

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-6.03012
RULE TITLE: Special Programs for Students Who Are Speech and Language Impaired

PURPOSE AND EFFECT: The purpose of this rule development workshop is to ensure that the program for students who are speech and language impaired is consistent with the amendments to the federal law, the Individuals with Disabilities Education Act (IDEA) 20 U.S.C. Chapter 33, and its implementing regulations and to update rule language to reflect current knowledge in the field. The effect of this rule development will be the promulgation of a rule which will be consistent with the federal requirements and current knowledge in the field. The Department has held two prior rule development workshops regarding this rule on May 16, 2007 and May 30, 2007, as previously advertised on April 27, 2007, in the Florida Administrative Weekly, Vol. 33, No. 17. The Department has determined that a third workshop is needed to complete work on the draft of proposed rule changes.

SUBJECT AREA TO BE ADDRESSED: Federal and state requirements for programs for students who are speech and language impaired to include the definition, criteria for eligibility, procedures for screening, student evaluation, determination of eligibility, and instructional program.

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

LAW IMPLEMENTED: 1001.03, 1003.57(1), 1003.01(3), 1011.62(1)(c) FS., Individuals with Disabilities Education Act 20

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

DATE AND TIME: July 10, 2007, 8:00 a.m. – 3:00 p.m.

PLACE: Florida Department of Education, 325 West Gaines Street, Room 1725, Tallahassee, Florida 32399-0400

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Bambi Lockman, Chief, Bureau of Exceptional Education and Student Services, Florida Department of Education, 325 West Gaines Street, Room 601, Tallahassee, Florida 32399-0400, (850)245-0475

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NOS.:	RULE TITLES:
6A-22.001	Definitions
6A-22.002	Rehabilitation Provider Qualifications
6A-22.003	Reemployment Status Review
6A-22.004	Notice Requirements
6A-22.006	Screening Process
6A-22.008	Reemployment Services and Programs
6A-22.009	Employee Responsibilities
6A-22.010	Reporting Services and Costs: Qualified Rehabilitation Provider and Employer or Carrier
6A-22.011	List of Forms
6A-22.012	Expenditures from the Workers' Compensation Administration Trust Fund

PURPOSE AND EFFECT: The purpose and effect of these rule amendments is to (a) mandate the electronic submission of DWC-21 (Reemployment Services Billing Form) and DWC-22 (Reemployment Status Review Form) data from the carriers to the Bureau of Rehabilitation and Reemployment Services, resulting in increased workers' compensation system efficiencies; (b) require qualified rehabilitation providers to have a business e-mail address thereby increasing efficiencies in the workers' compensation system; (c) allow for on-the-job training that is temporary, thereby expanding the opportunities for injured employees to receive training; (d) clarify various Bureau of Rehabilitation and Reemployment Services procedures for screening cases under Section 440.491(6), Florida Statutes; and (e) for cost containment, capping all services provided by qualified rehabilitation providers to the Bureau of Rehabilitation and Reemployment Services at \$55.00 per hour.

SUMMARY: Rule 6A-22.001, F.A.C., is being amended to eliminate the definitions of "Cooperative working agreement" and "Ergonomic job analysis;" which are terms operationally irrelevant to the Department; to amend the definitions of "Customary residence," to avert payment of travel costs abuse, "On-the-job training (OJT) contractor," to replace "cooperative working agreement" with "contract," and "On-the-job training (OJT) contract;" to limit the employer's responsibility to assisting in rather than ensuring the injured employee's return to suitable gainful employment; and to add a definition of "Unemployed" to avert an employer's retaining an injured employee while withholding the employee's opportunity to earn wages. Rule 6A-22.002, F.A.C., is being amended to require an applicant for initial listing or renewal as a rehabilitation provider to have and maintain a business e-mail address. Rule 6A-22.003, F.A.C., is being amended to require a carrier to complete and submit a conforming electronic

reemployment status form, DWC-22. Rule 6A-22.004, F.A.C., is being amended to require language in the carrier's notice concerning the employee's inability to earn at least 80 per cent of his or her compensation rate and to delete and add language clarifying the October 1, 2003, date of accident limitation of eligibility. Rule 6A-22.006, F.A.C., is being amended to require the screening process to consist of a vocational assessment consisting of certain elements to determine the injured employee's eligibility for reemployment services, to specify which of the reemployment services is to be offered as a result of the vocational assessment, to identify such vocational assessment services as may be provided prior to a determination of eligibility for reemployment services, and to delete the requirement that additional reemployment services following screening shall not be provided to an injured employee who has filed a claim for permanent total disability benefits where the injured employee's medical condition or vocational capability is in dispute before the Office of the Judges of Compensation Claims as unsupported by law. Rule 6A-22.008, F.A.C., is being amended to eliminate "vocational assessment" as a reemployment service, to remove redundant approval language, to restate affirmatively that an evaluation will determine the necessary reemployment services to return the injured employee to suitable gainful employment, and to clarify "reemployment services." Rule 6A-22.009, F.A.C., is being amended to clarify that no one of the enumerated participation failures may be deemed a refusal of training and education. Rule 6A-22.010, F.A.C., is being amended to clarify that a qualified rehabilitation provider shall submit a properly completed individualized written rehabilitation program to the employer or carrier for approval; to require that a certified vocational evaluator shall conduct an initial and an exit interview with the injured employee; to clarify that a qualified rehabilitation provider providing any employer or carrier sponsored reemployment services, reemployment assessments or medical care coordination need not submit a written report as therein defined to the Department; and to require a qualified rehabilitation provider providing employer or carrier sponsored reemployment services, reemployment assessments or medical care coordination to report its services using an electronic form DWC-21 and providing filing schedules and instructions. Rule 6A-22.011, F.A.C., is being amended to clarify that the carrier submit the form DWC 21 to the Department and to revise a web address. Rule 6A-22.012, F.A.C., is being amended to clarify that the Department shall authorize reimbursement for reemployment services received from qualified rehabilitation providers from the Workers' Compensation Trust Fund at a maximum rate and that the total reimbursement for a vocational evaluation may not exceed a certain amount.

SPECIFIC AUTHORITY: 440.491(5), (6), (7), (8) FS.

LAW IMPLEMENTED: 440.491 FS.

IF REQUESTED IN WRITING WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY. THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Reginald L. Watkins, Bureau Chief

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

6A-22.001 Definitions.

(1) ~~"Cooperative working agreement" means a written contractual agreement between the Department and a qualified rehabilitation provider or a public or private agency to provide comprehensive reemployment services such as on-the-job training development, job placement and follow up.~~

(1)(2) "Customary residence" is the injured employee's place of permanent residence. Whenever the injured employee changes his or her permanent residence, the customary residence changes also.

(2)(3) "Customary vicinity" is the distance traveled by the injured employee from his customary residence to his place of employment at the time of injury.

(3)(4) "Education program" means a formal course of study or a certificate program in a training and education facility, agency or institution operating under Chapters 1004, Parts II, III, and IV, 1005, or a career and technical education program defined in Section 1003.01(4)(c), Florida Statutes, which states: "At the post secondary education level, courses of study that provide competencies needed for entry into specific occupations or for advancement within an occupation." Outside of the State of Florida, an education program shall be approved as governed by comparable statutes of that state.

(5) ~~"Ergonomic job analysis" is the objective study of the relationship among job demands, environmental conditions and human functional characteristics.~~

(4)(6) "Good cause" is termination resulting from employee conduct:

(a) Evincing such willful or wanton disregard of an employer's interests as is found in deliberate violation or disregard of standards of behavior which the employer has the right to expect of his employee; or

(b) Carelessness or negligence of such a degree or recurrence as to manifest culpability, wrongful intent, or evil design, or to show an intentional and substantial disregard of an employer's interests or of the employee's duties and obligations to his employer.

(5)(7) "Individualized written rehabilitation program" (IWRP) is an individualized written rehabilitation program as defined in the Rehabilitation Act of 1973, 29 U.S.C. 701, et seq.

(6)(8) "Labor market" means an area not to exceed a 50 mile radius of the injured employee's customary vicinity.

(7)(9) "On-the-job training (OJT) contractor" is a qualified rehabilitation provider or employee of a public or private agency which has entered into a contract cooperative working agreement with the Department for the provision of on-the-job development and follow-up services.

(8)(10) "On-the-job training (OJT) contract" is a contract between an employer, injured employee and the Department in which an employer agrees to hire an injured employee subject to the same working conditions and benefits as all other similarly situated employees. Pursuant to the contract, the employer shall provide training and adequate supervision to enable the injured employee to achieve predetermined competencies to assist the injured employee to ensure a return to suitable gainful employment with the contract employer at the end of the contract period.

(9)(11) "Rehabilitation Company" means a business entity such as a corporation or partnership which employs or contracts to provide services pursuant to Section 440.491, Florida Statutes. All services provided by a carrier or a rehabilitation company under Section 440.491, Florida Statutes, shall be provided only by an individual who is a qualified rehabilitation provider or a facility that is a qualified rehabilitation provider. Neither the employment status of the person providing the services, nor the main method of communication in providing the services negates the statutory requirement that a person providing such services must be a qualified rehabilitation provider.

(10)(12) "Rehabilitation Facility" means an institution or agency accredited by the Commission on Accreditation of Rehabilitation Facilities (CARF) for a specific vocational rehabilitation program.

(11)(13) "Test-site" is a Department approved location that may be inspected by the Department, to be used by a qualified rehabilitation provider for vocational evaluation and assessment services.

(12) "Unemployed" means that the injured employee is not receiving wages for services or labor performed for an employer.

(13)(14) "Vocational evaluator" is a qualified individual employed by the Department or who holds the designation of a certified vocational evaluator and is approved by the Department to perform vocational evaluations.

(14)(15) "Vocational specialist" means an individual who possesses:

(a) A master's degree in vocational rehabilitation (counseling, evaluation, adjustment); or

(b) Is certified by the Commission on Rehabilitation Counselor Certification, or by the Commission on Certification of Work Adjustment and Vocational Evaluation Specialists; and

(c) Is employed by a CARF-accredited facility.

Specific Authority 440.491(5),(6),(7) FS. Law Implemented 440.491 FS. History--New 7-1-96, Amended 2-9-00, 6-26-01, Formerly 38F-55.001, Amended 5-5-04,_____.

6A-22.002 Rehabilitation Provider Qualifications.

(1) through (3) No change.

(4) Each applicant shall have a business e-mail address, and must maintain that address during the period that the applicant is listed in the Directory.

(5)(4) Department approval of a qualified rehabilitation provider, facility or company shall be revoked for a period of six (6) months for one or more of the following:

(a) Revocation of credentials or certification by the applicable certification or credentialing board.

(b) Misrepresentation of credentials or certification.

(c) Allowing a non-qualified rehabilitation provider to report and bill for services using an individual's, company's and or facility's qualified rehabilitation provider number.

(6)(5) Employees of the Department are exempt from the requirements of subsections 6A-22.002(2) and (3), F.A.C.

Specific Authority 440.491(7) FS. Law Implemented 440.491(7) FS. History--New 7-1-96, Amended 6-26-01, Formerly 38F-55.002, Amended 5-5-04, 2-22-05,_____.

6A-22.003 Reemployment Status Review.

(1) The carrier shall conduct a reemployment status review by completing a reemployment status review form, ~~on the~~ DWC-22, which is incorporated by reference in Rule 6A-22.011, F.A.C.

(2) The carrier shall complete an electronic form DWC-22 within 15 days of the reporting requirement deadlines set forth in Section 440.491(3)(a), F.S., and

(a) Shall retain a copy in the carrier's file, and

(b) Shall submit the electronic form DWC-22 to the Department at its designated Internet web site or at its office in Tallahassee within 15 business days of completion.

(c) Electronic form DWC-22 shall comply with the DWC-22 data dictionary incorporated into this rule by reference.

Specific Authority 440.491(7) FS. Law Implemented 440.491 FS. History--New 7-1-96, Amended 6-26-01, Formerly 38F-55.005, Amended_____.

6A-22.004 Notice Requirements.

(1) No change.

(2) A carrier shall use the following written notice: "Your continuing disability indicates you may be unable to perform the duties of the job held at the time of your work-related

injury. If this is correct and you are unable to return to work in any capacity with your current employer or find other employment which would allow you to earn your preinjury wages, you may be eligible for a screening for reemployment services from the State of Florida, Department of Education. Upon receipt of your request, the Department will assess your case to determine what services are necessary to return you to suitable gainful employment. Reemployment services that you may be eligible for include job seeking skills training, counseling, referrals to other agencies, job market information, transferable skills analysis, job development, job placement, job analysis, job modification, vocational testing, vocational evaluation, on-the-job training, securing a general education diploma (GED), or formal training and education. Additionally, if you have reached maximum medical improvement and are unable to earn at least 80 per cent of your compensation rate, and subject to the overall limitation of one hundred four (104) weeks of temporary total disability benefits payable in a workers' compensation case with a date of accident which falls on or after October 1, 2003, the carrier shall pay training and education temporary total disability benefits for a period up to 26 weeks upon beginning a Department approved retraining program or the carrier may elect to pay temporary partial disability/wage loss benefits if you earn wages as the result of on-the-job training or work while enrolled in a program. An additional 26 weeks may be approved if deemed necessary by the Judge of Compensation Claims. If your date of accident occurred on or after October 1, 2003, the above benefits shall not be in addition to the 104 weeks' maximum number of weeks payable for temporary total disability benefits prior to reaching maximum medical improvement. To request a screening, contact your local state Division of Vocational Rehabilitation District Office or the Central Office in Tallahassee at (850)245-3470 and ask to speak with a staff person in the Reemployment Services Section of the Bureau of Rehabilitation and Reemployment Services." The carrier shall send a copy of this notification to the Bureau of Rehabilitation and Reemployment Services, Department of Education, 101A Forrest Building, 2728 Centerview Drive, Tallahassee, Florida 32399-0664 within ten days of mailing the notification to the injured employee.

Specific Authority 440.491(5), (6), (8) FS. Law Implemented 440.491 FS. History—New 7-1-96, Amended 6-26-01, Formerly 38F-55.006, Amended 3-1-05, _____.

6A-22.006 Screening Process.

(1) No change.

(2) The screening process shall consist of:

(a) A review of all available medical and vocational documentation relevant to the compensable injury to determine whether the injured employee is able to perform the duties of the pre-injury occupation; and

(b) A review of the documentation which supports the payment of temporary partial disability and wage loss benefits to determine the injured employee's inability to obtain suitable gainful employment because of his injury; and

(c) An interview with the injured employee.

(d) A vocational assessment. The vocational assessment shall determine the relevance and weight of the following factors in the case: the permanent physical restrictions, if any, present in the case; the availability of employment with the employer at the time of the injury; the injured employee's transferable skills and the labor market; whether the injured employee conducted an unsuccessful job search, and the reasons the job search was unsuccessful; the injured employee's education and academic skills and vocational education; the injured employee's motivation; the injured employee's financial ability to complete training; and the availability of transportation to allow the injured employee to complete training. The vocational assessment shall determine whether the injured employee is ineligible to receive reemployment services, or is eligible to receive reemployment services. If the injured employee is eligible to receive services, the vocational assessment shall determine which of the following shall be offered to the injured employee: placement, and/or on-the-job training, and/or an evaluation, and/or a re-training program costing less than \$2,500 and lasting six months or less.

(3) through (4) No change.

(5) The Department may provide the following vocational assessment services as part of the screening process to determine eligibility: Orientation, employability skills training, counseling, vocational testing, transferable skills analysis, labor market surveys, vocational assessment services, job analysis and evaluation.

~~(6)(5)~~ The Department shall not provide any reemployment services, including a vocational evaluation unless the injured employee provides documentation to establish identity and employment eligibility. Such documentation shall be consistent with the acceptable documents for verifying identity and employment eligibility as required by the US Department of Justice, Immigration and Naturalization Service's Employment Eligibility Verification Form I-9 (Rev. 11-21-91).

~~(7)(6)~~ The Department shall not provide a vocational evaluation or any reemployment services when form DWC-23, which is signed by the injured employee, is received by the Department more than one (1) year from the date of last payment of indemnity benefits or the furnishing of remedial treatment, care, or attendance from the employer or carrier.

~~(8)(7)~~ Following a Department screening the Department shall not provide any additional reemployment services or refer the injured employee for a vocational evaluation:

~~(a) If the injured employee has filed a claim for permanent total disability benefits under Section 440.15(1), F.S., which the carrier has denied, wherein either the injured employee's medical condition or vocational capabilities are in dispute, until such time as an Office of the Judge of Compensation Claims adjudicates the injured employee's claim; or~~

~~(a)(b)~~ If the injured employee's medical condition is unresolved or unstable, until such time as the medical condition becomes stable; or

~~(b)(e)~~ If the injured employee has reached maximum medical improvement and returned to and maintained suitable gainful employment for at least 90 calendar days; or

~~(c)(d)~~ If the injured employee refuses to accept reemployment services from the Department.

~~(9)(8)~~ The Department shall not refer the injured employee for a vocational evaluation if the injured employee:

(a) Has returned to suitable gainful employment as a result of placement services provided by the Department; or

(b) Has no documented permanent physical restrictions related to the injury; or

(c) Has transferable skills which would allow return to work in suitable gainful employment; or

(d) Was terminated by the employer for good cause unrelated to the injury or any restrictions or limitations resulting therefrom; or

(e) Terminated suitable gainful employment for reasons unrelated to the injury.

Specific Authority 440.491(5), (6) FS. Law Implemented 440.491 FS. History—New 7-1-96, Amended 6-26-01, Formerly 38F-55.009, Amended 5-5-04,_____.

6A-22.008 Reemployment Services and Programs.

(1) The Department shall approve sponsorship of reemployment services provided through an on-the-job training program, ~~vocational assessment~~, job placement or a training and education program when recommended in and approved as part of a Department reemployment plan.

(2) When the Department provides an evaluation to the injured employee, the evaluation shall determine the reemployment services necessary to return the injured employee to suitable gainful employment. The Department will approve and sponsor reemployment ~~retraining~~ services if:

(a) The vocational evaluation is completed by a Department approved vocational evaluator, and

(b) The vocational evaluation contains the information identified in paragraph 6A-2.010(2)(e), F.A.C.; and

(c) The vocational evaluation demonstrates that the injured employee:

1. Has no transferable skills which would allow for return to suitable gainful employment with the same employer, same job; same employer, different or modified job; new employer, same job; new employer, modified or different job; or

2. Requires additional Department sponsored reemployment services to enable the injured employee to return to suitable gainful employment.

(3) through (5) No change.

~~(6) The Department shall not sponsor reemployment services if the vocational evaluation does not recommend reemployment services.~~

Specific Authority 440.491(5), (6) FS. Law Implemented 440.491 FS. History—New 7-1-96, Amended 2-9-00, 6-26-01, Formerly 38F-55.011, Amended 3-1-05,_____.

6A-22.009 Employee Responsibilities.

(1) No change.

(2) An employee who refuses retraining and education after the recommendation of a vocational evaluator and approval by the Department, will forfeit his or her entitlement to further training and education benefits, as well as additional payment for lost wages under Chapter 440, Florida Statutes. The following shall not be deemed a refusal of training and education:

(a) Failure to participate in a recommended retraining program due to medical instability; or

(b) Failure to participate in a recommended retraining program due to an adverse change in the employee's medical status; or

(c) Failure to participate in a recommended retraining program due to the school's failure to offer the approved program, or and

(d) Failure to participate in a recommended retraining program due to a family medical emergency.

Specific Authority 440.491(5), (6) FS. Law Implemented 440.491 FS. History—New 7-1-96, Amended 6-26-01, Formerly 38F-55.012, Amended 3-1-05,_____.

6A-22.010 Reporting Services and Costs: Qualified Rehabilitation Provider and Employer or Carrier Responsibilities.

(1) A qualified rehabilitation provider providing employer or carrier sponsored reemployment services shall:

(a) Submit a properly completed individualized written rehabilitation program to the employer or carrier for approval within 30 days of referral which specifies the recommended services and associated costs necessary to return the injured employee to suitable gainful employment, using terminology consistent with Department service code descriptions ~~to the employer or carrier for approval~~ when recommending:

1. Reemployment services as a result of a reemployment assessment, or

2. Three or more counseling sessions, or

3. A vocational evaluation, or

4. A work evaluation, or

5. Training and education, including on-the-job training,

or

6. Placement services, or
 7. Changes to the initial individualized written rehabilitation program.

(b) Maintain a copy of the properly completed individualized written rehabilitation program in the injured employee's file.

(2) A certified vocational evaluator providing Department sponsored vocational evaluations shall:

(a) Ensure any test site used for Department sponsored vocational evaluations meets the definition of "test site" set forth in subsection 6A-22.001(13), F.A.C.; and

(b) Be responsible for the administration, scoring and interpretation of all testing instruments and work samples used as part of the vocational evaluation process; and

(c) Remove or cure conditions that invalidate test results; and

(d) Provide adaptive evaluation tools or techniques to accommodate any physical or functional disability or language barrier; and

(e) Conduct an initial interview with the injured employee.

(f)(e) Submit to the Department, within 30 calendar days of Department approval of services, a written report which shall:

1. Include an interpretation of testing instruments and work samples used, specifying the form and level of tests, percentile scores, norm groups, grade levels, standard scores and stanine scores as applicable to the test instrument; and

2. Identify the injured employee's physical and intellectual capabilities, aptitudes, achievements, work related behaviors; and interests. The interests of the injured employee alone cannot be the only basis for the vocational evaluator's recommendation; and

3. Identify residual or transferable skills; and

4. Identify the most appropriate vocational objectives; and

5. Identify which reemployment service(s) are necessary for the injured employee to return to suitable gainful employment; and

6. Discuss how the provision of the recommended service(s) will facilitate reemployment; and

7. When a retraining program is recommended, include the rationale for the recommended program, the entrance, enrollment and exit requirements of the program, the anticipated program costs and the proximity of the program to the injured employee's customary residence; and

8. Include an individualized labor market survey which supports the injured employee's ability to compete for employment in the identified vocational goal(s) and shall include information documenting:

a. The potential wage earning capacity,

b. The physical demands of the identified vocational goal as identified by potential employers,

c. The minimum educational requirements and work experience required by potential employers, and

d. Each potential employer's job openings for the six months prior to the survey and projected openings for the upcoming six months.

(g) Conduct an exit interview with the injured employee.

(h)(f) Submit to the Department, within 10 days of submission of the written report, the original receipt statement signed by the injured employee and the vocational evaluator.

(3) Any qualified rehabilitation provider providing any employer or carrier ~~or Department~~ sponsored reemployment services, reemployment assessments or medical care coordination shall submit with each DWC-21, which is incorporated by reference into this rule, a written report which reports services provided and expected outcomes, covering the following points:

(a) Summary by date of contacts with the injured employee and other pertinent parties; and

(b) Problems or issues adversely affecting the reemployment process and the corrective actions taken in that process; and

(c) Continuing feasibility of the reemployment plan; and

(d) Vocational activities planned for the subsequent month; and

(e) Justification for change or modification of current plan.

(4) through (5) No change.

(6) A qualified rehabilitation provider providing either employer or carrier ~~or Department~~ sponsored reemployment services, reemployment assessments, medical care coordination ~~and vocational evaluations~~, shall:

(a) Report on electronic form DWC-21 only those services provided by or through the authorized qualified rehabilitation provider. Services not rendered by or through the qualified rehabilitation provider may not be billed or reimbursed.

(b) Submit a properly completed electronic form DWC-21 listing the specific service(s) provided, utilizing only valid service codes and descriptors for those direct services rendered to the injured employee. Direct services are those services provided or required by an individualized written rehabilitation program. Other services are to be billed in the manner agreed upon by the employer or carrier and the qualified rehabilitation provider.

1. The initial electronic form DWC-21 shall be submitted to the Department within 30 days of the contract approval date for Department sponsored services or to the employer or carrier within 30 days of the date of the referral for employer or carrier sponsored services.

2. An interim electronic form DWC-21 shall be submitted at 30-day intervals thereafter during which the authorized services are provided. The DWC-21 should not be filed if services are not provided within any 30-day period.

3. A final electronic form DWC-21 shall be submitted within 30 days of the date of the last service provided or according to the terms of a contract with the Department for vocational evaluation services.

(c) Close a file and submit a final electronic form DWC-21 when attorney involvement interferes with the provision of direct services.

(7) through (8) No change.

(9) The employer or carrier shall:

(a) Ensure that the information required in this rule is provided on the form DWC-21 prior to payment and filing of the electronic form DWC-21 with the Department, and

(b) Approve or deny the provision of services recommended as part of an individualized written rehabilitation program within 15 calendar days of receipt of the same; and pay or deny form DWC-21 bills within 45 calendar days after receipt of a bill for services provided to an injured employee, and

(c) Complete items 20, 21 and 23 on every electronic form DWC-21 filed with the Department. In item 20 it is necessary to legibly enter the date the form DWC-21 was received. In item 21 it is necessary to legibly enter the date the form DWC-21 was reimbursed. In item 23 it is necessary to enter the amount reimbursed only if it is different from the amount billed by the qualified rehabilitation provider or facility, and

(d) File electronic form DWC-21 with the Department of Education at its designated Internet web site or at its office in Tallahassee, Florida within 30 days after the full or partial payment of form DWC-21 (~~A DWC-21 filed with the Department shall have a date stamp in the upper right hand corner indicating the date the DWC-21 is sent to the Department~~), and

(e) Be responsible for the legibility, accuracy and completeness of the social security number, date of accident, the employer or carrier's and servicing company/TPA's Department of Insurance, Division of Workers' Compensation's assigned four digit carrier code number and Federal Employer Identification Number (FEIN), and those areas that the employer or carrier completes on form DWC-21.

(10) No change.

(11) An electronic form DWC-21 filed with the Department which is not completed according to these rules will be returned by the Department to the employer or carrier. Upon receipt of the returned form, the employer or carrier shall properly complete and refile the form with the Department within 15 days.

(12) ~~Paper f~~Form DWC-21 is incorporated by reference in Rule 6A-22.011, F.A.C. Electronic form DWC-21 shall comply with the DWC-21 data dictionary incorporated into this rule by reference.

Specific Authority 440.491(5), (6), (7) FS. Law Implemented 440.491 FS. History--New 7-1-96, Amended 6-26-01, Formerly 38F-55.013, Amended 5-5-04,_____.

6A-22.011 List of Forms.

(1) Forms DWC-21, DWC-22, DWC-23, DWC-24 and DWC-96 and accompanying instructions are incorporated by reference as part of this rule to become effective April 2004. Each form shall be typed or legibly completed in order for the form to be considered properly filed or submitted with the Department.

~~(a) Department reemployment services billing form shall be submitted to the Department on form DWC-21. The carrier shall submit the form DWC 21 to the Department.~~

~~(b)~~ Reemployment status review form shall be submitted to the Department on form DWC-22.

~~(b)(e)~~ Request for screening form shall be submitted to the Department on form DWC-23.

~~(c)(d)~~ Department and student agreement for sponsorship of training and education form shall be completed on form DWC-24.

~~(d)(e)~~ Qualified rehabilitation provider application shall be submitted to the Department on form DWC-96.

(2) A copy of the forms and accompanying instructions incorporated by subsection 6A-22.011(1), F.A.C., may be obtained from the Department of Education, Bureau of Rehabilitation and Reemployment Services, 2728 Centerview Drive, Suite 101A, Forrest Building, Tallahassee, Florida 32399-0400. Copies are also available at the following Department web site: <http://www.flrules.org/default.asp> <http://www.firm.edu/doer/rules/rules.htm>.

Specific Authority 440.491(5),(6),(7) FS. Law Implemented 440.491 FS. History--New 7-1-96, Amended 6-26-01, Formerly 38F-55.014, Amended 5-5-04,_____.

6A-22.012 Expenditures from the Workers' Compensation Administration Trust Fund.

(1) ~~Upon receipt of the completed evaluation report, T~~he Department shall authorize reimbursement for reemployment services received from qualified rehabilitation providers ~~the evaluation~~ from the Workers' Compensation Administration Trust Fund at a maximum rate of \$55.00 per hour. The total reimbursement for an evaluation may not exceed \$1,100.00 per evaluation.

(2) through (8) No change.

Specific Authority 440.491(5), (6), (7), (8) FS. Law Implemented 440.491 FS. History--New 7-1-96, Amended 12-2-98, 6-26-01, Formerly 38F-55.015, Amended_____.

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Community Planning

RULE NO.:

RULE TITLE:

9J-5.026

Rural Land Stewardship

PURPOSE AND EFFECT: The purpose and effect are to amend the rule to implement current statutory requirements regarding the Rural Land Stewardship Program.

SUBJECT AREA TO BE ADDRESSED: Chapter 9J-5, F.A.C. is to be amended to establish minimum criteria for the review of requests to authorize the designation of Rural Land Stewardship Areas and for the review of amendments to local comprehensive plans that would establish or amend Rural Land Stewardship Areas.

SPECIFIC AUTHORITY: 163.3177(9), 163.3177(11)(h) FS.

LAW IMPLEMENTED: 163.3177(11)(d) FS.

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

DATE AND TIME: July 19, 2007, 10:00 a.m.

PLACE: University of South Florida Lakeland Campus, Lakeland Technology Building Auditorium, 3433 Winter Lake Road, Lakeland, Florida 33803

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: Sheri Coven, Intergovernmental Affairs Coordinator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)922-1600. 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 Pennock, Strategic Planning Coordinator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-2356

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

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Community Planning

RULE NO.:	RULE TITLE:
9J-11.023	Submittal and Review Requirements for Requests to Authorize the Designation of a Rural Land Stewardship Area and for Amendments Establishing or Amending Rural Land Stewardship Areas

PURPOSE AND EFFECT: The purpose and effect are to implement current statutory requirements for requests to authorize the designation of a Rural Land Stewardship Area and for amendments to local comprehensive plans that establish or amend a Rural Land Stewardship Area.

SUBJECT AREA TO BE ADDRESSED: The revision of Chapter 9J-11, F.A.C., is to establish submission and review requirements for requests to authorize the designation of a

Rural Land Stewardship Area and for amendments to local comprehensive plans that establish or amend a Rural Land Stewardship Area.

SPECIFIC AUTHORITY: 163.3177(9), 163.3177(11)(h) FS.

LAW IMPLEMENTED: 163.3177(11)(d) FS.

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

DATE AND TIME: July 19, 2007, 10:00 a.m.

PLACE: University of South Florida Lakeland Campus, Lakeland Technology Building Auditorium, 3433 Winter Lake Road, Lakeland, Florida 33803

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: Sheri Coven, Intergovernmental Affairs Coordinator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)922-1600. 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 Pennock, Strategic Planning Coordinator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-2356

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

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

RULE NOS.:	RULE TITLES:
19-11.002	Beneficiary Designation for FRS Investment Plan
19-11.003	Distributions from FRS Investment Plan Accounts
19-11.004	Excessive Trading in the FRS Investment Plan
19-11.005	FRS Investment Plan Complaint Procedures
19-11.006	Enrollment Procedures for New Hires
19-11.007	Second Election Enrollment Procedures for the FRS Retirement Programs

19-11.008 Forfeitures
 19-11.009 Reemployment with an FRS-covered Employer after Retirement

19-11.010 FRS Investment Plan: Privacy
 PURPOSE AND EFFECT: To adopt new rules and amend existing rules for the FRS Investment Plan to reflect recent legislative and policy changes.

SUBJECT AREA TO BE ADDRESSED: Beneficiary designations; distributions from Plan accounts; excessive trading; complaint procedures; forfeitures; re-employment after retirement; and privacy.

SPECIFIC AUTHORITY: 121.4501(3)(c)4., (8)(a) FS.

LAW IMPLEMENTED: 119.071, 120.569, 120.57, 120.573, 121.021(29), (39), 121.051, 121.055, 121.35, 121.091(5), (8), (9)(b)(c), 121.4501(2), (3), (4), (5), (6), (8)(b)4., (9)(f)3., (13), (14), (15)(b), (19), (20), 121.591(1)(a)4., (3), 121.73, 121.78, 215.44(8)(b), 744.301, 1012.875(3) 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: Tuesday, July 10, 2007, 2:00 p.m. – 5:00 p.m.

PLACE: Room 116 (Hermitage Conference Room), 1801 Hermitage Blvd., Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Cindy Gokel, Assistant General Counsel, Office of the General Counsel, State Board of Administration, 1801 Hermitage Blvd., Tallahassee, FL 32308; (850)413-1199

THE PRELIMINARY DISCUSSION DRAFT OF THE PROPOSED RULES WILL BE AVAILABLE FOR DISTRIBUTION ON JUNE 26, 2007

Copies of the proposed rules may be obtained from: Cindy Morea, State Board of Administration, P. O. Box 13300, Tallahassee, FL 32317-3300; Tel. (850)413-1491

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop is requested to contact Ms. Morea at least 5 calendar days before the workshop.

STATE BOARD OF ADMINISTRATION

RULE NO.: 19-12.007
 RULE TITLE: Acceptance of Rollovers

PURPOSE AND EFFECT: To expand acceptance of rollovers.

SUBJECT AREA TO BE ADDRESSED: Acceptance of rollovers into the FRS Investment Plan.

SPECIFIC AUTHORITY: 121.4501(5)(c) FS.

LAW IMPLEMENTED: 121.4501(5)(c), (21) 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: Tuesday, July 10, 2007, 2:00 p.m. – 5:00 p.m.

PLACE: Room 116 (Hermitage Conference Room), 1801 Hermitage Blvd., Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED REPEALED RULES IS: Cindy Gokel, Assistant General Counsel, Office of the General Counsel, State Board of Administration, 1801 Hermitage Blvd., Tallahassee, FL 32308; (850)413-1199

THE PRELIMINARY DISCUSSION DRAFT OF THE PROPOSED REPEALED RULES WILL BE AVAILABLE FOR DISTRIBUTION ON JUNE 27, 2007.

Copies of the proposed rules may be obtained from: Cindy Morea, State Board of Administration, P. O. Box 13300, Tallahassee, FL 32317-3300; Tel. (850)413-1491

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop is requested to contact Ms. Morea at least 5 calendar days before the workshop.

STATE BOARD OF ADMINISTRATION

RULE NO.:	RULE TITLE:
19-13.002	Role and Responsibilities of the Division of Retirement within the Department of Management Services

PURPOSE AND EFFECT: To amend the rule to reflect recent changes.

SUBJECT AREA TO BE ADDRESSED: Responsibilities of the Division of Retirement with regard to the Public Employee Retirement Optional Program

SPECIFIC AUTHORITY: 121.4501(8)(a) FS.

LAW IMPLEMENTED: 112.3173, 121.4501(8), (10), (14), 121.091(5) 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: Tuesday, July 10, 2007, 2:00 p.m. – 5:00 p.m.

PLACE: Room 116 (Hermitage Conference Room), 1801 Hermitage Blvd., Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Cindy Gokel, Assistant General Counsel, Office of the General Counsel, State Board of Administration, 1801 Hermitage Blvd., Tallahassee, FL 32308; (850)413-1199

THE PRELIMINARY DISCUSSION DRAFT OF THE PROPOSED RULES WILL BE AVAILABLE FOR DISTRIBUTION ON JUNE 26, 2007

Copies of the proposed rules may be obtained from: Cindy Morea, State Board of Administration, P. O. Box 13300, Tallahassee, FL 32317-3300; Tel. (850)413-1491

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop is requested to contact Ms. Morea at least 5 calendar days before the workshop.

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-103.001
 RULE TITLE: Inmate Grievances – General Policy

PURPOSE AND EFFECT: The purpose and effect of the proposed rules is to revise the inmate grievance and appeal process to provide access to necessary information for reviewing staff, ensure the security of grievances and appeals during the review process, ensure inmate access to the process, and clarify consequences of staff obstruction.

SUBJECT AREA TO BE ADDRESSED: Inmate grievance procedure.

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: Perri King Dale, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-103.001 Inmate Grievances – General Policy.

(1) through (4) No change.

(5) Staff in the Bureau of Inmate Grievance Appeals shall have unlimited access to information required to respond to inmate grievances and appeals. All department employees are required to cooperate with staff in the inmate grievance office by providing accurate and timely information.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History– New 10-12-89, Amended 1-15-92, 12-22-92, 4-10-95, 12-7-97, Formerly 33-29.001, Amended 10-11-00,_____.

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-103.006
 RULE TITLE: Formal Grievance – Institution or Facility Level

PURPOSE AND EFFECT: The purpose and effect of the proposed rules is to revise the inmate grievance and appeal process to provide access to necessary information for reviewing staff, ensure the security of grievances and appeals during the review process, ensure inmate access to the process, and clarify consequences of staff obstruction.

SUBJECT AREA TO BE ADDRESSED: Inmate grievance procedure.

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: Perri King Dale, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-103.006 Formal Grievance – Institution or Facility Level.

- (1) No change.
- (2) Procedural Requirements.
- (a) through (h) No change.

(i) The inmate shall then submit the grievance or appeal ~~in~~ copies of the complete form, with attachments, to the person designated staff by personally placing the grievance or appeal in a locked grievance box. Locked boxes shall be available to inmates in open population and special housing units. A staff person from classification, the grievance coordinator's office, or the assistant warden's office shall be responsible for the key. If the staff member collecting the grievances is from classification or the assistant warden's office, he or she shall retrieve the grievances and appeals and deliver them to the institutional grievance coordinator. The institutional grievance coordinator shall log all formal grievances and provide the inmates with receipts. The appeals will be forwarded to the Bureau of Inmate Grievance Appeals after being processed for mailing in accordance with paragraphs 33-103.006(8)(b) and (c), F.A.C. The Bureau of Inmate Grievance Appeals shall log all appeals and forward receipts to the inmates. Grievances and appeals shall be picked up and forwarded by the institutions daily Monday through Friday. Failure to submit all copies as required shall result in one copy being returned to the inmate instead of two.

(j) through (10) No change.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History—New 10-12-89, Amended 1-15-92, 12-22-92, 4-10-95, 8-10-97, 12-7-97, 5-10-98, 2-17-99, Formerly 33-29.006, Amended 8-1-00, 10-11-00, 2-9-05,_____.

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-103.015
 RULE TITLE: Inmate Grievances – Miscellaneous Provisions

PURPOSE AND EFFECT: The purpose and effect of the proposed rules is to revise the inmate grievance and appeal process to provide access to necessary information for reviewing staff, ensure the security of grievances and appeals during the review process, ensure inmate access to the process, and clarify consequences of staff obstruction.

SUBJECT AREA TO BE ADDRESSED: Inmate grievance procedure.

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: Perri King Dale, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-103.015 Inmate Grievances – Miscellaneous Provisions.

(1) through (11) No change.

(12) Staff shall respond to inquiries made by the Bureau of Inmate Grievance Appeals by the close of business on the seventh day after the request.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History—New 10-12-89, Amended 1-15-92, 1-29-92, 9-3-92, 12-22-92, 7-11-93, 5-3-94, 4-10-95, 9-23-96, 8-10-97, 12-7-97, 5-10-98, 2-17-99, Formerly 33-29.015, Amended 8-1-00, 10-11-00, 2-7-01, Amended 5-27-02, 1-2-03, 2-9-05, 9-4-05,_____.

