a purchase order provides a delivery schedule which cannot be met, the central, non-profit agency shall request a revision, which the ordering office should grant, if feasible, or the CNA shall issue a purchase exception authorizing procurement from commercial sources.~~

~~(f)(g)~~ As to commodities or services offered by employment centers on the procurement list, the list shall provide for each the amount of lead time necessary for the employment center to provide the commodities or complete performance of the services listed. If there are changes in the amount of lead time required to provide a commodity or service, the procurement list shall be duly updated by the CNA.

~~(g)(h)~~ The CNA shall keep the purchasing office informed of any changes in the lead time experienced by its employment centers ~~in order to keep to a minimum requests for extensions once an order is placed. Where, due to unusual conditions, an order does not provide sufficient lead time, the CNA may request an extension of the delivery or completion date which should be granted, if feasible. If extension of delivery or completion date is not feasible, the ordering office shall first notify the CNA and request the CNA reallocate or issue a purchase exception authorizing procurement from commercial sources.~~

~~(h)(i)~~ Delays by employment centers in providing commodities or services should be immediately reported by the employment center to the purchasing office. If the CNA or employment center cannot provide the commodities or services within a reasonable time reports a delay, the purchasing office may proceed to procure those commodities or services from commercial sources ~~another provider of those commodities or services~~. Repeated delays by an employment center in providing designated commodities or services will ~~may~~ result in the employment center being removed from the procurement list by the Department.

(4) through (9) No change.

(10) Quality of merchandise and services produced or provided by employment centers –

(a) Commodities furnished under state specification by blind or other severely handicapped employment centers shall be manufactured in strict compliance with such specifications. Where no specifications exist, commodities produced shall be of the highest quality and equal to similar items available on the commercial market. The agency may, at any reasonable time after delivery, inspect the commodities to assess conformity with state specification or, if no specification exists, determine whether they are of the highest quality and

equal to similar items available on the commercial market. ~~Commodities shall be inspected utilizing nationally recognized test methods and procedures for sampling and inspection.~~

(b) Services provided by blind or other severely handicapped employment centers shall be performed in accordance with State specifications and standards. Where no State specification or standard exists, the services shall be performed in a commercially reasonable manner ~~accordance with good commercial practices~~.

(11) Quality complaints – When the quality of a commodity or service received from ~~blind or other severely handicapped~~ employment centers is not commercially reasonable or fails to meet state specification ~~considered satisfactory~~, the purchasing office shall submit the issue address complaints to the CNA. If the commodity or service in those instances where quality issue(s) problems cannot be resolved by the employment center and the CNA, the purchasing office shall notify the Department and the Department shall determine whether the noncompliance warrant removal of the employment center from the procurement list be advised and, if in fact, the quality of the commodity or service is determined by the Department to be unsatisfactory, the CNA shall discontinue to offer that commodity or service until a replacement, approved as satisfactory by the Department, is allocated to an employment center.

(12)(a) No change.

(b) Determinations regarding creation of new commodity numbers shall be recommended by the CNA to the Department. The Department shall be responsible for determining whether adding the new commodity number is necessary or if the commodity already falls under an existing number. If the Department determines that assignment of a new commodity number is warranted, it shall assign such number and notify the CNA of such designation, and that CNA shall, in turn, incorporate such change in its listed products.

(13)(a) No change.

(b) Upon deletion of a commodity from the procurement list, unless waived by the Department, employment centers will be required to complete production of any outstanding orders for commodities unless it is determined by the purchasing office issuing an order to be cost effective to release the employment center from having to satisfy its obligation under the order.

(c) through (d) No change.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Anthony W. Garcia, Department of Management Services, 4050 Esplanade Way, Suite 360, Tallahassee, Florida 32399-0950, (850)488-8440, garciaa@dms.state.fl.us

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NOS.:	RULE TITLES:
61C-5.008	Definitions
61C-5.0085	Continuing Education 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. 27, July 7, 2006, issue of the Florida Administrative Weekly. The change is made in response to written comments submitted by the staff of the Joint Administrative Procedures Committee.

subsection 61C-5.0085(7) – This paragraph is stricken from the proposed rule.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: John Calpini, Chief, Bureau of Elevator Safety, Department of Business and Professional Regulation, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, FL 32399-1012; Telephone: (850)488-9098

THE FULL TEXT OF THE PROPOSED RULES IS:

61C-5.008 Definitions.

When used in this rule, the following terms shall have these meanings:

(1) “Bureau” means the Bureau of Elevator Safety.

(2) “Course” means a course, seminar or other program of instruction approved by the bureau for the purpose of satisfying continuing education requirements established in Chapter 399, Florida Statutes.

(3) “Course hour” means fifty minutes of instruction, exclusive of breaks, recesses, or time not spent in instruction.

(4) “Course provider” means the person or entity approved by and registered with the bureau pursuant to this rule and who is responsible for conducting a course approved pursuant to this rule.

(5) “Course instructor” means the person appointed by the course provider to actually conduct an approved course.

(6) “Current satisfactory inspection” means an inspection completed on or after August 1 of the previous year that is the most recent annual inspection conducted prior to submission of the current application for renewal and contains no violations.

(7) “Direct supervision” means a certificate of competency holder supervising an elevator helper as set forth in Section 399.01(16), Florida Statutes, is within physical proximity of the person being directly supervised such that timely observation and evaluation of the work being performed is facilitated to ensure the work is completed in accordance with applicable statutory and administrative code requirements.

(8) “Session” means each distinct occasion a course is conducted.

(9) “Syllabus” means a detailed outline of the course content to a level of detail that sufficiently demonstrates the relevance required by subsection 61C-5.008(3), F.A.C.

Specific Authority 399.01, 399.02 FS. Law Implemented 399.01(17) FS. History—New _____.

61C-5.0085 Continuing Education Requirements.

(1) Continuing Education Requirements.

(a) To renew a Certificate of Competency, a Certified Elevator Technician, or a Certified Elevator Inspector credential issued by the bureau pursuant to Chapter 399, Florida Statutes, that requires continuing education, a person must submit, in addition to the required application and fee, proof of completion within the current annual licensure period of 8 hours of approved continuing education.

(b) A person holding more than one individual credential issued by the bureau that requires continuing education need only complete 8 hours of continuing education during each annual period, but must submit proof of completion of the continuing education with each application submitted to the bureau for renewal of the credentials.

(c) A person initially certified or registered by the bureau 180 days or more prior to the renewal deadline must complete 4 hours of approved continuing education as a condition of renewal.

(d) A person initially certified or registered by the bureau for less than 180 days prior to the renewal deadline need not complete any approved continuing education as a condition of renewal.

(2) Course Provider Approval.

(a) Each course provider must register with and obtain approval from the bureau to appoint instructors and conduct courses that satisfy continuing education requirements of Chapter 399, Florida Statutes, by submitting a completed application. Approval shall be granted upon verification that the provider possesses the following: five years experience in the construction, alteration, modification, maintenance or repair of elevators, and one of the following:

1. Possession of a Certificate of Competency issued by the bureau and in good standing;

2. Certification in good standing, pursuant to American Society of Mechanical Engineers standards as a Qualified Elevator Inspector;

3. Proof of registration, licensure or certification in the elevator trade by a United States authority having jurisdiction, to standards substantially equal to or more stringent than those of Chapter 399, Florida Statutes.

(b) A licensed, certified or registered contractor or engineer having five years experience in the elevator industry may, upon verification, be approved as a course provider.

(c) Each course provider approval and registration expires three years from the date of issue, and must be renewed prior to conducting any further courses intended to satisfy continuing education requirements of Chapter 399, Florida Statutes.

(d) Each course provider seeking bureau approval must submit at least one continuing education course syllabus to the bureau for approval.

(e) A course provider must provide the bureau written notice of any material changes to information contained in its most recent application for, or renewal of, approval and registration no later than 30 days after such a change.

(f) The bureau shall maintain a list of all course providers it has approved.

(g) The bureau shall deny approval of, suspend, or revoke the registration of any course provider if based on any of the following:

1. Obtaining or attempting to obtain registration or course approval through fraud, deceit, false statements, or misrepresentation of material facts, whether such statements or misrepresentations are made knowingly or negligently.

2. Failure to provide complete and accurate information in the initial application for registration or in any notification of change in information.

3. Failure to notify the bureau of a change in the information required in subsection (4) for registration of course providers.

4. Falsification of any records regarding the continuing education courses conducted by the course provider or the persons who attended the courses.

5. Failure to maintain any required records regarding the continuing education courses conducted by the course provider or the persons who attended the courses.

6. Failure to properly record attendance at any session of an approved course.

7. Failure to provide the bureau with copies of any document or other information required to be maintained by the course provider pursuant to this rule.

8. Advertising that a course is approved prior to the date approval is granted, or otherwise including false or misrepresentative information in advertising.

9. Participating in any activity designed or intended to circumvent or evade the requirements of Chapter 399, Florida Statutes, or the rules adopted by the bureau to implement that section.

10. Failure to include the bureau course identification number in any advertisement, brochure, course completion certificate, or other marketing or instructional material.

(h) If a course provider's registration is suspended or revoked, the course provider must cancel all sessions scheduled after the suspension or revocation takes effect and refund any fees associated with those sessions until such time as the course provider is restored to good standing.

(i) The bureau may deny approval or renewal of, suspend, or revoke the registration of any course provider when any license prerequisite to approval and registration of the course provider becomes suspended or revoked by the bureau.

(j) A provider whose approval and registration is delinquent, expired, suspended or revoked may not conduct courses. Any courses conducted while a provider is delinquent, expired, suspended or revoked, will not satisfy the continuing education requirements of Chapter 399, Florida Statutes.

(3) Continuing Education Course Approval.

(a) To satisfy continuing education requirements of Chapter 399, Florida Statutes, and this rule, each approved course provider must submit at least one continuing education course syllabus to the bureau for approval. To be approved as a course of continuing education for purposes of Chapter 399, Florida Statutes and this rule, the course must provide technical or safety relevance to elevator construction, alteration, modification, repair or maintenance.

(b) The following subjects are relevant and provided as a guide. Courses submitted for approval need not encompass all these nor be limited to only these: elevator general theory and principles; plan and specification reading and interpretation; electrical codes; wiring and protection; wiring methods and materials; special occupancies and situations; life safety and Americans with Disabilities Act; current adopted elevator safety codes; inspectors manuals and structural considerations; wheelchair or accessibility lifts; OSHA Safety standards; periodic safety tests; or use of specialized tools and equipment.

(c) Continuing education courses will only be considered for approval when the appropriate application is submitted by an approved course provider to the bureau. The application must include: total number of hours of the course; a syllabus that demonstrates topical relevance of the course and includes an accounting of time spent on each topic or subsection in increments of not less than a quarter hour; the name and qualifications of all instructors known at the time of the application. The bureau shall assign each approved course a unique identification number.

(d) Any course denied approval may be modified and resubmitted for approval.

(e) The bureau may not deny or withdraw approval for a course on the sole basis that another course provider conducts the same or similar course approved by the bureau.

(4) Course Instructor Qualifications.

(a) Course instructors must be affiliated with an approved course provider and possess education and experience that qualifies the instructor to teach the course or parts of the course to which he or she is assigned. This education and experience must be verified by the course provider, and consist of the following: five years experience in the construction, alteration, modification, maintenance or repair of elevators, and one of the following:

1. Possession of a Certificate of Competency issued by and in good standing with the bureau;

2. Current certification under the American Society of Mechanical Engineers standards as a Qualified Elevator Inspector;

3. Proof of registration, licensure or certification in the elevator trade by a United States authority having jurisdiction, to standards substantially equal to or more stringent than those of Chapter 399, Florida Statutes.

(b) A licensed, certified or registered contractor or engineer having five years experience in the elevator industry verified by the course provider, and whose license, certification, or registration is in good standing, also verified by the course provider, may teach a course within the scope of his or her license.

(5) Records Required of Course Providers.

(a) The course provider must maintain records for each session of courses it conducts for the purpose of satisfying continuing education requirements established in Chapter 399, Florida Statutes, and provide any of these required records upon request by the bureau. Such records must be maintained for three years, and contain the following:

1. The time, dates and address of each course session.
2. The name, address and qualifications of any instructor teaching any portion of a course session.
3. The syllabus of each course, which must be provided to each attendee.
4. The name, address and bureau certification or registration number and type of each person that completed a course session, regardless of whether a fee is charged.

5. The original sign-in sheet used on-site to record attendance for each course session, which must include: the time, date and address of the course session, the attendee's printed name, signature, and bureau certification or registration number and type, and number of course hours the attendee completed. The sign-in sheet must prominently bear the following statement above the attendees information: "By affixing my name and/or signature and/or mark to this document, I attest and certify that I am correctly and accurately identified herein as the person attending this continuing education course session." The sign-in sheet must also bear the following statement: "I attest the information recorded herein is true and accurate" above the signature of the instructor and the printed names of the course provider and instructor.

(b) Upon completion of a course, each attendee shall receive from the course provider a certificate measuring 8½ inches by 11 inches, displaying the following: the time, date and address of the course session; name of the course; number of course hours attended; the name of the course provider and instructor, and bureau course identification number.

(6) Advertising Continuing Education Courses.

(a) A course provider may not advertise a course as approved by the bureau until such approval is granted.

(b) A course provider may not misrepresent or include false or misleading information regarding the contents, instructors or number of hours of any course approved under this rule.

(c) The course provider must include the bureau course identification number in any advertising used in connection with the course, and any other materials used in connection with the course including but not limited to the syllabus or other instructional materials.

Specific Authority 399.001, 399.01, 399.02, 399.049 FS. Law Implemented 399.01(17) FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE:
John Calpini, Chief, Bureau of Elevator Safety, Division of Hotels and Restaurants, Department of Business and Professional Regulation

NAME OF PERSON OR SUPERVISOR WHO APPROVED THE PROPOSED RULE: Simone Marsteller, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 23, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 24, 2005, Vol. 31, No. 25

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: 61J2-3.010
RULE TITLE: License Reactivation Education for Brokers and Sales Associates

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. 14, April 7, 2006 issue of the Florida Administrative Weekly.

The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The change is as follows so that the rule reads as:

61J2-3.010 License Reactivation Education for Brokers and Sales Associates.

(1) No change.

(2) A licensee may reactivate a license that has been involuntarily inactive for more than 12 months but less than 24 months by satisfactorily completing 28 hours of a Commission – prescribed education course for licensure as a sales associate (Course I). The Course I hours must be based on an approved course as set forth in Rule 61J2-3.008, F.A.C. Emphasis shall be placed on the real estate law and license law portions. Brokers and sales associates wishing to reactivate an involuntary inactive license within this 2 – year period must satisfactorily complete a Commission – prescribed educational course of instruction.

(3) A licensee may demonstrate satisfactory completion for reactivation by achieving a grade of 70% or higher on the Commission – prescribed 25 item end-of-course examination. The school shall test only students who have completed at least 90% of the required hours of instruction. May reactivate a license, which has been involuntarily inactive for 12 months but less than 24 months, by satisfactorily completing a 14 hour Commission – prescribed continuing education course for each 2-year license period.

(4) No change.

(5) Accredited universities, colleges, community colleges in this state, area technical centers or by real estate schools registered pursuant to Section 475.451, Florida Statutes, may offer the Commission-prescribed courses. Satisfactory completion of these courses will not entitle any person to reactivate an involuntary inactive license as a real estate broker or sales associate until such person has met all other requirements of law.

(6) No change.

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

Economic Self-Sufficiency Program

RULE NO.: RULE TITLE:
65A-4.2081 Hurricane Katrina Emergency Assistance Program for Evacuees

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 32, No. 19, May 12, 2006, Florida Administrative Weekly has been withdrawn.

**Section IV
Emergency Rules**

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 THE LOTTERY

RULE NO.: RULE TITLE:
53ER06-48 Payment of Stolen Instant Tickets
SUMMARY OF THE RULE: This emergency rule sets forth the criteria for the payment of stolen instant tickets.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Faith L. Schneider, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER06-48 Payment of Stolen Instant Tickets.

Notwithstanding the provisions of rule paragraphs 53ER06-4(11)(e) and (j), F.A.C., an instant ticket that has been reported stolen will be eligible for prize payment if the claimant who presents the ticket for payment is determined by the Lottery to be free of involvement or culpability in the theft of such ticket and the ticket is otherwise valid and eligible for payment under Rule 53ER06-4, F.A.C.

Specific Authority 24.105(9)(e), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(e), 24.115(1) FS. History–New 8-25-06.

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

EFFECTIVE DATE: August 25, 2006

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**

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 BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that on August 1, 2006, the 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 Cruz Catering Corporation located in Orlando. The above referenced Florida Administrative Code, address 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 August 16, 2006, and is contingent upon Petitioner's use of open-air steam table is properly covered and air curtain is operating properly according to manufacturer's specifications and Section 6-202-15(D)(2), 2001 FDA Food Code, as to expel possible contaminants and vermin. 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 Section 61C-4.0161(1)(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 variance and operating procedures are to be present on each 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.

NOTICE IS HEREBY GIVEN that on August 17, 2006, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.0101(1), and 61C-4.010(6), Florida Administrative Code, from Family Enterprises located in Kissimmee. 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 three Mobile Food Dispensing Vehicles.

This variance request was approved August 23, 2006, for the three MFDVs and is contingent upon Petitioner's use of open-air steam table is properly covered and air curtain is operating properly according to manufacturer's specifications and Section 6-202-15(D)(2), 2001 FDA Food Code, as to expel

possible contaminants and vermin. 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(1)(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 each 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.

NOTICE IS HEREBY GIVEN that on July 11, 2006, the Barbers Board, received a petition for Lucey S. Higginbotham, seeking a waiver or variance of Rule 61G3-19.011, F.A.C., with respect to animals not permitted inside a barbershop, with exception of closed aquariums or trained animals to assist the hearing or visually impaired, or the physically disabled.

A copy of the Petition for Variance or Waiver may be obtained by contacting Robyn Barineau, Executive Director, at the above address or telephone (850)487-1395.

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 August 8, 2006, The Department of Environmental Protection, Bureau of Petroleum Storage Systems, received a petition for variance from Valero, LP, from the requirement that the dike field area have secondary containment pursuant to paragraph 62-762.501(2)(c), Florida Administrative Code. Instead, Valero is proposing to install an alternative dike field

containment system that has been previously approved by the Department. The petition has been assigned File No.: OGC File # 06-1846.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Department of Environmental Protection, Storage Tank Regulation Section, Mail Station 4525, 2600 Blair Stone Road, Florida 32399-2400, Attn.: John Svec, (850)245-8845.

DEPARTMENT OF HEALTH

The Board of Medicine hereby gives notice that it has received a petition filed on August 23, 2006, by Rao Sudheendra, M.D., seeking a waiver or variance from Rule 64B8-4.009, F.A.C., with regard to the requirement for official transcripts from Petitioner's medical school.

Comments on this petition should be filed with: the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice. For a copy of the petition, contact: Larry McPherson, Jr., Executive Director, Board of Medicine, at the above address, or telephone (850)245-4131.

The Board of Medicine hereby gives notice that it has received a petition filed on August 23, 2006, by Willem Bian Gwan Ouw, M.D., seeking a waiver or variance from Rule 64B8-4.009, F.A.C., with regard to the requirement for official transcripts from Petitioner's medical school.

Comments on this petition should be filed with: the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice. For a copy of the petition, contact: Larry McPherson, Jr., Executive Director, Board of Medicine, at the above address, or telephone (850)245-4131.

NOTICE IS HEREBY GIVEN that on August 23, 2006, the Board of Optometry, received a petition for Variance or Waiver filed on August 23, 2006 on behalf of Richard Vorperian, O.D. Petitioner seeks a variance of Rule 64B13-4.001, F.A.C., entitled "Examination Requirements." Specifically, the Petitioner, an out of state Optometry practitioner, now a resident in Florida, requests that the Board waive the requirement applicable to his licensure for the portion under Rule 64B13-4.001, F.A.C. that pertains to taking Part I and Part II of the National Board of Examiners in Optometry ("NBEO") examination within five years of taking the Florida examination. This request is made in view of the Petitioner's background as a Board certified Doctor of Optometry in Illinois and Michigan, as detailed in the Petition.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3257.

NOTICE IS HEREBY GIVEN that the Department of Health received Petitions for Waiver of subsection 64E-3.004(2), F.A.C., from the following persons on the below date(s) who desire to obtain a temporary certificate to practice as a Basic X-Ray Machine Operator:

August 25, 2006:

Barbara Renae Thomas

August 30, 2006:

Thelma F. Aneiros

Petitioners request a waiver because the rule indicates that an applicant who has failed the radiologic technology certification examination for a Basic X-Ray Machine Operator may not qualify for a temporary certification to practice under the direct supervision of a licensed practitioner.

Comments on these Petitions should be filed with: Elizabeth B. Hines, Executive Director, Certification Unit of EMT/Paramedic and Radiologic Technology, 4052 Bald Cypress Way, Bin C-85, Tallahassee, Florida 32399-3285.

FLORIDA HOUSING FINANCE CORPORATION

NOTICE IS HEREBY GIVEN that on August 29, 2006, the Florida Housing Finance Corporation, received a petition for subsection 67-48.004(14), Florida Administrative Code, from McCurdy Center, Ltd. ("Petition"). The Petition is seeking a waiver of the prohibition on changing the total number of units by allowing an increase in the total number of units from 92 to 93, and allowing a change in the bedroom mix from 9 efficiency units and 83 one-bedroom units to 93 one-bedroom 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. 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 August 23, 2006, The Florida Housing Finance Corporation, received a petition for Waiver of paragraphs 67-48.004(14)(j), and 67-48.004(14)(k), F.A.C. as applied to Pinnacle Park's RFP 2006-04 SAIL Program Funds Request ("Petition"). The Petition is seeking a

waiver of the restriction on changing the total number of units; and Total Set-Aside Percentage in its RFP 2006-04 SAIL Program Funds Request.

