

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

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 ELDER AFFAIRS

Long-Term Care Ombudsman Program

RULE NOS.:	RULE TITLES:
58L-1.001	Confidentiality and Disclosure
58L-1.005	Access
58L-1.006	Conflict of Interest
58L-1.007	Complaint Procedures

PURPOSE AND EFFECT: The purpose of the proposed rule amendments is to add additional language; incorporate conflict of interest language into this rule chapter, which is currently included in Rule Chapter 58L-2, F.A.C.; and add a new rule for complaint procedures, including two forms incorporated by reference.

SUBJECT AREA TO BE ADDRESSED: Confidentiality and disclosure of information; access to information; conflict of interest; and complaint procedures, including two forms incorporated by reference.

SPECIFIC AUTHORITY: 400.0065(3), 400.0067(4), 400.0069(10), 400.0071, 400.0077(5), 400.0081(3), 400.0087 FS.

LAW IMPLEMENTED: 400.0077, 400.0081, 400.0065(1)(a), (3), 400.0067, 400.0069(4), (10), 400.0071, 400.0087, 400.0091 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: August 8, 2007, 9:00 a.m. – 12:00 Noon

PLACE: Department of Elder Affairs, 4040 Esplanade Way, Conference Room 225F, Tallahassee, Florida 32399-7000

IF NOT REQUESTED IN WRITING, THE WORKSHOP WILL NOT BE HELD.

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 72 hours before the workshop/meeting by contacting: Jim Crochet, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000; Telephone Number: (850)414-2000, SunCom 994-2000; Email address:

crochetj@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Jim Crochet, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, Telephone Number: (850)414-2000, SunCom 994-2000; Email address: crochetj@elderaffairs.org.

A COPY OF THE PRELIMINARY TEXT OF THE PROPOSED RULE (also listed below) AND THE FORMS REFERENCE IN RULE 58L-1.007, F.A.C., COMPLAINT PROCEDURES, MAY BE OBTAINED FROM THE DEPARTMENT'S WEB SITE AT: <http://elderaffairs.state.fl.us> under the title "DOEA RULEMAKING, OMBUDSMAN."

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

58L-1.001 Confidentiality and Disclosure.

(1) Pursuant to Section 400.0077(5), F.S., the Department of Elder Affairs, in consultation with the Office of the State Long-Term Care Ombudsman ~~and the State Long-Term Care Ombudsman Council~~, hereby adopt and incorporate by reference herein Sections 400.0077(1)-(4), F.S., Confidentiality, and Section 712(d) of Section 201 of the Older Americans Act of 1965, 42 USC 3058g, Disclosure, as policy and procedure for the confidentiality of and the disclosure by any ombudsman and all ombudsman councils of files maintained by the Office of the State Long-Term Care Ombudsman, the State Long-Term Care Ombudsman Council, their representatives and their employees, and their district or area councils, representatives and employees as established in Chapter 400, Part I, F.S.

(2) Case records will not be released by the Long-Term Care Ombudsman Program until the case is closed as defined in subsection 58L-1.007(1), F.A.C.

Specific Authority 400.0077(5) FS. Law Implemented 400.0077 FS. History–New 7-25-95, Amended _____.

58L-1.005 Access.

(1) Pursuant to Section 400.0081(2)(3), F.S., the Department of Elder Affairs, in consultation with the Office of the State Long-Term Care Ombudsman and the State Long-Term Care Ombudsman Council, hereby adopts and incorporates by reference herein Section subsection 400.0081(1) ~~and (2)~~, F.S., Access to facilities, residents and records, and Section 712(b) of Section 201 of the Older Americans Act of 1965, 42 USC 3058g, Procedures for Access, as policy and procedure to ensure access by the Office of the State Long-Term Care Ombudsman, the State Long-Term Care Ombudsman Council, the district or area long-term care councils, and their representatives as

established in Chapter 400, Part I, F.S., to long-term care facilities, facility records, facility licensure and certification records maintained by the state, residents, and resident records.

(2) The following terms within the above-incorporated statutory references are defined as follows:

(a) "Access" means the ability pursuant to Section 400.0073, F.S., to investigate. The denial of access constitutes an interference in the performance of official duties and is a violation of Section 400.0083, F.S.

(b) "Administrative records, policies, and documents to which the residents, or the general public, have access" means records maintained by the facility which concern, involve, or pertain to the residents' medications, diet, comfort, health, safety, or welfare.

(c) "Social records" means non-medical resident records and includes resident financial records.

Specific Authority 400.0081(3) FS. Law Implemented 400.0081 FS. History—New 7-31-95, Formerly 58L-3.001, Amended _____.

58L-1.006 Conflict of Interest.

(1) Definitions. All terms used in this rule and not defined herein are derived from and defined in Chapter 400, Part I, Florida Statutes, Long-Term Care Facilities; Ombudsman Program.

(a) "Conflict of Interest" means:

1. Having a direct involvement in the licensing or certification of a long-term care facility or of a provider of a long-term care service;

2. Having a direct involvement in the licensing or certification of a long-term care facility or of a provider of a long-term care service;

3. Having an ownership or investment interest (represented by equity, debt, or other financial relationship) in a long-term care facility or a long-term care service;

4. Employed by, or participating in the management of, a long-term care facility in the state of Florida; or

5. Receiving, or having the right to receive, directly or indirectly, remuneration (in cash or in kind) under a compensation arrangement with an owner or operator of a long-term care facility.

(b) "Department" means the Department of Elder Affairs.

(c) "District" means a geographic area in which the programs of the department are administered and services are delivered.

(d) "Immediate family" means father, mother, husband, wife, son, daughter, brother, sister, or an individual residing in the household.

(e) "Indirectly" means receiving remuneration from a company providing a service to a long-term care facility, such as a consulting pharmacist.

(f) "Long-term care facility" means a nursing home facility, assisted living facility, or an adult family care home as those terms are defined in Chapter 400 and Chapter 429, Florida Statutes.

(g) "Long-term care services" means services provided by a long-term care facility, home health agency, adult day care center, hospice, intermediate care facility, home for special services, or transitional living facility as those terms are defined in Chapter 400 and Chapter 429, Florida Statutes. Long term care services also includes services provided to residents of long term care facilities by geriatric care managers, guardians or representative payees who are not immediate family members.

(h) "Program" refers to the Office of the State Long-Term Care Ombudsman, its representatives and employees, the State Long-Term Care Ombudsman Council, and the district or local Long-Term Care Ombudsman councils as established in Chapter 400, Part I, Florida Statutes.

(2) Purpose. The purpose of this chapter is to ensure that every effort is made to minimize any perception of conflicts of interest affecting the ombudsman program. It is promulgated to further the ability of ombudsmen to independently and fully carry out their functions, including the public perception of the program's independence. The Department shall vigorously monitor the program in this regard to ensure that the program and its representatives have the objectivity and independence required to qualify it for federal funding under the Older Americans Act of 1965, as amended, and to comply with and implement all state laws, rules and regulations relating to the program.

(3) Prohibitions.

(a) No officer, employee or representative of the Office of State Long-Term Care Ombudsman or of the State or District Long-Term Care Ombudsman Councils, nor any member of the immediate family of such officer, employee, or representative, may have a conflict of interest.

(b) No employee of the Agency for Health Care Administration, the Department of Business and Professional Regulation, the Department of Children and Family Services, the Department of Health, the Department of Elder Affairs, or medical director of a long-term care facility shall be a member of a District or State Long-Term Care Ombudsman Council.

(4) Procedures.

(a) Upon approval recertification, employment or affiliation with the program, each appointee, officer, employee or representative shall sign a conflict of interest certification form that:

1. Acknowledges receipt and understanding of these rules, and

2. States that such individual has no conflict of interest as defined by these rules. The Office of the State Long-Term Care Ombudsman will keep the statements on file at its headquarters.

(b) Deliberate failure to disclose any conflict of interest, whether upon affiliation with the program or which subsequently develops, or the violation of any prohibition set forth in this chapter shall be considered sufficient grounds for:

1. A recommendation to the State Long-Term Care Ombudsman that the representative be immediately disqualified pursuant to Section 400.0091, Florida Statutes, to carry out ombudsman activities on behalf of the office of the State Long Term Care Ombudsman;

2. Termination for cause of any such employee.

(c) The State Long-Term Care Ombudsman shall receive and review all violations and allegations of conflict of interest and if appropriate shall,

1. Request that the person resign from the council; or

2. Request that the person remove the conflict.

If the person does not resign from the council or remove the conflict, the State Long-Term Care Ombudsman shall disqualify the employee, or representative of the Office of the State Long Term Care Ombudsman from carrying out any authorized ombudsman duty or responsibility.

Specific Authority 400.0065(3), 400.0067(4), 400.0069(10), 400.0087(1) FS. Law Implemented 400.0065(3), 400.0067(4), 400.0069(10), 400.0087(1), 400.0091 FS. History--New _____.

58L-1.007 Complaint Procedures.

(1) Definitions.

(a) "Case" means an inquiry or allegation brought to, or initiated by, the Long-Term Care Ombudsman Program on behalf of a long-term care facility resident or group of residents involving one or more complaints or problems which requires opening a case file and which includes ombudsman investigation, fact gathering, development and implementation of a resolution strategy.

(b) "Closed Case" means a case where the complaints within the case do not require further action on the part of the ombudsman, every complaint has been assigned the appropriate resolution code, and the case has been peer-reviewed by the local council.

(c) "Complaint" means an allegation, made by a long-term care facility resident or someone on behalf of a resident, of a problem with resident care or a problem affecting the rights, health, safety, and/or welfare of the residents of a long-term care facility. One or more complaints constitute a case.

(d) "Resolved" means the complaint or problem was addressed to the satisfaction of the resident or the resident's legal representative.

(e) "Visit" means going to a facility to listen to, observe, and interact with residents.

(2) Receiving complaints against a long-term care facility or an employee of a long-term care facility.

(a) A complaint may be made by any person and may be received by the Office of State Long-Term Care Ombudsman or its representatives through written or oral communication. A complaint generated by a representative of the Office of State Long-Term Care Ombudsman shall be considered a complaint. A complaint may be anonymous.

(b) All complaints made to the program will be directed to the district ombudsman manager for the district in which the facility involved in the complaint is located. Receipt of the complaint by the district ombudsman manager initiates the opening of an investigation.

(c) The district ombudsman manager will code complaints based on federal standards of the National Ombudsman Reporting System by the Administration on Aging, U.S. Department of Health and Human Services.

(d) After entering the complaint information into the database, the district ombudsman manager will print the DOEA Form LTCOP-001, (effective date), 2007, Case Investigation Form, which is incorporated herein by reference, and mail it to the ombudsman who will be investigating the case.

(3) Conducting investigations of a long-term care facility or an employee of a long-term care facility subsequent to receiving a complaint.

(a) An investigation is initiated when an ombudsman makes contact with the complainant or resident; which shall happen within five (5) business days after receipt of the complaint by the district ombudsman manager.

(b) At the beginning of the investigation, the ombudsman investigating the case must visit the resident or residents on whose behalf the case was filed.

(c) The case investigation shall focus on the rights, health, safety and welfare of the resident and may include direct observation, interviews with residents and other individuals, and review of records.

(d) Investigations shall be closed within 90 calendar days of receipt. The local council may grant a request for extension if 90 days is not sufficient time to close the case.

(e) At the conclusion of a case investigation, the ombudsman investigating the case will:

1. Complete DOEA Form LTCOP-0001 using resolution codes developed for the National Ombudsman Reporting System by the Administration on Aging, U.S. Department of Health and Human Services.

2. Contact the resident or the resident's legal representative if possible, to inform them of the resolution.

3. Have an exit interview with the administrator or their designee to present the ombudsman's findings.

(f) After the investigation is complete, the investigation process and the case information will be reviewed by the Quality Assurance Review Team of the local council.

(g) Within ten (10) business days of the closing of the case investigation, the district ombudsman manager will send a written summary of the case disposition to the resident or the resident's legal representative.

(h) If issues remain unresolved at the conclusion of the investigation, the ombudsman, the local council and the state council will proceed with actions pursuant to Section 400.0075, Florida Statutes in consultation with the State Ombudsman.

(4) Conducting onsite administrative assessments of long-term care facilities.

(a) All long-term care facilities shall receive at least one onsite administrative assessment during each federal reporting year, beginning October 1 and ending September 30 of the following year.

(b) Consistent with minimum requirements by the U.S. Administration on Aging as detailed in the National Ombudsman Reporting System program instructions, each long-term care facility shall receive three visits during the federal reporting year in addition to the administrative assessment.

(c) Within 30 calendar days prior to the beginning of the federal reporting year, the district ombudsman manager will assign all facilities within the district to individual members of the local council for assessment.

(d) The ombudsman conducting an assessment shall review available facility surveys conducted by Agency for Health Care Administration prior to the onsite administrative assessment.

(e) Administrative assessments shall include interviews with residents and shall focus on issues from the residents' perspective, including but not limited to: posting of required brochures and licenses, physical plant, residents' physical space, residents' rights, staffing levels, medical care and services, food service, activities, and disaster preparedness.

(f) At the conclusion of the assessment, the ombudsman will have a brief exit interview with the facility administrator or his/her designee to discuss assessment findings.

(g) Problems identified during the administrative assessment shall be provided to the facility administrator in writing and may be coded as complaints by the district ombudsman manager and assigned to an ombudsman for investigation and resolution.

(h) The results of an administrative assessment shall be recorded on the DOEA Form LTCOP-0002, (effective date), 2007, Annual Assessment Form, which is incorporated herein by reference.

(i) The district ombudsman manager will keep the original completed Annual Assessment Forms in the district office and forward copies to Agency for Health Care Administration within 30 business days after receipt.

(j) If there are issues discovered during an assessment that remain unresolved, the ombudsman, the local council and the state council will proceed with actions pursuant to Section 400.0075, Florida Statutes in consultation with the State Ombudsman.

Specific Authority 400.0071 FS. Law Implemented 400.0071 FS. History--New _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-3.2085 Department and Services

PURPOSE AND EFFECT: The Agency proposes to adopt subsection 59A-3.2085(16), Florida Administrative Code, consistent with provisions of Section 408.0361, F.S. The statute provides for adoption of rules to establish a licensure process for adult cardiovascular programs in Florida hospitals. SUBJECT AREA TO BE ADDRESSED: The proposed rule establishes procedures for the licensure of hospital-based adult cardiovascular programs and will adopt standards for those programs.

SPECIFIC AUTHORITY: 408.0361 FS.

LAW IMPLEMENTED: 408.0361 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: August 14, 2007, 2:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, Conference Room D, Tallahassee, FL 32308

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: Dayle DeCastro, Bureau of Health Facility Regulation, 2727 Mahan Drive, Tallahassee, Florida, or call (850)922-0791. 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: Dayle DeCastro, Bureau of Health Facility Regulation, 2727 Mahan Drive, Tallahassee, Florida, or call (850)922-0791

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

**AGENCY FOR HEALTH CARE ADMINISTRATION
Hospital and Nursing Home Reporting Systems and Other
Provisions Relating to Hospitals**

RULE NOS.: RULE TITLES:
59E-8.001 Determination of Fees
59E-8.002 Price List

PURPOSE AND EFFECT: The proposed rule development will establish fees for information services of the Florida Center for Health Information and Policy Analysis. The fees will be based on time required to analyze the request and write the query, and the time required to access, merge, validate, and prepare the information for delivery to the requester. The proposed rule development will incorporate by reference the Florida Center for Health Information and Policy Analysis Price List.

SUBJECT AREA TO BE ADDRESSED: The agency is proposing a rule development that will establish new Rules 59E-8.001 and 59E-8.002, F.A.C., providing for the fees to be charged for information services provided by the Florida Center for Health Information and Policy Analysis.

SPECIFIC AUTHORITY: 408.15(8) FS.

LAW IMPLEMENTED: 408.05(7)(c) FS.

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

DATE AND TIME: August 2, 2007, 10:00 a.m.

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

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: Beth Eastman at (850)922-3803. 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: Lisa Rawlins, Director, Florida Center for Health Information and Policy Analysis, 2727 Mahan Drive, MS #16, Tallahassee, Florida 32308

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59E-8.001 Determination of Fees.

(1) The Florida Center for Health Information and Policy Analysis will periodically, but no less frequently than biannually, calculate the average time required to access, merge, validate, and prepare standard information sets for delivery to the requester. These average times will be used to establish the fees for information services described in the Price List.

(2) Requests for information not addressed in the Price List, ad hoc custom requests, will be priced based on the time required to analyze the request and write the query, and the time required to access, merge, validate and prepare the information for delivery to the requester.

Specific Authority 408.15(8) FS. Law Implemented 408.05(7)(c) FS. History–New _____.

59E-8.002 Price List.

(1) The Price List of the Florida Center for Health Information and Policy Analysis is posted at: www.floridahealthstat.com/order.shtml.

(2) The Price List dated 7.1.07 is incorporated by reference as AHCA Form FC4200-003.

Specific Authority 408.15(8) FS. Law Implemented 408.05(7)(c) FS. History–New _____.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Construction Industry Licensing Board

RULE NO.: RULE TITLE:
61G4-12.011 Definitions

PURPOSE AND EFFECT: The Board proposes the rule amendment to add additional definitions.

SUBJECT AREA TO BE ADDRESSED: Definitions.

SPECIFIC AUTHORITY: 489.103(5), 489.105(3), 489.108, 489.113(3) FS.

LAW IMPLEMENTED: 489.103(5), 489.105(3), 489.113(3), 489.115(6), 489.119(5) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: G. W. Harrell, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Construction Industry Licensing Board

RULE NO.: RULE TITLE:
61G4-15.0021 Certification and Registration of
Business Organizations

PURPOSE AND EFFECT: The Board proposes the rule amendment for consideration of bond.

SUBJECT AREA TO BE ADDRESSED: Certification and Registration of Business Organizations.

SPECIFIC AUTHORITY: 489.108 FS.

LAW IMPLEMENTED: 455.213, 489.105, 489.107, 489.115, 489.119, 489.1195, 489.143 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: G. W. Harrell, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: 61G4-15.003 RULE TITLE: Public Liability Insurance

PURPOSE AND EFFECT: The Board proposes the rule amendment to review for consistency with other rules and for the addition of a requirement for new specialty contractor.

SUBJECT AREA TO BE ADDRESSED: Public Liability Insurance.

SPECIFIC AUTHORITY: 489.108, 489.115(5), 489.129(3) FS.

LAW IMPLEMENTED: 489.115(5) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: G. W. Harrell, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: 61G4-15.012 RULE TITLE: Certification of Residential Solar Water Heating Specialty Contractors

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

SUBJECT AREA TO BE ADDRESSED: Certification of Residential Solar Water Heating Specialty Contractors.

SPECIFIC AUTHORITY: 120.53, 455.217(1), 489.113(6), 489.115(4) FS.

LAW IMPLEMENTED: 120.53, 455.217(1), 489.113(6), 489.115(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: G. W. Harrell, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: 61G4-15.015 RULE TITLE: Certification of Specialty Structure Contractors

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

SUBJECT AREA TO BE ADDRESSED: Certification of Specialty Structure Contractors.

SPECIFIC AUTHORITY: 120.53, 489.113(6), 489.115(4) FS.

LAW IMPLEMENTED: 120.53, 489.113(6), 489.115(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: G. W. Harrell, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: 61G4-15.017
 RULE TITLE: Certification of Gypsum Drywall Specialty Contractors

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

SUBJECT AREA TO BE ADDRESSED: Certification of Gypsum Drywall Specialty Contractors.

SPECIFIC AUTHORITY: 120.53, 455.217(1), 489.113(6), 489.115(4) FS.

LAW IMPLEMENTED: 120.53, 455.217(1), 489.113(6), 489.115(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: G. W. Harrell, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: 61G4-15.018
 RULE TITLE: Certification of Glass and Glazing Specialty Contractors

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

SUBJECT AREA TO BE ADDRESSED: Certification of Glass and Glazing Specialty Contractors.

SPECIFIC AUTHORITY: 120.53, 455.217(1), 489.113(6), 489.115(5) FS.

LAW IMPLEMENTED: 120.53, 455.217(1), 489.113(6), 489.115(5) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: G. W.

Harrell, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: 61G4-15.021
 RULE TITLE: Certification of Solar Contractors

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

SUBJECT AREA TO BE ADDRESSED: Certification of Solar Contractors.

SPECIFIC AUTHORITY: 489.105(12), 489.108, 489.113(6), 489.115(4) FS.

LAW IMPLEMENTED: 120.53, 489.105(3)(o), (12), 489.113(6) 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: G. W. Harrell, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: 61G4-15.026
 RULE TITLE: Certification of Gas Line Specialty Contractors

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

SUBJECT AREA TO BE ADDRESSED: Certification of Gas Line Specialty Contractors.

SPECIFIC AUTHORITY: 120.53, 455.217(1), 489.113(6), 489.115(4) FS.

LAW IMPLEMENTED: 120.53, 455.213, 455.217(1), 489.113(6), 489.115(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: G. W. Harrell, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: 61G4-15.027 RULE TITLE: Pollutant Storage System Specialty Contractors

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

SUBJECT AREA TO BE ADDRESSED: Pollutant Storage System Specialty Contractors.

SPECIFIC AUTHORITY: 489.108, 489.113(3), (7), 489.129(3), 489.133 FS.

LAW IMPLEMENTED: 455.213, 489.113(3), (7), (8), 489.115(4), (5), 489.133 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: G. W. Harrell, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: 61G4-15.028 RULE TITLE: Precision Tank Testers

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

SUBJECT AREA TO BE ADDRESSED: Precision Tank Testers.

SPECIFIC AUTHORITY: 489.108, 489.113(3), (7), 489.129(3), 489.133 FS.

LAW IMPLEMENTED: 455.213, 489.113(3), (7), (8), 489.115(4), 489.133 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: G. W. Harrell, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: 61G4-15.029 RULE TITLE: Tank Lining Applicators

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

SUBJECT AREA TO BE ADDRESSED: Tank Lining Applicators.

SPECIFIC AUTHORITY: 489.108, 489.113(3), (7), 489.129(3), 489.133 FS.

LAW IMPLEMENTED: 455.213, 489.113(3), (7), (8), 489.115(4), 489.133 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: G. W. Harrell, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**Construction Industry Licensing Board**

RULE NO.: 61G4-15.031 RULE TITLE: Medical Gas Certification

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

SUBJECT AREA TO BE ADDRESSED: Medical Gas Certification.

SPECIFIC AUTHORITY: 455.213, 489.108, 489.1136 FS.

LAW IMPLEMENTED: 489.1136 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: G. W. Harrell, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**Construction Industry Licensing Board**

RULE NO.: 61G4-18.001 RULE TITLE: Continuing Education Requirements for Certificateholders and Registrants

PURPOSE AND EFFECT: The Board proposes the rule amendment for consideration of the definition of business practices; for the addition of wind mitigation as required credit; and to change laws and rules credit requirement to be consistent with new legislation.

SUBJECT AREA TO BE ADDRESSED: Continuing Education Requirements for Certificateholders and Registrants.