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-103.017
 RULE TITLE: Inmate Grievances – Reprisal

PURPOSE AND EFFECT: The purpose and effect of the proposed rules is to revise the inmate grievance and appeal process to provide access to necessary information for reviewing staff, ensure the security of grievances and appeals during the review process, ensure inmate access to the process, and clarify consequences of staff obstruction.

SUBJECT AREA TO BE ADDRESSED: Inmate grievance procedure.

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: Perri King Dale, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-103.017 Inmate Grievances – Reprisal.

~~(1) Inmates shall be allowed access to the grievance process without hindrance. Staff found to be obstructing an inmate’s access to the grievance process shall be subject to disciplinary action ranging from oral reprimand up to dismissal in accordance with Rules 33-208.001-.003, F.A.C. Good faith use of or good faith participation in the grievance process shall not result in reprisal against the inmate.~~

~~(2) An inmate shall be subject to disciplinary action if the inmate knowingly includes false, threatening, obscene, or profane statements in the grievance or any of its attachments. In this instance the inmate shall be subject to administrative action in accordance with the provisions of Rules 33-601.301-601.314, F.A.C., or criminal prosecution. Notwithstanding administrative or criminal proceedings, the grievance shall be responded to on its merits.~~

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History—New 10-12-89, Amended 12-22-92, 4-10-95, Formerly 33-29.016, Amended 10-11-00, 2-9-05,_____.

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

RULE NO.: 40B-1.703
 RULE TITLE: Procedures for Consideration of Permit Applications

PURPOSE AND EFFECT: The purpose of the rule development is to codify delegated authority to the Executive Director to issue individual environmental resource permits. The effect of the rule will be to provide more efficient permit processing for individual environmental resource permit applications.

SUBJECT AREA TO BE ADDRESSED: This proposed rule development will provide more efficient permit processing and issuance for individual environmental resource permits, in accordance with Chapter 373, F.S.

SPECIFIC AUTHORITY: 373.083, 373.044, 373.113, 373.118, 373.171, 373.4141 FS.

LAW IMPLEMENTED: 120.569, 120.57, 120.60, 373.084, 373.085, 373.086, 373.106, 373.116, 373.118, 373.229, 373.313, 373.413, 373.416, 373.426 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Linda Welch, Administrative Assistant, Suwannee River Water Management District, 9225 C.R. 49, Live Oak, Florida 32060, (386)362-1001 or (800)226-1066 (FL only).

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

LAND AND WATER ADJUDICATORY COMMISSION

Tuscany Community Development District

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

PURPOSE AND EFFECT: The Petition was filed by the Tuscany Community Development District with its registered office located at 123 South Calhoun Street, Tallahassee, Florida 32301. The Petition proposes to modify the land area presently serviced by the District by amending its boundary to add 332.07 acres to the District located solely within Citrus County, Florida. The District currently covers approximately 1,378.86 acres of land and after amendment the District will encompass approximately 1,710.93 acres. Petitioner has obtained written consent to amend the boundaries of the District from the owners of 100% of the real property comprising the expansion parcel and from the owners of 100% of the lands within the existing District. While the District's boundary will be expanded through the amendment process, the development plan will remain the same as when the District was established. The District will continue to support 4,138 single-family residential units, 1,258 multi-family residential units, 400 life care center units, 400,000 square feet of business/commercial/office, and 41,368 square feet of community/neighborhood services. The expansion parcel is planned for 842 single-family residential units. No additional residential or non-residential development is anticipated due to the expansion of the District's boundary.

SUBJECT AREA TO BE ADDRESSED: Expansion of the boundary of the Tuscany Community Development District.

SPECIFIC AUTHORITY: 190.005, 190.046 FS.

LAW IMPLEMENTED: 190.004, 190.005, 190.046 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: Tuesday, July 10, 2007, 10:00 a.m.

PLACE: Room 2107, The Capitol, 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 two days before the workshop/meeting by contacting: Barbara Leighty, Florida Land and Water Adjudicatory Commission, Office of Policy and Budget, Executive Office of the Governor, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, Telephone (850)487-1884. 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: Brian Crumbaker, Hopping Green & Sams, P.A., Post Office Box 6526, Tallahassee, Florida 32314, Telephone (850)222-7500; or Barbara Leighty, Florida Land and Water Adjudicatory Commission, Office of Policy and Budget, Executive Office of the Governor, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, Telephone (850)487-1884

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NOS.:	RULE TITLES:
61H1-20.007	Generally Accepted Accounting Principles
61H1-20.008	Generally Accepted Auditing Standards
61H1-20.009	Standards for Accounting and Review Services
61H1-20.0092	Government Auditing Standards
61H1-20.0093	Rules of the Auditor General
61H1-20.0095	Standards for Consulting Services
61H1-20.0096	Services for Tax Practice
61H1-20.0097	Standards for Personal Financial Planning
61H1-20.0098	Standards for Business Valuations
61H1-20.0099	Standards for Attestation Engagements

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

SUBJECT AREA TO BE ADDRESSED: Generally Accepted Accounting Principles; Generally Accepted Auditing Standards; Standards for Accounting and Review Services; Government Auditing Standards; Rules of the Auditor General; Standards for Consulting Services; Services for Tax Practice; Standards for Personal Financial Planning; Standards for Business Valuations; Standards for Attestations Engagements.

SPECIFIC AUTHORITY: 473.304, 473.315 FS.

LAW IMPLEMENTED: 473.304, 473.315 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: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607

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

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 NOS.:	RULE TITLES:
62-520.200	Definitions for Ground Water
62-520.300	Purpose, Intent and General Provisions for Ground Water Classes, Standards, and Exemptions
62-520.310	General Provisions for Ground Water
62-520.410	Classification of Ground Water, Usage, Reclassification
62-520.420	Standards for Class G-I and Class G-II Ground Water
62-520.465	Dimensions of Zones of Discharge for Class G-II Ground Water
62-520.470	Permit Renewal and Modification Procedures for Installations Discharging to Ground Water
62-520.500	Exemptions for Installations Discharging Into Class G-I or G-II Ground Water
62-520.510	Exemptions for Installations Discharging Into Class G-III and G-IV Ground Water

62-520.520	Exemptions from Secondary Drinking Water Standards Outside a Zone of Discharge in Class G-II Ground Water
62-520.600	Ground Water Monitoring Requirements and Exemptions
62-520.700	Ground Water Corrective Action
62-520.900	Ground Water Forms

PURPOSE AND EFFECT: The Department is developing amendments to update contents and reporting requirements for ground water monitoring plans, and is making some procedural changes.

SUBJECT AREA TO BE ADDRESSED: Rule development addresses contents of the ground water monitoring plan, modifications to reporting requirements, references a Department Well Design and Construction Manual, and updates administrative procedures.

SPECIFIC AUTHORITY: 403.061, 403.087 FS.

LAW IMPLEMENTED: 403.031, 403.061, 403.087, 403.088, 403.0877, 403.121, 403.141, 403.161, 403.502, 403.702 FS.

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

DATE AND TIME: July 11, 2007, 1:00 p.m.

PLACE: Room 609, Bob Martinez Center, 2600 Blair Stone Road, 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 hours before the workshop/meeting by contacting: Donnie McClaugherty, Bureau of Water Facilities Regulation, MS 3580, 2600 Blair Stone Road, Tallahassee, FL 32399-2400; telephone (850)245-8645. 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: Donnie McClaugherty, Bureau of Water Facilities Regulation, MS 3580, 2600 Blair Stone Road, Tallahassee, FL 32399-2400; telephone (850)245-8645

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-522.200	Definitions for Ground Water Permitting and Monitoring
62-522.300	General Provisions for Ground Water Permitting and Monitoring
62-522.400	Dimensions of Zones of Discharge for Class G-I Ground Water

PURPOSE AND EFFECT: This rule chapter is being repealed and its provisions are being added to Chapter 62-520, F.A.C., along with other amendments to Chapter 62-520, F.A.C.

SUBJECT AREA TO BE ADDRESSED: The remaining provisions for ground water permitting and monitoring are being added to Chapter 62-520, F.A.C., as part of that chapter's rule development.

SPECIFIC AUTHORITY: 403.061 FS.

LAW IMPLEMENTED: 403.021, 403.061, 403.087, 403.088 FS.

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

DATE AND TIME: July 11, 2007, 1:00 p.m.

PLACE: Room 609, Bob Martinez Center, 2600 Blair Stone Road, 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: Donnie McClagherty, Bureau of Water Facilities Regulation, MS 3530, 2600 Blair Stone Road, Tallahassee, FL 32399-2400; telephone (850)245-8645. 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: Donnie McClagherty, Bureau of Water Facilities Regulation, MS 3530, 2600 Blair Stone Road, Tallahassee, FL 32399-2400; telephone (850)245-8645

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-730.182	RULE TITLE: Criteria to Determine Whether Changes Constitute a "Substantial Modification" at Certain Existing Hazardous Waste Facilities That Are Otherwise Exempt From Statutory Location Standards
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PURPOSE AND EFFECT: The rulemaking will fulfill a statutory requirement that the Department of Environmental Protection (DEP) adopt criteria to determine whether any proposed change at certain hazardous waste facilities constitutes a "substantial modification." Section 403.7211, F.S., establishes specific siting requirements for permitted hazardous waste facilities that manage hazardous waste generated offsite, including federal facilities with hazardous waste permits. DEP is prohibited from issuing a permit for the substantial modification of such facility unless the siting

requirements are met. The statute defines substantial modification as "any physical change in, change in the operations of, or addition to a facility which could increase the potential offsite impact, or risk of impact, from a release at that facility; and any change in permit conditions which is reasonably expected to lead to greater potential impacts or risks of impacts, from a release at that facility," and directs DEP to adopt criteria, by rule, to determine whether a facility has been substantially modified.

SUBJECT AREA TO BE ADDRESSED: This rule will establish criteria to determine whether a physical change in, change in the operations of, or addition to, a transfer facility or a hazardous waste treatment, storage, and disposal facility which receives waste generated off-site, including federal facilities, could increase the potential offsite impact, or risk of impact, from a release at that facility.

SPECIFIC AUTHORITY: 403.7211 FS.

LAW IMPLEMENTED: 403.7211 FS.

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

DATE AND TIME: August 23, 2007, 9:00 a.m.

PLACE: Bob Martinez Center, Conference Room 609, 2600 Blair Stone Road, 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 five days before the workshop/meeting by contacting: Julie Rainey at (850)245-8713 or julie.c.rainey@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: Julie Rainey, Environmental Manager, Hazardous Waste Regulation, Mail Station 4560, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)245-8713, julie.c.rainey@dep.state.fl.us

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

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE NO.: 64B1-3.004	RULE TITLE: Acupuncture Examination
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PURPOSE AND EFFECT: To address a change in the name of the approved exam.

SUBJECT AREA TO BE ADDRESSED: Acupuncture Examination.

SPECIFIC AUTHORITY: 456.017, 457.104 FS.

LAW IMPLEMENTED: 456.017, 457.104 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: Pam King, Executive Director, Board of Acupuncture, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-0750
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: 64B3-2.003
RULE TITLE: Definitions

PURPOSE AND EFFECT: The Board’s proposed amendment will define and specify that experience acquired as a part as a training program may not be used as pertinent clinical laboratory experience.

SUBJECT AREA TO BE ADDRESSED: Definitions.

SPECIFIC AUTHORITY: 483.805(4), 483.811(2) FS.

LAW IMPLEMENTED: 483.803, 483.811, 483.821, 483.823 FS.

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

DATE AND TIME: July 20, 2007, 9:00 a.m.

PLACE: The Sheraton Suites, 311 N. University Drive, Plantation, 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 five days before the workshop/meeting by contacting: the Board’s Call Center at (850)488-0595. 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: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B3-2.003 Definitions.

(1) through (18) No change.

(19) Manual Pretesting procedures means collecting and labeling specimens; initially separating specimens by centrifugation prior to testing; receiving specimens and requisitions, processing, sorting, accessioning, prior to testing

and delivering specimens to the appropriate testing sites; specimen processing for storage and shipping to a reference laboratory; routine hematology and microbiology slide preparation from a primary sample; loading automated stainers; loading specimens onto automated sampling or processing systems; prepare monolayer slides for cytology; cytopreparatory staining; measuring and aliquoting specimens; and direct primary inoculation of microbiology cultures. Placement of specimens onto an automated instrument or system is considered a manual pretesting duty, provided it does not include any activity that initiates the analytic process.

Specific Authority 483.805(4), 483.811(2) FS. Law Implemented 483.803, 483.811, 483.821, 483.823 FS. History–New 11-4-93, Formerly 61F3-2.003, Amended 11-21-94, 11-30-94, 12-26-94, 5-3-95, 7-12-95, Formerly 59O-2.003, Amended 3-19-98, 12-13-98, 3-28-99, 9-12-99, 11-15-99, 3-24-02, 10-30-02, 2-1-04, 1-8-06, 8-14-06,_____.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-9.0091
RULE TITLE: Requirement for Physician Office Registration; Inspection or Accreditation

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address physician trainees in office surgery settings.

SUBJECT AREA TO BE ADDRESSED: The exemption of physicians in post-graduate training programs from office surgery registration.

SPECIFIC AUTHORITY: 458.309(1), (3) FS.

LAW IMPLEMENTED: 456.069, 456.072(1)(cc), 458.309(3) 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 Opticianry

RULE NO.: 64B12-15.003
RULE TITLE: Standards for Continuing Professional Education

PURPOSE AND EFFECT: The Board proposes amending the rule to delete language regarding contact lens theory continuing education courses and add language regarding classroom disruptions by personal communication devices.

SUBJECT AREA TO BE ADDRESSED: Contact lens theory continuing education courses and personal communication devices in classroom settings.

SPECIFIC AUTHORITY: 456.013(7), 484.005, 484.008(3) FS.

LAW IMPLEMENTED: 456.013(6), (7), 484.008(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Sue Foster, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3253

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B12-15.003 Standards for Continuing Professional Education.

(1) through (2) No change.

(3) Continuing professional education courses must contribute to the advancement, extension or enhancement of professional skills and knowledge in the practice of opticianry or the management of a practice. For biennial renewal, twenty hours of continuing education shall be required as follows:

(a) Eleven (11) ~~Thirteen (13)~~ hours must be directly related to the technical practice of opticianry. If the licensee is a Board Certified Optician, four (4) of those eleven (11) ~~thirteen (13)~~ hours shall consist of technical courses related to contact lens theory and practice;

(b) through (c) No change.

(d) Two (2) hours must relate to the prevention of medical errors. The course must be approved by the Board and shall include a study of root-cause analysis, error reduction and prevention, and patient safety; and;

(e) through (f) No change.

(4) Upon application, a continuing education program which meets the following minimum criteria shall be approved by the Board. The program provider must document and submit at least the following:

(a) through (c) No change.

(d) The name and a current detailed curriculum vitae of any instructor or lecturer reflecting competency, qualifications, education, and experience in the subject matter;

(e) through (f) No change.

(g) For courses involving classroom instruction, a copy of rules designed to minimize classroom distractions ~~to which rules shall~~ include those against disruptive behavior not conducive to learning ~~talking~~, and the use of personal communication devices ~~cordless telephones or audible pagers~~;

(h) through (i) No change.

(5) through (7) No change.

Specific Authority 456.013(7), 484.005, 484.008(3) FS. Law Implemented 456.013(6), (7), 484.008(3) FS. History—New 10-12-80, Formerly 21P-15.03, Amended 3-5-87, 8-10-87, 10-29-87, 1-6-88, 6-11-92, Formerly 21P-15.003, Amended 4-17-94, Formerly 61G13-15.003, Amended 3-14-95, Formerly 59U-15.003, Amended 4-20-99, 12-31-00, 10-29-02, 4-23-03, 4-11-06,_____.

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: RULE TITLE:

64B15-14.006 Standards of Practice for Surgery

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

SUBJECT AREA TO BE ADDRESSED: Standards of Practice for Surgery.

SPECIFIC AUTHORITY: 459.005, 459.015(1)(z) FS.

LAW IMPLEMENTED: 459.015(1)(x), (z), (aa) 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

Division of Environmental Health

RULE NOS.: RULE TITLES:

64E-14.001 Migrant Farmworker Housing – General

64E-14.002 Definitions

64E-14.003 Construction Procedures

64E-14.004 Permit, Standards, Inspections, Violations, Complaints and Retaliation

64E-14.005 Application and Variance Fees

64E-14.006 Sites

64E-14.007 Buildings and Structures

64E-14.008 Water Supply

64E-14.009 Garbage and Refuse Disposal

64E-14.010	Insect and Rodent Control
64E-14.011	Heating
64E-14.012	Lighting
64E-14.013	Sewage and Liquid Waste Disposal
64E-14.014	Plumbing
64E-14.015	Personal Hygiene Facilities
64E-14.016	Field Sanitation Facilities
64E-14.017	Food Service Facilities
64E-14.018	Beds and Bedding
64E-14.019	Fire Protection
64E-14.020	Citations
64E-14.021	Responsibility of Operator
64E-14.022	Supervision
64E-14.023	Enforcement

PURPOSE AND EFFECT: The purpose of these proposed amendments is to conform department rules on migrant camps with changes to Sections 381.008, 381.0086 and 381.0087, Florida Statutes. The changes will update and clarify certain rule requirements. The proposed rule amendments will address definitions, inspections, forms, variances, personal hygiene facilities, food service facilities, beds and bedding, citations, animal health and safety and other matters to protect the health and safety of migrant and seasonal farm workers.

The effects of the changes will be to eliminate conflict between the rule and the underlying statutes and have a rule that is more easily understood by department staff, regulated industry and the general public.

SUBJECT AREA TO BE ADDRESSED: Migrant Labor Camps, Residential Migrant Housing, and Field Sanitation Facilities.

SPECIFIC AUTHORITY: 381.006, 381.0086 FS.

LAW IMPLEMENTED: 381.008, 381.0084, 381.0072, 381.0087 FS.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sharon Sautler, Environmental Specialist III, Bureau of Community Environmental Health, Department of Health, 4052 Bald Cypress Way, BIN A08, Tallahassee, Florida 32399-1712, (850)245-4277

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NOS.:	RULE TITLES:
65C-20.008	Application
65C-20.009	Staffing Requirements
65C-20.010	Health Related Requirements
65C-20.011	Health Records
65C-20.012	Enforcement

65C-20.013	Large Family Child Care Homes (LFCCH)
65C-20.014	Gold Seal Quality Care Program

PURPOSE AND EFFECT: The purpose of this workshop is to discuss proposed clarifications, amendments, and legislative mandates to Chapter 65C-20, F.A.C., Family Day Care Standards and Large Family Child Care Homes Standards. In addition, we will also be discussing creating Rule 65C-20.014, F.A.C., to reflect legislative mandates concerning the Gold Seal Quality Care Program.

SUBJECT AREA TO BE ADDRESSED: Family Day Care Standards, Large Family Child Care Homes Standards.

SPECIFIC AUTHORITY: 402.313 FS.

LAW IMPLEMENTED: 402.313 FS.

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

DATE AND TIME: July 10, 2007, 10:00 a.m. – 4:00 p.m.

PLACE: Florida Community College at Jacksonville, 101 West State Street, Auditorium Room A1068, Jacksonville, Florida 32202

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 Diana McKenzie (850)921-0701; www.myflorida.com/childcare. 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: Diana McKenzie (850)921-0701; www.myflorida.com/childcare
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NOS.:	RULE TITLES:
65C-22.001	General Information
65C-22.008	School Age Child Care
65C-22.009	Gold Seal Quality Care Program
65C-22.010	Enforcement

PURPOSE AND EFFECT: The purpose of this workshop will be to discuss proposed clarifications, amendments, and legislative mandates to Chapter 65C-22, F.A.C., Child Care Facility Standards. In addition we will also be discussing creating Rule 65C-22.009, F.A.C., to reflect legislative mandates concerning the Gold Seal Quality Care Program, and

creating Rule 65C-22.010, F.A.C., to reflect legislative mandates regarding the implementation of statewide uniform enforcement of procedures.

SUBJECT AREA TO BE ADDRESSED: Child Care Facility Standards.

SPECIFIC AUTHORITY: 402.305 FS

LAW IMPLEMENTED: 402.305 FS.

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

DATE AND TIME: July 10, 2007, 10:00 a.m. – 4:00 p.m.

PLACE: Florida Community College at Jacksonville, 101 West State Street, Auditorium Room A1068, Jacksonville, FL 32202
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 Diana McKenzie (850)921-00701, www.myflorida.com/childcare. 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: Diana McKenzie (850)921-00701, www.myflorida.com/childcare
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

Section II Proposed Rules

DEPARTMENT OF STATE

Division of Elections

RULE NO.: 1S-2.030	RULE TITLE: Electronic Transmission of Absentee Ballots
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PURPOSE AND EFFECT: The purpose of the proposed rule amendments is to update the rule to reflect legislative changes in Chapter 2005-277, Laws of Florida, relating to the oath in the voter’s certificate, and to provide procedures for the acceptance of voter absentee ballots via secure electronic transmission means approved by the Division of Elections. Effective January 1, 2006, Section 101.64, Florida Statutes, was revised to specify the use of a different oath to be placed on a voter’s certificate for absentee ballots for voters under the federal Uniformed and Overseas Citizens Absentee Voting Act. The law dictates that the standard oath prescribed by the presidential designee is to be used in lieu of the state statutory oath. This conforms with federal law under 42 U.S.C. s. 1973ff which provides that the presidential designee shall prescribe a standard oath for use with any document under this subchapter affirming that a material misstatement of fact in the completion

of such a document may constitute grounds for conviction for perjury.” Also effective January 1, 2006, Section 101.697, Florida Statutes, was revised to establish the option for electronic transmission other than via e-mail of absentee ballots for overseas voters provided such transmission can be made secured.

SUMMARY: The proposed rule amendment revises the oath to be placed on voter’s certificates for overseas voters, and provides the parameters under which overseas voters may vote absentee ballots via secure remote electronic access.

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

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

SPECIFIC AUTHORITY: 20.10(3), 97.012(1), 101.697 FS.

LAW IMPLEMENTED: 101.64, 101.65, 101.697 FS.

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

DATE AND TIME: Monday, July 23, 2007, 1:00 p.m. – 2:00 p.m.

PLACE: Florida Heritage Hall, Plaza Level, R.A. Gray Building, 500 S. Bronough 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: Maria I. Matthews, Assistant General Counsel, Office of the General Counsel, Division of Elections, Department of State, 500 S. Bronough Street, Tallahassee, Florida 32399-0250. 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: Maria I. Matthews, Assistant General Counsel, Office of the General Counsel, Division of Elections, Department of State, 500 S. Bronough Street, Tallahassee, Florida 32399-0250. Copies of the proposed rule are also available by contacting the Division of Elections at 1(850)245-6535, or online from the Division of Elections’ rules webpage at: <http://election.dos.state.fl.us/index.html> or from the Department of State’s E-rulemaking program at: www.flrules.org. Comments regarding the rule may also be submitted online via the E-rulemaking program.

THE FULL TEXT OF THE PROPOSED RULE IS:

1S-2.030 Electronic Transmission of Absentee Ballots.

(1) This rule applies solely to the electronic transmission of absentee ballots for overseas voters as defined in Section 97.021, F.S.

(2) Requests for absentee ballot. In addition to telephone or written request, the supervisor of elections may accept a request for an absentee ballot via facsimile or electronic mail from an overseas voter as defined in Section 97.021, F.S., and may accept a voted ballot pursuant to the provisions of this rule. The electronic or facsimile request for an absentee ballot must include:

- (a) The name of the voter requesting the ballot.
- (b) The voter's county of legal residence in Florida.
- (c) The voter's date of birth.
- (d) One of the following:

1. ~~If the voter wishes the ballot to be mailed, An APO/FPO or other deliverable overseas address, if the voter wishes the ballot to be mailed.~~

2. ~~If the voter wishes the ballot be faxed, A facsimile machine number where return information will be received, if the voter wishes the ballot to be faxed.~~

3. ~~If the voter wishes the ballot to be transmitted via electronic mail, The electronic mail address, if the voter wishes the ballot to be transmitted via electronic mail.~~

4. A signed application for an electronic ballot if the voter wishes the ballot to be transmitted or accessed by other secure electronic means that is approved by the Division of Elections for the county in which the voter is registered.

- (e) The voter's signature (facsimile requests only).

(3) Processing absentee ballot requests. Upon receipt of a request for an absentee ballot under these provisions, the supervisor must verify the information provided by the overseas voter and may only provide an absentee ballot if the supervisor determines that the overseas voter is a qualified and registered voter for the election. A request for a ballot to be faxed to the voter is valid for only the upcoming election or the one election specified by the voter.

(a)(4) Upon verification of the overseas voter's eligibility, the supervisor shall provide in accordance with the timeframes in Section 101.62, F.S., the appropriate absentee ballot, the instructions for voting and returning the ballot, and the Voter's Certificate to the overseas voter by the means requested by the voter in subsection (2).

(b)(5) The supervisor of elections shall record the date the request was made, the way the ballot was sent to the voter, and the date the absentee ballot was mailed or transmitted to the voter.

(c)(6) The supervisor of elections shall ensure that his or her transmitting and receiving equipment is in a secure location with access limited to employees of the supervisor and that the absentee ballot is sent directly to the address or number provided by the overseas voter. It is the overseas voter's responsibility to ensure the security of the receiving facsimile machine, or computer, or receiving unit.

(4)(7) Return of voted absentee ballot. An overseas voter may return a voted ballot either by facsimile, by mail, or by facsimile, or by other secure remote electronic access in accordance with subsection (8). Voted ballots returned by regular electronic mail will not be accepted.

(a)(8) Overseas voters returning a voted absentee ballot by facsimile must send the ballot and the Voter's Certificate directly to the fax number provided by the supervisor of elections or to a number provided by Federal Voting Assistance Program of the Department of Defense. In order for the ballot to be counted it must be received by the supervisor of elections no later than 7 p.m. on election day in the time zone for the county in which the overseas voter is registered.

(b)(9) Overseas voters returning by mail a mailing-back voted ballots initially received by electronic mail or fax must seal the ballot in an unmarked envelope, which is the security envelope. The Voter's Certificate and the security envelope should be placed in a separate ballot transmittal envelope for mailing. The ballot transmittal envelope should be marked "Absentee Ballot Enclosed."

(c) Overseas voters submitting a voted absentee ballot by secure remote electronic transmission must send an electronic version of the Voter's Certificate directly to the supervisor of elections. A paper version of the Voter's Certificate may be placed in a separate ballot transmittal envelope for mailing. In order for the ballot to be counted the electronic version must be received by the supervisor of elections no later than 7 p.m. on election day in the time zone for the county in which the overseas voter is registered.

(5)(4) Voter's Certificate. The Voter's Certificate for absentee ballots being sent by mail, electronic means or by facsimile to all overseas voters by mail, electronic means, or by fax shall be substantially as follows:

Note: Please Read Instructions Carefully Before Marking Ballot and Completing Voter's Certificate.

VOTER'S CERTIFICATE

I, _____, do solemnly swear or affirm, under penalty of perjury, that I am

Print Name

~~a qualified and registered voter of _____ County, Florida, and that I have not and will not vote more than one ballot in this election. I understand that if I commit or attempt to commit any fraud in connection with voting, vote a fraudulent ballot, or vote more than once in an election, I can be convicted of a felony of the third degree and fined up to \$5,000 and/or imprisoned for up to 5 years. I also understand that failure to sign this certificate will invalidate my ballot. I further swear or affirm, under penalty of perjury, that I am:~~

1. A member of the Uniformed Services or merchant marine on active duty; or an eligible spouse or dependent of such a member; or a U.S. citizen temporarily residing outside the U.S.; or Other U.S. citizen residing outside the U.S.; and

2. I am a U.S. citizen, at least 18 years of age (or will be by the date of the election), and

I am eligible to vote in the requested jurisdiction; and

3. I have not been convicted of a felony, or other disqualifying offense, or been adjudicated mentally incompetent, or, if so, my voting rights have been reinstated; and

4. I am not registering, requesting a ballot, or voting in any other jurisdiction in the U.S., except the jurisdiction cited in this voting form.

In voting, I have marked and sealed my ballot in private and have not allowed any person to observe the marking of the ballot, except for those authorized to assist voters under State or Federal law. I have not been influenced.

My signature and date below indicate when I completed this document. The information on this form is true, accurate and complete to the best of my knowledge. I understand that a material misstatement of fact in completion of this document may constitute grounds for a conviction for perjury.

Signed: _____ Date: _____

Voter's Signature Month/Day/Year Date

~~(6)(11)~~ Instructions to Overseas Voters. The instructions to be sent with the absentee ballot to all overseas voters shall be in substantially the following form:

(a) In order to ensure that your absentee ballot will be counted, it should be completed and returned as soon as possible so that it can reach the supervisor of elections of the county in which you are registered no later than 7 p.m. on the day of the election in the time zone for the county in which you are registered.

(b) Mark your ballot in secret as instructed on the ballot. You must mark your own ballot unless you are unable to do so because of blindness, disability, or inability to read or write.

(c) Mark only the number of candidate or issue choices for a race as indicated on the ballot. If you are allowed to "Vote for One" candidate and you vote for more than one candidate, your vote in that race will not be counted.

(d) In order for your ballot to be counted, you must also complete the Voter's Certificate, which must include your signature and ~~You must also include~~ the date you signed the Voter's Certificate ~~or your ballot may not be counted.~~ Failure to include a signature or a date means your ballot may not be counted.

(e) You may return your voted absentee ballot either by facsimile, ~~or~~ by mail, or by secure remote electronic access if such option is provided by the supervisor of elections for the county in which you are registered. A ~~v~~ voted ballots returned by regular electronic mail will not be counted.

(f) ~~To You may~~ fax your voted absentee ballot and the Voter's Certificate, fax the ballot and certificate to the supervisor of elections at (fax phone number) or to a fax number provided by the Federal Voting Assistance Program of the Department of Defense. If you fax your ballot and

certificate to a number provided by the Federal Voting Assistance Program, make sure there is sufficient time for the Federal Voting Assistance Program to transmit it to the supervisor of elections so that it is received by 7 p.m. on election day in the time zone for the county in which you are registered. If you fax your voted ballot, you will be voluntarily waiving your right to a secret ballot.

(g) To mail your voted absentee ballot and Voter's Certificate to the supervisor of elections:

1. Place your marked ballot in a secrecy envelope. If the ballot was mailed to you by the supervisor of elections, use the secrecy envelope sent to you. If your ballot was faxed to you or sent by electronic mail, place your marked ballot in an unmarked envelope and seal the envelope.

2. Insert the secrecy envelope inside a separate mailing envelope. If the ballot was mailed to you, use the mailing envelope provided and fill out the Voter's Certificate on the back. If the ballot was faxed to you or sent by electronic mail, place the sealed secrecy envelope and the completed Voter's Certificate in another envelope for mailing. Do not seal the Voter's Certificate in the secrecy envelope with the ballot. Clearly mark the mailing envelope "Absentee Ballot Enclosed".

3. Mail the ballot to the supervisor of elections. Be sure there is sufficient postage.

(h) To vote and transmit a voted absentee ballot and Voter's Certificate by secure remote electronic access, you must be registered in a county in which the supervisor of elections provides the option of voting by such transmission. Carefully follow the supplemental instructions given to you by the supervisor of elections to ensure that your ballot will be counted.

~~(i)(4)~~ FELONY NOTICE. It is a felony under Florida law to accept any gift, payment, or gratuity in exchange for your vote for a candidate. It is also a felony under Florida law to vote in an election using a false identity or false address, or under any other circumstances making your ballot false or fraudulent.

~~(7)(12)~~ Processing Returned Absentee Ballots.

(a) For each voted absentee ballot received from an overseas voter, the supervisor shall record the date such ballot was received and the means by which the ballot was returned.

(b) If any absentee voter mails the voted ballot to the supervisor of elections in an envelope other than an absentee ballot mailing envelope provided by the supervisor, the canvassing board is authorized to open the mailing envelope to determine if the Voter's Certificate is enclosed in the mailing envelope. If the Voter's Certificate is not enclosed, the secrecy envelope containing the ballot shall not be opened and the envelope shall be marked "Rejected as Illegal." If the Voter's Certificate is enclosed, the supervisor of elections shall verify the overseas voter's eligibility, and once verified, the ballot shall be processed as other absentee ballots.

~~(13) For each voted absentee ballot received from an overseas voter, the supervisor shall record the date such ballot was received.~~

~~(c)(14)~~ Upon receipt by facsimile of a voted absentee ballot ~~transmitted by fax~~, the supervisor of elections shall enclose the ballot in an envelope and seal it in order to preserve secrecy. The Voter's Certificate shall be attached to the envelope. Upon a determination by the canvassing board that the voter was eligible to vote, the ballot shall be removed from the envelope and duplicated so that it can be processed through the tabulating equipment.

~~(d)(15)~~ Upon ~~regular mail~~ receipt by mail of a voted absentee ballot that was originally sent via electronic mail or facsimile, the Voter's Certificate shall be reviewed. Upon determination by the canvassing board that the voter was eligible to vote, the ballot shall be removed from the envelope and duplicated so that it can be processed through the tabulating equipment.

(e) Upon receipt of a voted absentee ballot transmitted by secure remote electronic access in accordance with subsection (8), the electronic version of the Voter's Certificate shall be reviewed. Upon a determination by the canvassing board that the voter was eligible to vote, the ballot shall be selected for decryption and duplicated so that it can be processed through the tabulating equipment.

(8) Secure Remote Electronic Access. A supervisor of elections may provide the option of voting by secure remote electronic transmission of dated voted ballots, if the following requirements are met:

(a) The Supervisor of Elections must submit to the Division of Elections for approval a written plan on the procedures for secure remote electronic transmission. The plan must be submitted no later than four (4) months prior to its intended use in an election. The plan must provide at a minimum:

1. A timetable and process for notifying eligible overseas voters of the availability of voting an absentee ballot by secure remote electronic transmission.

2. The instructions to be given the overseas voters regarding voting by secure remote electronic transmission.

3. A timetable for the conduct of the election as it relates to the electronic transmission of absentee ballots.

4. A method of providing the blank ballot to the voter.

5. A method including the criteria for securing the submission of the ballot to the supervisor of elections.

6. The procedures for ensuring the physical security of the remote voting site for receipt and transmission of blank and voted absentee ballots.

(b) The minimum criteria for establishing the secure transmission of election material by electronic means must include:

1. Encrypted transmission of election material. Election material as the term is used in this rule includes the ballot, the passwords, and public/private encryption keys.

a. A public/private key encryption methodology that includes key generation under the control of the supervisor of elections.

b. A password protected private key that is held secure by the canvassing board and never transmitted or otherwise divulged by any means.

c. A password protected private key that is unique for each overseas voter to sign digitally the ballot for transmission and storage before decryption by the canvassing board.

2. The capability for auditing the secure remote voting application source code, and the capability for this application to be executed on a clean computer. A clean computer as the term is used herein means, at a minimum, that the baseline operating system is resident on its hard disk and no other software and driver is installed.

3. The capability to secure access to and from the overseas voter client and the voting server or the voting database platform.

4. The verification of the authenticity of the voter's identity before granting access to the transmission of election material.

5. The capability for the voter to determine that the secure transmission of election material was successful.

6. The capability for the canvassing board to segregate rejected ballots prior to decryption.

7. The capability to record the election material received by secure transmission.

~~(9)(46)~~ The supervisor of elections and the supervisor's staff shall take the steps necessary to keep the voted absentee ballots received by facsimile and secure remote electronic access as confidential as possible.

Specific Authority 20.10(3), 97.012(1), 101.697 FS. Law Implemented 101.62, ~~401.697~~, 101.64, 101.65, 101.697 FS. History—New 5-27-02, Amended 11-26-03, 9-13-04, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Maria Matthews, Assistant General Counsel, Office of General Counsel, Florida Department of State

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Amy Tuck, Director, Division of Elections

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 13, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 4, 2007

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

STATE BOARD OF ADMINISTRATION

RULE NOS.: RULE TITLES:
19-8.010 Reimbursement Contract
19-8.030 Insurer Responsibilities

PURPOSE AND EFFECT: The State Board of Administration of Florida, Florida Hurricane Catastrophe Fund, seeks to amend Rule 19-8.010, F.A.C., Reimbursement Contract, to address changes made to the law during the 2007 Special Legislative Session and the 2007 Regular Legislative Session and seeks to amend Rule 19-8.030, F.A.C., Insurer Responsibilities, to add a revision date to the reference in the rule to incorporated Form FHCF-EAP1, "Exposure Examination Advance Preparation Instructions" and incorporated Form FHCF-LAP1 "Loss Reimbursement Examination Advance Preparation Instructions."

SUMMARY: Rule 19-8.010, F.A.C., Reimbursement Contract: The proposed amendments to 19-8.010, F.A.C., contained in Addendum No. 4 to the Contract, prohibits a participant in the FHCF from selling, assigning, or transferring to a third party any right to receive sums from the FHCF and the proposed amendments to Rule 19-8.010, F.A.C., contained in Addendum No. 5 to the Contract, gives effect to the extension of FHCF coverage to policies of liquidated insurers taken over by Citizens Property Insurance Corporation provided by CS/SB 2498.

Rule 19-8.030, F.A.C., Insurer Responsibilities: An effective date or a revision date is required for all forms referenced for incorporation into a rule; the proposed changes add revision dates in the rule for forms FHCF-EAP1, "Exposure Examination Advance Preparation Instructions" and FHCF-LAP1 "Loss Reimbursement Examination Advance Preparation Instructions". The forms themselves already have the revision date on them.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Board has prepared a statement and found the cost of the proposed amendments to be minimal. Any person wishing 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: 215.555(3) FS.

LAW IMPLEMENTED: 215.555(4), (5), (16), (17) 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: Jack E. Nicholson, Senior FHCF Officer of the Florida Hurricane Catastrophe Fund, State Board of Administration, P. O. Box 13300, Tallahassee, FL 32317-3300; telephone (850)413-1340

THE FULL TEXT OF THE PROPOSED RULE IS:

19-8.010 Reimbursement Contract.

(1) through (12) No change.

(13) The reimbursement contract for the 2007-2008 contract year, including Addenda ~~1~~, ~~2~~, and ~~3~~, required by Section 215.555(4), F.S., which is called Form FHCF-2007K- "Reimbursement Contract" or "Contract" between (name of insurer) (the "Company")/NAIC #() and The State Board of Administration of the State of Florida ("SBA") which Administers the Florida Hurricane Catastrophe Fund ("FHCF"), is hereby adopted and incorporated by reference into this rule. This contract is effective from June 1, 2007 through May 31, 2008.

(14) No change.

Specific Authority 215.555(3) FS. Law Implemented 215.555 FS. History—New 5-31-94, Amended 8-29-95, 5-19-96, 6-19-97, 5-28-98, 5-17-99, 9-13-99, 6-19-00, 6-3-01, 6-2-02, 11-12-02, 5-13-03, 5-19-04, 8-29-04, 5-29-05, 11-13-05, 5-10-06, 9-5-06, 5-9-07,_____.

19-8.030 Insurer Responsibilities.

(1) through (7) No change.