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 August 23, 2006, Florida Housing Finance Corporation, received a petition for Waiver of paragraphs 67-48.004(14)(j), and 67-48.004(14)(k), F.A.C. ("Petition"). The Petition is seeking a waiver of the restriction on changing the total number of units; and Total Set-Aside Percentage in its 2005 Universal 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. 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

DEPARTMENT OF STATE

The **Department of State, Division of Historical Resources** announces a Historic Marker Conference Call to which all interested persons are invited.

DATE AND TIME: September, 27, 2006, 10:00 a.m. (EDT)

PLACE: Room 409, R. A. Gray Building, 500 S. Bronough St., Tallahassee, FL 32399-0250

GENERAL SUBJECT MATTER TO BE CONSIDERED: To Review Historical Marker applications.

A copy of the agenda may be obtained by writing: Florida State Historical Marker Program, Bureau of Historic Preservation, Division of Historical Resources, 500 S. Bronough St., Tallahassee, FL 32399-0250.

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

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

DEPARTMENT OF LEGAL AFFAIRS

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

Bylaws Committee

DATE AND TIME: September 12, 2006, 3:00 p.m.

Annual Report Committee

DATE AND TIME: September 13, 2006, 10:00 a.m.

Finance and Budget Committee

DATE AND TIME: September 14, 2006, 10:00 a.m.

Women's Hall of Fame Committee

DATE AND TIME: September 20, 2006, 10:00 a.m.

Executive Committee

DATE AND TIME: September 21, 2006, 10:00 a.m.

Public Outreach Task Force

DATE AND TIME: September 27, 2006, 10:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion on general issues.

NOTE: In the absence of quorum, items on this agenda will be discussed as workshop, and notes will be recorded although no formal action will be taken. If you have any questions, please call (850)414-3300.

If you need accommodation due to a disability, please notify: the Florida Commission on the Status of Women, the Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Department of Agriculture and Consumer Services** announces a meeting of the Florida Emergency Food Assistance Program Advisory Board.

DATE AND TIME: September 22, 2006, 10:00 a.m. – 2:00 p.m.

PLACE: Florida Fruit and Vegetable Association, Conference Room, 800 Trafalgar Court, Maitland, Florida 32751, (321)214-5200

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of Florida's Emergency Food Assistance Program.

A copy of the agenda can be obtained by contacting: Shenique Bridges, 407 S. Calhoun Street, 2nd Floor, Tallahassee, Florida 32399-0800.

If special accommodations are needed to attend this meeting because of a disability, please contact: Shenique Bridges, (850)487-6694, by September 15, 2006.

The Florida **Department of Agriculture and Consumer Services**, Office of Agricultural Water Policy announces a public meeting to which all persons are invited.

DATE AND TIME: September 28, 2006, 3:00 p.m. – 5:00 p.m.

PLACE: Orange County Convention Center (OCCC), 9800 International Dr., Orlando, FL 32819

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting will be to discuss the sod best management practices manual and the subsequent plan for its completion.

A copy of the agenda may be obtained by contacting Brittany Mayock, FDACS, (850)617-1711.

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 the Bureau of Personnel Management, Department of Agriculture and Consumer Services, (850)488-1806. 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: Brittany Mayock, Environmental Specialist II, (850)617-1711.

DEPARTMENT OF EDUCATION

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

DATE AND TIME: Monday, September 18, 2006, 10:00 a.m.

PLACE: Department of Education, Turlington Building, Room 1703, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the third meeting of the Performance Pay Steering Committee.

For additional information and an agenda when available, please contact: Cheri Pierson Yecke, Ph.D., Chancellor, K-12 Public Schools, Tallahassee, FL, (850)245-0509.

The public is invited to a meeting of the State **Board of Education**.

DATE AND TIME: September 19, 2006, 8:30 a.m.

PLACE: 325 West Gaines Street, Suite 1721/25, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting agenda will consist of the approval of minutes of the meeting held August 15, 2006, and updates on various reports

and status of education initiatives by the Chairman and Commissioner including the compliance of the districts with repeating F schools with the school assistance requirements. Among the items to be presented for the Board's consideration are: Approval of District Support Plans for D and F schools, Approval of 2007-08 K-20 Legislative Budget Request, Approval of the 2007-08 K-20 Capital Outlay Legislative Budget Request, Reappointment of Jane Cebelak to the Board of Directors, Florida Center for Nursing, Pensacola Junior College – Request Site Designation Approval for the South Santa Rosa County Special Purpose Center, and St. Petersburg College – Request Site Designation Approval for the Midtown Special Purpose Center.

A copy of the final agenda may be obtained from: the Department of Education's website at <http://www.fldoe.org>.

Persons with disabilities who require assistance to participate in the meeting are requested to notify: the Office of Equity and Access, (850)245-9531 (Voice), at least 7 days in advance, so that their needs can be accommodated.

The Florida **Department of Education**, Office of Independent Education and Parental Choice, announces a public hearing of the Florida Schools of Excellence Commission to which all persons are invited.

DATE AND TIME: September 22, 2006, 9:00 a.m. – until completion

PLACE: Senate Committee Meeting Room 301, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Pursuant to Section 1002.335(3)(c), Florida Statutes, The Florida Schools of Excellence Commission is "encouraged to convene its first meeting no later than October 1, 2006".

Special Accommodations: Persons with disabilities who require assistance to participate in these hearings are requested to contact: the Office of Independent Education and Parental Choice, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399, (850)245-0502.

The public is invited to Committee meetings of the **Board of Governors**, the **State University System** of Florida. The Economic Development Committee will meet:

DATE AND TIME: September 20, 2006, 4:00 p.m. – 5:30 p.m.

PLACE: Traditions Hall, Gibbons Alumni Center, University of South Florida, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of recommendations concerning the 21st Century Technology, Research and Scholarship Enhancement Act, and release of funds; Status report on 21st Century Scholars; Scoresheet for Centers of Excellence proposals; Discussion of new programs coming to Florida, including the Burnham Institute, Scripps, SRI and Torrey Pines, and university partnerships; and other matters pertaining to the Board of Governors.

A copy of the agenda may be obtained from the Board of Governors' website at <http://www.flbog.org>.

Persons with disabilities who require assistance to participate in the meeting are requested to notify the Office of Access and Equity, (850)245-9531 (Voice), at least 7 days in advance, so that their needs can be accommodated.

The public is invited to Committee meetings and the regular meeting of the **Board of Governors**, the **State University System** of Florida. The Facilities Committee, the Strategic Planning/Educational Policy Committee, and the Student Affairs Committee will meet. The regular meeting of the Board will follow the Committee meetings.

DATE AND TIME: September 21, 2006, 8:00 a.m. – 5:00 p.m.

PLACE: Traditions Hall, Gibbons Alumni Center, University of South Florida, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion and recommendation of the 2007-2008 State University System Fixed Capital Outlay Legislative Budget Request; Update on the SUS Facilities Task Force; Discussion of Branch Campuses and Centers, including USF-Lakeland and FGCU; Enrollment projections for the State University System; Continuing discussion of cost-per-degree; Update on study of system structure; Discussion of offering baccalaureate degrees by the community colleges; Discussion of financial aid and tuition; Discussion of First Generation Matching Grant Program; and Discussion of systemwide issues from the Council of Student Affairs; Discussion of SUS issues for the 2007 Legislative Session; Presentation of criteria for the FAMU Presidential Search; Presentation on Medical Education, FSU; Consideration of 2006-2007 SUS Operating Budgets; Authorization to release funds from the University Concurrence Trust Fund in accordance with the Campus Development Agreement; and other matters pertaining to the Florida Board of Governors.

A copy of the agenda may be obtained from the Board of Governors' website at <http://www.flbog.org>.

Persons with disabilities who require assistance to participate in the meeting are requested to notify the Office of Access and Equity, (850)245-9531 (Voice), at least 7 days in advance, so that their needs can be accommodated.

DEPARTMENT OF COMMUNITY AFFAIRS

The **Building Code Education and Outreach Council** announces the following meeting to which all persons are invited.

DATE AND TIME: September 27, 2006, 12:30 p.m.

PLACE: The Department of Business and Professional Regulation, The Professions Board Room, 1940 North Monroe Street, Tallahassee, Florida, (850)487-1395

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review and Approve Agenda.

A copy of the meeting agenda may be obtained by sending a request in writing to: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, Fax (850)414-8436, or looking on the web site at www.florida-building.org.

Any person requiring a special accommodation at the meeting because of a disability or physical impairment should contact: Ms. Barbara Bryant, the Department of Community Affairs, (850)487-1824, at least ten days before the meeting. If you are hearing or speech impaired, please contact: the Department of Community Affairs using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF LAW ENFORCEMENT

The Florida **Department of Law Enforcement**, Missing Children Information Clearinghouse Advisory Board, announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, September 11, 2006, 1:00 p.m.

PLACE: The Capitol, Governor's Conference Room, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: A meeting, for the purpose of notice herein, is limited to a gathering for the purpose of conducting public business by members of a collegial body constituting the agency head.

QUARTERLY MCIC ADVISORY BOARD MEETING. Immediately following the Florida Missing Children's Day ceremony.

A copy of the agenda may be obtained by writing: The Florida Department of Law Enforcement, Post Office Box 1489, Tallahassee, Florida 32302, Attention: Gwen Johnson, Missing Children Information Clearinghouse.

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

DATES AND TIMES: Wednesday, September 13, 2006, 1:00 p.m. – 5:00 p.m.; Thursday, September 14, 2006, 8:30 a.m. – 12:00 Noon

PLACE: The Westin Tampa Harbour Island Hotel, 725 South Harbour Island Boulevard, Tampa, Florida 33602, (813)229-5034

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 writing: Government Analyst Joyce Gainous-Harris, Florida Department of Law Enforcement, Investigations and Forensic Science, Office of Statewide Programs, Post Office Box 1489, Tallahassee, Florida 32302, or by telephoning (850)410-7096.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Persons needing an accommodation to participate in any proceeding should call (850)410-7900, (Voice) or (850)656-9597, (TDD), at least five working days before such proceeding.

DEPARTMENT OF REVENUE

The **Department of Revenue** announces a public hearing to which all persons are invited.

DATE AND TIME: September 19, 2006, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of adoption of the proposed amendments to Rule 12B-7.0225, F.A.C. (Computation of Phosphate Rock Tax Rate). A Notice of Proposed Rulemaking for the proposed rule changes was published in the F.A.W. on June 23, 2006 (Vol. 32, No. 25, pp. 2817-2819). A Notice of Change was published in the September 8, 2006, edition of the F.A.W.

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

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."

STATE BOARD OF ADMINISTRATION

The **State Board of Administration** (SBA) announces a public meeting of the Investment Advisory Council (IAC) to which all persons are invited.

DATE AND TIME: Thursday, September 21, 2006, 10:00 a.m.

PLACE: The Hermitage Centre, 1801 Hermitage Boulevard, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled quarterly meeting of the Investment Advisory Council. The IAC is a six-member advisory council, which reviews the investments made by the staff of the State Board of Administration and makes recommendations to the board regarding investment policy, strategy, and procedures. The IAC operates under Section 215.444, Florida Statutes.

If you would like to have a copy of the agenda, please contact: Diane Bruce, State Board of Administration of Florida, 1801 Hermitage Blvd., Suite 100, Tallahassee, FL 32308, (850)413-1253.

In compliance with the Americans with Disabilities Act, anyone needing special accommodations to attend the meeting is requested to call: James Linn, (850)413-1166, five days prior to the meeting so that appropriate arrangements can be made.

DEPARTMENT OF CITRUS

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

DATE AND TIME: Wednesday, September 20, 2006, 9:00 a.m. – The Commission will convene for the purpose of standing committee meetings and the regular monthly meeting of the Florida Citrus Commission.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will address issues pertaining to budget items and revisions, contracts, advertising programs, balanced scorecards, licensing, rulemaking, and other matters generally addressed during monthly meetings of the Commission. The Commissioners of the Florida Citrus Commission also sit as the members of each referenced committee of the Florida Citrus Commission; therefore substantial and detailed discussions, public input, consideration of, and Committee action upon, Committee issues, occurs during the Committee meetings. Such actions may include, but are not limited to, the adoption of resolutions to be acted upon by the Florida Citrus Commission following the Committee meetings.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting Mr. Bill Jones at the above address or by telephone, (863)499-2499.

FLORIDA PAROLE COMMISSION

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

DATE AND TIME: Wednesday, September 27, 2006, 9:00 a.m.

PLACE: Florida Parole Commission, 2601 Blair Stone Road, Bldg. C, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly Scheduled Meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery and Control Release matters as well as other Commission business.

A copy of the agenda may be obtained by writing: Florida Parole Commission, 2601 Blair Stone Road, Building C, Tallahassee, Florida 32399-2450.

Any person who decides to appeal a decision of the Florida Parole Commission with respect to a matter considered at this meeting may need to ensure that a verbatim record of the proceedings is made, Chapter 80-150, Laws of Florida (1980). In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the agency sending the notice not later than five working days prior to the proceeding at the address given on the notice. Telephone: (850)488-3417.

EXECUTIVE OFFICE OF THE GOVERNOR

The **Executive Office of the Governor**, Office of Tourism, Trade and Economic Development (OTTED), announces a meeting by conference call of the Brownfield Area Loan Guarantee Council.

DATE AND TIME: Monday, September 11, 2006, 3:00 p.m. – 4:00 p.m. (EDT)

PLACE: By Meet-Me conference call: Conference Call Access number can be obtained by calling (850)487-2974, or emailing diane.scholz@myflorida.com

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss whether the Brownfield Loan Guarantee Council will consider changing the Council’s policy regarding the limitation of approving only 10-15% of the guarantee pool for a single transaction.

CONTACT PERSON: Diane Scholz, OTTED, (850)487-2974.

The **Council on State Agency Inspectors General** announces a public meeting to which all persons are invited.

DATE AND TIME: September 19, 2006, 9:00 a.m. – 4:00 p.m.

PLACE: Department of Business and Professional Regulation, Board Room, 1940 N. Monroe Street, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The primary objectives of this third meeting of the Council will be continuing business of the Council’s legislative mandate

For more information, you may contact: Derry Harper, Chief Inspector General, The Capitol, Room 2103, Tallahassee, FL 32399, (850)922-4637.

The **Property Tax Reform Committee**, as established by Executive Order number 06-141, announces a public meeting to which all persons are invited.

DATE AND TIME: September 20, 2006, 10:00 a.m. – 4:00 p.m.

PLACE: Orlando City Council Chambers, City Hall, 400 South Orange Avenue, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida property tax structure and procedures; public testimony regarding property taxation in Florida.

A copy of the agenda may be obtained: www.propertytaxreform.state.fl.us or by contacting Rosa Dorsey, (850)487-1880.

REGIONAL PLANNING COUNCILS

The **Withlacoochee Regional Planning Council** announces a meeting of its Executive Committee by way of a Meet-Me Conference Call.

DATE AND TIME: Monday, September 18, 2006, 9:30 a.m.

PLACE: Withlacoochee Regional Planning Council, Board Room, 1241 S. W. 10th Street, Ocala, FL 34474-2798

GENERAL SUBJECT MATTER TO BE CONSIDERED: Annual Evaluation of its Executive Director.

A copy of the agenda may be obtained by writing: the Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34474-2798.

Affected persons are advised that it may be necessary for them to ensure that a verbatim record of the meeting is made, including the testimony and evidence upon which the appeal is to be based.

The **Withlacoochee Regional Planning Council** announces a public meeting of its Board of Directors to which all persons are invited.

DATE AND TIME: Thursday, September 21, 2006, 7:00 p.m.

PLACE: Hernando County Commission Board Room, 1st Floor, 20 N. Main Street, Brooksville, FL 34601

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Council including the review of the Regional Report and Recommendations for the Hickory Hill DRI.

A copy of the agenda may be obtained by writing: the Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34474-2798.

Affected persons are advised that it may be necessary for them to ensure that a verbatim record of the meeting is made, including the testimony and evidence upon which the appeal is to be based.

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

DATE AND TIME: Wednesday, September 27, 2006, 10:30 a.m.

PLACE: Tampa Bay Regional Planning Council, 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782-6136

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida District VIII LEPC and discuss and implement provisions of the Emergency Planning and Community Right-to-Know Act (EPCRA).

A copy of the agenda may be obtained by contacting: Bill Lofgren, LEPC Coordinator, Tampa Bay Regional Planning Council, 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782-6136, (727)570-5151, ext 33.

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

Any persons needing special accommodations at this meeting because of a disability or physical impairment should contact the Tampa Bay Regional Planning Council, (727)570-5151, within three working days of the meeting.

The **Tampa Bay Regional Planning Council** announces the following meetings to which all persons are invited.

PLACE: 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782. (Please call to confirm date, time and location.)

MEETING: Executive/Budget Committee

DATE AND TIME: Monday, October 9, 2006, 8:45 a.m.

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

MEETING: Tampa Bay Regional Planning Council

DATE AND TIME: Monday, October 9, 2006, 10:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Tampa Bay Regional Planning Council.

MEETING: TBRPC Legislative Committee

DATE AND TIME: Monday, October 9, 2006, 11:30 a.m.

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

MEETING: Agency On Bay Management

DATE AND TIME: Thursday, October 12, 2006, 9:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Agency On Bay Management.

MEETING: Clearinghouse Review Committee

DATE AND TIME: Monday, October 23, 2006, 9:30 a.m.

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

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

The **Regional Business Alliance** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 13, 2006, 2:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly Business Meeting.

The Regional Business Alliance is comprised of business leaders from Miami-Dade, Broward, and Palm Beach counties, including members of the South Florida Regional Transportation Authority.

A copy of the agenda may be obtained by writing: The Broward Workshop, 150 S. E. 12th Street, Suite 200, Fort Lauderdale, Florida 33316 or contacting The South Florida Regional Planning Council, (954)985-4416.

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

The **South Florida Regional Planning Council**, State Road 7 Community Network announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, September 19, 2006, 8:00 a.m. – 10:30 a.m.

PLACE: Seminole Hard Rock Hotel and Conference Center, One Seminole Way, Hollywood, Florida 33314

GENERAL SUBJECT MATTER TO BE CONSIDERED: Inaugural Meeting – State Road 7 Community Network Ambassador Program.

A copy of the agenda may be obtained by contacting: South Florida Regional Planning Council (SFRPC), 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021, (954)985-4416. Persons who have been invited to this meeting include community residents, city elected officials, city managers, regional and local land use planners, planning and zoning officials as well as other interested parties which may be appointed members of one or more policymaking boards.

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

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

DATE AND TIME: Thursday, September 28, 2006, 10:30 a.m. (Eastern Time), 9:30 a.m. (Central Time)

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

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

An agenda may be obtained by writing: Apalachee Regional Planning Council, 20776 Central Avenue, East, Suite 1, Blountstown, FL 32424 or calling (850)674-4571.

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

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

WATER MANAGEMENT DISTRICTS

The **Southwest Florida Water Management District** (SWFWMD) announces the following to which some Governing and Basin Board members may attend.

MARION COUNTY SPRINGS FESTIVAL LEGISLATIVE AND MEDIA EVENT

DATE AND TIME: September 15, 2006, 5:45 p.m.

PLACE: Silver Springs Attraction, 5656 E. Silver Springs Blvd., Ocala, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Panel discussion on the Floridan Aquifer.

FIFTH ANNUAL MARION COUNTY SPRINGS FESTIVAL

DATE AND TIME: September 16, 2006, 10:00 a.m.

PLACE: Silver River State Park, 1425 N. E. 58th Avenue, Ocala, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Gain knowledge of area springs.

Information is available by contacting: Southwest Florida Water Management District, Executive Department, 2379 Broad Street, Brooksville, Florida.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should contact 1(800)423-1476 (Florida only), extension 4606, TDD only 1(800)231-6103 (Florida only), Fax (352)754-6874.

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

CITRUS COUNTY TSALA-APOPKA CHAIN OF LAKES TASK FORCE OF THE CITRUS/HERNANDO WATERWAYS RESTORATION COUNCIL

DATE AND TIME: Monday, September 18, 2006, 3:00 p.m.

PLACE: Lecanto Government Building, 3600 West Sovereign Path, Room 166, Lecanto, Florida 34461

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of Task Force business.

This is a public meeting and an agenda is available 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.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should contact 1(800)423-1476 (Florida), or (352)796-7211, extension 4226, Fax: (352)797-5806, TDD ONLY 1(800)231-6103 (Florida).

The **Southwest Florida Water Management District** announces a public meeting, hearing or workshop to which all persons are invited.

ENVIRONMENTAL ADVISORY COMMITTEE

DATE AND TIME: Wednesday, September 20, 2006, 1:00 p.m.

PLACE: Tampa Service Office, 7601 Highway 301, North, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct Committee Business.

Some members of the District's Governing and Basin Boards may attend the meetings.

A copy of the agenda may be obtained by writing: Southwest Florida Water Management District, 2379 Broad Street (U.S. 41 South), Brooksville, Florida 34604 or by calling the Southwest Florida Water Management District, (352)796-7211, extension 4402 or 1(800)423-1476, extension 4402, or Suncom 628-4150. If you are hearing or speech impaired, please contact the District by calling TDD ONLY 1(800)231-6103.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by calling (352)796-7211, extension 4402, 1(800)423-1476, extension 4402, or Suncom 628-4150. If you are hearing or speech impaired, please contact the District by calling TDD ONLY 1(800)231-6103.

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

DATE AND TIME: Friday, September 15, 2006, 10:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting of the Everglades Technical Oversight Committee (TOC).

A copy of the agenda may be obtained at the: (1) District Website <http://www.sfwmd.gov/org/ema/toc/draftagenda.html> or (2) by writing the South Florida Water Management District, Mail Stop 2130, P. O. Box 24680, West Palm Beach, FL 33416-4680.

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

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

Those who want more information, please contact: Dr. Garth Redfield, Environmental Resource Assessment Department, District Headquarters, 3301 Gun Club Road, Mail Stop Code 4610, West Palm Beach, FL 33406, (561)682-6611.

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

DATE AND TIME: Tuesday, October 3, 2006, 10:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting of the Everglades Technical Oversight Committee (TOC).

A copy of the agenda may be obtained at: (1) District Website <http://www.sfwmd.gov/org/ema/toc/draftagenda.html> or (2) by writing the South Florida Water Management District, Mail Stop 2130, P. O. Box 24680, West Palm Beach, FL 33416-4680.