SPECIFIC AUTHORITY: 455.213, 455.2177, 455.2178, 455.2179, 489.108, 489.115 FS.

LAW IMPLEMENTED: 455.2123, 455.213(6), 455.2177, 455.2178, 455.2179, 455.271(6), 489.115, 489.116 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: G. W. Harrell, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**Board of Professional Geologists**

RULE NO.: 61G16-3.001 RULE TITLE: Schedule of Fees Adopted by the Board

PURPOSE AND EFFECT: The Board proposes the rule amendment to add language clarifying fees for reinstatement of a null and void license.

SUBJECT AREA TO BE ADDRESSED: Schedule of fees.

SPECIFIC AUTHORITY: 455.213(2), 455.217, 455.219, 455.271, 492.104, 492.1101 FS.

LAW IMPLEMENTED: 455.217, 455.219, 455.271, 492.104, 492.1101, 192.111 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: Rick Morrison, Executive Director, Board of Professional Geologists, 1940 North Monroe Street, Tallahassee, Florida 32399-0764

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**Board of Professional Geologists**

RULE NO.: 61G16-8.001 RULE TITLE: License and Certification Renewal

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify reinstatement of null and void license as provided in Rule 61G16-4.004, F.A.C.

SUBJECT AREA TO BE ADDRESSED: License and certification renewal and reinstatement.

SPECIFIC AUTHORITY: 455.02(2), 455.271(6)(b), (9), 468.4315(3) FS.

LAW IMPLEMENTED: 455.02(2), 455.271(6)(b), (9) 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: Rick Morrison, Executive Director, Board of Professional Geologists, 1940 North Monroe Street, Tallahassee, Florida 32399-0764

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF JUVENILE JUSTICE

Residential Services

RULE NOS.:	RULE TITLES:
63E-3.001	Purpose and Scope
63E-3.002	Definitions
63E-3.003	Administration
63E-3.004	Sanitation
63E-3.005	Safety and Security
63E-3.006	Continuity of Operations
63E-3.007	Youth Admission
63E-3.008	Intake
63E-3.009	Orientation
63E-3.010	Case Management
63E-3.011	Behavior Management
63E-3.012	Youth Services
63E-3.013	Construction
63E-3.014	Program Monitoring and Evaluation
63E-3.015	Research Projects

PURPOSE AND EFFECT: The rule implements standards and requirements described in Section 985.47, Florida Statutes, pertaining to serious or habitual juvenile offender programs.

SUBJECT AREA TO BE ADDRESSED: Standards and requirements are established for serious or habitual juvenile offender programs, including administration, operations, safety and security, intake and orientation, case management, behavior management, program monitoring and research.

SPECIFIC AUTHORITY: 20.316, 985.47 FS.

LAW IMPLEMENTED: 985.47 FS.

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

DATE AND TIME: Friday, August 3, 2007, 10:00 a.m.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lydia Monroe, 2737 Centerview Dr., Ste. 312, Tallahassee, FL 32399-3100, e-mail: lydia.monroe@djj.state.fl.us

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

DEPARTMENT OF JUVENILE JUSTICE

Residential Services

RULE NOS.:	RULE TITLES:
63E-6.002	Definitions
63E-6.003	Admission Criteria

PURPOSE AND EFFECT: The amendment changes the admission criteria for Sheriff's Training and Respect programs pertaining to substance abuse and psychiatric disorders.

SUBJECT AREA TO BE ADDRESSED: Amending admission criteria and associated definitions.

SPECIFIC AUTHORITY: 985.4891, 985.64 FS.

LAW IMPLEMENTED: 985.4891(2), (7)(a) FS.

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

DATE AND TIME: Friday, August 3, 2007, 10:00 a.m.

PLACE: DJJ Residential Services, Central Region Office, 4524 Oak Fair Blvd., Ste. 200, Tampa, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lydia Monroe, 2737 Centerview Dr., Ste. 312, Tallahassee, FL 32399-3100; e-mail, lydia.monroe@djj.state.fl.us

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

DEPARTMENT OF JUVENILE JUSTICE

Residential Services

RULE NOS.:	RULE TITLES:
63E-7.012	Transfer, Release and Discharge
63E-7.014	Staff Training
63E-7.015	Research Projects

PURPOSE AND EFFECT: The rule establishes the requirements for the administration and operation of state operated and contracted residential commitment programs for juvenile offenders.

SUBJECT AREA TO BE ADDRESSED: The rule sections address the transfer and discharge of youth, the training of staff, and the procedure for conducting research projects in residential facilities.

SPECIFIC AUTHORITY: 20.316, 985.601, 985.64 FS.

LAW IMPLEMENTED: 985.610, 985.04, 985.441, 985.03 FS.

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

DATE AND TIME: Friday, August 3, 2007, 10:00 a.m.

PLACE: DJJ Headquarters, 2737 Centerview Drive, General Counsel's Conference Room 312, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lydia Monroe, 2737 Centerview Dr., Ste. 312, Tallahassee, FL 32399-3100, e-mail: lydia.monroe@djj.state.fl.us

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

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE NO.: RULE TITLE:
64B10-11.002 Eligibility for Licensure

PURPOSE AND EFFECT: To clarify the eligibility requirements for licensure.

SUBJECT AREA TO BE ADDRESSED: Eligibility for Licensure

SPECIFIC AUTHORITY: 468.1685(1), 468.1695(1) FS.

LAW IMPLEMENTED: 456.017, 468.1695(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Jr., Executive Director, Board of Nursing Home Administrators/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B10-11.002 Eligibility for Licensure Examination for Licensure.

(1) Required Examinations:

(a) The Board approves the Nursing Home Administrators Examination developed and administered by the National Association of Boards of Examiners of Nursing Home Administrators.

(b)(2) In addition to the national examination referenced in subsection (1) above, each applicant for licensure shall also be required to take an examination on the laws and regulations of the State of Florida which govern the practice of nursing home administrators.

(2) To establish eligibility for licensure as a nursing home administrator by examination under Section 468.1695, F.S., the applicant must successfully pass the required examinations in subsection (1), and must provide that the applicant holds:

(a) A baccalaureate degree from an accredited college or university with a major in health care administration or has credit for at least 60 semester hours in subjects as defined under Rule 64B10-11.007, F.A.C., and

1. Completed a college-affiliated or university-affiliated internship; or

2. Completed a 1,000-hour nursing home administrator-in-training program approved by the Board.

(b) A baccalaureate degree from an accredited college or university, and

1. Completed a 2,000-hour nursing home administrator-in-training program approved by the Board; or

2. Has one year of management experience by performing executive duties and skills, including the staffing, budgeting, and directing of resident care, dietary, and bookkeeping departments within a skilled nursing facility, hospital, hospice, assisted living facility with a minimum of 60 licensed beds, or geriatric residential treatment program. If, however, such experience is not in a skilled nursing facility, the applicant must complete the requirements of a 1,000-hour nursing home administrator-in-training program approved by the Board.

(3) To establish eligibility for licensure as a nursing home administrator by endorsement under Section 468.1705, F.S., the applicant must successfully pass the required examinations in subsection (1), and

(a) Hold a valid active license to practice nursing home administration in another state, provided that the current requirements for licensure in the state are substantially equivalent to, or more stringent than, the current requirements in the state of Florida; and

(b) Have practiced as a nursing home administrator for 2 years within the 5-year period immediately preceding the application by endorsement.

Specific Authority 468.1685(1), 468.1695(1) FS. Law Implemented 456.017, 468.1695(1)(d) FS. History—New 12-26-79, Amended 3-1-82, 7-29-82, Formerly 21Z-11.02, Amended 1-18-87, 6-2-87, 12-3-90, Formerly 21Z-11.002, 61G12-11.002, Amended 7-16-95, Formerly 59T-11.002, Amended 5-15-00, 11-6-02, 8-30-05,_____.

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE NO.: RULE TITLE:
64B10-14.006 Citations

PURPOSE AND EFFECT: To clarify that citation regards practice on delinquent rather than inactive license; to modify amount of fines for falsely certifying compliance with continuing education hours; to delete requirement to make up

missing continuing education units; to delete subsection regarding first-time failure to comply with Rule 64B10-15.001; F.A.C., add subsection imposing a fine and payment requirements for tendering a check that is dishonored, to delete requirements that prior to issuance of the citation for the investigator to confirm the status or correction of the violation and to remove certain potential for harm.

SUBJECT AREA TO BE ADDRESSED: Citations.

SPECIFIC AUTHORITY: 456.073, 456.077 FS.

LAW IMPLEMENTED: 456.077 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: Joe Baker, Jr., Executive Director, Board of Nursing Home Administrators/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B10-14.006 Citations.

(1) through (2) No change.

(3) The following violation with accompanying fines may be disposed of by citation:

(a) Practice on an delinquent inactive license or certificate for less than six months. The fine shall be \$50 for each month of practice

(b) Falsely certifying compliance with continuing education hours required for renewal of licensure or certification. If the individual has no documentation, the fine shall be \$1,500.00 ~~500.00~~. If the individual has some documentation, the fine shall be \$500 ~~penalty is \$25 per missing hour, to a maximum of \$500. For failing to provide documentation of the HIV/AIDS course, the fine shall be \$100.00. All missing CEUs shall be made up within six months of the date the citation becomes a Final Order.~~

(c) Failure to comply with Rule 64B10-11.012, F.A.C. (change of address). The fine shall be \$100.00.

(d) Paperwork deficiencies that have been corrected and have no patient harm (violation of Section 468.1755(1)(m), F.S.). The fine shall be \$250.00.

~~(e) First time failure to comply with Rule 64B10-15.001, F.A.C. The fine shall be \$500.00. For each hour of continuing education not completed or completed late, the licensee shall be required to complete one (1) additional hour of continuing education within six (6) months of the issuance of the citation.~~

~~(e)(f)~~ Failing to report to the Board within 30 days after the licensee has been convicted or found guilty of, or entered a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction. The fine shall be \$500.00.

~~(f)(g)~~ Failure to comply with Rule 64B10-12.018, F.A.C. (Special Assessment). The fine shall be \$500.00.

(4) Tendering a check that is dishonored by the institution upon which it is drawn shall result in a fine of \$100 and payment of the check within 30 days. Prior to issuance of the citation, the investigator must confirm that the violation has been corrected or is in the process of being corrected. If the violation is a substantial threat to the public health, safety and welfare, such potential for harm must be removed prior to issuance of the citation.

(5) No change.

Specific Authority 456.073, 456.077 FS. Law Implemented 456.077 FS. History—New 3-1-92, Formerly 21Z-14.006, 61G12-14.006, Amended 7-21-97, Formerly 59T-14.006, Amended 5-15-00, 8-23-00, 2-23-06,_____.

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE NO.: 64B10-15.001 RULE TITLE: Continuing Education for Licensure Renewal

PURPOSE AND EFFECT: To delete existing requirement that license holder is not permitted to receive more than 15 continuing education hours in one topic.

SUBJECT AREA TO BE ADDRESSED: Continuing Education for Licensure Renewal.

SPECIFIC AUTHORITY: 456.033, 468.1685(1), 468.1715(3), 468.1725 FS.

LAW IMPLEMENTED: 456.013(6), 456.033, 468.1715(3), 468.1725 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: Joe Baker, Jr., Executive Director, Board of Nursing Home Administrators/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B10-15.001 Continuing Education for Licensure Renewal.

(1) No change.

(2) Each license-holder shall complete forty (40) contact hours of continuing education in accordance with these rules. ~~A license holder shall not be permitted to receive more than fifteen (15) continuing education hours in any one topic for a single program.~~

(3) through (6) No change.

Specific Authority 456.033, 468.1685(1), 468.1715(3), 468.1725 FS. Law Implemented 456.013(6), 456.033, 468.1715(3), 468.1725 FS. History--New 12-11-80, Amended 2-20-83, 5-2-84, Formerly 21Z-15.01, Amended 12-31-86, 2-26-89, 11-19-91, Formerly 21Z-15.001, 61G12-15.001, Amended 9-4-96, 10-20-96, 7-21-97, Formerly 59T-15.001, Amended 5-15-00, 11-4-02, 5-7-06, 4-8-07,_____.

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE NO.: 64B10-15.002
 RULE TITLE: Criteria for Approved Continuing Education

PURPOSE AND EFFECT: Clarification that this subsection applies to continuing education courses that are approved (rather than offered) by the National Association of Boards of Examiners of Long Term Care Administrators.

SUBJECT AREA TO BE ADDRESSED: Criteria for Approved Continuing Education.

SPECIFIC AUTHORITY: 468.1685(1), 468.1725(3) FS.

LAW IMPLEMENTED: 456.013, 468.013, 468.1715, 468.1725 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: Joe Baker, Jr., Executive Director, Board of Nursing Home Administrators/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B10-15.002 Criteria for Approved Continuing Education.

(1) through (7) No change.

(8) Continuing education courses ~~offered and~~ approved by the National Association of Boards of Examiners of Long Term Care Administrators are accepted as long as the requirements are similar to or more stringent than those required by the Board in subsection 64B10-15.002(1) and Rule 64B10-16.005, F.A.C.

(9) through (10) No change.

Specific Authority 468.1685(1), 468.1725(3) FS. Law Implemented 456.013, 468.013, 468.1715, 468.1725 FS. History--New 12-11-80, Amended 2-20-83, Formerly 21Z-15.02, Amended 6-22-87, 2-26-89, 12-6-89, 11-11-92, Formerly 21Z-15.002, 61G12-15.002, 59T-15.002, Amended 10-12-97, 12-2-02, 8-11-03, 8-9-04, 2-23-06,_____.

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE NO.: 64B10-16.001
 RULE TITLE: General Information

PURPOSE AND EFFECT: Amend to revise forms; to add requirement for applicant to indicate to which AIT program applicant is applying; and to clarify requirements of each AIT program.

SUBJECT AREA TO BE ADDRESSED: General Information.

SPECIFIC AUTHORITY: 468.1685(1), 468.1695(2) FS.

LAW IMPLEMENTED: 468.1695(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Jr., Executive Director, Board of Nursing Home Administrators/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B10-16.001 General Information.

(1) No change.

(2) An applicant for the AIT program must meet those qualifications established by Section 468.1695, F.S., at the time of application, including completion of an Administrator in Training Application, form DH-MQA-NHA003 (Revised 03/2007 ~~10/2005~~), and incorporated herein by reference and pay the application fee specified in Rule 64B10-12.013 Form DH-MQA-NHA003 (Revised 03/2007 ~~10/2005~~) can be obtained from the Board of Nursing Home Administrators' website or the Division of Medical Quality Assurance Call Center by calling (850)488-0595. The applicant is required to indicate on form DH-MQA-NHA (Revised 03/2007) whether the applicant is applying for the AIT 1000-hour program or the AIT 2000-hour program.

(a) The applicant may qualify for the AIT 1000-hour program provided that the applicant holds a baccalaureate degree from an accredited college or university with a major in health care administration; or

(b) The applicant may qualify for the AIT 2000-hour program provided that the applicant holds a baccalaureate degree from an accredited college or university with a major in non-health care administration.

(3) through (13) No change.

Specific Authority 468.1685(1), 468.1695(2) FS. Law Implemented 468.1695(2) FS. History–New 9-24-81, Formerly 21Z-16.01, Amended 12-18-88, 1-22-90, 11-11-92, Formerly 21Z-16.001, Amended 8-29-93, Formerly 61G12-16.001, Amended 6-2-96, Formerly 59T-16.001, Amended 10-12-97, 6-5-07,_____.

DEPARTMENT OF HEALTH

Board of Occupational Therapy

RULE NO.: RULE TITLE:
64B11-2.011 Definition of Supervised Fieldwork Experience

PURPOSE AND EFFECT: To clarify that supervision is of an occupational therapist student.

SUBJECT AREA TO BE ADDRESSED: Definition of Supervised Fieldwork Experience.

SPECIFIC AUTHORITY: 468.204 FS.

LAW IMPLEMENTED: 468.209 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: Susan Love, Executive Director, Board of Occupational Therapy, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B11-2.011 Definition of Supervised Fieldwork Experience.

The term “supervised fieldwork experience” as provided for in Section 468.209(1)(c), F.S., shall mean experience at an occupational therapist level occurring in a clinical setting affiliated with an educational institution in occupational therapy for a minimum of at least 6 months, with the fieldwork experience supervised by a licensed occupational therapist. Supervision, for purposes of this rule, shall mean that the occupational therapist student has daily direct contact at the worksite with his or her supervisor.

Specific Authority 468.204 FS. Law Implemented 4468.204 FS. History–New 12-4-95, Amended 12-11-96, Formerly 59R-61.015, Amended 6-6-07,_____.

DEPARTMENT OF HEALTH

Board of Occupational Therapy

RULE NO.: RULE TITLE:
64B11-3.010 Definition of Supervised Fieldwork Experience

PURPOSE AND EFFECT: Amend to also allow a licensed occupational therapy assistant to supervise an occupational therapy assistant student.

SUBJECT AREA TO BE ADDRESSED: Definition of Supervised Fieldwork Experience.

SPECIFIC AUTHORITY: 468.204 FS.

LAW IMPLEMENTED: 468.204, 468.207, 468.209(1)(c) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Susan Love, Executive Director, Board of Occupational Therapy, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B11-3.010 Definition of Supervised Fieldwork Experience.

The term “supervised fieldwork experience” as provided for in Section 468.209(1)(c), F.S., shall mean experience at an occupational therapy assistant level occurring in a clinical setting affiliated with an educational institution in occupational therapy for a minimum of at least 2 months, with the fieldwork experience supervised by a licensed occupational therapist or by a licensed occupation therapy assistant under the supervision of a licensed occupational therapist. Supervision, for purposes of this rule, shall mean that the occupational therapy assistant student has daily direct contact at the worksite with his or her supervisor.

Specific Authority 468.204 FS. Law Implemented 468.204, 468.207, 468.209(1)(c) FS. History–New 6-6-07, Amended _____.

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NO.: RULE TITLE:
64B18-14.002 Penalties

PURPOSE AND EFFECT: The Board proposes the rule amendment to add additional penalties for licensees who fail to provide their last known address or fail to notify the Board of changes in their supervisor.

SUBJECT AREA TO BE ADDRESSED: Penalties.

SPECIFIC AUTHORITY: 456.039(3), 456.072, 456.073(3), 456.079, 461.003, 461.005, 461.013 FS.

LAW IMPLEMENTED: 456.033, 456.053, 456.062, 456.063, 456.067, 456.072, 456.073(3), 456.079, 461.012, 461.013 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: Joe Baker, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B18-14.002 Penalties.

(1) No change.

(2)(a) through (tt) No change.

(uu) Failure to provide the last known address of record pursuant to Section 456.035, F.S., shall impose a penalty of suspension until compliance and payment of fine from \$500 to \$2,000.

(vv) Failure to notify the Board of changes in supervisor pursuant to Section 461.0135, F.S., shall impose suspension to revocation and a fine of \$1,000 to \$4,000.

Specific Authority 456.039(3), 456.072, 456.073(3), 456.079, 461.003, 461.005, 461.013 FS. Law Implemented 456.033, 456.053, 456.062, 456.063, 456.067, 456.072, 456.073(3), 456.079, 461.012, 461.013 FS. History–New 11-21-79, Amended 8-31-81, Formerly 21T-14.02, Amended 10-14-86, 12-8-88, 1-19-92, 4-26-93, Formerly 21T-14.002, 61F12-14.002, Amended 2-25-96, 5-29-97, Formerly 59Z-14.002, Amended 11-17-97, 8-24-00, 8-13-02, 4-26-04, 6-14-06, 10-10-06,_____.

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NO.: 64B18-14.009
 RULE TITLE: Minor Violations; Notices of Noncompliance

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete the requirement for obtaining an education course on HIV within six months of licensure.

SUBJECT AREA TO BE ADDRESSED: Minor Violations; Notice of Compliance.

SPECIFIC AUTHORITY: 456.072(3), 456.073, 461.005 FS.

LAW IMPLEMENTED: 456.073 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B18-14.009 Minor Violations; Notices of Compliance.

(1) through (3) No change.

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

~~(s) Failure to obtain an education course on human immunodeficiency virus and acquired immune deficiency syndrome within six (6) months of licensure as required by Section 456.033, F.S.~~

(5) No change.

Specific Authority 456.072(3), 456.073, 461.005 FS. Law Implemented 456.073 FS. History–New 4-1-91, Formerly 21T-14.009, 61F12-14.009, Amended 2-25-96, 6-17-97, Formerly 59Z-14.009, Amended 8-8-99,_____.

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NO.: 64B18-14.010
 RULE TITLE: Citations

PURPOSE AND EFFECT: The Board proposes the rule amendment to update violations and penalties.

SUBJECT AREA TO BE ADDRESSED: Citations.

SPECIFIC AUTHORITY: 456.072, 456.077, 461.005 FS.

LAW IMPLEMENTED: 456.057, 456.062, 456.072, 456.077, 461.012, 461.013(7) 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: Joe Baker, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B18-14.010 Citations.

(1) through (2) No change.

(3) The following violations may be disposed of by the Department by citation with the specified penalty:

VIOLATIONS

PENALTY

(a) CME violations. Podiatrist

(Section 456.077(2) and 461.013(1)(w), F.S.).

1. Failure to document 40 of the 40 required hours.

\$5,000 fine and reprimand

~~Within one year of the date of the citation is issued, Respondent must submit certified documentation of completion of all CME requirements for the period for which the citation was issued; prior to renewing the license for the next biennium, Respondent must document compliance with the CME requirements for the relevant period; AND~~
 \$500 fine per category

~~2.~~ Failure to document required

two (2) hour medical errors, HIV/AIDS, Florida laws and rules, or risk management CME.

~~3.~~ Documentation of some, but not all 40 hours of required CME for license renewal.

\$125 fine for each hour not documented

~~3. Failure to document any of the required hours.~~

\$5,000 fine and reprimand

(b) CME violations: Podiatric X-ray Assistant

\$150 fine

Failure to document required eight (8) hour recertification course.

~~(c)~~ Practice on a delinquent license for a period of up to three months.

\$500 fine for Podiatrist;

\$150 fine for Podiatric X-ray Assistant

(Sections 461.012(1)(a) and 461.013(1)(w), F.S.).

~~(d)~~ Failure to notify Department of change of current mailing address and Place of practice.

\$500 fine for Podiatrist;

\$150 fine for Podiatric X-ray Assistant

(Sections 461.013(1)(h) and 456.035(1), F.S.)

~~(e)~~ Failure to provide medical record of one patient in a timely manner. (Section 456.057, F.S.)

\$500 fine and proof records were provided

~~(f)~~ Failure to provide the disclaimer required for free or discounted services.

\$500 fine

(Sections 456.062, 456.077(2) and 461.013(1)(w), F.S.)

~~(g)~~ Soliciting patients.

\$500 fine

(Sections 456.072(1)(x), 456.077(2), 461.013(1)(k), and 461.013(1)(w), F.S.)

~~(h)~~ Failure to comply with the requirements of profiling or credentialing.

\$500 fine

(Section 456.072(1)(v) and 456.077(2), F.S.)