(a) Advance Examination Record Requirements: Within 30 days from the date on the letter from the FHCF, Companies are required to provide the FHCF with the records indicated in the applicable Contract Year's Form FHCF-EAP1, "Exposure Examination Advance Preparation Instructions" rev. 05/07 or in the applicable Contract Year's Form FHCF-LAP1 "Loss Reimbursement Examination Advance Preparation Instructions", rev. 05/07. An extension of 30 days may be granted if the Insurer can show that the need for the additional time is due to circumstances beyond the reasonable control of the participant. These forms are hereby adopted and incorporated by reference into this rule. Copies of these forms may be obtained from the FHCF website, www.sbafla.com/fhcf or by contacting the State Board of Administration. The mailing address is P. O. Box 13300, Tallahassee, FL 32317-3300. The street address is 1801 Hermitage Blvd., Tallahassee, Florida 32308.

(b) through (11) No change.

Specific Authority 215.555(3); FS. Law Implemented 215.555 FS. History—New 5-13-03, Amended 5-19-04, 5-29-05, 5-10-06, 5-8-07,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Jack E. Nicholson, Senior FHCF Officer, State Board of Administration

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: The Trustees of the State Board of Administration of Florida

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 12, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 25, 2007, Vol. 33, No. 21

STATE BOARD OF ADMINISTRATION

RULE NO.: 19-15.001
RULE TITLE: Insurance Capital Build-Up Incentive Program

PURPOSE AND EFFECT: This rule is promulgated to implement Section 215.5595, Florida Statutes.

SUMMARY: The amendments to Rule 19-15.001, F.A.C., address the changes made to the Insurance Capital Build-Up Incentive Program during the 2007 Regular Legislative Session, add a street address for delivery of documents and note that certain documents may be filed electronically.

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

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

SPECIFIC AUTHORITY: 215.5595(6) FS.

LAW IMPLEMENTED: 215.5595(2), (3), (4), (5), (6), (7) 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: Jack E. Nicholson, Senior FHCF Officer of the Florida Hurricane Catastrophe Fund, State Board of Administration, P. O. Box 13300, Tallahassee, FL 32317-3300; telephone (850)413-1340

THE FULL TEXT OF THE PROPOSED RULE IS:

19-15.001 Insurance Capital Build-Up Incentive Program.

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

(g) "Insurer writing only manufactured housing" includes an Insurer that 1. is a Florida domiciled insurer that begins writing personal lines residential manufactured housing policies in Florida after March 1, 2007, and that removes a minimum of 50,000 policies from Citizens Property Insurance Corporation without accepting a bonus, provided at least 25 percent of its policies cover manufactured housing. Such an insurer may count any funds above the minimum capital and surplus requirement that were contributed into the insurer after

March 1, 2007, as new capital under this statute or 2. is a Florida domiciled insurer that writes at least 40 percent of its policies covering manufactured housing in Florida.

(h)(g) "Minimum Capital Contribution" means, with respect to Insurers who apply to the Board by July 1, 2006, a contribution of New Capital to its Surplus which is at least equal to the amount of the Surplus Note. "Minimum Capital Contribution" means, with respect to all other applicants applying after July 1, 2006 and before June 1, 2007, a contribution to its Surplus that is twice the amount of the Surplus Note. For insurers writing only manufactured housing as defined in paragraph (3)(g), the New Capital Contribution is required to be equal to the amount of the Surplus Note amount subject to paragraph (3)(i), below.

(i)(h) "Minimum Required Surplus" means, for purposes of this Program, that the Insurer's total Surplus, after the issuance of the Surplus Note and New Capital contribution equals at least \$14 million for Insurers writing only manufactured housing policies and \$50 million for all other Insurers.

(j)(i) "Minimum Writing Ratio" means a 2:1 ratio of Net Written Premium to Surplus except as to a newly formed Insurer writing only manufactured housing policies. The "Minimum Writing Ratio" for an Insurer writing only manufactured housing policies shall be the ratio provisions provided in Section 624.4095, F.S.

(k)(j) "Net Written Premium" means direct Premium plus assumed Premium less ceded Premium.

(l)(k) "New Capital" must be in the form of Cash or Cash Equivalents and be recorded as additional paid-in capital or new stock issued. New Capital does not include Citizens Property Insurance Corporation take-out bonuses pursuant to Section 627.3511, F.S. Except as provided below, a New Capital contribution does not constitute contributions by the Insurer made prior to the Insurer's application date for the Surplus Note or any other funds contributed to the Insurer's Surplus which are made for purposes other than in conjunction with the requirements of the Program. New Capital may include the initial contribution to surplus for a new Insurer if such Insurer has been formed in order to participate in the insurance Capital Build-up Incentive Program and the capital contribution was made in conjunction with the Insurer applying for the surplus note. An insurer described in subparagraph (3)(g)1., above, may count any funds above the minimum capital and surplus requirement that were contributed into the insurer after March 1, 2007, as new capital.

(m)(l) "Surplus Note" means the Surplus Note issued by the Insurer to the Board.

(n)(m) "Office" means the Office of Insurance Regulation, which was created in Section 20.121(3), F.S.

(o)(n) "Premium" means premiums relating to residential property insurance in Florida including the peril of wind.

(p)(e) "Program" means the Insurance Capital Build-Up Incentive Program created by Section 215.5595, F.S.

(q)(f) "Substantial Impairment" or "Substantially Impair" means that the Commissioner of Insurance Regulation (Commissioner) has solvency concerns that the Insurer may not be able to meet the obligations of its policyholders and has provided the Board with a written explanation.

(r)(g) "Surplus" means the Insurer's admitted assets less the Insurer's liabilities and refers to the entire Surplus of the Insurer.

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

(b) Insurers who apply to the Board after July 1, 2006, other than insurers writing only manufactured housing, but before June 1, 2007, must contribute an amount of New Capital to its Surplus which is at least twice the amount of the Surplus Note requested.

(c) Insurers must submit a completed application including supplying all the required documentation to the Board. The application, Form SBA 15-1, rev. 09/07 ~~2/07~~, is hereby adopted and incorporated by reference into this rule. This Form is available on the Board's website, www.sbafla.com, under "Insurance Capital Build-Up Incentive Program".

(d) Prior to the time the application, Form SBA 15-1, rev. 09/07 ~~06/07~~, is submitted, the Insurer must review and accept the terms of the Surplus Note, Form SBA 15-2, rev. 09/07 ~~06/07~~, which is hereby adopted and incorporated by reference into this rule. The Surplus Note is available on the Board's website, www.sbafla.com, under "Insurance Capital Build-Up Incentive Program".

(e) through (h) No change.

(i) The Insurer must commit to meeting the Minimum Writing Ratio of Net Written Premium for the term of the Surplus Note and must submit quarterly filings to the Office and the Board. The quarterly filings shall be on Form SBA 15-3, rev. 09/07 ~~06/07~~, which is hereby adopted and incorporated by reference into this rule. This Form is available on the Board's website, www.sbafla.com, under "Insurance Capital Build-Up Incentive Program".

(j) through (7) No change.

(a) In addition to Insurers submitting the Surplus Note application, SBA Form 15-1, rev. 09/07 ~~06/07~~, the Board may request additional information and data prior to the time the Surplus Note is executed. Such additional information may consist of additional documentation, answers to questions that arise as a result of the review process, and additional information solicited through oral interviews.

(b) through (9)(a)1. No change.

2. Failure to submit quarterly filings of Form SBA 15-3, rev. 09/07 ~~06/07~~, to the Office.

3. Failure to maintain the Minimum Required Surplus except for situations involving the payment of losses resulting from a catastrophic event or a series of events resulting in catastrophic losses or where Minimum Required Surplus is

reduced as a result of the accounting treatment for deferred acquisition costs or where Minimum Required Surplus is reduced as a result of the repayment of principal.

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

Specific Authority 215.5595 FS. Law Implemented 215.5595(2), (2)(c), (d), (e), (g) FS. History--New 2-22-07, Amended 6-3-07, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jack E. Nicholson, Senior FHCF Officer, Florida Hurricane Catastrophe Fund, State Board of Administration of Florida

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: The Trustees of the State Board of Administration of Florida

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 12, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 25, 2007, Vol. 33, No. 21

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-302.1031
 RULE TITLE: Correctional Probation Officers: Appointment and Responsibility

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to incorporate the responsibilities of correctional probation officers and the Department's policy on violating offenders.

SUMMARY: The rule requires correctional probation officers to notify the sentencing or releasing authority whenever the officer has reasonable grounds to believe that a willful violation of any condition of supervision has occurred.

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

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

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

33-302.1031 Correctional Probation Officers: Appointment and Responsibility.

Officers are appointed by the State of Florida under the authority of the Department of Corrections and are responsible for supervision and control of offenders, including the enforcement of conditions of supervision, conducting investigations and initiating arrest of offenders under their supervision as appropriate with or without warrant. Officers will notify the sentencing or releasing authority whenever the officer has reasonable grounds to believe that a willful violation of any condition of supervision has occurred.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Bruce Grant, Assistant Secretary for Community Corrections
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Laura Bedard, Deputy Secretary
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 10, 2007
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 25, 2007

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

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

PURPOSE AND EFFECT: The purpose of the rule development is to clarify the language of two noticed general permits in Chapter 40B-400, F.A.C., for Florida Department of Transportation (FDOT) projects. The effect of the proposed rule amendments will provide for better use of District rules that regularly apply to FDOT projects.

SUMMARY: These proposed amendments will address specific noticed general permits in Chapter 40B-400, F.A.C., for FDOT projects for adding paved shoulders to meet safety standards, extending existing culverts, in-kind bridge replacements, addition of pedestrian or bicycle facilities, and other existing design criteria that are not necessarily appropriate for roadway projects.

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

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

SPECIFIC AUTHORITY: 373.044, 373.113, 373.118 FS.
 LAW IMPLEMENTED: 373.118, 373.413, 373.416, 373.426 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Linda Welch, Administrative Assistant, Suwannee River Water Management District, 9225 C.R. 49, Live Oak, Florida 32060, (386)362-1001 or (800)226-1066 (FL only)

THE FULL TEXT OF THE PROPOSED RULES IS:

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

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

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

(b) through (2)(k) No change.

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

(m) No change.

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

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

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

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

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

NAME OF PERSON ORIGINATING PROPOSED RULE: Jon Dinges, Director, Resource Management, Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida 32060, (386)362-1001
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Governing Board of the Suwannee River Water Management District
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 12, 2007
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 20, 2007

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.: 61J1-4.010
RULE TITLE: Supervision and Training of Registered Trainee Appraisers

PURPOSE AND EFFECT: The purpose and effect is to eliminate “client name and address” as a required entry in appraisal logs that are to be maintained by both the registered trainee appraiser and the supervisory appraiser.

SUMMARY: In this rule amendment, “client name and address” as a required entry in appraisal logs that are to be maintained by both the registered trainee appraiser and the supervisory appraiser is eliminated.

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

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

SPECIFIC AUTHORITY: 475.614 FS.
LAW IMPLEMENTED: 475.611, 475.6221, 475.6222 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: Thomas W. O’Bryant, Jr., Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J1-4.010 Supervision and Training of Registered Trainee Appraisers.

- (1) through (5) No change.
- (6) Appraisal logs shall be maintained by both the registered trainee appraiser and the supervisory appraiser in a format determined by the Department and shall, at a minimum, include the following for each appraisal:
 - (a) Type of property;
 - (b) Date of report;
 - ~~(c) Client name and address;~~
 - ~~(c)(d)~~ Address of appraised property;
 - ~~(d)(e)~~ Description of work performed; and
 - ~~(e)(f)~~ Number of work hours.
- (7) through (10) No change.

Specific Authority 475.614 FS. Law Implemented 475.611, 475.6221, 475.6222 FS. History–New 2-16-04, Amended 3-1-06, 12-4-06, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Real Estate Appraisal Board
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Real Estate Appraisal Board
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 16, 2007
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 1, 2007

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 NO.: 62-343.110
RULE TITLE: Duration of Permits

PURPOSE AND EFFECT: The existing rule requires the Department to inspect a permitted system upon receipt of the permittee’s notice of completion of construction prior to converting to the operation phase. The proposed rule changes this so that the Department can authorize conversion to the operation phase with or without the Department’s inspection.

SUMMARY: Amend the procedures for converting an Environmental Resource Permit from the construction phase to the operation phase.

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

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

SPECIFIC AUTHORITY: 373.026(7), 373.043, 373.118, 373.414, 373.418, 373.421 FS.

LAW IMPLEMENTED: 373.413, 373.414, 373.416, 373.426 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: Alice Heathcock, Florida Department of Environmental Protection, Office of Submerged Lands and Environmental Resources, MS 2500, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8483, or e-mail: Alice.Heathcock@dep.state.fl.us. Further information and updates on this proposed rule also may be obtained from the Department’s Web Site at: <http://www.dep.state.fl.us/water/wetlands/erp/rules/rulestat.htm>. (OGC No. 07-0642).

THE FULL TEXT OF THE PROPOSED RULE IS:

62-343.110 Duration of Permits.

(1) Unless revoked, extended or otherwise modified, the duration of a permit under this Chapter is:

(a) through (c) No change.

(d) Perpetual for the operation and maintenance phase of a standard general or individual permit. Unless otherwise specified in the permit, the operation phase of a permit shall not become effective until:

1. The permittee or authorized agent has, within thirty (30) days after completion of construction of the permitted activity, filed a written statement of completion and certification by ~~a the appropriate~~ registered professional engineer or other individual as required by Chapter 471, 472, 481 or 493, F.S., utilizing Form 62-343.900(5), indicating that the system is constructed and ready for inspection, and complied with all other general and specific conditions of the permit; and

~~2. The Department has inspected and determined that the permitted system meets all the provisions of the permit; and~~

~~2.3.~~ No change.

(2) No change.

Specific Authority 373.026(7), 373.043, 373.118, 373.414, 373.418, 373.421 FS. Law Implemented 373.413, 373.414, 373.416, 373.426 FS. History–New 7-4-95, Amended 8-14-96,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Janet G. Llewellyn, Director, Division of Water Resource Management

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Michael W. Sole, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 9, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 25, 2007

DEPARTMENT OF JUVENILE JUSTICE

Probation

RULE NOS.:	RULE TITLES:
63D-6.001	Purpose and Scope
63D-6.002	Definitions
63D-6.003	Facility-Based Program Model
63D-6.004	Community Supervision Model
63D-6.005	Common Elements of Facility-Based and Community Supervision Models
63D-6.006	Admission and Orientation for Youth Committed as Minimum Risk
63D-6.007	Progress Reports
63D-6.008	Release

PURPOSE AND EFFECT: The rule establishes the standards and procedures for the provision of day treatment, facility-based and community supervision services to youths on probation, conditional release or who are committed to a minimum-risk nonresidential program.

SUMMARY: The rule describes facility-based and community supervision models, along with their common elements. Admission, supervision and release procedures are described.

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

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

SPECIFIC AUTHORITY: 985.435, 985.601, 985.64 FS.

LAW IMPLEMENTED: 985.03, 985.433, 985.435, 985.601 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:

DATE AND TIME: Tuesday, July 17, 2007, 10:00 a.m.

PLACE: DJJ Headquarters, 2737 Centerview Dr., General Counsel’s Conference Room 312, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Lydia Monroe, 2737 Centerview Dr., Ste. 312, Tallahassee, FL 32399-3100, e-mail: lydia.monroe@djj.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

63D-6.001 Purpose and Scope.

This rule establishes the standards and procedures for the provision of day treatment, facility-based, and community supervision services to youths on probation, conditional release or committed to a minimum-risk nonresidential program. These standards and procedures focus on the requirements of the contract provider agencies that deliver such services, and also focus on the process followed by departmental staff when making referrals to such programs. Other standards and requirements for the Juvenile Probation Officer making the referral or assisting in the exit of the youth from the provider program are included in Rule Chapters 63D-5 and 63D-7, F.A.C.

Specific Authority 985.435, 985.601, 985.64 FS. Law Implemented 985.03, 985.433, 985.435, 985.601 FS. History—New _____.

63D-6.002 Definitions.

For purposes of this rule chapter, the following terms shall be defined as follows:

(1) Central Communication Center (CCC) – The CCC is a 24-hour, 7-day per week system to which incidents occurring at department or contract operated facilities or programs are reported.

(2) Commitment/Transfer Packet – A compilation of legal, medical, mental health, substance abuse, and social history documents provided to a residential commitment program for each youth admitted to the program.

(3) Commitment/Transfer Packet Checklist – A checklist to ensure that documents needed for an admission, including transfer, to a residential commitment program are included in the Commitment/Transfer Packet. The Commitment/Transfer Packet checklist (JJIS Form 20, September 2006) is incorporated into this rule and is accessible electronically at <http://www.djj.state.fl.us/forms/residential_rule63E_forms.html>.

(4) Community Supervision Services Program – Within the array of services available for youth being released from residential commitment facilities back to the community is a treatment option in which the youth is supervised outside a campus setting in the community by staff of an agency contracted to provide deliverables such as supervision, family counseling, service referrals and skill training based upon an individualized assessment of the youth's risks and needs.

(5) Conditional Release – The assessments, services, and supervision provided to families and to youth who are released from residential commitment programs. Under the legal status

of conditional release the youth remains on commitment status subject to transfer through the department's process governing transfers.

(6) Criminogenic needs/risk factors – Research in the area of juvenile delinquency has documented critical factors in predicting future criminal behavior. The PACT recognizes these factors and classifies them into critical domain areas known to influence criminal behavior. The JPO and JPO Supervisor use this data to measure the individual risk posed by each youth and to design a plan most responsive to reducing the level of risk posed by each factor.

(7) Facility-Based Program – Within the array of services available for youth being released from residential commitment facilities back to the community is a treatment option in which the youth can attend school or receive treatment services or both based upon an individualized assessment of the youth's risks and needs on a campus setting purchased from a provider organization.

(8) Juvenile Justice Information System (JJIS) – The department's electronic information system used to gather and store information on youth having contact with the department.

(9) Juvenile Probation Officer (JPO) – The Juvenile Probation Officer (JPO) serves as the primary case manager for the purpose of managing, coordinating and monitoring the services provided and sanctions required for youth on probation, post-commitment probation or conditional release supervision. In this chapter whenever a reference is made to the tasks and duties of a JPO it shall also apply to case management staff of a provider agency contracted to perform these duties and tasks.

(10) Juvenile Probation Officer Supervisor (JPOS) – A Juvenile Probation Officer Supervisor (JPOS) provides front line oversight and management of the JPOs in the unit. The JPOS is responsible for overall direction and guidance of the services provided by the JPO including but not limited to reviewing the progress of cases, documenting compliance with law and court orders, and approving intervention plans and revisions to intervention plans. In this chapter whenever a reference is made to the tasks and duties of a JPOS it shall also apply to case management staff supervisor of a provider agency contracted to perform these duties and tasks.

(11) Minimum-risk Nonresidential Programs – Program models at this commitment level work with youth who remain at home and participate at least 5 days per week in a day treatment program. Youth assessed and classified for programs at this commitment level represent a minimum risk to themselves and public safety and do not require placement and services in residential settings. Youth in this level have full access to, and reside in, the community.

(12) Positive Achievement Change Tool (PACT) – As incorporated in subsection 63D-5.002(4), F.A.C.

(13) Pre-Release Notification and Acknowledgement Form (PRN) – As incorporated in Rule 63E-7.002, F.A.C.

(14) Probation – The legal status created by law and court order in cases involving a youth who has been found to have committed a delinquent act. Similar to adult probation; it includes the supervision of juveniles by a JPO.

(15) Youth-Empowered Success Plan (YES Plan) –As incorporated in subsection 63D-5.002(6), F.A.C.

Specific Authority 985.435, 985.601, 985.64 FS. Law Implemented 985.03, 985.433, 985.435, 985.601 FS. History–New _____.

63D-6.003 Facility-Based Program Model.

(1) Safety and welfare standards of facility-based programs shall incorporate the following:

(a) The physical plant of a facility-based program shall meet the following standards:

1. All indoor areas and attached buildings shall be clean, neat and well maintained. No graffiti shall be allowed to remain on walls doors or windows.

2. Weekly sanitation and safety inspections of all internal and external areas and equipment must be conducted to ensure that the facility is clean and in good repair. Inspections shall be documented in writing.

3. To help ensure that the facility is clean and in good repair a maintenance and housekeeping plan must be developed and employed.

4. For programs that operate during evening hours, the facility perimeter and grounds must be lit.

5. Separate bathroom facilities must be provided for males and females. For every 30 youths, there must be one operable toilet and washbasin with hot and cold running water and antibacterial soap.

6. Space must be available for private counseling, group meetings and classrooms.

(b) Facility-based programs must have a comprehensive safety regimen that includes:

1. Fire prevention.

2. Smoking shall not be permitted in the facility. Any designated smoking areas must be outside of the facility and clearly marked.

3. A fire alarm and automatic detection system is required. All staff and youth must be trained in the operation of the alarm system.

4. Fire protection equipment must be available at strategic locations throughout the facility, and must be checked quarterly. All staff and youth must be trained in the proper operation and use of available equipment.

5. Fire drill procedures must be approved by the State Fire Marshal or local fire officials, and must include the following:

a. Unannounced fire drills conducted at least monthly.

b. Drills must be conducted under varied conditions and across all shifts.

c. All fire drills must be documented in the Fire Safety Log.

6. A Fire Safety Log must be kept in the facility, and must contain a record of annual fire safety inspections, a summary of all deficiencies found by fire officials, a record of corrections, and the results of periodic fire safety inspections and equipment checks.

(c) An evacuation plan shall specify routes of evacuation and provisions for medical care or hospital transportation for youths and staff.

1. The evacuation plan shall provide that the program director or supervisor in charge shall make the decision to evacuate the facility, and the notice to evacuate must be clearly communicated.

2. Staff members in each area must help control the exit of youths and visitors in an orderly manner.

3. Staff must be alerted to the location of available alarm boxes and outside telephones.

4. A written emergency disaster plan must be reviewed annually, updated as needed, and detail the procedures for fire, severe weather, hurricane and tornado warnings, flooding, youth riots, hostage taking, chemical spills and bomb threats.

5. A current listing of telephone numbers for local emergency departments must be posted next to every facility telephone.

6. Programs that allow youths to participate in water related recreational activities must have a water safety plan. The program must provide one certified lifeguard for every eight participating youths. Youths must take a swim test prior to any swimming activities.

(d) The program shall provide for the prompt notification of a youth's parent or guardian in cases of serious illness, injury or death.

(e) Programs providing meals must comply with the following requirements:

1. The food service and dining area must be clean and well maintained.

2. A nutritionist, dietitian or physician shall annually approve the nutritional value of the food served.

3. There must be a single menu for staff and youth.

(f) Facility-based programs must provide daily transportation to and from the program, or must arrange for such transportation.

1. All program vehicles that transport youths must receive an annual inspection by a certified mechanic.

2. Staff transporting youth must have current, valid driver licenses.

3. Program vehicles must have current insurance and automobile registration.

4. A youth cannot be denied services or penalized because of the lack of transportation.

5. All vehicles must be locked when not in use.

6. Youth must wear seat belts while the vehicle is in operation.

(2) Facility-based programs shall meet the following standards of operation and administration:

(a) The program director is responsible for maintaining information on the program and reporting to the department.

(b) Monthly reports shall be submitted to the department detailing major developments, incidents and population data.

(c) Youths listed on the program roster must match the census report in JJIS.

(d) Statistical information must be maintained, including monthly data on admissions, releases, transfers, absconds, abuse reports, medical and mental health emergencies, incidents, personnel actions, volunteer hours and average length of stay.

(e) The program must comply with the department's CCC incident reporting requirements.

(f) A daily facility log must be maintained for staff to record significant program activities, events and incidents. Special attention must be given to entries impacting the safety and security of the program, which must be highlighted to ensure attention.

1. The program director must review the log on a bi-weekly basis, taking action where appropriate. Any action taken must be documented in the log.

2. All staff should read and initial each page in the daily log at the beginning of their shift.

3. Log entries shall be brief, and legibly written in ink. Recording errors must be struck through with a single line, with "void" written by the error and the correction initialed by staff.

4. Each log entry must provide the following information:

a. Date and time of incident;

b. Name of the youth and staff involved;

c. Brief statement of pertinent information; and

d. Name of the person making the entry with the date, time of entry and signature.

(g) Staff must comply with the training requirements as outlined in Chapter 63H-1, F.A.C. (Protective Action Response), and Rules 63H-2.004 and 63H-2.006, F.A.C.

(3) Facility-based programs shall have the following program design components:

(a) Facility-based programs shall have a written description of program design, educational goals and objectives. A mission statement encompassing the mission of the department must be understood by staff, reviewed annually and updated as necessary.

(b) Daily activity schedules must be developed and substantially followed. This shall include structured outdoor/indoor recreational and leisure activities that teach values and encourage sportsmanship.

(c) All instances of time-out, in-program suspension and privilege suspension shall be logged, dated and signed by staff implementing the discipline. Supervisory staff must review the log daily.

(d) The program must have a behavior management system that provides a system of privileges and consequences to encourage youths to fulfill programmatic expectations. Consequences for violating program rules must be fair and have a direct correlation to the inappropriate behavior. The use of program restriction shall not exceed seven consecutive days.

1. Disciplinary procedures shall be carried out promptly.

2. No youth or group of youths shall be allowed to control, have authority over, or otherwise discipline any other youth. Discipline or authority must never be delegated to youths.

3. Rules shall be conspicuously posted.

4. All discipline problems must be clearly documented in the youth's file.

5. The use of "time-out" must be limited to one hour, and may only be used as a "cooling-off" period.

a. Youths in time-out must be visually observed by a staff member at least every ten (10) minutes, or be under constant sight and sound supervision if assessed to be at risk for suicide.

b. Locked time-out rooms are prohibited.

c. Youths in time-out shall not be denied regular meals, healthcare, accommodation of religious needs, or staff assistance.

6. Privilege suspension may include denial of participation in recreational activities and other activities outside the program. Privilege suspension shall not include loss of regular meals, healthcare services, contact with parent(s) or guardian(s), or legal assistance. Prior to privilege suspension, staff must explain to the youth the reason for the restriction, and shall give the youth an opportunity to explain the behavior leading to the suspension.

Specific Authority 985.435, 985.601, 985.64 FS. Law Implemented 985.03, 985.433, 985.435, 985.601 FS. History—New _____.

63D-6.004 Community Supervision Model.

(1) The staff of a non-facility based community supervision program must document all contacts with youth. This includes contacts made by volunteers and interns.

(2) Contacts must focus on the youth's needs and risks, with a major emphasis on coaching the youth toward successful completion of the YES Plan.

(a) Staff must use contacts to model positive behavior for the youth.

(b) Staff must make contact in a variety of locations and settings. Primary settings are home, school and at community service sites. Other settings will be driven by the YES Plan. Contact must be made during various hours of the day so that the youth cannot readily predict when a visit will occur.

(c) Contacts made by agency partners with the youth do not meet the face-to-face contacts required of the staff of a community-based program.

(d) Staff must maintain regular contact with school personnel, employers, treatment providers, community work coordinators, conditional release contracted agents, and other partners. These collateral contacts are made to verify completion of supervision goals, to monitor progress and to coordinate services.

(e) Community-based programs must adhere to a contact and supervision schedule that proceeds through three phases. Phase one is mandatory, regardless of a youth's behavior in the program. Subsequent movements into phases two and three must be determined by the youth's progress on YES Plan goals, and all movement between phases must be approved by the supervisor and documented.

1. Phase one extends for at least the first six weeks of supervision, and consists of five contacts per week, four of which must involve face-to-face contact with the youth. An additional contact must be made with a parent or guardian, as well as at least one collateral contact.

2. Phase two consists of four contacts, two of which must be face-to-face with the youth. An additional contact must be made with a parent or guardian, as well as at least one collateral contact.

3. Phase three consists of two contacts, one of which must be face-to-face with the youth. Every two weeks, an additional contact with a parent or guardian must be made, as well as a collateral contact.

(3) The staff of a community-based program must continuously coordinate and communicate with the assigned JPO.

(a) The program must inform the JPO of a youth's performance, and must copy the JPO on all correspondence with the committing court.

(b) Community-based program staff must staff the case with the JPO before recommending that the court release the youth. The JPO must complete a PACT re-assessment prior to staffing the case to ensure that criminogenic needs identified in the PACT assessment have been addressed.

Specific Authority 985.435, 985.601, 985.64 FS, Law Implemented 985.03, 985.433, 985.435, 985.601 FS. History—New _____.

63D-6.005 Common Elements of Facility-Based and Community Supervision Models.

(1) Within seven days of a youth's admission, staff must complete a needs assessment. This must include a review of all prior PACT assessments. If a PACT re-assessment was completed within the last 45 days, a new needs assessment is not required.

(a) The needs assessment must include consideration of the following:

1. Criminal history;

2. School history;

3. Use of free time;

4. Employment history;

5. Relationships;

6. Family history;

7. Alcohol and drug history;

8. Attitudes and behaviors;

9. History of aggression; and

10. Skills.

(b) Programs shall conduct pre- and post-testing to evaluate a youth's academic competencies, employability skills, social skills and life skills.

(c) Services identified in the needs assessment shall be incorporated into the YES Plan. Appropriate referrals must be made and documented. The YES Plan must be modified to reflect the referral, initiation and completion of services.

(d) Program staff and the assigned JPO will facilitate transportation for services identified in the needs assessment.

(2) Upon completion of the youth's needs assessment, and within 14 days of the youth's admission, the staff of a community-based program, the youth, and the parent(s) or guardian(s) will negotiate and develop a YES Plan. In particular, the youth and family should be consulted to identify goals and to assess their ability to fulfill their responsibilities. During plan development, the youth and parents or guardians must be informed of the consequences of failing to fulfill the goals of the plan. Inability to obtain parental involvement and efforts made to engage the parent(s) or guardian(s) must be documented.

(a) The plan must be performance based, with measurable and positive objectives, described outcomes, and the ultimate benefit being successful termination from the program.

(b) Objectives described in the plan must address:

1. Public safety, accountability and competency development;

2. Court ordered sanctions and treatment goals; and

3. Mutually agreed upon interventions discovered in the course of working with the youth and parent(s) or guardian(s).

(c) Each goal must identify the major action steps required for achievement, and the individual(s) primarily responsible for each step. Realistic target dates must be recorded for each goal and action step.

(d) The youth, the staff of a community-based program, the supervisor, and the parent(s) or guardian(s) must sign the YES Plan. Staff must provide the youth and parent(s) or guardian(s) with a legible copy of the plan.

(3) YES Plans must be modified as follows:

(a) Completed goals shall be documented on the plan.

(b) When voluntary goals are added to address newly identified needs, the plan must be modified to reflect the addition.

(c) If the youth received subsequent dispositions due to pending cases or new violations, the staff of a community-based program must update the original plan to reflect changed sanctions, treatment goals, and court ordered conditions.

(d) Staff and youth must initial changes on the YES Plan.

(4) Staff of a community-based program must routinely review YES Plans with the youth and the parent(s) or guardian(s), making modifications when necessary. Formal reviews must occur every 90 days. Staff should call attention to the accomplished goals and the need to address those that have not been accomplished. The youth and the parent(s) or guardian(s) must initial the plan to indicate that it was reviewed with them.

(5) Service provision in both the facility-based model and the community supervision model must include:

(a) Group counseling, based on established group counseling principles, at a minimum of five days per week. If clinical counseling is provided, the groups must be facilitated by a licensed clinician.

(b) Family involvement and family counseling, as needed.

(c) Substance abuse services that include alcohol and other drug abuse, assessments, awareness, education, and treatment.

(d) Mental health services by licensed mental health professionals, as needed.

(e) Services that teach youths the consequences of their criminal behavior, and focus on their need to make reparation to victims and communities.

(f) Non-clinical individual and crisis counseling.

(g) Skills training that include social skills, life skill, positive alternatives to aggressive behavior, and skills for responding effectively to stress.

(h) Pre-employment, employment education, or vocational training.

(j) Independent living skills.

(k) Facilitating transportation for appointments, job interviews and other activities.

(l) In addition to the array of services listed in paragraphs (a) through (j) above the facility based model must also provide structured activities, including physical activities teaching social skills and sportsmanship, and extracurricular activities that encourage creative and performing arts, gender issues, and spiritual development.

Specific Authority 985.435, 985.601, 985.64 FS. Law Implemented 985.03, 985.433, 985.435, 985.601 FS. History—New

63D-6.006 Admission and Orientation for Youth Committed as Minimum Risk.

(1) To ensure continuity of services for youth committed to a minimum-risk nonresidential program, it is critical that staff of the community-based program receive a complete commitment packet. Staff must inspect the commitment packet

using the Commitment Packet Checklist. With the exception of the commitment order, missing documents are not grounds to reject a youth's admission.

(a) If a youth arrives at a nonresidential program without a copy of the commitment order, staff must immediately contact the JPO or JPO supervisor and request the order be faxed immediately so that the youth can be admitted.

(b) If documents other than the commitment order are missing from the packet, the youth shall be admitted and staff shall immediately notify the JPO or JPO supervisor to request the missing documents.

(c) If admitting staff discover conflicts in the commitment order, the assigned JPO or JPO supervisor must be contacted and informed of the conflict.

(2) Notification of admission:

(a) Within 24 hours of a youth's admission to a nonresidential program, staff must provide written notification to the youth's parent(s) or guardian(s). A copy of the notification must be filed in the youth's case file.

1. The notification must include a brief overview of the program.

2. If the program includes scheduled recreational activities, the parent or guardian must advise the program if there is an objection to the youth's participation due to a physical or medical problem. The parent or guardian must be informed that any such objection must be accompanied by written documentation from a physician.

(b) Within 30 days of admission of a committed youth, the program director or supervisor must provide written documentation to the court, including a copy of the initial YES Plan. The notification must indicate that the program will provide quarterly progress reports, unless otherwise ordered by the court. A copy of the notification and the YES Plan must be sent to the JPO, parent or guardian, state attorney, and the youth's attorney.

(3) Program orientation must be conducted with 24 hours of a youth's admission to the program. The youth's parent(s) or guardian(s) must be encouraged to attend. Orientation information must be understandable to the youth.

(a) An orientation handbook or brochure must be provided containing the following:

1. Program goals and available services;

2. Review of the case planning process;

3. Telephone guidelines;

4. Search policy;

5. Youth rights and grievances;

6. Florida Abuse Hotline telephone number; and

7. Program rules governing youth conduct and consequences for major rule violations.

(b) In addition to the handbook or brochure, the orientation must also include the following:

1. Introduction to the staff and a tour of the facility grounds;
2. A review of expectations, rules and the behavior management system;
3. A review of the daily activity schedule governing day-to-day operations. The schedule shall be posted to allow for easy reference by youth and staff;
4. A review of emergency medical and mental health services, emergency safety, and the evacuation procedures for the facility;
5. A list of contraband items and materials, and the consequences for introducing contraband into the program;
6. A review of the performance planning process;
7. The average anticipated length of stay to successfully complete the program; and
8. The program's dress code, which must prohibit pictures, logos, emblems and writing that depict illegal activity, violence, profanity, gang logos or nudity.

Specific Authority 985.433, 985.601, 985.64 FS. Law Implemented 985.03, 985.433, 985.441, 985.601 FS. History–New _____.

63D-6.007 Progress Reports.

- (1) Staff of a community-based program must complete a progress report at 30-day intervals. The progress report is prepared after a review of the YES Plan, and documents the youth's progress in the program.
- (2) The original report must be sent to the court, with copies to the assigned JPO, state attorney, youth's attorney, and the youth's parent(s) or guardian(s). Staff must include a cover letter providing a brief description of the youth's overall performance, as well as any extraordinary information about the youth.
- (3) Youths must be given an opportunity to read the performance summary and add comments.
- (4) The summary must be signed and dated by the youth and the staff member who prepared it.
- (5) The program director or supervisor must review, sign and date the report prior to distribution.

Specific Authority 985.435, 985.601, 985.64 FS. Law Implemented 985.03, 985.433, 985.435, 985.455(3), 985.601 FS. History–New _____.

63D-6.008 Release.

- (1) Release planning must begin during the admission phase and continue in stages.
 - (a) Upon completion of all sanctions, performance goals, and the determination that supervision is no longer required, the nonresidential program must submit to the JPO a termination summary and a Pre-release Notification and Acknowledgment Form, as incorporated in Rule 63E-7.002, F.A.C., at least 45 days prior to the youth's release. If the youth is a sex offender, these must be provided 90 days prior to release.

(b) Day treatment programs that supervise youth on probation or minimum risk commitment status must submit a termination summary to the JPO 45 days prior to release, or 90 days prior to release in the case of sex offenders.

(c) Documentation of completed sanctions, including community service hours and restitution, must be forwarded to the JPO.

(2) The JPO shall complete a PACT re-assessment prior to review of the termination summary and obtain supervisor approval prior to submitting a letter, the Pre-release Notification and Acknowledgement form, and the summary to the court within three working days of receipt of the summary and the Pre-release Notification and Acknowledgement form. The nonresidential program, youth, and the youth's parent(s) or guardian(s) must be sent a copy of this letter.

Specific Authority 985.435, 985.601, 985.64 FS. Law Implemented 985.03, 985.433, 985.435, 985.455(3), 985.601 FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jack Ahearn, DJJ Probation and Community Intervention
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Darryl Olson, Assistant Secretary for Probation and Community Intervention
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 11, 2007
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 4, 2007

DEPARTMENT OF JUVENILE JUSTICE

Residential Services

RULE NO.: 63E-6.003 RULE TITLE: Admission Criteria
 PURPOSE AND EFFECT: Amending the requirement that the preadmission comprehensive evaluation be conducted no more than six months prior to program placement.
 SUMMARY: The amendment runs the six-month period from the point at which the youth is referred to the program, thus ensuring that youth deemed eligible based upon a timely comprehensive evaluation will be referred without the need for a second evaluation at the time of admission.
 SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.
 Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.
 SPECIFIC AUTHORITY: 985.4891, 985.64 FS.
 LAW IMPLEMENTED: 985.4891(2), (7)(a) 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:

DATE AND TIME: Monday, July 16, 2007, 10:00 a.m.
 PLACE: DJJ Headquarters, 2737 Centerview Dr., Ste. 312, General Counsel’s Conference Room, Tallahassee, Florida
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lydia Monroe, 2737 Centerview Dr., Ste. 312, Tallahassee, FL 32399-3100, e-mail: lydia.monroe@djj.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

63E-6.003 Admission Criteria.

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

(c) A preadmission comprehensive evaluation with the psychological component conducted by a licensed mental health professional or a Master’s level mental health clinical staff person working under the direct supervision of a licensed mental health professional should be completed no more than six months prior to ~~referral to commencement of~~ the STAR program. A mental health clinical staff person is a person providing mental health services in a DJJ facility or program who has received training in mental health assessment processes and procedures and mental health treatment strategies and techniques. A Master’s level mental health clinical staff person is a person who holds a Master’s degree from an accredited university or college with a major in psychology, social work, counseling or related human services field. Related human services field is one in which major course work includes the study of human behavior and development, counseling and interviewing techniques, and individual, group or family therapy. Licensed mental health professional means a board certified psychiatrist licensed pursuant to Chapter 458, F.S., a psychologist licensed pursuant to Chapter 490, F.S., a mental health counselor, clinical social worker or marriage and family therapist licensed pursuant to Chapter 491, F.S., or a psychiatric nurse as defined in Section 394.455(23), F.S. This evaluation must be completed prior to admission to screen out those youth whose mental status requires psychotropic medication interventions, who have a developmental disability as defined by an IQ less than 75 or classification as “Educable Mentally Handicapped” or “Trainable Mentally Handicapped,” a need for intensive mental health treatment, reveals suicidal risk histories, a DSM-IV-TR diagnosis of substance abuse, substance dependence, poly substance dependence, substance intoxication or substance withdrawal, or indicates high-risk suicidal tendencies or history of self-injurious behavior.