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

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

Those who want more information, please contact: Dr. Garth Redfield, Environmental Resource Assessment Department, District Headquarters, 3301 Gun Club Road, Mail Stop Code 4610, West Palm Beach, FL 33406, (561)682-6611.

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

DATE AND TIME: September 20, 2006, 6:00 p.m. – 9:00 p.m.
PLACE: Devry University, South Florida Campus, The Commons Area, 2300 S. W. 145th Avenue, Miramar, FL 33027

GENERAL SUBJECT MATTER TO BE CONSIDERED: To encourage small businesses to take part in the procurement process and become certified as District Small Business Enterprises.

A copy of the agenda may be obtained at: (1) District Website <http://www.sfwmd.gov/agenda.html> or (2) by writing the South Florida Water Management District, Mail Stop 2130, P. O. Box 24680, West Palm Beach, FL 33416-4680.

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

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

Those who want more information, please contact: Sandra Hammerstein, Procurement Department, District Headquarters, 3301 Gun Club Road, Mail Stop Code 660, West Palm Beach, FL 33406, (954)442-5200.

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

DATE AND TIME: September 27, 2006, 2:00 p.m. – 4:00 p.m.

PLACE: Ocean Bank Building, 782 N. W. LeJeune Road, Suite 450, Miami, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To encourage small businesses to take part in the procurement process and become certified as District Small Business Enterprises.

A copy of the agenda may be obtained at: (1) District Website <http://www.sfwmd.gov/agenda.html> or (2) by writing the South Florida Water Management District, Mail Stop 2130, P. O. Box 24680, West Palm Beach, FL 33416-4680.

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

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

Those who want more information, please contact: Sandra Hammerstein, Procurement Department, District Headquarters, 3301 Gun Club Road, Mail Stop Code 660, West Palm Beach, FL 33406, (305)598-9300 or sfwmd@govbizsolutions.com.

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

DATE AND TIME: Thursday, September 21, 2006, 4:00 p.m. – 7:00 p.m.

PLACE: SFWMD Clewiston Field Station, 2425 Hookers Point Road, Clewiston, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Water Resources Advisory Commission (WRAC) Issues Workshop Aquatic Vegetation Management

A copy of the agenda may be obtained by writing: South Florida Water Management District, Mail Stop 1131, 3301 Gun Club Road, West Palm Beach, Florida 33406, or at our website <http://my.sfwmd.gov/wrac>.

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

Those who want more information, please contact: Rick Smith, (561)682-6517 or Sandra Gomez, (561)682-2047.

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

DATE AND TIME: Monday, September 25, 2006, 2:00 p.m.

PLACE: Town of Jupiter Community Center, 210 Military Trail, Jupiter, Florida 33458

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Loxahatchee River Management Coordinating Council.

A copy of the agenda may be obtained by writing: South Florida Water Management District, Mail Stop 6880, 210 Atlanta Avenue, Stuart, Florida 34994.

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

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

Those who want more information, please contact: Gardenia Banks Long, the Martin/St.Lucie Service Center, 210 Atlanta Avenue, Stuart, FL 34994, (772)223-2600 ext. 3617.

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

DATE AND TIME: Tuesday, September 27, 2006, 5:15 p.m. – until complete

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive public comment, vote on the FY06/07 millage rates and budget.

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

A copy of the agenda may be obtained at: (1) District Website www.sfwmd.gov/gover/GovBoard/webpage/agenda.html or (2) by writing the South Florida Water Management District, Mail Stop 1130, P. O. Box 24680, West Palm Beach, FL 33416-4680.

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

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

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

COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

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

DATE AND TIME: Thursday, September 14, 2006, 9:00 a.m. – until completion

PLACE: Hilton Garden Inn, 1330 South Blair Stone Road, Tallahassee, Florida 32301, (850)893-8300

GENERAL SUBJECT MATTER TO BE CONSIDERED: To provide new Commission members with an orientation of the Transportation Disadvantaged Program.

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

Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450, (850)410-5700 or 1(800)983-2435.

The meeting is subject to change upon chairperson's request.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a meeting of the Governor's Health Information Infrastructure Advisory Board FHIN White Paper Network Security Workgroup, to which all interested parties are invited.

DATE AND TIME: Tuesday, September 12, 2006, 12:00 Noon – 1:30 p.m. (EDT)

PLACE: This will be a meeting by conference call. Anyone interested in participating may telephone: (641)793-7500 and use Pass Code: 9701442#

GENERAL SUBJECT MATTER TO BE CONSIDERED: This workgroup meeting will discuss network security issues for the Florida Health Information Network and for local regional health information organizations connecting to the Florida Health Information Network.

A copy of the agenda may be obtained by writing: Christopher Sullivan, Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, Mail Stop #16, Tallahassee, FL 32308-5403. The agenda will be posted at http://ahca.myflorida.com/dhit/work_group05.shtml seven (7) days prior to the meeting.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact: Christopher Sullivan, (850)414-5421, at least five calendar days prior to the meeting.

The **Agency For Health Care Administration**, Pharmaceutical and Therapeutics Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday September 20, 2006, 9:30 a.m. – 2:30 p.m.

PLACE: DoubleTree Hotel Tampa Westshore Airport, 4500 West Cypress St., Tampa, FL 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: Recommendations for drugs to be included on the Preferred Drug List are made at this meeting. Members of the public who wish to testify at this meeting must contact: Michael Bolin (850)922-1140. The number of speakers will be limited and will be accommodated in order of notification to Mr. Bolin. Because of unforeseen events that may cause changes, interested parties are encouraged to watch the website http://www.fdhc.state.fl.us/Medicaid/Prescribed_Drug/index.shtml. Procedures for speakers to follow are also available on the website.

A copy of the agenda may be obtained by contacting Michael Bolin.

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.

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 Michael Bolin. 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 Bolin, (850)922-1140.

The **Agency for Health Care Administration**, in conjunction with the **Department of Elder Affairs**, announces the following public meeting to which all interested persons are invited.

DATE AND TIME: Wednesday, September 20, 2006, 1:00 p.m. – 3:00 p.m. (Eastern)

PLACE: Marks Street Senior Recreation Center, Cypress Room, 99 East Marks Street, Orlando, FL 32803

GENERAL SUBJECT MATTER TO BE CONSIDERED: Section 409.912(5), Florida Statutes, mandates the Agency for Health Care Administration, in consultation with the Department of Elder Affairs, to create an "integrated, fixed-payment delivery system for Medicaid recipients who are 60 years of age or older. The Agency for Health Care Administration shall implement the integrated system initially on a pilot basis in two areas of the state". The Agency for Health Care Administration submitted waiver applications to the Centers for Medicare and Medicaid Services on January 26, 2006, in order to obtain Federal approval for implementation of managed, integrated long term care in the Panhandle Pilot Area- Escambia, Santa Rosa, Okaloosa and Walton Counties; and the Central Florida Pilot Area – Seminole, Orange, Brevard and Osceola Counties.

The primary purpose of this meeting is to provide outreach and education to Medicaid beneficiaries about this proposed program. An overview of the program will be provided as well as an opportunity for public comment on a first come – first serve basis.

In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting should advise the Agency at least seventy two (72) hours before the meeting by contacting: Sarala Hermes, 2727 Mahan Drive, Mail Stop 20, Tallahassee, FL 32308, (850)487-2618, e-mail: hermess@acha.myflorida.com.

DEPARTMENT OF MANAGEMENT SERVICES

The **Office of Early Learning** announces a public hearing to which all persons are invited.

DATE AND TIME: October 26, 2006, 10:00 a.m. – 4:00 p.m., or until the close of business

PLACE: Sheraton Tampa Riverwalk Hotel, 200 North Ashley Drive, Tampa, FL 33602, (813)223-2222

GENERAL SUBJECT MATTER TO BE CONSIDERED: Health and safety requirements for the school readiness program.

The State of Florida, **State Technology Office** announces a Chief Information Officers (CIO) Council Meeting to which all persons are invited.

DATE AND TIME: Monday, September 18, 2006, 10:00 a.m. – 12:00 Noon

PLACE: Betty Easley Conference Center, Rm. 166, 4075 Esplanade Way, Tallahassee, FL 32399-0850

GENERAL SUBJECT MATTER TO BE CONSIDERED: To enhance communication among the Chief Information Officers of all state agencies and assist in identifying critical statewide information technology issues.

If you would like an agenda for this meeting or require special accommodations due to disability or physical impairment, please contact: Amy Caldeira, amy_caldeira@doh.state.fl.us or call (850)245-4444, ext 3811.

The State of **Florida Retirement Commission** announces public hearings to which all persons are invited.

DATES AND TIME: September, 18-19, 2006, 8:30 a.m.

PLACE: Doubletree Guest Suites USF-Busch Gardens, 11310 North 30th Street, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct hearings pursuant to Section 121.23, Florida Statutes, and to consider other matters related to the business of the Commission.

A copy of the Agenda may be obtained by writing: Department of Management Services, State Retirement Commission, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950 or by telephoning (850)487-2410.

A party who decides to appeal any decision made at such hearings will need a verbatim record of the hearing and may need to ensure that one is made, including the testimony and evidence, upon which the appeal is to be based.

Persons requiring accommodations because of a physical, visual, auditory, or speech impairment should contact the Commission Clerk at least ten days prior to the hearing. If you are hearing or speech impaired, call by using the Florida Relay Service, 1(800)955-8771 (TDD). Hearing rooms and facilities are wheelchair accessible.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Department of Business and Professional Regulation**, Elevator Safety Technical Advisory Council, announces the following teleconference:

Meeting: The Elevator Safety Technical Advisory Council – Legislative Sub-committee Teleconference.

DATE AND TIME: September 20, 2006, 10:30 a.m.

PLACE: Telephone Number to call to participate: (850)488-8295 or Suncom 278-8295, Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevators, 1940 North Monroe Street, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss possible legislation prior to the upcoming 2007 session.

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

Any person requiring special accommodations at this meeting because of disability or physical impairment should contact: Marlita Peters, Department of Business and Professional Regulation, Hospitality Education Program, (850)644-9349, at least five (5) working days prior to the teleconference.

The **Board of Professional Surveyors and Mappers** announces a Probable Cause Panel meeting. All interested parties are invited to attend at the address listed below.

DATE AND TIME: October 3, 2006, 1:00 p.m.

PLACE: Radisson Barcelo' Hotel, 8444 International Drive, Orlando, Florida 32819

GENERAL SUBJECT MATTER TO BE CONSIDERED: To Consider Reconsider Cases.

A copy of the agenda may be obtained by writing: Board of Professional Surveyors and Mappers, 1940 North Monroe Street, Tallahassee, Florida, or by calling Richard Morrison, Executive Director, (850)487-1395.

Any person who decides to appeal any decision made by the Board with respect to any matter considered at this meeting, will need a record of the proceedings, which record shall include all testimony and evidence upon which the appeal is based; and, for such purpose may need to ensure that a verbatim record of the proceedings is made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least forty-eight (48) hours before the meeting by contacting

Richard Morrison, Executive Director, (850)487-1395. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

The **Board of Professional Surveyors and Mappers** announces a Probation Review Committee, Continuing Education Review Committee, Application Review Committee, Privatization Committee, Rules Workshop, and a General Business Meeting. All interested parties are invited to attend at the address listed below.

DATES AND TIMES: October 4, 2006, 8:30 a.m., Continuing Education Committee meeting followed by a Application Review Committee meeting, followed by a Privatization Committee meeting, followed by a Rules Workshop followed by a General Business Meeting, if time allows; October 5, 2006, 8:00 a.m., Probation Review Committee meeting followed by a General Business meeting.

PLACE: Radisson Barcelo' Hotel, 8444 International Drive, Orlando, Florida 32819-9329

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct board business.

A copy of the agenda may be obtained by writing: Richard Morrison, Executive Director, Department of Business and Professional Regulation, Board of Professional Surveyors and Mappers, 1940 North Monroe Street, Tallahassee, FL 32399-0756 or by calling (850)487-1395.

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

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System, 1(800) 955-8771. Persons requiring special accommodations due to disability or physical impairment should contact Richard Morrison by Monday, October 2, 2006.

The Probable Cause Panel of the **Florida Real Estate Commission** announces a meeting to which all interested persons are invited.

DATE AND TIME: Monday, September 18, 2006, 2:00 p.m. or the soonest thereafter. Portions of the probable cause proceedings are not open to the public.

PLACE: Zora Neale Hurston Building, North Tower, Suite 901N, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases to determine probable cause and to conduct a public meeting to review cases where probable cause was previously found.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Commission members or its counsel.

Any person who desires a special accommodation at this meeting because of a disability or physical impairment should contact: the Division of Real Estate, (407)245-0800 (between the hours of 8:30 a.m. – 4:00 p.m.), at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call the Real Estate Division using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Florida Real Estate Commission (FREC)** announces a public meeting to which all persons are invited.

DATES AND TIME: Tuesday, September 19, 2006; Wednesday, September 20, 2006, 8:30 a.m.

PLACE: Division of Real Estate, Conference Room N901, North Tower, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of Commission – among topics included, but not limited to, are proposed legislation affecting Chapter 475, Part I, F.S., rule development workshops, Florida Administrative Code, 61J2 rule amendments, budget discussions, escrow disbursement requests, recovery fund claims, education issues, petitions for declaratory statement, petitions for rule variance/waiver, and disciplinary actions.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Commission members or its counsel.

If a person decides to appeal a decision made by the Commission, with respect to any matter considered at this meeting or hearing, a record of the proceedings for such purpose, upon which the appeal is based, may be required.

A copy of the agenda may be obtained by writing: Deputy Clerk, the Florida Real Estate Commission, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Department of Business and Professional Regulation, (407)245-0800, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Division of Real Estate using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

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**, Suwannee River Wilderness Trail announces a public meeting to which all persons are invited.

DATE AND TIME: September 15, 2006, 10:00 a.m.
PLACE: High Springs Branch Library, 135 N. W. First Ave., High Springs, FL 32643
GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting to discuss all aspects of the Suwannee River Wilderness Trail.
A copy of the agenda may be obtained by contacting Amy Thompson, 1(800)868-9914.
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 Amy Thompson, 1(800)868-9914. 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 public meeting to which all persons are invited.

DATE AND TIME: September 19, 2006, 3:00 p.m. – 5:00 p.m.
PLACE: Florida Department of Environmental Protection, Douglas Building, Suite 628B, 3900 Commonwealth Blvd., Tallahassee, Florida
GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a legal subcommittee meeting of the Pollutant Trading Policy Advisory Committee (PTPAC). This meeting will discuss legal issues identified to date regarding pollutant trading, including the proposed rule language.

A copy of the agenda may be obtained by contacting: Christine E. Lamia, Florida Department of Environmental Protection, 3900 Commonwealth Blvd., MS #35, Tallahassee, Florida 32399-3000, (850)245-2229.
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 Christine E. Lamia, (850)245-2229. 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**, Watershed Assessment Section announces a public meeting to which all persons are invited.

DATE AND TIME: September 20, 2006, 9:00 a.m.
PLACE: Florida Department of Environmental Protection, 2600 Blair Stone Road, Twin Towers Office Building, Room 609, Tallahassee, FL.
GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the sixteenth meeting of the Pollutant Trading Policy Advisory Committee (PTPAC). The meeting will primarily

focus on some remaining permitting issues and the draft version of the committee's report to the legislature, which is due in November.

A copy of the agenda may be obtained by contacting: Ms. Pat Waters, Department of Environmental Protection, 2600 Blair Stone Road, Watershed Assessment Section, MS #3555, 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, (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, Division of Water Resource Management** announces a workshop to which all persons are invited.

DATE AND TIME: Friday, September 29, 2006, 10:00 a.m.
PLACE: DEP District Office, Room 165 C and D, 2295 Victoria Avenue, Fort Myers, FL

DATE AND TIME: Thursday, October 5, 2006, 10:00 a.m.
PLACE: DEP District Office, Conference Room A and B, 7825 Baymeadows Way, Suite 200B, Jacksonville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive public comments on the development of three proposed environmental resource noticed general permits in Chapter 62-341, F.A.C., regarding public mooring fields, public boat ramps, and public marinas within the geographical limits of the South Florida, Southwest Florida, St. Johns River and Suwannee River Water Management Districts. Concurrent rulemaking in Chapter 62-312, F.A.C., on proposed wetland resource general permits for public mooring fields, public boat ramps and public marinas will be discussed at these same workshops. This rulemaking is required in accordance with Section 373.118(5), Florida Statutes. These three noticed general permits have been assigned OGC Nos 05-1663 (public mooring fields), 05-1659 (public boat ramps), and 05-1661 (public marinas).

A copy of the agenda may be obtained by contacting: Ann Lazar, Department of Environmental Protection, 2600 Blair Stone Road, MS-2500, Tallahassee, Florida 32399-2400, (850)245-8495.

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 Beth Saska, (850)245-8486. 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, Division of Water Resource Management** announces a workshop to which all persons are invited.

DATE AND TIME: Friday, September 29, 2006, 10:00 a.m.

PLACE: DEP District Office, Room 165 C and D, 2295 Victoria Avenue, Fort Myers, FL

DATE AND TIME: Thursday, October 5, 2006, 10:00 a.m.

PLACE: DEP District Office, Conference Room A and B, 7825 Baymeadows Way, Suite 200B, Jacksonville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive public comments on the development of three proposed wetland resource general permits in Chapter 62-312, F.A.C., regarding public mooring fields, public boat ramps, and public marinas within the geographical limits of the Northwest Florida Water Management District. Concurrent rulemaking in Chapter 62-341, F.A.C., on proposed noticed general permits for public mooring fields, public boat ramps and public marinas will be discussed at these same workshops. This rulemaking is required in accordance with Section 373.118(5), Florida Statutes. These three wetland resource general permits have been assigned OGC Nos 05-1664 (public mooring fields), 05-1660 (public boat ramps), and 05-1662 (public marinas).

A copy of the agenda may be obtained by contacting: Ann Lazar, Department of Environmental Protection, 2600 Blair Stone Road, MS-2500, Tallahassee, Florida 32399-2400, (850)245-8495.

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 Beth Saska, (850)245-8486. 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, Division of Recreation and Parks** announces a public meeting to which all persons are invited.

DATE AND TIME: October 11, 2006, 7:00 p.m.

PLACE: Highlands Hammock State Park Recreation Building, 5931 Hammock Road, Sebring, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is to present and discuss the proposed land management plan for Highlands Hammock State Park with the public.

A copy of the agenda may be obtained by contacting Ms. BryAnne White, via e-mail bryanne.white@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 Highlands Hammock State Park, (863)386-6094. 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: Mr. Pete Anderson, Park Manager, (863)386-6094.

The Florida **Department of Environmental Protection, Division of Recreation and Parks** announces a public meeting to which all persons are invited.

DATE AND TIME: October 12, 2006, 9:00 a.m.

PLACE: Highlands Hammock State Park, Recreation Building, 5931 Hammock Road, Sebring, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of the proposed land management plan for Highlands Hammock State Park with the Advisory Group members.

A copy of the agenda may be obtained by contacting Ms. BryAnne White, via e-mail: bryanne.white@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 Highlands Hammock State Park, (863)386-6094. 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: Mr. Pete Anderson, Park Manager, (863)386-6094.

DEPARTMENT OF HEALTH

The Florida **Bureau of Emergency Medical Services** announces a public meeting to which all persons are invited.

DATE AND TIME: September 14, 2006, 10:30 a.m. – 12:30 p.m.

PLACE: Bureau of Emergency Medical Services, 4025 Esplanade Way, 3rd Floor, Room 301, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct disciplinary hearings not involving disputed issues of material fact.

A copy of the agenda may be obtained by contacting: Emily Hauge, Section Administrator of Investigations, Department of Health, Bureau of Emergency Medical Services, 4052 Bald Cypress Way, MS #C-18, 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 48 hours before the workshop/meeting by contacting the Bureau of Emergency Medical Services, (850)245-4440. 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 Emergency Medical Services**, Advisory Council Committees, Constituency Groups, Florida Emergency Medical Services for Children Advisory Committee, and the **Florida Emergency Medical Advisory Council** will hold their quarterly meetings.

DATES AND TIMES: October 11, 2006, 8:00 a.m. – 6:00 p.m.; October 12, 2006, 8:00 a.m. – 6:00 p.m.; October 13, 2006, 8:00 a.m. – 2:00 p.m.

PLACE: Hawk's Cay Resort, 61 Hawk's Cay Boulevard, Duck Key, FL 33050, (305)743-700, 1(888)809-7459

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

A schedule of meetings or an agenda may be obtained by contacting Desi Lassiter, Bureau of Emergency Medical Services, (850)245-4055.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment, should contact The Bureau of Emergency Medical Services, (850)245-4055, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please call the Bureau of Emergency Medical Services using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

For further information, write: Desi Lassiter, 4052 Bald Cypress Way, Bin C18 (HEMS), Tallahassee, Florida 32399-1738 or call (850)245-4440.

The **Board of Acupuncture** announces a meeting to which all interested persons are invited to attend.

DATE AND TIME: Friday, September 29, 2006, 9:00 a.m. or soon thereafter

PLACE: Marriott Tampa Airport, Tampa International Airport, Tampa, Florida, (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: the 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, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

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

DATE AND TIME: September 15, 2006, 2:00 p.m.

PLACE: Meet Me Number: (850)414-5775, Suncom 994-5775

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

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

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

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Medical Litigation Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required.

The Medical Litigation Section may be contacted: P. O. Box 14229, Tallahassee, Florida 322317-4229, (850)922-2414, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice) via Florida Relay Service.

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

DATES AND TIME: Friday, October 6, 2006; Saturday, October 7, 2006, 8:00 a.m.

PLACE: Quorum Hotel, 700 N. Westshore Boulevard, Tampa, FL 33609, (813)289-8200

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

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

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting or hearing, he will need a record of the

proceedings, and for such purpose, may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. A verbatim tape record of the proceeding may be obtained from a court reporter, if present, or an audio record from the Board Director.