~~(i)~~ Failure to pay the one time assessment fee of \$375.00

Citation fine of \$500.00 plus payment of cost and the \$375.00 assessment fee.

~~(j)~~ Failure to timely pay required costs and fines. (Section 456.077(2), F.S.)

\$2,500 fine and compliance of outstanding costs and fines within sixty days

~~(k)~~ Failure to comply with Sections 381.026 and

\$250 fine and compliance within ten days

~~(l)~~ Failure to comply with Section 456.039(3)(b) (Section 456.077(2), F.S.)

a fine of \$50.00 per day

381.0261, F.S., referencing patients bill of rights. (Section 456.077(2), F.S.)

(4) through (5) No change.

Specific Authority 456.072, 456.077, 461.005 FS. Law Implemented 456.057, 456.062, 456.072, 456.077, 461.012, 461.013(7) FS. History--New 1-19-92, Formerly 2IT-14.010, 61F12-14.010, Amended 3-26-95, 2-25-96, 6-17-97, Formerly 59Z-14.010, Amended 11-23-00, 8-13-02, 7-26-04, 6-14-06, 10-11-06,

DEPARTMENT OF HEALTH

Division of Family Health Services

RULE NO.: 64F-21.001
 RULE TITLE: Infant Mortality

PURPOSE AND EFFECT: The Department proposes to institute a rule to implement study and evaluation of black infant mortality per Section 383.2162, F.S. (2007). There will be additional rules added to this chapter.

SUBJECT AREA TO BE ADDRESSED: The rule addresses a study and evaluation on black infant mortality.

SPECIFIC AUTHORITY: 383.2162(9) FS.

LAW IMPLEMENTED: 383.2162 FS.

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

DATE AND TIME: August 6, 2007, 10:00 a.m.

PLACE: The Betty Easley Conference Center, 4075 Esplanade Way, Room 180, Tallahassee, FL 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Division of Family Health Services at (850)245-4444, Extension 2959. 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: Adam Reeves, Infant Maternal and Reproductive Health, 4052 Bald Cypress Way, Bin A-13, Tallahassee, Florida 32399

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

DEPARTMENT OF HEALTH

Office of Statewide Research

RULE NO.: 64H-1.001
 RULE TITLE: Biomedical Research Grant Applications

PURPOSE AND EFFECT: To update the existing rule regarding applications for biomedical research funding under the James and Esther King Biomedical Research Program. To add text regarding applications for biomedical research funding under the newly created William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program.

SUBJECT AREA TO BE ADDRESSED: Applications for biomedical research funding under the James and Esther King Biomedical Research Program and the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program.

SPECIFIC AUTHORITY: 215.5602(9) FS.

LAW IMPLEMENTED: 215.5602(5), 381.922(3)(a) 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: Biomedical Research Programs, Office of Public Health Research, 4052 Bald Cypress Way, Bin A-24, Tallahassee, FL 32399-1749, FAX: (850)245-4371, EMAIL: FBRP@doh.state.fl.us

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

DEPARTMENT OF HEALTH

Office of Statewide Research

RULE NO.: 64H-2.002
 RULE TITLE: Institutional Review Board Applications

PURPOSE AND EFFECT: The purpose of this rule is to provide an application mechanism and fee schedule for requesting Institutional Review Board review, pursuant to the provisions of Section 381.86(5), F.S.

SUBJECT AREA TO BE ADDRESSED: Institutional Review Board.

SPECIFIC AUTHORITY: 381.86 FS.

LAW IMPLEMENTED: 381.86(5) FS.

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

DATE AND TIME: Friday, August 3, 2007, 10:00 a.m. – 11:00 a.m. (EST)

PLACE: Department of Health, 4030 Esplanade Way, 2nd Floor, Room 280N, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Sylvia McDaniel, Office of Public Health Research, Department of Health, 4052 Bald Cypress Way, Mail Bin #A24, Tallahassee, FL 32399, (850)245-4585

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64H-2.002 Institutional Review Board Applications.

(1) Applications for Institutional Review Board review shall be submitted electronically using the IRB Wise system available at the program's website <http://FLpublichealth.ETHICS.net/>. The website address is also available by contacting: Office of Public Health Research, Department of Health, 4052 Bald Cypress Way, Bin #A-24, Tallahassee, Florida 32399, (850)245-4585.

(2) An application fee shall be charged according to the following schedule for researchers not affiliated with the Department of Health: Initial Applications \$350, Amendments \$350, and Continuing Reviews \$350. Continuing Review Applications are due 60 days prior to study expiration; late applications will be assessed a \$700 fee. Application fees are due at the time of submission and applications will not be processed until payment is received by the department. Application fees are waived for any student who is a candidate for a degree at a university located in this state.

Specific Authority 381.86 FS. Law Implemented 381.86(5) FS. History--New _____.

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

RULE NO.: **RULE TITLE:**
 69K-9.004 Consumer Brochure
PURPOSE AND EFFECT: Section 497.282(9), F.S., requires licensees to display and provide to all potential customers a brochure explaining how and by whom cemeteries and preneed sales are regulated, summarizing consumer rights, and providing the address and phone number of the Division of Funeral, Cemetery, and Consumer Services. The format and content of the brochure shall be prescribed by rule. Section 497.282(9), F.S., authorizes the Department to publish such brochures and to require cemetery and preneed licensees to purchase and make such brochures available in the licensee's offices to all potential customers. The proposed rule implements this statutory provision by adopting the consumer brochure as a form.

SUBJECT AREA TO BE ADDRESSED: Consumer brochure to be displayed by cemetery and preneed licensees.

SPECIFIC AUTHORITY: 497.103(5)(b), 497.167(5), 497.282(9) FS.

LAW IMPLEMENTED: 497.167(5), 497.282(9) 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, August 7, 2007, 2:00 p.m.

PLACE: Alexander Building, 2020 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: Diana Evans, (850)413-3039. 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: Diana Evans, Executive Director, Board of Funeral, Cemetery, and Consumer Services, Alexander Building, 2020 Capital Circle S. E., Tallahassee, Florida 32399-0361, (850)413-3039

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69K-9.004 Consumer Brochure.

Each cemetery and preneed licensee offering to provide burial rights, merchandise, or services to the public shall display in its offices for free distribution to all potential customers, and provide to all customers before the contract is signed by the purchaser, a brochure entitled "Pre-Need Funeral & Cemetery Arrangements," Form DFS-N1-1698, effective 10-06. This brochure is incorporated by reference in Rule 69K-1.001, F.A.C. The brochures must be obtained from the Department and cannot be printed by a licensee or a private vendor for a licensee. Brochures can be obtained, at Department cost, by written request mailed to the Department of Financial Services, Division of Funeral, Cemetery and Consumer Services, 200 East Gaines Street, Tallahassee, FL 32399-0361. Brochures will be provided in increments of 100 with a minimum order of 100 brochures.

Specific Authority 497.103(5)(b), 497.167(5), 497.282(9) FS. Law Implemented 497.167(5), 497.282(9) FS. History--New _____.

**Section II
Proposed Rules**

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: **RULE TITLE:**
 6A-1.09401 Student Performance Standards
PURPOSE AND EFFECT: The purpose and effect of this rule amendment is to adopt the 2007 Sunshine State Standards for Mathematics as authorized by Section 1001.03, Florida Statutes, to ensure adequate rigor, relevance, and student progression are maintained.

SUMMARY: Section 1001.03, Florida Statutes, provides for the adoption of a set of student performance standards (Sunshine State Standards) and requires that the standards be reviewed periodically to ensure their continued rigor and relevance, among other things.

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: 1001.02 FS..

LAW IMPLEMENTED: 1001.03 FS.

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

DATE AND TIME: August 14, 2007, 9:00 a.m.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mary Jane Tappen, Department of Education, Office of Science and Mathematics, 325 West Gaines Street, Tallahassee, Florida, (850)245-0834

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.09401 Student Performance Standards.

(1) Standards to benchmark student achievement serve as guides to best practices for local curriculum designers to help schools implement school improvement strategies to raise student achievement. Beginning with the 2007-2008 school year, the reading and language arts benchmarked standards for reading and language arts referenced below in paragraph (1)(a), describe what students should know and be able to do at grade level progression. The benchmarked standards in paragraphs (1)(b)-(g) of this rule describe what students should know and be able to do at four progression levels (grades Pre-k-2, 3-5, 6-8, 9-12) in the subjects of the arts, health/physical education, foreign languages, mathematics, science, and social studies. Sunshine State Standards for Special Diploma as incorporated by reference in paragraph (1)(h) of this rule describe what certain students with a disability should be able to do at three (3) proficiency levels (independent, supported, and participatory). Public schools shall provide appropriate instruction to assist students in the achievement of these standards. These standards and benchmarks are contained in the following publications and are hereby incorporated by reference and made a part of this rule.

(a) Sunshine State Standards – Reading and Language Arts, July 2007,

(b) Sunshine State Standards – Mathematics, 2007 ~~1996~~,

(c) Sunshine State Standards – Science, 1996,

(d) Sunshine State Standards – Social Studies, 1996,

(e) Sunshine State Standards – Foreign Languages, 1996,

(f) Sunshine State Standards – The Arts, 1996, and

(g) Sunshine State Standards – Health/Physical Education, 1996, and

(h) Sunshine State Standards for Special Diploma, 1999.

Copies of these publications may be obtained from the Division of Public Schools, Department of Education, 325 West Gaines St., Tallahassee, Florida 32399-0400.

(2) Each district school board shall incorporate the Sunshine State Standards contained herein into the district Pupil Progression Plan.

(3) The Sunshine State Standards shall serve as the basis for statewide assessments.

Specific Authority 1001.02 FS. Law Implemented 1001.03 FS. History–New 6-18-96, Amended 9-28-99, 3-1-07, 7-25-07,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mary Jane Tappen, Department of Education, Office of Science and Mathematics, 325 West Gaines Street, Tallahassee, Florida, (850)245-0834

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Jeanine Blomberg, Commissioner of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 10, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 13, 2007

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.:	RULE TITLE:
6A-6.014	General Requirements for Adult General Education Program

PURPOSE AND EFFECT: The purpose of the rule amendment is to revise the list of approved assessment instruments to align with Federal reporting standards. The major changes include the addition of the Comprehensive Adult Student Assessment System (CASAS) to Adult Basic Education Programs (ABE) and the deletion of Adult Language Assessment Scale (A-LAS) from the ESOL/ELCATE Program as this assessment has been discontinued by the publisher. The effect will be a rule which is in compliance with the United States Department of Education to ensure eligibility for federal funds, and to afford local providers with additional assessment options in the area of Adult Basic Education.

SUMMARY: This rule is amended to revise the list of approved assessment instruments to be in compliance with the United States Department of Education’s list of approved instruments and to allow greater flexibility to providers.

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: 1001.02(1) FS.

LAW IMPLEMENTED: 1008.405, 1011.80 FS.

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

DATE AND TIME: August 14, 2007, 9:00 a.m.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Teresa Bestor, Director, Adult Education Programs, Division of Workforce Education, 325 West Gaines Street, Room 644, Tallahassee, Florida 32399-0400; (850)245-9906

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.014 General Requirements for Adult General Education Program.

In the operation of adult general education programs, the following general requirements shall apply:

(1) Facilities. Instructional facilities should be consistent with the number and nature of adults served, as well as instructional methods and objectives. They should provide program accessibility for persons with disabilities as required by Section 504 of the Rehabilitation Act and the Americans with Disabilities Act.

(2) Enrollment. Enrollment shall be limited to individuals who have legally left the elementary or the secondary school as specified in Section 1003.21(1)(c), Florida Statutes; provided, however, that the school may temporarily assign individual students of compulsory school age to one (1) or more classes offered in the adult general education program where such students exhibit an educational need which can more effectively be served by the adult general education program when such courses are required for high school graduation.

(3) Teacher qualifications. Adult general education classes for which state funds are earned shall be taught by qualified teachers as defined in Rule 6A-1.0503, F.A.C., or as approved by a community college board of trustees as defined in Rule ~~6A-14.024, 6A-14.0247~~, F.A.C.

(4) Academic skills tests for adults.

(a) The following tests, English language versions only, are approved to be used for placement of a student enrolled in the adult general education program and shall be used according to standards established for test administration and interpretation set forth in Standards for Educational and Psychological Testing (APA, AERA, NCME, 1992) and with appropriate accommodations for students with disabilities as specified in Section 1004.02(7), Florida Statutes.

1. Tests of Adult Basic Education (TABE), Complete Battery or Survey Form, Forms 9 & 10, (all active assessments as of the date of adoption of this rule) 2003; or

2. Comprehensive Adult Student Assessment System (CASAS), (all active assessments as of the date of adoption of this rule). ~~Tests of Adult Basic Education (TABE), Complete Battery or Survey Form, Forms 7 & 8, 1994.~~

(b) When testing students enrolling in Adult ESOL or English Literacy for Career and Technical Education (ELCATE) ~~ESOL~~ whose first language is not English, one of the following tests must be used:

~~1. Adult Language Assessment Scales (A-LAS, 1991);~~

~~1.2. Comprehensive Adult Student Assessment System (CASAS), 1996 (Reading and Listening) (all active assessments as of the date of adoption of this rule);~~

~~3. Comprehensive Adult Student Assessment System (CASAS) — Life and Work, 2001;~~

~~2.4. Basic English Skills Test (BEST) Plus, (all active assessments as of the date of adoption of this rule) 2003; or~~

~~3.5. Basic English Skills Test (BEST), (all active assessments as of the date of adoption of this rule) 1984;~~

~~4.6. Comprehensive Adult Student Assessment System (CASAS) Employability Competency System Reading Skills for English Literacy for Career and Technical Education (ELCATE) students.~~

(c) If an adult student has a documented disability and the instruments in paragraph (4)(a) of this rule, with accommodations are not an accurate measure of the student's ability, one of the following tests shall be used for placement in an adult general education program:

1. Brigance Employability Skills, (all active assessments as of the date of adoption of this rule) 1995;

2. Brigance Life Skills, (all active assessments as of the date of adoption of this rule) 1994;

3. Comprehensive Test of Adaptive Behaviors (CTAB), (all active assessments as of the date of adoption of this rule) 1986;

4. Comprehensive Adult Student Life Assessments (CASAS) ~~STRETCH~~, (all active assessments as of the date of adoption of this rule), or 1996;

~~5. Comprehensive Adult Life Assessment (CASAS) — Test for Special Populations, 1996; or~~

~~5.6. Kaufman Functional Adult Student Assessment System (K-FAST), (all active assessments as of the date of adoption of this rule) 1994.~~

(d) If an adult student has a documented disability and the instruments listed in this rule are not an accurate measure of the student's ability, documentation must be kept showing an attempt was made to assess the student, and the results of this attempt should be kept in the student's record for audit purposes.

(5) Student progress will be measured by progression through Literacy Completion Points (LCPs) using one or more of the following:

(a) Grade level/scale score improvements measured by an approved test;

(b) Successful completion of curriculum frameworks and/or course performance standards (for applicable programs reporting outcomes for state reporting and funding purposes only); or

(c) Attainment of GED or Adult High School Diploma.

Specific Authority 1001.02(1) FS. Law Implemented 1008.405, 1011.80 FS. History—Amended 2-20-64, 4-11-70, 11-17-73, 2-18-74, 6-17-74, Repromulgated 12-5-74, Amended 12-6-84, Formerly 6A-6.14, Amended 12-28-86, 10-17-89, 12-29-98, 4-26-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Teresa Bestor, Director, Adult Education Programs, Division of Workforce Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Luci Hadi, Chancellor, Workforce Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 6, 2007

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

**DEPARTMENT OF COMMUNITY AFFAIRS
Division of Housing and Community Development**

RULE NO.: 9B-50.003 RULE TITLE: Fee Schedule and Annual Invoicing and Data Updating

PURPOSE AND EFFECT: To modify the Special District Fee Invoice and Update Form to include information regarding the creation document, map and last update.

SUMMARY: This amendment proposes to modify the Special District Fee Invoice and Update Form to add information regarding whether the creation document and map are on file as required, and the date the department received the last update from the special district.

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: 189.425 FS.

LAW IMPLEMENTED: 189.427 FS.

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

DATE AND TIME: August 13, 2007, 10:00 a.m.

PLACE: Room 250L, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jack Gaskins, Jr., Special District Information Program, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)922-1457, SUNCOM 292-1457

THE FULL TEXT OF THE PROPOSED RULE IS:

9B-50.003 Fee Schedule and Annual Invoicing and Data Updating.

(1) On or about October 1 of each year, and at least 60 days prior to the due date, the Department shall send the Special District Fee Invoice and Update Form, DCA-SDIP-001, effective 3-1-2003, revised _____ Fee (hereby incorporated by reference and available from the Special District Information Program, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100) by regular mail to the registered agent of each special district registered with the Special District Information Program. For newly created special districts, the Department shall send the Special District Fee Invoice and Update Form by regular mail to the registered agent of the special district or an appropriate contact person if a registered agent has not yet been appointed, at the time of registering the special district with the Special District Information Program.

(2) through (4) No change.

Specific Authority 189.425 FS. Law Implemented 189.427 FS. History—New 5-1-90, Amended 3-14-91, 12-3-91, 8-10-97, 3-17-99, 3-1-03,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jack Gaskins, Jr., Special District Information Program

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 14, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 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."

BOARD OF TRUSTEES OF INTERNAL IMPROVEMENT TRUST FUND

RULE NOS.: RULE TITLES:
18-1.001 Purpose
18-1.002 Definitions
18-1.003 General Requirements
18-1.004 Title

- 18-1.005 Appraisal Map and Survey
- 18-1.006 Appraisal Procedures, Report Requirements and Determining Maximum Amounts
- 18-1.007 Appraiser Eligibility and Selection
- 18-1.008 Negotiations
- 18-1.009 Purchase Instruments
- 18-1.010 Exchanges
- 18-1.011 Board Action
- 18-1.012 Closing
- 18-1.013 Donations
- 18-1.014 Multi-Party Acquisitions

PURPOSE AND EFFECT: The rule is being amended to implement changes in statute regarding acquisition of conservation lands, and changes in Board of Trustees' policies regarding conservation lands and appraisals. This will satisfy the recommendations of the Auditor General's Office in a June 2005 operational audit of the Department, and will update the rule to conform it to current practice of the Trustees.

SUMMARY: The rule amendments: add or amend definitions to clarify appraisal-related terms; add references to Chapter 259, F.S. for acquisition of conservation lands; provide standards and criteria for appraisals; incorporate by reference the Supplemental Appraisal Standards for Board of Trustees Land; and update appraiser selection procedures to reflect current practices for land acquisition.

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: 253.025(6), 253.025(7), 253.025(12), 253.03(7), 253.034(6), 259.041(2), 259.041(7) FS.

LAW IMPLEMENTED: 253.025, 259.041 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: August 21, 2007, 10:00 a.m. EDT

PLACE: Conference Room A, Marjory Stoneman Douglas Building, DEP, 3900 Commonwealth Blvd., Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Kerry Drakes, DEP, Division of State Lands, Bureau of Appraisal, MS 110, 3900 Commonwealth Blvd., Tallahassee FL 32399-3000, (850)245-2658, Kerry.Drakes@

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 RULES IS: Kerry Drakes, above

THE FULL TEXT OF THE PROPOSED RULES IS:

18-1.001 Purpose ~~and Intent~~.

State land acquisition procedures provided for in this rule are for voluntary, negotiated acquisitions under agreements for purchase, option or exchange. The purpose ~~and intent~~ of this chapter is to provide uniform and efficient procedures for the acquisition of interests in real property, and donation of such interests, title to which will vest in the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, in accordance with legal requirements and sound business practice. As used in this chapter, Section 253.025, F.S., shall mean and refer to the acquisition of non-conservation lands, and Section 259.041, F.S., shall mean and refer to the acquisition of conservation lands.

Specific Authority 253.03, 253.025, 259.041 FS. Law Implemented 253.025, 259.041 FS. History--New 6-16-86, Amended _____.

18-1.002 Definitions.

When used in this chapter, the following shall have the indicated meaning unless the context clearly indicates otherwise:

(1) "Acquiring ~~a~~Agency" means a state agency initiating acquisition of land or for whose benefit land is being acquired, title to which will vest in the Board. The term "acquiring agency" does not include the Board or the Division acting on behalf of the Board. In cases where the Division, acting for the Board, is the acquiring agency, and this rule requires that the acquiring agency submit documents or information to the Division, the Division shall acquire such documents or information.

(2) through (3) No change.

(4) "Appraisal services" means valuation work in the form of an appraisal, appraisal review or appraisal consulting assignment, as outlined in the USPAP.

(5) "Appraiser" means one who is expected to perform appraisal services competently and in a manner that is independent, impartial and objective.

(6)~~(4)~~ "Approved ~~a~~Appraisal" means an appraisal service that has been approved ~~accepted~~ by the Chief Appraiser, Bureau of Appraisal, Division of State Lands, or designee as in compliance with USPAP, the Supplemental Standards, this chapter, and the specific assignment requirements, for use in calculating the amount that the state can pay for property.

~~(7)(5)~~ “Approved ~~a~~Appraisal ~~o~~Organization” means an appraisal organization that ~~has been approved by the Board pursuant to this rule is a member of the Appraisal Foundation, a foundation authorized by the United States Congress as the source of appraisal standards and appraiser qualifications.~~

~~(8)(6)~~ “Board” means the Governor and Cabinet sitting as the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida.

~~(9)(7)~~ No change.

~~(10)(8)~~ “Certified ~~s~~Survey” means a boundary survey, as further defined in Rule 18-1.005, F.A.C., which is certified, signed and sealed by a professional registered surveyor and mapper authorized to practice surveying in the State of Florida, ~~and~~ The survey must be approved by the Division’s Bureau of Survey and Mapping as being in compliance with the mMinimum tTechnical sStandards for L-and sSurveying in Florida as established by the Florida Department of Business and Professional Regulation, and such additional requirements as may be determined by the Division to be necessary to meet the intent of the statute or and this rule. The survey shall accurately portray ~~to the greatest extent practicable the condition of the parcel’s boundaries, improvements and encumbrances as it currently exists.~~ The survey must have been certified within 90 days of the closing on the property unless this requirement is waived by the Division and by the title insurer for the purpose of deleting the standard exceptions for survey matters, ~~and~~ easements, or claims of easements not shown by the public records from the owner’s title policy ~~and the Division.~~

~~(11)(9)~~ No change.

~~(12)~~ “Conservation lands” shall be defined as provided in Rule 18-2.017, F.A.C.

~~(13)(10)~~ “Cooperating ~~a~~Agency” means a local government, water management district, or a nonprofit an organization as defined in Section 253.025(6)(d), F.S. or 259.041(7)(e), F.S., that has entered into an acquisition agreement with the Division to assist in the acquisition of acquire specific property by the Board.

(11) through (12) renumbered (14) through (15) No change.