(3) No change.

Specific Authority 985.4891, 985.64 985.3091, 985.405 FS. Law Implemented 985.4891(2), (7)(a) 985.3091(2), (7)(a) FS. History—New 11-19-06, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Judy Haynes, DJJ Residential Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Rex Uberman, Assistant Secretary for Residential Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 11, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 25, 2007

DEPARTMENT OF FINANCIAL SERVICES

Division of Worker’s Compensation

RULE NO.: 69L-6.035
 RULE TITLE: Definition of Payroll for Calculating Penalty

PURPOSE AND EFFECT: The purpose of the proposed rule is to establish criteria for the department to utilize in determining an employer’s payroll for penalty calculation purposes under Section 440.107(7)(d)1., F.S. The effect of the proposed rule will be to facilitate the calculation of an accurate and complete employer payroll in cases where the employer has provided business records.

SUMMARY: Provides guidance regarding the definition and process of calculating penalties against employers for failure to secure the payment of compensation under Chapter 440, Florida Statutes.

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

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

SPECIFIC AUTHORITY: 440.107(9), 440.591 FS.

LAW IMPLEMENTED: 440.107(7)(d)1. 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:

DATE AND TIME: Tuesday, July 17, 2007, 10:00 a.m.
 PLACE: Room 104J, Hartman Bldg., 2012 Capital Circle, S.E., 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: Andrew Sabolic, Bureau Chief, Bureau of Workers’ Compensation, Division of Worker’s Compensation, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-4226, phone (850)413-1600. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Andrew Sabolic

THE FULL TEXT OF THE PROPOSED RULE IS:

69L-6.035 Definition of Payroll for Calculating Penalty.

(1) For purposes of determining payroll for calculating a penalty pursuant to Section 440.107(7)(d)1., F.S., the Department shall when applicable include any one or more of the following as remuneration to employees based upon evidence received in its investigation:

(a) Wages or salaries paid to employees by or on behalf of the employer;

(b) Payments, including cash payments, made to employees by or on behalf of the employer;

(c) Payments, including cash payments, made to a third person or party by or on behalf of the employer for services provided to the employer by the employees;

(d) Bonuses paid to employees by or on behalf of the employer;

(e) Payments made to employees by or on behalf of the employer on any basis other than time worked, such as piecework, profit sharing, dividends, income distributions, or incentive plans;

(f) Expense reimbursements made to employees by or on behalf of the employer, to the extent that the employer's business records do not confirm that the expense was incurred as a valid business expense;

(g) Loans made to employees by or on behalf of the employer to the extent that such loans have not been repaid to the employer;

(h) Payments or allowances made by or on behalf of the employer to employees for tools or equipment used by employees in their work or operations for the employer, even in cases where the tools are supplied directly by the employee or to the employee through a third party;

(i) Total contract price of a service provided by the employer, excluding the cost for materials as evidenced in the employer's business records or contract. In the event the costs for materials is included in the total contract price and cannot be separately identified in the total contract price, eighty percent of the total contract price shall be the employer's payroll; and

(j) Income listed in "Form 1099 Miscellaneous Income" issued to a person, excluding the cost of materials as evidenced by business records from the person to whom the Form 1099 Miscellaneous Income was issued. In the event such records are not provided to the Department to determine the cost of such materials, the entire amount of the income listed on the "Form 1099 Miscellaneous Income" shall be included in the employer's payroll.

(2) For the purposes of calculating a penalty pursuant to Section 440.107(7)(d)1., F.S., payroll for an officer of a corporation as defined in Section 440.02(9), F.S., shall be based on remuneration factors listed in paragraphs (1)(a) through (j) of this rule where applicable, or the state average weekly wage as defined in Section 440.12(2), F.S., that is in effect at the time the stop-work order was issued to the employer, multiplied by 1.5, whichever is less.

(3) For purposes of calculating a penalty pursuant to Section 440.107(7)(d)1., F.S., payroll for a sole proprietor or partner shall be based on remuneration factors listed in paragraphs (1)(a) through (j) of this rule where applicable, or the state average weekly wage as defined in Section 440.12(2), F.S., that is in effect at the time the stop-work order was issued to the employer, multiplied by 1.5, whichever is less.

Specific Authority 440.107(9), 440.591 FS. Law Implemented 440.107(7)(d)1. FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Andrew Sabolic

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Tanner Holloman

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 22, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 6, 2007

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NOS.:	RULE TITLES:
690-186.003	Title Insurance Rates
690-186.005	Premium Schedule Applicable to "Truth in Lending" and Other Endorsements

PURPOSE AND EFFECT: To set appropriate rates for junior loan title insurance. Junior loan title insurance is directed to equity lines of credit and second mortgages.

SUMMARY: The proposed rules establish rates for junior loan title insurance.

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

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

SPECIFIC AUTHORITY: 624.308, 626.9611, 627.777, 627.782, 627.793 FS.

LAW IMPLEMENTED: 624.307(1), 626.9541(1)(h)3.a., 627.777, 627.782, 627.783, 627.7831, 627.7841, 627.7845, 697.04(1) 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:

DATE AND TIME: July 24, 2007, 11:00 a.m.

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: Peter Rice, Insurance Analyst II, Property and Casualty Product Review, Office of Insurance Regulation, E-mail peter.rice@fldfs.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Peter Rice, Insurance Analyst II, Property and Casualty Product Review, Office of Insurance Regulation, E-mail peter.rice@fldfs.com

THE FULL TEXT OF THE PROPOSED RULES IS:

690-186.003 Title Insurance Rates.

The following are risk rate premiums to be charged by title insurers in this state for the respective types of title insurance contracts. To compute any insurance premium on a fractional thousand of insurance (except as to minimum premiums), multiply such fractional thousand by the rate per thousand applicable, considering any fraction of \$100.00 as a full \$100.00.

(a) through (b) No change.

(c) For junior loan title insurance:

1. The premium for junior loan title insurance shall be:

a. \$0.86 per \$1,000.00 of liability written;

b. The minimum premium shall be \$50.00;

c. The minimum insurer retention shall be 30%.

2. This rate is approved for use with the following junior loan title insurance policy forms, copies of which are available on the Office's website www.floir.com:

a. ALTA Residential Limited Coverage Junior Loan Policy (10/19/96) (with Florida Modifications) and ALTA Endorsement JR 1 (10/19/96);

b. ALTA Short Form Residential Limited Coverage Junior Loan Policy (10/19/96) (with Florida Modifications), and ALTA Endorsement JR 1 (10/19/96); and

c. Any substantially similar product that insures the same type risk.

3. This rate does not include the \$25.00 premium that shall be charged when issuing the optional ALTA Endorsement JR 2 (Revolving Credit/Variable Rate) (10/19/96) on a junior loan title insurance policy, as provided for in paragraph 690-186.005(6)(c), Florida Administrative Code.

4. Eligibility for the junior loan policy shall be restricted to the following:

a. The insured title is for land having 1-4 residential units;

b. The junior loan must be a second or subsequent mortgage loan and must meet the definitional requirements of a "federally related mortgage loan", as defined in the Real Estate Settlement Procedures Act of 1974, 12 U.S.C. s. 2602, which is incorporated by reference and a copy is available from the Office;

c. The junior mortgage loan amount is less than or equal to \$500,000;

d. No junior loan policy may be issued for an amount less than the full junior loan principal debt.

(2) through (12) No change.

Specific Authority 624.308(1), 626.9611, 627.782, ~~627.793~~ ~~627.7825~~ FS. Law Implemented 624.307(1), 626.9541(1)(h)3.a., 627.777, 627.782, ~~627.7825~~, 627.783, 627.7831, 627.7841, 627.7845 FS. History—New 9-17-71, Amended 12-28-73, Repromulgated 12-24-74, Amended 4-12-82, 12-23-82, Formerly 4-21.03, Amended 6-25-86, 2-26-90, 7-26-90, 2-27-91, Formerly 4-21.003, Amended 2-13-95, 1-27-02, Formerly 4-186.003, Amended _____.

690-186.005 Premium Schedule Applicable to "Truth in Lending" and Other Endorsements.

(1) through (5) No change.

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

(c) In recognition of the increased risk in issuing optional ALTA Endorsement JR 2 (Revolving Credit/Variable Rate) (10/19/96) on a junior loan title insurance policy as provided for in paragraph 690-186.003(1)(c), F.A.C., the premium shall be \$25.00 for issuing ALTA Endorsement JR 2 (Revolving Credit/Variable Rate) (10/19/96) on any such junior loan title insurance policy issued. ALTA Endorsement JR 2 (Revolving Credit/Variable Rate) (10/19/96) is the only optional endorsement available for issue with any such junior loan title insurance policy and this endorsement shall be itemized on the closing statement furnished to the insured. Irrespective of whether the ALTA Endorsement JR 2 (Revolving Credit/Variable Rate) (10/19/96) is issued, no additional premium shall apply to the ALTA Endorsement JR 1 (10/19/96), which must accompany any junior loan title insurance policy issued. Copies of these forms are available on the Office's website at www.floir.com.

(7)(a) Both endorsements and affirmative type coverages and their applicable risk rate premium must be approved by the Office ~~Department~~ prior to their issuance in this state. Accordingly, endorsements and affirmative type coverages are categorized as follows:

1. through 2. No change.

3. Endorsements and/or affirmative type coverages with no specific Office ~~Department~~ approval required when there is no increased risk resulting to the insurer.

(b)1. No change.

2. If there is a change in a current adopted endorsement and the change results in a further limitation of coverage, the endorsement may be submitted to the Office Department for approval without an amendment to these rules.

(c) through (e) No change.

(8) through (15) No change.

(16) The following endorsements can be issued or affirmative language is permitted with no specific approval required from the Office:

(a) through (h) No change.

(i) Endorsements modifying the standard owner's and mortgagee policy to convert to a leasehold policy previously approved by the Office department.

(j) No change.

Specific Authority 624.308, 627.777, 627.782, 627.793 FS. Law Implemented 624.307(1), 627.777, 627.782, 697.04(1) FS. History—New 9-17-71, Repromulgated 12-24-74, Formerly 4-21.05, Amended 6-25-86, 2-26-90, 2-27-91, Formerly 4-21.005, Amended 2-13-95, Formerly 4-186.005, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Peter Rice, Insurance Analyst II, Property and Casualty Product Review, Office of Insurance Regulation, E-mail peter.rice@fldfs.com

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Richard Koon, Director, Property and Casualty Product Review

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 12, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 1, 2003

Section III Notices of Changes, Corrections and Withdrawals

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

RULE NOS.:	RULE TITLES:
40B-4.3020	Content of Works of the District Development Permit Applications
40B-4.3030	Conditions for Issuance of Works of the District Development Permits
40B-4.3040	Unlawful Use of Works of the District

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 33, No. 16, April 20, 2007 issue of the Florida Administrative Weekly.

40B-4.3020 Content of Works of the District Development Permit Applications.

(1)(f) A building plan prepared or submitted by a Florida licensed engineer or architect, showing profile and detail views of the pilings, the elevation of the lowest structural member, and any building components within the area below the 100-year flood/one percent annual chance of flood elevation; and

40B-4.3030 Conditions for Issuance of Works of the District Development Permits.

(10) Proposed bBoat ramps, seawalls, retaining walls, and rip-rap constructed within a wWork of the dDistrict shall be designed by a Florida licensed engineer. Plans for these structures shall provide for erosion, sedimentation and turbidity control.

40B-4.3040 Unlawful Use of Works of the District.

(4) Damage to works of the district resulting from violations specified in subsections 40B-4.3040(1) through (3), F.A.C., above shall be repaired by the violator ~~to the satisfaction of the district.~~

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.:	RULE TITLE:
59G-4.197	Medical Foster Care

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 33, No. 14, April 6, 2007 issue of the Florida Administrative Weekly.

A Notice of Change was published in Vol. 33, No. 24, June 15, 2007, issue of the Florida Administrative Weekly. This is a second Notice of Change. This change is in response to written comments received prior to the date of the public hearing.

The rule incorporates by reference the Florida Medicaid Medical Foster Care Services Coverage and Limitations Handbook, February 2007. The following change was made to the handbook:

Page 2-8, Initial Service Authorization and Changes in Level of Reimbursement, second paragraph, first sentence. We revised the sentence to read, Changes in Level of Reimbursement for children currently receiving MFC services will be retroactively authorized to the day after the CMAT staffing.

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**Division of Family Health Services**

RULE NO.: RULE TITLE:
64F-12.026 Cancer Drug Donation Program
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 33, No. 13, March 30, 2007 issue of the Florida Administrative Weekly.

The changes are in response to comments from staff of the Joint Administrative Procedures Committee.

The changes are as follows:

64F-12.026 Cancer Drug Donation Program.

The purpose of this section is to establish and maintain a cancer drug donation program under which unused cancer prescription drugs and cancer supplies may be donated and dispensed to eligible individuals who are diagnosed with cancer. This rule applies to the department or any person who donates, receives, dispenses or otherwise participates or wishes to participate in the cancer drug donation program.

(1) Recipient Eligibility Requirements.

(a) A Florida resident who is diagnosed with cancer is eligible to receive drugs or supplies under the cancer drug donation program unless the person falls under paragraph 64F-12.026(1)(b), F.A.C.

(b) A Florida resident is ineligible to participate in the cancer drug donation program if the person is eligible to receive cancer drugs or supplies through the Medicaid program, third-party insurer or any other prescription drug program funded in whole or in part by the Federal Government, unless these benefits have been exhausted, or a certain cancer drug or supply needed by the patient is not covered by the prescription drug program as stated in Section 499.029(9), F.S.

(2) Donor Eligibility Requirements.

Any person defined as a donor in Section 499.029(3), F.S., is determined to be eligible to be a donor.

(3) Participant Facility Requirements.

(a) Eligibility: Only a Class II Institutional Pharmacy, permitted under Chapter 465, F.S. that accepts, stores and dispenses donated cancer drugs and supplies may participate in the cancer drug donation program.

(b) Notice of Participation: Participation in the cancer drug donation program is voluntary. To be eligible for participation in the cancer drug donation program, a Class II Institutional

Pharmacy must elect to participate and provide the department with all of the following as set forth in Form DH-MQA 1100, 2/07, incorporated by reference in subsection (4):

1. The name, permit number, street address, and telephone number of the pharmacy;

2. The name and telephone number of a pharmacist or another contact as determined by the pharmacist who is employed by or under contract with the pharmacy;

3. A statement indicating the pharmacy meets the eligibility requirements under paragraph (3)(a) herein.

(c) Withdrawal from participation: A pharmacy may withdraw from participation in the cancer drug donation program upon at least 10 days written notification to the department as set forth in Form DH-MQA 1100, 2/07, incorporated by reference in subsection (4).

(d) Storage:

Cancer drugs and supplies donated under the cancer drug donation program shall be stored in a secure storage area under environmental conditions appropriate for the cancer drugs or supplies being stored. Donated cancer drugs and supplies may not be stored with non-donated inventory.

(e) Dispensing:

1. Cancer drugs and supplies shall be dispensed by a licensed pharmacist, whether or not employed by or under contract with a participant facility, pursuant to the requirements in Chapter 465, F.S.;

2. The pharmacist shall inspect the donated cancer drugs and supplies for adulteration, misbranding, mislabeling, and the date of expiration before dispensing. Cancer drugs or supplies that are tampered with, expired, adulterated, mislabeled or misbranded may not be dispensed;

3. Before a cancer drug or supply may be dispensed to a recipient, the recipient shall sign a cancer drug donation program Recipient Record, Form DH-MQA 1098, 2.07, incorporated by reference in subsection (4), and shall be notified, both orally and in writing, that the cancer drug or supply may have been previously dispensed;

4. Cancer drugs and supplies shall be dispensed only to recipients who meet the following eligibility requirements:

i. Individuals who are uninsured;

ii. All other individuals who are otherwise eligible under subsection (1) herein to receive cancer drugs or supplies from the cancer drug donation program.

5. Cancer drugs or supplies may not be donated to a specific cancer patient.

(f) Recordkeeping requirements:

1. Donor and Recipient Records as reflected in Forms DH-MQA 1099, 2/07 and 1098, 2/07, incorporated by reference in subsection (4) shall be maintained at least 3 years by the participant facility.

2. Destruction Records for donated drugs or supplies as reflected in Form DH-MQA 1099, 2/07, incorporated by reference in subsection (4) shall be maintained at least 3 years by the participant facility. For each drug or supply destroyed the record shall include all of the following information:

- i. The date of destruction;
- ii. The name, strength and quantity of the cancer drug destroyed;
- iii. The name of the person or firm that destroyed the drug;
- iv. The source of the drugs or supplies destroyed.

(4) through (6) No change.

(7) The Department shall establish a website at www.doh.state.fl.us/mqa/DDC/Cancer/index.html to maintain the registry of participant facilities. The website shall also contain links to cancer drug manufacturers that offer drug assistance programs or free medication.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: 69O-137.013 RULE TITLE: Florida Hurricane Catastrophe Fund Assessment Information Gathering
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 33, No. 24, June 15, 2007 issue of the Florida Administrative Weekly.

Notice is hereby given that the following changes have been made to the proposed, in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 32, No. 26 on June 30, 2006 of the *Florida Administrative Weekly*.

These changes are being made to address concerns expressed Subsection (8) is added to the rule which reads as follows:

(8) The Circuit Court of the Second Judicial Circuit in and for Leon County in *National Crop Insurance Services, Inc, et al., v. Office of Insurance Regulation, et al.*, Case No. : 2006 CA 2594, issued a final judgment on March 20, 2007, declaring that Section 215.555(6)(b), Florida Statutes, is preempted by federal crop insurance laws and permanently enjoining the Office of Insurance Regulation from imposing reporting, collection and other requirements on the Crop Insurers with respect to their federal crop insurance policies. The remainder of the reads as previously published.

**Section IV
 Emergency Rules**

DEPARTMENT OF REVENUE

RULE NOS.: 12ER07-1
 12ER07-2 RULE TITLES: Scope; Definitions; Index Price
 Imposition of the Gross Receipts Tax

12ER07-3 Registration for Gross Receipts Tax Purposes
 12ER07-4 Payment of Gross Receipts Tax; Reports

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Chapter 2005-148, Laws of Florida, authorizes the Department of Revenue to promulgate emergency rules, and to renew such rules, to implement the provisions of that law. The promulgation of these emergency rules ensures that the appropriate procedures and forms are available for reporting and remitting gross receipts tax on utility service.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Legislature expressly authorized the promulgation of emergency rules, and the renewal of such rules, to ensure the prompt availability of procedures taxpayers can follow to comply with Chapter 203, F.S. (as amended by Chapters 2005-148 and 2007-60, Laws of Florida). The Department of Revenue previously sought comment on these emergency rules to the extent possible within the time restraints resulting from the statutory requirements. The preliminary text of proposed rules regarding the imposition of the gross receipts tax on utility services was posted on the Department of Revenue web site. Rule development workshops were held on November 16, 2005, and March 15, 2007, to receive public comments regarding the preliminary text. The public comments received were considered by the Department in preparation of these emergency rules.

SUMMARY: Emergency Rule 12BER07-1 (Scope; Definitions; Index Price): (1) provides that Emergency Rules 12BER07-1 through 12BER07-4 apply to the tax imposed under Chapter 203, F.S., on utility services delivered to a retail consumer in Florida; (2) defines the terms “cost price,” “distribution company,” “Department,” “electricity index price,” “gas index price,” “gross receipts,” “utility services,” and “person” for purposes of Emergency Rules 12BER07-1 through 12BER07-4; (3) provides that the gross receipts tax imposed on certain utility services delivered to a retail consumer in Florida is based on an index price; (4) provides how the Department will announce the annual index prices for electricity and for natural and manufactured gas; and (5) provides that the index price applies to electricity only if the transportation of the electricity is sold independent of the sale of the electricity itself.

Emergency Rule 12BER07-2 (Imposition of the Gross Receipts Tax), provides: (1) that the 2.5 percent gross receipts tax is imposed on distribution companies’ gross receipts from the privilege of selling and transporting natural or manufactured gas to retail consumers in Florida; (2) how the tax is computed based on the index price; (3) that the sale or transportation of natural or manufactured gas to public or private utilities for use as a fuel in the generation of electricity

or for resale is not subject to tax; (4) that the sale or transportation of natural or manufactured gas to persons eligible for an exemption under Section 212.08(7)(ff)2., F.S., for use as an energy source or a raw material is not subject to tax and guidelines on how to document such sales; (5) that the 2.5 percent gross receipts tax is imposed on distribution companies' gross receipts from the privilege of selling and transporting electricity to retail consumers in Florida and how the tax is to be calculated; (6) that the tax does not apply to receipts from customers for purposes of resale; (7) that receipts from separately itemized charges for the connection, disconnection, suspension, or restoration of utility services are not subject to tax; (8) that receipts from separately itemized fees for returned checks, late payments, and interest due on late payments are not subject to the gross receipts tax; (9) that receipts from separately itemized charges for the sale, lease, rental, repair, or maintenance of customer premises equipment are not subject to gross receipts tax; (10) guidelines on how gross receipts tax is applied to charges for utility services separately itemized to customers as an amount for services based on a standard rate amount with a separate rate adjustment; (11) that each and every fee imposed by a political subdivision of the State of Florida that is passed on to the customer as a separately itemized charge is included in the gross receipts subject to tax; (12) that any municipal public service tax and any sales tax separately itemized to the customer is not included in the gross receipts subject to tax; (13) that the sale or delivery of electricity as part of an electric interchange agreement or contract between utilities is not subject to tax and guidelines on how to document such sale or delivery; (14) that wholesale sales of electric transmission services and the loss of electricity from the generation, transmission, or distribution of electricity is not subject to tax; (15) guidelines regarding any separately itemized charge for gross receipts tax on a customer's bill, invoice, statement, or other evidence of sale; (16) guidelines on the imposition of tax on natural or manufactured gas imported into Florida for which the Florida gross receipts tax has not been paid; (17) guidelines on how to document sales of utility services for purposes of resale; and (18) recordkeeping requirements for taxpayers who sell or deliver utility services.

Emergency Rule 12BER07-3 (Registration for Gross Receipts Tax Purposes), provides: (1) that prior to engaging in the business of selling, transporting, delivering, or importing utility services in Florida, every person is required to register with the Department; and (2) guidelines on how to register with the Department.

Emergency Rule 12BER07-4 (Payment of Gross Receipts Tax; Reports): (1) provides guidelines on the how and when to report and remit to the Department the gross receipts tax imposed on utility services; (2) provides guidelines for when taxpayers may elect to pay the gross receipts tax on total billings for electricity each month or on the actual gross receipts for electricity received in that month; and (3) provides

that persons engaged in the transportation of natural or manufactured gas must provide the Department with a list of customers to whom transportation services were provided in the prior year or post such a list on a publicly-accessible Internet web site.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULES IS: Robert Babin, Deputy Director, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4842

THE FULL TEXT OF THE EMERGENCY RULES IS:

12BER07-1 Scope; Definitions; Index Price.

(1) SCOPE. Emergency Rules 12BER07-1 through 12BER07-2, apply to the tax imposed by Chapter 203, F.S., on utility services delivered to a retail consumer in Florida. Where any conflicting language exists between Emergency Rules 12BER07-1 through 12BER07-4 and Rules 12B-6.001, 12B-6.0021 and 12B-6.005, F.A.C., the provisions of these emergency rules are controlling.

(2) DEFINITIONS. For purposes of Rules 12BER07-1 through 12BER07-2:

(a) "Cost price" means the actual cost of articles of tangible personal property without any deductions therefrom on account of the cost of materials used, labor or service costs, transportation charges, or any expenses whatsoever.

(b) "Distribution company" means any person owning or operating local electric, or natural or manufactured gas, utility distribution facilities within this state for the transmission, delivery, and sale of electricity or natural or manufactured gas. The term does not include natural gas transmission companies that are subject to the jurisdiction of the Federal Energy Regulatory Commission.

(c) "Department" means the Florida Department of Revenue.

(d) "Electricity index price" means the applicable residential, industrial, or commercial price per kilowatt hour for retail consumers in Florida in the previous calendar year, as published in the United States Energy Information Administration Electric Power Monthly.

(e) "Gas index price" means the applicable residential, industrial, or commercial price per 1,000 cubic feet for retail consumers in Florida in the previous calendar year, as published in the United States Energy Information Administration Natural Gas Monthly.

(f) "Gross receipts" means the total payments received in money, goods, services, or other consideration.

(g) "Person" includes any individual, firm, copartnership, joint adventure, association, corporation, estate, trust, business trust, receiver, syndicate, or other group or combination acting

as a unit and also includes any political subdivision, municipality, state agency, bureau, or department and includes the plural as well as the singular number.

(h) "Utility services" means electricity for light, heat, or power; and natural or manufactured gas for light, heat, or power, including transportation, delivery, transmission, and distribution of the electricity or natural or manufactured gas. This paragraph does not broaden the definition of utility service to include separately stated charges for tangible personal property or services which are not charges for the electricity or natural or manufactured gas or the transportation, delivery, transmission, or distribution of electricity or natural or manufactured gas. Liquefied petroleum gas is sold in liquid form and transformed into gas when released from the container to be used for fuel. The term "utility services" does not include liquefied petroleum gas.

(3) INDEX PRICE. The calculation of the tax imposed on certain utility services delivered to a retail consumer in Florida is based on an index price.

(a) The Department will announce the residential, commercial, and industrial index prices for electricity and for natural and manufactured gas on June 1 of each year through issuance of a Taxpayer Information Publication and by posting the rates on the Department's Internet web site located on the Internet at www.myflorida.com/dor/taxes. The index prices announced by the Department on June 1 will be effective from the following July 1 through June 30, and will apply to any bill dated on or after July 1 in the year in which the change becomes effective. The index prices effective July 1, 2007, through June 30, 2008, have been announced by the Department in Tax Information Publication 07B06-01 and apply to any bill dated on or after July 1, 2007, until the new index prices become effective on July 1, 2008.

(b) The index prices for electricity only apply if the transportation of electricity is sold independent of the sale of the electricity itself. If electricity is sold to a retail consumer in Florida for a price that includes both a charge for the electricity and a charge for the transportation of the electricity, the tax imposed by Chapter 203, F.S., is calculated by using the distribution company's gross receipts, rather than through use of an index price.

(c) When the calculation of the tax imposed on utility services delivered to a retail consumer in Florida requires the use of an index price, the distribution company must use a reasonable methodology to apply the residential, commercial, and industrial classifications to its existing rate structure. This rule shall take effect on July 1, 2007.

Specific Authority s. 3, Ch. 2005-148, L.O.F. Law Implemented 203.01, 203.012 FS. History--New 7-1-07.

12BER07-2 Imposition of the Gross Receipts Tax.

(1) NATURAL OR MANUFACTURED GAS.

(a) A tax is imposed at the rate of 2.5 percent on distribution companies' gross receipts from the privilege of selling or transporting natural or manufactured gas to a retail consumer in this state. The gross receipts tax on the sale or transportation of natural or manufactured gas is calculated as follows: (number of cubic feet of gas sold or transported) ÷ 1,000 × (the applicable gas index price) × (2.5 percent).

(b) The tax implemented in paragraph (1)(a) does not apply to:

1. The sale or transportation of natural or manufactured gas to a public or private utility, including a municipal corporation, or agency thereof, or rural electric cooperative association for use as a fuel in the generation of electricity;

2. Subject to the documentation requirements outlined in subsection (5), the sale or transportation of natural or manufactured gas to a public or private utility, including a municipal corporation or agency thereof, or rural electric cooperative association for resale;

3. The sale or transportation to, or use of, natural or manufactured gas by any person eligible for an exemption under Section 212.08(7)(ff)2., F.S., for use as an energy source or a raw material. Possession by a seller of natural or manufactured gas or by any person providing transportation or delivery of natural or manufactured gas of a written certification by the purchaser relieves the seller or person providing transportation or delivery from the responsibility of remitting tax on the nontaxable amounts, and the Department shall look solely to the purchaser for recovery of such tax if the Department determines that the purchaser was not entitled to the exclusion. The certification must include an acknowledgment by the purchaser that it will be liable for tax pursuant to Section 203.01(1)(f), F.S., if the requirements for exclusion are not met. The following is a suggested format of an exemption certificate to be issued by a manufacturer to a natural or manufactured gas distribution company:

CERTIFICATION NATURAL OR
MANUFACTURED GAS PURCHASED BY A
PERSON ELIGIBLE FOR EXEMPTION UNDER
INDUSTRIAL CLASSIFICATIONS IN SECTION
212.08(7)(ff)2., F.S.

This is to certify that I have purchased natural or manufactured gas for use as an energy source or raw material that is excluded from tax pursuant to Section 203.01(3)(d), Florida Statutes.

I certify that the applicable purchases were made by a company whose four-digit SIC Industry Number, as listed below, is classified under SIC Industry Major Group Number 10, 12 through 14, 20, or 22 through 39 or Group Number 212 in the Standard Industrial Classification (SIC) Manual, 1987, published by the Office of Management and Budget.

I acknowledge that I will be liable for tax pursuant to Section 203.01(1)(f), Florida Statutes, if the requirements for exclusion pursuant to Section 203.01(3)(d), F.S., are not satisfied.

I understand that if such purchases of natural or manufactured gas do not qualify for the exclusion as indicated on this certification, I must pay the applicable tax directly to the Department of Revenue.

Under penalties of perjury, I declare that I have read the foregoing certificate and the facts stated herein are true.

<u>Purchaser's Name (Print or Type)</u>	<u>Date</u>
<u>Signature of Authorized Person</u>	<u>Title</u>

Federal Employer Identification Number (FEI No.)

(2) ELECTRICITY.

(a) A tax is imposed at the rate of 2.5 percent on a distribution company's gross receipts from the privilege of selling electricity that is delivered to a retail consumer in this state when the charge to the consumer includes charges for both the electricity and the transportation of the electricity. Tax imposed pursuant to this subparagraph is calculated by multiplying the distribution company's gross receipts by 2.5 percent.

1. The tax implemented in paragraph (2)(a) does not apply to:

a. Receipts from customers for separately itemized charges for the connection, disconnection, suspension, or restoration of electricity;

b. Receipts from customers for separately itemized charges for returned checks or other forms of payment, late payments, or interest due on late payments;

c. Receipts from customers for separately itemized charges for the sale, lease, rental, repair, or maintenance of customer premises equipment;

2.a. When charges for utility services are separately itemized as an amount for services based on a standard rate amount with a separate rate adjustment on the same billing, invoice, statement, or other evidence of sale for services, gross receipts tax is due on the receipts for utility services after the application of the rate adjustment.

b. Example: A customer purchases electricity from an electric utility under an energy management program. The customer is billed the standard residential rate. In addition, the customer receives load management monthly credits for allowing specified electrical equipment to be interrupted at the option of the electric utility. The charge for electric service after the load management credits are applied against the charge at the standard residential rate is the amount subject to the gross receipts tax.

c. Example: A customer purchases electricity from an electric utility at the standard residential service rate. The electric utility charges each residential customer in this rate class an additional energy cost recovery factor, called "energy charges," on a per kilowatt hour basis. The customer is billed for electricity at the standard residential rate, plus the applicable energy charges. The amount charged to the customer at the standard residential rate, plus the amount of the energy charges, is the amount subject to the gross receipts tax.

3. Each and every fee imposed by a political subdivision of the State of Florida on the distribution company, such as a franchise fee, is included in the charge upon which the gross receipts tax is computed, when the fees are passed on to the customer and separately itemized on a customer's bill, invoice, statement, or other evidence of sale.

4. Any municipal public service tax imposed under Section 166.231 or 166.232, F.S., or any sales tax imposed under Chapter 212, F.S., on the sale or purchase of electric power or energy is not included in the charge upon which the gross receipts tax is computed when the municipal tax or sales tax is separately itemized on a customer's bill, invoice, statement, or other evidence of sale.

(b) Each distribution company that receives payment for the delivery of electricity to a retail consumer in this state is subject to tax on the exercise of this privilege as provided by this paragraph, unless the payment is subject to tax under paragraph (a). Under this paragraph, the gross receipts tax on the delivery of electricity is calculated as follows: (number of kilowatt hours delivered) × (the applicable electricity index price) × (2.5 percent).

(c) The tax implemented in paragraphs (2)(a) and (b) does not apply to:

1. The sale or delivery of electricity to a public or private utility, including a municipal corporation or agency thereof, or rural electric cooperative association, for resale subject to the documentation requirements outlined in subsection (5);

2. The sale or delivery of electricity to a public or private utility, including a municipal corporation or agency thereof, or rural electric cooperative association, as part of an electric interchange agreement or contract between such utilities for the purpose of transferring more economically generated power.

a. The electric utility is required to maintain a copy of the agreement or contract in its books and records and is not required to meet the provisions of this rule regarding sales for resale.

b. The internal use, including interdepartmental transfers, of the purchased power is not subject to tax.

3. Wholesale sales of electric transmission service.

4. The loss of electricity resulting from the generation, transmission, or distribution of electricity, including line losses, generation losses, and any other losses for which charges are not made to the electric utility's customers.

(3) SEPARATELY ITEMIZED CHARGES. A distribution company may wholly or partially separately itemize the gross receipts tax on the customer's bill, invoice, statement, or other evidence of sale. However, the gross receipts tax is imposed on the privilege of doing business, and it is an item of cost to the distribution company. The distribution company remains fully and completely liable for the payment of the tax, even when the tax is wholly or partially separately itemized on the customer's bill, invoice, statement, or other evidence of sale. When the tax is wholly or partially separately itemized, every person, including governmental units and charitable and religious organizations, is liable for the payment of the tax to the distribution company.

(4) USE TAX.

(a) Gross receipts tax is levied upon a person's cost price of electricity, or natural or manufactured gas, imported into this state or severed within this state for the person's own use or consumption as a substitute for purchasing utility, transportation, or delivery services taxable under Chapter 203, F.S., and who cannot demonstrate payment of the tax imposed by Chapter 203, F.S. The tax implemented pursuant to this paragraph is calculated by multiplying the cost price of the utility service by 2.5 percent.

(b) The tax implemented pursuant to paragraph (4)(a) does not apply to:

1. The use of natural gas in the production of oil or gas, or the use of natural or manufactured gas by a person transporting natural or manufactured gas, when used and consumed in providing such services;

2. The use of natural gas or manufactured gas by a person eligible for an exemption under Section 212.08(7)(ff)2., F.S., for use as an energy source or a raw material; or

3. The loss of electricity resulting from the generation, transmission, or distribution of electricity, including line losses, generation losses, and any other losses for which charges are not made to the electric utility's customers.

(5) SALES FOR RESALE. The sale, transportation, or delivery of utility services for resale is only exempt from the tax imposed under Chapter 203, F.S., if the sale, transportation, or delivery is documented in strict compliance with this rule. Distribution companies must document sales for resale by obtaining resale certificates from customers who purchase transportation, delivery, or utility services for the purposes of resale. The distribution company is only required to obtain one certificate for sales made for the purposes of resale from each customer making purchases for the purposes of resale. The certificate must contain the purchaser's name and address, the purchaser's gross receipts tax registration number and its effective date, a statement that the purchases are for the purpose of resale, the signature of the purchaser or an authorized representative of the purchaser, and the date of issuance. The following is a suggested format of a resale certificate:

RESALE CERTIFICATE FOR GROSS RECEIPTS TAX ON UTILITY SERVICES

This is to certify that the electricity for light, heat, or power or the natural or manufactured gas for light, heat, or power purchased after _____ (date) from _____ (seller's name) is purchased for the purpose of resale pursuant to Chapter 203, F.S.

I understand that if I fraudulently issue this certificate to evade the payment of gross receipts tax I will be liable for payment of the tax directly to the Department of Revenue and subject to the penalties imposed under Section 203.03(2), F.S.

I understand that I must disclose to the seller, or remit tax on, any purchase not for resale when tax was not paid to the seller and/or distribution company.

Under penalties of perjury, I declare that I have read the foregoing certificate and the facts stated herein are true.

Purchaser's Name _____

Purchaser's Address _____

Name and Title of Purchaser's Authorized Signature _____

Certificate of Registration Number _____

Effective Date of Registration _____

By _____ (authorized signature)

Date _____

(6) RECORDKEEPING REQUIREMENTS. Distribution companies that sell, transport, or deliver utility services to retail consumers in Florida and taxpayers that import utility services into Florida for their own use must maintain electrical interchange agreements or contracts, resale certificates, exemption certificates, and other documentation required under the provisions of this rule chapter in their books and records until tax imposed under Chapter 203, F.S., may no longer be determined and assessed under Section 95.091, F.S. Electronic storage of required documentation through the use of imaging, microfiche, or other electric storage media will satisfy compliance with recordkeeping requirements. This rule shall take effect on July 1, 2007.

Specific Authority s. 3, Ch. 2005-148, L.O.F. Law Implemented 203.01, 213.37 FS. History—New 7-1-07.

12BER07-3 Registration for Gross Receipts Tax Purposes.

(1) Prior to engaging in the business of selling, transporting, delivering, or importing utility services, every person, distribution company, or other entity upon which the gross receipts tax is imposed is required to register with the Department.

(2) Registration with the Department for gross receipts tax purposes is available by using one of the following methods:

(a) Registering through the Department's "e-Services" system located on the Department's Internet site at www.myflorida.com/dor; or

(b) Filing an Application to Collect and/or Report Tax in Florida (R. 01/06) (Form DR-1, incorporated by reference in Rule 12A-1.097, F.A.C.), with the Department as indicated on the form. Copies of this form are available, without cost, by one or more of the following methods: 1) downloading selected forms from the Department's Internet site at www.myflorida.com/dor; or, 2) faxing a forms request to the Distribution Center at (850)922-2208; or, 3) calling the Distribution Center at (850)488-8422; or, 4) writing the Florida Department of Revenue, Distribution Center, 168A Blountstown Highway, Tallahassee, Florida 32304; or, 5) visiting any local Department of Revenue Service Center to personally obtain a copy. Persons with hearing or speech impairments may call the Department's TDD at (800)367-8331.

This rule shall take effect on July 1, 2007.

Specific Authority s. 3, Ch. 2005-148, L.O.F. Law Implemented 203.01 FS. History--New 1-1-07.

12BER07-4 Payment of Gross Receipts Tax; Reports.

(1)(a) Except as provided in Rule Chapter 12-24, F.A.C., and paragraph (c) below, all taxes imposed on utility services are due to the Department on or before the 20th day of the month following the date of the sale or transaction. The payment and return must either reach the Department or be postmarked on or before the 20th day of the month for receipts for utility services received in the preceding calendar month for a taxpayer to avoid penalty and interest for late filing. When the 20th day of the month falls on a Saturday, Sunday, or a legal holiday, payments accompanied by returns will be accepted as timely if postmarked or delivered to the Department on the next succeeding day that is not a Saturday, a Sunday, or a legal holiday. A tax return is required to be filed on or before the 20th day of each month even when no tax is due. The report is required to be signed by an officer or a representative duly authorized to act by the taxpayer. For this purpose, a legal holiday means a holiday that is observed by federal or state agencies as a legal holiday as this term is defined in Chapter 683, F.S., and Section 7503 of the 1986 Internal Revenue Code, as amended. A "legal holiday" pursuant to Section 7503 of the Internal Revenue Code of 1986, as amended, means a legal holiday in the District of Columbia or a statewide legal holiday at a location outside the District of Columbia but within an internal revenue district.