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

The Florida **Board of Medicine**, Dietetics-Nutrition / Electrolysis Committee announces a meeting to which all persons are invited.

DATE AND TIME: Friday, October 6, 2006, immediately following the Board Meeting

PLACE: Quorum Hotel, 700 N. Westshore Boulevard, Tampa, FL 33609, (813)289-8200

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

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

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

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

The **Board of Opticianry** announces a Probable Cause Panel meeting via telephone conference call. Reconsiderations will be heard at this meeting. All interested parties are invited to participate, the conference call is open to the public.

DATE AND TIME: September 21, 2006, 10:00 a.m.

PLACE: Telephone Number: (850)245-4461, to inquire about call-in number.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel and Reconsiderations.

All interested parties should contact the board by writing: Sue Foster, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, BIN #C08, Tallahassee, FL 32399-3258, or call (850)245-4474.

Any person requiring special accommodations for this conference call due to disability or physical impairment should call (850)245-4474, at least five (5) calendar days prior to the conference call. If you are hearing or speech impaired, please contact the office using the Florida Dual Party Relay System, 1-(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Correctional Medical Authority** announces a meeting to be held in Tallahassee, Florida, to which all persons are invited:

DATE AND TIME: September 21, 2006, 1:00 p.m. – 4:00 p.m.

PLACE: Phone Number: Toll Free 1(877)651-3473, Long Distance (850)413-9245, Suncom 293-9245, Correctional Medical Authority, 4030 Esplanade Way, Building 4030, Room 258, Tallahassee, FL 32399-1732, (850)245-4557

GENERAL SUBJECT MATTER TO BE CONSIDERED: Continued discussion of issues relating to correctional health care in the Florida Department of Corrections.

A copy of the agenda may be obtained by writing: Executive Director, Correctional Medical Authority, 4052 Bald Cypress Way, Bin B-04, Tallahassee, FL 32399-1732, (850)245-4557.

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The Shared Services Alliance of Okeechobee and the Treasure Coast of the **Department of Children and Family Services**, District 15 announces the following public meeting to which all persons are invited.

Executive Committee

DATE AND TIME: September 13, 2006, 8:00 a.m. – 11:00 a.m.

PLACE: Clem C. Benton Building, Room 335, 337 North U.S. Highway #1, Fort Pierce, Florida 34950

GENERAL SUBJECT MATTER TO BE CONSIDERED: Executive Committee public meeting.

For more information, please contact: Linda Poston, Personal Secretary 1, 337 North U.S. Highway 1, Room 327C, Fort Pierce, Florida 34950, (772)467-4177.

Special Accommodation: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact Pearlle Clark, ADA Coordinator, (772)467-4184, at least five days prior to the

meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Shared Services Alliance of Okeechobee** and the **Treasure Coast of the Department of Children and Family Services**, District 15 announces the following public meeting to which all persons are invited.

Alliance Meeting

DATE AND TIME: September 22, 2006, 10:30 a.m. – 12:00 Noon

PLACE: Port St. Lucie Community Center, 2195 Southeast Airoso Boulevard, Port St. Lucie, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Alliance public meeting.

For more information, please contact: Linda Poston, Personal Secretary 1, 337 North U.S. Highway 1, Room 327C, Fort Pierce, Florida 34950, (772)467-4177.

Special Accommodation: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact Pearlle Clark, ADA Coordinator, (772)467-4184, at least five days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF FINANCIAL SERVICES

The **Division of State Fire Marshal** announces a public meeting to which all persons are invited.

DATE AND TIME: September 20, 2006, 11:00 a.m.

PLACE: 401 N. W. 2nd Avenue, Room N425, Miami, Florida 33128

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Historic Task Force to consider a system of fire protection and life safety support necessary for a public lodging establishment structure that is individually listed in the National Register of Historic Places pursuant to the National Historic Preservation Act of 1966, as amended; or is a contributing property to a National Register-listed district; or is designated as a historic property, or as a contributing property to a historic district under the terms of a local preservation ordinance. There may be continuation of this public meeting scheduled for September 29, 2006, please call Millicent King @ (850)413-3619 for more information.

A copy of the agenda may be obtained by contacting: Millicent King, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, FL 32399-0342, (850)413-3171.

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 Millicent King, (850)413-3171. 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 Financial Services** announces a public meeting of the Florida **Board of Funeral, Cemetery and Consumer Services** Rules Committee, to which all persons are invited.

DATE AND TIME: October 25, 2006, 1:00 p.m. – 4:00 p.m.

PLACE: Department of Financial Services, Hartman Building, Suite 104J (Koger Center), 2012 Capital Circle, S. E., Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Committee Business.

At least 7 days before each meeting, a copy of the agenda of the meeting will be available. Agendas will be available on the home page of the Division of Funeral, Cemetery & Consumer Services, www.fldfs.com/FuneralCemetery. A copy of the agenda may also be obtained by writing: 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, (850)413-3039.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise LaTonya Bryant, (850)413-3039, at least 48 hours before the meeting. If you are hearing or speech impaired, contact: LaTonya Bryant via the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice), for assistance.

The **Department of Financial Services** announces a public meeting of the Florida **Board of Funeral, Cemetery and Consumer Services**, to which all persons are invited.

DATE AND TIME: October 26, 2006, 10:00 a.m. – 5:00 p.m.

PLACE: The Capitol, Senate Office Building, Room 401, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Board Business.

The above date relates to the next meeting of the Board of Funeral, Cemetery and Consumer Services. The public is advised to check with the Department of Financial Services staff, Ms. LaTonya Bryant, (850)413-3039, before traveling to a scheduled meeting on the date above, to ascertain whether the meeting has been cancelled. Notice of such cancellations will be posted on the home page of the Division of Funeral,

Cemetery and Consumer Services, which is on the website of the Department of Financial Services, www.fldfs.com, as soon as known.

At least 7 days before each meeting, a copy of the agenda of the meeting will be available. Agendas will be available on the home page of the Division of Funeral, Cemetery & Consumer Services, on the website of the Department of Financial Services, www.fldfs.com. A copy of the agenda may also be obtained by writing: Department of Financial Services, Division of Funeral, Cemetery & Consumer Services, Attn: LaTonya Bryant, 200 East Gaines Street, Tallahassee, FL 32399-0361, or by calling Ms Bryant, (850)413-3039.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise: LaTonya Bryant, (850)413-3039, at least 48 hours before the meeting. If you are hearing or speech impaired, contact: LaTonya Bryant via the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice), for assistance.

The **Department of Financial Services** announces a telephone conference of the Florida **Board of Funeral, Cemetery and Consumer Services**, to which all persons are invited.

DATE AND TIME: September 28, 2006, 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.

At least 7 days before each meeting, a copy of the agenda of the meeting will be available. Agendas will be available on the home page of the Division of Funeral, Cemetery & Consumer Services, www.fldfs.com/FuneralCemetery. A copy of the agenda may also be obtained by writing: 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, (850)413-3039.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise LaTonya Bryant, (850)413-3039, at least 48 hours before the meeting. If you are hearing or speech impaired, contact LaTonya Bryant via the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice), for assistance.

The **Department of Financial Services** announces a public meeting of the Florida **Board of Funeral, Cemetery and Consumer Services** Review of Disciplinary Rules Committee, to which all persons are invited.

DATE AND TIME: October 25, 2006, 9:00 a.m. – 12:00 Noon

PLACE: Department of Financial Services, Hartman Building, Suite 104J (Koger Center), 2012 Capital Circle, S. E., Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Committee Business.

At least 7 days before each meeting, a copy of the agenda of the meeting will be available. Agendas will be available on the home page of the Division of Funeral, Cemetery & Consumer Services, www.fldfs.com/FuneralCemetery. A copy of the agenda may also be obtained by writing: 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, (850)413-3039.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise LaTonya Bryant, (850)413-3039, at least 48 hours before the meeting. If you are hearing or speech impaired, contact LaTonya Bryant via the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice), for assistance.

FINANCIAL SERVICES COMMISSION

The **Office of Insurance Regulation** announces a public hearing to which all persons are invited.

DATE AND TIME: Friday, September 15, 2006, 10:00 a.m.

PLACE: 401 Senate Office Building (adjacent to The Capitol), Tallahassee, Florida. Contact name and number: Lori Fitzsimmons, Esquire, (850)413-4158 or Sam Coskey, (850)413-2616

GENERAL SUBJECT MATTER TO BE CONSIDERED: Coral Insurance Company has requested a 44.5% average statewide rate increase for its homeowners insurance. The

requested rate increase is not uniform and some areas are subject to a higher rate increase. 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, ratehearings@fldfs.com, the subject line of your e-mail should read "Coral."

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing, please telephone Sam Coskey, (850)413-2616, or e-mail him sam.coskey@fldfs.com, at least 48 hours before the hearing.

The **Office of Insurance Regulation** announces a public hearing to which all persons are invited.

DATE AND TIME: September 19, 2006, 1:00 p.m.

PLACE: Gulfport Senior Center, 5501 27th Avenue, South, Gulfport, Florida 33707. Contact name and number: Paul Norman, Esquire, (850)413-4142 or Sam Coskey, (850)413-2616

GENERAL SUBJECT MATTER TO BE CONSIDERED: Nationwide Insurance Company of Florida has requested a 71.5% average statewide rate increase with regard to homeowners policies. The requested rate increase is not uniform and some areas are subject to a higher rate increase than other areas.

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 interested parties will be received at this public hearing. If you are unable to attend this public hearing, please forward your comments to ratehearings@fldfs.com. The subject line of your e-mail should read "Nationwide Filing."

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing should contact Susan Frank, (727)893-2237, or Sarah Peale, (727)893-1231, at least 48 hours before the hearing.

The **Office of Insurance Regulation** announces a public hearing to which all persons are invited.

DATE AND TIME: Thursday, September 21, 2006, 10:00 a.m.

PLACE: 401 Senate Office Building (adjacent to The Capitol), Tallahassee, Florida. Contact name and number: Lori Fitzsimmons, Esquire, (850)413-4158 or Sam Coskey, (850)413-2616

GENERAL SUBJECT MATTER TO BE CONSIDERED: Cincinnati Insurance Company, Cincinnati Indemnity Company, and Cincinnati Casualty Company have requested a 78.9% average statewide rate increase for their homeowners insurance. The requested rate increase is not uniform and some

areas are subject to a higher rate increase. 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, ratehearings@fldfs.com; the subject line of your e-mail should read "Cincinnati."

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing, please telephone Sam Coskey, (850)413-2616, or e-mail at sam.coskey@fldfs.com, at least 48 hours before the hearing.

The **Office of Insurance Regulation** announces a public hearing to which all persons are invited.

DATE AND TIME: Thursday, September 21, 2006, 1:00 p.m.

PLACE: 401 Senate Office Building (adjacent to The Capitol), Tallahassee, Florida. Contact name and number: Lori Fitzsimmons, Esquire, (850)413-4158, or Sam Coskey, (850)413-2616

GENERAL SUBJECT MATTER TO BE CONSIDERED: Home Pointe Insurance Company has requested a 92.4% average statewide rate increase for its homeowners insurance and a 24.8% average statewide increase for its dwelling fire insurance. 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, ratehearings@fldfs.com; the subject line of your e-mail should read "Home Pointe."

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing, please telephone Sam Coskey, (850)413-2616, or e-mail at sam.coskey@fldfs.com, at least 48 hours before the hearing.

The **Office of Insurance Regulation** announces a public hearing to which all persons are invited.

DATE AND TIME: Thursday, September 21, 2006, 2:30 p.m.

PLACE: 401 Senate Office Building (adjacent to The Capitol), Tallahassee, Florida. Contact name and number: Lori Fitzsimmons, Esquire, (850)413-4158, or Sam Coskey, (850)413-2616

GENERAL SUBJECT MATTER TO BE CONSIDERED: Safeway Property Insurance Company has requested a 109.9% average statewide rate increase for its mobile homeowners insurance. The requested rate increase is not uniform and some areas are subject to a higher rate increase. 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, ratehearings@fldfs.com; the subject line of your e-mail should read "Safeway."

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing, please telephone Sam Coskey, (850)413-2616, or e-mail at sam.coskey@fldfs.com, at least 48 hours before the hearing.

The **Office of Insurance Regulation** announces a public hearing to which all persons are invited.

DATE AND TIME: September 26, 2006, 1:00 p.m.

PLACE: Pensacola Junior College, Room 250, 1000 College Boulevard, Pensacola, Florida 32504, Contact name and number: Paul Norman, Esquire, (850)413-4142 or Sam Coskey, (850)413-2616

GENERAL SUBJECT MATTER TO BE CONSIDERED: USAA Group, consisting of United Services Automobile Association, USAA Casualty Insurance Company, and USAA General Indemnity Company, has requested a 40.0% average statewide rate increase with regard to homeowners policies and a 7.2% average statewide increase with regard to dwelling, fire, and allied lines policies. The requested rate increases are not uniform and some areas are subject to higher rate increases than other areas.

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 interested parties will be received at this public hearing. If you are unable to attend this public hearing, please forward your comments to ratehearings@fldfs.com. The subject line of your e-mail should read "USAA Group Filing."

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing, please telephone Sharon Ward, (850)484-1000, at least 48 hours before the hearing.

The **Office of Insurance Regulation** announces an annual meeting of the Governor's Continuing Care Advisory Council to which all persons are invited to participate.

DATE AND TIME: Wednesday, October 4, 2006, 1:00 p.m.

PLACE: The Office of Insurance Regulation, Rm. 116, Larson Building, 200 East Gaines Street, Larson Building, Tallahassee, FL 32399-0331

GENERAL SUBJECT MATTER TO BE CONSIDERED: To appoint a new chairperson and vice chairperson for the Advisory Council and discuss issues currently facing the Continuing Care industry.

Pursuant to the provisions of the American with Disabilities Act, any person requiring special accommodations to participate in this meeting, please advise at least 5 calendar days before the meeting by contacting Mr. Gary Mills, (850)413-2476.

AGENCY FOR PERSONS WITH DISABILITIES

The **Family Care Council** announces meetings to which all persons are invited.

Officer Meeting

DATE AND TIME: September 7, 2006, 11:00 a.m.

PLACE: 4720 Old Highway 37, Lakeland, Florida

General Meeting

DATE AND TIME: September 18, 2006, 10:00 a.m.

PLACE: Faith Lutheran Church, 211 Easton Drive, Lakeland, Florida

TECHNOLOGICAL RESEARCH AND DEVELOPMENT AUTHORITY

The **Technological Research and Development Authority** (TRDA) announces an Executive Selection Services Selection Committee meeting to which all persons are invited to participate.

DATE AND TIME: September 13, 2006, 1:00 p.m.

PLACE: TRDA Conference Room, 5195 South Washington Avenue, Titusville, FL 32780

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review and ranking of proposals received in response to the Request for Proposals for an Executive Selection Services firm.

A copy of the agenda may be obtained by contacting Dave Kershaw, TRDA Deputy Director, (321)269-6330, ext. 243 or dkershaw@trda.org.

The **Technological Research and Development Authority** (TRDA) announces a general meeting of the TRDA Board of Directors to which all persons are invited to participate.

DATE AND TIME: September 20, 2006, 1:00 p.m.

PLACE: TRDA Conference Room, 5195 South Washington Avenue, Titusville, FL 32780

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Meeting.

A copy of the agenda may be obtained by contacting Dave Kershaw, TRDA Deputy Director, (321)269-6330, ext. 243 or dkershaw@trda.org.

AREA AGENCY ON AGING OF PASCO-PINELLAS

The **Area Agency on Aging of Pasco-Pinellas, Inc. (AAAPP)** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, September 18, 2006, 9:30 a.m.
(Please call to confirm date, time and location)

PLACE: CARES Crescent Senior Enrichment Center, 13609
5th Street, Dade City, Florida 33525-4906

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Board Meeting.

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

FLORIDA HIGHER EDUCATION FACILITIES FINANCING AUTHORITY

The **Florida Higher Educational Facilities Financing Authority** will hold a conference on:

DATE AND TIMES: Tuesday, September 19, 2006, 11:00 a.m.

PLACE: The Office of Fowler White Boggs Banker P.A., 501 East Kennedy Blvd., Suite 1700, Tampa, Florida 33602

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting to discuss consideration of Jacksonville University and Saint Leo University Series 2006 bond issue and to conduct regular board business.

For more information or to obtain a copy of the agenda, please contact: Jennifer Mock, Independent Colleges & Universities of Florida, 542 East Park Avenue, Tallahassee, Florida 32301, (850)681-3188.

Any person requiring special accommodations due to a disability should contact the agency at least five days prior to the meeting in order to request any special assistance by calling Jennifer Mock, (850)681-3188.

SUNSHINE STATE GOVERNMENTAL FINANCING COMMISSION

The **Sunshine State Governmental Financing Commission** announces a public meeting, where all interested parties are invited.

DATE AND TIME: Friday, September 22, 2006, 9:00 a.m.

PLACE: Law Offices of Bryant Miller Olive, One Biscayne Tower, Suite 1480, 2 South Biscayne Boulevard, Miami, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board of Directors Business Meeting.

A copy of the agenda may be obtained by contacting Mr. Richard C. Dowdy, Program Administrator, (850)878-1874.

FLORIDA PATIENT SAFETY CORPORATION

The **Florida Patient Safety Corporation** announces a public telephonic conference call to which all persons are invited to participate.

DATE AND TIME: Tuesday, September 26, 2006, 9:00 a.m.

PLACE: Call In Instructions: Step 1: Dial the Conference Access Number: 1(866)200-9760, Step 2: Enter the PIN Code: 8938936#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Patient Safety Corporation. Nominating Committee. The sole purpose of the meeting is to develop a slate of officers to present to the Florida Patient Safety Corporation, Board of Directors, for consideration at its annual election of officers on October 5, 2006.

For further information, please contact Susan Moore, susan.a.moore@comcast.net or write: Florida Patient Safety Corporation, 2722 Waterford Glen Court, Tallahassee, Florida 32312.

FLORIDA MUNICIPAL PENSION TRUST FUND

The **Florida Municipal Pension Trust Fund** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 28, 2006, 11:00 a.m.

PLACE: Don CeSar Beach Resort, 3400 Gulf Boulevard, St. Petersburg Beach, Florida, 1(866)728-2206

A joint meeting of the Florida Municipal Pension Trust Fund and the Florida Municipal Investment Trust will also be held:

DATE AND TIME: Thursday, September 28, 2006, 1:00 p.m.

PLACE: Don CeSar Beach Resort, 3400 Gulf Boulevard, St. Petersburg Beach, Florida, 1(866)728-2206

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to receive reports from investment manager and performance monitor.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Florida Municipal Pension Trust Fund to discuss general business of the Trust.

A copy of the meeting agenda may be obtained by contacting: Jeannie Garner, Director of Financial Services, Florida League of Cities, Inc., Post Office Box 1757, Tallahassee, Florida 32302-1757, 1(800)616-1513, ext.277.

FLORIDA MUNICIPAL LOAN COUNCIL

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

DATE AND TIME: Thursday, September 28, 2006, 2:00 p.m. (Immediately following FMIvT meeting)

PLACE: Don CeSar Beach Resort, 3400 Gulf Boulevard, St. Petersburg Beach, Florida, 1(866)728-2206

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Board of Directors for the Florida Municipal Loan Council to discuss general business of the Council.

A copy of the meeting agenda may be obtained by contacting: Jeannie Garner, Director of Financial Services, Florida League of Cities, Inc., Post Office Box 1757, Tallahassee, Florida 32302-1757, 1(800)616-1513, ext. 277.

FLORIDA MUNICIPAL INVESTMENT TRUST

The **Florida Municipal Investment Trust** (FMIvT) announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 28, 2006, 2:00 p.m.

PLACE: Don CeSar Beach Resort, 3400 Gulf Boulevard, St. Petersburg Beach, Florida, 1(866)728-2206

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to receive reports from investment manager and performance monitor.

A joint meeting of the Florida Municipal Pension Trust Fund and the Florida Municipal Investment Trust will also be held:

DATE AND TIME: Thursday, September 28, 2006, 1:00 p.m.

PLACE: Don CeSar Beach Resort, 3400 Gulf Boulevard, St. Petersburg Beach, Florida, 1(866)728-2206

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Florida Municipal Investment Trust (FMIvT) to discuss general business of the Trust.

A copy of the meeting agenda may be obtained by contacting: Jeannie Garner, Director of Financial Services, Florida League of Cities, Inc., Post Office Box 1757, Tallahassee, Florida 32302-1757, 1(800)616-1513, ext. 277.

FLORIDA INDEPENDENT LIVING COUNCIL

The **Florida Independent Living Council** announces the following meetings.

MEETING: Full Council Meeting

DATE AND TIME: Thursday, September 28, 2006, 3:30 p.m. (EST)

PLACE: FILC, Inc. Administrative Offices, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271

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

A copy of the agenda may be obtained by contacting: the Florida Independent Living Council, 1018 Thomasville Road, Suite 100A Tallahassee, Florida 32303-6271, (850)488-5624, or toll free 1(877)822-1993.

Any person who needs an accommodation to participate in this meeting because of a disability, including alternative formats, should submit a request for such accommodation in writing at least one week before the meeting date.

COMMITTEE AND TASK FORCE MEETINGS: Please note that committees and task forces of the Florida Independent Living Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days

prior to the meeting. Persons who want to be notified of such meetings may request to be put on the mailing list for such notices by writing Molly Gosline, mg@polaris.net.

Notices of meetings and hearing must advise that a record is required to appeal. Each board, commission or agency of this state or of any political subdivision thereof shall include in the notice of any meeting or hearing, if notice of the meeting or hearing is required, of such board, commission or agency, conspicuously on such notice, the advice that, if a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, §286.0105)

FLORIDA LEAGUE OF CITIES

The **Florida Municipal Construction Insurance Trust**, an interlocal entity created pursuant to Fla. Sta. 768.28 and 163.01, announces a public meeting to which all persons are invited.

DATE AND TIME: September 29, 2006, 4:00 p.m.

PLACE: Don CeSar Beach Resort, 3400 Gulf Boulevard, St. Petersburg Beach, Florida, 1(866)728-2206

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business meeting of the Board of Trustees.