~~(16)(13)~~ “Evidence of ~~m~~Marketable ~~t~~Title” means assurance of the marketability of the land being acquired, in the form of ~~either~~ a marketability title commitment and policy (American Land Title Association [ALTA] Form B with Florida revisions), ~~or a complete, certified abstract from earliest public records to the time of deed recording, with a marketability title opinion prepared by an attorney licensed to practice law in Florida.~~ The coverage, form and exceptions of the either title insurance must be or title opinion is subject to the approved at by of the Division in order to assure that title is marketable and compatible with the purposes of the acquisition

~~the State’s interests are fully protected.~~ The terms “Title Policy” and “Title Commitment” ~~“Title Opinion”~~ are included within this definition.

~~(14)~~ “Secretary” means ~~the Executive Director, Department of Environmental Protection.~~

(15) through (17) renumbered (17) through (19) No change.

~~(20)(18)~~ “Market ~~v~~Value” means the most probable price ~~in cash or terms equivalent to cash for which the appraised property will sell, as further defined in the Supplemental Standards in a competitive market under all conditions requisite to fair sale, with the buyer and seller each acting prudently and knowledgeably, and assuming that neither is under undue duress.~~

~~(21)(19)~~ “Option ~~a~~Agreement” means a purchase instrument ~~that is which becomes binding on both parties at the time of execution, but~~ subject to Board approval and to the exercise of an option or options.

~~(22)(20)~~ No change.

~~(23)(21)~~ “Purchase ~~i~~nstrument” means one of the various types of contracts to purchase property, including purchase agreements, option agreements, exchange agreements and other forms of such agreements.

~~(24)~~ “Secretary” means the Secretary of the Department of Environmental Protection.

~~(25)(22)~~ No change.

~~(26)~~ “Supplemental Standards” means the Supplemental Appraisal Standards for Board of Trustees Land, dated [effective date], which contains appraisal requirements that establish public policy and add to the standard appraisal procedures and practices of the appraisal profession for the development and reporting of all appraisal services, including those outlined in Chapters 253 and 259, F.S., adopted by the Board of Trustees of the Internal Improvement Trust Fund, available on the internet at: <http://www.dep.state.fl.us/lands/appraisal/> or by sending a request to: Department of Environmental Protection, Bureau of Appraisal, 3900 Commonwealth Boulevard, M.S. 110, Tallahassee, Florida, 32399-3000 or by phone at (850)245-2658 or by fax at (850)245-2668.

~~(27)(23)~~ No change.

~~(28)(24)~~ “USPAP” means the Uniform Standards of Professional Appraisal Practice, effective July 1, 2006, which contains the generally accepted standards of the appraisal profession that deal with the procedures to be followed in developing an appraisal, analysis, or opinion and the manner in which such appraisal, analysis, or opinion is communicated, as promulgated by the Appraisal Foundation, available on the internet at: <http://www.appraisalfoundation.org> or by directing your request to: The Appraisal Foundation, 1155 15th Street, N. W., Suite 1111, Washington, DC 20005.

Specific Authority 253.03, 253.025, 259.041 FS. Law Implemented 253.025, 259.041 FS. History—New 6-16-86, Amended 4-6-89, 1-29-90, 10-30-91, _____.

18-1.003 General Requirements.

~~(1) Neither the Board nor its agent shall commit the State to the purchase of land, through any instrument of negotiated contract or agreement for purchase, unless the provisions of Section 253.025, F.S. and of this rule, have been complied with. However, the Board may substitute alternate procedures for this rule and for the provisions of Section 253.025, F.S. as follows:~~

~~(a) Federally mandated acquisition procedures may be used when federal funds are available, and will be utilized for the purchase of land, and qualification for such federal funds requires compliance with federally mandated acquisition procedures; or~~

~~(b) Federal appraisals may be used when, pursuant to a joint federal and state acquisition project, lands are being acquired by the Board for anticipated sale, conveyance, or transfer to the Federal Government; or~~

~~(c) Department of Transportation appraisal procedures may be used when abandoned railroad rights of way are to be appraised.~~

~~(2) The Board may waive any provision of this rule and Section 253.025, F.S., when land is being conveyed to the Board from another State agency, except that except that the maximum amount requirements of paragraph 253.025(6)(c), F.S., may not be waived.~~

~~(1)(3) Prior to any acquiring agency initiating acquisition of property, the agency shall contact the Division to determine the availability of existing suitable state-owned lands in the area which meet the public purpose for which the acquisition is being proposed. If the acquiring agency determines that no suitable state-owned lands exist, it may proceed to acquire the property by employing this rule and all available statutory authority for acquisition. For purposes of the acquisition of conservation lands this subsection, the adoption of the council Conservation and Recreation Lands (CARL), the Save Our Coast (SOC), and the Land Acquisition Trust Fund (LATE) acquisition lists by the Board pursuant to Sections 259.04, 253.023 and 375.041, F.S., or other land acquisition program lists constitutes a finding that no suitable replacement lands exist.~~

~~(4) All conveyances to the Board of fee title in land shall be by no less than a special warranty deed, unless the conveyance is from the Federal Government, county government, other state agency, or, if a gift or donation by quitclaim deed, if the Board, or its designee, determines that accepting such quitclaim deed is in the best interest of the public. The Board may accept a quitclaim deed to aid in clearing title or boundary questions.~~

(2) For all appraisals services required by the Board and obtained by an acquiring agency or other entity, appraiser selection will be in accordance with this Chapter.

Specific Authority 253.025(12), 259.041 FS. Law Implemented 253.03, 253.025, 259.041 FS. History—New 6-16-86, Amended 4-6-89, 1-29-90, _____.

18-1.004 Title.

~~(1) Initial Title Report. In order for the Division to obtain appraisals, the acquiring agency shall furnish to the Division a title report, including an adequate legal description, of the property to be acquired sufficient to inform the Division and the fee appraisers of the status of ownership, encumbrances, exceptions, reservations, previous ownership history, and tax assessment history shall be obtained. If an acquiring agency has initiated the acquisition or the acquisition is for the benefit of an acquiring agency, then the title report shall be furnished to the Division by the acquiring agency. This information shall be furnished in a form determined by the Division to be sufficient for these purposes.~~

~~(2) Evidence of Marketability.~~

~~(a) A title commitment Final evidence of marketable title shall be obtained by the Division, at the acquiring agency's cost if an acquiring agency is involved in the acquisition, provided by the landowner prior to the conveyance of title. The form and content of such evidence of marketable title shall demonstrate that title is marketable and compatible with the purposes of the acquisition is subject to the approval of the Division in order to assure that the State's interests are fully protected. The Board may waive the requirement that the landowner provide evidence of marketable title; and in that case the acquiring agency shall provide evidence of marketable title. If a title policy is to be furnished as evidence of marketable title, the final policy must be preceded by a title commitment. Title insurers issuing title policies, abstractors preparing abstracts, and attorneys issuing marketability opinions must be approved by the Division, in order to assure that the State's interests are fully protected.~~

~~(b) No change.~~

~~(3) Condition of Title. The objective of negotiations for acquisition of property is to obtain all the landowner's rights, title and interest in the property, together with such rights as are necessary for the planned management or conservation of the property. All exceptions, reservations, encroachments or other adverse conditions that which are disclosed in the course of preparing to negotiate, negotiating, contracting or closing shall be individually examined by the Division and the acquiring agency, if any, and evaluated in writing as to possible adverse effect on the objectives of the agency in acquiring the property. The acquiring agency shall notify the Division of all such exceptions, reservations, encroachments or adverse conditions and the agency's evaluation of those matters as soon as practicable. All such matters potentially having an adverse~~

effect on acquisition goals which become apparent prior to Board approval will be disclosed to the Board at the time of approval.

Specific Authority 253.025, 259.041 FS. Law Implemented 253.025, 259.041 FS. History—New 6-16-86, Amended 4-6-89, 1-29-90, _____.

18-1.005 Appraisal Map and Survey.

(1) For each project or parcel of property ~~the acquiring agency shall submit to the Division~~ shall provide for use by the fee appraisers, at acquiring agency's cost if an acquiring agency is involved in the acquisition, either a certified survey or appraisal map ~~containing an adequate legal description of the property. The survey or appraisal map will be subject to the approval of the Division for compliance with standards set forth in this rule.~~

(2) Prior to closing, a certified survey must be obtained, at the submitted by the landowner or the acquiring agency's cost if an acquiring agency is participating in the acquisition unless the following criteria has been met:

(a) The parcel is surrounded by state-owned land or surrounded by land the state intends to acquire;

(b) The parcel is located within a subdivision or in a Section in which the controlling land corners have been recently surveyed and the survey drawing is acceptable for computing acreage;

(c) The parcel is in its unimproved condition;

(d) Although the parcel lines were not surveyed, it appears that the boundaries of the parcel do not adjoin fences or improvements other than those managed by the state;

(e) The parcel was visually inspected; and

(f) The managing agency concurs that the parcel does not need to be surveyed.

~~to the Division for final approval. In cases in which a survey cannot be practically completed or in which the cost of the survey would be prohibitive relative to the expected value of the parcel, the requirement for such certified survey may, in whole or in part, be waived by the Board of Trustees.~~

(3) ~~The acquiring agency shall have the authority to reimburse the owner for all or part of the cost of the survey when deemed to be in keeping with the purposes of Section 253.025, F.S., by the head of the agency or his designee. Such reimbursement will not be considered a part of the purchase price.~~

Specific Authority 253.03, 253.025, 259.041 FS. Law Implemented 253.025, 259.041 FS. History—New 6-16-86, Amended 10-30-91, _____.

18-1.006 Appraisal Procedures, Report Requirements and Determining Maximum Amounts.

(1) The development and reporting of all appraisal services ~~Techniques and methods used by the fee appraiser shall be consistent with the Uniform Standards of Professional~~

~~Appraisal Practice: USPAP, Supplemental Standards, this chapter and the specific assignment. The Division shall prepare a report format substantially consistent with the Uniform Standards of Professional Appraisal Practice, that shall be used by the fee appraiser. The Supplemental Standards are hereby adopted by reference.~~

(2) The acquiring agency shall provide, or coordinate through the Division, to the fee appraiser all pertinent title information developed, a specification of the rights to be acquired, a list of items, if any, considered to be noncompensable, minimum appraisal requirements that apply, required appraisal forms or formats, and a certified survey or appraisal map.

(3) The appraisal report shall state any extraordinary assumption or hypothetical condition made by the appraiser in determining market value and shall document and adequately support the fee appraiser's estimate or conclusion as to value. ~~The report shall include a description of the location, size, shape, topography, access, highway or water frontage, and present zoning of the property. It shall include a description of utilities, if any, and a detailed description of any appurtenances. The report shall address other factors relevant to the development potential of the property including, but not limited to, local government land use restrictions and permit moratoria, environmental sensitivity of the property, and the likelihood of obtaining any pending or required local, state or federal permits. In determining land value, the fee appraiser shall primarily consider the present market value of the property. This market value, as much as practicable, should be based on comparable arm's length sales of similar property. If the fee appraiser uses comparable sales in determining land value, he shall thoroughly describe each such sale including the date of sale, a brief legal description, the present use, the highest and best use, the official record book and page where the transaction is recorded, the grantor and grantee, the purchase price, the terms and conditions of the sale, and when and with whom verified. The fee appraiser also shall consider the present use of the subject property, taking into consideration any local or state land use regulation and any moratorium imposed by executive order, law, ordinance, regulation, resolution, or proclamation adopted by any governmental body or agency or the Governor when the moratorium prohibits or restricts the development or improvement of property as otherwise authorized by applicable law. The report also shall address the highest and best use to which the property can be expected to be put in the immediate future. The term "immediate future" as used in this section means a period of time not to exceed 5 years. In addition, the report also shall consider the cost of the property and the present depreciated reproduction/replacement costs of any improvements thereon, the condition of the property, and any income from the property.~~

(4) ~~In accordance with Section 253.025(6)(f), F.S., the appraisal report shall be accompanied by a sales history of the parcel for at least the prior five years. Such sales history shall list the parties to each transaction involving the subject parcel as well as the consideration paid with the amount of consideration verified, if possible. The report also shall show the tax assessed value for the previous five years. This requirement shall be waived under the following conditions: If the sales history required by Section 253.025(6)(f), F.S., would not be useful, or the cost would be prohibitive compared to the value of the parcel, such as cases wherein 15 or more parcels are appraised in one appraisal report. This waiver provision does not impact or reduce the sales history requirements for appraisal services under the USPAP.~~

(a) through (b) No change.

(5) When two appraisals are required under Section 253.025(6)(a), F.S. or 259.041(7)(b), F.S., a third appraisal shall be obtained if the two appraisals differ significantly. Two appraisals shall be considered to differ significantly if the higher of the two values exceeds 120% of the lower value. However, a third appraisal shall not be obtained if the decision is made by the Director to attempt to negotiate an acquisition price of no more than 120% of the lower of the two appraisals.

(6) No change.

(7) All appraisals, as well as offers and counter offers shall be confidential, and exempt from the provisions of Chapter 119, F.S., except that:

(a) The Division and a water management district created under Chapter 373, F.S., may disclose and share appraisal reports or appraisal information pursuant to Section 373.139, F.S. The Division or District desiring to review an appraisal must make a written request and give a written receipt for such appraisal. The confidentiality of shared appraisals or appraisal information shall be maintained in accordance with Sections 253.025(6) and (7), F.S., Section 373.139(3), F.S., Section 259.041(7)(e), F.S., and this chapter rule, and procedures established by the Division, to ensure confidentiality.

(b) No change.

(8) through (9) No change.

Specific Authority 253.025, 259.041 F.S. Law Implemented 253.025, 373.139, 259.041 F.S. History—New 6-16-86, Amended 4-6-89, 1-29-90, 1-2-91, 10-30-91, _____.

(Substantial rewording of Rule 18-1.007 follows. See Florida Administrative Code for present text.)

18-1.007 Appraiser Eligibility and Selection.

(1) Approved Appraiser List – Eligibility and Selection.

(a) The Chief Appraiser shall annually send an announcement to each approved appraisal organization and to the Florida Real Estate Appraisal Board (FREAB) for publication in their respective newsletters, inviting interested appraisers to apply for placement on the approved appraiser list.

1. An appraiser shall be considered eligible and will be placed on the list when he has complied with all the following criteria:

a. The appraiser has applied to the Bureau of Appraisal to be placed on the list of approved appraisers.

b. The appraiser meets the eligibility requirements of Section 253.025 or 259.041, F.S. and this chapter.

c. The appraiser is a state certified appraiser.

d. The appraiser demonstrates a level of general appraisal competence through past appraisal experience. An acceptable level of general appraisal competence and quality shall be demonstrated by the submission of an appraisal report prepared for a business client within the previous two years that substantially complies with the USPAP.

e. The appraiser identifies any specialty property types, as outlined in the Supplemental Standards, for which he professes appraisal expertise and competence in accordance with the USPAP.

2. The Chief Appraiser will request that the appraiser submit annual reaffirmation of interest in and update his documentation in order to remain on the list of approved appraisers.

3. Removal of the appraiser's name from the list of approved appraisers shall be made at the appraiser's request, by failure to submit annual reaffirmation of interest or updated documentation after notice, for unsatisfactory performance, for disciplinary action given by the FREAB or for material non-compliance with contract terms. If an appraiser's name is removed from the list pursuant to this rule, he must comply with the requirements of this rule to be placed back on the list of approved appraisers and if disciplined by the FREAB, supply evidence that he has fulfilled all requirements of the disciplinary action.

(2) Multiple Year Appraiser Contracts Eligibility and Selection. For cost and time efficiency regarding future appraisal services, appraisers will be selected and placed under multi-year contracts. Selection procedures shall be as follows:

(a) Only appraisers whose name appears on the list of approved appraisers will be invited to submit proposals to perform appraisal services under a multiple year contract arrangement.

(b) Invitations to submit proposals for multiple year contracts shall be issued by the Division of State Lands, Bureau of Appraisal, Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station 110, Tallahassee, Florida 32399-3000. The Bureau of Appraisal shall be the sole point of contact.

(c) When the Bureau of Appraisal has received proposals and after the invitation closing date, the appraisers' proposals will be evaluated for the purpose of awarding future multi-year contracts according to the following criteria listed in order of importance and scored based on a point system maintained by the Bureau of Appraisal:

1. Quality of previous work, if any, performed as a result of appraisal assignments through the Division. This includes evaluating appraisals on the basis of documentation and reasoning; accuracy and clarity of the report; methodology, techniques and support; responsiveness to review questions; the appraiser's understanding of the nature and scope of the appraisal assignment. The maximum points for this quality of previous work category is 25.

2. Attainment of professional appraisal designations awarded by approved appraisal organizations. For a commercial designation 9 points are awarded and for a residential designation 4 points are awarded, for a possible total of 13 points.

3. Professional appraisal-related education or teaching experience. For each appraisal course or seminar credit hour attended or taught during the prior two years, one-tenth point is awarded up to a maximum of 12 points for 120 classroom hours.

4. Other pertinent factors and specialized requirements outlined in the request for proposal, such as the appraiser's quality assurance process and ability to prioritize Division assignments.

(d) Selection shall be made by an appraiser selection committee composed of the Director, the Chief Appraiser and the Chief of the Division's Bureau of Land Acquisition, or their designated representatives.

(e) The Chief Appraiser shall provide a summary and recommendation to the appraiser selection committee of the various proposals submitted.

(f) When selecting appraisers for multiple year contracts, the committee shall consider the various factors set forth in the request for proposal, the appraiser's submitted proposal and the standards and criteria of this rule.

(3) Specific Project Appraiser Bid Solicitation and Selection. When an agency proposing an acquisition has determined that appraisal services are required, the agency shall contact the Division's Bureau of Appraisal and request that such services be obtained. Through competitive bidding, multiple bids will be sought with the objective of obtaining the best possible services efficiently and at the most reasonable cost.

(a) Appraisers to be solicited for bids will be from those under multiple year contract or those on the approved appraiser list with competency in the area of specialization required by the proposed appraisal assignment. The solicitation will include selection criteria to be used in making the final selection of the appraiser to be awarded the appraisal services required.

(b) Appraisers will be required to comply with Section 259.041(7)(c) or 253.025(5)(b), F.S. and submit an affidavit substantiating that they have no vested or fiduciary interest in any property for which appraisal services will be awarded.

(4) For increased time and cost efficiency, for recurring needs for additional appraisal services in a specific project area or for a specific parcel, use of the same appraisers used for these previous services is allowed.

(5) Appraisal reviews are appraisal services that will be conducted for each assignment by qualified review appraisers in accordance with the USPAP competency requirements. Appraisal review reports shall be submitted to the Chief Appraiser or his designee for approval.

(a) In accordance with Section 259.041, F.S., conservation land acquisition appraisals, for parcels with values greater than \$500,000 an appraisal review will be developed and reported according to the requirements of Standard 3 of the USPAP, the Supplemental Standards, this chapter, and the specific requirements of the assignment. For parcels with values of \$500,000 or less, a cursory review by the Bureau of Appraisal will be conducted for assurance that requirements of the assignment were met. For every 20th appraisal for conservation land acquisition with a value of \$500,000 or less, a Standard 3 review, as described above, will be developed and reported for quality assurance purposes.

(b) In accordance with Section 253.025, F.S. non-conservation land acquisition appraisals, for parcels with values greater than \$250,000 an appraisal review will be developed and reported according to the requirements of Standard 3 of the USPAP, the Supplemental Standards, this chapter, and the specific requirements of the assignment. For parcels with values of \$250,000 or less, a cursory review by the Bureau of Appraisal will be conducted for assurance that requirements of the assignment were met.

(c) For all non-acquisition appraisal services such as for disposition, leases and easements, a review will be completed for assurance that the requirements of the assignment were met.

(6) Appraisers to be solicited for appraisal review assignments, as identified in paragraph (5)(a), above, will be from those on the approved appraiser list, under a multiple year contract and who possess competency for review work in accordance with the USPAP.

Specific Authority 253.03, 253.025, 259.041 FS. Law Implemented 253.025, 259.041 FS. History—New 6-16-86, Amended 1-29-90, 10-30-91, _____.

18-1.008 Negotiations.

(1) The Division, or the acquiring agency if any, may initiate acquisition negotiations upon receipt of the approved required number of appraisal reports approved by the Chief Appraiser in accordance with subsection 253.025(6), F.S. or 259.041(7), F.S. The Division may negotiate and enter into an option agreement for acquisition of conservation lands prior to or after the receipt and approval of appraisals, subject to the conditions established in Section paragraph 259.041(7)(f) 253.023(7)(b), F.S., and this chapter rule. All owner contact

shall be documented in the appropriate acquisition file of the Division or acquiring agency. Initial contact with the landowner by the Division or acquiring agency may be established prior to negotiations, provided ~~that~~ such contact is limited to the following:

(a) To inform the owner of the land acquisition program under which the project is being considered, and to request the owner's permission for the Division or the acquiring agency to inspect the property in order to determine its suitability for the purposes of the Division or the acquiring agency.

(b) No change.

(c) To explain in general terms ~~that the possible~~ tax advantages ~~for of~~ land donations and bargain sales ~~to the State may exist, and to recommend the owner confer with his tax adviser about the possibility of such advantages.~~

(d) To request written permission from the owner ~~in order~~ to have his property appraised ~~by State fee appraisers.~~

(e) through (j) No change.

(2) The objective of all purchase negotiations shall be to obtain the appropriate interest in land free of encumbrances, conditions, restrictions and reservations at the lowest possible price. In the course of negotiations the Division or the acquiring agency, if any, shall recommend that the owner confer with his tax adviser to discuss the advantages of a donation ~~or and~~ bargain sale. When negotiating the purchase of properties that include wetlands where the seller will bear the cost of the survey, the Division or the acquiring agency shall apprise the seller of the benefits of obtaining a safe upland line survey that identifies a water line for acreage calculations, as opposed to a mean high water or ordinary high water survey. In making an offer the Division or the acquiring agency shall consider the benefit to the owner of a single cash payment in relation to the maximum offer allowed by law. Under no circumstances will the final purchase price for non-conservation lands exceed the value established pursuant to ~~Section paragraph 253.025(7)(e), F.S., and this chapter rule.~~

(3) Upon the initiation of negotiations the Division or the acquiring agency, as applicable, shall notify the landowner in writing that final purchase approval is subject to affirmative action by the Board. When the landowner is represented by an agent or broker, negotiations may not be initiated or continued with the agent until a written statement signed by the landowner verifying the agent's legal or fiduciary relationship with the owner has been received by the Division or the acquiring agency.

(4) All offers and counter-offers shall be in writing, and shall be confidential and exempt from the provisions of Section 119.07(1), F.S., under the conditions of ~~Sections paragraph 119.0711(2), 253.025(7)(d), or 259.041(8)(c), F.S.~~

(5) Purchase negotiations for the acquisition of any land from the Florida Forever Trust Fund, the Conservation and Recreational Lands Trust Fund or Land Acquisition Trust Fund shall be initiated within six months of approval by the Division of appraisals of property on the lists developed pursuant to

259.035, F.S. The Quarterly Report of the Department of Environmental Protection to the Board will contain a report on the status of all said acquisition projects, ~~with a recommendation as to any project, or portion of a project, which should be abandoned in accordance with subsection 253.025(5), F.S.~~

Specific Authority 253.025, 259.041 FS. Law Implemented 253.025, 259.041 FS. History--New 6-16-86, Amended 4-6-89, 1-29-90, _____.