(b) Form DR-133, Gross Receipts Tax Return (R. 07/07, hereby incorporated by reference), is the return to be used to report the gross receipts tax imposed on utility services. Copies of this form are available, without cost, by one or more of the following methods: 1) downloading selected forms from the Department's Internet site at www.myflorida.com/dor; or, 2) faxing a forms request to the Distribution Center at (850)922-2208; or, 3) calling the Distribution Center at (850)488-8422; or, 4) writing the Florida Department of Revenue, Distribution Center, 168A Blountstown Highway,

Tallahassee, Florida 32304; or, 5) visiting any local Department of Revenue Service Center to personally obtain a copy. Persons with hearing or speech impairments may call the Department's TDD at (800)367-8331.

(c) When quarterly, semiannual, or annual reporting is authorized by the Department pursuant to Section 203.01(1)(j), F.S., the tax is due on or before the 20th day of the month following the authorized reporting period and becomes delinquent on the next succeeding day that is not a Saturday, a Sunday, or a legal holiday.

(d) Payments and returns for reporting tax must be submitted to the Department, as provided in Rule Chapter 12-24, F.A.C., when:

1. Payment of the tax is required to be made by electronic means;

2. Any return for reporting tax is required to be submitted by electronic means; or

3. No tax is due with a return for reporting tax.

(e)1. For taxes implemented pursuant to paragraph (2)(a) of Rule 12BER07-2, the taxpayer may elect to pay the gross receipts tax on total billings for electricity for each month or on the actual gross receipts for electricity received in that month.

2. When the taxpayer elects to pay gross receipts tax on total billings for electricity, the taxpayer may take a credit for net uncollectibles for which gross receipts tax has been previously paid to the Department. The credit must be reported on the provider's return in accordance with the timing provisions of Section 215.26(2), F.S.

3. In lieu of a credit for net uncollectibles, the taxpayer may seek a refund of tax previously paid by filing an Application for Refund (R. 07/06) (Form DR-26, hereby incorporated by reference) with the Department. The application for refund must be filed in accordance with the timing provisions of Section 215.26(2), F.S., and must meet the requirements of Sections 213.255(2) and (3), F.S., and Rule 12-26.003, F.A.C.

4. Form DR-26, Application for Refund, must be filed with the Department within 3 years after the date the tax was paid. Credits for tax paid must be reported on the provider's return within 3 years after the date the tax was paid.

(2) Persons who engage in the transportation of natural or manufactured gas must provide the Department with a list of customers to whom transportation services were provided in the prior year. A person may satisfy the customer-reporting requirement by: 1) providing a written list of customers to the Department; or 2) maintaining a publicly-accessible customer list on the person's Internet web site. The person must provide the written list of customers or the Internet address of the publicly-accessible Internet web site by January 31 of each year to GTA Miscellaneous Tax Coordinator, c/o GTA Program Director, Florida Department of Revenue, 5050 W. Tennessee Street, Bldg D-1, Tallahassee, Florida 32399-0100. Persons who choose to satisfy the customer-reporting requirement by

posting a list of customers on a publicly-accessible Internet web site must update the list by January 31 of each year. This reporting requirement does not apply to distribution companies. Any person required to furnish such a list may elect to identify only those customers who take direct delivery without purchasing interconnection services from a distribution company.

This rule shall take effect on July 1, 2007.

Specific Authority 213.06(2) FS., s. 3, Ch. 2005-148, L.O.F. Law Implemented 203.01, 203.06, 213.235, 213.37, 213.755, 215.26 FS., s. 2, Ch. 2007-60, L.O.F. History—New 7-1-07.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: July 1, 2007

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

STATE BOARD OF ADMINISTRATION

RULE NO.:	RULE TITLE:
19ER07-1	Insurance Capital Build-Up Incentive Program

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: The 2007 Legislature passed HB 1A during the Special Legislative Session in January 2007, effective January 25, 2007, and CS/SB 2498, effective upon becoming law, during the 2007 Regular Legislative Session. This legislation impacts the Insurance Capital Build-Up Incentive Program (Program), which was created by the Legislature in 2006. The purpose of this Program is to increase the availability of residential property insurance covering the risk of hurricanes in Florida and to mitigate premium increases. The State Board of Administration of Florida (Board) is directed to administer the Program. The 2007 Hurricane Season began on June 1, 2007, and the funding for this Program reverts to General Revenue on June 30, 2007; therefore, time is of the essence to implement these new changes to the Program.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Program changes need to be implemented immediately in order to have an impact on the 2007 Hurricane Season. Rulemaking has already begun and a rule workshop notice was published in the May 25, 2007, Florida Administrative Weekly. In addition, the Board has created a place for the Program on its website and updated it with the new legislative changes.

SUMMARY: CS/SB 2498 expanded the applicability of the Program, as created by HB 1A, by defining the phrase "an insurer writing only manufactured housing policies" as including the following for purposes of the Program: 1. A Florida domiciled insurer that begins writing personal lines residential manufactured housing policies in Florida after March 1, 2007, and that removes a minimum of 50,000 policies from Citizens Property Insurance Corporation without accepting a bonus, provided at least 25 percent of its policies cover manufactured housing. Such an insurer may count any funds above the minimum capital and surplus requirement that were contributed into the insurer after March 1, 2007, as new capital under this statute and 2. A Florida domiciled insurer that writes at least 40 percent of its policies covering manufactured housing in Florida. In addition, HB 1A provided that insurers writing only manufactured housing were eligible for a surplus note of up to \$7 million and, for those applying for a surplus note after July 1, 2006, the amount of new capital had to double the amount of the surplus note. Thus, the new capital would be \$14 million for a \$7 million surplus note if the manufactured housing insurer applied after July 1, 2006. This was changed in CS/SB 2498 passed during the Regular Legislative Session. Now the surplus requirement for an insurer writing only manufactured housing need only be equal to the surplus note. Thus, a \$7 million surplus note would require a new capital contribution of \$7 million.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Jack E. Nicholson, Senior FHCFOfficer, Florida Hurricane Catastrophe Fund, State Board of Administration, P. O. Box 13300, Tallahassee, FL 32317-3300; telephone (850)413-1340

THE FULL TEXT OF THE EMERGENCY RULE IS:

19ER07-1 Insurance Capital Build-Up Incentive Program. (19-15.001).

(1) Purpose. Section 215.5595, F.S., creates the Insurance Capital Build-Up Incentive Program ("Program") for the purposes of increasing the availability of residential property insurance covering the risk of hurricanes in Florida and mitigating premium increases. The State Board of Administration of Florida ("Board") is directed to administer the Program. This rule is promulgated to implement the Program.

(2) Scope.

(a) The Legislature has appropriated a total of \$250 million for the purposes of this Program.

(b) The Board in an effort to implement this Program in a timely fashion consistent with the start of the June 1, 2006, hurricane season and consistent with the flexibility provided for in Section 215.5595(2)(h), F.S., has established an earlier implementation date of June 1, 2006, and pursuant to this rule has allocated the total \$250 million, less moneys needed for administrative expenses, to be made available to Insurers

applying within the time frame of June 1, 2006 until June 15, 2006. Any remaining funds which are not committed shall be available to those Insurers applying during the second time frame, June 16, 2006 until July 1, 2006. If there are funds remaining following the two initial time frames, such funds will be available for those Insurers which apply within the time frame of July 2, 2006 until June 1, 2007. The unexpended balance of the appropriation shall revert to general revenue, but not until June 30, 2007.

(c) The proceeds derived from the Surplus Note issued by the Insurer, pursuant to Section 215.5595(4), F.S., is intended to be an asset for statutory accounting purposes and not a liability on the Insurer's balance sheet.

(d) The Board's actions and determinations in administering this Program are exempt from Chapter 120, F.S., pursuant to Section 215.5595(6), F.S.

(e) An Insurer may qualify and be eligible for consideration under this Program provided that the Insurer contributes New Capital and commits to meeting the Minimum Writing Ratio for the term of the Surplus Note. Additionally, the Insurer's Surplus, New Capital contribution, and Surplus Note must total at least \$14 million for those Insurers writing only manufactured housing policies, must total at least \$50 million for other Insurers, and all Insurers must submit the application as adopted under this rule within the time frames referenced in Section 215.5595(2)(b), F.S.

(f) The Board may Approve an application by an eligible and qualifying Insurer for a Surplus Note, unless the Board determines that the financial condition of the Insurer and its business plan for writing residential property insurance in Florida places an unreasonably high level of financial risk to the state of nonpayment in full of the interest and principal. The Board shall consult with the Office and may contract with independent financial and insurance consultants in making this determination.

(g) If the amount of Surplus Notes requested by Insurers exceeds the amount of funds available, the Board may prioritize Insurers that are eligible and Approved, regardless of the date of application within the application time frames. Consideration shall be given to the type of insurance written, with preference given to insurers writing only manufactured housing policies, financial strength of the Insurer, the viability of the Insurer's proposed business plan for writing additional residential property insurance, and the effect on competition.

(3) Definitions.

(a) "Applicant" means the Insurer making application under the Program.

(b) "Approve," "Approving," "Approved," or "Approval" means the Insurer's application has been approved contingent upon a review and prioritization of all the applicants who may have applied for the limited funds available under the Program during the application periods specified in paragraphs (4)(e), (f), or (g) below. If the amount of the Surplus Notes requested

does not exceed the funds available during these application periods, it will not be necessary for the Board to prioritize applicants prior to distributing funds, but in all cases the Insurer shall be required to contribute New Capital and provide verification of a deposit prior to the Board distributing the proceeds derived from the Surplus Note.

(c) "Board" means the State Board of Administration of Florida.

(d) "Cash" or "Cash Equivalents" means unencumbered cash or unencumbered cash equivalents as specified in Section 625.012(1), F.S. Cash Equivalents are short-term, highly liquid investments, with original maturities of 3 months or less, which are both readily convertible to known amounts of cash and so near their maturity that they present insignificant risk of changes in value because of changes in interest rates.

(e) "Impair" or "Impaired" means the Insurer's Surplus is below the Minimum Required Surplus as specified in Section 215.5595(2)(c), F.S.

(f) "Insurer" means an authorized insurance company seeking to participate in the Program.

(g) "Insurer writing only manufactured housing" includes an Insurer that 1. is a Florida domiciled insurer that begins writing personal lines residential manufactured housing policies in Florida after March 1, 2007, and that removes a minimum of 50,000 policies from Citizens Property Insurance Corporation without accepting a bonus, provided at least 25 percent of its policies cover manufactured housing. Such an insurer may count any funds above the minimum capital and surplus requirement that were contributed into the insurer after March 1, 2007, as new capital under this statute or 2. is a Florida domiciled insurer that writes at least 40 percent of its policies covering manufactured housing in Florida.

~~(h)(g)~~ "Minimum Capital Contribution" means, with respect to Insurers who apply to the Board by July 1, 2006, a contribution of New Capital to its Surplus which is at least equal to the amount of the Surplus Note. "Minimum Capital Contribution" means, with respect to all other applicants applying after July 1, 2006 and before June 1, 2007, a contribution to its Surplus that is twice the amount of the Surplus Note. For insurers writing only manufactured housing as defined in paragraph (3)(g), the New Capital Contribution is required to be equal to the amount of the Surplus Note amount subject to paragraph (3)(i), below.

~~(i)(h)~~ "Minimum Required Surplus" means, for purposes of this Program, that the Insurer's total Surplus, after the issuance of the Surplus Note and New Capital contribution equals at least \$14 million for Insurers writing only manufactured housing policies and \$50 million for all other Insurers.

~~(j)(i)~~ "Minimum Writing Ratio" means a 2:1 ratio of Net Written Premium to Surplus except as to a newly formed Insurer writing only manufactured housing policies. The

“Minimum Writing Ratio” for an Insurer writing only manufactured housing policies shall be the ratio provisions provided in Section 624.4095, F.S.

~~(k)(j)~~ “Net Written Premium” means direct Premium plus assumed Premium less ceded Premium.

~~(l)(k)~~ “New Capital” must be in the form of Cash or Cash Equivalents and be recorded as additional paid-in capital or new stock issued. New Capital does not include Citizens Property Insurance Corporation take-out bonuses pursuant to Section 627.3511, F.S. Except as provided below, a New Capital contribution does not constitute contributions by the Insurer made prior to the Insurer’s application date for the Surplus Note or any other funds contributed to the Insurer’s Surplus which are made for purposes other than in conjunction with the requirements of the Program. New Capital may include the initial contribution to surplus for a new Insurer if such Insurer has been formed in order to participate in the insurance Capital Build-up Incentive Program and the capital contribution was made in conjunction with the Insurer applying for the surplus note. An insurer described in subparagraph (3)(g)1., above, may count any funds above the minimum capital and surplus requirement that were contributed into the insurer after March 1, 2007, as new capital.

~~(m)(l)~~ “Surplus Note” means the Surplus Note issued by the Insurer to the Board.

~~(n)(m)~~ “Office” means the Office of Insurance Regulation, which was created in Section 20.121(3), F.S.

~~(o)(n)~~ “Premium” means premiums relating to residential property insurance in Florida including the peril of wind.

~~(p)(o)~~ “Program” means the Insurance Capital Build-Up Incentive Program created by Section 215.5595, F.S.

~~(q)(p)~~ “Substantial Impairment” or “Substantially Impair” means that the Commissioner of Insurance Regulation (Commissioner) has solvency concerns that the Insurer may not be able to meet the obligations of its policyholders and has provided the Board with a written explanation.

~~(r)(q)~~ “Surplus” means the Insurer’s admitted assets less the Insurer’s liabilities and refers to the entire Surplus of the Insurer.

(4) Administration.

(a) The Legislature has appropriated \$250 million for the Program with a limitation of one percent of this amount used for administrative cost and fees.

(b) For purposes of applications and other documentation provided to the Board the date of receipt shall be the date that the item has actually been delivered to the Board by 5:00 p.m. E.T. Any items received after 5:00 p.m. E.T. will be deemed to have been received on the next business day that is not a Saturday, Sunday, or legal holiday. Neither the United States Postal Service postmark nor a postage meter date is determinative.

(c) Incomplete applications will be returned to the Insurer and will not be considered by the Board.

(d) The submission of a completed application by an Insurer that has met all the conditions necessary for Approval is no guarantee that a Surplus Note will be executed and that funds will be available and distributed to an Insurer.

(e) Application time frame from June 1, 2006 to June 15, 2006: Applications received from June 1, 2006 to June 15, 2006, if accompanied by all the information needed to review the application and if all the Surplus Note requirements have been met, will be reviewed by the Board before any applications received after that time.

(f) Application time frame from June 16, 2006 to July 1, 2006: If there are funds remaining after the review of applications received on or before June 15, 2006, then applications received from June 16, 2006 to July 1, 2006, if accompanied by all the information needed to review the application and if all the Surplus Note requirements have been met, will be reviewed by the Board before any applications received after that time.

(g) Application time frame from July 2, 2006 to June 1, 2007: If there are funds remaining after the review of applications received on or before July 1, 2006, then applications received from July 2, 2006 to June 1, 2007, if accompanied by all the information needed to review the application and if all the Surplus Note requirements have been met, will be reviewed by the Board.

(h) Additional information may be requested by the Board as provided for in subsection (7) below.

(i) The Board shall not reserve funds based on an Insurer’s application date or the date which funds are requested by the Insurer. Funds will not be committed to an Insurer until the Surplus Note is executed by both the Insurer and the Board.

(5) Statutory Requirements for an Insurer’s Participation in the Program. In determining whether an Insurer has met the requirements outlined below, the Board shall consult with the Office and may consult with independent financial and insurance consultants.

(a) Insurers who apply to the Board on or before July 1, 2006, must contribute an amount of New Capital to its Surplus which is at least equal to the amount of the Surplus Note requested.

(b) Insurers who apply to the Board after July 1, 2006, other than insurers writing only manufactured housing, but before June 1, 2007, must contribute an amount of New Capital to its Surplus which is at least twice the amount of the Surplus Note requested.

(c) Insurers must submit a completed application including supplying all the required documentation to the Board. The application, Form SBA 15-1, rev. 09/07 ~~2/07~~, is hereby adopted and incorporated by reference into this rule. This Form is available on the Board’s website, www.sbafla.com, under “Insurance Capital Build-Up Incentive Program”.

(d) Prior to the time the application, Form SBA 15-1, rev. ~~09/07~~ ~~06/07~~, is submitted, the Insurer must review and accept the terms of the Surplus Note, Form SBA 15-2, rev. ~~09/07~~ ~~06/07~~, which is hereby adopted and incorporated by reference into this rule. The Surplus Note is available on the Board's website, www.sbafla.com, under "Insurance Capital Build-Up Incentive Program".

(e) The principal amount of the Surplus Note issued to any Insurer or Insurer group, other than an Insurer writing only manufactured housing policies may not exceed \$50 million. The principal amount of the Surplus Note issued to any Insurer or Insurer group writing only manufactured housing policies may not exceed \$7 million.

(f) For Insurers, other than those writing only manufactured housing policies, an Insurer's Surplus, New Capital, and the Surplus Note must total at least \$50 million as a result of participating in the Program. For an Insurer writing only manufactured housing policies, the Insurer's Surplus, New Capital, and the Surplus Note must total at least \$14 million as a result of participating in the Program.

(g) Prior to the execution of the Surplus Note, the Insurer must arrange for the Board to receive a letter from a depository institution which states the amount of unencumbered Cash or Cash Equivalents that have been deposited into the Insurer's account.

(h) Prior to the execution of the Surplus Note, the Insurer must provide the Board with a letter from the Insurer's top executive officer attesting that the New Capital contribution, for purposes of the Insurer, is not subject to any liens or other encumbrances.

(i) The Insurer must commit to meeting the Minimum Writing Ratio of Net Written Premium for the term of the Surplus Note and must submit quarterly filings to the Office and the Board. The quarterly filings shall be on Form SBA 15-3, rev. ~~09/07~~ ~~06/07~~, which is hereby adopted and incorporated by reference into this rule. This Form is available on the Board's website, www.sbafla.com, under "Insurance Capital Build-Up Incentive Program".

(j) Insurer's plan of operation, submitted as part of the application process, must address how the Insurer intends to reach the required Minimum Writing Ratio within sixty days of the Board distributing funds to the Insurer.

(k) Insurer shall provide documentation showing that the Insurer is currently in compliance with Section 627.0645, F.S., which requires an annual base rate filing.

(l) Only those Insurers that can demonstrate as a result of their financial condition and business plan that they do not create an unreasonably high level of financial risk to the state involving the full repayment both interest and principal will be considered for Approval by the Board after consulting with the Office and after any other review deemed necessary by the Board.

(6) Prioritization of Applications. The Board may consult with the Office and with independent financial and insurance consultants in prioritizing Approved applications. The intent of the prioritization process is to provide the Surplus Note proceeds to those Insurers that are expected to have the greatest impact and result in the greatest benefits to the residential property insurance market in a timely fashion so as to relieve short term market pressures. Prioritization shall occur based upon the following criteria:

(a) The earlier an application is filed, the better the chance that there will be funds remaining in the Program to provide to qualified and Approved Applicants.

(b) The type of insurance written. All other prioritization factors being equal, preference will be given to Insurers writing only manufactured housing policies.

(c) The amount of an Insurer's New Capital contributions in excess of the minimum requirement.

(d) An Insurer's financial strength.

(e) The Insurer's ability to timely and expeditiously meet the Minimum Writing Ratio requirement as described in the Insurer's business plan.

(f) The viability and the level of detail and specificity associated with the Insurer's proposed business plan for writing additional residential property insurance covering the peril of wind.

(g) The effect on competition in the residential property insurance market including the number of new policies which the Insurer contemplates writing as a result of the Program.

(h) Whether the repayment of the Surplus Note will be guaranteed by a financially strong guarantor.

(i) Whether the Insurer is willing to pledge any assets as collateral for the repayment of the Surplus Note.

(j) Any other concessions an Applicant is willing to make that would enhance the purposes and effectiveness of the Program.

(7) Additional Information.

(a) In addition to Insurers submitting the Surplus Note application, SBA Form 15-1, rev. ~~09/07~~ ~~06/07~~, the Board may request additional information and data prior to the time the Surplus Note is executed. Such additional information may consist of additional documentation, answers to questions that arise as a result of the review process, and additional information solicited through oral interviews.

(b) Additional information may only be solicited by the Board. The Insurer shall not unilaterally submit additional information or data past the application time frame for which the Surplus Note is being considered. If the Insurer desires to submit such additional information, the Insurer may request that a new application submission date be established and that the Insurer be considered for the next application time frame as designated in paragraph (4)(e), (f), or (g) above.

(8) Payment Conditions.

(a) Interest Rate: The Surplus Note shall accrue interest on the unpaid principal balance at a rate equivalent to the 10-year U.S. Treasury Bond rate. The rate will be adjusted quarterly for the term of the Surplus Note based on the 10-year Constant Maturity Treasury rate.

(b) Interest for the First Three Years: For the first three years of the Surplus Note, an Insurer is required to pay interest only. However, principal payments can be made during this time at the option of the Insurer. Interest payments shall begin to accrue from the date that the Surplus Note proceeds are distributed to the Insurer.

(c) Repayment Limitations: Any payment of principal or interest by the Insurer on the Surplus Note must be approved by the Commissioner, who shall approve the payment unless the Commissioner determines that such payment will result in a Substantial Impairment to the financial condition of the Insurer. If such a determination is made, the Commissioner shall approve such payment that will not Substantially Impair the financial condition of the Insurer or recommend to the Board a limited time period for the suspension of payments. The Board will seek approval of payments from the Commissioner and will notify any Insurer if a payment of principal and/or interest has been disapproved or, if a lower amount has been approved, the amount by which the usual payment is to be reduced, or whether a payment(s) have been suspended for a limited period of time. If full payments of principal and interest are not received in a timely fashion, the Board may lengthen the term of the Surplus Note and make any other adjustments with the Approval of the Commissioner that will protect the state's interest in the repayment of the proceeds.

(d) Interest shall continue to accrue even in situations where payments under the Surplus Note have been suspended as a result of the Commissioner's actions.

(9) Default: Conditions, Consequences, and Insurer Responsibilities.

(a) Conditions Resulting in Default:

1. Failure to reach the Minimum Writing Ratio within 60 days of an Insurer receiving the proceeds of the Surplus Note distributed by the Board or the failure to maintain the Minimum Writing Ratio once reached unless a supplemental agreement is provided for in the Surplus Note that allows the Insurer more time to reach the Minimum Writing Ratio due to financial considerations.

2. Failure to submit quarterly filings of Form SBA 15-3, rev. ~~09/07~~ ~~06/07~~, to the Office.

3. Failure to maintain the Minimum Required Surplus except for situations involving the payment of losses resulting from a catastrophic event or a series of events resulting in catastrophic losses or where Minimum Required Surplus is

reduced as a result of the accounting treatment for deferred acquisition costs or where Minimum Required Surplus is reduced as a result of the repayment of principal.

4. Misuse of Program Proceeds: The Surplus Note will be in default if proceeds received pursuant to the Surplus Note are converted into any asset not authorized under Part II of Chapter 625, F.S.

5. Failure to make a payment of interest and/or principal where the payment by the Insurer has been approved by the Office.

6. Failure to make a payment of interest and/or principal where the payment by the Insurer has not been approved by the Office, but alternative payments have been approved.

7. False or Misleading Statements: Any representations, including those made in the application and/or accompanying documentation, which are false or misleading.

8. When the Insurer pays any ordinary or extraordinary dividend when there are payments of principal or interest payments that are past due under the Surplus Note.

(b) Consequences of Default: For all defaults, the Board, in its sole discretion, may exercise any one of the following options:

1. Increase the interest rate to the maximum interest rate permitted by law;
2. Accelerate the repayment of principal and interest;
3. Shorten the term of the Surplus Note;
4. Call the Surplus Note and demand full repayment.

(c) Insurer responsibilities: The Insurer shall notify the Board when any of the above conditions resulting in default arises.

Specific Authority 215.5595 FS. Law Implemented 215.5595(2), (2)(c), (d), (e), (g) FS. History—New 2-22-07, Amended 6-3-07, ~~6-12-07.~~

THESE EMERGENCY RULES TAKE EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE.

THE EFFECTIVE DATE IS: June 12, 2007

DEPARTMENT OF THE LOTTERY

RULE NO.:	RULE TITLE:
53ER07-38	Instant Game Number 703, BLACKJACK BONUS

SUMMARY: This emergency rule describes Instant Game Number 703, "BLACKJACK BONUS," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

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:

53ER07-38 Instant Game Number 703, BLACKJACK BONUS.

(1) Name of Game. Instant Game Number 703, "BLACKJACK BONUS."

(2) Price. BLACKJACK BONUS lottery tickets sell for \$1.00 per ticket.

(3) BLACKJACK BONUS lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning BLACKJACK BONUS lottery ticket, the ticket must meet the applicable requirements of Rule 53ER06-4, F.A.C.

(4) The "PLAYER HANDS" play symbols and play symbol captions are as follows:



(5) The "DEALER'S TOTAL" play symbols and play symbol captions are as follows:



(6) The "BONUS HAND" play symbols and play symbol captions are as follows:



(7) The prize symbols and prize symbol captions are as follows:



(8) The legends are as follows:



(9) Determination of Prizewinners.

(a) There are four hands on a ticket. Players may win in one or more hands per ticket. The value assigned to Aces is 11 and the value assigned to Jacks, Queens and Kings is 10. A ticket having two cards in the "PLAYER HANDS" area of one hand, the total of which is greater than the number in the

"DEALER'S TOTAL" play area, shall entitle the claimant to the corresponding prize shown for that hand. A ticket having two cards in the "BONUS HAND" area, the total of which is greater than the number in the "DEALER'S TOTAL" play area, shall entitle the claimant to all 4 prizes.

(b) The prizes are: TICKET, \$1.00, \$2.00, \$3.00, \$5.00, \$10.00, \$20.00, \$25.00, \$50.00, \$100 and \$2,100. A claimant who is entitled to a prize of a "TICKET" shall be entitled to a prize of a \$1.00 instant ticket, except as follows. A person who submits by mail a BLACKJACK BONUS lottery ticket which entitles the claimant to a prize of a \$1.00 instant ticket and whose mailing address is outside the state of Florida will receive a check for \$1.00 in lieu of an actual ticket.

(10) The estimated odds of winning, value, and number of prizes in Instant Game Number 703 are as follows:

GAME PLAY	WIN	ODDS OF 1 IN	NUMBER OF WINNERS IN 56 POOLS OF TICKETS PER POOL
TICKET	\$1 TICKET	10.00	1,008,000
\$1	\$1	15.00	672,000
\$2	\$2	25.00	403,200
\$1 x 4 (BONUS HAND)	\$4	50.00	201,600
\$2 + \$3	\$5	100.00	100,800
\$5	\$5	100.00	100,800
\$2 x 4 (BONUS HAND)	\$8	300.00	33,600
\$10	\$10	300.00	33,600
\$5 x 4 (BONUS HAND)	\$20	300.00	33,600
\$5 + (\$10 x 2)	\$25	1,800.00	5,600
\$25	\$25	1,800.00	5,600
\$10 x 4 (BONUS HAND)	\$40	4,500.00	2,240
\$25 x 2	\$50	4,500.00	2,240
\$50	\$50	4,500.00	2,240
\$25 x 4 (BONUS HAND)	\$100	45,000.00	224
\$5 + \$20 + \$25 + \$50	\$100	45,000.00	224
\$100	\$100	90,000.00	112
\$50 x 4 (BONUS HAND)	\$200	90,000.00	112
\$2,100	\$2,100	840,000.00	12

(11) The estimated overall odds of winning some prize in Instant Game Number 703 are 1 in 3.87. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(12) For reorders of Instant Game Number 703, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(13) By purchasing a BLACKJACK BONUS lottery ticket the player agrees to comply with and abide by all prize payment rules of the Florida Lottery.

(14) Payment of prizes for BLACKJACK BONUS lottery tickets shall be made in accordance with rules of the Florida Lottery governing payment of prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Specific Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 6-8-07.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: June 8, 2007

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER07-39 RULE TITLE: Instant Game Number 702, LUCKY BUCKS

SUMMARY: This emergency rule describes Instant Game Number 702, “LUCKY BUCKS,” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

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:

53ER07-39 Instant Game Number 702, LUCKY BUCKS.

(1) Name of Game. Instant Game Number 702, “LUCKY BUCKS.”

(2) Price. LUCKY BUCKS lottery tickets sell for \$2.00 per ticket.

(3) LUCKY BUCKS lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning LUCKY BUCKS lottery ticket, the ticket must meet the applicable requirements of Rule 53ER06-4, F.A.C.

(4) The “YOUR NUMBERS” play symbols and play symbol captions are as follows:

1 <small>ONE</small>	2 <small>TWO</small>	3 <small>THREE</small>	4 <small>FOUR</small>	5 <small>FIVE</small>	
6 <small>SIX</small>	7 <small>SEVEN</small>	8 <small>EIGHT</small>	9 <small>NINE</small>	10 <small>TEN</small>	
11 <small>ELEVN</small>	12 <small>TWELV</small>	13 <small>THRTN</small>	14 <small>FORTN</small>	15 <small>FIFTN</small>	
16 <small>SIXTN</small>	17 <small>SVNTN</small>	18 <small>EGHTN</small>	19 <small>NINTN</small>	20 <small>TENTY</small>	\$\$ <small>WIN</small>

(5) The “LUCKY NUMBERS” play symbols and play symbol captions are as follows:

1 <small>ONE</small>	2 <small>TWO</small>	3 <small>THREE</small>	4 <small>FOUR</small>	5 <small>FIVE</small>
6 <small>SIX</small>	7 <small>SEVEN</small>	8 <small>EIGHT</small>	9 <small>NINE</small>	10 <small>TEN</small>
11 <small>ELEVN</small>	12 <small>TWELV</small>	13 <small>THRTN</small>	14 <small>FORTN</small>	15 <small>FIFTN</small>
16 <small>SIXTN</small>	17 <small>SVNTN</small>	18 <small>EGHTN</small>	19 <small>NINTN</small>	20 <small>TENTY</small>

(6) The prize symbols and prize symbol captions are as follows:

TICKET	\$1.00	\$2.00	\$4.00	\$5.00
<small>TICKET</small>	<small>ONE</small>	<small>TWO</small>	<small>FOUR</small>	<small>FIVE</small>
\$10.00	\$25.00	\$50.00	\$100	\$1,000 \$10,000
<small>TEN</small>	<small>THY FIVE</small>	<small>FIFTY</small>	<small>ONE HUN</small>	<small>ONE THO</small> <small>TEN THO</small>

(7) The legends are as follows:

LUCKY NUMBERS YOUR NUMBERS PRIZE

(8) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the “YOUR NUMBERS” play area that matches the play symbol and corresponding play symbol caption in the “LUCKY BUCKS” play area shall entitle the claimant to the prize shown for that play symbol.

(b) A ticket having a “**\$\$**” symbol in the “YOUR NUMBERS” play area shall entitle the claimant to a prize of \$50.

(c) The prizes are: TICKET, \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$25.00, \$50.00, \$100 and \$10,000. A claimant who is entitled to a prize of a “TICKET” shall be entitled to a prize of a \$2.00 instant ticket or combination of instant tickets with a total value of \$2.00, except as follows. A person who submits by mail a LUCKY BUCKS lottery ticket which entitles the claimant to a prize of a \$2.00 instant ticket and whose mailing address is outside the state of Florida will receive a check for \$2.00 in lieu of an actual ticket.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 702 are as follows:

GAME PLAY	WIN	ODDS OF 1 IN	NUMBER OF WINNERS IN 42 POOLS OF 180,000 TICKETS PER POOL
TICKET	\$2 TICKET	8.33	907.200
\$2	\$2	50.00	151.200
\$4	\$4	30.00	252.000
\$1 + (\$2 x 2)	\$5	37.50	201.600
\$5	\$5	37.50	201.600
(\$1 x 2) + (\$2 x 4)	\$10	150.00	50.400
\$5 x 2	\$10	75.00	100.800
\$10	\$10	150.00	50.400
\$5 x 5	\$25	300.00	25.200
\$25	\$25	300.00	25.200
\$5 x 10	\$50	1,800.00	4.200
\$10 x 5	\$50	1,800.00	4.200
\$50 (\$\$)	\$50	414.75	18,228
\$10 x 10	\$100	9,000.00	840
(\$25 x 2) + \$50 (\$\$)	\$100	1,285.71	5,880
\$100	\$100	9,000.00	840
(\$25 x 6) + \$50 (\$\$)	\$200	45,000.00	168
\$100 x 10	\$1,000	756,000.00	10
\$1,000	\$1,000	756,000.00	10
\$1,000 x 10	\$10,000	3,780,000.00	2
\$10,000	\$10,000	3,780,000.00	2

(10) The estimated overall odds of winning some prize in Instant Game Number 702 are 1 in 3.78. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 702, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) By purchasing a LUCKY BUCKS lottery ticket the player agrees to comply with and abide by all prize payment rules of the Florida Lottery.

(13) Payment of prizes for LUCKY BUCKS lottery tickets shall be made in accordance with rules of the Florida Lottery governing payment of prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Specific Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS, Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 6-8-07.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: June 8, 2007

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

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

DEPARTMENT OF LEGAL AFFAIRS

AMENDED – The Department of Legal Affairs, Division of Victim Services and Criminal Justice Programs, hereby gives notice that it has received a petition filed on behalf of Circle K Stores, Inc., on May 7, 2007, seeking a waiver or variance from Rule 2A-5.005, F.A.C., with regard to the requirement regarding test photos and remote triggering devices. Comments on this petition should be filed with Division of Victim Services and Criminal Justice Programs, Office of the Attorney General, PL-01, The Capitol, Tallahassee, Florida 32399-1050, within 14 days of publication of this notice. The original Notice of Petition for Waiver or Variance which published in Vol. 33, No. 21, of the May 25, 2007, issue of the F.A.W., inadvertently omitted the name of the entity filing the Petition. For a copy of the petition contact: Rick Nuss, Chief, Bureau of Criminal Justice Programs, Department of Legal Affairs, PL-01, The Capitol, Tallahassee, Florida 32399-1050, (850)414-3351.

DEPARTMENT OF LAW ENFORCEMENT

NOTICE IS HEREBY GIVEN THAT on May 24, 2007, the Criminal Justice Standards and Training Commission, received a petition for waiver of paragraphs 11B-27.00213(4)(a), (b), F.A.C., from Armondo Bilancione. The Petitioner wishes to waive the provision of rule that requires a criminal justice officer on a Temporary Employment Authorization (TEA) to wait four years before beginning another TEA if he or she leaves employment or breaks training before finishing the first TEA.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Assistant General Counsel, Grace A. Jaye, Office of the General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302-1489, or

by telephoning (850)410-7676. Comments on the petition should be filed with the agency by sending the comments to Assistant General Counsel, Grace A. Jaye at the above address.

NOTICE IS HEREBY GIVEN THAT on May 11, 2007, the Criminal Justice Standards and Training Commission, received a petition for waiver of Rule 11B-30.006, F.A.C., by Christopher Sloan. The Petition was originally reviewed and returned to the Petitioner on April 18, 2007, as insufficient. The Petitioner refiled his request with appropriate supporting materials on May 11, 2007. Petitioner seeks to waive that provision of the rule that requires a candidate to complete basic recruit training, pass the State Officer Certification Examination, and gain employment within four years of starting basic recruit training.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Assistant General Counsel, Grace A. Jaye, Office of the General Counsel, Florida Department of Law Enforcement, P. O. Box 1489 Tallahassee, FL 32302-1489, or telephoning (850)410-7676. Comments on the petition should be addressed to Assistant General Counsel, Grace A. Jaye at the above address.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN THAT on June 5, 2007, the Suwannee River Water Management District, received a petition for Mr. Lawrence Diaz, 2239 S. W. 77th Ave., Bell, FL 32619, for demonstration of hardship for ERP07-0204, Lawrence Diaz Work of the District Residence with regard to subsection 40B-4.3030(9) and paragraph (11)(b), F.A.C. Property is located in Township 9 South, Range 14 East, Section 17, Gilchrist County.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Robin Lamm, Administrative Assistant, Suwannee River Water Management District, 9225 CR 49, Live Oak, FL 32060, (386)362-1001 or (800)226-1066 in Florida only.

NOTICE IS HEREBY GIVEN THAT on May 9, 2007, the St. Johns River Water Management District's Governing Board has issued an order.

Granting Variance under Section 120.542, F.S. (SJRWMD FOR # 2007-20), to Hammock Landing/West Melbourne, LLC (Petitioner). The Petition for Variance was received by SJRWMD on February 20, 2007. Notice of receipt of the

petition requesting the variance was published in the F.A.W., Vol. 33, No. 13 on March 30, 2007. No public comment was received. This order provides a temporary variance from subparagraph 40C-41.063(1)(c)1. of the Florida Administrative Code and Section 11.1.3 of the Applicant's Handbook: Management and Storage of Surface Waters (February 1, 2005). These rules provide in pertinent part that a surface water management system may not result in an increase in the amount of water being diverted from the Upper St. Johns River Hydrologic Basin to intercoastal receiving waters. Generally, the Order sets forth the basis of the Governing Board's decision to grant the variance as follows: 1) requiring Petitioner to comply with these rules onsite would create a technological hardship, and 2) Petitioner's financial contribution to the C-1 Rediversion Project or an Alternative Rediversion Project will accomplish the purpose of Chapter 373 of the Florida Statutes to prevent harm to the water resources, by facilitating the project's implementation. The C-1 Rediversion Project is a restoration project designed to allow water that would be diverted from the St. Johns River to coastal receiving waters by the Melbourne-Tillman Water Control District canal system to drain once again to the St. Johns River. A copy of the Order may be obtained by contacting: Timothy A. Smith, Senior Assistant General Counsel, at the Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, or by telephone (386)312-2347.

NOTICE IS HEREBY GIVEN THAT on May 10, 2007, the St. Johns River Water Management District, received a petition for variance from Brevard County, pursuant to Section 120.542, Florida Statutes. Petitioner is seeking a variance from subparagraph 40C-41.063(1)(c)1., F.A.C., and Section 11.1.3 of the Applicant's Handbook: Management and Storage of Surface Waters (February 1, 2005) (A.H.), for Environmental Resource Permit Application 4-009-109446-1. The permit applicant is proposing to construct a surface water management system that will serve a proposed facility known as Rodes Park, comprising a community center, athletic fields, and walking trails on a 136-acre site. The proposed wet detention surface water management system would discharge into the Melbourne-Tillman Water Control District canal system, which in turn discharges to coastal waters. Subparagraph 40C-41.063(1)(c)1., F.A.C., and Section 11.1.3, A.H., prohibit the construction, operation, and maintenance of a surface water management system in the Upper St. Johns River Hydrologic Basin that results in an increase in the amount of water being diverted from the Basin to coastal receiving waters. These rules are intended to protect the water resources of the state by limiting discharges of fresh water to estuarine waters and curtailing interbasin diversion. Comments on this petition should be filed with Robert Nawrocki, District Clerk, St. Johns River Water Management District, 4049 Reid

Street, Palatka, Florida 32177-2529, within 14 days of publication of this notice. The petition has been assigned F.O.R. Number 2007-46.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Timothy A. Smith, Senior Assistant General Counsel, at the Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177, or by telephone (386)312-2347.