A copy of the proposed agenda may be obtained by contacting: Linda Bridges, Florida League of Cities, Inc., Tallahassee, FL, (850)222-9684.

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

The **Florida Municipal Construction Insurance Trust**, an interlocal entity created pursuant to Fla. Sta. 768.28 and 163.01, announces a public meeting to which all person are invited.

DATE AND TIME: September 29, 2006, 4:00 p.m.

PLACE: Don CeSar Beach Resort, 3400 Gulf Boulevard, St. Petersburg, Florida, 1(866)728-2206

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business meeting of the Board of Trustees.

A copy of the proposed agenda may be obtained by contacting: Linda bridges, Florida League of Cities, Inc., Tallahassee, Florida, (850)222-9684.

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

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."

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, received a Petition for Declaratory Statement In Re: Petition for Declaratory Statement, Janet S. Cameron as Trustee of the Janet S. Cameron Revocable Trust, 700 West Condominium Association, Inc.; Docket No. 2006045392.

The petition seeks the agency's opinion as to the applicability of section 718.107(2), F.S., as it applies to the Petitioner.

Whether 700 West Condominium Association, Inc. may reassign a parking space for unit 402 under Section 718.107(2), Florida Statutes.

A copy of the Petition for Declaratory Statement, Docket Number 2006045392 may be obtained by writing: the Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217. Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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 Nursing has received the petition for declaratory statement from Ladena Rhoden, RN. The petition seeks the agency's opinion as to the applicability of Section 464.003(3)(a), Florida Statutes, as it applies to the petitioner.

Specifically, the Petitioner requests that the Board issue a Declaratory Statement determining under the provisions of Section 464.003(3)(a), Florida Statutes, whether the assessment of PICC tip placement on x-ray is within the scope of practice of a Registered Nurse who has the requisite specialized knowledge needed and whose competency or judgment and skill is verified and documented.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Rick Garcia, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259.

NOTICE IS HEREBY GIVEN THAT the Board of Nursing has received the petition for declaratory statement from Brenda McGrath, RN. The petition seeks the agency's opinion as to the applicability of Section 464.003, F.S. as it applies to the petitioner.

Specifically, the Petitioner requests that the Board issue a Declaratory Statement determining under the provisions of Section 464.003, F.S., whether it is within the scope of practice of a properly credentialed Emergency Department Registered Nurse (1) to administer Ketamine under the direct supervision of an Emergency Department physician pursuant to a written or verbal order, (2) to administer Ketamine to pediatric patients under the direct supervision of an Emergency Department physician pursuant to a written or verbal order and (3) whether the Florida Board of Nursing will endorse the position statement declared by the Emergency Nurses Association and the American College of Emergency Physicians as shown in the Petition.

**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 AGRICULTURE AND CONSUMER SERVICES

INVITATION TO BID

As a Contractor, you are invited to submit a bid to the FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, DIVISION OF PLANT INDUSTRY, hereinafter referred to as Owner, for the construction and installation of a Citrus Budwood Greenhouse in Chiefland, Florida which shall include all labor, equipment, materials necessary to complete the project as per specifications. The Project Budget is estimated to be between: \$1.4 and \$2 million.

For the construction and installation of: One (1) Greenhouse complex which shall include all labor, equipment, shipping, and materials necessary to construct and install the greenhouse complex. The bidder must be able to provide proof of

experience in the construction and installation of a greenhouse similar to the unit specified in the Invitation to Bid within the past five years.

PROJECT NAME AND LOCATION: Citrus Budwood Greenhouse located at Andrews Nursery, 9850 N. W. 42nd Court, Chiefland, Florida 32626.

SOLICITATION DOCUMENT: The entire solicitation document, which includes specifications, may be viewed and downloaded from the Vendor Bid System at <http://myflorida.com>, click on Business, Doing Business with the State of Florida, Everything for Vendors and Customers, Vendor Bid System, Search Advertisements, Bid Number ITB/PI-06/07-26, or by calling the Purchasing Office, (850)487-3727.

MANDATORY PRE-BID CONFERENCE/SITE VISIT: Each bidder must, before submitting a bid, attend the mandatory pre-bid conference/site visit. The pre-bid conference/site visit will be held on September 28, 2006, at 1:00 p.m., at the Division of Forestry, Andrews Nursery, 9850 N. W. 42nd Court, Chiefland, Florida 32626. During the pre-bid conference a site visit will be held for prospective bidders. It is the bidders' responsibility to consider any and all site conditions or requirements for the project. Specifications will be available at the mandatory pre-bid conference/site visit.

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.

DISCRIMINATION; DENIAL OR REVOCATION FOR THE RIGHT TO TRANSACT BUSINESS WITH PUBLIC ENTITIES: An entity or affiliate who had been placed on the discriminatory vendor list 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.

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.

Sealed bids will be received, publicly opened and read aloud on:

DATE AND TIME: October 17, 2006, 2:00 p.m.

PLACE: Department of Agriculture and Consumer Services, 407 S. Calhoun Street, Room SB8, Mayo Building, Tallahassee, Florida 32399, (850)487-3727.

CONTRACT AWARD: The official Notice of Award Recommendation will be by electronic posting 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, responsive low bidder in accordance with Chapter 60D-5, F.A.C. by the Owner.

DEPARTMENT OF EDUCATION

Request for Proposal (RFP)

The Florida State University Facilities Purchasing shall receive Proposals until the date and time shown for the following project. Proposals may be mailed or delivered to:

Florida State University
 Facilities Maintenance, Purchasing
 ATTN: B.J. Lewis, Purchasing Agent
 114F Mendenhall Building A
 Tallahassee, Florida 32306

Prior Receipt of Proposals, responder must reference RFP number, receipt date and time on outside of proposal package to insure proper acceptance. Proposals submitted by facsimile are not acceptable. For information relating to the RFP, contact

Proposal Number: FAC94-06
 Purchasing Agent: B. J. Lewis, Facilities, (850)644-7639
 Receipt of Proposal: On or before September 28, 2006,
 2:00 p.m.
 FSU-Facilities Maintenance
 114 Mendenhall, Building A
 Tallahassee, Florida 32306-4150
 Facilities Maintenance Purchasing

Bid Documents: Request for Proposal for Facility Condition Analysis Services, Florida State University Facilities Management.

Contact Person: Tom Shewan, Director Facilities Maintenance, (850)645-6466

NOTICE TO DESIGN BUILD TEAMS

The University of South Florida, announces that Qualifications Based Design/Build Services (QB/DB), for the design and construction of the USF Track and Field Complex, will be required for the project listed below.

PROJECT NUMBER: 594

PROJECT AND LOCATION: USF Track and Field Complex, University of South Florida, Tampa Campus, Tampa, Florida.

PROJECT DESCRIPTION:

The project consists of the design and construction of a New Track Facility and the renovation of the Existing Track Facility. The scope of the New Track Facility shall include a new 400 meter, eight (8) lane track and field, recreational field lighting and synthetic track infield subject to budget. The scope of the renovation of the Existing Track Facility includes replacement/reconstruction/reconfiguration of the existing track and field to a new 400 meter, eight (8) lane track and field (with a NCCA and Big East Conference compliant soccer field infield), upgrades to the existing stadium's press box, restrooms, concourse, grandstands, etc., and replacement of the existing stadium lighting subject to budget.

The project is anticipated to be designed and construction to be completed for occupancy by August 2007 for the renovation of the Existing Track Facility and September 2007 for New Track Facility.

The Design/Build Team (Design and Construction Services Team/DCST) shall be responsible for the management of the process and project to meet project scope, budget and schedule requirements. The Design/Design Team shall be responsible for specific and specialty design and construction expertise required for the design and construction of the new 400 meter track and field facilities to facilitate International, USA, NCAA, and FSHAA track and field events, including ADA, USAFT and IAAF specifications for disabled athletes. The management of the process and project by the Design Build Team shall facilitate the project needs, and accomplishing those needs within the mandatory project schedule and budget for occupancy requirements. The Design/Build Services contract shall be in compliance with the qualifications based Design/Build selection provisions in Section 287.055, F.S., and Rule 6C-14.007, F.A.C., including pre-construction fees, construction related service costs and a guaranteed maximum price. It is the University's responsibility to negotiate a fair, competitive, and reasonable compensation per Section 287.055, F.S. A fair, competitive and reasonable compensation shall be evaluated based upon the following information: (1) Compensation on similar projects, (2) other compensation reference data; and (3) after approval of the ranking, proposals requested from the short listed firms based upon a scope of services document to be provided at the time of negotiations. The University will contract with a single contract entity who's Design/Build Team shall provide all services including, but not necessarily limited to professional services, budgeting, construction services, labor, materials, and equipment required to design and construct the project. The selected team will be required to provide computer drawings according to the standards of the University of South Florida, including computer record drawings reflecting as-built conditions. Blanket professional design liability insurance will be required

for this project in the amount of \$250,000 and will be provided as a part of Basic Services. The proposed contractual value of this project is approximately \$2,600,000. The respondent must be capable of bonding at 100% of the value of the contract with a surety licensed to do business in the State of Florida with a Best rating of A, Class VIII. Project development including professional services is contingent upon availability of funds.

INSTRUCTIONS:

Teams desiring to apply for consideration shall submit a Request for Qualifications submittal including a letter of interest, a completed "Design and Construction Services Qualification Supplement form (DCSQS), dated August 2006" with attachments, and additional information required within the proposal limits as described in the Request for Qualifications dated August 2006. Applications submitted in any other format may not be considered. The Request for Qualifications dated August 2006 and the Design and Construction Services Qualifications Instructions and Supplement form dated August 2006, which includes project information and selection criteria, may be obtained by contacting: Kathy Bennett, Contracts Administrator, Facilities Planning and Construction, University of South Florida, 4202 East Fowler Avenue FPC110, Tampa, Florida 33620-7550, via e-mail: kbennett@admin.usf.edu, phone (813)974-3098, Fax (813)974-3542. All teams must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, or a joint venture, it must be registered by the Department of State to do business in the State of Florida at the time of application. If the applicant is the contract entity and has a consultant to perform the design or construction services, the contract entity and consultant must have an agreement at the time of application to formally contract for consulting services. Firms applying as "Associations" without a registered joint venture agreement or a contract entity and consultant without an agreement will not be considered. Selection of finalists for interview will be made on the basis of qualifications of the proposed design/build team, including team qualifications, team experience and ability to provide service in meeting the project requirements and the goals and objectives of the University's Strategic Plan. As part of the University of South Florida's strategic plan, USF made a commitment to foster collaboration, open and timely communication, mutual respect, trust and inclusiveness. The University of South Florida is an equal opportunity institution, and, as such, strongly encourages the lawful use of certified Minority and Women-owned Business Enterprises ("MBEs") in the provision of design and construction-related services by providing a fair and equal opportunity to compete for, or for participation in, design and/or construction related services. Applications that do not comply with the above instructions may be disqualified. Submittals are part of the public record and no submittal material will be returned. The plans and specifications for The University of South Florida projects are

subject to reuse in accordance with the provisions of Section 287.055, F.S. As required by Section 287.133, F.S., a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$25,000 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list. Interested teams are invited and encouraged to attend a Pre-Submittal meeting at the University of South Florida, Facilities Planning and Construction, Conference Room 109, to be held at 10:00 a.m. (Eastern Time), on Tuesday, September 19, 2006, 4202 East Fowler Avenue, FPC110, Tampa, Florida 33620-7550, to review the scope and requirements of this project. Requests for meetings by individual firms will not be granted. It shall be noted that no verbal communication shall take place between the applicants and the University of South Florida except as provided at the Pre-Submittal Meeting, the Pre-Interview Meeting and the request for the RFQ and DCSQS. Requests for any additional information or clarification at any other time than above must be in accordance with the RFQ. Seven (7) copies of the required information shall be submitted to the attention of: the Project Manager, Ray Gonzalez, R.A., Facilities Planning and Construction, University of South Florida, 4202 East Fowler Avenue, FPC110, Tampa, Florida 33620-7550 by 2:00 p.m. (Eastern Time), Friday, October 6, 2006. Facsimile (FAX) or electronic submittals are not acceptable and will not be considered. The University reserves the right to suspend or discontinue the selection process at any time and to return or reject any or all submissions of Design/Build proposals without obligation to the respondent. The award of this contract is subject to availability of funds. If additional funding is realized, the University has the option to incorporate additional scope/funding under this contract.

CORRECTION TO CALL FOR BIDS

The University of West Florida Board of Trustees announced the following project in the F.A.W., Sept. 1, 2006 edition:

Combs Commons Campus Renovation Project – Phase Two Correction to announcement – A Mandatory Pre-Solicitation Conference will be held on September 12, 2006, 10:00 a.m. (CDT), in Bldg. 2, Room 2001, Combs Commons Campus, The University of West Florida, 720 H. W. Lovejoy Rd., Ft. Walton Beach, FL.

View this solicitation and related information on the Department of Procurement Services' website at <http://uwf.edu/procurement>.

BID REQUEST FOR:

PIZZA SERVICE FOR SELECTED LEE COUNTY SCHOOLS FOR FOOD AND NUTRITION SERVICES

Bid No. B-066478CP Opening Date: Tuesday, September 19, 2006, at 10: 00 a.m.

Request a bid package by:

Phone: (239)479-4250, Fax: (239)337-8200 In Person or Mail: 3308 Canal Street, Fort Myers, Florida 33916-6594

Requests must be received by September 12, 2006, 2:00 p.m.

Complete Bid Package available only upon request.

By: Chevone Peterson

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."

Notice of Bid/Request for Proposal
NOTICE OF INVITATION TO BID
BID NO. BDC17-06/07

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: Adams Tract Campsites

SCOPE OF WORK: The contractor shall provide the necessary labor, supervision, equipment and materials required to construct five (5) sleeping shelters, a picnic pavilion, portable restrooms and all associated site work.

PARK LOCATION: Suwannee River Wilderness Trail, Lafayette County, approx. 6 miles east of Mayo, Florida

PROJECT MANAGER: Jim Ross, Bureau of Design and Construction, Telephone Number: (850)488-5372, Fax Number: (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 field is governed by Chapters 399, 489, and 633, Florida Statutes, for licensure or certification must submit prequalification data of their eligibility to submit bids five (5) calendar days prior to the opening 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 September 8, 2006 at: Suwannee River Water Management District Office, 9225 CR-49, Live Oak Florida 32060, Attention: Gwen Lord Telephone Number: (386)362-1001

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: 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, October 10, 2006, to the below address: Florida Department of Environmental Protection Bureau of Design and Construction, 3540 Thomasville Road, Tallahassee, Florida 32309. The Department reserves the right to reject any or all bids. Michael Renard, Contracts Manager, Bureau of Design and Construction.

Notice of Bid/Request for Proposal
NOTICE OF INVITATION TO BID
BID NO. BDC18-06/07

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: Lafayette Blue Springs State Park

SCOPE OF WORK: The contractor shall provide the necessary labor, supervision, equipment and materials required to construct five (5) rental cabins, with associated utilities (including underground electrical, potable well water and distribution system and aerobic sewage disposal system). Also included is all site work and paving to furnish access and parking to the cabins.

PARK LOCATION: Lafayette Blue Springs State Park, 799 N. E. Blue Spring Park Road, Mayo Florida

PROJECT MANAGER: Jim Ross, Bureau of Design and Construction, Telephone Number: (850)488-5372, Fax Number: (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 field is governed by Chapters 399, 489, and 633, Florida Statutes, for licensure or certification must submit prequalification data of their eligibility to submit bids five (5) calendar days prior to the opening 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 September 8, 2006 at: Suwannee River State Park, 20185 County Road 132, Live Oak Florida 32060, Attention: Ed Higgins, Telephone Number: (386)362-2746

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: 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 4:00 p.m., Tuesday, October 10, 2006, to the below address: Florida Department of Environmental Protection, Bureau of Design and Construction, 3540 Thomasville Road, Tallahassee, Florida 32309. The Department reserves the right to reject any or all bids. Michael Renard, Contracts Manager, Bureau of Design and Construction.

FLORIDA DEVELOPMENTAL DISABILITIES COUNCIL

Request for Proposals (RFP) 2006-IP-4900

The Florida Developmental Disabilities Council, Inc. (FDDC) is pleased to announce this Request for Proposal (RFP 2006-IP-4900) for an Inclusion Summit Planner.

Please note that this RFP for an Inclusion Summit Planner was previously released as RFP 2006-IP-4600. Modifications have been made to this re-released RFP. The purpose of this

proposal is to select a conference planner that will perform the tasks identified in the RFP to organize and execute an Inclusion Summit in Florida anticipated to be held in June 2007. FDDC has set aside federal formula grant funds for an approximate nine month period. See RFP document for funding amounts.

Individuals, not-for-profit, and for-profit agencies may submit proposals in response to this RFP.

Copies of this RFP can be downloaded from the FDDC website (www.fddc.org) or copies may be requested by writing: FDDC, 124 Marriott Drive, Suite 201, Tallahassee, FL 32301, or calling (850)488-4180 or Toll Free 1(800)580-7801 or TDD Toll Free 1(888)488-8633.

The deadline for submitting letters of intent and written questions is prior to 4:00 p.m. (EST), on September 28, 2006. The deadline for submitting proposals is prior to 2:00 p.m. (EST), on November 3, 2006. Letters of Intent will only be accepted by fax, mail, or hand delivery. Letters of Intent by e-mail will not be accepted.

PETER R. BROWN CONSTRUCTION

Notice of Request for Proposals
 ST. PETERSBURG COLLEGE
 EPICENTER CAMPUS – ANNEX III INTERIOR
 RENOVATION
 PINELLAS
 CLEARWATER, FL

Peter R. Brown Construction, Inc. (CGC-061419), the Construction Manager for the ST. PETERSBURG COLLEGE AND EPICENTER CAMPUS – ANNEX III INTERIOR RENOVATION hereby solicits sealed proposals for the following trades for the referenced project in accordance with the proposal documents to include but not limited to the following:

02B	Selective Demolition	09F	VCT Flooring	15A	Fire Sprinkler
08A	Doors, Frames, Hardware & Installation	09G	Painting	15C	HVAC
09B	GWB & Framing	10A	Misc. Specialties	16A	Electrical
09D	Acoustical Ceilings	11A	Audio-Visual Equipment	16B	Low Voltage Systems & Communications

The Scope of Work for this renovation project included but is not limited to the following description:

Approximately 31,000 square feet of an existing office space to be renovated to accommodate St. Petersburg College staff. Scheduled start date for this project is October 31, 2006 with substantial completion for the first 2,000 square foot area on or about December 8, 2006 and the remaining areas substantially complete by April 4, 2007. Trades included are demolition of selected partition walls, doors and finishes. New partition walls, new and re-used doors, new flooring finishes, ceiling finishes, paint finishes, misc. specialties, audio/visual equipment, adjusting and/or expanding the existing fire sprinkler, HVAC, electrical and low voltage systems to accommodate the renovated floor plan.

A pre-proposal meeting will be held at 10:00 a.m. (local time), Tuesday, October 3, 2006, at the following location:

St. Petersburg College – EpiCenter Campus
 Annex III Building
 6021 142nd Avenue, North
 Clearwater, FL 33760

Deadline for receipt of All Proposal Packages has been set for 2:00 p.m., on October 17, 2006. 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 trade contractors must be pre-qualified prior to submitting a proposal. A copy of the pre-qualification form can be received by contacting one of the following:

Jenny Sanchez
 Phone: (727)535-6407
 Fax: (727)539-8485

St. Petersburg College 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. Drawings will be available September 28, 2006. 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.

St. Petersburg College 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 of Supplements. All questions regarding the work should be directed to the Construction Manager, in writing no later than Friday, October 6, 2006. The Owner and Architect will not accept calls regarding this project.

Section XII Miscellaneous

DEPARTMENT OF COMMUNITY AFFAIRS

DCA Final Order No.: DCA06-OR-202

STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

In re: CITY OF MARATHON LAND DEVELOPMENT
REGULATIONS

ADOPTED BY ORDINANCE NO. 2006-07

FINAL ORDER

The Department of Community Affairs (the “Department”) hereby issues its Final Order, pursuant to § 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2005), rejecting a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and the City of Marathon is a local government within the Florida Keys Area.
2. On June 27, 2006, the Department received for review City of Marathon Ordinance No. 2006-07 (“Ord. 2006-07”).
3. The purpose of Ord. 2006-07 is render inapplicable the requirements of Section 9.5-4, (R-17), (d), (e), regulating hotel redevelopment in order to allow a hotel owner the ability to redevelop or renovate existing square footage of unused, or underused space within the hotel for expansion to a second or third bedroom.
4. Ord. 2006-07 is inconsistent with the City’s 2010 Comprehensive Plan, Objective 1-2.1, Policy 1-2.1.1; Objective 1-2.2, Policy 1-2.2.1; and Objective 1-3.2, Policy 1-3.2.6, of the City of Marathon Comprehensive Plan. These objectives and Policies relate to the required 24 hour hurricane evacuation time, level of service, and capping the number of transient units at current levels.

CONCLUSIONS OF LAW

5. The Department is required to approve or reject land development regulations that are enacted, amended, or rescinded by any local government in the Florida Keys Area of Critical State Concern. § 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2005).
6. The City of Marathon is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2005) and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.

7. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2005). The regulations adopted by Ord. 2006-07 are land development regulations.
8. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in § 380.0552(7), Fla. Stat. See Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff'd, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.
9. Ord. 2006-07 is inconsistent with the following Principles:
 - (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
 - (k) To provide adequate alternatives for the protection of public safety and welfare in the event of a natural or manmade disaster and for a post disaster reconstruction plan.
 - (l) To protect the public health, safety, and welfare of the citizens of the Florida Keys and maintain the Florida Keys as a unique Florida Resource.
10. Ord. 2006-07 is neutral in effect on the remaining Principles.
11. Ord. 2006-07 is inconsistent with the City's Comprehensive Plan.

WHEREFORE, IT IS ORDERED that Ord. 2006-07 is found to be inconsistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby REJECTED.

This Order becomes effective 21 days after publication in the F.A.W. unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

Tracy D. Suber
 State Planning Administrator
 Division of Community Planning
 Department of Community Affairs
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR

PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT, OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE

28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 25th day of August, 2006.