18-1.009 Purchase Instruments.

(1) The final negotiated purchase shall be placed in the form of a written purchase instrument, signed by the owner ~~and, if applicable, approved by the head of the agency, or by the designated representative of the acquiring agency.~~ Option agreements entered into prior to approval of the appraisals must be signed on behalf of the Board by the Secretary Executive Director or the Director. ~~Option agreements should be utilized, under the procedures set forth in this rule, when necessary to protect the interests of the State in purchasing property owned by more than one person, where it is not feasible or desirable to include all such owners on one purchase instrument.~~

(2) When an ~~The~~ acquiring agency is negotiating the acquisition and obtaining the owner's signature on a purchase instrument, the acquiring agency shall ~~may prepare and use a~~ any form of purchase instrument approved by the Director as meeting the intent of the law and this rule.

(3) Before the ~~acquiring agency executes the purchase instrument is submitted to the Board for approval,~~ the provisions of Section 286.23, F.S., shall be complied with.

(4) No change.

Specific Authority 253.025(12), 259.041 FS. Law Implemented 253.025, 259.041 FS. History--New 6-16-86, Amended _____.

18-1.010 Exchanges.

(1) No change.

(2) Prior to the closing of any exchange the real property to be conveyed by the Board Trustees must comply with all applicable legal requirements pertaining to surplus real property owned by the Board. Acquisition of the land to be conveyed to the Board must be in accordance with Section 253.025, F.S. or 259.041, F.S. and this ~~chapter rule.~~

Specific Authority 253.025, 259.041 FS. Law Implemented 253.025, 259.041 FS. History--New 6-16-86, Amended _____.

18-1.011 Board Action.

(1) Within ten days after the execution by an owner of a ~~the~~ purchase instrument for an acquiring agency, the acquiring agency will furnish the following to the Division:

(c) Evidence of the marketability of the title. The Division may agree to defer submittal and approval of the ~~title opinion or title commitment policy~~ until after Board approval of the purchase instrument. In such case the acquiring agency shall

provide the Division with a copy of the owner's deed to the property. Division must approve the opinion or policy prior to closing.

- (a) through (b) No change.
- (d) No change.

(e) A letter from the acquiring agency stating that the inventory of existing State-owned lands was examined and contains no suitable available land for the agency's use, or that the property proposed for purchase is within a project on the council or other land acquisition program CARL, SOC or LATF lists.

(f) A written statement by the acquiring agency outlining the public purpose for which the acquisition is being made, citing statutory authority, or stating that the property proposed for purchase is within a project on the council or other land acquisition program CARL, SOC or LATF lists.

- (g) through (i) No change.

~~(j) All the details pertinent to the acquisition not included in this list or in the purchase instrument.~~

- (2) No change.

(3) The Division shall submit the proposed acquiring agency acquisition for consideration by to the Board in time for the Board to approve or reject it within 45 days after its receipt from the acquiring agency by the Division of the materials required by paragraphs (1) and (2), above. The Division shall supply a copy of the proposed purchase instrument and all supporting documentation to the Board for its review.

(4) The Board must authorize all acquisitions of land, title to which will vest in the Board, prior to purchase, and pursuant to the provisions of Chapters 253 and 259, Florida Statutes, all acquisitions of land title to which will vest in the Board whether or not the acquisition is on behalf of an acquiring agency. The Board may approve, approve with modification, or reject a proposed acquisition. The Board may reconsider a rejected proposal for acquisition at any time.

(5) The Division and the Board may consider an appraisal acquired by the Seller, or any part thereof, in negotiating or approving any purchase, but such appraisal may not be used in lieu of an appraisal required by subsection 253.025(6)(7), F.S. or 259.041(7), F.S., to determine the maximum offer allowed by law except as otherwise provided by law this rule.

- (6) No change.

Specific Authority 253.025, 259.041 FS. Law Implemented 253.025, 259.041 FS. History--New 6-16-86, Amended 1-29-90, 10-30-91, _____.

18-1.012 Closing.

- (1) No change.

(2) The Division or the acquiring agency, if any, shall obtain all disclosures of beneficial interest required in Section 286.23 F.S., before submitting entering into a purchase instrument to the Board for approval. All other disclosures, including those required by subsections 375.031(1) and

380.08(2), F.S., shall be obtained ~~no later than 10 days~~ prior to closing. ~~Appropriate disclosures shall be filed with the Department of State as required by law.~~ Disclosures not required by statute may be waived by the Director in the case of acquisitions of property for a price of \$250,000 or less where the Director finds that the difficulty on the person providing such disclosures outweighs the value of the disclosed information to the Department or the acquiring agency. The following information shall also be included in the statement supplied by the owner ~~no later than 10 days~~ prior to closing:

- (a) through (c) No change.

(3) The Division acquiring agency shall be responsible for proper completion of the closing, and proper recordation of all legal documents necessary to vest title in the Board and payment of required fees.

(4) All original documents including recorded documents shall be forwarded to the Division within 30 days after receipt by the closing agent acquiring agency from the county clerk or closing agent. All such documents shall be accompanied by a written signed statement from the acquiring agency indicating that all documents have been approved as to form and legality by the attorney for the acquiring agency.

Specific Authority 253.025, 259.041 FS. Law Implemented 253.025, 259.041 FS. History--New 6-16-86, Amended _____.

18-1.013 Donations.

(1) The Board may accept donations of land under the following conditions:

- (a) No change.

(b) Evidence of marketable title must be supplied either by the landowner, the Division, or the acquiring receiving or managing agency. ~~The Board may waive the requirement of evidence of marketability for acquisitions of property assessed by the county property appraiser at \$10,000 or less, where the Division of State Lands finds, based upon such review of the title records as is reasonable under the circumstances, that there is no apparent impediment to marketability, or to management of the property by the state. The Board may accept a dedication, gift, grant, or bequest of lands and appurtenances without formal evidence of marketability if, upon recommendation by the Division, the Board determines that such lands and appurtenances have value and are reasonably manageable by the state, and that their acceptance is in the public interest.~~

(c) The Division Bureau of Survey and Mapping must verify that the State of Florida has no title or sovereignty interest in the land.

- (d) No change.

(e) An acceptable survey must be submitted to and approved by the Division in accordance with this chapter rule. The acquiring receiving or managing management agency of the donated land may provide a current certified survey, in the

event such survey is not provided from another source. The survey requirement ~~shall may~~ be waived by the Board; if the Board determines that the donated lands are in their natural unimproved condition and no improvements are contemplated, if the donated lands are completely surrounded by State-owned lands, if a survey cannot practically be completed, or where the cost of the survey would be prohibitive relative to the expected value of the parcel.

(2) through (3) No change.

Specific Authority 253.025, 259.041 FS. Law Implemented 253.025, 259.041 FS. History--New 6-16-86, Amended 4-6-89, 1-29-90, _____.

18-1.014 Multi-Party Acquisitions.

(1) The Division may enter into an acquisition agreement with a water management district, a local government or a ~~nonprofit an~~ organization as defined in Section 253.025(6)(d) or 259.041(7)(e), F.S., for any property ~~that which~~ has been authorized for acquisition pursuant to Section 253.025 or 259.041, F.S.

(2) No change.

(3) An acquisition agreement may provide for the sharing of appraisals, offers, and other negotiation matters, between the Division and cooperating agency; provided, however the agreement shall require the cooperating agency to follow Division procedures and this chapter when acquiring appraisals and to deliver to the Division all negotiation files after negotiations with the owner have terminated. However as a condition of the sharing of ~~such~~ confidential information, the cooperating agency must agree to maintain on its behalf and on behalf of its employees and agents, the confidentiality of appraisals, offers, and other negotiation matters, as required by Section 253.025 or 259.041, F.S., whichever is applicable, and this ~~chapter rule~~, and the cooperating agency must identify the individuals within the cooperating agency who will have access to confidential information, and obtain the consent of the Division prior to disclosing the information to any other person.

Specific Authority 253.025, 259.041 FS. Law Implemented 253.025, 259.041 FS. History--New 1-29-90, Amended 1-2-91, 10-30-91, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Kerry Drakes

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Trustees of the Internal Improvement Trust Fund of the State of Florida

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

DATE NOTICES OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 5, 2007 and May 4, 2007

BOARD OF TRUSTEES OF INTERNAL IMPROVEMENT TRUST FUND

RULE NOS.:	RULE TITLES:
18-2.017	Definitions
18-2.018	Policies, Standards, and Criteria for Evaluating, Approving or Denying Requests to Use Uplands
18-2.020	Payments and Consideration

PURPOSE AND EFFECT: The purpose of the amendments is to respond to recent changes in statute and changes in Board of Trustees policy and delegations of authority; to implement recommendations the Auditor General's Office made in a June 2005 operational audit; and to improve consistency, adequacy, and clarity regarding the disposition and management of state land, especially in the area of appraisals.

SUMMARY: The amendments: add or amend appraisal-related and other definitions; conform appraisal-related terms; add appraiser selection criteria and procedures; replace competitive bidding with appraisals for pricing upland leases; provide consistency in use of appraisals with Chapter 18-1; delete provisions that require submittal of appraisals with bids; and remove the necessity for a full legal description when noticing surplus state land sales.

THIS RULEMAKING IS SEPARATE AND DIFFERENT FROM THE RULEMAKING ADVERTISED IN THE JUNE 1, 2007, ISSUE OF FAW FOR THIS RULE.

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

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

SPECIFIC AUTHORITY: 253.03(7), 253.034(6) FS.

LAW IMPLEMENTED: 253.03, 253.034, 253.0341, 253.111, 253.115, 253.42, 253.421, 253.47-60 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: August 21, 2007, 10:00 a.m. EDT

PLACE: Conference Room A, Marjory Stoneman Douglas Building, D.E.P. 3900 Commonwealth Blvd., Tallahassee Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Kerry Drakes, below. 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: Kerry Drakes, DEP, Division of State Lands, Bureau of Appraisal, MS 110, 3900 Commonwealth Blvd., Tallahassee FL 32399-3000, (850)245-2658, Kerry Drakes@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

18-2.017 Definitions.

When used in this rule chapter, the following shall have the indicated meaning unless the context clearly indicates otherwise:

(1) "Activity" means any use of uplands which requires Trustees' approval under Sections 253.03(1) and 253.77, F.S., such as a letter of authorization for consent of use, lease, management and use agreements, easement, disposal, exchange, or transfer of any interest, including sub-surface, in uplands.

(2) "Agency" means any governmental entity including the United States of America an official, officer, commission, authority, council, committee, department, division, bureau, board, section, or another unit or entity of government.

(3) No change.

(4) "Appraisal" means a formal narrative statement or report setting forth and documenting an opinion of value of real property as of a specific date.

(4) "Appraisal services" has the same meaning as provided in Rule 18-1.002, F.A.C.

(5) "Approved appraisal" has the same meaning as provided in Rule 18-1.002, F.A.C.

(5) through (31) renumbered (6) through (32) No change.

(33)(32) "Letter of authorization Consent" means a nonpossessionary form of authorization that allows the applicant the right to erect specific structures or conduct specific activities on uplands.

(33) through (34) renumbered as (34) through (35) No change.

(36)(35) "Market yValue" has the same meaning as provided in Rule 18-1.002, F.A.C means the most probable price for which the appraised property will sell in a competitive market under all conditions requisite to fair sale, with the buyer and seller each acting prudently and knowledgeably, and assuming that neither is under undue duress.

(36) through (60) renumbered (37 through (61) No change.

(62) "Supplemental Standards" has the same meaning as provided in Rule 18-1.002, F.A.C.

(61) through (64) renumbered (63) through (66) No change.

(67) USPAP has the same meaning as provided in Rule 18-1.002, F.A.C.

(68)(65) No change.

Specific Authority 253.03 FS. Law Implemented 253.03, 253.034, 259.035 FS. History–New 6-4-96, Amended.

18-2.018 Policies, Standards, and Criteria for Evaluating, Approving or Denying Requests to Use Uplands.

Applications to use Trustees-owned uplands and decisions to approve or reject such applications will be based on all of the following:

(1) No change.

(2) General Policies.

(a) through (i) No change.

(j) The successful bidder shall pay all costs of legal advertisement, ~~appraisal~~, title work, taxes or assessments for any activity requiring such items.

(k) Appraisal services shall be obtained through the Division in accordance with the procedures and requirements provided in Chapter 18-1, F.A.C., except as follows:

1. For single family or platted lots, any state-certified appraiser can be solicited and used for appraisal services.

2. The appraisal service fee shall be paid by the applicant and is non-refundable. No appraisal work will proceed until the Division receives the appraisal fee. When appraisal services are required prior to an applicant being identified, funding will be provided by the requesting agency or the Division and shall be reimbursed to that agency or the Division by the purchaser, lessee or sublessee. Appraisals shall be utilized to establish market value and said appraisals shall be reviewed and accepted by the division as being a reasonable approximation of market value.

(l) through (p) No change.

(3) Standards and Criteria.

(a) No change.

(b) Disposal of Trustees-owned Uplands.

1. Examples of conditions under which the Trustees may convey an upland parcel include:

a. The parcel was vested in the state pursuant to Chapter 18296, Laws of Florida, 1937 (Murphy Act), and is 10 ~~5~~ acres or less in size and has a market value of \$250,000 ~~\$100,000~~ or less; or

b. through c. No change.

2. No change.

3. Conveyance of property pursuant to this section shall be in accordance with the following requirements:

a. No change.

b. The cost of title insurance, documentary stamp tax, recording fees, any property taxes due, abstract, title certificate, survey, ~~appraisal~~, legal advertisement and purchaser's legal fees shall be the responsibility of the purchaser.

c. through d. No change.

4. through 6. No change.

(c) through (e) No change.

(f) Letters of ~~authorization consent~~.

1. Letters of ~~authorization consent~~ are issued, ~~pursuant to Chapter 18-2, F.A.C.~~, upon receipt by the Division of a written request for an incidental, one-time use, and a determination by the Division that the requested activity which will result in no permanent alteration of Trustees-owned uplands, and will not adversely affect the management of the land.

2. Letters of ~~authorization consent~~ shall contain a condition that the grantee accept all liability associated with the proposed use and shall be countersigned by the grantee.

Specific Authority 253.03(7)(a) FS. Law Implemented 253.001, 253.02, 253.03, 253.04, 253.034, 253.111, 253.115, 253.42-44, 253.47, 253.51-.61, 253.62, 253.77, 253.82, 259.035, 270.07, 270.08, 270.11 FS. History—New 6-4-96, Amended 4-17-02, _____.

18-2.020 Payments and Consideration.

(1) Leases.

(a) Consideration for private leases shall be based upon ~~an appraisal services obtained as provided in Chapter 18-1, F.A.C.~~, except for oil and gas leases, ~~and shall be competitively bid.~~

(b) through (e) No change.

(2) Disposal.

(a) For parcels with an estimated value in excess of \$100,000, the sale price consideration for the disposal of uplands shall take into consideration be based upon an appraisal services as provided in Chapter 18-1, F.A.C.

(b) Disposal of surplus land shall be competitively bid except that parcels ~~5 acres or less in size or~~ with a market value of \$100,000 or less may be sold by any reasonable means, including open or exclusive listing with real estate sales services, competitive bid, auction, and negotiated direct sales. In no case shall a real estate brokerage fee or auction fee exceed 10% of the purchase price.

(c) No change.

(d) ~~The value of the private land for exchange purposes shall be no more than 100% of an appraisal of market value or average if two appraisals are used or the average of the two closest appraisals if more than two are used. A new appraisal shall not be required if the private parcel is already under a Trustees option or purchase contract. In such cases, the exchange price of such land shall be no more than the contracted purchase price.~~

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

(3) through (5) No change.

(6) Letters of ~~authorization consent~~.

(a) Appraisals and competitive bidding are not required for letters of ~~authorization consent~~.

(b) Consideration for letters of ~~authorization consent~~ shall be negotiated based on the type of activity.

(7) Competitive Bidding Procedures.

(a) When competitive bidding is required, notice to bidders shall be given by publication in a newspaper published in the county in which the lands are located not less than once a week for three consecutive weeks. The notice shall provide the following:

1. ~~A complete legal description and L~~location of the parcel by Section, Township and Range, ~~or by tax identification number;~~

2. through 3. No change.

~~4. Any restrictions as to the use of the lands;~~

5. through 10. renumbered 4. through 9. No change.

(b) No change.

(c) Upon request, applicants will be sent a bid specification packet which shall include the following information:

1. Materials, instructions and deadline for submitting bids ~~and;~~

2. A copy of the proposed lease or sales contract, ~~and~~

~~3. A statement of the appraised value.~~

(d) No change.

(e) Deposits for unsuccessful or rejected bids shall be returned within 10 ~~5~~ working days after the awarding of the bid by the Trustees.

(8) No change.

Specific Authority 253.03 FS. Law Implemented 253.03, 253.034, 253.42, 253.51-.54, 253.571, 270.11 FS. History—New 6-4-96, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Kerry Drakes, above

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Trustees of the Internal Improvement Trust fund of the State of Florida

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 5, 2007

BOARD OF TRUSTEES OF INTERNAL IMPROVEMENT TRUST FUND

RULE NOS.:	RULE TITLES:
18-21.003	Definitions
18-21.004	Management Policies, Standards, and Criteria
18-21.010	Applications for Private Easement
18-21.011	Payments and Fees
18-21.013	Applications to Purchase Filled Lands Adjacent to Riparian to Uplands

PURPOSE AND EFFECT: The rule amendments clarify and implement statutes and policies adopted by the Board of Trustees for sovereignty submerged land management,

including those for appraisals. The amendments implement recommendations of the Auditor General’s Office in a June 2005 operational audit of the Department. The amendments also address when requests to modify sovereignty submerged lands authorizations are so significant that such requests trigger a new application.

SUMMARY: The rule amendments: clarify appraisal-related terms by adding or amending definitions; clarify the cost of private easements; provide less costly alternate methods of valuation of private easements for single-family residential property owners; incorporate appraisal standards and procedures; conform the rule related to applications to purchase filled lands to statute; and make minor changes to correct errors, update and clarify existing rules. The amendments add a section providing criteria for assessing when modifications to existing sovereignty submerged lands authorizations are of such magnitude that they will be considered new applications under the rule.

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

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

SPECIFIC AUTHORITY: 253.03(7), 253.03(11) FS.

LAW IMPLEMENTED: 253.03, 253.77 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: August 21, 2007, 10:00 a.m.

PLACE: Conference Room A, Marjory Stoneman Douglas Building, D.E.P., 3900 Commonwealth Blvd., Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Vicki Thompson, below. 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: Vicki Thompson, DEP, Division of State Lands, MS 130, 3900 Commonwealth Blvd., Tallahassee, FL 32399-3000, (850)245-2720, Vicki.Thompson@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

18-21.003 Definitions.

When used in these rules, the following definitions shall apply unless the context clearly indicates otherwise:

(1) through (3) No change.

(4) “Appraisal services” has the same meaning as provided in Rule 18-1.002, F.A.C.

(5) “Approved appraisal” has the same meaning as provided in Rule 18-1.002, F.A.C.

(4) through (66) renumbered (6) through (68) No change.

Specific Authority 253.03(7), 253.73 FS. Law Implemented 253.001, 253.03, 253.68, 253.77 FS. History–New 9-26-77, Formerly 16C-12.01, 16Q-17.01, Amended 3-27-82, 8-1-83, 2-25-85, Formerly 16Q-21.03, 16Q-21.003, Amended 12-25-86, 1-25-87, 3-15-90, 8-18-92, 3-20-94, 10-15-98, 8-1-01, 12-11-01, 10-29-03, 12-16-03, 3-8-04, 1-1-06,_____.

18-21.004 Management Policies, Standards, and Criteria.

The following management policies, standards, and criteria shall be used in determining whether to approve, approve with conditions or modifications, or deny all requests for activities on sovereignty submerged lands.

(1) General Proprietary.

(a) through (e) No change.

(f) Appraisal services, when required, shall be obtained through the Division’s Bureau of Appraisal in accordance with Chapter 18-1, F.A.C., except as follows:

1. The applicant shall pay the fee for appraisal services, which is non-refundable. No appraisal services shall proceed until the appraisal services fee has been received by the Division.

2. All appraisal services must be reviewed through the Division and approved by the Division.

(f) through (j) renumbered (g) through (k) No change.

(l) Requests for revisions to existing leases or easements that are reasonably expected to lead to increased environmental impact, an increase in preempted area of ten percent or more, a significant change in use (such as one that requires use of a different form of authorization or application of different rule criteria), or heightened public concern will be treated as new applications under this chapter.

(2) through (8) No change.

Specific Authority 253.03(7), 253.73 FS. Law Implemented 253.001, 253.03, 253.141, 253.68, 253.72, 253.74, 253.75, 253.77 FS. History–New 3-27-82, Amended 8-1-83, Formerly 16Q-21.04, 16Q-21.004, Amended 12-25-86, 1-25-87, 3-15-90, 8-18-92, 10-15-98, 12-11-01, 10-29-03, 12-16-03, 3-8-04, 10-27-05,_____.

18-21.010 Applications for Private Easement.

(1) Applications for easements across sovereignty submerged lands for private purposes shall include the following:

(a) through (i) No change.

(j) If dredging is proposed, an estimate of the number of cubic yards of sovereignty material to be removed showing how the amount was calculated; and

(k) If the application is for an easement of right-of-way for private access from a public road to lands of the applicant, proof of approval from the agency having jurisdiction over the public road; and,

(l) Calculation of the value of the easement pursuant to subsection 18-21.011(2), F.A.C.

(2) through (5) No change.

Specific Authority 253.03(7) FS. Law Implemented 253.03(11), 253.115, 253.12 FS. History--New 12-20-78, Formerly 16C-12.10, 16Q-17.10, Revised 3-27-82, Formerly 16Q-21.10, 16Q-21.010, Amended 12-11-01, 10-29-03, 3-8-04, 8-10-05, _____.

18-21.011 Payments and Fees.

(1) Standard and Extended Term Leases.

(a) No change.

(b) Base Fees, Discounts, Surcharges and Other Payments.

1. The base fee shall be computed at a rate of ~~\$0.1413~~ \$0.1430 per square foot per annum, which became effective March 1, 2007 ~~1998~~. The base fee and the minimum annual fee shall be revised March 1 of each year and increased or decreased based on the average change in the Consumer Price Index. The average change in the Consumer Price Index is calculated annually by averaging the Consumer Price Index over the previous five-year period. There shall be a 10 percent cap on any annual increase.

2. through 3. No change.

4. There shall be a minimum annual fee of \$423.89 ~~\$339.00~~, effective March 1, 2007 ~~October 11, 1998~~. The minimum annual fee shall be adjusted annually based on subparagraph 18-21.011(1)(b)1., F.A.C.

5. through 6. No change.

7. A waiver from payment of annual lease fees for government, research, education or charitable entities that are either not-for-profit or non-profit shall be granted if the following conditions are met:

a. No change.

b. The activity or use of sovereignty submerged lands is consistent with the public purposes of the applicant organization and is not an adjunct to a commercial endeavor.