NOTICE IS HEREBY GIVEN THAT on June 5, 2007, South Florida Water Management District (District) received a petition for waiver from South Florida Stadium Corporation, Application No. 06-0919-2M, for utilization of Works or Lands of the District known as the C-9 Canal, for the installation of temporary fencing along the top of the canal bank beginning at the Florida Turnpike westerly approximately 5700' to be used in conjunction with intermittent parking for stadium events, Miami-Dade County, Section 34, Township 51 South, Range 41 East. The petition seeks relief from subsections 40E-6.011(4), and (6), and paragraph 40E-6.221(2)(j), Florida Administrative Code, which governs the placement of permanent and/or semi-permanent above-ground facilities within 40 feet of the top of the canal bank and generally prohibits parking within Works or Lands of the District. A copy of the petition may be obtained from Kathie Ruff at (561)682-6320 or e-mail at kruff@sfwmd.gov.

The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn: Kathie Ruff, Office of Counsel.

NOTICE OF WITHDRAWAL – NOTICE IS HEREBY GIVEN THAT on June 4, 2007, South Florida Water Management District (District) received request for Withdrawal of Petition for Waiver from South Florida Stadium Corporation, Application No. 06-0919-2M, for utilization of Works or Lands of the District known as the C-9 Canal, Section 34, Township 51S, Range 41E, Miami-Dade County. Notice of receipt of petition requesting waiver was published in the F.A.W., Vol. 32, No. 41, on October 13, 2006. No public comment was received.

A copy of the withdrawal request may be obtained from Kathie Ruff, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, (561)682-6320 or e-mail at kruff@sfwmd.gov.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT on May 14, 2007, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from Canopy Moon Kiosk located in Fernandina Beach. The above referenced F.A.C. states that all bathrooms shall be of easy and convenient access to both patrons and employees...They are requesting a variance to not have a bathroom facility in their facility, but use the bathroom facilities located inside of Bright Mornings due to historical significance.

A copy of the Petition can be obtained from: Xenia Bailey, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN THAT on May 17, 2007, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-4.0161(2)(c), Florida Administrative Code (F.A.C.), from Indian Hills Golf Course located in Fort Pierce. The above referenced F.A.C. states mobile food dispensing vehicles (MFDVs) shall operate from an approved commissary that meets all applicable requirements of this rule....The Petitioner is requesting a temporary variance to operate a MFDV (trailer) as a permanent structure until their original building is re-built from hurricane damage.

A copy of the Petition can be obtained from: Xenia Bailey, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN THAT on May 24, 2007, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from That's a Moray located in Apalachicola. The above referenced F.A.C. states that all bathrooms shall be of easy and convenient access to both patrons and employees...They are requesting a variance to not have a bathroom facility in their facility, but use the bathroom facilities located inside of the chamber of commerce, Apalachicola River Keeper, or the courthouse due to historical significance.

A copy of the Petition can be obtained from: Xenia Bailey, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN THAT on May 30, 2007, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from Hurricane Oyster Bar and Grill located in Santa Rosa Beach. The above referenced F.A.C. states that all bathrooms shall be of easy and convenient access to both patrons and employees...They are requesting a variance to not have bathroom facilities in their facility, but use centrally located bathroom facilities.

A copy of the Petition can be obtained from: Xenia Bailey, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN THAT on May 31, 2007, the Board of Accountancy, received a petition for Patrick Casey, seeking a waiver or variance from subsection 61H1-33.006(2), Florida Administrative Code, which establishes the requirements to reactivate an inactive or delinquent license. Petitioner is also seeking a waiver or variance from subsection 61H1-31.001(4), F.A.C., which establishes the fee to reactivate a license and provides instruction regarding the submission of the laws and rules examination.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607, or by telephone (352)333-2505. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on May 31, 2007, the Board of Accountancy, received a petition for Gleim Publications, Inc., seeking a variance or waiver of subsection 61H1-33.003(7), F.A.C., which requires that sponsors of formal correspondence or other individual study technical business and accounting and auditing programs must be approved by the National Association of State Board of Accountancy Quality Assurance Service.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida

32607, or by telephone (352)333-2505. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on June 6, 2007, the Board of Accountancy, received a petition for Natalia Esteban, seeking a variance or waiver of paragraph 61H1-28.0052(1)(b), Florida Administrative Code, which requires that candidates must pass all four test sections of the CPA Examination within a rolling eighteen-month period, which begins on the date that the first test section passed is taken.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607, or by telephone (352)333-2505. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on June 8, 2007, the Board of Accountancy, received a petition for Sharon R. Chaney Benafield, seeking a variance or waiver of paragraph 61H1-33.003(1)(b), Florida Administrative Code, which requires that the licensee submit an additional 8 hours of continuing education if they do not timely meet the initial requirements for continuing professional education within their reestablishment period. Petitioner is also seeking a variance or waiver of subsection 61H1-33.003(6), Florida Administrative Code, which requires that licensees who complete the continuing professional education requirements timely but who are found to be deficient after December 31 of their renewal year must correct the error and pay a \$50.00 fine within 60 days.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607, or by telephone (352)333-2505. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on June 8, 2007, the Board of Accountancy, received a petition for Christina L. Cammarata, seeking a variance or waiver of subsection 61H1-31.001(10), Florida Administrative Code, and the requirement that a licensee pay a \$50.00 delinquency fee for submitting a CPE reporting form after July 15th of the licensee's reestablishment period. Petitioner is also seeking a variance or waiver of paragraphs 61H1-33.003(1)(a) and (b), F.A.C., and the requirement that a licensee complete at least four hours of Board-approved continuing education credits in ethics and an additional 8 hours of Accounting and Auditing

subjects for not meeting the deadline for obtaining the required continuing education hours by June 30th of the licensee's reestablishment period.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607, or by telephone (352)333-2505. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on June 8, 2007, the Board of Accountancy, received a petition for John D. McConnell, seeking a variance from subsection 61H1-33.006(2), Florida Administrative Code, which requires that at least 80% of the necessary continuing professional education hours have been completed in the 24 months immediately preceding the date of an application for reactivation.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607, or by telephone (352)333-2505. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

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 May 30, 2007, the Department of Environmental Protection, Division of Air Resource Management, received a petition for Combs Oil Co., seeking a variance from the provisions of Department of Environmental Protection subparagraph 62-296.418(2)(b)2., Florida Administrative Code, to waive the requirement for installation of a vapor collection and control system on the loading racks at a bulk gasoline plant. The petition has been assigned OGC File No. 07-1046.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Terri Long, Department of Environmental Protection, Air Resource Management, MS 5500, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)921-9556. Written comments must be received by Terri Long at the above address no later than 14 days from the date of publication of this notice.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT on June 11, 2007, the Board of Dentistry, received a petition for a waiver or variance of Rule 64B5-2.0146, F.A.C., from Girish Herekar, D.D.S., with respect to the following licensure requirements: (1) that each applicant for a Florida dental license examination successfully completes a 2 year supplemental remediation program from an accredited dental school to the level of a graduating senior and (2) that each applicant for a Florida dental license examination provide to the Board official transcripts and diplomas from the sponsoring institution verifying completion of coursework requirements for the supplemental dental education program.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sue Foster, Executive Director, the Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

NOTICE IS HEREBY GIVEN THAT on May 3, 2007, the Board of Hearing Aid Specialists has issued an order.

The Board reviewed the Petition of Robert E. Eacret (filed February 23, 2007) at its meeting held on March 30, 2007, in Ft. Lauderdale, Florida. The Board's Order of Intent to Grant Petition for Variance or Waiver, determined that the Petition for Variance or Waiver should be granted on the following grounds:

1. The Petitioner seeks a waiver of subsection 64B6-8.003(8), Florida Administrative Code. Specifically, Petitioner seeks waiver of the rule that states that applicants can only sit for or fail an examination three times.
2. Section 120.542(2), Florida Statutes, provides that a petitioner seeking a variance or waiver from a particular administrative rule must show that he or she has met the purpose of the statute underlying the rule from which waiver is sought by some other means and that the application of the rule in question creates a substantial hardship or violates principles of fairness before the agency can grant such petition.
3. The Petitioner has demonstrated that his father has significant medical problems and passed away through documentation submitted for the Board's review.

A copy of the Order may be obtained by contacting: Sue Foster, Executive Director, The Board of Hearing Aid Specialists, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3259.

NOTICE IS HEREBY GIVEN THAT on May 23, 2007, the Board of Opticianry has issued an order.

The Board's Order of Intent to Grant Petition for Waiver or Variance determined that the Petition for Variance or Waiver filed by Petitioner William L. Burger should be granted on the following grounds:

1. The Petitioner seeks a waiver of Rule 64B12-9.016, Florida Administrative Code. Specifically, Petitioner seeks waiver of the rule that states that applicants, who practiced out of state, can only apply for examination within two years of ceasing to practice.
2. Section 120.542(2), Florida Statutes, provides that a petitioner seeking a variance or waiver from a particular administrative rule must show that he or she has met the purpose of the statute underlying the rule from which waiver is sought by some other means and that the application of the rule in question creates a substantial hardship or violates principles of fairness before the agency can grant such petition.
3. The Petitioner has demonstrated that he is entitled to sit for the examination due to family illness, which the Board considered an extenuating circumstance.

A copy of the Order may be obtained by contacting: Board of Opticianry, Sue Foster, Executive Director, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

NOTICE IS HEREBY GIVEN THAT on May 23, 2007, the Board of Opticianry has issued an order.

The Board's Order of Intent to Grant Petition for Waiver or Variance, filed in this cause determined that the Petition for Variance or Waiver filed by Petitioner Scott K. Seiler should be granted on the following grounds:

1. The Petitioner seeks a waiver of Rule 64B12-9.016, Florida Administrative Code. Specifically, Petitioner seeks waiver of the rule that states that applicants, who practiced out of state, can only apply for examination within two years of ceasing to practice.
2. Section 120.542(2), Florida Statutes, provides that a petitioner seeking a variance or waiver from a particular administrative rule must show that he or she has met the purpose of the statute underlying the rule from which waiver is sought by some other means and that the application of the rule in question creates a substantial hardship or violates principles of fairness before the agency can grant such petition.
3. The Petitioner has demonstrated that he is entitled to sit for the examination due to family illness, which the Board considered an extenuating circumstance.

A copy of the Order may be obtained by contacting: Board of Opticianry, Sue Foster, Executive Director, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

NOTICE IS HEREBY GIVEN THAT on April 10, 2007, the Board of Podiatric Medicine has issued an order.

The Board of Podiatric Medicine hereby gives notice that it has issued an Order on the Petition for Variance/Waiver, which was filed on January 23, 2007 on behalf of James Louis Thomas, D.P.M. The Notice of Petition for Variance/Waiver was published in Vol. 33, No. 6, of the February 9, 2007, F.A.W. The Petitioner sought a waiver of Rule 64B18-11.001, F.A.C., entitled "Application for Licensure," and Rule 64B18-11.002, F.A.C, entitled "Examination for Licensure" requiring that he take and pass the PM Lexis examination after August 1996. The Board of Podiatric Medicine considered the Petition at its meeting held on March 30, 2007, in Tampa, Florida. The Board's Order, filed on April 10, 2007, granted the Petition for waiver of Rule 64B18-11.001 and Rule 64B18-11.002, F.A.C., finding that, given the particular circumstances pertinent to the petitioner's employment and academic and professional standing, denying his petition would violate principles of fairness and constitute a substantial hardship for the petitioner.

A copy of the Order may be obtained by contacting: Joe Baker, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3258.

NOTICE IS HEREBY GIVEN THAT on June 7, 2007, the Board of Psychology, received a petition for Judith I. Pool, Ph.D., seeking a variance or waiver of Rule 64B19-11.005, F.A.C., which requires that all applicants for licensure complete at least 2,000 hours of post doctoral experience under a supervisor whose supervision comports with this rule.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Susan Love, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, or telephone (850)245-4373, ext. 3480. Comments on this petition should be filed with the Board of Psychology/MQA within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on June 8, 2007, the Department of Health, received a petition for Variance from or Waiver of Agency paragraphs 64F-12.012(3)(a) and (c), F.A.C. The petition seeks an emergency variance from or waiver of paragraphs 64F-12.012(3)(a) and (c), F.A.C. incorporating be reference prescription drug pedigree forms DH2129 and DH2135. Specifically the Petition seeks a variance or waiver of the form requirements for providing the name and signature of the person who receives a prescription drug on behalf of a repackager.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rebecca Poston, R.Ph., Executive Director, Drugs Devices and Cosmetics Program, 4052 Bald Cypress Way, Mail Bin C-04, Tallahassee, Florida 32399, (850)245-4292.

Section VI Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

The **Department of State, Division of Historical Resources** announces a public meeting concerning Florida Main Street Designation Selection to which all interested persons are invited.

DATES AND TIME: August 30-31, 2007, 9:30 a.m. – 4:30 p.m.

PLACE: City Hall Commission Chambers, 120 S. Florida Avenue, DeLand, Florida 32721

GENERAL SUBJECT MATTER TO BE CONSIDERED: The ad hoc Florida Main Street Advisory Committee will meet to consider applications received and formulate recommendations to the Secretary of State for designation of 2007 Florida Main Street Communities.

Up to (3) applicants may be named as “Designated” communities, eligible to receive up to thirty-six (36) months of technical assistance and apply for a one-time ten thousand dollar (\$10,000) grant.

A copy of the final agenda and procedures may be obtained by writing to: Joan Jefferson, Florida Main Street Coordinator, Department of State, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250 or by calling 1(800)847-7278.

Should any person wish to appeal any decision made with respect to the above referenced meeting, he or she 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 forty-eight (48) hours prior to the meeting in order to request any special assistance.

The **Department of State, Division of Library and Information Services** announces a State Library Council Meeting. All persons are invited.

DATE AND TIME: Monday, July 23, 2007, 9:00 a.m. – 2:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Council will review and discuss programs and issues related to the Division of Library and Information Services. As a side item of the Council meeting, the Friends of the State Library and Archives of Florida Inc.’s Board of Directors and State Library Council members will discuss the progress of the State Library and Archives’ citizen support organization.

For additional information contact Judith A. Ring, State Librarian at (850)245-6600 or Suncom 205-6600.

Any person requiring special accommodations due to a disability or physical impairment should contact the agency at least five days prior to the meeting in order to request any special assistance by calling (850)245-6600 or TDD (850)922-4085.

The **Department of State, Division of Cultural Affairs** announces the following meeting to which all persons are invited.

DATE AND TIME: June 26, 2007, 9:00 a.m. – Conclusion

PLACE: *This meeting will be held via conference call. See instruction below.

The meeting is a public process that any person may participate. If you would like to participate in the meeting, you may dial into the conference call by following the instructions below.

Instructions for Conference Call Participation

Join the teleconference by dialing the ReadyTalk phone number: 1(866)740-1260. This is a toll-free call.

Enter the 7-digit access code: 2456470 (You will be placed on hold until the Chairperson starts the meeting)

*If you have problems joining the conference or if you need technical assistance, please contact the ReadyTalk Customer Care Line: 1(800)843-9166 or you may contact Rachelle Ashmore with the Division of Cultural Affairs at (850)245-6490.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a quarterly meeting of Citizens for Florida Arts, Inc., a non-profit citizens’ support organization.

For more information contact: Rachelle Ashmore, 500 South Bronough Street, R. A. Gray Building, Tallahassee, Florida 32399-0250, (850)245-6490 or by email at rbashmoer@dos.state.fl.us.

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

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

DATE AND TIME: July 17, 2007, 10:00 a.m. – Conclusion

PLACE: University Hilton Conference Center, 1714 S. W. 34 Street, Gainesville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Arts Council Convening Session on Wellness.

DATE AND TIME: July 19, 2007, 10:00 a.m. – Conclusion

PLACE: Radisson Hotel and Conference Center, 12600 Roosevelt Boulevard, St. Petersburg, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Arts Council Convening Session on Strengthening the Economy.

DATE AND TIME: July 20, 2007, 10:00 a.m. – Conclusion

PLACE: Embassy Suites Hotel, 1100 S. E. 17 Street, Ft. Lauderdale, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Arts Council Convening Session on Design and Development. Second phase of strategic planning, to develop implementation strategies and success measurements for the goals of the “Culture Builds Florida’s Future” plan.

A copy of each session agenda is available on: Division of Cultural Affairs’ website at www.Florida-Arts.org or by contacting Dianne Alborn, Executive Assistant, 500 South Bronough Street, R. A. Gray Building, Tallahassee, Florida 32399-0250, (850)245-6473, or by email at dalborn@dos.state.fl.us.

Should any person wish to appeal any decision made with respect to any matter considered in the above-referenced sessions, he/she may need to ensure verbatim recording of the proceeding in order to provide a record for judicial review. The Department of State will not record these meetings.

Pursuant to the provisions of the Americans with Disabilities Act, persons with disabilities are asked to contact the Division office by the 11th day of July 2007, if you need an accommodation. Accommodations can be arranged through Morgan Lewis, ADA Coordinator for the Division of Cultural Affairs, at (850)245-6356, by fax at (850)245-6497, or by email at mblewis@dos.state.fl.us.

DEPARTMENT OF LEGAL AFFAIRS

The **Department of Legal Affairs**, Council on the Social Status of Black Men and Boys announces the following sub-committee telephone conference meetings which all persons are invited to attend.

Subcommittee on Improving Foster Care and Families Issues

DATE AND TIME: July 3, 2007, 1:00 p.m. – 3:00 p.m.

PLACE: Telephone call-in 1(888)808-6959, Conference Code 5414291059

Subcommittee on Improving Educational Outcomes

DATE AND TIME: July 6, 2007, 11:00 a.m. – 12:30 p.m.

PLACE: Telephone call-in 1(888)808-6959, Conference Code 1021731236

Subcommittee on Improving Economic Outcomes

DATE AND TIME: July 10, 2007, 2:00 p.m. – 3:00 p.m.

PLACE: Telephone call-in 1(888)808-6959, Conference Code 6532211382

Subcommittee on Improving Health Status

DATE AND TIME: July 20, 2007, 9:00 p.m. – 11:00 a.m.

PLACE: Telephone call-in 1(888)808-6959, Conference Code 1021731236.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Council shall make a systematic study of the conditions affecting black men and boys, including, but not limited to, homicide rates, arrest and incarceration rate, poverty, violence, drug abuse, death rates, disparate annual income levels, school performance in all grade levels including postsecondary levels, and health issues.

A copy of the meeting agenda may be obtained by contacting Rick Nuss, Chief, Bureau of Criminal Justice Programs at (850)414-3300.

Pursuant to the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Bureau at least 48 hours prior to the meeting by contacting the Bureau of Criminal Justice Programs at (850)414-3300. 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, contact the Bureau of Criminal Justice Programs at (850)414-3300.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Florida Agriculture Center and Horse Park Authority**, Executive Committee announces a public meeting to which all persons are invited.

DATE AND TIME: July 10, 2007, 4:00 p.m.

PLACE: Ocala/Marion Chamber of Commerce, 110 East Silver Springs Boulevard, Ocala, FL 34470-6613

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss present and future needs and desires for the Florida Horse Park located in Marion County.

A copy of the agenda may be obtained by contacting Richard Gunnels at (850)488-3022 or gunnelr@doacs.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 7 days before the workshop/meeting by contacting Richard Gunnels at (850)488-3022 or gunnelr@doacs.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).

DEPARTMENT OF EDUCATION

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

DATE AND TIME: June 26, 2007, 10:00 a.m. – until all business is concluded

PLACE: The Division of Blind Services District Office (Conference Room), 1809 Art Museum Drive, Room 201, Jacksonville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Disagreement regarding Division's decision to cancel a Licensed Operator Facility Agreement for Material Breach.

DEPARTMENT OF REVENUE

NOTICE OF CORRECTION – The **Taxation and Budget Reform Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, June 26, 2007, 9:30 a.m. – 10:45 a.m.

PLACE: Rooms 12 and 24, House Office Building, 402 South Monroe Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meetings of the Finance and Taxation Committee, and Planning and Budgetary Process Committee, to discuss issues related to scope of work.

A copy of the agenda may be obtained by contacting: Kathy Torian, Deputy Executive Director, Taxation and Budget Reform Commission, 600 S. Calhoun Street, Holland Building, Suite 245, Tallahassee, Florida 32399-1300, (850)921-8905.

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: Kathy Torian, Deputy Executive Director, Taxation and Budget Reform Commission, 600 S. Calhoun Street, Holland Building, Suite 245, Tallahassee, Florida 32399-1300, (850)921-8950. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

For more information, you may contact: Kathy Torian, Deputy Executive Director, Taxation and Budget Reform Commission, 600 S. Calhoun Street, Holland Building, Suite 245, Tallahassee, Florida 32399-1300, (850)921-8905.

DEPARTMENT OF TRANSPORTATION

NOTICE OF CANCELLATION – The **Florida Transportation Commission** announces a public meeting scheduled as follows, is hereby cancelled.

DATE AND TIME: June 28, 2007, 8:00 a.m. – 12:00 Noon

PLACE: Ritz-Carlton Hotel, 1111 Ritz-Carlton Drive, Sarasota, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Transportation Commission's Development of Performance Measures for Expressway and Transportation Authorities created under Chapters 343 and 348, Florida Statutes.

Notice of the above meeting was published in F.A.W., Vol. 33, No. 24, June 15, 2007.

The meeting will be rescheduled and announced in a future issue of the F.A.W.

For more information, you may contact: Information may be obtained by contacting: Florida Transportation Commission, Room 176, M.S. 9, 605 Suwannee Street, Tallahassee, Florida 32399-0450, (850)414-4105.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

The Department of Environmental Protection, Office of Coastal and Aquatic Managed Areas, as staff to the **Board of Trustees of the Internal Improvement Trust Fund**, announces a public meeting to which all persons are invited.

DATE AND TIME: July 19, 2007, 6:30 p.m.

PLACE: Mary DeWees Park, 178 North Gaines Street, Oak Hill, FL 32759

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose is for members of the Advisory Committee to discuss the revision of the Mosquito Lagoon Aquatic Preserve Management Plan.

A copy of the agenda may be obtained by contacting Mayra Ashton at (321)634-6148.

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 Mayra Ashton at (321)634-6148. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

STATE BOARD OF ADMINISTRATION

The **State Board of Administration** announces a public meeting of the Audit Committee to which all persons are invited.

DATE AND TIME: Tuesday, July 10, 2007, 9:00 a.m. – Until Conclusion

PLACE: Hermitage Room, Plaza Level, Hermitage Centre, 1801 Hermitage Boulevard, Tallahassee, FL 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled quarterly meeting of the Audit Committee.

If you would like to have a copy of the agenda, please contact: Loveleen Verma, State Board of Administration, 1801 Hermitage Blvd., Suite 100, Tallahassee, FL 32308 or call (850)413-1246.

In compliance with the Americans with Disabilities Act, anyone needing special accommodations to attend the meeting is requested to call James Linn at (850)488-4406, five days prior to the meeting, so that appropriate arrangements can be made.

PUBLIC SERVICE COMMISSION

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

DATE AND TIME: *July 9, 2007, 9:30 a.m.

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Conference Room 140, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and make decisions on matters which affect the operation of the Commission.

A copy of the agenda of the Internal Affairs Meeting may be obtained by contacting: Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation at this conference should contact the Office of Commission Clerk no later than 48 hours prior to the conference at (850)413-6770 or via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD) Florida Relay Service. Assistive Listening Devices are available at the Office of Commission Clerk, Betty Easley Conference Center, Room 110.

*In the event of a change or cancellation, notice will be published at the earliest practicable time on the Commission's website at <http://www.psc.state.fl.us/agendas/internalaffairs/>.

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

DATE AND TIME: July 10, 2007, 9:30 a.m.

PLACE: Betty Easley Conference Center, Joseph P. Cresse Hearing Room 148, 4075 Esplanade Way, Tallahassee, Florida

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

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

Persons who may be affected by Commission action on certain items on the conference agenda may be allowed to address the Commission, either informally or by oral argument, when those items are taken up for discussion at the conference, pursuant to Rules 25-22.0021 and 25-22.0022, F.A.C.

A copy of the agenda may be obtained by any person who requests a copy and pays the reasonable cost of the copy (\$1.00, see Copying Charges for Commission Records), by contacting: Office of Commission Clerk at (850)413-6770 or writing to the Commission Clerk, Florida Public Service

Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. The agenda and recommendations are also accessible on the PSC Website, at <http://www.florida.psc.com>, at no charge.

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

In accordance with the Americans with Disabilities Act, persons needing a special accommodation at this conference should contact the Office of Commission Clerk no later than 48 hours prior to the conference at (850)413-6770 or via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD) Florida Relay Service. Assistive Listening Devices are available at the Office of Commission Clerk, Betty Easley Conference Center, Room 110.

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

Docket No. 050863-TP – Complaint by DPI-Teleconnect, L.L.C. against BellSouth Telecommunications, Inc. for dispute arising under interconnection agreement.

DATE AND TIME: July 11, 2007, 9:30 a.m.

PLACE: Betty Easley Conference Center, Joseph P. Cresse Hearing Room 148, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To permit parties to present testimony and exhibits relative to the complaint by DPI-Teleconnect, L.L.C. against BellSouth Telecommunications, Inc. for dispute arising under interconnection agreement, and for such other purposes as the Commission may deem appropriate. All witnesses shall be subject to cross-examination at the conclusion of their testimony on the issues identified by the parties at the prehearing conference held on June 25, 2007. The proceedings will be governed by the provisions of Chapter 120, F.S., and Chapter 25-28, F.A.C. In accordance with the Americans with Disabilities Act, persons needing a special accommodation at this conference should contact the Office of Commission Clerk no later than 48 hours prior to the conference at (850)413-6770 or via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD) Florida Relay Service. Assistive Listening Devices are available at the Office of Commission Clerk, Betty Easley Conference Center, Room 110.

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

Docket No. 060822-TL – Petition for relief from carrier-of-last-resort (COLR) obligations pursuant to Section 364.025(6)(d), Florida Statutes, for two private subdivisions in Nocatee development, by BellSouth Telecommunications, Inc.

DATE AND TIME: July 12, 2007, 9:30 a.m.

PLACE: Betty Easley Conference Center, Joseph P. Cresse Hearing Room 148, 4075 Esplanade Way, Tallahassee, Florida
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider (1) the simplification of the issues; (2) the identification of the positions of the parties on the issues; (3) the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) the identification of the exhibits; (5) the establishment of an order of witnesses; and (6) such other matters as may aid in the disposition of the action.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation at this conference should contact the Office of Commission Clerk no later than 48 hours prior to the conference at (850)413-6770 or via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD) Florida Relay Service. Assistive Listening Devices are available at the Office of Commission Clerk, Betty Easley Conference Center, Room 110.

EXECUTIVE OFFICE OF THE GOVERNOR

Volunteer Florida, The **Governor's Commission on Volunteerism and Community Service**, Executive Committee, is pleased to announce a conference call to which all persons are invited.

DATE AND TIME: Friday, July 6, 2007, 10:30 a.m.

PLACE: Please call (850)921-5172 for call-in number and pass-code

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review and planning for upcoming annual meeting.

Please contact Kristin Mullikin at (850)414-0092 for a meeting agenda.

If you require a reasonable accommodation to participate please contact Kristin Mullikin, Voice/TTY, 72 hours in advance with your request.

Volunteer Florida, The **Governor's Commission on Volunteerism and Community Service**, is pleased to announce a meeting to which all persons are invited.

DATES AND TIMES: Monday, July 9, 2007, 7:00 p.m. – 10:00 p.m.; Tuesday, July 10, 2007, 8:00 a.m. to 5:00 p.m.; Wednesday, July 11, 2007, 8:00 a.m. – 12:00 Noon

PLACE: West Palm Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Annual Meeting and Strategic Planning.

Please contact Kristin Mullikin at (850)414-0092 for a meeting agenda.

If you require a reasonable accommodation to participate please contact Kristin Mullikin, Voice/TTY, 72 hours in advance with your request.

REGIONAL PLANNING COUNCILS

The **West Florida Regional Planning Council** and the **Regional Utilities Authority** (RUA) announces a public meeting to which all persons are invited.

DATE AND TIMES: Technical Advisory Committee, Wednesday, June 27, 2007, 1:00 p.m. – 2:00 p.m.; RUA meeting, 2:00 p.m. – 3:30 p.m.

PLACE: Okaloosa County Administration Building, 3rd Floor, Conference Room, 1804 Lewis Turner Blvd., Ft. Walton Beach, Florida 32547

GENERAL SUBJECT MATTER TO BE CONSIDERED: A general business meeting of the RUA.

A copy of the agenda may be obtained by contacting Mary Gutierrez, Environmental Planner at gutierrezm@wfrpc.org or (850)332-7976, ext. 226.

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 3 days before the workshop/meeting by contacting Mary Gutierrez, Environmental Planner at gutierrezm@wfrpc.org or (850)332-7976, ext. 226. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

For more information, you may contact Ms. Terry Joseph, Executive Director, West Florida Regional Planning Council at (850)332-7976, ext. 201.

WATER MANAGEMENT DISTRICTS

The **St. Johns River Water Management District** announces a public meeting to which all persons are invited.

Projects and Land Committee Business meeting

DATE AND TIME: Monday, July 9, 2007, 3:00 p.m.

PLACE: District Headquarters, Executive Building, Room 162, 4049 Reid St. (Hwy. 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of District agenda items including regulatory and non-regulatory matters.

A copy of the agenda may be obtained by contacting St. Johns River Water Management District, Attention: Hazel Hinton, by mail or calling (386)329-4947 or website www.sjrwmd.com.

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 48 hours before the workshop/meeting by contacting District Clerk at (386)329-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **St. Johns River Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, July 10, 2007

8:15 a.m. Chairmen's Meeting

8:45 a.m. Finance and Administration Committee

10:00 a.m. Regulatory Committee

1:00 p.m. Governing Board Meeting and Public Hearing on Land Acquisition

PLACE: District Headquarters, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of District business including regulatory and non-regulatory matters. Staff may recommend approval of external amendments which affect the adopted budget. NOTE: One or more Governing Board members may attend and participate in the meetings by means of communications media technology.

A copy of the agenda may be obtained by contacting St. Johns River Water Management District by mail, or calling (386)329-4500 or website www.sjrwmd.com.

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 48 hours before the workshop/meeting by contacting District Clerk at (386)329-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Southwest Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, July 2, 2007, 3:30 p.m.

PLACE: Weeki Wachee Area Club, 7442 Shoal Line Boulevard, Weeki Wachee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of task force business for the Hernando County Task Force of the Citrus/Hernando Waterways Restoration

Council. Hernando County residents are encouraged to attend and provide suggestions for restoration projects to enhance fish and wildlife habitat.

A copy of the agenda may be obtained by contacting: Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34604, (352)796-7211 or 1(800)423-1476 (Florida only), extension 4227.

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 5 days before the workshop/meeting by contacting 1(800)423-1476 (Florida), or (352)796-7211, extension 4226; Fax (352)797-5806; TDD ONLY 1(800)231-6103 (Florida). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Water Resources Advisory Commission (WRAC)** Recreation Issues Workshop announces a public meeting to which all persons are invited.

DATE AND TIME: June 28, 2007, 5:00 p.m. – 8:00 p.m.

PLACE: South Florida Water Management District (SFWMD), 3301 Gun Club Road, Building B-1 Auditorium, West Palm Beach, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Public Meeting of the Water Resources Advisory Commission (WRAC) regarding recreation issues. The public is advised that it is possible that one or more members of the Governing Board of the South Florida Water Management District may attend and participate in this meeting.

A copy of the agenda may be obtained by contacting Rick Smith at (561)682-6517 or at our website: <http://my.sfwmd.gov/wrac>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting the District's Clerk Office, Jacki McGorty at (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Water Resources Advisory Commission (WRAC)** announces a public meeting to which all persons are invited.

DATE AND TIME: July 5, 2007, 9:00 a.m. – 4:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Public Meeting of the Water Resources Advisory Commission (WRAC) regarding water resource protection, water supply and flood protection issues. The public is advised that it is possible that one or more members of the Governing Board of the South Florida Water Management District may attend and participate in this meeting.

A copy of the agenda may be obtained by contacting Rick Smith at (561)682-6517 or at our website: <http://my.sfwmd.gov/wrac>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting the District's Clerk Office, Jacki McGorty at (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

Three Lakes Wildlife Management Area Hydrologic Restoration Project Phase II

DATE AND TIME: Thursday, July 12, 2007, 4:00 p.m. – 7:00 p.m.

PLACE: Kenansville Community Association Center, 1180 South Canoe Creek Road, Kenansville, FL 34739

GENERAL SUBJECT MATTER TO BE CONSIDERED: The South Florida Water Management District (SFWMD), in cooperation with the Florida Fish and Wildlife Conservation Commission (FWC), is currently executing a contract to achieve the hydrologic restoration of the Three Lakes Wildlife Management Area. The project is intended to find a set of structures needed to replace the G-113 structure so that a more natural flow pattern is achieved in the area. This 4-phase project is now at the beginning of its second phase. The SFWMD and the FWC included a series of Public Workshops in the current phase. During this meeting there will be a presentation providing a description of project goals, a summary of the assessments and findings of Phase I, and a description of the work plan and timeline for Phase II. Additionally, there will be an opportunity for the project team to solicit input from the public in regards to ideas and concerns related to the restoration of the area.

A copy of the agenda may be obtained by contacting Bridgett Tolley at 1(800)250-4250, ext. 3806, seven (7) days before the meeting.

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 5 days before the workshop/meeting by contacting Bridgett Tolley at 1(800)250-4250, ext. 3806. 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 Bridgett Tolley at 1(800)250-4250, ext. 3806.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Board of Architecture and Interior Design** announces a public meeting to which all persons are invited.

DATE AND TIME: July 9, 2007, 9:00 a.m.

PLACE: Pink Shell Beach Resort & Spa, 275 Estero Boulevard, Ft. Myers Beach, FL 33931

GENERAL SUBJECT MATTER TO BE CONSIDERED: Architectural Components, Inc., Case No. 2007-022355

Arkytek-One, Inc., Case No. 2006-039481

Steve Bass, Case No. 2005-046932

Design Limited of Sarasota, Inc., Case No. 2007-022003

Gary Distefano, Case No. 2007-001807

ID Group, Case No. 2007-007771

Jennifer Irizarry, Case No. 2007-027189

Lisa Kirkwood, Case No. 2007-020873

Joseph Leal, Case No. 2007-026929

Luiz De Basto Design, Inc., Case No. 2007-019956

Stephen Mayrosh, Case No. 2007-012504

Earl Nelson, Case No. 2007-009089

Nelson Associates, Case No. 2007-027248

Office Environments & Services, Inc., Case No. 2006-045371

Russell Design Associates, Inc., Case No. 2006-057655

A copy of the agenda may be obtained by contacting: David K. Minacci, Smith, Thompson, Shaw & Manausa, P.A., 3520 Thomasville Road, Fourth Floor, Tallahassee, Florida 32309, (850)402-1570.

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: David K. Minacci, Smith, Thompson, Shaw & Manausa, P.A., 3520 Thomasville Road, Fourth Floor, Tallahassee, Florida 32309, (850)402-1570. 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: David K. Minacci, Smith, Thompson, Shaw & Manausa, P.A., 3520 Thomasville Road, Fourth Floor, Tallahassee, Florida 32309, (850)402-1570.

The **Board of Architecture and Interior Design** announces a public meeting to which all persons are invited.

PLACE: Pink Shell Resort & Spa, 275 Estero Boulevard, Ft. Myers, Florida 33931, (239)463-6181

DATE AND TIME: July 10, 2007, 9:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business including disciplinary cases, if time allows to be followed by General Business discussion items – Architecture profession, Interior Design profession, Rules, and Reports.

DATE AND TIME: July 11, 2007, 9:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business including application reviews and discussion items – Architecture profession, Interior Design profession, Rules, and Reports.

A copy of the agenda may be obtained by contacting: Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0751.

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 5 days before the workshop/meeting by contacting: Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0751 or (850)487-8304. 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: Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0751.

The Probable Cause Panel of the **Construction Industry Licensing Board** announces a meeting to which all interested persons are invited.

DATE AND TIMES: June 26, 2007, 9:00 a.m. and 10:00 a.m. or soon thereafter

PLACE: Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32309, (850)488-0062

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review complaints in which a determination of the existence of probable cause has already been made.

A copy of the PUBLIC portion of the agenda may be obtained by writing to: April Hammonds, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 60, Tallahassee, Florida 32399-2202, or by phone at (850)488-0062.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Construction Prosecution Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required. The Construction Prosecution Section may be contacted at the address and phone number listed above.

The **Department of Business and Professional Regulation, Electrical Contractors' Licensing Board** announces a public meeting to which all persons are invited.

PLACE: Embassy Suites Deerfield Beach Resort, 950 Ocean Drive, Deerfield Beach, FL 33441

DATE AND TIME: July 25, 2007, 4:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel (Portions Closed to the Public)

DATE AND TIME: July 26, 2007, 8:30 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discipline and General Business.

DATE AND TIME: July 27, 2007, 8:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0771, (850)922-5012.

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 5 days before the workshop/meeting by contacting: Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0771, (850)922-5012. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Business and Professional Regulation, Board of Employee Leasing Companies** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 18, 2007, 10:00 a.m. or soon thereafter

PLACE: Via Telephone Conference Call. To Connect, dial 1(888)808-6959, Conference Code: 9226020

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business of the Board.

A copy of the agenda may be obtained by contacting: Department of Business and Professional Regulation, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767 or by calling their office at (850)487-1395.

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 48 hours before the workshop/meeting by contacting the board office at (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

For more information, you may contact: Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

The **Department of Business and Professional Regulation, Board of Employee Leasing Companies** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 19, 2007, 10:00 a.m. or soon thereafter

PLACE: Via Telephone Conference Call. To Connect, dial 1(888)808-6959, Conference Code: 9226020

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business of the Board.

A copy of the agenda may be obtained by contacting: Department of Business and Professional Regulation, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767 or by calling their office at (850)487-1395.

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 48 hours before the workshop/meeting by contacting the board office at (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

The Florida **Board of Professional Engineers** and the **Florida Engineers Management Corporation** announces a public meeting by conference call to which all persons are invited.

DATE AND TIME: Wednesday, June 27, 2007, 10:00 a.m. – Until conclusion of meeting

CONFERENCE CALL IN NUMBER: 1(866)895-8146, Pass Code 5210500

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the 2007-2008 Contract.

A copy of the agenda may be obtained by writing: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303.

If any person decides to appeal and decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be 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 Board at least forty-eight (48) hours before the meeting by contacting Carrie A. Flynn at (850)521-0500.

The **Board of Professional Surveyors and Mappers** announces a public meeting to which all persons are invited.

PLACE: Casa Monica Hotel, 95 Cordova Street, St. Augustine, Florida 32259

DATE AND TIME: July 10, 2007, 1:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel (Portions closed to the Public).

DATE AND TIME: July 11, 2007, 8:30 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committees and General Business.