Paula Ford, Agency Clerk

By U.S. Mail:
Honorable John Bartus, Mayor
City of Marathon
10054-55 Overseas Highway
Marathon, Florida 33050

Cindy Ecklund, City Clerk
City of Marathon
10045-55 Overseas Highway
Marathon, Florida 33050

Mike Puto
Acting City Manager
City of Marathon
10054-55 Overseas Highway
Marathon, Florida 33050

John Herin, Esq.
Stearns Weaver Miller Weissler
Alhadeff & Sitterson, P.A.
Suite 2200 Museum Tower
150 West Flagler Street
Miami, Florida 33130

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 (2005), Hyosung Motors America, Inc., intends to allow the establishment of AA Moped of Miami, d/b/a Riva World by Yamaha, as a dealership for the sale of Hyosung motorcycles at 8427 Bird Road, #29, Miami (Dade County), Florida 33155, on or after August 14, 2006.

The name and address of the dealer operator(s) and principal investor(s) of AA Moped of Miami, d/b/a Riva World by Yamaha are dealer operator(s): Sheldon Cook, 10126 Noceto Way, Boynton, Florida 33437; principal investor(s): Sheldon Cook, 10126 Noceto Way, Boynton, Florida 33437.

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, 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: Edward Park, President, Hyosung Motors America, Inc., 5815 Brook Hollow Parkway, Suite B, Norcross, Georgia 30071.

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 (2005), QLINK, LP, intends to allow the establishment of Adventure Motorcycle Company as a dealership for the sale of Zongshen and Chunfeng motorcycles at 295 South Wickham Road, Melbourne (Brevard County), Florida 32904, on or after August 21, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Adventure Motorcycle Company are dealer operator(s): Mike J. Izzo, 295 South Wickham Road, Melbourne, Florida 32904, and Paul Runion, 295 South Wickham Road, Melbourne, Florida 32904; principal investor(s): Mike J. Izzo, 295 South Wickham Road, Melbourne, Florida 32904, and Paul Runion, 295 South Wickham Road, Melbourne, Florida 32904.

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, 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: Johnny Tai, Manager, QLINK, LP, 756 Port America Place, Suite 200, Grapevine, Texas 76051.

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 (2005), Hitong Motors Corporation intends to allow the establishment of Affordable Auto Sales of Miami, as a dealership for the sale of JMSTAR, Chunfeng, Benzhou and Kaitong motorcycles, at 1075 Southwest 67th Avenue, Miami (Dade County), Florida 33144, on or after August 21, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Affordable Auto Sales of Miami are dealer operator(s): Manuel Binker, 1075 Southwest 67th Avenue, Miami, Florida 33144; principal investor(s): Manuel Binker, 1075 Southwest 67th Avenue, Miami, Florida 33144.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, 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: Hong Wang, President, Hitong Motors Corporation, 16507 Northwest 8th Avenue, Miami, Florida 33169.

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 (2005), notice is given that Hitong Motors Corporation intends to allow the establishment of Beachside Scooter & Cycle World, Inc., as a dealership for the sale of JMSTAR, Chunfeng, Benzhou and Kaitong motorcycles, at 323 North 2nd Street, Flagler Beach (Flagler County), Florida 32136, on or after August 21, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Beachside Scooter & Cycle World, Inc., are dealer operator(s): Dennis Jones, 323 North 2nd Street, Flagler Beach, Florida 32136; principal investor(s): Dennis Jones, 323 North 2nd Street, Flagler Beach, Florida 32126.

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: Hong Wang, President, Hitong Motors Corporation, 16507 Northwest 8th Avenue, Miami, Florida 33169.

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 (2005), Hitong Motors Corporation intends to allow the establishment of Scooter Depot, Inc., as a dealership for the sale of JMSTAR, Chunfeng, Benzhou and Kaitong motorcycles, at 19098 Northeast 4th Court, Miami (Dade County), Florida 33179, on or after August 21, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Scooter Depot, Inc. are dealer operator(s): Angie Maya, 19098 Northeast 4th Court, Miami, Florida 33179; principal investor(s): Angie Maya, 19098 Northeast 4th Court, Miami, Florida 33179.

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, 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: Hong Wang, President, Hitong Motors Corporation, 16507 Northwest 8th Avenue, Miami, Florida 33169.

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 (2005), Hitong Motors Corporation intends to allow the establishment of Bikes R Us, Inc., as a dealership for the sale of JMSTAR,

Chunfeng, Benzhou and Kaitong motorcycles, at 516 South Dixie Highway, Hallandale (Broward County), Florida 33009, on or after August 21, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Bikes R Us, Inc., are dealer operator(s): Oria Nunez, 516 South Dixie Highway, Hallandale, Florida 33009; principal investor(s): Oria Nunez, 516 South Dixie Highway, Hallandale, Florida 33009.

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, 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: Hong Wang, President, Hitong Motors Corporation, 16507 Northwest 8th Avenue, Miami, Florida 33169.

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 (2005), Hitong Motors Corporation intends to allow the establishment of Cars for Us Corporation as a dealership for the sale of JMSTAR, Chunfeng, Benzhou and Kaitong motorcycles, at 395 East 10th Avenue, Hialeah (Dade County), Florida 33010, on or after August 21, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Cars for Us Corporation are dealer operator(s): Guido Munoz, 395 East 10th Avenue, Hialeah, Florida 33010; principal investor(s): Guido Munoz, 395 East 10th Avenue, Hialeah, Florida 33010.

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, 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: Hong Wang, President, Hitong Motors Corporation, 16507 Northwest 8th Avenue, Miami, Florida 33169.

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 (2005), Hitong Motors Corporation intends to allow the establishment of Comfort Scooters, Inc., as a dealership for the sale of JMSTAR, Chunfeng, Benzhou and Kaitong motorcycles, at 2309 South State Road 7, Hollywood (Broward County), Florida 33023, on or after August 21, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Comfort Scooters, Inc., are dealer operator(s): Igal Aslam, 2309 South State Road 7, Hollywood, Florida 33023; principal investor(s): Igal Aslam, 2309 South State Road 7, Hollywood, Florida 33023.

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, 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: Hong Wang, President, Hitong Motors Corporation, 16507 Northwest 8th Avenue, Miami, Florida 33169.

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 (2005), Hitong Motors Corporation intends to allow the establishment of FlaCycle, Inc., as a dealership for the sale of JMSTAR, Chunfeng, Benzhou and Kaitong motorcycles, at 6022 South Tamiami Trail, Sarasota (Sarasota County), Florida 34231, on or after August 21, 2006.

The name and address of the dealer operator(s) and principal investor(s) of FlaCycle, Inc., are dealer operator(s): Bruce Friedlander, 6022 South Tamiami Trail, Sarasota, Florida 34231; principal investor(s): Bruce Friedlander, 6022 South Tamiami Trail, Sarasota, Florida 34231.

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, 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: Hong Wang, President, Hitong Motors Corporation, 16507 Northwest 8th Avenue, Miami, Florida 33169.

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 (2005), Hitong Motors Corporation intends to allow the establishment of House of Scooters, Inc., as a dealership for the sale of JMSTAR, Chunfeng, Benzhou and Kaitong motorcycles at 1313 North State Road 7, Miami (Dade County), Florida 33021, on or after August 21, 2006.

The name and address of the dealer operator(s) and principal investor(s) of House of Scooters, Inc., are dealer operator(s): Orestes Nunez, 1313 North State Road 7, Miami, Florida 33021; principal investor(s): Orestes Nunez, 1313 North State Road 7, Miami, Florida 33021.

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, 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: Hong Wang, President, Hitong Motors Corporation, 16507 Northwest 8th Avenue, Miami, Florida 33169.

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 (2005), STR Motorsports, Inc., intends to allow the establishment of Lee County Motorsports, Inc., as a dealership for the sale of KYMCO motorcycles at 5580 8th Street West, Lehigh Acres (Lee County), Florida 33971, on or after August 18, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Lee County Motorsports, Inc. are dealer operator(s): Ronald Heilman, 4941 Leonard Boulevard,

Lehigh Acres, Florida 33971; principal investor(s): Ronald Heilman, 4941 Leonard Boulevard, Lehigh Acres, Florida 33971.

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, 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: Bruce Ramsey, VP of Sales/Marketing, STR Motorsports, Inc., 1770 Campton Road, Inman, South Carolina 29349.

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 (2005), American Lifan Industry, Inc., intends to allow the establishment of Long's Motorcycle Sales & Service as a dealership for the sale of Chongqing Lifan motorcycles, at 800 Northwest 12th Avenue, Miami (Dade County), Florida 33136, on or after August 23, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Long's Motorcycle Sales & Service are dealer operator(s): Ronnie Long, 800 Northwest 12th Avenue, Miami, Florida 33136; principal investor(s): Ronnie Long, 800 Northwest 12th Avenue, Miami, Florida 33136.

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, 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: Peter Xie, General Manager, American Lifan Industry, Inc., 10990 Petal Street, Suite 500, Dallas, Texas 75238.

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 (2005), Hitong Motors Corporation intends to allow the establishment of Matmel Miami Group as a dealership for the sale of JMSTAR, Chunfeng, Benzhou and Kaitong motorcycles, at 3685 West Davie Boulevard, Fort Lauderdale (Broward County), Florida 33132, on or after August 21, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Matmel Miami Group are dealer operator(s): Carlos A. Monastirsky, 3685 West Davie Boulevard, Fort Lauderdale, Florida 33132; principal investor(s): Carlos A. Monastirsky, 3685 West Davie Boulevard, Fort Lauderdale, Florida 33132.

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, 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: Hong Wang, President, Hitong Motors Corporation, 16507 Northwest 8th Avenue, Miami, Florida 33169.

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 (2005), Hitong Motors Corporation intends to allow the establishment of Motochina, Inc., as a dealership for the sale of JMSTAR, Chunfeng, Benzhou and Kaitong motorcycles, at 3018 Northwest 7th Avenue, Miami (Dade County), Florida 33127, on or after August 21, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Motochina, Inc., are dealer operator(s): Rolando Martinez, 3018 Northwest 7th Avenue, Miami, Florida 33127; principal investor(s): Rolando Martinez, 3018 Northwest 7th Avenue, Miami, Florida 33127.

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, 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: Hong Wang, President, Hitong Motors Corporation, 16507 Northwest 8th Avenue, Miami, Florida 33169.

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 (2005), QLINK, LP, intends to allow the establishment of Mr. Moped International, Inc., as a dealership for the sale of Zongshen and Chunfeng motorcycles at 6227 North Washington Boulevard, Sarasota (Sarasota County), Florida 34243, on or after August 28, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Mr. Moped International, Inc. are dealer operator(s): Robert J. Fusco, 6022 South Tamiami Trail, Sarasota, Florida 34231; principal investor(s): Robert J. Fusco, 6022 South Tamiami Trail, Sarasota, Florida 34231.

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, 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: Johnny Tai, Manager, QLINK, LP, 756 Port America Place, Suite 200, Grapevine, Texas 76051.

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 (2005), notice is given that International Truck and Engine Corporation intends to allow the establishment of Rechten International Trucks, Inc., as a dealership for the sale and service of International brand trucks at 1699 North U.S. Highway 1, Fort Pierce (St. Lucie County), Florida 34950, on or after September 5, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Rechten International Trucks, Inc., are dealer operator(s): Richard C. Rechten, 10895 Southwest 69th Court, Miami, Florida 33156; principal investor(s): Richard C. Rechten, 10895 Southwest 69th Court, Miami, Florida 33156.

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: Perry Knutson, Dealer Operations Manager, International Truck and Engine Corporation, P. O. Box 1488, Warrenville, Illinois 60555.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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 (2005), Hitong Motors Corporation intends to allow the establishment of Stephanie's Design Corporation, as a dealership for the sale of JMSTAR, Chunfeng, Benzhou and Kaitong motorcycles, at 2488 Northwest 20th Street, Miami (Dade County), Florida 33142, on or after August 21, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Stephanie's Design Corporation are dealer operator(s): Ernesto Noceda, 2488 Northwest 20th Street, Miami, Florida 33142; principal investor(s): Ernesto Noceda, 2488 Northwest 20th Street, Miami, Florida 33142.

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, 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: Hong Wang, President, Hitong Motors Corporation, 16507 Northwest 8th Avenue, Miami, Florida 33169.

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 (2005), Hitong Motors Corporation intends to allow the establishment of Suncoast Motors, Inc., as a dealership for the sale of JMSTAR, Chunfeng, Benzhou and Kaitong motorcycles, at 853 U.S. 41 Bypass South, Venice (Sarasota County), Florida 34285, on or after August 21, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Suncoast Motors, Inc., are dealer operator(s): Douglas Fleming, 5009 Pocatella Avenue, North Port, Florida 34287; principal investor(s): Douglas Flemin, 5009 Pocatella Avenue, North Port, Florida 34287.

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, 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: Hong Wang, President, Hitong Motors Corporation, 16507 Northwest 8th Avenue, Miami, Florida 33169.

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 (2005), Hitong Motors Corporation intends to allow the establishment of Unique Scooters, Inc., as a dealership for the sale of JMSTAR, Chunfeng, Benzhou and Kaitong motorcycles, at 4255 East 8th Avenue, Hialeah (Dade County), Florida 33013, on or after August 21, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Unique Scooters, Inc., are dealer operator(s): Mauricio Rios, 4255 East 8th Avenue, Hialeah, Florida 33013; principal investor(s): Mauricio Rios, 4255 East 8th Avenue, Hialeah, Florida 33013.

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, 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: Hong Wang, President, Hitong Motors Corporation, 16507 Northwest 8th Avenue, Miami, Florida 33169.

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 (2005), Hitong Motors Corporation intends to allow the establishment of USA Wholesale Scooters, Inc., as a dealership for the sale of JMSTAR, Chunfeng, Benzhou and Kaitong motorcycles at 2902 East Sunrise Boulevard, Fort Lauderdale (Broward County), Florida 33304, on or after August 21, 2006.

The name and address of the dealer operator(s) and principal investor(s) of USA Wholesale Scooters, Inc., are dealer operator(s): Noel Farbman, 2902 East Sunrise

Boulevard, Fort Lauderdale, Florida 33304; principal investor(s): Noel Farbman, 2902 East Sunrise Boulevard, Fort Lauderdale, Florida 33304.

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, 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: Hong Wang, President, Hitong Motors Corporation, 16507 Northwest 8th Avenue, Miami, Florida 33169.

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

CERTIFICATE OF NEED

DECISIONS ON BATCHED APPLICATIONS

The Agency for Health Care Administration made the following decisions on Certificate of Need applications for Other Beds and Programs batching cycle with an application due date of May 24, 2006:

County: Hernando Service District: 3
 CON # 9922 Decision Date: 8/25/2006 Decision: A
 Facility/Project: Hernando Pasco Hospice, Inc.
 Applicant: Hernando Pasco Hospice, Inc.
 Project Deion: Establish a freestanding inpatient hospice facility of 24 beds
 Approved Cost: \$5,822,000

County: Nassau Service District: 4
 CON # 9923 Decision Date: 8/25/2006 Decision: A
 Facility/Project: GF/Amelia Island Properties, Inc.
 Applicant: GF/Amelia Island Properties, Inc.
 Project Deion: Establish a 24-bed ICF/DD through the delicensure of 24 of the 70 beds at Amelia Island Care Center
 Approved Cost: \$2,266,976

County: Nassau Service District: 4
 CON # 9924 Decision Date: 8/25/2006 Decision: A
 Facility/Project: GF/Amelia Island Properties, Inc.
 Applicant: GF/Amelia Island Properties, Inc.
 Project Deion: Establish a 24-bed ICF/DD through the delicensure of 24 of the 70 beds at Amelia Island Care Center
 Approved Cost: \$2,266,976

County: Nassau Service District: 4
 CON # 9925 Decision Date: 8/25/2006 Decision: A
 Facility/Project: GF/Amelia Island Properties, Inc.
 Applicant: GF/Amelia Island Properties, Inc.
 Project Deion: Establish a 24-bed ICF/DD through the delicensure of 22 ICF/DD beds at Amelia Island and the addition of two new ICF/DD beds
 Approved Cost: \$2,828,415

County: Pinellas Service District: 5
 CON # 9926 Decision Date: 8/25/2006 Decision: D
 Facility/Project: Helen Ellis Memorial Hospital
 Applicant: Tarpon Springs Hospital Foundation
 Project Deion: Establish an adult open heart surgery program
 Approved Cost: \$0

County: Broward Service District: 10
 CON # 9928 Decision Date: 8/25/2006 Decision: A
 Facility/Project: Catholic Hospice, Inc.
 Applicant: Catholic Hospice, Inc.
 Project Deion: Establish a hospice program
 Approved Cost: \$264,105

County: Broward Service District: 10
 CON # 9929 Decision Date: 8/25/2006 Decision: D
 Facility/Project: Heartland Services of Florida, Inc.
 Applicant: Heartland Services of Florida, Inc.
 Project Deion: Establish a hospice program
 Approved Cost: \$0

County: Broward Service District: 10
 CON # 9930 Decision Date: 8/25/2006 Decision: D
 Facility/Project: Hospice of Palm Beach County, Inc.
 Applicant: Hospice of Palm Beach County, Inc.
 Project Deion: Establish a hospice program
 Approved Cost: \$0

County: Broward Service District: 10

CON # 9931 Decision Date: 8/25/2006 Decision: D
 Facility/Project: Hospice of the Palm Coast, Inc.
 Applicant: Hospice of the Palm Coast, Inc.
 Project Deion: Establish a hospice program
 Approved Cost: \$0

A request for administrative hearing, if any, must be made in writing and must be actually received by this department within 21 days of the first day of publication of this notice in the F.A.W. pursuant to Chapter 120, Florida Statutes, and Chapter 59C-1, Florida Administrative Code.

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 LAND USE AND CERTIFICATION HEARINGS FOR POWER PLANT SITE CERTIFICATION

The Department of Environmental Protection announces a public hearing of the Governor and Cabinet, sitting as the Power Plant Siting Board, to consider the Administrative Law Judge's Recommended Orders in the case of Hillsborough County's proposed construction and operation of a new 600 tons per day mass burn boiler and a 17 MW, steam turbine, electric power generation unit at the County's existing resource recovery facility (RRF) site. Site Certification Application:

Hillsborough County
 Hillsborough County Resource Recovery Facility
 Expansion
 Power Plant Siting Application No. PA 83-19A
 OGC Case No. 05-2692
 DOAH Case No. 05-4347EPP

DATE AND TIME: September 19, 2006, 9:00 a.m.

PLACE: Cabinet Hearing Room, Lower Level, State Capitol, Tallahassee, Florida

PURPOSE: The Governor and Cabinet, sitting as the Power Plant Siting Board, will consider an Order, to be executed by the Siting Board, pursuant to the Florida Electrical Power Plant Siting Act, Section 403.501, et seq., Florida Statutes, concerning the Recommended Order dated August 2, 2006, from the Administrative Law Judge, recommending that the project and its site be found consistent with and in compliance with Hillsborough County's local land use plans and zoning ordinances. The Governor and Cabinet, sitting as the Power Plant Siting Board, will also consider an Order, to be executed by the Siting Board, pursuant to the Florida Electrical Power

Plant Siting Act, Section 403.501, et seq., Florida Statutes, concerning the Recommended Order dated August 2, 2006, from the Administrative Law Judge, recommending that Hillsborough County RRF expansion project and its site be granted full and final certification. Persons who have questions about the project or about the hearing may contact: Steven L. Palmer, P.E., the Department of Environmental Protection, 2600 Blair Stone Road, MS #48, Tallahassee, Florida 32399-2400, (850)245-8002.

For a copy of the agenda please contact: Wayne Hrydziusko, Department of Environmental Protection, Marjory Stoneman Douglas Building, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, (850)245-2024.

CABINET AIDES BRIEFING: The Cabinet Aides will meet and discuss these items on September 13, 2006, 9:00 a.m., in the same location. The purpose of the briefing is to review and gather information regarding this item for consideration by the Siting Board.

NOTICE OF INTENT TO ISSUE VARIANCE

The Department of Environmental Protection gives notice of its intent to issue a variance under Section 403.201, Florida Statutes (F.S.), from the provisions of subsection 62-302.530(31), Florida Administrative Code (F.A.C.), to the South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, Florida 33406, File Number 0192879-004-EV, for the minimum criteria for dissolved oxygen under Rule 62-302.530, F.A.C., for discharges from the Ten Mile Creek Water Preserve Area Project (FDEP Permit No. 0192879-002).

Subsection 62-302.530(31), F.A.C., requires that dissolved oxygen levels in Class III waters not be less than 5.0 mg/L. The variance is intended to provide relief from the 5 mg/L dissolved oxygen criteria at the project outflow. In the variance the dissolved oxygen criterion shall consist of an annual mean and two seasonal lower limits based on seasonal and historic background conditions found within Ten Mile Creek. Compliance with the criterion shall be determined at the project outflow where no greater than ten percent (10%) of the values may be below their respective seasonal lower limits.

The Department's file on this matter is available for public inspection during normal business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday, except legal holidays, at the Florida Department of Environmental Protection, Water Quality Standards and Special Projects Program, 2600 Blair Stone Road, Mail Station 3560, Tallahassee, Florida 32399-2400, Telephone: (850)245-8348.

The Department's proposed agency action shall become final unless a timely petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, Florida Statutes, before the deadline for filing petition. The procedure for petitioning for a hearing is set forth below.

A person whose substantial interests are affected by the Department's proposed agency action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), Florida Statutes, must be filed within fourteen days of publication of the notice or receipt of the written notice, whichever occurs first. The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569, and 120.57, Florida Statutes, or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, Florida Administrative Code.

A petition that disputes the material facts on which the Department's action is based must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;

(f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action; and

(g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation is not available in this proceeding.

Any party to this order has the right to seek judicial review of it under Section 120.68, Florida Statutes, by filing a notice of appeal under rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department in the Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within thirty days after this order if filed with the clerk of the Department.