8. A waiver from payment of annual lease fees shall be granted for a private residential multi-family dock or pier constructed in lieu of multiple private residential single-family docks or piers in accordance with paragraph 18-21.004(4)(c), F.A.C. on existing individual, single family riparian parcels shall be granted if the following conditions met:

a. ~~Private residential single family docks or piers could otherwise be authorized under Chapter 18-18 or 18-20, as applicable, and 18-21, F.A.C., on all the affected parcels;~~

b. ~~Each of the affected parcels contains or is zoned or approved for no more than one detached single family residence;~~

~~e. A conservation easement in favor of the Board is placed on all the affected parcels to subordinate or waive any further riparian rights of ingress and egress for additional docks and piers; and~~

d. ~~The Board determines that a waiver of payment of annual lease fees is not contrary to the public interest.~~

9. through 13. No change.

(c) One-time premium.

1. No change.

2. Paragraph 18-21.011(1)(c), F.A.C., shall apply to existing leases with the one-time premium lease condition and to new leases approved by the Board after September 6, 1987, ~~the effective date of this subsection~~, unless one or more of the subparagraph 18-21.011(1)(c)3., F.A.C., conditions are complied with.

3. Paragraph 18-21.011(1)(c), F.A.C., shall not apply to:

a. through f. No change.

g. Docking facilities built before September 6, 1987, ~~the effective date of paragraph 18-21.011(1)(c), F.A.C.~~, in which the developers of the facility no longer have any interest in the facility and where the facility has been assigned to a homeowners association or other association made up exclusively of the residents of the development; or

h. No change.

(d) No change.

(2) Private Easements.

(a) The fee for granting, modifying, or renewing a private easement containing 3,000 square feet or less, for a single-family riparian parcel, or for two adjacent single-family riparian parcels sharing a common easement, shall be calculated as 1/2 the minimum annual lease fee determined under paragraph 18-21.011(1)(b), F.A.C., multiplied by the term of the easement.

~~(b)(a) The fee for granting, modifying, or renewing all other private easements, except for telecommunication lines and associated conduits that are subject to the provisions of paragraph 18-21.004(2)(l), F.A.C., shall be determined by an approved appraisal obtained by the applicant. The appraiser must be selected from the division's approved list of appraisers and the appraisal must be reviewed and approved by the division. In addition to standard appraisal services requirements and procedures, the following factors shall be considered in determining the easement fee:~~

1. The extent to which the easement is exclusionary; i.e., the degree to which the proposed easement precludes, in whole or in part, traditional or future public uses of the easement area or other submerged land; and

2. The enhanced property value or profit gained by the applicant if the proposed easement is approved. Enhancement will not be considered in the appraisal services for easement renewals that do not modify the size or use of the expired easement.

~~(c)(b)~~ No change.

(3) through (5) No change.

Specific Authority 253.03(7), 253.03(11), 253.73 FS. Law Implemented 253.03, 253.71 FS. History—New 3-27-82, Amended 5-18-82, 8-1-83, 9-5-84, 10-20-85, Formerly 16Q-21.11, 16Q-21.011, Amended 1-25-87, 9-6-87, 3-15-90, 10-11-98, 10-15-98, 10-29-03, 3-8-04, 1-1-06, _____.

18-21.013 Applications to Purchase Filled Lands Adjacent to Riparian to Uplands.

(1) Applications to purchase state-owned submerged lands that have been filled and which are adjacent to lands riparian to uplands may be made by the riparian owners only. The Division shall board reserves the right to reject any and all such applications that do not comply with this rule. If an application satisfies all the criteria of this rule, the Division shall send the application to the Board for final determination regarding the sale of the filled lands. The following shall be included in each application:

(a) through (j) No change.

~~(k) An appraisal of the current market value of the parcel sought made within 3 months after the date of application by an appraiser with designations acceptable to the department;~~

~~(k)(t)~~ No change.

(2) No change.

(3) When state-owned submerged lands have been filled without authority after June 10~~4~~, 1957 (state-owned submerged lands filled prior to before June 11, 1957 are addressed in Rule 18-21.019, F.A.C.), except for lands filled before July 1, 1975 that satisfy all of the requirements of Section 253.12(9), F.S., the Board will consider the following options and choose the one that is most in the public interest., by law, may:

(a) through (b) No change.

(c) Sell the filled lands. The following sale prices shall be recommended by the ~~D~~epartment to the ~~B~~oard:

~~1. One and one half times the present appraised value of the lands excluding building improvements if the unauthorized filling was done by the applicant's predecessor in title between June 11, 1957, and July 14, 1967.~~

~~1.2. Two times the present appraised value of the lands determined by an approved appraisal excluding building improvements if the unauthorized filling was done by the applicant's predecessor in title after June July 10~~4~~, 195~~6~~7.~~

~~2.3. Three times the present appraised value of the lands determined by an approved appraisal excluding building improvements if the unauthorized filling was done by the applicant after June 10~~4~~, 1957.~~

(4) No change.

Specific Authority 253.03, 253.12, 370.021 FS. Law Implemented 253.115, 253.12 FS. History—New 9-26-77, Formerly 16C-12.04, 16Q-17.04, Revised 3-27-82, Formerly 16Q-21.13, 16Q-21.013, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Vicki Thompson, above

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Trustees of the Internal Improvement Trust Fund of the State of Florida

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

DATE NOTICES OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 5, 2007 and May 25, 2007

**AGENCY FOR HEALTH CARE ADMINISTRATION
Certificate of Need**

RULE NO.: 59C-1.008 RULE TITLE: Application Procedures

PURPOSE AND EFFECT: The agency is proposing to update the rule that defines application procedures used in Rule 59C-1, F.A.C. due to calendar changes.

SUMMARY: The proposed rule is updated to reflect statutory changes to the batching cycle calendar currently defined in Rule 59C-1.008, F.A.C.

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

LAW IMPLEMENTED: 408.033, 408.037, 408.038, 408.039 FS.

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

DATE AND TIME: August 14, 2007, 2:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room C, 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: Calvin J. Vice., Sr., PhD, Certificate of Need, 2727 Mahan Drive, Building 1, Tallahassee, 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 PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Calvin J. Vice., Sr., PhD, Certificate of Need, 2727 Mahan Drive, Building 1, Tallahassee, Florida

THE FULL TEXT OF THE PROPOSED RULE IS:

59C-1.008 Application Procedures.

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

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

Hospital Beds and Facilities

1st Batching Cycle—2005

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

Hospital Beds and Facilities

2nd Batching Cycle—2005

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

Hospital Beds and Facilities

1st Batching Cycle—2006

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

Hospital Beds and Facilities

2nd Batching Cycle—2006

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

Hospital Beds and Facilities

1st Batching Cycle – 2007

Summary Need Projections Published in F.A.W.	1-26-07
Letter of Intent Deadline	2-12-07
Application Deadline	3-14-07

Completeness Review Deadline	3-21-07
Application Omissions Deadline	4-18-07
Agency Initial Decision Deadline	6-15-07

Hospital Beds and Facilities

2nd Batching Cycle – 2007

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

Hospital Beds and Facilities

1st Batching Cycle – 2008

Summary Need Projections Published in F.A.W.	1-25-08
Letter of Intent Deadline	2-11-08
Application Deadline	3-12-08
Completeness Review Deadline	3-19-08
Application Omissions Deadline	4-16-08
Agency Initial Decision Deadline	6-13-08

Hospital Beds and Facilities

2nd Batching Cycle – 2008

Summary Need Projections Published in F.A.W.	7-25-08
Letter of Intent Deadline	8-11-08
Application Deadline	9-10-08
Completeness Review Deadline	9-17-08
Application Omissions Deadline	10-15-08
Agency Initial Decision Deadline	12-12-08

Hospital Beds and Facilities

1st Batching Cycle – 2009

Summary Need Projections Published in F.A.W.	1-23-09
Letter of Intent Deadline	2-09-09
Application Deadline	3-11-09
Completeness Review Deadline	3-28-09
Application Omissions Deadline	4-15-09
Agency Initial Decision Deadline	6-12-09

Hospital Beds and Facilities

2nd Batching Cycle – 2009

Summary Need Projections Published in F.A.W.	7-24-09
Letter of Intent Deadline	8-10-09
Application Deadline	9-09-09
Completeness Review Deadline	9-16-09
Application Omissions Deadline	10-14-09
Agency Initial Decision Deadline	12-10-09

<p style="text-align: center;"><u>Other Beds and Programs</u> 1st Batching Cycle—2005</p>		<p style="text-align: center;"><u>Other Beds and Programs</u> 2nd Batching Cycle – 2007</p>	
Summary Need Projections Published in F.A.W.	4-08-05	Summary Need Projections Published in F.A.W.	10-05-07
Letter of Intent Deadline	4-25-05	Letter of Intent Deadline	10-22-07
Application Deadline	5-25-05	Application Deadline	11-21-07
Completeness Review Deadline	6-01-05	Completeness Review Deadline	11-28-07
Applicant Omissions Deadline	6-29-05	Application Omissions Deadline	12-26-07
Agency Initial Decision Deadline	8-26-05	Agency Initial Decision Deadline	2-22-08
<p style="text-align: center;"><u>Other Beds and Programs</u> 2nd Batching Cycle—2005</p>		<p style="text-align: center;"><u>Other Beds and Programs</u> 1st Batching Cycle – 2008</p>	
Summary Need Projections Published in F.A.W.	10-07-05	Summary Need Projections Published in F.A.W.	4-04-08
Letter of Intent Deadline	10-24-05	Letter of Intent Deadline	4-21-08
Application Deadline	11-23-05	Application Deadline	5-21-08
Completeness Review Deadline	11-30-05	Completeness Review Deadline	5-28-08
Applicant Omissions Deadline	12-28-05	Applicant Omissions Deadline	6-25-08
Agency Initial Decision Deadline	2-24-06	Agency Initial Decision Deadline	8-22-08
<p style="text-align: center;"><u>Other Beds and Programs</u> 1st Batching Cycle—2006</p>		<p style="text-align: center;"><u>Other Beds and Programs</u> 2nd Batching Cycle – 2008</p>	
Summary Need Projections Published in F.A.W.	4-07-06	Summary Need Projections Published in F.A.W.	10-03-08
Letter of Intent Deadline	4-24-06	Letter of Intent Deadline	10-20-08
Application Deadline	5-24-06	Application Deadline	11-19-08
Completeness Review Deadline	5-31-06	Completeness Review Deadline	11-26-08
Applicant Omissions Deadline	6-28-06	Applicant Omissions Deadline	12-24-08
Agency Initial Decision Deadline	8-25-06	Agency Initial Decision Deadline	2-20-09
<p style="text-align: center;"><u>Other Beds and Programs</u> 2nd Batching Cycle—2006</p>		<p style="text-align: center;"><u>Other Beds and Programs</u> 1st Batching Cycle – 2009</p>	
Summary Need Projections Published in F.A.W.	10-06-06	Summary Need Projections Published in F.A.W.	4-03-09
Letter of Intent Deadline	10-23-06	Letter of Intent Deadline	4-20-09
Application Deadline	11-22-06	Application Deadline	5-20-09
Completeness Review Deadline	11-29-06	Completeness Review Deadline	5-27-09
Applicant Omissions Deadline	12-27-06	Applicant Omissions Deadline	6-24-09
Agency Initial Decision Deadline	2-23-07	Agency Initial Decision Deadline	8-21-09
<p style="text-align: center;"><u>Other Beds and Programs</u> 1st Batching Cycle – 2007</p>		<p style="text-align: center;"><u>Other Beds and Programs</u> 2nd Batching Cycle – 2009</p>	
Summary Need Projections Published in F.A.W.	4-06-07	Summary Need Projections Published in F.A.W.	10-02-09
Letter of Intent Deadline	4-23-07	Letter of Intent Deadline	10-19-09
Application Deadline	5-23-07	Application Deadline	11-18-09
Completeness Review Deadline	5-30-07	Completeness Review Deadline	11-25-09
Applicant Omissions Deadline	6-27-07	Applicant Omissions Deadline	12-23-09
Agency Initial Decision Deadline	8-24-07	Agency Initial Decision Deadline	2-19-10

(h) through (5) No change.

Specific Authority 408.034(6), 408.15(8) FS. Law Implemented 408.033, 408.034, 408.036(2), 408.037(2), 408.038, 408.039, 408.042 FS. History—New 1-31-91, Formerly 10-5.0085, Amended 10-18-95, 10-8-97, 12-12-00, 7-19-05,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Calvin J. Vice., Sr., PhD, Certificate of Need, 2727 Mahan Drive, Building 1, Tallahassee, Florida
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Karen Rivera, Certificate of Need Supervisor
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 9, 2007
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 20, 2007

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.:	RULE TITLE
59G-4.130	Home Health Services

PURPOSE AND EFFECT: The purpose of this rule is to incorporate by reference into rule the Florida Medicaid Home Health Services Coverage and Limitations Handbook, July 2007. The revised handbook includes updated policies and the procedures for precertification and prior authorization of home health visits by the Medicaid peer review organization. The effect will be to incorporate by reference into rule the Florida Medicaid Home Health Services Coverage and Limitations Handbook, July 2007.

In the Notice of Rule Development, we dated the revised handbook August 2006. We changed this date to July 2007.

SUMMARY: The purpose of this rule amendment is to incorporate by reference into rule the Florida Medicaid Home Health Services Coverage and Limitations Handbook, July 2007. The effect will be to incorporate by reference into rule the Florida Medicaid Home Health Services Coverage and Limitations Handbook, July 2007.

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

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

DATE AND TIME: Monday, August 13, 2007, 2:00 p.m.
 PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, Conference Room B, Tallahassee, Florida
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Karen Kinser, Bureau of Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308, (850)410-1677, kinserk@ahca.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.130 Home Health Services.

(1) No change.

(2) All home health agency providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Home Health Services Coverage and Limitations Handbook, July 2007 ~~October 2003~~, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS-1500, which is incorporated in Rule 59G-4.001, F.A.C. Both handbooks are available from the Medicaid fiscal agent's website at <http://floridamedicaid.acs-inc.com> agent. Click on Provider Support, and then on Handbooks. Paper copies of the handbooks may be obtained by calling the Medicaid fiscal agent at (800)377-8216.

(3) No change.

(4) The following form that is included in the Florida Medicaid Home Health Services Coverage and Limitations Handbook is incorporated by reference: Home Health Certification and Plan of Care, Form CMS-485 (C-3)(02-94)(Formerly HCFA-485), in Appendix B, one page.

Specific Authority 409.919 FS. Law Implemented 409.905, 409.908, 409.9081 FS. History--New 1-1-77, Amended 4-1-78, 9-28-78, 1-24-79, 7-17-83, Formerly 10C-7.44, Amended 6-1-88, 4-9-89, 1-1-90, 5-26-93, Formerly 10C-7.044, Amended 3-14-95, 12-27-95, 5-7-96, 2-9-98, 5-30-00, 11-24-03,_____

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Karen Kinser

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Andrew Agwunobi, M.D., Secretary
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 2, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 4, 2006

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

RULE NO.:	RULE TITLE:
61A-5.001	Obtaining Forms

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to update the mailing address and add the web address for the Division of Alcoholic Beverages & Tobacco to more easily allow interested citizens to obtain forms from the division.

SUMMARY: This rule updates the mailing address and adds the web address for the Division of Alcoholic Beverages & Tobacco.

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

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

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: 561.11 FS.

LAW IMPLEMENTED: 561.08 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: Lisa Livezey Comingore, Assistant General Counsel, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, Office of the General Counsel, 1940 North Monroe Street, Suite 40, Tallahassee, Florida 32399, (850)487-9677

THE FULL TEXT OF THE PROPOSED RULE IS:

61A-5.001 Obtaining of Forms.

Any form which is authorized for use or which is required by the Division of Alcoholic Beverages and Tobacco (AB&T) may be obtained by request from the division field office serving the local area of interest, visiting AB&T's page of the Department of Business and Professional Regulation's web site at: <http://www.state.fl.us/dbpr/abt/contact/index.shtml>, or by writing to the division as follows:

Division of Alcoholic Beverages and Tobacco
 1940 North Monroe Street ~~725 South Bronough~~
 Tallahassee, Florida 32399-1021

Specific Authority 561.11 FS. Law Implemented 561.08, 561.11 FS. History--New 2-16-89, Formerly 7A-5.00, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Steve Hougland, Ph.D., Division Director, Alcoholic Beverages and Tobacco

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Michael Wheeler, Acting Chief Attorney, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 29, 2007

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

RULE NOS.:	RULE TITLES:
61A-5.0105	Beverage Licenses, New Quota Issue
61A-5.747	Quota License Drawing Entry Form

PURPOSE AND EFFECT: The purpose and effect of the proposed rules is to make changes to the entry form and drawing process for new quota alcoholic beverage licenses in order to clarify and streamline the process.

SUMMARY: These proposed rules make changes to the entry form and drawing process for new quota alcoholic beverage licenses in order to clarify and streamline the process.

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

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

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: 561.08, 561.11 FS.

LAW IMPLEMENTED: 120.57, 561.08, 561.14, 561.15, 561.17, 561.18, 561.19, 561.20 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: Lisa Livezey Comingore, Assistant General Counsel, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, Office of the General Counsel, 1940 North Monroe Street, Suite 42, Tallahassee, Florida 32399, (850)487-9677

THE FULL TEXT OF THE PROPOSED RULES IS:

61A-5.0105 Beverage Licenses, New Quota Issue.

The division will follow the below listed procedures when entry forms are accepted for inclusion in the drawing for the right to apply ~~issuance of~~ for new state liquor licenses authorized by Florida Law, when they become available by reason of an increase in the population of a county ~~or city~~, voting to permit the sale of intoxicating beverages when such sale had previously been prohibited, or by revocation of a license under Section 565.02(1)(a)-(f), F.S., or issued by Special Act prior to 1981:

(1) The ~~entry application~~ period for each quota alcoholic beverage drawing shall begin on the third Monday in August of each year issuance of quota alcoholic beverage licenses has been authorized, and last ~~45~~ 90 days. The division shall publish legal notices in ~~newspapers of general circulation within the counties in which licenses become available and~~ the Florida Administrative Weekly and on AB&T's page of the Department of Business and Professional Regulation's web site at: <http://www.state.fl.us/dbpr/abt/contact/index.shtml>. ~~In the event there is no newspaper of general circulation in the county~~

~~where a new liquor license is authorized, the alternative posting procedure, found in Section 49.11, F.S., shall be used. Each legal notice published will include the deadline for filing entry forms applications, the number of licenses available for issuance in each county or city, and the location of the division's office where entry forms applications may be obtained and filed.~~

(2) All persons seeking entry into each drawing to apply for a new license shall file DBPR form ~~ABT -60334000-033E~~, QUOTA LICENSE DRAWING ENTRY FORM, effective ~~1/98~~ and incorporated herein, together with the non-refundable filing fee stated on the form. The entry form shall be delivered to the division ~~or postmarked on or before the final date, set forth in the legal notice, and shall be date stamped by the division on the date the form is received.~~ Forms not complete, not signed, or not accompanied by the required non-refundable filing fee shall result in a deficiency letter be returned to the applicant's mailing address by regular mail. Corrected entry forms must be delivered to the division on or before fourteen (14) days from the date of the deficiency letter. The division will not grant any other extensions of time. ~~Applicants shall not be granted extensions for filing entry forms applications except by petition showing good cause and no negligence by the applicant.~~

(3) A list of all entrants applicants selected may be obtained from any of the division's offices.

(4) The division shall notify those entrants applicants who are selected as a result of the double random selection drawing by certified mail. Such notification will be sent to the mailing address listed on the entry form or subsequently filed with the division. It shall be the entrant's applicant's responsibility to maintain a correct mailing address with the division.

(5) All entrants applicants selected for the opportunity to apply for licenses shall file a completed application, referenced in Rule 61A-5.010, F.A.C. Failure to file a completed application package within 45 days of the date of the selection notice, shall result in the denial of the application filed.

(6) When any application has been disapproved and all hearings and appeals, pursuant to Sections 120.57 and 561.19(5), F.S., have been completed, the division shall notify the next person in order of priority from the random drawing by certified mail of their opportunity to obtain an available license in accordance with the procedures for notifying the originally selected parties. The division shall follow such procedure until all available licenses have been awarded.

(7) Any person or persons who have been selected for licenses shall not be prohibited from having the license issued in the name of a corporation, or other legal entity, if 100% of the business is owned by the person or persons listed on the winning entry form for inclusion in the drawing.

(8) For the purposes of this section, "more than one applicant" shall mean that an entrant applicant may have a direct or indirect interest in only one application in each county

~~or city for which a license is available, but may file separate entry forms for licenses in different counties or cities for an opportunity to obtain an available license.~~

(9) For the purposes of this section, "method of double random selection by public drawing" shall mean a computer program which determines the order of selection for the director as prescribed in Section 561.19(2)(a), F.S.

~~(10) Notwithstanding subsection (2) above, persons applying for the application period beginning April 1, 1998 through June 29, 1998, shall use Form ABT 4000-999L, Quota License Entry Form, effective 10/16/97 and incorporated herein.~~

Specific Authority 561.11 FS. Law Implemented 120.57, 561.14, 561.15, 561.17, 561.18, 561.19, 561.20 FS. History-New 1-20-97, Amended 1-8-98,_____.

61A-5.747 Quota License Drawing Entry Form Preliminary Application for a New Quota Alcoholic Beverage License.

(1) DBPR form ~~ABT-603342-033~~, QUOTA LICENSE DRAWING ENTRY FORM PRELIMINARY APPLICATION FOR A NEW QUOTA ALCOHOLIC BEVERAGE LICENSE, incorporated herein by reference and effective ~~5-24-92~~, must be used by an entrant to gain entry into a quota license drawing.

(2) The information contained in the form must be affirmed sworn to and must be completed by all parties listed on the entry form or an authorized representative application.

(3) The division will only accept entry forms applications for filing which are complete. A complete entry form application includes the payment required to enter the drawing. Incomplete entry forms applications delivered to the division will result in a deficiency be returned with the application fee to the applicant with a letter advising the reason the entry form application is incomplete being returned. Entrants must deliver corrected entry forms to the division on or before fourteen (14) days from the date of the deficiency letter. The division will not grant any other extensions of time.

Specific Authority 561.08, 561.11 FS. Law Implemented 561.08; ~~561-14~~, 561.17, 561.19, 561.20 FS. History-New 3-6-90, Amended 6-28-90, 5-24-92, Formerly 7A-5.747, Amended_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Steve Hougland, Ph.D., Division Director, Alcoholic Beverages and Tobacco

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Michael Wheeler, Acting Chief Attorney, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 29, 2007

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Land Sales, Condominiums and Mobile Homes

RULE NOS.:	RULE TITLES:
61B-82.001	Scope; Nature of Remedy; Forms
61B-82.002	Filing Petition for Mediation
61B-82.004	Assignment of Mediator; Billing
61B-82.005	Parties
61B-82.006	Disputes Eligible for Mediation; Relief Requested
61B-82.007	Subsequent Proceedings; Conclusion of Mediation Proceeding

PURPOSE AND EFFECT: Chapter 2007-173, Laws of Florida, replaces the Homeowners' Association mediation program operated by the Division of Florida Land Sales, Condominiums and Mobile Homes with private presuit mediation. This proposal repeals Chapter 61B-82, F.A.C., relating to the division's mediation program.