DATE AND TIME: July 12, 2007, 8:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: Board of Professional Surveyors and Mappers, 1940 North Monroe Street, Tallahassee, FL 32399-0756, (850)922-0336.

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 5 hours before the workshop/meeting by contacting: Board of Professional Surveyors and Mappers, 1940 North Monroe Street, Tallahassee, FL 32399-0756, (850)922-0336. 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 **Board of Accountancy** announces the following public meetings to which all persons are invited.

Probable Cause Panel

DATE AND TIME: Thursday, July 19, 2007, 9:00 a.m. – Until all business is concluded

Long Range Planning

DATE AND TIME: Thursday, July 19, 2007, 1:00 p.m. – Until all business is concluded

Board Meeting

DATE AND TIME: Friday, July 20, 2007, 9:00 a.m. – Until all business is concluded

PLACE: Sheraton Suites Tampa Airport, 4400 West Cypress Street, Tampa, FL 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Probable Cause Panel will meet to conduct hearings on disciplinary matters. These meetings are closed to the public; however, there may be cases where probable cause was previously found which are to be reconsidered. The Board will meet to discuss Long Range Planning issues. This is a public meeting. The Board will meet to consider enforcement proceedings including consideration of investigation officers' reports and other general business. This is a public meeting.

A copy of any probable cause materials which are open to the public, any Long Range Planning materials and/or the Board agenda may be obtained by writing to: Veloria A. Kelly, Division Director, Division of Certified Public Accounting, 240 N. W. 76th Drive, Suite A, Gainesville, Florida 32607.

Note: Portions of the Probable Cause Panel meeting may be closed to the public. If a person decides to appeal any decision made by the Board with respect to any matter considered at these meetings, he/she may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

Pursuant to the provisions of the Americans with Disabilities Act any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the agency at least 48 hours before the workshop/hearing/meeting by contacting Veloria A. Kelly at (850)487-1395. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8711.

The Probable Cause Panel of the **Florida Real Estate Appraisal Board** announces a meeting to which all interested persons are invited.

DATE and TIME: Monday, July 2, 2007, 8:30 a.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 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.

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

Any person requiring 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 9:00 a.m. – 4:00 p.m.), at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Division of Real Estate using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **State Boxing Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: July 17, 2007, 10:00 a.m.

PLACE: Conference Call Number: 1(888)808-6959, Conference Code: 4137430

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct General Business.

A copy of the agenda may be obtained by writing to: Christa Patterson, Assistant Executive Director, Department of Business and Professional Regulation, Florida State Boxing Commission, 1940 North Monroe Street, Tallahassee, FL 32399 or by calling (850)488-8500.

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

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact Christa Patterson by Friday, July 13, 2007.

The **Florida Mobile Home Relocation Corporation** announces a meeting of its Board of Directors to which all interested persons are invited. The board will consider mobile home applications for abandonment and relocation compensation due to evictions as a result of a change in land use.

DATE AND TIME: Thursday, July 12, 2007, 10:00 a.m.

PLACE: Holiday Inn & Suites, 1302 Ponce De Leon Boulevard, St. Augustine, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of the Florida Mobile Home Relocation Corporation. Review of mobile home owner applications for compensation for relocation and/or abandonment due to change in land use, and such other business as may come before the board. A schedule for future meetings will be determined.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting Janet Garrett at 1(888)862-7010.

Additional information may be obtained by contacting Janet Garrett, Executive Director, FMHRC, P. O. Box 14125, Tallahassee, FL 32317-4125, 1(888)862-7010.

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**, Water Quality Standards and Special Projects Program announces a workshop on Rule 62-4.241, F.A.C., Whole Effluent Toxicity Compliance Limits, to which all persons are invited.

DATE AND TIME: July 10, 2007, 1:00 p.m.

PLACE: Florida Department of Environmental Protection, Bob Martinez Office Building, 2600 Blair Stone Road, Room 609, Tallahassee, Florida; and

DATE AND TIME: July 12, 2007, 1:00 p.m.

PLACE: Florida Department of Environmental Protection, Central District Office, 3319 Maguire Boulevard, Conference Room A, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department is updating its rules related to whole effluent toxicity testing. The rules affected include the acute and chronic toxicity definitions in Chapter 62-302 (Surface Water Standards); new language specifying permit compliance limits for whole effluent toxicity testing in Chapter 62-4 (Permits); and new language specifying whole effluent toxicity sampling and testing procedures in Chapter 62-620 (Wastewater Facility Activities and Permitting). The purpose of the proposed revisions and additions is to more closely match EPA requirements for whole effluent toxicity testing, and to clarify existing whole effluent toxicity test procedures.

A copy of the agenda may be obtained by contacting: Ms. Nancy Ross, Water Quality Standards and Special Projects Program, Division of Water Resource Management, Department of Environmental Protection, MS 3560, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)245-8419, e-mail: Nancy.Ross@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 five days before the workshop/meeting by contacting Nancy Ross at (850)245-8419. 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**, Water Quality Standards and Special Projects Program announces a workshop to Rule 62-302.200, F.A.C., Definitions, which all persons are invited.

DATE AND TIME: July 10, 2007, 1:00 p.m.

PLACE: Florida Department of Environmental Protection, Bob Martinez Office Building, 2600 Blair Stone Road, Room 609, Tallahassee, Florida

and

DATE AND TIME: July 12, 2007, 1:00 p.m.

PLACE: Florida Department of Environmental Protection, 3319 Maguire Boulevard, Conference Room A, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department is updating its rules related to whole effluent toxicity testing. The rules affected include the acute and chronic toxicity definitions in Chapter 62-302 (Surface Water Standards); new language specifying permit compliance limits for whole effluent toxicity testing in Chapter 62-4 (Permits); and new language specifying whole effluent toxicity sampling and testing procedures in Chapter 62-620 (Wastewater Facility Activities and Permitting). The purpose of the proposed revisions and additions is to more closely match EPA requirements for whole effluent toxicity testing, and to clarify existing whole effluent toxicity test procedures.

A copy of the agenda may be obtained by contacting: Ms. Nancy Ross, Water Quality Standards and Special Projects Program, Division of Water Resource Management, Department of Environmental Protection, MS 3560, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)245-8419, e-mail: Nancy.Ross@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 five days before the workshop/meeting by contacting Nancy Ross at (850)245-8419. 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**, Water Quality Standards and Special Projects Program announces a workshop to Rule 62-620.620, Guidelines for Establishing Specific Permit Conditions, F.A.C., which all persons are invited.

DATE AND TIME: July 10, 2007, 1:00 p.m.

PLACE: Florida Department of Environmental Protection, Bob Martinez Office Building, 2600 Blair Stone Road, Room 609, Tallahassee, Florida; and

DATE AND TIME: July 12, 2007, 1:00 p.m.

PLACE: Florida Department of Environmental Protection, Central District Office, 3319 Maguire Boulevard, Conference Room A, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department is updating its rules related to whole effluent toxicity testing. The rules affected include the acute and chronic toxicity definitions in Chapter 62-302 (Surface Water Standards); new language specifying permit compliance limits for whole effluent toxicity testing in Chapter 62-4 (Permits); and new language specifying whole effluent toxicity sampling and testing procedures in Chapter 62-620 (Wastewater Facility Activities and Permitting). The purpose of the proposed revisions and additions is to more closely match EPA requirements for whole effluent toxicity testing, and to clarify existing whole effluent toxicity test procedures.

A copy of the agenda may be obtained by contacting: Ms. Nancy Ross, Water Quality Standards and Special Projects Program, Division of Water Resource Management, Department of Environmental Protection, MS 3560, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)245-8419, e-mail: Nancy.Ross@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 five days before the workshop/meeting by contacting Nancy Ross at (850)245-8419. 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: Thursday, July 12, 2007, 9:30 a.m. – 3:30 p.m.

PLACE: Department of Environmental Protection Southwest District Office, 13051 North Telecom Parkway, Temple Terrace, Florida 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a public meeting of a Technical Advisory Group that will advise the Department on possible changes to the compost rule, Chapter 62-709, Florida Administrative Code. These changes may include the development of registrations or general permits for compost facilities using yard trash, manure

and vegetative food wastes as feedstocks to their processes, as well as requirements for proper operation of these facilities and any necessary testing requirements.

A copy of the agenda may be obtained by contacting: Richard Tedder, 2600 Blair Stone Road, MS 4565, Tallahassee, Florida 32399-2400, (850)245-8735, or by visiting http://www.dep.state.fl.us/waste/categories/solid_waste/pages/IWDR.htm.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting the Bureau of Personnel Services at (850)245-2511. 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**, Office of Coastal and Aquatic Managed Areas announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, July 16, 2007, 8:30 a.m. – 5:00 p.m.

PLACE: International Game Fish Association, 300 Gulf Stream Way, Dania, FL 33004

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Southeast Florida Coral Reef Initiative (SEFCRI) Maritime Industry and Coastal Construction (MICCI) Focus Team is seeking public input and discussion on the development of Best Management Practices (BMP's) for coastal construction activities in and around coral reefs within the SEFCRI region (Miami-Dade, Broward, Palm Beach and Martin Counties).

A copy of the agenda may be obtained by contacting Joanna Walczak, Coral Reef Program Coordinator at (305)795-2111, or by visiting <http://www.dep.state.fl.us/coastal/programs/coral/meetings.htm>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Joanna Walczak, Coral Reef Program Coordinator at (305)795-2111. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

The Florida **Department of Environmental Protection**, Office of Coastal and Aquatic Managed Areas announces a public meeting to which all persons are invited.

DATE AND TIME: July 18, 2007, 8:00 a.m. – 5:00 p.m. or until finished

PLACE: Mote Marine Laboratory, Keating Marine Science Education Center, 1599 Ken Thompson Parkway, Sarasota, FL 34236

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Oceans and Coastal Resources Council will be holding a meeting to pursue its legislated duties. As part of this, the Council seeks public input from 8:00 a.m. until 12:00 Noon regarding coastal and oceans research in Florida.

Those wishing to present must register by Friday July 6, 2007, by sending an email to Steven.Wolfe@dep.state.fl.us containing the information below. More information about the venue and time slots will be sent to registrants.

The length of the presentations depends on the number of presenters registered; 10-15 minutes is anticipated.

Public comment that does not require registration will take place during the following regular meeting in the afternoon. These are limited to 3 minutes.

REGISTRATION INFORMATION MUST INCLUDE:

- 1) Name of person giving presentation
- 2) Name of organization represented (if applicable)
- 3) Presentation topic (15 words or less)

A copy of the agenda may be obtained by contacting Steve Wolfe at Steven.Wolfe@dep.state.fl.us or (850)245-2102.

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 Steve Wolfe at Steven.Wolfe@dep.state.fl.us or (850)245-2102. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

The **Department of Health**, Dietetics and Nutrition Council announces a public meeting to which all persons are invited.

DATE AND TIME: July 13, 2007, 9:00 a.m. or soon thereafter
PLACE: Capital Circle Office Center, 4042 Bald Cypress Way, Room 301, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Department of Health, Dietetics and Nutrition Practice Council, 4052 Bald Cypress Way, Bin C05, Tallahassee, FL 32399-3255 or by calling the council office at (850)245-4373, ext. 3467.

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 48 hours before the workshop/meeting by contacting: the council office at (850)488-0595. 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 **Board of Medicine** announces a public meeting to which all persons are invited.

DATES AND TIME: July 21-22, 2007, 8:00 a.m.

PLACE: Amelia Island Plantation, 6800 First Coast Hwy., A1A South, Amelia Island, FL 32034

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Board.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)245-4131, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System, (800)955-8770 (Voice) and (800)955-8771 (TDD).

A copy of the agenda may be obtained by writing to: Larry McPherson, Board Director, Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Florida Board of Medicine, Cheryl Graham, Administrative Assistant I, 4052 Bald Cypress Way, BIN #C03, Tallahassee, FL 32399-3253, (850)245-4131.

The **Council of Medical Physicists**, Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, July 13, 2007, 2:30 p.m.

PLACE: Department of Health, 4052 Bald Cypress Way, Tallahassee, Florida at meet me number 1(888)808-6959, when prompted enter conference code of 9849329103, then #.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Cases previously heard by the panel.

A copy of the agenda may be obtained by contacting: Joe Baker, Jr., Executive Director, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

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 48 hours before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Council of Licensed Midwifery** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, July 13, 2007, 9:00 a.m. or soon thereafter

PLACE: Contact the Council of Licensed Midwifery at (850)245-4161 for the meet me number

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Council.

A copy of the agenda may be obtained by writing to: Council of Licensed Midwifery, 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 Council of Licensed Midwifery, (850)245-4161, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Health, Board of Respiratory Care** announces a public meeting to which all persons are invited.

DATE AND TIME: July 13, 2007, 8:30 a.m. or soon thereafter

PLACE: The Embassy Suites Hotel, 1100 S. E. 17th Street, Ft. Lauderdale, FL 33316, (954)527-2700

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Department of Health, Board of Respiratory Care, 4052 Bald Cypress Way, BIN C05, Tallahassee, FL 32399-3255 or by calling the board office at (850)245-4373, ext. 3467.

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 48 hours before the workshop/meeting by contacting: the board office at (850)488-0595. 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).

NAVIGATION DISTRICTS

The **West Coast Inland Navigation District** announces the following Board of Commissioners meeting to which all interested parties are invited.

DATE AND TIME: Friday, June 29, 2007, 10:30 a.m.

PLACE: Venice City Hall, 401 West Venice Avenue, Venice, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Navigation District.

A copy of the agenda for this meeting may be obtained by writing: WCIND, P. O. Box 1845, Venice, FL 34284.

No verbatim record will be made of this meeting. Any person wishing to appeal decisions made at this meeting may need to ensure that a verbatim record is made.

FISH AND WILDLIFE CONSERVATION COMMISSION

The Florida **Fish and Wildlife Conservation Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: August 21, 2007, 9:00 a.m. – 5:00 p.m.

PLACE: Hawk's Cay Resort, 61 Hawk's Cay Boulevard, Duck Key, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to allow the ad hoc Spiny Lobster Advisory Board and staff of the Commission's Division of Marine Fisheries Management and the Fish and Wildlife Research Institute to identify and discuss pertinent issues concerning the spiny lobster fishery. The Board is composed of commercial lobster harvesters, recreational lobster fishers, a wholesale seafood dealer, and representatives of non-government organizations.

A copy of the agenda may be obtained by contacting: Mark Robson, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting the ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Mark Robson, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

DEPARTMENT OF FINANCIAL SERVICES

The **Department of Financial Services, Division of State Fire Marshal** announces a public meeting to which all persons are invited.

DATE AND TIME: July 20, 2007, 8:30 a.m.

PLACE: Sanibel Harbour Resort & Spa, 17260 Harbour Pointe Drive, Fort Myers, FL 33908

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Fire and Emergency Incident Information System Technical Advisory Panel.

A copy of the agenda may be obtained by writing: Department of Financial Services, Division of State Fire Marshal, 11655 N. W. Gainesville Road, Ocala, FL 34482-1486, or by calling (352)369-2800.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing a special accommodation to participate in this meeting or workshop should contact the address or phone number listed above no later than 48 hours prior to the meeting or workshop.

The **Department of Financial Services, Division of State Fire Marshal** announces a public meeting to which all persons are invited.

DATE AND TIME: July 20, 2007, 10:30 a.m.

PLACE: Sanibel Harbour Resort & Spa, 17260 Harbour Pointe Drive, Fort Myers, FL 33908

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Florida Firefighters Employment, Standards, and Training Council.

A copy of the agenda may be obtained by writing: Department of Financial Services, Division of State Fire Marshal, 11655 N. W. Gainesville Road, Ocala, FL 34482-1486, or by calling (352)369-2800.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing a special accommodation to participate in this meeting or workshop should contact the address or phone number listed above no later than 48 hours prior to the meeting or workshop.

PALM BEACH SOIL AND WATER CONSERVATION DISTRICT

The **Palm Beach Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: June 26, 2007, 8:00 a.m.

PLACE: USDA Service Center, 750 S. Military Trail, West Palm Beach, FL 33415

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting Palm Beach Soil and Water Conservation District, Laura Fincannon at (561)683-3385, ext. 3.

VOLUSIA SOIL AND WATER CONSERVATION DISTRICT

The **Volusia Soil and Water Conservation District** hosted by Volusia County IFAS Extension-University of Florida announces a workshop to which all persons are invited.

DATE AND TIME: June 28, 2007, 9:00 a.m. – 4:00 p.m.

PLACE: Volusia County Agriculture Center, 3100 E. New York Avenue, Deland, Florida. Registration Required (386)822-5778 or dgriffis@co.volusia.fl.us

GENERAL SUBJECT MATTER TO BE CONSIDERED: Local Government Workshop on Low Impact Development & Water Resource Protection.

A copy of the agenda may be obtained by contacting: vswcdsectry@earthlink.net.

HENDRY SOIL AND WATER CONSERVATION DISTRICT

The **Hendry Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: June 28, 2007, 1:00 p.m.

PLACE: Dallas B. Agriculture Building, 1085 Pratt Blvd., LaBelle, Florida 33935

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular scheduled Board Meeting.

A copy of the agenda may be obtained by contacting Barbara Tillis.

OCHLOCKONEE RIVER SOIL AND WATER CONSERVATION DISTRICT

The **Ochlockonee River Soil and Water Conservation District** announces meetings to which all persons are invited.

DATES AND TIMES: July 16, 2007; August 13, 2007; and September 17, 2007, 4:00 p.m. Additionally, the Fundraising Committee will meet on June 29, 2007, 12:00 Noon

PLACE: Leon County Agricultural Extension Office, 615 Paul Russell Road, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meetings to discuss technical and administrative issues related to the District's activities. The Fundraising Committee Meeting will discuss upcoming fundraising ideas and plans.

An agenda for the regular meetings will be available at least seven days prior to each meeting. Contact Blas Gomez, Chair at (850)933-6268 to obtain a copy of the agenda.

TECHNOLOGICAL RESEARCH AND DEVELOPMENT AUTHORITY

The **Technological Research and Development Authority** (TRDA) announces an Auditor Selection Committee meeting to which all persons are invited to participate.

DATE AND TIME: June 27, 2007, 1:00 p.m.

PLACE: TRDA Conference Room, TRDA Business Innovation Center, 1050 West NASA Boulevard, Melbourne, FL 32901

GENERAL SUBJECT MATTER TO BE CONSIDERED: Ranking of FY07 Fiscal Auditor Proposals submitted in response to RFP published on May 6, 2007 in preparation for board review and selection.

A copy of the agenda may be obtained by contacting Dave Kershaw, TRDA Deputy Director, (321)872-1050, ext. 102 or dkershaw@trda.org.

FLORIDA WORKERS' COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC.

The **FWCJUA** announces a Board of Governors teleconference meeting to which all interested parties are invited to attend.

DATE AND TIME: June 29, 2007, 11:00 a.m.

PLACE: To participate in the teleconference meeting, please contact Kathy Coyne at (941)378-7408

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda topics will include approval of Safety Committee, Producer Appeals Committee, and Board minutes; market conduct exam; legislative update; implementation issues related to Senate Bill 1894 and House Bill 7169; Seventh Amended Bylaws filing; Forms filings; and Operations Manual Revisions filing.

A copy of the agenda may be obtained from the FWCJUA's website, www.fwcjua.com or by contacting Kathy Coyne at (941)378-7408.

COMMISSION ON MARRIAGE AND FAMILY SUPPORT INITIATIVES

The **Commission on Marriage and Family Support Initiatives** announces a public meeting to which all persons are invited.

EXECUTIVE COMMITTEE

DATE AND TIME: Wednesday, July 11, 2007, 8:30 a.m. – 9:30 a.m.

POLICY COMMITTEE

DATE AND TIME: Thursday, July 5, 2007, 9:00 a.m. – 11:00 a.m.

RESOURCE DEVELOPMENT COMMITTEE

DATE AND TIME: Thursday, July 5, 2007, 11:00 a.m. – 12:30 p.m.

PUBLIC AWARENESS COMMITTEE

DATE AND TIME: Friday, July 20, 2007, 10:00 a.m. – 12:00 Noon

PLACE: Via Conference call at 111 North Gadsden Street, Suite 100, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Commission Business.

A copy of the agenda may be obtained by contacting: Heidi Rodriguez at hrodriguez@ounce.org or (850)488-4952, ext. 135.

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. 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 Heidi Rodriguez at hrodriguez@ounce.org or (850)488-4952, ext. 135

SECURE AIRPORTS FOR FLORIDA'S ECONOMY

The **Secure Airports for Florida's Economy** announces a public meeting to which all persons are invited.

DATE AND TIME: July 12, 2007, 9:00 a.m.

PLACE: Rosen Shingle Creek, 9939 Universal Blvd., Orlando, FL 32819

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of budget, contract and presentation of Digicast survey results.

A copy of the agenda may be obtained by contacting Rebecca Bosco at (813)974-9777.

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 24 hours before the workshop/meeting by contacting Rebecca Bosco at (813)974-9777. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements

DEPARTMENT OF REVENUE

NOTICE IS HEREBY GIVEN THAT the Florida Department of Revenue has received a Petition for Declaratory Statement, pursuant to Section 120.565, Florida Statutes, from Alec F. Redfearn and Margaret A. Redfearn. Petitioner is seeking a declaratory statement regarding the applicability of Rule 12D-10.003, Florida Administrative Code, and Section 194.035, Florida Statutes, to the Value Adjustment Board of Brevard County, specifically on the degree of review of recommendations of special magistrates by the full value adjustment board.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Nancy Purvis, Agency Clerk, Department of Revenue, Office of General Counsel, P. O. Box 6668, Tallahassee, Florida 32314-6668, (850)488-0712.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE IS HEREBY GIVEN THAT Agency for Health Care Administration has declined to rule on the petition for declaratory statement filed by Ms. Barbara Taylor on March 5, 2007. The following is a summary of the agency's declination of the petition:

NOTICE IS HEREBY GIVEN that the Agency for Health Care Administration has issued a Final Order denying a Petition for Declaratory Statement received from Ms. Barbara Taylor. It was assigned the Agency Number 07-03DS. Denied as the issue presented being litigated in another forum.

A copy of the Order Declining of the Petition for Declaratory Statement of the Final Order may be obtained by writing: Richard Shoop, Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, MS #3, Tallahassee, Florida 32308.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has issued an order disposing of the petition for declaratory

statement filed by Abraham Dwek, unit owner, In Re: Marina Tower of Turnberry Isle Condominium Association, Docket No. 2007028057, on May 9, 2007. The following is a summary of the agency's disposition of the petition: An Order Closing File has been filed because the Petition was withdrawn.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

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 FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, Division of State Fire Marshal, has issued a Declaratory Statement on June 4, 2007, requested by Edward Riley, Fire Code Official, Fire Districts of Collier County. The Declaratory Statement answers the petition by clarifying Section 553.79(2), Florida Statutes, Section 633.121, Florida Statutes, and Section 105.13 of the Florida Building Code.

A copy of the Declaratory Statement may be obtained by writing to, calling, or sending a fax to: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0340, phone (850)413-3604, or (850)413-4238; Fax (850)922-1235 or (850)488-0697 (please advise if you would like it mailed or faxed to you and please include your phone number on your request in case any question arises), or by e-mailing your request to Lesley.Mendelson@fldfs.com.

Section VIII
Notices of Petitions and Dispositions
Regarding the Validity of Rules

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges

NONE

Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF EDUCATION

NOTICE TO PROFESSIONAL CONSULTANTS:

The University of Florida Board of Trustees announces that Professional Services in the discipline of engineering for Total Building Commissioning will be required for the project listed below:

Project: UF-303, College of Dentistry Naples Dental Clinic (Naples, Florida)

The project will incorporate the design and construction of a 20,000 gross square foot, two story, dental clinic and educational facility on the campus of Edison College in Naples, Florida. Included is associated sitework, utilities, roads and parking to support the facility. The facility will provide dental education opportunities for students who reside in southwest Florida, clinical training for doctoral students and residents at the University of Florida, and continuing education opportunities for dentists in the region. The building is to be designed in the vernacular of the Edison College campus. The project will be delivered using the Construction Manager At-Risk method, with an estimated construction budget of \$5,303,000.00.

The scope of Commissioning services shall include design phase peer review, development of the Commissioning Plan and Commissioning Specifications, and construction phase pre-functional, functional, and performance testing for

mechanical, electrical, building envelope and building automation systems. The consultant shall also support project efforts to attain Silver LEED certification.

Blanket professional liability insurance will be required for this project in the amount of \$1,000,000.00.

INSTRUCTIONS:

Firms desiring to apply for consideration shall submit a proposal only after thoroughly reviewing the facilities program, Project Fact Sheet for Commissioning Agent Consultants, and other background information available on the University of Florida Facilities Planning website. The proposal shall be limited to 20 single-sided pages (or 10 double-sided pages) and shall include:

1. A Letter of Application that concisely illustrates the applicant's understanding of the scope of services.
2. A completed Commissioning Services Proposal Form using the project-specific version available at the UF Facilities, Planning and Construction website. Applications on any other form will not be considered.
3. Resumes and copies of the applicant's current Professional Registration Certificate(s) from the appropriate governing board, corporate charter(s) if applicable, LEED certification, and other pertinent credentials.

At the time of application, the applicant must possess current design Professional Registration Certificate(s) from the appropriate governing board; must be properly registered to practice its profession in the State of Florida; and, if the applicant is a corporation, must be chartered by the Florida Department of State to operate in Florida. As required by Section 287.133, Florida Statutes, an applicant 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 applicant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Unsigned proposals or proposals containing expired or invalid licenses will be disqualified. Submittal materials will not be returned.

The Commissioning Services Proposal Form, Project Fact Sheet, UF Design Services Guide, UF Design and Construction Standards, standard University of Florida Owner-Commissioning Agent agreement, and other project and process information can be found on the Facilities, Planning and Construction website. Finalists may be provided with supplemental interview requirements and criteria as needed.

Provide the number of copies prescribed in the Project Fact Sheet. Submittals must be received in the Facilities, Planning and Construction office by 3:00 p.m. (Local Time), on Friday, July 20, 2007. Facsimile (FAX) submittals are not acceptable and will not be considered.

Facilities, Planning and Construction
 232 Stadium / P. O. Box 115050
 Gainesville, FL 32611-5050
 Telephone: (352)392-1256
 FAX: (352)392-6378
 Internet: www.facilities.ufl.edu

INVITATION TO BID

The Florida State University Facilities Purchasing shall receive sealed bids until the dates and times shown for the following projects. Bids may be brought to the bid opening or sent to:

Florida State University
 Facilities Maintenance, Purchasing
 114F Mendenhall Building A
 Tallahassee, Florida 32306

prior to bid opening. Bidder must reference bid number, opening date and time on outside of bid package to insure proper acceptance. Bids submitted by facsimile are not acceptable. For information relating to the Invitation(s) to Bid, contact the

Bid Number FAC108-07
 Purchasing Agent: B. J. Lewis, Facilities
 Public Bid Opening: July 9, 2007, 11:00 a.m.
 FSU-Facilities Maintenance
 114 Mendenhall Hall, Building A
 Tallahassee, Florida 32306-4150
 Facilities Maintenance Purchasing

Bid Documents: The purpose of this bid is to secure pricing for keyways, cylinders and cores, locks as required by the Florida State University. The University's intent is to replace approximately 10,000 locksets throughout the entire campus. However, the University will not guarantee the purchase of any specific amount of locks. Any estimate of quantities is strictly for bidding purposes only. Specifications for these items are listed on pricing sheets attached. Florida State University is only interested in purchasing new items. Previously owned, refurbished or reconditioned items will not be considered.

Contact Person: Jim Thayer, (850)644-5654
 email: jthayer@admin.fsu.edu
 Please send all questions through email if possible.

CALL FOR BIDS

made by the University of Central Florida
PROJECT NAME, NUMBER AND LOCATION: Ampac laboratory office Building, single story 8,000 gsf to be placed on an existing slab, University of Cental Florida, Main Campus Bid No. 06ZN4007

QUALIFICATION: All Bidders must be qualified at the time of bid opening in accordance with the Instructions to Bidders. Sealed bids will be received on:

DATE AND TIME: July 16, 2007, until 2:00 p.m. (Local Time)

PLACE: Physical Plant Complex, 4000 Central Florida Blvd., Building 16 Libra Drive, at which time and place they will be publicly opened and read aloud.

Contract award will be made subject to the availability of funds. **PROPOSAL:** Bids must be submitted in full and in accordance with the requirements of the drawings and Project Manual, information may be obtained at the office of the Architect/Engineer at KZF Architects, 2101 Park Center Drive, Suite 290, Orlando, FL 32835, (407)298-1988.

PRE-SOLICITATION/PRE-BID MEETING: The Bidder is encouraged to attend the pre-solicitation/pre-bid meeting. Minority Business Enterprise firms are invited to attend to become familiar with the project specifications and to become acquainted with contractors interested in bidding the project. The meeting has been scheduled for:

DATE AND TIME: Wednesday June 27, 2007, 10:00 a.m. (Local Time)

PLACE: Physical Plant Complex, 4000 Central Florida Blvd., Building 16 Libra Drive.

PURCHASE: Full sets of bidding documents may be at the local plan rooms. Full sets may be purchased through NGI's Orlando Office, (407)898-3881 or Metro West Office, (407)290-6381, at standard printing and handling cost.

PUBLIC ENTITY CRIMES: As required by Section 287.133, Florida Statutes, a contractor may not submit a bid for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The successful contractor must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant

in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

NOTICE TO ARCHITECTS AND CONSTRUCTION MANAGERS

The University of Central Florida on behalf of its Board of Trustees announces that Professional Services in the disciplines of architecture and construction management will be required for the project listed below:

Project No. UCF-528

Project and Location: Arts Complex II – Performance, University of Central Florida, Main Campus, Orlando, Florida 32816-3020.

The project consists of the design and construction of a new facility that contains approximately 97,239 sq. ft. of classrooms/teaching labs/auditoriums/exhibition/office space. Square footage is subject to change based on program verification.

The combined project cost will be approximately \$25,039,820 depending on approval of funding for planning, construction and furnishings/equipment. There will be two separate contracts for this project, one for the Architect (A/E) and one for the Construction Manager (CM).

FORM OF PROPOSALS

It is the University's intention to have professionals in the disciplines of architecture and construction management to submit proposals separately one for architect and one for construction manager. Proposal reviews, selection and interviews will be conducted separately.

This facility will be the in the early planning phase in the fiscal year 2007-08. The selected architect and construction manager will provide program verification, design, construction documents, and administration for the referenced project. Blanket professional liability insurance for the Architect/Engineer will be required for this project in the amount of \$1,500,000 and will be provided as a part of Basic Services.

Five (5) bound copies of the required proposal data shall be submitted to: Mrs. Gina Seabrook, Facilities Planning, 4000 Central Florida Blvd., Post Office Box 163020, Orlando, FL 32816-3020. Submittals must be received by 5:00 p.m. local time on Friday, August 3, 2007. Facsimile (FAX) submittals are not acceptable and will not be considered. Late submissions will not be accepted.

The committee members have elected not to meet with proposed firms.

INSTRUCTIONS FOR ARCHITECT AND CONSTRUCTION MANAGEMENT

Architects and Construction Management firms desiring to apply for consideration must include a letter of application and should have attached:

1. The most recent version of the Florida Board of Education "Professional Qualifications Supplement" (PQS) dated 7/03, completed by the applicant. Do not alter the PQS form.
2. A copy of the firms current Professional Registration Certificates from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.
3. The most recent version of the Florida Board of Education "Revised Construction Manager Qualifications Supplement" (CMQS) dated 02/02. Do not alter the CMQS form.

Applications that do not comply with all instructions may be disqualified. Application materials will not be returned.

Selection of finalist for interviews will be made on the basis of architect/engineer and construction manager qualifications separately, including experience and ability; past experience; bonding capacity; cost estimating; qualification of the firm's personnel, staff and consultants; and ability to include minority business enterprise participation. Finalists will be provided with a description of the final interview topics. The Selection Committee may reject all proposals and stop the selection process at any time.

The plans and specifications for Florida Board of Education projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of placement on the convicted vendor list.

Carefully review the Architect/Engineer, Construction Management Contract and General Condition's documents. Submitting a proposal for this project constitutes complete agreement with and acceptance of the terms and conditions contained within these documents. These documents can be found on our website at www.fp.ucf.edu with the advertisement.

INSTRUCTIONS FOR CONSTRUCTION MANAGERS

All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133, Florida Statutes, a construction management firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected construction management firm must

warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

CONSTRUCTION MANAGEMENT CONTRACT

The contract for construction management services will consist of two phases. Phase one is pre-construction services, for which the construction manager will be compensated. Phase one services include value engineering, constructability analyses, development of a cost model, estimating, and the development of a Guaranteed Maximum Price (GMP) at 50% Construction Documents. If the GMP is accepted, phase two, the construction phase, will be implemented. In phase two of the contract, the construction manager becomes the single point of responsibility for performance of the construction of the project and shall publicly bid trade contracts. Failure to negotiate an acceptable GMP within the time provided in the agreement may result in the termination of the construction manager's contract.

PROJECT FACT SHEET

Project Fact Sheet contains the selection criteria which is the primary basis for determining the shortlist. The Project Fact Sheet, Professional Qualifications Supplement forms, Construction Manager Qualifications Supplement forms, descriptive project information, and selection criteria may be obtained by contacting: Ms. Gina Seabrook, University of Central Florida, Phone (407)823-2166, Fax (407)823-5141, Email: gseabroo@mail.ucf.edu, Web site: www.fp.ucf.edu.

NOTICE TO ARCHITECTS AND CONSTRUCTION MANAGERS

The University of Central Florida on behalf of its Board of Trustees announces that Professional Services in the disciplines of architecture and construction management will be required for the project listed below:

Project No. UCF-529

Project and Location: Emergency Operations Center, University of Central Florida, Main Campus, Orlando, Florida 32816-3020.

The project consists of the design and construction of a new facility that contains approximately 48,400 sq. ft. of office and campus support services. Square footage is subject to changed based on program verification.

The combined project cost will be approximately \$10,619,373 depending on approval of funding for planning, construction and furnishings/equipment. There will be two separate contracts for this project, one for the Architect (A/E) and one for the Construction Manager (CM).

FORM OF PROPOSALS

It is the University's intention to have professionals in the disciplines of architecture and construction management to submit proposals separately one for architect and one for construction manager. Proposal reviews, selection and interviews will be conducted separately.

This facility will be the in the early planning phase in the fiscal year 2006-07. The selected architect and construction manager will provide program verification, design, construction documents, and administration for the referenced project. Blanket professional liability insurance for the Architect/Engineer will be required for this project in the amount of \$1,000,000 and will be provided as a part of Basic Services.

Five (5) bound copies of the required proposal data shall be submitted to: Mrs. Gina Seabrook, Facilities Planning, 4000 Central Florida Blvd., Post Office Box 163020, Orlando, FL 32816-3020. Submittals must be received by 5:00 p.m. local time on Friday, August 3, 2007. Facsimile (FAX) submittals are not acceptable and will not be considered. Late submissions will not be accepted.

The committee members have elected not to meet with proposed firms.

INSTRUCTIONS FOR ARCHITECT AND CONSTRUCTION MANAGEMENT

Architects and Construction Management firms desiring to apply for consideration must include a letter of application and should have attached:

1. The most recent version of the Florida Board of Education "Professional Qualifications Supplement" (PQS) dated 7/03, completed by the applicant. Do not alter the PQS form.
2. A copy of the firms current Professional Registration Certificates from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.
3. The most recent version of the Florida Board of Education "Revised Construction Manager Qualifications Supplement" (CMQS) dated 02/02. Do not alter the CMQS form.

Applications that do not comply with all instructions may be disqualified. Application materials will not be returned.

Selection of finalist for interviews will be made on the basis of architect/engineer and construction manager qualifications separately, including experience and ability; past experience; bonding capacity; cost estimating; qualification of the firm's personnel, staff and consultants; and ability to include minority business enterprise participation. Finalists will be provided

with a description of the final interview topics. The Selection Committee may reject all proposals and stop the selection process at any time.

The plans and specifications for Florida Board of Education projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of placement on the convicted vendor list.

Carefully review the Architect/Engineer, Construction Management Contract and General Condition's documents. Submitting a proposal for this project constitutes complete agreement with and acceptance of the terms and conditions contained within these documents. These documents can be found on our website at www.fp.ucf.edu with the advertisement.

INSTRUCTIONS FOR CONSTRUCTION MANAGERS

All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133, Florida Statutes, a construction management firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected construction management firm must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

CONSTRUCTION MANAGEMENT CONTRACT

The contract for construction management services will consist of two phases. Phase one is pre-construction services, for which the construction manager will be compensated. Phase one services include value engineering, constructability analyses, development of a cost model, estimating, and the development of a Guaranteed Maximum Price (GMP) at 50% Construction Documents. If the GMP is accepted, phase two, the construction phase, will be implemented. In phase two of the contract, the construction manager becomes the single point of responsibility for performance of the construction of the project and shall publicly bid trade contracts. Failure to negotiate an acceptable GMP within the time provided in the agreement may result in the termination of the construction manager's contract.

PROJECT FACT SHEET

Project Fact Sheet contains the selection criteria which is the primary basis for determining the shortlist. The Project Fact Sheet, Professional Qualifications Supplement forms, Construction Manager Qualifications Supplement forms, descriptive project information, and selection criteria may be obtained by contacting: Ms. Gina Seabrook, University of Central Florida, Phone (407)823-2166, Fax (407)823-5141, Email: gseabroo@mail.ucf.edu, Web site: www.fp.ucf.edu.

Notice of Bid/Request for Proposal

NOTICE TO PROFESSIONAL CONSULTANTS

The Florida International University Board of Trustees announces that Professional Services will be required for project listed below. The firm selected will provide CONSULTING SERVICES as the Owner's representative in connection with final design documents and construction documents prepared by the design-builder and construction of the project.

Project Name and Number: Football Stadium Expansion, BT-842

Project Location: This facility will be located at Florida International University, University Park.

Project Description: The project is for expansion of the existing football stadium located at University Park, Miami, Florida. The scope of the project will include, but is not limited to, the demolition of the existing 7500 seat stadium and expansion of the existing to a new stadium of approximately 23,500 seats with the ability to expand to 45,000 including men's and women's bathroom facilities, concessions, private luxury suites, press box and media areas, expansion of the existing field house, and the addition of offices for the head football coach and his staff. Other items include field lighting, landscaping, scoreboard, sound system, expansion of existing utility systems necessary to accommodate new components, demolition of existing running track, adjacent roadway and entry modifications to accommodate the overall expansion, and other miscellaneous support elements.

Note: This is a fast track project that must be completed by Fall 2008. The firm selected must have the resources to assure that the work is expedited. The project is currently under construction and the owner's representative must be prepared to immediately mobilize and provide services.

INSTRUCTIONS:

Firms desiring to apply for consideration shall submit a letter of application.

The letter of application should have attached:

1. A completed (former Board of Regents) "Professional Qualifications Supplement (SUSPQS)," dated September 1999. Applications on any other form will not be considered. It is the intent of FIU to encourage participation

by qualified Minority Business Enterprises however, State of Florida MBE certification is not a factor in the selection process. Disregard paragraph 4 on page 2 of the instructions.