NOTICE OF INTENT TO GRANT A VARIANCE

The Department of Environmental Protection gives notice of its intent to grant a variance (File No. 38-261781-002-EV) under Section 403.201, Florida Statutes, to: Mr. Davis Ayers, Project Manager, Florida Gas Transmission Co., 5444 Westheimer Road, Houston, Texas 77056, from the provisions of subsection 62-302.530(70), Florida Administrative Code, which specifies that turbidity shall not exceed 29 Nephelometric Turbidity Units (NTUs) above natural background. The variance will allow elevated turbidity levels not to exceed 3,000 NTUs above natural background levels for more than 3 consecutive hours after construction and no more than 1,000 NTU's above natural background levels for more than 12 consecutive hours after construction at the end of an expanded mixing zone in 8 (eight) Category II surface waters. The variance is associated with Environmental Resource Permit application No. 38261781-001-EI and Variance petition

No. 38-261781-003-EV for the construction of a natural gas pipeline in Levy County known as Loop K of the Phase VII Expansion Project. The project will cross Class III waters.

Under this intent to issue, this variance is hereby granted subject to the applicant's compliance with any requirement in this intent to publish notice of this intent in a newspaper of general circulation and to provide proof of such publication in accordance with Section 50.051, Florida Statutes. This action is final and effective on the date filed with the Clerk of the Department unless a sufficient petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, Florida Statutes, as provided below. If a sufficient petition for an administrative hearing is timely filed, this intent to issue automatically becomes only proposed agency action on the application, subject to the result of the administrative review process. Therefore, on the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. When proof of publication is provided, if required by this intent, and if a sufficient petition is not timely filed, the variance will be issued as a ministerial action. Because an administrative hearing may result in the reversal or substantial modification of this action, the applicant is advised not to commence construction or other activities until the deadlines noted below for filing a petition for an administrative hearing or request for an extension of time have expired and until the variance has been executed and delivered.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received by the clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Meditation under Section 120.573, Florida Statutes, is not available.

Under subsection 62-110.106(4), Florida Administrative Code, a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a

motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

If a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Intervention will be permitted only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, Florida Administrative Code.

In accordance with Sections 373.414(17) and 403.201, F.S., petitions for an administrative hearing by the applicant must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), Florida Statutes, must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first. Under Section 120.60(3), Florida Statutes, however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, Florida Statutes.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action; and (g) A statement of the relief sought by the

petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, Florida Administrative Code. Under Sections 120.569(2)(c) and (d), Florida Statutes, a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This intent to issue a variance constitutes an order of the Department. Subject to the provisions of Section 120.68(7)(a), Florida Statutes, which may require a remand for an administrative hearing, the applicant has the right to seek judicial review of the order under Section 120.68, Florida Statutes, by the filing of a notice of appeal under rule 9.110 of the Florida Rules of Appellate Procedure with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the order is filed with the Clerk of the Department.

NOTICE OF INTENT TO ISSUE VARIANCE

The Department of Environmental Protection gives notice of its intent to grant a variance (File No. 38-261781-003-EV) under Section 403.201, Florida Statutes, to: Mr. Davis Ayers, Project Manager, Florida Gas Transmission Co., 5444 Westheimer Road, Houston, Texas 77056, from the provisions of paragraph 62-4.244(5)(c), Florida Administrative Code (F.A.C.), to allow a temporary mixing zone greater than 150 meters. The variance will allow temporary mixing zones of 800 meters in 8 (eight) Category II surface waters. The variance is associated with Environmental Resource Permit application No. 38-261781-001-EI and Variance petition No. 38-261781-002-EV for the construction of a natural gas pipeline in Levy County known as Loop K of the Phase VII Expansion Project. The project will cross Class III waters.

Under this intent to issue, this variance is hereby granted subject to the applicant's compliance with any requirement in this intent to publish notice of this intent in a newspaper of general circulation and to provide proof of such publication in accordance with Section 50.051, Florida Statutes. This action is final and effective on the date filed with the Clerk of the Department unless a sufficient petition for an administrative hearing is timely filed under Sections 120.569 and 120.57,

Florida Statutes, as provided below. If a sufficient petition for an administrative hearing is timely filed, this intent to issue automatically becomes only proposed agency action on the application, subject to the result of the administrative review process. Therefore, on the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. When proof of publication is provided, if required by this intent, and if a sufficient petition is not timely filed, the variance will be issued as a ministerial action. Because an administrative hearing may result in the reversal or substantial modification of this action, the applicant is advised not to commence construction or other activities until the deadlines noted below for filing a petition for an administrative hearing or request for an extension of time have expired and until the variance has been executed and delivered.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received by the clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Meditation under Section 120.573, Florida Statutes, is not available.

Under subsection 62-110.106(4), Florida Administrative Code, a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

If a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Intervention will be permitted only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, Florida Administrative Code.

In accordance with Sections 373.414(17) and 403.201, F.S., petitions for an administrative hearing by the applicant must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), Florida Statutes, must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first. Under Section 120.60(3), Florida Statutes, however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, Florida Statutes.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action; and (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, Florida Administrative Code. Under Sections 120.569(2)(c) and (d),

Florida Statutes, a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This intent to issue a variance constitutes an order of the Department. Subject to the provisions of Section 120.68(7)(a), Florida Statutes, which may require a remand for an administrative hearing, the applicant has the right to seek judicial review of the order under Section 120.68, Florida Statutes, by the filing of a notice of appeal under rule 9.110 of the Florida Rules of Appellate Procedure with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida, 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the order is filed with the Clerk of the Department.

**NOTICE OF AVAILABILITY
FLORIDA CATEGORICAL EXCLUSION NOTIFICATION
WILDWOOD, FLORIDA
WASTEWATER TREATMENT EXPANSION**

The Department of Environmental Protection has determined that the proposed City of Wildwood wastewater facilities expansion will not have a significant adverse affect on the environment. The proposed facilities consist of expanding the Wastewater Treatment Facility from 2.25 MGD to 3.55 MGD. The total construction cost of these facilities is estimated at \$6,330,000. The project is expected to qualify for a State Revolving Fund loan composed of federal and state matching funds.

A full copy of the Florida Categorical Exclusion Notification can be obtained by writing: Pankaj Shah, Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400.

DEPARTMENT OF HEALTH

On August 23, 2006, M. Rony François, M.D., M.S.P.H., Ph.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Avis Marie Bradley, R.N. license number RN 3053022. 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 August 28, 2006, M. Rony François, M.D., M.S.P.H., Ph.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Jennifer Lynne Bledsoe, L.P.N. license number PN 5156636. 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 August 28, 2006, M. Rony François, M.D., M.S.P.H., Ph.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Erinn D. Vila, R.N. license number RN 9200764. 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 August 28, 2006, M. Rony François, M.D., M.S.P.H., Ph.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Lori Lane Garmon Wise, L.P.N. license number PN 937241. 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.

FLORIDA HOUSING FINANCE CORPORATION

NOTICE OF FUNDING AVAILABILITY HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME) LOANS

Pursuant to Federal Regulations 24 CFR Part 92 and Rule 67-50, Florida Administrative Code, the Florida Housing Finance Corporation (the "Corporation") announces its intention to provide up to \$15,000,000 of State of Florida HOME allocation for qualified mortgage loans for down payment and closing costs assistance under the HOME Investment Partnerships Program (HOME). These HOME Loans are expected to be made available to low-income persons in conjunction with the Corporation's Single Family Mortgage Revenue Bond (SFMRB) Program. Such loans will be in the form of zero percent interest, non-amortizing deferred second mortgage loan financing for owner-occupied residences in any county in the State of Florida, subject to the participation of qualified lending institutions and the counties they elect to serve. Access to these funds will be made available through Participating Lenders that have been selected to originate first mortgages under the Corporation's SFMRB Program through an application process. Participating lending institutions will make HOME Loan funds available on a first-come, first-served basis to eligible, low-income, first-time home buyers qualifying for a first mortgage under the Corporation's SFMRB Program. Applications for such loans may be obtained from the participating lending institutions.

HOME Loans must comply with Rule Chapter 67-50, F.A.C. and Federal Regulations 24 CFR Part 92. Any home mortgage lending institution that is a qualified FHA-approved mortgagee (with direct endorsement underwriting authority preferred); or a VA-approved lender (with automatic approval authority preferred); or an USDA/RD approved lender (unless waived by the Servicer); or with respect to Conventional Mortgage loans, is a Fannie Mae and/or Freddie Mac approved lender in good standing; has errors and omissions coverage of at least \$300,000; meets the requirements of the Servicer and Florida Housing with respect to financial status; and is acceptable to a Fannie Mae and/or Freddie Mac PMI Insurer, that is interested in receiving an Invitation and Application to Participate in the program should contact: the Corporation by telephone (850)488-4197, by facsimile (850)922-7253, or in writing 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329. Any questions or concerns regarding the

availability of HOME funds or requests for more information and/or a list of participating lending institutions should be directed to: Keantha Belton, Single Family Bonds Program Manager, (850)488-4197.

**NOTICE OF PROPOSED ISSUANCE SINGLE FAMILY
HOMEOWNER MORTGAGE REVENUE BONDS**

Pursuant to Rule 67-25.005, Florida Administrative Code, notice is hereby given that the Florida Housing Finance Corporation (the "Corporation") intends to issue bonds in an amount not to exceed \$200,000,000 in order to provide funding for qualified mortgage loans for owner-occupied residences within the State of Florida. Proceeds of the bonds are expected to be available to eligible home buyers in any county of the State of Florida subject to the participation of lending institutions and the counties they elect to serve.

Any home mortgage lending institution that is a qualified FHA-approved mortgagee (with direct endorsement underwriting authority preferred); or a VA-approved lender (with automatic approval authority preferred); or an USDA/RD approved lender (unless waived by the Servicer); or with respect to Conventional Mortgage loans, is a Fannie Mae and/or Freddie Mac approved lender in good standing; has errors and omissions coverage of at least \$300,000; meets the requirements of the Servicer and Florida Housing with respect to financial status; and is acceptable to a Fannie Mae and/or Freddie Mac PMI Insurer, that is interested in receiving an Invitation and Application to Participate in the program should contact the Corporation by telephone at (850)488-4197, by facsimile at (850)922-7253, or in writing at 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329. Any questions or concerns regarding the proposed issuance of bonds should be directed to Keantha Belton, Single Family Bonds Program Manager at (850)488-4197.

**NOTICE OF FUNDING AVAILABILITY
FLORIDA HOME OWNERSHIP ASSISTANCE
PROGRAM/DOWN PAYMENT ASSISTANCE (HAP D/P)
LOAN PROGRAM**

Pursuant to Section 420.5088, Florida Statutes, and Rule Chapter 67-45, Florida Administrative Code, the Florida Housing Finance Corporation (the "Corporation") announces its intention to provide up to \$5,000,000 for qualified mortgage loans for down payment and closing costs assistance under the

Florida Home Ownership Assistance Program/Down Payment Assistance (HAP D/P) Loan Program. These HAP D/P Loans are expected to be made available to low-income persons in conjunction with the Corporation's Single Family Mortgage Revenue Bond (SFMRB) Program. Such loans will be in the form of zero percent interest, non-amortizing deferred second mortgage loan financing for owner-occupied residences in any county in the State of Florida, subject to the participation of qualified lending institutions and the counties they elect to serve. Access to these funds will be made available through Participating Lenders that have been selected to originate first mortgages under the Corporation's SFMRB Program through an application process. Participating lending institutions will make HAP D/P Loan funds available on a first-come, first-served basis to eligible first-time home buyers qualifying for a first mortgage under the Corporation's SFMRB Program. Applications for such loans may be obtained from the participating lending institutions.

Any home mortgage lending institution that is a qualified FHA – approved mortgagee (with direct endorsement underwriting authority preferred); or a VA-approved lender (with automatic approval authority preferred); or an USDA/RD approved lender (unless waived by the Servicer); or with respect to Conventional Mortgage loans, is a Fannie Mae and/or Freddie Mac approved lender in good standing; has errors and omissions coverage of at least \$300,000; meets the requirements of the Servicer and Florida Housing with respect to financial status; and is acceptable to a Fannie Mae and/or Freddie Mac PMI Insurer, that is interested in receiving an Invitation and Application to Participate in the program should contact: the Corporation by telephone (850)488-4197, by facsimile (850)922-7253, or in writing 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329. Any questions or concerns regarding the availability of HAP D/P funds or requests for more information and/or a list of participating lending institutions should be directed to: Keantha Belton, Single Family Bonds Program Manager, (850)488-4197.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE OF APPROVAL OF CEMETERY BYLAWS

The State of Florida, Board of Funeral, Cemetery and Consumer Services, approved the amended bylaws of the following cemetery at the regular meeting held on August 24, 2006, in Miami, Florida:

Curlew Hills Memory Gardens

The above referenced bylaws became effective August 24, 2006. A file pertaining to the above is available for public inspection and copying by any person at: the Division of Funeral, Cemetery and Consumer Services, Alexander Building, 2020 Capital Circle SE, Suite 270, Tallahassee, Florida 32301. Substantially affected parties who object to the bylaws may request a hearing in accordance to Chapter 120,

Florida Statutes. The petitions for hearing must be filed within twenty-one (21) days of publication of this notice. Petitions shall be filed with: Clerk, Division of Funeral, Cemetery and Consumer Services, The Larson Building, 200 East Gaines Street, Tallahassee, Florida 32399-0361. In deference to the rights of substantially affected persons, a hearing on these matters will be held at the meeting of the Board of Funeral, Cemetery and Consumer Services to be held as outlined above. All written comments and requests to address the Board must be received by the Department at least fourteen (14) days prior to the meeting.

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN August 21, 2006
 and August 25, 2006

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF LEGAL AFFAIRS
Florida Election Commission

2B-1.002	8/22/06	9/11/06	32/28	
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DEPARTMENT OF EDUCATION
State Board of Education

6A-6.040	8/21/06	12/31/06	32/20	32/27
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DEPARTMENT OF CORRECTIONS

33-208.101	8/22/06	9/11/06	32/28	
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF HEALTH
Board of Dentistry

64B5-7.005	8/22/06	9/11/06	32/17	32/28
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Board of Medicine

64B8-9.003	8/22/06	9/11/06	32/28	
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FINANCIAL SERVICES COMMISSION
OIR Insurance Regulation

69O-141.020	8/25/06	9/14/06	31/52	32/25
69O-144.002	8/25/06	9/14/06	32/16	
69O-144.005	8/25/06	9/14/06	32/16	
69O-170.013	8/25/06	9/14/06	30/14	31/7

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
9J-5.0055	18/40			ENVIRONMENTAL REGULATION			
9K-8.011	28/13			17-503.420	16/15		
HEALTH AND REHABILITATIVE SERVICES				17-503.430	16/15		
10-5.011(1)(v)	15/46c			17-503.500	16/15		
10M-9.026	22/1			17-660.300	15/50	16/8	
10M-9.045	22/1			17-671.100	15/32		
LAW ENFORCEMENT				17-671.200	15/32		
11B-27.006	27/17			17-671.300	15/32		
11B-30.014	19/40			17-671.310	15/32		
11D-4.010	32/23c		32/32d	BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND			
11D-8	32/32c		32/32d	18-21.003	31/27c		
REVENUE				18-21.003(23)	31/16c		
12-1	32/2c			18-21.004	25/48	25/50	
	32/2c			18-21.011	31/16c		
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12-18.004	32/2	32/31		STATE BOARD OF ADMINISTRATION			
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12AER06-5			32/27	19ER06-2			32/23
12A-6.038	29/17			19ER06-3			32/23
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12BER06-1			32/25	19-8.013	32/26		32/35
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	32/2c			19B-15.010	28/8		
	32/2c			19B-15.011	28/8		
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14-15.003	26/46			20-7.001	32/36		
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	32/30			20-7.003	32/36		
14-57.012	32/36			20-7.004	32/36		
14-57.014	32/25		32/32	20-7.005	32/36		
14-115.003	32/32			20-9.002	32/16		32/29
14-115.004	32/32			20-65.002	32/23		32/33
HIGHWAY SAFETY AND MOTOR VEHICLES				20-65.004	32/23		32/33
15B-13.001	32/27			20-65.005	32/23		32/33
				20-72.008	31/28		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
PROFESSIONAL REGULATION				25-56.0343	32/32c		
21M-49.002	19/6c			25-56.064	32/32c		
21M-50.002	19/6c			25-56.078	32/32c		
21M-50.003	19/6c			25-56.115	32/32c		
21M-50.007	19/6c			CORRECTIONS			
21M-50.009	19/6c			33-102.101	32/30		
FLORIDA PAROLE COMMISSION				33-103.007	32/26		32/33
23-15.012	32/36			33-103.016	32/26		32/33
23-21	32/23c		32/32d	33-203.101	32/33		
23-21.001	32/6		32/32	33-203.201	32/33		
23-21.002	32/6		32/32	33-208.101		27/21	32/36
23-21.003	32/6		32/32			28/52	32/36
23-21.004	32/6	32/25	32/32		32/28		32/36
23-21.0051	32/6		32/32	33-208.403	32/31		
23-21.0052	32/6		32/32	33-208.504	32/20	32/28	32/35
23-21.006	32/6		32/32	33-210.101	30/43		
23-21.007	32/6		32/32	33-301.605	31/7		
23-21.008	32/6		32/32	33-501.401		26/3	32/30
23-21.010	32/6		32/32		32/21		32/30
23-21.011	32/6		32/32	33-601.230	29/19		
23-21.012	32/6		32/32	33-601.302	32/21		32/29
23-21.013	32/6		32/32	33-601.313	32/26		32/34
23-21.014	32/6		32/32	33-601.314	32/20	32/32	
23-21.015	32/6		32/32	33-601.502	32/20		32/32
	32/32c		32/32d	33-601.723	32/27		
23-21.0155	32/6		32/32	33-601.738	26/48	27/38	
	32/32c		32/32d	33-601.820	32/34		
23-21.016	32/6		32/32	33-602.101	32/31		
23-21.0161	32/6		32/32	33-602.201	32/31		
23-21.0165	32/6		32/32	33-602.210	32/18	32/30	
23-21.017	32/6		32/32	33-602.220	32/32		
23-21.018	32/6		32/32	33-602.222	32/32		
23-21.019	32/6		32/32	COMMISSION ON ETHICS			
23-21.020	32/6		32/32				
23-21.021	32/6		32/32	34-7.010	32/32		
23-21.022	32/6		32/32	WATER MANAGEMENT DISTRICTS			
PUBLIC SERVICE COMMISSION				40B-2.321	30/22	30/36	
25-6.034	32/27			40B-8.021	32/16		32/31
25-6.0341	32/27			40B-8.031	32/16		32/31
25-6.0342	32/27			40B-8.041	32/16		32/31
25-6.0343	32/27			40B-21.001	31/25	32/21	32/30
25-6.0345	32/27			40B-21.031	31/25	32/21	32/30
25-6.044	32/25		32/32	40B-21.051	31/25	32/21	32/30
25-6.0455	32/25		32/32	40B-21.211	31/25	32/21	32/30
25-6.049	32/20			40B-21.221	31/25		32/30
25-6.064	32/27			40B-21.231	31/25	32/21	32/30
25-6.078	32/27			40B-21.251	31/25	32/21	32/30
25-6.115	32/27			40B-21.275	31/25	32/21	32/30
25-56.034	32/32c			40B-21.291	31/25		32/30
25-56.0341	32/32c			40B-21.421	31/25	32/21	32/30
25-56.0342	32/32c			40B-21.511	31/25	32/21	32/30

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
40B-21.531	31/25	32/21	32/30	40E-1.6105	32/18		32/32
40B-21.541	31/25	32/21	32/30	40E-1.6107	32/18		32/32
40B-21.571	31/25	32/21	32/30	40E-1.615	32/18		32/32
40B-21.601	31/25	32/21	32/30	40E-1.659	32/35		
40B-21.621	31/25	32/21	32/30	40E-4.021		21/36	32/32
40B-21.631	31/25	32/21	32/30			21/36	32/32
40B-21.641	31/25	32/21	32/30		32/18	32/27	32/32
40B-21.651	31/25	32/21	32/30	40E-4.091		29/31	32/32
40C-4.091	31/12c				29/50c		
	31/12c				32/18		32/32
	32/33				32/35		
40C-4.301	32/33				32/35		
40C-4.900	32/33			40E-4.101		21/36	32/32
40C-8.031	32/20				32/18		32/32
40C-40.900	32/33			40E-4.321	32/18		32/32
40C-41.011	32/33			40E-4.381		21/36	32/32
40C-41.023	32/33				32/18		32/32
40C-41.033	32/33			40E-7.523	28/39		
40C-41.043	32/33			40E-7.532	28/39		
40C-41.063	32/33			40E-7.668	32/8		32/30
40C-42.023	32/33			40E-7.669	32/8	32/22	32/30
40C-42.091	32/33					32/23	32/30
40C-42.900	32/33			40E-7.670	32/8	32/22	32/30
40C-44.065	32/33					32/23	32/30
40C-44.091	32/33			40E-7.671	32/8		32/30
40C-44.101	32/33			40E-7.672	32/8	32/22	32/30
40C-44.900	32/33					32/23	32/30
40D-2.011	32/19			40E-7.673	32/8	32/22	32/30
40D-2.021	32/19					32/23	32/30
40D-2.031	31/20	31/35		40E-7.674	32/8	32/22	32/30
40D-2.041	32/19					32/23	32/30
40D-2.091	22/48			40E-7.675	32/8	32/22	32/30
	32/19					32/23	32/30
40D-2.101	32/19			40E-7.676	32/8		32/30
40D-2.301	22/48			40E-7.677	32/8		32/30
	32/19			40E-7.678	32/8		32/30
40D-2.302	32/19			40E-20.651	29/17		
40D-2.321	32/19			40E-61.020	32/18		32/32
40D-2.331	20/48			40E-61.031	32/18		32/32
	32/19			40E-61.042	32/18		32/32
40D-2.621	32/19			40E-61.321	32/18		32/32
40D-2.801	32/19	32/27		40E-61.381	32/18		32/32
40D-4.091	22/48			40E-63.223	27/2	27/9	
	25/3			40E-400.211		21/36	32/32
40D-6.521	24/50					21/36	32/32
40D-8.041	32/1				32/18		32/32
	32/19			40E-400.475		21/36	32/32
40D-8.624	32/19				32/18		32/32
40D-8.626	32/19						
40D-80.074	32/19						
40E-1.021	32/18	32/27	32/32				
40E-1.5095	32/18		32/32				
40E-1.511	32/18		32/32	42CC-1.002	32/27		
40E-1.603	32/18		32/32	42LL-1.002	32/36		
40E-1.6058	32/18		32/32				
40E-1.6065	32/18		32/32				