SUMMARY: Repeal of these rules pursuant to Chapter 2007-173, Laws of Florida.

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: 720.311(1) FS.

LAW IMPLEMENTED: 720.311(2) FS.

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

DATE AND TIME: August 13, 2007, 9:00 a.m.

PLACE: The Northwood Centre, Suite 16, Conference Room, 1940 N. Monroe 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 48 hours before the workshop/meeting by contacting: Sharon A. Malloy, Senior Management Analyst II at (850)488-1631. 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: Sharon A. Malloy, Senior Management Analyst II, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32311-1030, (850)488-1631

THE FULL TEXT OF THE PROPOSED RULES IS:

61B-82.001 Scope; Nature of Remedy; Forms.

Specific Authority 720.311(1) FS. Law Implemented 720.311(2) FS. History--New 2-3-05, Repealed.

61B-82.002 Filing Petition for Mediation.

Specific Authority 720.311(1) FS. Law Implemented 720.311(2) FS. History--New 2-3-05, Repealed.

61B-82.004 Assignment of Mediator; Billing.

Specific Authority 720.311(1) FS. Law Implemented 720.311(2) FS. History--New 2-3-05, Repealed.

61B-82.005 Parties.

Specific Authority 720.311(1) FS. Law Implemented 720.311(2) FS. History--New 2-3-05, Repealed.

61B-82.006 Disputes Eligible for Mediation; Relief Requested.

Specific Authority 720.311(1) FS. Law Implemented 720.311(2) FS. History--New 2-3-05, Repealed.

61B-82.007 Subsequent Proceedings; Conclusion of Mediation Proceeding.

Specific Authority 720.311(1) FS. Law Implemented 720.311(2) FS. History--New 2-3-05, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Catherine Bembry, Senior Attorney, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1030

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Holly Benson, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 3, 2007

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Land Sales, Condominiums and Mobile Homes

RULE NOS.:	RULE TITLES:
61B-83.001	Scope, Organization, Procedure, Forms
61B-83.002	Filing Application for Certification; Verification Requirements
61B-83.003	Qualifications of Mediator or Arbitrators Certification Applicants
61B-83.004	Certification and Training Programs

PURPOSE AND EFFECT: Chapter 2007-173, Laws of Florida, repeals the Division's certification and training program for arbitrators and mediators under chapter 720, Florida Statutes. Arbitrators and mediators are certified under

the rules of the Florida Supreme Court. This proposal repeals Chapter 61B-83, F.A.C., relating to the division's certification and training program.

SUMMARY: Repeal of these rules pursuant to Chapter 2007-173, Laws of Florida.

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: 720.311(1) FS.

LAW IMPLEMENTED: 720.311(2)(c) FS.

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

DATE AND TIME: August 13, 2007, 9:00 am.

PLACE: The Northwood Centre, Suite 16, Conference Room, 1940 N. Monroe 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 48 hours before the workshop/meeting by contacting: Sharon A. Malloy, Senior Management Analyst II at (850)488-1631. 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: Sharon A. Malloy, Senior Management Analyst II, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32311-1030, (850)488-1631

THE FULL TEXT OF THE PROPOSED RULES IS:

61B-83.001 Scope, Organization, Procedure, Forms.

Specific Authority 720.311(1) FS. Law Implemented 720.311(2)(c) FS. History--New 12-20-04, Repealed.

61B-83.002 Filing Application for Certification; Verification Requirements.

Specific Authority 720.311(1) FS. Law Implemented 720.311(2)(c) FS. History--New 12-20-04, Repealed.

61B-83.003 Qualifications of Mediator or Arbitrators Certification Applicants.

Specific Authority 720.311(1) FS. Law Implemented 720.311(2)(c) FS. History--New 12-20-04, Repealed.

61B-83.004 Certification and Training Programs.

Specific Authority 720.311(1) FS. Law Implemented 720.311(2)(c) FS. History--New 12-20-04, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Catherine Bemby, Senior Attorney, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1030

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Holly Benson, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 3, 2007

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: 61J2-10.029
RULE TITLE: Advance Fee Accounting and Reporting Procedures

PURPOSE AND EFFECT: This Commission proposed the rule repealed because Section 475.452, F.S., no longer exist.

SUMMARY: This rule is being repealed.

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: 475.05 FS.

LAW IMPLEMENTED: 475.452(1), (2), (3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Suite N801, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J2-10.029 Advance Fee Accounting and Reporting Procedures.

Specific Authority 475.05 FS. Law Implemented 475.452(1), (2), (3) FS. History--New 1-1-80, Formerly 21V-10.29, Amended 10-28-90, 7-20-93, Formerly 21V-10.029, Amended 11-10-97, 1-18-00, 2-4-04, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Florida Real Estate Commission
 NAME OF SUPERVISOR OR PERSON WHO APPROVED
 THE PROPOSED RULE: Florida Real Estate Commission
 DATE PROPOSED RULE APPROVED BY AGENCY
 HEAD: November 14, 2006

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
 REGULATION**

Florida Real Estate Commission

RULE NO.: 61J2-20.042
 RULE TITLE: Chairperson
 PURPOSE AND EFFECT: The rule is being repealed in its
 entirety because the rule about quorum conflicts with Section
 455.207, Florida Statutes.

SUMMARY: This rule is being repealed.
 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: 475.05 FS.

LAW IMPLEMENTED: 120.53, 455.207 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: Lori Crawford, Deputy Clerk, Division
 of Real Estate, 400 West Robinson Street, Hurston Building,
 North Tower, Suite N802, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J2-20.042 Chairperson.

Specific Authority 475.05 FS Law Implemented 120.53, 455.207 FS
 History—New 1-1-80, Formerly 21V-20.42, Amended 6-28-93,
 Formerly 21V-20.042, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Florida Real Estate Commission
 NAME OF SUPERVISOR OR PERSON WHO APPROVED
 THE PROPOSED RULE: Florida Real Estate Commission
 DATE PROPOSED RULE APPROVED BY AGENCY
 HEAD: June 19, 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 HEALTH

Board of Hearing Aid Specialists

RULE NO.: 64B6-5.002
 RULE TITLE: Continuing Education Programs

PURPOSE AND EFFECT: Amend to include requirement that
 continuing education programs approved by International
 Institute of Hearing Instrument Studies are to be contact hours.
 Amend to clarify the certain dually-licensed persons are only
 required to take one HIV/AIDS CE course. Amend to clarify
 that licensees who are licensed under certain other professions
 are only required to take one medical errors course.

SUMMARY: Proposal clarifies that certain CE programs are to
 be contact hours, clarifies that certain dually-licensed persons
 are only required to take one HIV/AIDS CE course, and adds
 that certain licensees are only required to take one medical
 errors CE course.

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

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

SPECIFIC AUTHORITY: 456.013(6)-(9), 484.044,
 484.047(4) FS.

LAW IMPLEMENTED: 456.013(6)-(9), 484.047(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE
 PROPOSED RULE IS: Sue Foster, Executive Director, Board
 of Hearing Aid Specialists, 4052 Bald Cypress Way, Bin #C06,
 Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B6-5.002 Continuing Education Programs.

(1) Programs approved by the International Institute of
 Hearing Instrument Studies shall automatically be approved
 for continuing education credit, provided they are contact
 hours.

(2) through (7) No change.

(8) Effective for the biennium beginning in 2001, each
 Hearing Aid Specialist shall attend and certify attending two
 hours and may take up to four (4) hours per biennium of
 continuing education which includes the topics of Human
 Immunodeficiency Virus, Acquired Immune Deficiency
 Syndrome, and other communicable illness to protect both the
 recipient and dispenser; modes of transmission, infection
 control procedures, clinical management, and prevention of
 any communicable illness. Such continuing education shall be
 accepted by the Board toward the continuing education
 requirement prescribed in Rule 64B6-5.001, F.A.C. Up to four
 hours of continuing education relating to these topics shall be

accepted for the 1999-2001 biennium. Dually-licensed individuals, under Ch. 456, F.S., shall only be required to take one HIV/AIDS course to satisfy the continuing education requirements for this Board.

(9) Each Hearing Aid Specialist shall attend and certify attending a Board approved two hour continuing education course relating to the prevention of medical errors. Licensees who are licensed under other professions regulated by Ch. 456, F.S., shall only be required to take one medical errors course to satisfy the continuing education requirements for this Board. The 2-hour course shall count toward the total number of continuing education hours required for license renewal.

Specific Authority 456.013(6)-(9), 484.044, 484.047(4) FS. Law Implemented 456.013(6)-(9), 484.047(4) FS. History–New 4-1-85, Formerly 21JJ-15.002, Amended 8-5-87, 2-16-89, 6-21-89, 1-10-90, 8-19-91, 10-21-91, Formerly 21JJ-5.006, Amended 11-20-95, Formerly 61G9-5.006, Amended 9-23-99, 11-9-00, 3-24-02, 11-18-02,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Hearing Aid Specialists
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Hearing Aid Specialists
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 30, 2007
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 30, 2007

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: 64B9-5.007
RULE TITLE: Continuing Education for Expert Witnesses and Probable Cause Panel Members

PURPOSE AND EFFECT: The purpose of the amendment is to permit former board members who serve the Board and the public by participating on the probable cause panels to receive continuing education credit for that service.

SUMMARY: The rule language is amended to permit former board members who serve the Board and the public by participating on the probable cause panels to receive continuing education credit for that service.

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: 464.006, 464.013(3) FS.

LAW IMPLEMENTED: 464.013(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rick Garcia, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B9-5.007 Continuing Education for Expert Witnesses ~~and Probable Cause Panel Members in Disciplinary Cases.~~

(1) Each licensed nurse who serves as a volunteer expert witness in providing written expert witness opinions citing references of current, prevailing practice and relevant standards of practice for cases being reviewed pursuant to Chapter 464, F.S., shall receive 2.5 hours of continuing education credit per case for performing a literature survey of at least two articles in conjunction with the review of cases for the Agency, probable cause panel, or Board.

(2) Each former board member who serves on a probable cause panel at least twice in a biennium shall receive 8 hours of continuing education credit.

Specific Authority 464.006, 464.013(3) FS. Law Implemented 464.013(3) FS. History–New 9-28-93, Formerly 61F7-5.007, 59S-5.007, Amended_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Nursing
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Nursing
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 7, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 29, 2006

DEPARTMENT OF HEALTH

Board of Opticianry

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

PURPOSE AND EFFECT: The Board proposes to modify the number of continuing education hours regarding the technical practice of Opticianry and contact lens theory and practice, and to add language regarding classroom disruptions.

SUMMARY: Modification of the number of continuing education hours regarding the technical practice of Opticianry, contact lens theory practice and addition of language regarding classroom.

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

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

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

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE 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) No change.

(f) ~~Four (4) Two (2)~~ hours shall be electives consisting of courses in one (1) or more of the subjects of categories (a), (b), (c), or (e) above or subjects relating to management of a practice from a business perspective including sales and marketing, business and finance, personnel management, stress management, risk management, fire prevention or disaster planning, or for attending a board meeting as provided herein.

(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, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Opticianry

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 5, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 22, 2007

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NO.: RULE TITLE:

64B18-18.001 Definitions

PURPOSE AND EFFECT: The Board proposes to repeal the rule in order to create another rule in its place.

SUMMARY: The rule will be repealed.

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

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

SPECIFIC AUTHORITY: 461.005 FS.

LAW IMPLEMENTED: 461.018 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B18-18.001 Definitions.

~~As used in these rules:~~

~~(1) "Non-surgical" means the non-invasive management of foot disorders relating to nails, corns and calluses. Non-invasive refers to techniques which do not penetrate the dermis.~~

~~(2) "Direct supervision" means supervision and control by a licensed podiatric physician who assumes legal liability for the services rendered by a Certified Podiatric Technician, which supervision requires the immediate physical presence of the licensed podiatric physician for consultation and direction of the actions taken by the Certified Podiatric Technician.~~

~~(3) "General supervision" means supervision and control by a licensed podiatric physician who assumes legal liability for the services rendered by a Certified Podiatric Technician. General supervision shall require the licensed podiatric physician who acts as a supervising podiatric physician to establish written protocols for the utilization of the services of a Certified Podiatric Technician. General supervision shall require the ready and easy availability or physical presence of the licensed podiatric physician for consultations and directions of the actions of the Certified Podiatric Technician. The term "ready and easy availability" may include the ability to communicate by way of telecommunication, provided the podiatric physician is otherwise readily physically accessible.~~

Specific Authority 461.005 FS. Law Implemented 461.018 FS. History—New 12-13-88, Amended 5-22-89, Formerly 21T-18.001, 61F12-18.001, Amended 6-17-97, Formerly 59Z-18.001, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Podiatric Medicine
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Podiatric Medicine
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 22, 2007

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NO.: RULE TITLE:
64B18-18.003 Description of Responsibilities
PURPOSE AND EFFECT: The Board proposes to repeal the rule in order to create another rule in its place.
SUMMARY: The rule will be repealed.
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.
Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.
SPECIFIC AUTHORITY: 461.005 FS.
LAW IMPLEMENTED: 461.018 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B18-18.003 Description of Responsibilities.

~~(1) A Certified Podiatric Technician shall be allowed to perform the non-surgical treatment of corns, calluses and ingrown toenails under the supervision of a licensed podiatric physician as described in subsection 64B18-18.001(3), F.A.C., and as established by written protocols as provided in Rule 64B18-18.005, F.A.C.~~

~~(2) A Certified Podiatric Technician shall not be allowed to perform services on a patient who has any systemic condition in which even conservative foot care could prove hazardous. Such systemic conditions shall include, but not be limited to, peripheral vascular disease, diabetes, blood dyscrasias, peripheral neuropathies or any other condition which renders the lower extremities insensate.~~

Specific Authority 461.005 FS. Law Implemented 461.018 FS. History—New 12-13-88, Amended 5-22-89, Formerly 21T-18.003, 61F12-18.003, Amended 6-17-97, Formerly 59Z-18.003, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Podiatric Medicine
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Podiatric Medicine
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 22, 2007

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NO.: RULE TITLE:
64B18-18.004 Podiatric Technicians Certified to Podiatrist
PURPOSE AND EFFECT: The Board proposes to repeal the rule in order to create another rule in its place.
SUMMARY: The rule will be repealed.
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.
Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.
SPECIFIC AUTHORITY: 461.005 FS.
LAW IMPLEMENTED: 461.018 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B18-18.004 Podiatric Technicians Certified to Podiatrist.

~~A licensed podiatric physician shall be permitted to supervise one (1) or more Certified Podiatric Technicians, as determined by the Board upon application by the podiatric physician. Nothing in this chapter shall be construed to prevent a Podiatric Technician from entering into a supervisory relationship with multiple podiatric physician.~~

Specific Authority 461.005 FS. Law Implemented 461.018 FS. History—New 12-13-88, Amended 5-22-89, 3-15-92, Formerly 21T-18.004, 61F12-18.004, Amended 6-17-97, Formerly 59Z-18.004, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Podiatric Medicine

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

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

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NO.: 64B18-18.005 RULE TITLE: Policies and Procedures

PURPOSE AND EFFECT: The Board proposes to repeal the rule in order to create another rule in its place.

SUMMARY: The rule will be repealed.

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

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

SPECIFIC AUTHORITY: 461.005 FS.

LAW IMPLEMENTED: 461.007, 461.018 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B18-18.005 Policies and Procedures.

~~(1) The Board determines that the concept of general and direct supervision requires any licensed podiatric physician utilizing Certified Podiatric Technicians to have a protocol containing written policies, procedures and guidelines approved by the Board or Committee of the Board as to sufficiency prior to the Board's certification of the Podiatric Technicians to the licensed podiatric physician. The written protocol shall address the following:~~

~~(a) The method of the preliminary examination and periodic reexamination of the patient;~~

~~(b) The procedures for diagnosis and treatment as appropriate;~~

~~(c) The opening and maintaining of files and medical records of the treatment on the patient;~~

~~(d) The number of positions and the utilization of the services of Podiatric Technicians;~~

~~(e) The specific description of the respective responsibilities of the licensed podiatric physician and Podiatric Technicians;~~

~~(f) The responsibility of substitute podiatric physicians and the method of substituting;~~

~~(g) The mechanism for disassociation between a licensed podiatric physician and Podiatric Technician;~~

~~(h) The review process of the protocol by the licensed podiatric physician and Podiatric Technician prior to the biennial license renewal of the podiatric physician;~~

~~(i) The mechanism for billing procedures; and~~

~~(j) Such other details as are necessary to address the individual nature of the practice of the licensed podiatric physician and the Podiatric Technician.~~

~~(2)(a) Protocols entered into between the licensed podiatric physician and Podiatric Technician shall be reviewed by the Board with each biennial license renewal of the licensed podiatric physician. Any changes in the protocol shall be brought to the attention of the Board for review and approval.~~

~~(b) The chairperson of the Protocol Committee has the authority to act on behalf of the Board for the purposes of Board action required by this rule. Having exercised that authority, the chairperson of the committee shall report to the Board at its next regularly scheduled meeting any actions taken by the chairperson since the last regularly scheduled meeting of the Board.~~

~~(3) Whenever any disassociation between a licensed podiatric physician and a Certified Podiatric Technician occurs, the licensed podiatric physician shall notify the Board and the Podiatric Technician in writing within ten (10) days of the disassociation by Certified Mail, Return Receipt requested.~~

Specific Authority 461.005 FS. Law Implemented 461.007, 461.018 FS. History—New 12-13-88, Amended 5-22-89, Formerly 21T-18.005, Amended 9-29-93, Formerly 61F12-18.005, Amended 6-17-97, Formerly 59Z-18.005, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Podiatric Medicine
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Board of Podiatric Medicine
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: June 22, 2007

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NOS.:	RULE TITLES:
64E-14.002	Definitions
64E-14.003	Construction Procedures, Variances
64E-14.004	Standards, Permits, Inspections, Violations, Complaints and Retaliation
64E-14.005	Application and Variance Fees
64E-14.006	Sites
64E-14.007	Buildings and Structures
64E-14.009	Garbage and Refuse Disposal
64E-14.0095	Pesticide Use, Storage and Disposal.
64E-14.010	Vermin Control
64E-14.013	Sewage and Liquid Waste Disposal
64E-14.015	Personal Hygiene Facilities
64E-14.016	Field Sanitation Facilities
64E-14.017	Food Service Facilities
64E-14.018	Sleeping Facilities, Beds and Bedding
64E-14.020	Citations, Fines
64E-14.021	Responsibility of Operator and Owners
64E-14.023	Enforcement
64E-14.024	Animal Health and Safety

PURPOSE AND EFFECT: The department proposes to amend the rules to conform them to changes to Sections 381.008, 381.0086, and 381.0087, Florida Statutes. The effect of the changes will be to eliminate conflicts between the rules and the underlying statutes, and to have a rule chapter that is more easily understood by the regulated industry and the general public.

SUMMARY: 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.

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: 381.006, 381.0086 FS.
LAW IMPLEMENTED: 381.008, 381.0081, 381.0082, 381.0083, 381.0084, 381.0072, 381.0087, 381.00893 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: August 17, 2007, 10:00 a.m.
PLACE: Room 225Q, 4052 Bald Cypress Way, 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 7 days before the workshop/meeting by contacting: Sharon Sautler, Environmental Specialist III, Bureau of Community Environmental Health, 4052 Bald Cypress Way, BIN A08, Tallahassee, Florida 32399, (850)245-4277. 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: Sharon Sautler, Environmental Specialist III, Bureau of Community Environmental Health, 4052 Bald Cypress Way, BIN A08, Tallahassee, Florida 32399, (850)245-4277

THE FULL TEXT OF THE PROPOSED RULES IS:

64E-14.002 Definitions.

As used in this chapter, the following meanings shall apply:

(1) through (5) No change.

(6) “Group toilets” – A room providing a suite of water closets or toilets and lavatories.

(7) ”Hand-labor operations” – Agricultural activities or agricultural operations performed by hand or with hand tools. Hand labor operations also include activities or operations performed in conjunction with hand labor in the field. Examples of “hand labor operations” are the hand-cultivation, hand-weeding, hand-planting and hand-harvesting of vegetables, nuts, fruits, seedlings, or other crops, including mushrooms, plant (nursery) farms, sod farms, and the hand packing of produce into containers, whether done on the ground, on a moving machine or in a temporary packing shed located in the field. “Hand-labor” does not include such activities as logging operations, the care or feeding of livestock, or hand-labor operations in permanent structures (e.g., canning facilities or packing houses), or the operation of a machine, such as a picker or tractor.

(8) “Incident of employment” – Something that is contingent upon or related to being employed. For the purpose of this rule, this term shall also mean the same as condition of employment. Examples include housing provided by farm labor contractors or growers for the migrant and seasonal farmworkers they employ or any other farm labor contractors employ.

(9)(6) “Lighting” – At least one ceiling-type light fixture capable of providing 20 foot-candles of light at a point 30 inches from the floor, and at least one separate double electric wall outlet in each habitable room in a migrant labor camp or residential migrant housing.

(10)(7) “Major deficiency” – Non compliance of a standard or numerous violations of the standards of this chapter which solely or collectively cause an imminent threat to public health or cause a high risk of injury; Examples of major deficiencies are untreated sewage on the ground, unsafe or deteriorated housing, contaminated water supply, hole(s) in floor extending to the exterior, unsafe stairs and flooring posing a risk of persons falling, unsafe ceiling with risk of imminent collapse, ceiling or roof leaks, gas leaks, exposed or cross connection of electrical wires, boarded windows where the 10 percent window area requirement is not met, boarded doorways providing egress or ingress, such as a contaminated water supply, untreated sewage on the ground, deteriorated or unsafe housing.

(11)(8) “Migrant farmworker” – A person who is or has been employed in hand-labor operations in planting, cultivating, or harvesting agriculture crops within the last 12 months and who has changed residence for purposes of employment in agriculture within the last 12 months. The term hand labor operations includes the production of a commodity which normally occurs in the fields of a farm or ranch as opposed to those activities which generally occur in a processing plant or packing shed. A worker engaged in the placing of commodities in a container in the field or on field loading of trucks and similar transports is included. An individual who is primarily employed operating a machine, such as a picker or tractor, is not covered.

(12)(9) “Migrant labor camp” – One or more buildings, building structures, barracks, or dormitories, and the land appertaining thereto, constructed, established, operated, or furnished as an incident of employment as living quarters for seasonal or migrant farmworkers whether or not rent is paid or reserved in connection with the use or occupancy of such premises. The term This does not include a single-family residence that is occupied by a single family.

(13)(10) “Personal hygiene facilities” – Facilities for providing hot water at a minimum of 110 degrees Fahrenheit for bathing and dishwashing purposes, and a supply of potable water available at all times in each migrant labor camp and residential migrant housing for drinking, culinary, bathing, dishwashing, and laundry purposes.