2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be properly chartered by the Florida Department of State to operate in Florida.

Submit six (6) copies of the above requested data bound in the order listed above. Applications that do not comply with the above instructions will not be considered. Application material will not be returned. The plans and specifications for A/E projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, an architectural firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualifications Supplement forms and the Project Fact Sheet may be obtained by mail from Facilities Planning, Florida International University, Campus Support Complex, Room 236, Miami, Florida 33199, by login to <http://facilities.fiu.edu> (Find project under Selection Process Information)

Requests for meetings by individual firms will not be granted. Once the firm acquires the required forms, questions may be directed to Facilities Planning Office.

Submit qualifications to: Selection Committee, Florida International University, Facilities Planning, Campus Support Complex, Room #236, Miami, Florida 33199, by 2:00 p.m. (Local Time), on July 20, 2007. Late submittals shall be disqualified. Facsimile (FAX) submittals are not acceptable and will not be considered.

Invitation To Bid (ITB)
For a Roofing Contractor

Sealed bids will be received by Duval County Public Schools, Division of Facilities, Room 535, 1701 Prudential Drive, Jacksonville, FL 32207 until the time and date(s) recorded below and immediately thereafter publicly opened and recorded in the Duval County Public Schools, School Board Building, located at 1701 Prudential Drive, 5th Floor, Room 513D, Jacksonville, Florida

BIDS ARE DUE ON OR BEFORE July 25, 2007
AND WILL BE ACCEPTED UNTIL 2:00 p.m.

Districtwide Roof Replacement, New Metal Roof at John E. Ford Elementary School No. 154, DCPS PROJECT NO. M-84890

SCOPE OF WORK: Install a new metal roof system on John E. Ford Elementary School No. 154. The estimated construction cost Budgeted Not to Exceed \$785,000.

All contractors that are interested in bidding are required to attend a mandatory pre-bid conference to be held on July 12, 2007, 9:00 a.m. at 129 King Street, Room 37, Jacksonville, Florida 32204. Failure to attend the pre-bid conference shall result in disqualification of that firm's proposal. Attendees will be required to sign an attendance register.

All bidders and subcontractors shall be licensed Contractors and registered corporations as required by the laws of the State of Florida.

Contract documents for bidding may be obtained for a refundable fee of \$75.00 at the office of:

Akel, Logan & Shafer, P.A., 704 Rosselle Street, Jacksonville, Florida 32204

DCSB Point of Contact: Dale Hughes, (904)858-6308

Contract documents for bidding may be examined at:

F.W. Dodge McGraw Hill Plan Room Construction Bulletin
Construction Market Data, Inc. National Association of
Minority Contractors

MBE Participation Goal: 10% Overall

The Duval County Public Schools has begun prequalifying all contractors who intend to submit bids for all construction projects exceeding \$200,000 and electrical projects exceeding \$50,000. Effective May 31, 2003, all Contractors submitting bids must be prequalified with Duval County Public Schools. No bids will be accepted from Contractors who are not prequalified with Duval County Public Schools.

Prequalification forms and information may be obtained by contacting: Richard Beaudoin or Ronald A. Fagan at 1701 Prudential Dr., Jacksonville, FL. 32207, Phone (904)390-2358 or (904)390-2922, Fax: (904)390-2265, email: beaudoinr@educationcentral.org or Faganr@educationcentral.org.

The Bid Award Recommendation will be posted on the First Floor bulletin board at the Duval County School Board Building, 1701 Prudential Drive, Jacksonville, Florida 32207-8182.

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**INVITATION TO BID**

PROPOSALS ARE REQUESTED FROM QUALIFIED GENERAL CONTRACTORS BY THE STATE OF FLORIDA, DEPARTMENT OF CORRECTIONS, FOR THE CONSTRUCTION OF:

PROJECT NO: EK-02

PROJECT NAME AND LOCATION: Elevated Water Storage Tank at Apalachee Correctional Institution, Sneads, Florida.

FOR: STATE OF FLORIDA, DEPARTMENT OF CORRECTIONS

PERFORMANCE BOND AND LABOR AND MATERIAL

PAYMENT BOND: If the construction contract award amount is \$100,000 (one hundred thousand dollars) or less, a Performance Bond and a Labor and Material Payment Bond are not required.

PUBLIC ENTITY CRIME INFORMATION STATEMENT: A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity; may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity; and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, F.S., for Category Two, for a period of 36 months from the date of being placed on the convicted vendor list.

PREQUALIFICATION: Each bidder, whose field is governed by Chapters 399, 489 and 633 of the Florida Statutes for licensure or certification, must submit prequalification data of their eligibility to submit proposals five (5) calendar days prior to the bid opening date. If not previously qualified by the Department for the current biennium (July 1 through June 30) of odd numbered years, or you are unsure, please contact Ms. Sandra Rogers, (850)922-8855 for prequalification instructions. After the bid opening the low bidder must qualify in accordance with Rule 60D-5.004, F.A.C. A copy of the rule requirements is included in the "Instruction to Bidders" under Article B-2 "Bidder Qualification Requirements and Procedures".

Sealed bids will be received, publicly opened, and read aloud on:

DATE AND TIME: Thursday, July 26, 2007, 2:00 p.m. (Local Time, Eastern Daylight Time).

PLACE: Baskerville-Donovan, Inc., Woodcrest Office Park, 325 John Knox Road, Building 200, Tallahassee, Florida 32303

Any person with a qualified disability requiring special accommodations at the pre-bid conference, and/or bid/proposal opening, shall contact the person listed below at least (5) working days prior to the event. If you are hearing or speech impaired, please contact this office by using Florida Relay Services by dialing 1(800)955-8771 (TDD).

PROPOSAL: Bids must be submitted in full in accordance with the requirements of the Drawings, Specifications, Bidding Conditions and Contractual Conditions, which may be examined and obtained from the:

ARCHITECT-ENGINEER: Baskerville-Donovan, Inc., 325 John Knox Road, Building 200, Tallahassee, Florida 32303.

Telephone: (850)656-1212

Drawings and specifications may be purchased for a Non-refundable price of \$100.00 per set from the Architect/Engineer. Bidder must pay postage/shipping. Partial sets may not be purchased.

A non-mandatory pre-bid conference will be held on Tuesday, July 10, 2007, 10:00 a.m. (Local Time, Central Daylight Time) at the Apalachee Correctional Institution's Administration Building, Conference Room. A brief walk-through of the work area(s) will be available as part of the pre-bid conference.

CONTRACT AWARD: Bid Tabulation and Notice of Award Recommendation will be sent to all bidders by Facsimile, Return Receipt Required. If no protest is filed per Article B-20 of the Instructions to Bidders, "Bid Protests, Points of Entry", the contract will be awarded by the Secretary, Department of Corrections. **RIGHT IS RESERVED TO REJECT ANY OR ALL BIDS.**

DEPARTMENT OF MANAGEMENT SERVICES

Notice of Bid/Request for Proposal
FOR GENERAL CONTRACTORS

PROPOSALS ARE REQUESTED FROM QUALIFIED GENERAL CONTRACTORS BY THE DEPARTMENT OF MANAGEMENT SERVICES HEREINAFTER REFERRED TO AS OWNER FOR THE CONSTRUCTION OF:

PROJECT NUMBER: DOE-26024000

PROJECT NAME: Waterproofing, Renovations and Repairs, WEDU-TV Public Broadcasting Station, WEDU-TV Public Broadcasting Station

PROJECT LOCATION: Tampa, Florida

CONSTRUCTION COST: Estimated construction budget at \$454,800.00

For details please visit the Department's website listed below and click on "Search Advertisements – Division of Real Estate Development and Management." http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

NOTICE OF INVITATION TO BID

BID NO. BDC76-06/07

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: Myakka River State Park – New Concession Building

SCOPE OF WORK: The contractor shall provide the necessary labor, supervision, equipment and materials required to construct a new concession building and to modify the existing infrastructure, including water, power, sewer hook-up for the new building. The project is to include construction of walkways and grading for the new structure.

PARK LOCATION: Myakka River State Park, 9 miles East of Sarasota, on State Road 72

PROJECT MANAGER: Hubert Baxter, Bureau of Design and Construction, Telephone Number: (850)488-5372, Fax Number: (850)488-3537

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 of the Florida Statutes for licensure or certification must submit prequalification data of their eligibility prior to the bid closing date.

INSTRUCTIONS: Any firm desiring plans and bid specifications for this project may obtain a copy by writing the address or calling the telephone number below. Plans and specifications will be available on Friday, June 22, 2007 at: Myakka River State Park, 13207 State Road 72, Sarasota, FL 34241, Attention: Jon Robinson, (941)361-6511.

ADA REQUIREMENTS: Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact Michael Renard with the Bureau of Design and Construction, (850)488-5372, at least five (5) workdays prior

to openings. If you are hearing or speech impaired, please contact the Florida Relay Services by calling (800)955-8771 (TDD) or (800)955-8770 (Voice).

BID SUBMITTAL DUE DATE: No later than 3:30 (EDST) p.m., Tuesday, July 24, 2007, 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, Construction Projects Administrator 2, Bureau of Design and Construction.

DEPARTMENT OF MILITARY AFFAIRS**ADVERTISEMENT FOR BIDS**

SEALED BIDS ARE REQUESTED FROM QUALIFIED CONTRACTORS LICENSED AS REQUIRED BY THE State of Florida, to be submitted to the Department of Military Affairs, HEREINAFTER REFERRED TO AS OWNER, FOR THE CONSTRUCTION OF:

PROJECT NO: 204066 **ACCOUNTING CODE:** 132G76.L1

PROJECT NAME AND LOCATION:

POWER LINE UPGRADE, PHASE II

CAMP BLANDING JOINT TRAINING CENTER

STARKE, FLORIDA 32091

FOR: Department of Military Affairs, Construction and Facility Management Office, Robert F. Ensslin, Jr. Armory, 2305 State Road 207, St. Augustine, Florida 32086.

PROJECT DESCRIPTION: The intent of this scope of work is to define the specifications required in order to perform a PHASE II upgrade of the primary voltage power distribution system located on Camp Blanding. This project will entail a primary Base Bid encompassing pole and hardware replacement as specified with NO conductor replacement along a specified electrical feed route as follows:

- Beginning at corner of Leesburg St. and Ave. D continuing south to Hillsborough St.
- Tee off the line at on Ave. D at N. Miami St. and continue west to Ave. C
- Follow Ave. C south to Ft. Pierce St. where line will tee again.
- One line will proceed east to Quincy, then dead end.
- Another line will proceed west down Ft. Pierce St. to Ave. B
- Follow Ave. B north to Lake City St.
- Follow Lake City St. to Ave. A. (End of PHASE II route)

The project will also entail the request for two (2) alternate bids encompassing (Alternate #1) pole replacement and reframing within a specified area and (Alternate #2) conductor, pole, and hardware replacement within a specified area.

The voltage of this distribution system is 13,200V phase-to-ground and 22,860V phase-to-phase.

The primary Base Bid of this project will entail the replacement of a total of 40 existing power poles; four (4) of which will be 45', Class IV poles, thirty (30) will be 40', Class III poles, and six (6) will be 35', Class IV stub poles. See Attachment A.

Alternate #1 will entail the replacement of a total of 21 poles: five (5) of which will be 45', Class IV poles, thirteen (13) will be 40', Class III poles, and three (3) will be 35', Class IV stub poles. See Attachment B.

Alternate #2 will entail the replacement of a total of 16 poles; three (3) of which will be 45', Class IV poles, eleven (11) will be 40', Class III poles, and two (2) will be 35', Class IV stub poles. Alternate #2 will also entail the replacement/upgrade of approximately .7 miles of conductor and neutral wire to 4/0 for the primary and 1/0 for the neutral. See Attachment C.

Insulators, switches, preformed ties, and mounting hardware shall be sized accordingly for system voltage and replaced as designated on the attachments. All hardware will be either Hubbel or Chance Hardware manufacturers. Locations of existing poles, verification of any potentially effected utilities, and distance measurements should be field verified by the contractor prior to bidding and job start.

NOTE: ANY AND ALL COPPER OF ANY SORT REMOVED DURING THIS PROJECT WILL REMAIN THE PROPERTY OF THE OWNER, CAMP BLANDING, AND RETURNED TO SUCH.

A FULL COPY OF THE SOLICITATION AND ALL ADDITIONAL DOCUMENTATION, DRAWINGS AND NON-TECHNICAL SPECIFICATIONS MUST BE DOWNLOADED FROM THE MY FLORIDA MARKETPLACE VENDOR BID SYSTEM AT http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu on myflorida.com.

Prior to contract award, the Department reserves the right to perform or have performed, an on-site review of the Proposer's facilities and qualifications. This review will serve to verify data and representations submitted by the Proposer and may be used to determine whether the Proposer has an adequate, qualified, and experienced staff, and can provide overall management facilities. The review may also serve to verify whether the Proposer has financial capability adequate to meet the contract requirements. Should the Department determine that the bid/proposal has material misrepresentations or that the size or nature of the Proposer's facilities or the number of experienced personnel (including technical staff) are not adequate to ensure satisfactory contract performance, the Department has the right to reject the bid/proposal).

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.

The STATE OF FLORIDA requires all Contractors to implement a drug free workplace program as defined in Section 287.087, F.S.

DISCRIMINATION; DENIAL OR REVOCATION FOR THE RIGHT TO TRANSACT BUSINESS WITH PUBLIC ENTITIES: An entity or affiliate who has 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.

BID SECURITY: Bids/Proposals in total excess of \$100,000.00, the bidder must provide with bid, a good faith deposit in the amount of 5% of the bid by way of a bid bond from a surety insurer authorized to do business in the STATE OF FLORIDA as surety or a certified check or cashier's check accompanying the bid.

PERFORMANCE BOND AND LABOR AND MATERIAL PAYMENT BOND'S are required from any persons or parties entering into a formal contract with the STATE OF FLORIDA for contracts in total excess of \$100,000.00 for construction, additions, renovations, repairs, or demolition of any public building pursuant to Section 255.05(1)(a), F.S.

MANDATORY PRE-BID MEETING

DATE AND TIME: July 10, 2007, 1:30 p.m. (Local Time)

PLACE: Camp Blanding Joint Training Center,
5629 State Road 16 West, Building 2067
FED/RMD Conference Room
Camp Blanding Joint Training Center
Starke, Florida 32091

All interested parties should call Mrs. Bobbie Smith at (904)823-0256, to be placed on the main gate access list by July 10, 2007, 10:30 a.m. All Contractors interested in bidding on this project are required to attend this pre-bid meeting. Principle sub-contractors are also advised to attend.

Sealed bids will be received, publicly opened and read aloud on: **(BIDS MUST BE SUBMITTED PRIOR TO BID OPENING NO LATE BIDS WILL BE ACCEPTED):**

DATE AND TIME: July 25, 2007, before 2:00 p.m. (Local Time)

DELIVER TO: Department of Military Affairs
 Construction and Facility Management Office
 C/O FED/RMD Engineering,
 MSG Jeffrey Topping
 5629 State Road 16, West, Bldg. 2067
 Starke, Florida 32091

MARK ENVELOPES: ATTN: SEALED BIDS for the CFMO
 Project No. 204066 Power Line Upgrade
 Phase II, Ms. Michele M. Dobbs, Telephone
 (904)823-0255.

BIDS DELIVERED PRIOR TO BID OPENING DATE: Bids sent prior to bid opening date should be sent to Department of Military Affairs, Construction and Facility Management Office, 2305 State Road 207, St. Augustine, Florida 32086. Bids will be accepted at this address until July 24, 2007, 4:30 p.m. If bids are sent prior to bid opening date to this address, please call (904)823-0255, Ms. Michele M. Dobbs to confirm receipt.

BID/PROPOSAL: Bids/proposal must be submitted in full in accordance with the requirements of the Drawings, Specifications, Bidding Conditions and Contractual Conditions, and Non-Technical Specifications, which have been prepared by the Camp Blanding FED/RMD Engineering Division as supplied.

CONTRACT AWARD: Contract Award will be on Base Bid items only. The official Notice of Award Recommendation will be by electronic posting on the Department's website at http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu.

Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. If no protest is filed, the contract will be awarded to the qualified, responsible and responsive low bidder in accordance with Chapter 60D-5, F.A.C., by the Owner.

INABILITY TO POST ELECTRONICALLY: If the Department is unable to post (due to technical difficulties) as defined above, the Department will notify all Proposers via the Point of Contact and electronic address provided to the Department by the Proposer at the Mandatory Pre-Bid meeting. Notice will be posted as defined above once the technical difficulties have been rectified; however, the official posting time will be that time at which the last Proposer was electronically notified.

MINORITY PROGRAM: Minority Business Enterprises (MBE) are encouraged to participate in this Invitation to Bid. Utilization of MBE participation is highly encouraged from all Bidders. MBE's must be certified by the Office of Supplier Diversity.

The Department reserves the right to accept or reject any or all proposals received and reserves the right to make an award with or without further discussion of the proposals submitted

or accept minor informalities or irregularities in the best interest of the State of Florida, which are considered a matter of form and not substance, and the correction or waiver of which is not prejudicial to other Proposers. Minor irregularities are defined as those that will not have an adverse effect on the Department's interest and will not affect the price of the proposal by giving a Proposer an advantage or benefit not enjoyed by all other Proposers. It is understood the proposal will become a part of the Department's official file, without obligation to the Department. Proposals may be rejected if found to be irregular or not in conformance with the requirements and instructions contained herein. A proposal may be found to be irregular or non-responsive by reasons that include, but are not limited to failure to utilize or complete in their entirety prescribed forms, conditional proposals, incomplete proposals, ambiguous proposals, and improper, missing and/or undated signatures.

The Non-Technical Specifications Level IV and V are considered to be applicable to this solicitation and award of contract when made and are made a part hereof.

The State of Florida's performance and obligation to pay under this contract is contingent upon availability of funding and an annual appropriation by the Legislature.

NO VERBAL STATEMENTS MADE BY ANY STATE OF FLORIDA EMPLOYEE OR AGENCY REPRESENTATIVE WILL OPERATE TO SUPERSEDE INFORMATION PUBLISHED IN THIS SOLICITATION. ONLY WRITTEN ADDENDUMS ISSUED BY THE DEPARTMENT OF MILITARY AFFAIRS CONSTRUCTION AND FACILITY MANAGEMENT OFFICE OR ITS REPRESENTATIVES WILL OPERATE TO ALTER OR OTHERWISE AMEND THIS SOLICITATION.

TENTATIVE SCHEDULE:

Friday, June 22, 2007		Advertise in FAW for Contractors
Tuesday, July 10, 2007	1:30 p.m.	Pre-Bid Meeting / Site Visit FED/RMD Conference Room, CBJTC
Monday, July 23, 2007	5:00 p.m.	Deadline for Bidders Questions
Tuesday, July 24, 2007	3:00 p.m.	Final Addendum Published on VBS
Wednesday, July 25, 2007	2:00 p.m.	Bid Opening /Post Low Bidder FED/RMD Conference Room, CBJTC
July 25, 2007–Monday, July 30, 2007		Protest Period (72 Business Hours)
July 30, 2007–August 13, 2007		Anticipated Contract Preparation Period
Monday, August 13, 2007		Anticipated Issue Date Notice to SecurePermits
August 13, 2007–September 13, 2007		Permit Period (30 days)
TBD		Pre-Demo Meeting/CBJTC Post HQ Conf. Rm.
TBD		Anticipated Date to Issue Notice to Proceed
TBD		Final Completion Date (60 days)

**Section XII
Miscellaneous**

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to subsection 380.06(4)(a), Florida Statutes.

FILE NO.: BLIM-06-2007-009
 DATE RECEIVED: June 7, 2007
 DEVELOPMENT NAME: POINCIANA ESTATES – NEW TOWNSHIP
 DEVELOPER/AGENT: Daralco No. 5/CM Arrington & Associates, Inc.
 DEVELOPMENT TYPE: 28-24.023, F.A.C.
 LOCAL GOVERNMENT Osceole County

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), Vento Motorcycles, Inc., intends to allow the establishment of Belleair Maintenance, Inc. d/b/a Bluewater Cycles, as a dealership for the sale of Vento motorcycles (VENO) at 450 Seminole Boulevard, Largo (Pinellas County), Florida 33770, on or after May 29, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Belleair Maintenance, Inc. d/b/a Bluewater Cycles are dealer operator(s): Thomas N. Tegtmeier, 450 Seminole Boulevard, Largo, Florida 33770 and Linda Tegtmeier, 450 Seminole Boulevard, Largo, Florida 33770; principal investor(s): Thomas N. Tegtmeier, 450 Seminole Boulevard, Largo, Florida 33770 and Linda Tegtmeier, 450 Seminole Boulevard, Largo, Florida 33770.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: 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: Alma Gonzalez, Vento Motorcycles, Inc., 6190 Cornerstone Court E, Suite #200, San Diego, California 92121.

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), Spyker of North America, LLC, intends to allow the establishment of CMZ Enterprises, Inc. d/b/a Spyker of Pembroke Pines, as a dealership for the sale of Spyker automobiles (SPYK) at 16150 Pines Boulevard, Pembroke Pines (Broward County), Florida 33027, on or after June 15, 2007.

The name and address of the dealer operator(s) and principal investor(s) of CMZ Enterprises, Inc. d/b/a Spyker of Pembroke Pines are dealer operator(s): Craig M. Zinn, 16150 Pines Boulevard, Pembroke Pines, Florida 33027; principal investor(s): Craig M. Zinn, 16150 Pines Boulevard, Pembroke Pines, Florida 33027.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, 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: Carsten F. Preisz, Vice President of Sales and Marketing, Spyker of North America, LLC, 3075 Thousand Oaks Boulevard, Suite 32, Thousand Oaks, California 91362.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), Goldenvale, Inc., intends to allow the establishment of Laptop City Online, Inc., as a dealership for the sale of Roketa motorcycles (RKTA) at 1391 North Military Trail, West Palm Beach (Palm Beach County), Florida 33409, on or after June 8, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Laptop City Online, Inc. are dealer operator(s): Alia Zattair, 8279 Bob-O-Link Drive, West Palm Beach, Florida 33412, Sammy Zattair, 8279 Bob-O-Link Drive, West Palm Beach, Florida 33412 and Scott Clingman, 111 Wellesley Drive, Lake Worth, Florida 33460; principal investor(s): Alia Zattair, 8279 Bob-O-Link Drive, West Palm Beach, Florida 33412, Sammy Zattair, 8279 Bob-O-Link Drive, West Palm Beach, Florida 33412 and Scott Clingman, 111 Wellesley Drive, Lake Worth, Florida 33460.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Linda Chen, Goldenvale-Roketa, 2041 South Turner Avenue, Ontario, California 91761.

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 Lee County Motorsports, Inc., as a dealership for the sale of motorcycles manufactured by Chongqing Lifan Industry Group (CHOL) at 5580 8th Street West, Lehigh Acres (Lee County), Florida 33971, on or after June 6, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Lee County Motorsports, Inc. are dealer operator(s): Ronald Helman, 5580 8th Street West, Lehigh Acres, Florida 33971; principal investor(s): Ronald Helman, 5580 8th Street West, 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, 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: 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 Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), notice is given that Buell Motorcycle Company, intends to allow the establishment of Manatee River Harley-Davidson, Inc., as a dealership for the sale of Buell motorcycles (BUEL) at 624 67th Street Circle, East, Bradenton (Manatee County), Florida 34208, on or after June 25, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Manatee River Harley-Davidson, Inc. are dealer operator(s): Erik F. Rossiter, 624 67th Street Circle, East, Bradenton, Florida 34208; principal investor(s): Erik F. Rossiter, 624 67th Street Circle, East, Bradenton, Florida 34208.

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: Ed Yagodinski, Regional Dealer Development Representative, Post Office Box 653, Milwaukee, Wisconsin 53208.

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), Adly Moto, LLC, intends to allow the establishment of Pine Woods Center, Inc. d/b/a Pasco Cycle, as a dealership for the sale of motorcycles manufactured by HerChee Industrial Co. Ltd. (HERH) at 10312 State Road 52, Hudson (Pasco County), Florida 34669, on or after June 28, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Pine Woods Center, Inc. d/b/a Pasco Cycle are dealer operator(s): Andrew Hennosy, 10312 State Road 52, Hudson, Florida 34669; principal investor(s): Andrew Hennosy, 10312 State Road 52, Hudson, Florida 34669.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Tony Abrams, Director of Sales, Adly Moto, LLC, 1725 Hurd Drive, Suite 108, Irving, Texas 75038.

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), Carter Brothers Manufacturing, intends to allow the establishment of Scooter Superstore of America, Inc., as a dealership for the sale of motorcycles manufactured by Sanyang Industry Co. Ltd. (SANY) at 2300 North 23rd Avenue, Hollywood (Broward County), Florida 33020, on or after June 1, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Scooter Superstore of America, Inc. are dealer operator(s): Peter Warrick, 4360 Peters Road, Ft. Lauderdale, Florida 33317; principal investor(s): Peter Warrick, 4360 Peters Road, Ft. Lauderdale, Florida 33317.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Jack Mullinax, Sales Manager, Carter Brothers Manufacturing, 1871 Highway 231 South, Brundidge, Alabama 36010.

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 Scooter Escapes, LLC, as a dealership for the sale of motorcycles manufactured by Chongqing Lifan Industry Group (CHOL) at 1450 1st Avenue North, St. Petersburg (Pinellas County), Florida 33705, on or after June 6, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Scooter Escapes, LLC are dealer operator(s): Chris Densmore, 1450 1st Avenue North, St. Petersburg, Florida 33705; principal investor(s): Chris Densmore, 1450 1st Avenue North, St. Petersburg, Florida 33705.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: 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), Tank Sports, Inc., intends to allow the establishment of Suncoast Motors, Inc., as a dealership for the sale of KTMMEX motorcycles (KTMM) at 853 U.S. 41 Bypass South, Venice (Sarasota County), Florida 34285, on or after June 6, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Suncoast Motors, Inc. are dealer operator(s): Bob Shapiro, 953 U.S. 41 Bypass South, Venice, Florida 34285; principal investor(s): Bob Shapiro, 953 U.S. 41 Bypass South, Venice, Florida 34285.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Mike Turber, National Sales Manager, Tank Sports, Inc., 10925 Schmidt Road, El Monte, California 91733.

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), Piaggio Group Americas, Inc., intends to allow the establishment of Varsity Cycle, Inc. d/b/a Vespa Palm Beach, as a dealership for the sale of Aprilia motorcycles (APRI) at 524 North Lake Boulevard, Lake Park (Palm Beach County), Florida 33408, on or after June 5, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Varsity Cycle, Inc. d/b/a Vespa Palm Beach are dealer operator(s): Tony Cappadona, 524 North Lake Boulevard, Lake Park, Florida 33408; principal investor(s): Tony Cappadona, 524 North Lake Boulevard, Lake Park, Florida 33408.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Angellina Fraser-Lubin, Piaggio Group Americas, Inc., 140 East 45th Street., 17th Floor, New York, New York 10017.

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 American Lifan Industry, Inc., intends to allow the establishment of West Coast Motorcycle Sales and Service, as a dealership for the sale of motorcycles manufactured by Chongqing Lifan Industry Group (CHOL) at 5380 North US Highway 129, Bell (Gilchrist County), Florida 32619, on or after June 7, 2007.

The name and address of the dealer operator(s) and principal investor(s) of West Coast Motorcycle Sales and Service are dealer operator(s): Marion Hooper, 5380 North U.S. Highway 129, Bell, Florida 32619; principal investor(s): Marion Hooper, 5380 North U.S. Highway 129, Bell, Florida 32619.

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: 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 WITHDRAWAL

Notice is hereby given that the publication of Ron Turner Cycles, Inc. as a new point for a KYMCO (KYO) franchise dealership in Duval County by STR Motorsports, LLC, published in Vol. 33, No. 19, page 2190 of the F.A.W., on May 11, 2007, has been withdrawn.

**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

The Agency for Healthcare Administration has received an application for services exemption from Bay Medical Center in Panama City pursuant to Section 395.1041(3), Florida Statutes, and Rule 59A-3.255, Florida Administrative Code. The service category requested is Neurosurgery. Comments received within 15 days of publication will be considered by the Agency prior to making a determination of exemption status.

Additional information may be obtained by writing to: Agency for Health Care Administration, Attention: Donna Sharp, 2727 Mahan Drive, MS #31, Tallahassee, Florida 32308, by phone at (850)487-2717 or by e-mail at sharpd@ahca.myflorida.com.

The Agency for Healthcare Administration has received an application for services exemption from Bay Medical Center in Panama City pursuant to Section 395.1041(3), Florida Statutes, and Rule 59A-3.255, Florida Administrative Code. The service category requested is Orthopedics. Comments received within 15 days of publication will be considered by the Agency prior to making a determination of exemption status.

Additional information may be obtained by writing to: Agency for Health Care Administration, Attention: Donna Sharp, 2727 Mahan Drive, MS #31, Tallahassee, Florida 32308, by phone at (850)487-2717 or by e-mail at sharpd@ahca.myflorida.com.

The Agency for Healthcare Administration has received an application for services exemption from Bay Medical Center in Panama City pursuant to Section 395.1041(3), Florida Statutes, and Rule 59A-3.255, Florida Administrative Code. The service category requested is Plastic Surgery. Comments received within 15 days of publication will be considered by the Agency prior to making a determination of exemption status.

Additional information may be obtained by writing to: Agency for Health Care Administration, Attention: Donna Sharp, 2727 Mahan Drive, MS # 31, Tallahassee, Florida 32308, by phone at (850)487-2717 or by e-mail at sharpd@ahca.myflorida.com.

The Agency for Healthcare Administration has received an application for services exemption from Tallahassee Memorial Hospital in Tallahassee pursuant to Section 395.1041(3), Florida Statutes, and Rule 59A-3.255, Florida Administrative Code. The service category requested is Oral/Maxillo-facial Surgery. Comments received within 15 days of publication will be considered by the Agency prior to making a determination of exemption status.

Additional information may be obtained by writing to: Agency for Health Care Administration, Attention: Donna Sharp, 2727 Mahan Drive, MS #31, Tallahassee, Florida 32308, by phone at (850)487-2717 or by e-mail at sharpd@ahca.myflorida.com.

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 FILING OF APPLICATION FOR POWER PLANT CERTIFICATION

On June 11, 2007, the Department of Environmental Protection received an application for certification of a power plant pursuant to the Florida Electrical Power Plant Siting Act, Section 403.501 et seq., Florida Statutes, concerning Progress Energy Florida, Crystal River, Power Plant Siting Application No. 77-09A2, OGC Case No. 07-1062. The Department is reviewing the application to allow a 180 megawatt expansion of its existing Crystal River Unit 3 nuclear power plant located in Citrus County.

A copy of the application for certification is available for review in the office of Mike Halpin, P.E., Siting Coordination Office, Department of Environmental Protection, 2600 Blair Stone Road, M.S. 48, Tallahassee, Florida 32399-2400, (850)245-8002. Pursuant to Section 403.507, F.S., and Chapter

62-17, Florida Administrative Code, statutory parties to the site certification proceeding should review the application and submit their reports and recommendations. In the future, a proposed certification hearing date will be announced. Pursuant to Section 403.508(3), F.S., parties to the proceeding shall include the applicant, the Public Service Commission, the Department of Community Affairs, the Fish and Wildlife Conservation Commission, the Water Management District, the Department of Environmental Protection, the Regional Planning Council, the local government, and the Department of Transportation. Any party listed in Section 403.508(3)(a), F.S., other than the Department of Environmental Protection or the applicant may waive its right to participate in these proceedings if such party fails to file a notice of its intent to be a party on or before the 90th day prior to the certification hearing. In addition, notwithstanding the provisions of Chapter 120, F.S., upon the filing with the administrative law judge of a notice of intent to be a party no later than 75 days after the application is filed, the following shall also be parties to the proceeding: any agency not listed in Section 403.508(3)(a), F.S. as to matters within its jurisdiction; any domestic nonprofit corporation or association formed, in whole or in part, to promote conservation or natural beauty, to protect the environment, personal health, or other biological values, to preserve historical sites, to promote consumer interests; to represent labor, commercial, or industrial groups, or to promote comprehensive planning or orderly development of the area in which the proposed electrical power plant is to be located. Other parties may include any person, including those persons listed herein who have failed to timely file a notice of intent to be a party, whose substantial interests are affected and being determined by the proceeding and who timely file a motion to intervene pursuant to Chapter 120, F.S., and applicable rules. Intervention pursuant to this paragraph may be granted at the discretion of the designated administrative law judge and upon such conditions as he or she may prescribe any time prior to 30 days before the commencement of the certification hearing. Motions to intervene must be filed (received) with the Administrative Law Judge assigned to the case by the Division of Administrative Hearings, The Desoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-1550, prior to 30 days before the date of the certification hearing. Any agency, including those whose properties or works are being affected pursuant to Section 403.509(4), F.S., shall be made a party upon the request of the department or the applicant. Pursuant to Section 403.508(6), F.S., if all parties to the proceeding stipulate that there are no disputed issues of fact or law to be raised at the certification hearing, the certification hearing may be cancelled.

Florida Recreation Development Assistance Program
 FY 2008-2009 Application Submission Period Announcement
 The Department of Environmental Protection (DEP) has established an application submission period for the Florida Recreation Development Assistance Program (FRDAP) for Fiscal Year 2008-2009.

Submission Period

September 3, 2007 – September 14, 2007

Applications must be postmarked by September 14, 2007

Matching Ratio: **Total Project	State Share	Grantee Share
Cost	(Grant)	(Local Match)
\$50,000 or less	100%	0
\$50,001 – \$150,000	75%	25%
\$Over \$150,000	50%	50%

Total Project Cost = Grant Amount + Local Match

Maximum Grant Amount: \$200,000

Total Number of Active Projects Allowed: Three

Total Number of Applications Allowed During Each
 Submission Cycle: Two

Eligible applicants include all local governments, incorporated municipalities of the State of Florida, and other legal constituted local governmental entities of the state with legal responsibility for the provision of outdoor recreation sites and facilities for the use and benefit of the public.

For further information/application packets, write or call:

Department of Environmental Protection
 Division of Recreation and Parks
 Office of Information and Recreation Services
 3900 Commonwealth Boulevard, Mail Station #585
 Tallahassee, Florida 32399-3000
 Phone: (850)245-2501; Suncom: 205-2501
 Fax: (850)245-3038; Suncom: 205-3038
 Web Page: <http://www.dep.state.fl.us/parks/oirs>
 Email: Leylani.Velez@dep.state.fl.us

DEPARTMENT OF HEALTH

On June 11, 2007, Ana M. Viamonte Ros, M.D., M.P.H., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Adrienne Cairns, R.N., license number RN 9223965. 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 June 11, 2007, Ana M. Viamonte Ros, M.D., M.P.H., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Virginia Ann Smitley, L.P.N., license number PN 5167256. This Emergency Suspension Order was predicated upon the Secretary’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF FINANCIAL SERVICES

The Department of Financial Services, Division of State Fire Marshal, is accepting offers from organizations to enter into a contract with the Division of State Fire Marshal to provide administrative services for the informal, non-binding interpretations of the Florida Fire Prevention Code as described in Section 633.022, F.S. These offers are being requested pursuant to Rule 69A-60.011, Florida Administrative Code, effective April 26, 2007, the full text of which is available on the Secretary of State’s website located at <https://www.flrules.org/gateway/readFile.asp?sid=0&tid=4037351&type=1&file=69A-60.011.doc>.

A complete copy of the rule is also available by writing to: Bureau of Fire Prevention, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0342, Attn: Bureau Chief’s Office, or by facsimile transmission to fax number (850)414-6119, Attn: Bureau Chief’s Office.

Any organization responding to this request should be aware of the following:

1. No money is permitted to be charged to or paid by the Division of State Fire Marshal for the administration of this program; however, the statute permits the administrator to recoup the actual cost of administering the program from the applicants for an informal interpretation in an amount not to exceed \$150. Further specifics relating to this subject will be discussed during the contract negotiation period.
2. The organization is not permitted to make a profit from this program, but only to be reimbursed for its expenses in administering this program.
3. According to the rule, the first seven applicants from individuals that meet the geographic and experience requirements shall be appointed as members; and the next seven applications received from individuals that meet the geographic and experience requirements shall be appointed alternate members.

5. Applications for service on the Committee may be submitted at any time and will be kept on file to fill vacancies as they occur.
6. When a vacancy occurs, the existing alternate will be appointed to serve in the vacant seat and a new alternate will be chosen for the seat in the same manner as the original alternate was chosen.
7. Each applicant must be notified after his or her application has been on file for a minimum of 30 days of either (a) his or her acceptance as a member, or (b) his or her acceptance as an alternate member, or (c) the fact that the application will be kept on file in the event a vacancy occurs in the applicable emergency management region.
8. No person serving on the Committee is permitted to participate in the consideration of any matter involving such person's own jurisdiction.
9. Each person serving on the Committee shall serve at the pleasure of the State Fire Marshal, and may be removed without cause.

Any offer made as a result of this advertisement does not constitute a contract until accepted, in writing, and signed by the appropriate officer in the Department of Financial Services. Any question should be directed to Jim Goodloe, Chief, Bureau of Fire Prevention, Division of State Fire Marshal, Department of Financial Services, (850)413-3171 or email to Chief Goodloe at Jim.Goodloe@fldfs.com.

Offers may be:

- a. Sent by U.S. mail to: Jim Goodloe, Chief, Bureau of Fire Prevention, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0342;
 - b. Sent by private delivery service to Chief Goodloe at 325 John Knox Road, Tallahassee, Florida 32303; or,
 - c. Faxed to the attention of Chief Goodloe at fax number (850)414-6119.
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FINANCIAL SERVICES COMMISSION

NOTICE OF FILINGS

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received the following application. Comments may be submitted to the Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition with the Clerk, Legal Services Office, Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0379. The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., July 13, 2007):

APPLICATION TO ACQUIRE CONTROL

Financial Institutions to be Acquired: The Bank Brevard, Melbourne, Florida, BankFIRST, Winter Park, Florida (The BANKShares, Inc.), Melbourne, Florida
Proposed Purchaser: CapGen Capital Group, LP, Washington, D.C.

Received: June 11, 2007

EXPANDED FIELD OF MEMBERSHIP

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received a request by a credit union to expand its field of membership. Specific information regarding the expansion can be found at <http://www.fldfs.com/ofr/banking/cufm.asp>.

Name and Address of Applicant: Space Coast Credit Union, Post Office Box 419001, Melbourne, Florida 32941-9001

Expansion Includes: Geographic area

Received: May 4, 2007

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN June 4, 2007
 and June 8, 2007

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF CORRECTIONS

33-602.203	6/8/07	6/28/07	33/17	
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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Veterinary Medicine

61G18-11.002	6/8/07	6/28/07	33/16	
61G18-12.019	6/8/07	6/28/07	33/16	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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Florida Building Code Administrators and Inspector

61G19-9.006	6/8/07	6/28/07	33/16	33/20
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DEPARTMENT OF HEALTH

Board of Dentistry

64B5-14.005	6/8/07	6/28/07	33/14	
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Board of Physical Therapy Practice

64B17-3.002	6/7/07	6/27/07	33/18	
64B17-4.002	6/7/07	6/27/07	33/18	
64B17-7.001	6/7/07	6/27/07	33/18	