FLORIDA LAND AND WATER
ADJUDICATORY COMMISSION

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
LOTTERY				58A-5.029	32/18		32/30
				58A-5.030	32/18		32/30
53ER06-24			32/19	58A-5.031	32/18		32/30
53ER06-25			32/19	58A-5.033	32/18		32/30
53ER06-26			32/19	58A-14.003	32/22		32/30
53ER06-27			32/21	58A-14.008	32/22		32/30
53ER06-28			32/21	58A-14.0085	32/22		32/30
53ER06-29			32/23	58A-14.0091	32/22		32/30
53ER06-30			32/23				
53ER06-31			32/26	AGENCY FOR HEALTH CARE ADMINISTRATION			
53ER06-32			32/26	59-1	29/35c		
53ER06-33			32/26		30/42c		
53ER06-34			32/28	59A-2.002(2)	32/32c		32/32d
53ER06-35			32/28	59A-3.255	29/36	29/48	
53ER06-36			32/28			30/3	
53ER06-37			32/28		29/43c		
53ER06-38			32/28	59A-8.002	32/12		32/32
53ER06-39			32/30	59A-8.003	32/12		32/32
53ER06-40			32/30	59A-8.004	32/12		32/32
53ER06-41			32/31	59A-8.0086		31/24	32/32
53ER06-42			32/31		32/12		32/32
53ER06-43			32/32	59A-8.0095	32/12	32/26	32/32
53ER06-44			32/32	59A-8.0185		25/48	32/32
53ER06-45			32/32		32/12		32/32
53ER06-46			32/32	59A-8.020	32/12		32/32
53ER06-47			32/34	59A-8.0215	32/12		32/32
53ER06-48			32/36	59A-8.022	32/12		32/32
53-19.0035	25/43			59A-8.027	32/12		32/32
53-302.101	29/22			59A-9	32/32c		
53-302.109	29/22			59A-9.018	32/21	32/32	
INTERLOCAL AGENCIES				59A-9.019	32/21	32/32	
54C-1.001	32/30			59A-9.020	32/21		
				59A-9.021	32/21	32/32	
				59A-9.022	32/21		
				59A-9.0225	32/21		
				59A-9.023	32/21		
58A-5.0131	32/18		32/30	59A-9.024	32/21		
58A-5.014	32/18		32/30	59A-9.025	32/21		
58A-5.015	32/18		32/30	59A-9.026	32/21		
58A-5.016	32/18		32/30	59A-9.027	32/21		
58A-5.0181	32/18		32/30	59A-9.028	32/21		
	32/32			59A-9.029	32/21		
58A-5.0182	32/18		32/30	59A-9.030	32/21		
	32/32			59A-9.031	32/21		
	32/32			59A-9.034	32/21		
58A-5.0185	32/18		32/30	59A-11.0115	30/5		
58A-5.019	32/18		32/30	59A-18.002	32/6	32/18	
58A-5.0191	32/18		32/30			32/24	
	32/32			59A-18.004		26/42	32/31
58A-5.023	32/18		32/30		32/6	32/18	32/31
58A-5.024	32/18		32/30			32/24	32/31
	32/32			59A-18.005	32/6	32/18	32/31
58A-5.0241	32/18		32/30	59A-18.0081	32/6	32/18	32/31
58A-5.025	32/18		32/30			32/24	32/31
58A-5.026	32/18		32/30	59A-18.011	32/6		32/31

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59A-18.012	32/6		32/31	59A-33.004	32/2	32/23	32/34
59A-18.017	32/6	32/18	32/31			32/25	32/34
59A-18.018	32/6	32/18	32/31	59A-33.005	32/2	32/23	32/34
59A-26.001	32/12					32/25	32/34
59A-26.002	32/12			59A-33.006	32/2	32/23	32/34
59A-26.003	32/12					32/25	32/34
59A-26.004	32/12			59A-33.007	32/2	32/23	32/34
59A-26.005	32/12					32/25	32/34
59A-26.006	32/12			59A-33.008	32/2	32/23	32/34
59A-26.007	32/12					32/25	32/34
59A-26.0075	32/12			59A-33.009	32/2	32/23	32/34
59A-26.008	32/12					32/25	32/34
59A-26.009	32/12			59A-33.010	32/2	32/23	32/34
59A-26.010	32/12					32/25	32/34
59A-26.011	32/12			59A-33.011	32/2	32/23	32/34
59A-26.012	32/12					32/25	32/34
59A-26.013	32/12			59A-33.012	32/2	32/23	32/34
59A-26.014	32/12					32/25	32/34
59A-26.015	32/12			59A-33.013	32/2	32/23	32/34
59A-26.016	32/12					32/25	32/34
59A-26.017	32/12			59C-1.021	32/12	32/24	32/34w
59A-26.018	32/12					32/30	32/34w
59A-26.019	32/12			59C-1.038	31/6		
59A-26.020	32/12				31/6c		
59A-26.021	32/12			59G-4.002	32/27		
59A-26.022	32/12			59G-4.015	32/16		32/29
59A-26.023	32/12			59G-4.016	32/19		
59A-30.002	32/27			59G-4.110	32/33		
59A-30.003	32/27			59G-4.140	32/20		32/34
59A-30.004	32/27			59G-4.200	32/18		32/29
59A-30.005	32/27			59G-4.230	31/6c		
59A-30.006	32/27				32/29		
59A-30.007	32/27			59G-4.250	32/34		
59A-30.008	32/27			59G-4.330	32/16		32/29
59A-30.009	32/27			59G-6.020	32/31		
59A-30.010	32/27			59G-6.030	32/31		
59A-31.002	32/29			59G-13.082	32/32		
59A-31.003	32/29			59H-1.00352	26/3	26/17	
59A-31.004	32/29			59T-11.013	23/22	23/35	
59A-31.005	32/29			59T-14.004	23/22	23/35	
59A-31.006	32/29			59T-15.002	23/22	23/35	
59A-31.007	32/29	32/36		59T-16.001	23/22	23/35	
59A-31.008	32/29			59T-16.002	23/22	23/35	
59A-31.009	32/29	32/36		59U-11.019	20/51	21/7	
59A-31.010	32/29	32/36		59U-14.002	23/24	23/35	
59A-31.011	32/29			59V-3.007	20/34	20/48	
59A-31.012	32/29						
59A-31.013	32/29						
59A-31.014	32/29						
59A-31.015	32/29						
59A-33.001	32/2	32/23	32/34				
		32/25	32/34				
59A-33.002	32/2	32/23	32/34				
		32/25	32/34				
59A-33.003	32/2	32/23	32/34				
		32/25	32/34				
				MANAGEMENT SERVICES			
				60A-1.002	32/22	32/34	
				60A-1.006	32/22		
				60A-1.016	32/22		
				60A-1.033	32/22	32/34	
				60A-1.041	32/32	32/44	
				60A-1.044	32/22	32/34	
				60BB-8.204	32/7	32/26	32/32

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60BB-8.301	32/7	32/26	32/32		31/21c		
60BB-8.400	32/7	32/26	32/32		31/25c		
60DD-1.002	32/36				31/38c		
60E-1.001	31/49	32/36			31/38c		
60E-1.003	31/49	32/36			31/39c		
60E-1.004	31/49	32/36			32/2c		
60E-1.005	31/49	32/36			32/2c		
60H-1.001	31/22	31/41	32/34w		32/2c		
60H-1.002	31/22	31/41	32/34w		32/2c		
60H-1.003	31/22	31/41	32/34w				
60H-1.004	31/22		32/34w				
60H-1.006	31/22	31/41	32/34w				
60H-1.007	31/22	31/41	32/34w	61-5.005	32/23		32/32
60H-1.009	31/22		32/34w	61-6.023	32/3		
60H-1.013	31/22		32/34w	61A-2.019	31/50		
60H-1.015	31/22	31/41	32/34w		32/32c		32/32d
60H-1.017	31/22	31/41	32/34w	61A-4.030	31/21		
60H-1.022	31/22		32/34w	61A-5.0105(2)	32/32c		32/32d
60H-1.025	31/22		32/34w	61A-5.747	32/32c		32/32d
60H-1.026	31/22		32/34w	61A-5.7475(1)	31/5c		
60H-1.027	31/22		32/34w	61A-7.006	29/41		
60H-1.028	31/22		32/34w	61A-7.007	29/41		
60H-1.030	31/22		32/34w	61A-7.008	29/41		
60L-34.0071	32/28			61A-10.001	32/3		
60Q-6.101	32/29			61A-10.002	32/3		
60Q-6.102	32/29			61A-10.0021	32/3		
60Q-6.103	32/29			61A-10.0022	32/3		
60Q-6.104	32/29			61A-10.005	32/3		
60Q-6.105	32/29			61A-10.006	32/3		
60Q-6.106	32/29			61A-10.007	32/3		
60Q-6.107	32/29			61A-10.008	32/3		
60Q-6.108	32/29			61A-10.009	32/3		
60Q-6.110	32/29			61A-10.0091	32/3		
60Q-6.111	32/29			61A-10.010	32/3		
60Q-6.113	32/29			61A-10.011	32/3		
60Q-6.114	32/29			61A-10.0111	32/3		
60Q-6.115	32/29			61A-10.0112	32/3		
60Q-6.116	32/29			61A-10.012	32/3		
60Q-6.117	32/29			61A-10.013	32/3		
60Q-6.118	32/29			61A-10.014	32/3		
60Q-6.119	32/29			61A-10.015	32/3		
60Q-6.120	32/29			61A-10.016	32/3		
60Q-6.121	32/29			61A-10.017	32/3		
60Q-6.122	32/29			61A-10.018	32/3		
60Q-6.123	32/29			61A-10.020	32/3		
60Q-6.124	32/29			61A-10.021	32/3		
60Q-6.125	32/29			61A-10.026	32/3		
60Q-6.127	32/29			61A-10.027	32/3		
60Q-6.128	32/29			61A-10.031	32/3		
60S-1.005	32/18			61A-10.050	32/3		
60S-1.005(2)	32/32c			61A-10.051	32/3		
60Y-1	31/14c			61A-10.052	32/3		
	31/16c			61A-10.053	32/3		
	31/16c			61A-10.054	32/3		
	31/21c			61A-10.055	32/3		
				61A-10.080	32/3		

BUSINESS AND PROFESSIONAL REGULATION

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
61A-10.081	32/3			61G5-20.002	32/26		32/35
61A-10.082	32/3			61G6-5.001	32/23		
61A-10.083	32/3			61G6-5.006	32/23		32/32
61A-10.084	32/3			61G6-9.004	32/23		32/32
61A-10.085	32/3			61G6-10.002	32/13	32/25	32/32
61B-23.0021	32/18	32/26	32/34	61G6-10.0065	32/33		
61B-23.0029	32/20		32/29	61G7-5.0033	32/35		
61B-75.002	32/33			61G7-10.0014	32/21		
61B-75.004	32/16	32/23	32/30	61G7-33.0065	30/16		
61B-82.005	30/40			61G9-9.001	31/6		
61C-5.007	32/21		32/33	61G14-12.001	32/36		
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61D-14.005	32/34			61G18-12.019	32/35		
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62-210.200	32/21		32/35
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62-296.470	32/21	32/29	32/35
62-296.480	32/21	32/29	32/35
62-302.300	32/30		
62-302.400	32/30		
62-302.500	32/30		
62-302.530	32/30		
62-302.540	27/52		
62-302.700	32/30		
62-302.800	32/30		
62-303.100	32/31		
62-303.200	32/31		
62-303.300	32/31		
62-303.310	32/31		
62-303.320	32/31		
62-303.330	32/31		
62-303.340	32/31		
62-303.350	32/31		
62-303.352	32/31		
62-303.353	32/31		
62-303.360	32/31		
62-303.370	32/31		
62-303.380	32/31		
62-303.400	32/31		
62-303.420	32/31		
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62-303.700	32/31		
62-303.710	32/31		
62-303.720	32/31		
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62-304.505	32/16		32/30
62-304.510	29/25		
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62-304.600	31/27c		
	31/28c		
	31/28c		
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63H-1.004	32/30			64B6-3.041	32/27		32/34
63H-1.005	32/30			64B6-7.006	32/27		32/34
63H-1.006	32/30			64B6-8.003	32/27		32/34
63H-1.007	32/30			64B6-55.004	27/41		
63H-1.008	32/30			64B7-27.012	24/12		
63H-1.009	32/30			64B7-28.009	32/34		
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				64B8-30.013	32/23		32/30
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64B9-15.001	31/44			64B16-27.831	30/50		
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64B9-17.002	31/11	31/44		64B16-28.605	31/4		
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64B9-17.003	31/11	31/44		64B16-28.900	31/23	31/30	
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		32/22		64B17-3.001	32/30		
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64B10-11.012	32/36			64B17-4.001	32/30		
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64B10-16.007	32/24		32/35	64B18-17.005	32/30	32/32	
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64B14-3.001	31/35			64B24-8.002	32/31		
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64B14-4.003	32/25			64B32-4.002	32/30		
64B14-4.110	32/25			64B32-5.001	28/3	28/5	
64B15-6.003	32/35			64B32-6.004	32/26		32/29w
64B15-6.0105	32/23		32/30	64C-1.003	30/36c		
64B15-6.01051	32/23		32/30	64C-13.018	24/22		
64B15-14.011	32/30			64C-23.002	27/17		
64B15-19.002	32/35			64C-27.001	27/17		
64B16-26.2032	30/52			64C-27.002	27/17		
64B16-26.402	30/52			64D-3.001	32/24		
64B16-26.601	30/52			64D-3.002	32/24		
64B16-26.6011	30/52			64D-3.003	32/24		
64B16-27.100	30/50	31/20		64D-3.0031	32/24		
64B16-27.1001	30/50			64D-3.004	32/24		
64B16-27.1003	30/50	31/20		64D-3.005	32/24		
64B16-27.103	30/50			64D-3.006	32/24		
64B16-27.104	30/50	31/20		64D-3.007	32/24		
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64B16-27.210	30/50	31/20		64D-3.008	32/24		
64B16-27.211	30/50			64D-3.009	32/24		
64B16-27.220	30/50	31/2		64D-3.010	32/24		
64B16-27.300	30/50			64D-3.011	32/24		
64B16-27.410	30/50			64D-3.012	32/24		
64B16-27.530	30/50			64D-3.013	32/24		
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65A-1.400	31/20	32/7 32/20	32/29 32/29	65C-12.006	32/30		
	31/27c			65C-12.007	32/30		
65A-1.601	28/11	28/23 28/31 28/41		65C-12.008	32/30		
				65C-12.009	32/30		
65A-1.701	32/21		32/31	65C-12.010	32/30		
65A-1.702	32/21		32/31	65C-12.011	32/30		
65A-1.710		29/5	32/31	65C-12.012	32/30		
	32/20		32/31	65C-16.008	32/4		
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65A-1.711	32/20		32/31	65C-20.008	32/30		
	32/21		32/31	65C-20.009	32/30		
65A-1.712	32/20		32/31	65C-20.010	32/30		
	32/20		32/31	65C-20.011	32/30		
	32/21		32/31	65C-20.013	32/30		
65A-1.713	32/20		32/31	65C-21.001	23/20		
	32/21		32/31	65C-22.001	32/30		
	32/20		32/31	65C-22.002	32/30		
65A-1.716	32/20		32/31	65C-22.003	32/30		
65A-4.201	32/30		32/31	65C-22.004	32/30		
65A-4.2081	32/19		32/36w	65C-22.005	32/30		
65A-4.213	25/32			65C-22.006	32/30		
65A-4.216	25/32			65C-22.007	29/9		
65A-15.005	32/9				32/30		
65A-15.0095	26/4			65C-22.008	32/30		
65A-15.062	32/9			65C-31.001	31/43	32/2	32/29
65B-27.017	32/9				32/20	32/20	32/29
65C-5.001	32/29				32/2c		
65C-5.002	32/29				32/2c		
65C-5.003	32/29			65C-31.002	31/43	32/2	32/29
65C-5.004	32/29				32/20	32/20	32/29
65C-5.005	32/29				32/2c		
65C-5.006	32/29			65C-31.003	31/43	32/2	32/29
65C-5.007	32/29				32/20	32/20	32/29
65C-5.008	32/29				32/2c		
65C-5.009	32/29				32/2c		
65C-5.010	32/29			65C-31.004	31/43	32/2	32/29
65C-5.011	32/29				32/20	32/20	32/29
65C-10.001	32/30				32/2c		
65C-10.002	32/30				32/2c		
65C-10.003	32/30			65C-31.005	31/43	32/2	32/29
65C-10.004	32/30				32/20	32/20	32/29
65C-10.005	32/30				32/2c		
65C-10.006	32/30				32/2c		
65C-11.001	32/30			65C-31.006	31/43	32/2	32/29
65C-11.002	32/30				32/20	32/20	32/29
65C-11.003	32/30				32/2c		
65C-11.004	32/30				32/2c		
65C-11.005	32/30			65C-31.007	31/43	32/2	32/29
65C-12.001	32/30				32/20	32/20	32/29
65C-12.002	32/30				32/2c		
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68B-23.112	32/18			69B-211.320	32/34		
68B-45.004	32/28	32/35		69B-220.001	32/25		32/35
68B-45.007	32/28	32/35		69B-220.051	32/25		32/35
68C-22.015	32/6		32/29	69B-220.201	32/25		32/35
68C-22.027	32/31			69B-228	32/32c		32/32d
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68D-23.103	32/18			69B-231.020	32/24		32/32
68D-23.104	32/18			69B-231.030	32/24		32/32
68D-23.106	32/18	32/32		69B-231.040	32/24		32/32
68D-23.107	32/18	32/32		69B-231.070	32/24		32/32
68D-23.108	32/18			69B-231.080	32/24		32/32
68D-23.109	32/18			69B-231.090	32/24		32/32
68D-23.110	32/18			69B-231.100	32/24		32/32
68D-23.112	32/18			69B-231.110	32/24		32/32
				69B-231.120	32/24		32/32
				69B-231.130	32/24		32/32
				69B-231.140	32/24		32/32
				69B-231.150	32/24		32/32
				69B-231.160	32/24		32/32
				69D-2.001	32/16	32/31	
				69D-2.002	32/16	32/31	
				69D-2.003	32/16	32/31	
					32/32c		32/32d
				69D-2.004	32/16	32/31	
					32/32c		32/32d
				69D-2.005	32/16	32/31	
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				69H-1.003	32/19		32/29
				69H-2.003	32/19		
				69H-2.004		31/10	32/29
					32/19		32/29
				69I-21.003	32/14		32/33w
				69J-2.001	32/22		32/29
				69J-2.003	32/22		32/29
				69K-12.003	32/25		
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				69K-12.005	32/25		
				69L-5.101(4)	31/14c		
					32/23c		32/32d
				69L-5.102	31/49	32/34	
				69L-5.102(2)(b)	32/23c		32/32d
				69L-5.102(2)(b),(3)	31/14c		
				69L-5.102(3)	32/23c		32/32d
				69L-5.103(3)(a)	31/14c		
					32/23c		32/32d
				69L-6.009	32/33		
				69L-6.012	32/33		
				69L-6.023	31/33		32/32w
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				69L-6.028	32/24		32/34
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69A-37.403	31/44	32/31					
69A-37.404	31/44	32/31					
69A-37.405	31/44	32/31					
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69A-53.0052	32/15						
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69A-58.001	32/4						
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69A-58.007	32/4	32/35					
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69A-60.011	32/7						
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69L-7.602	31/23			69O-170.014	30/46	31/15	
69L-56.530	31/3				31/2c		
69M-1	29/52c				31/26		
69N-121.066	32/7		32/30w		31/32c		
	32/23c			69O-170.0141	30/46	31/15	
69OER06-3			32/34		31/2c		
69O-1	31/37c				31/26		
	31/37c				31/32c		
69O-125.005	31/6			69O-170.0142	30/46	31/2	
	31/14c				30/46	31/15	
	31/26	32/7			31/2c		
	31/34c				31/26		
	32/32c				31/32c		
69O-136.019	32/10			69O-170.0143	30/46	31/2	
69O-137.013	32/26				31/26		
69O-141.020	31/52	32/25	32/36		31/32c		
69O-141.021	32/25			69O-170.0155	30/46	31/15	
69O-144.002	32/16		32/36		31/2c		
69O-144.005	32/16		32/36		31/26		
69O-149.005	32/17	32/28			31/32c		
69O-149.006	32/17	32/28			32/36		
69O-149.007	32/17	32/28		69O-170.017	32/36		
69O-149.041	30/51		32/35w	69O-170.020	32/5	32/12	
69O-154.203	32/25			69O-171.003	32/8		
69O-154.204	32/25				32/23c		
69O-170.005	30/46	31/2		69O-171.009	32/8	32/32	
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	31/26			69O-175.003	30/46	31/2	
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69O-170.006	30/46				31/2c		
	31/2c				31/26		
	31/26				31/32c		
	31/32c			69O-186.003	31/22		
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	30/46	31/15		69O-186.005	31/24		
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	31/26			69O-191.054	31/49		32/29w
	31/32c			69O-203.042	31/49		32/29w
69O-170.013	30/14	31/7	32/36	69O-203.045	31/49		32/29w
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	30/46	31/15		69O-207.002	32/33		
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	31/26	32/6		69P-2.002	32/36		
	31/32c			69V-560.303	32/20		32/35
69O-170.0135	30/46	31/2		69W-600.013	32/8	32/35	
	30/46	31/15		69W-600.0131	32/8	32/35	
	31/2c			69W-600.0132	32/8	32/35	
	31/26			69W-600.014	32/8	32/35	
	31/32c						