(14)(11) “Potable water” – Water which is satisfactory for drinking, food preparation, bathing, and meets drinking water standards of Rule 62-550, 62-555, 62-560, or 64E-8, F.A.C.

(15)(12) “Private living quarters” – A building or portion of a building, dormitory or barracks, including its bathroom facilities, or a similar type of sleeping and bathroom area, which is a home, residence, or a sleeping place for a resident of a migrant labor camp or residential migrant housing.

(16)(13) “Residential migrant housing” – A building, structure, mobile home, barracks, or dormitory, and any or combination thereof on adjacent property which is under the same ownership, management or control, and the land appertaining thereto, that is rented or reserved for occupancy by five or more seasonal or migrant farmworkers, except:

(a) No change.

(b) A single-family residence which was built to house and is housing a single family or mobile home dwelling unit that is occupied only by a single family and that is not under the same ownership, management, or control as other any farmworker housing to which it is adjacent or contiguous;

(c) through (d) No change.

(17)(14) “Seasonal farmworker” – A person who, within the last 12 months, is or has been employed where a minimum of 50 percent of their time in that position involves hand-labor operations of planting, cultivating, or harvesting of agricultural crops regardless of the duration of employment, and who has not changed residence for the purpose of employment in agriculture. This term includes seasonal workers employed in alternative positions not related to hand-labor operations once the harvesting season has ended. For example, the term seasonal worker includes persons employed operating a machine, such as a picker or tractor, during periods when the hand-labor operations have ended for the season.

(18)(15) “Sewage disposal” – Approved facilities for satisfactory treatment and disposal of human excreta and liquid waste.

(19)(16) “Single Family Residence” – A structure that is designed and built to house only one family rather than several unrelated persons (such as barracks) or multiple families (such as rooming houses).

(20)(17) “Structure” – For the purpose of this chapter, the term shall mean any building which offers protection from the elements for migrant and seasonal farmworkers and includes family residential units, multi-family units, barracks, and rooming houses.

(21)(18) “Substantially renovated” – Migrant farmworker housing which has been remodeled or enlarged to comply with current local building, plumbing, electrical, or fire safety codes and the water supply and sewage disposal sections of this chapter. This does not apply to cosmetic repairs or routine maintenance.

(22) “Vermin” – Any of various small animals or insects that are destructive, or injurious to health, such as cockroaches or rats.

(23) “Water closet – A room or booth containing a toilet and often a washbowl or basin.

Specific Authority 381.006~~(5)~~, 381.0086 FS. Law Implemented 381.008 FS. History–New 1-1-77, Amended 10-7-84, Formerly 10D-25.52, Amended 8-6-92, 11-17-94, Formerly 10D-25.052, Amended 4-25-99, 9-12-99,_____.

64E-14.003 Construction Procedures, Variances.

- (1) No change.
- (2) Variances.

(a) A person may apply for a permanent, structural variance from specific standard(s) by filing an written application for such a variance with the Department of Health. The variance request shall be in writing, shall state the particular standard(s) involved, and shall state as conditions of the variance the specific alternative measures which have been taken to protect the health and safety of the workers. The applicant must submit payment of \$100 with the request for variance. Checks made payable to the Department of Health shall be forwarded with the variance request and mailed to the Bureau of Facility Programs and it must:

- 1.~~(a)~~ Clearly specify the standard(s) from which the variance is desired;±
- 2.~~(b)~~ Provide adequate justification that the variance is necessary to obtain a beneficial use of an existing facility, and to prevent a practical difficulty or unnecessary hardship; and
- 3.~~(c)~~ Clearly set forth the specific alternative measures that the owner or operator has taken to protect the health and safety of occupants workers and adequately show that such alternative measures have achieved the same result as the standard(s) from which the variance is sought.

(3) Each request for a variance shall be accompanied with a check for \$100, made payable to the Bureau of Community Environmental Health, and it shall be sent to the local County Health Department for the county in which the variance is requested.

(4) Within 30 days after receipt of the variance application, the department shall review the application and request from the applicant submission of all additional information necessary for the department to make a determination on the variance request. The department shall, in writing, grant or deny the variance respond within (90) 30 working days of receipt of the variance application, or within 90 days of receipt of all additional information necessary to complete the application when a request for additional information has been made by the department in accordance with this section either granting or denying the request in writing. Any denial of a variance shall include a statement of the right to request an administrative hearing within 21 days from the date the applicant receives the letter of denial. Failure

of the department to grant or deny the variance within 90 days, shall constitute harmless error, and shall not provide the basis for an argument that the variance was, in fact, granted.

(5) For the purpose of filing an interstate clearance order with the Agency for Workforce Innovation, if the housing is covered by 20 C.F.R. part 654, subpart E, no permanent structural variance is allowed.

Specific Authority 381.006~~(5)~~, 381.0086 FS. Law Implemented 381.0083, 381.0086 FS. History–New 1-1-77, Amended 10-7-84, Formerly 10D-25.53, Amended 8-6-92, 11-17-94,_____.

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

(1) Standards. Before any person establishes, operates, or allows occupancy of a migrant labor camp or residential migrant housing, the operator shall ensure make an application for, and receive from the department, a valid permit for operation of the farmworker housing that the camp or housing complies with the minimum standards of construction, sanitation, and equipment established in Sections 381.008 through 381.00897, Florida Statutes, and rules of this chapter, the Occupational Safety and Health (OSHA) Act of 1970, 29 U.S.C. s. 655, or the current Housing and Urban Development (HUD) Housing Quality Standards as referenced in its Master Handbook 4350-1. The Occupational Safety and Health Administration’s standards for Temporary Labor Camps in 29 U.S.C. s. 655, and the current Housing and Urban Development Housing Quality Standards in its Master Handbook 4350-1, are herein adopted and incorporated by reference. A copy of the OSHA Standards can be obtained at http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=STANDARDS&p_id=9791 or U.S. Government Printing Office, 732 N Capital Street, Washington, DC, 20401. A copy of the HUD Housing Quality Standards can be obtained at the U. S. Department of Housing and Urban Development Office located at Brickell Plaza 909 SE 1st Ave., Room #500, Miami, Florida 33131 or at <http://www.doh.state.fl.us/environment/community/migrant-labor/index.html>. Any housing that is furnished as a condition of employment so as to subject it to the requirements of OSHA shall only be inspected under the OSHA standards. This applies to migrant labor camps as that term is defined in subsection 64E-14.002(12), F.A.C. The Housing and Urban Development standards are applicable only to housing authority projects funded to house migrant and seasonal farmworkers. Mobile Home Parks that have 5 or more seasonal or migrant farmworkers as occupants of the park will be issued a revised Mobile Home/RV Park and Residential Migrant Housing Permit.

(2) Application for Permits.

(a) All applications for a permit to operate a migrant labor camp or residential migrant housing shall be filed with the department at least 30 days prior to the date of operation on DH Form 4082, Application For A Migrant Labor Camp

Permit, ~~Sept. 98 Jan. 99~~, incorporated herein by reference. DH Form 4082 is available at county health departments located in each county or at <http://www.doh.state.fl.us/environment/community/migrant-labor/index.html>. Completed applications required in this subsection shall be submitted to the county health department where the farmworker housing is located and shall be accompanied by the fee specified in Rule 64E-14.005, F.A.C.

~~(b) In the event of a change of ownership of a migrant labor camp or residential migrant housing, the new owner shall file DH Form 4082 with the department at least 15 days before the change of ownership occurs and pay the application fee amount designated in subsections Rule 64E-14.005(1)-(3), F.A.C. Form 4082 is available at county health departments located in each county. Completed applications shall be submitted to the county health department where the farmworker housing is located.~~

~~(3) Permit. Prior to the issuance of a permit, the department shall perform an initial inspection to determine whether If the department finds after inspection that the proposed migrant labor camp or residential migrant housing operation conforms to the minimum standards established in (1) of this rule, required by the rules, and the applicant has paid the application fee when required, The the department shall issue a permit for operation of the migrant labor camp or residential migrant housing upon all violations being successfully corrected after the initial inspection. The department will accept a recent (within three months) satisfactory federal sanitation inspection report, form HUD 9822, as a substitute for a pre-occupancy inspection of housing authority projects. A permit shall be required and must be obtained annually for each such migrant labor camp or residential migrant housing. Permits The permit, unless sooner revoked, shall expire on September 30 next after the date of issuance and shall not be transferable. A recent (within three months) satisfactory federal sanitation report shall be cause to issue an initial permit to a housing authority when the fee has been paid to the department.~~

~~(4) Inspections.~~

~~(a) Migrant labor camps and residential migrant housing occupied 6 weeks or more during a quarter shall be inspected at least twice quarterly during periods of occupancy. Migrant labor camps and residential migrant housing occupied less than 6 weeks during the quarter shall be inspected at least once during the quarter within that 6 week period. Proper documentation must be provided from the owner, operator or person in charge, clearly indicating the period of occupancy. Such documentation may include letters, memos, applications, or inspection forms, except~~

~~(b) HUD Housing Authorities, which shall only be inspected twice annually.~~

~~(c) Migrant farmworker occupied mobile homes in a mobile home park meeting the 5 or more seasonal or migrant farmworker requirement, will be inspected and required to meet the migrant program standards when issued a revised Mobile Home/RV Park and Residential Migrant Housing Permit. Inspections shall be conducted using an inspection form DOH 4060. Department personnel shall conduct inspections at reasonable hours and in accordance with Section 381.0088, F.S.~~

~~(d) The department will accept a satisfactory federal sanitation inspection report, form HUD 9822, as a substitute for a pre-occupancy inspection of housing authority projects. Field sanitation facilities inspections as defined in Rule 64E-14.016, F.A.C., shall be made at random in the normal course of staff activities.~~

~~(5) Violations.~~

~~(a) When a major deficiency as defined in subsection 64E-14.0025(10), F.A.C. is reported to housing permittees or supervisors, a maximum of 48 hours shall be given to make satisfactory corrections or provisions for corrections that meet the requirements of this Chapter. The permittees or supervisors must submit proof (i.e., receipt, estimates or cost analysis sheet, etc.,) to the department's staff at the time of the reinspection to show that the major deficiency has been corrected or is in the process of being corrected within the 48 hours timeframe allotted by this rule. The documents presented to the department's staff must come from companies or persons licensed to provide the required services (i.e., licensed septic tank contractors, licensed plumbers, contractors licensed in building trades and other professions). If the department grants the permittee a time extension to correct the violation, the permittee must provide documentation showing that provisions have been made to correct the major deficiency within 48 hours from the issuance of the extension issued by the county health department staff. The documentation must include a start and completion date by which the major deficiency will be corrected. The major violation must be corrected on or by the date indicated in the documentation, otherwise, the department will issue a citation with a fine are satisfactory to the county health department director or their designee. Three or more violations which constitute meet the criteria of major deficiencies deficiency as defined in subsection 64E-14.0025(10)(4), F.A.C., cited during an inspection shall be cause for the department to seek legal remedy in accordance with Rule 64E-14.023, F.A.C.~~

~~(b) Continual or repeat violations of the same inspection items related to migrant farmworker housing are cause for the issuance of a fining citation imposing a fine. Three or more violations which meet the criteria of major deficiency as defined in subsection 64E-14.005(4), F.A.C., during an inspection shall be cause for the department to seek legal~~

~~remedy in accordance with Section 64E-14.023, F.A.C. A continual or repeat violation is a violation that occurs 3 or more times during a permit year.~~

(6) Complaints. Any person may file a complaint when they believe that any occupied migrant labor camp or residential migrant housing is in violation of any housing standard contained herein. Such complaint may be made to a county health department or to the Bureau of Community Environmental Health Facility Programs. Upon receipt of the complaint, county health department staff shall ~~make an inspection of~~ the housing identified to determine if a violation does exist. Should the complaint allege a major deficiency at the migrant labor camp or residential migrant housing, the inspection shall be made as soon as practicable. All other complaints will result in a notification to the owner and operator advising them of the complaint and that the alleged violation must be remedied within 3 business days. The department shall conduct an inspection as soon as practicable following such three day period to confirm that the violations have been corrected. ~~When the alleged violations have been corrected, outcome of the complaint investigation meets the regulatory standards for health and sanitation,~~ the complainant and the owner and operator shall be notified in writing ~~of the outcome~~ within 15 working days of the outcome of the complaint and the closure of the complaint process. Upon request of the complainant, the department shall conduct the inspection so as to protect the confidentiality of the complainant.

(7) No change.

Specific Authority 381.006~~(5)~~, 381.0086, ~~381.00893~~ FS. Law Implemented 381.0081, 381.0082, 381.0083, 381.00893 FS. History—New 1-1-77, Amended 10-7-84, Formerly 10D-25.54, Amended 8-6-92, 11-17-94, Formerly 10D-25.054, Amended 6-23-98, 9-12-99, _____.

64E-14.005 Application and Variances Fees.

The following application fees for migrant labor camp and residential migrant housing operations shall be assessed annually, with the exception of those facilities meeting the criteria in subsection (4) of this section:

(1) Camps or housing with facilities for 5 to 50 occupants: \$125.

(2) Camps or housing with facilities for 51 to 100 occupants: \$225.

(3) Camps or housing with facilities for 101 or more occupants: \$500.

(4) Migrant labor camps and residential migrant housing, which have been newly constructed and those which have been substantially renovated are exempt from the annual application fee required in this rule for the next annual permit after the renovation or construction occurred. The owner or operator of a mobile home/RV park as defined in Chapter 513, F.S., that is also regulated as migrant farmworker housing, shall only be required to pay a single park fee, unless there have been major

deficiencies or uncorrected deficiencies cited by the department, or administrative action taken within the past year regarding the requirements for migrant labor camps and residential migrant housing set forth in Chapter 381, F.S., in which case the applicant shall pay the fee required in Section 381.0084, F.S.

(5) through (6) No change.

Specific Authority 381.006~~(5)~~, 381.0086 FS. Law Implemented 381.0086 FS. History—New 1-1-77, Amended 10-7-84, Formerly 10D-25.55, Amended 8-6-92, 11-17-94, Formerly 10D-25.055, Amended 6-23-98, 9-12-99, _____.

64E-14.006 Sites.

(1) All sites shall be well drained, free from standing water, and maintained to inhibit the breeding of mosquitoes. Natural ~~sinkholes sink holes~~, swamps, and pools of water are not allowed within 200 feet of the periphery of the outermost building. A government created surface water diversion pool built within 200 feet of the outermost shelter after the origination of the housing shall not disqualify the housing from meeting this location standard.

(2) through (4) No change.

Specific Authority 381.006~~(5)~~, 381.0086 FS. Law Implemented 381.0086 FS. History—New 1-1-77, Amended 10-7-84, Formerly 10D-25.57, Amended 8-6-92, 11-17-94, Formerly 10D-25.057, Amended _____.

64E-14.007 Buildings and Structures.

(1) No change.

(2) Buildings and structures in all migrant labor camps and residential migrant housing shall have the corresponding utility connections for equipment required by this rule during occupancy. The owner or operator responsible for the building or structure shall ensure that all required heating, cooking, and water heating equipment is provided. The owner or operator is responsible for ensuring that the equipment is installed in accordance with state and local ordinances, codes, and regulations governing such installations.

~~(3) Every room All Private living quarters constructed, renovated, or used for sleeping purposes in private living quarters in migrant labor camps and residential migrant housing shall provide a minimum of 50 square feet of floor space for each occupant. In a room where workers cook, live, and sleep, a minimum of 100 square feet of floor space per person shall be provided.~~

(4) No change.

(5) Rooms used for sleeping purposes and common areas in All private living quarters and common areas shall have at least one window opening directly to the outside. The minimum total window area of a migrant labor camp or residential migrant housing shall equal ten per cent of the floor area of each room. In addition, aAt least one-half of each window shall be constructed so that it can be easily opened for ventilating the room except where department approved

mechanical ventilation is provided. In computing total window area and openable window area, jalousie doors may be counted.

(6) No change.

Specific Authority 381.006(5), 381.0086 FS. Law Implemented 381.0086 FS. History–New 1-1-77, Amended 10-7-84, Formerly 10D-25.58, Amended 8-6-92, 11-17-94, Formerly 10D-25.058, Amended _____.

64E-14.009 Garbage and Refuse Disposal.

(1) through (4) No change.

(4) Provisions shall be made for disposing of the garbage, kitchen wastes and other refuse in accordance with Chapter 62-7010, F.A.C. and ~~or applicable~~ local codes, as applicable.

Specific Authority 381.006(5), 381.0086 FS. Law Implemented 381.0086 FS. History–New 1-1-77, Amended 10-7-84, Formerly 10D-25.60, Amended 8-6-92, 11-17-94, Formerly 10D-25.060, Amended _____.

64E-14.0095 Pesticide Use, Storage and Disposal.

(1) All empty pesticide containers shall be securely placed in a plastic bag and properly disposed into a garbage receptacle or in accordance with EPA pesticide disposal guidelines found at: <http://www.epa.gov/pesticides/regulating/disposal.htm>, or disposed of according to the label on the product. Empty pesticide containers must not be used to store any other substance other than the original contents.

(2) All common household pesticides, such as roach spray, chlorine bleach, kitchen and bathroom disinfectants, rat poison, insect and wasp sprays, repellents, baits, flea and tick shampoos, dips for pets and any other pesticide products applied in the migrant housing unit must be used according to the distributor or manufacturer's label on the product. All pesticide containers shall contain their original product and the containers shall be properly labeled. Pesticide containers found with products other than the original contents shall be discarded immediately.

(3) Containers containing common household pesticides used within migrant and seasonal farmworker housing units must be properly stored in a safe place, such as in a closet or cabinet away from food and other consumable items. In housing units where children reside, the common household pesticides must be stored out of the reach of children in a locked cabinet or closet away from children. Toxic chemicals must be stored out of the reach of children and in a locked area if children are residing in the home.

(4) Farming tools shall not be stored in the migrant and seasonal farmworker housing units.

Specific Authority 381.006, 381.0086(1) FS. Law Implemented 381.0086(1) FS. History–New _____.

64E-14.010 ~~Vermin Insect and Rodent~~ Control.

Effective measures shall be taken to prevent infestation by and ~~harborage~~ ~~harborage~~ of ~~vermin animal or insect vectors, or pests~~. All migrant and seasonal farmworker housing units shall be free of all vermin and maintained in a vermin free and vermin proof condition. All outside openings shall be effectively sealed or screened with a 16 mesh screen or equivalent in order to prevent entry of insects, rodents, or other vermin. If evidence shows that an infestation of vermin is found in the housing units, the owner or operator of the housing unit will be required to hire a licensed or certified exterminator to exterminate the vermin found in the housing unit. The owner or operator shall inform the migrant or seasonal farmworkers by posting a notice in the camp or housing unit to which it applies of any indoor application of pesticides prior to the application. When a licensed or certified exterminator applies pesticides in the home unit, the owner or operator shall obtain from the licensed or certified exterminator information about the potential risks and safety precautions that must be taken. The owner or operator shall share the information with the farmworkers and other household occupants. The owner or operator shall provide proof to the county health department official at the next inspection that the housing unit was exterminated by a certified exterminator, with a receipt for the extermination service rendered. Failure by the owner or operator to provide proof to the department that measures taken to control vermin in the housing unit are department approved, shall constitute a violation of this chapter.

Specific Authority 381.006(5), 381.0086 FS. Law Implemented 381.0086 FS. History–New 1-1-77, Amended 10-7-84, Formerly 10D-25.61, Amended 8-6-92, 11-17-94, Formerly 10D-25.061, Amended 11-4-04, _____.

64E-14.013 Sewage and Liquid Waste Disposal.

(1) No change.

(2) Such facilities shall be constructed and maintained in compliance with Chapter ~~64E-6~~ ~~40D-6~~ or Chapter 62-600, F.A.C.

Specific Authority 381.006(5), 381.0086 FS. Law Implemented 381.0086 FS. History–New 1-1-77, Amended 10-7-84, Formerly 10D-25.64, Amended 8-6-92, Repromulgated 11-17-94, Formerly 10D-25.064, Amended _____.

64E-14.015 Personal Hygiene Facilities.

(1) Personal Hygiene Facilities Requirements for Migrant Labor Camps and Residential Migrant Housing Barracks and Dormitory Type of Facilities

Ratio Chart of Number of Facilities to Number of People

Constructed Prior	Constructed/Renovated (or facilities permitted for the first time)			
	September 1, 1992		After September 1, 1992	
Toilets	Male	Female	Male	Female
	1:15	1:20	1:12	1:8
			Up to 84	Up to 64
			Above 84	Above 64
			1:15	1:12
Urinals	1:25		1:20	
			Up to 160	
			Above 160	
			1:40	
Showers or Baths	1:20	1:20	1:15	1:15
Handwash	1:20	1:20	1:6	1:6
Drinking Fountain		None	1:50	
Laundry	1:25	Families	1:30	
			Farmworkers	

(Note: Drinking water fountain ratio pertains to dormitories and barracks only)

(2) No change.

(3) Where toilet rooms are shared, such as in multi-family ~~housing units facilities~~ and barracks ~~facilities~~, toilet facilities shall be provided for each sex. These rooms shall be distinctly marked “Men” and “Women” by signs printed in English and in the native language of the persons occupying the camp. If the facilities for each sex are in the same building, they shall be separated by a solid wall or partition extending from the floor to the roof or ceiling. All group toilet rooms Toilet facilities in of migrant labor camps and residential migrant housing shall be constructed with privacy partitions between each water closet to block the occupants from view. All privacy partitions for toilets shall have doors. All toilet facilities shall be equipped with a self closing entrance door and maintained in good repair, cleaned with a disinfectant and provided with toilet paper and a garbage receptacle.

(4) Each individual family unit shall contain at least one flush toilet, bathing facility and hand washing unit. If there are minor children in the family, there must be private bathing and toilet facilities provided within the individual living quarters of the family.

(5) Toilet rooms in individual family units shall be so located that no individual is required to pass through a sleeping area, other than their own, in order to use toilet facilities. Adequate lighting shall be provided in all toilet rooms. Toilet rooms shall be ventilated to the outside ~~when where~~ there is no window. No flush toilet fixture or urinal shall be located in a sleeping room.

(6) The floors of hand washing, bathing and laundry facilities in migrant labor camps and residential migrant housing shall be of smooth but non-skid finish, impervious to moisture, and sloped to drain.

(7) A laundry facility shall consist of a two compartment stationary tub or an electric washer and dryer. Except as provided elsewhere in this paragraph, there must be at least one laundry facility provided at each migrant labor camp and residential migrant housing establishment. In the event the laundry facility is not located on the premises of residential migrant housing establishments, the owner or operator of the residential migrant housing must either install a laundry facility on the premises or provide transportation to the laundry facility for the migrant or seasonal farmworkers occupying the permitted residential migrant housing. The owner or operator must provide transportation to the laundry facility at least twice a week for the migrant or seasonal farmworkers.

(8) A separate laundry basket shall be provided by the owner or operator for farmworkers to separate the workers’ soiled clothing worn in the fields from other clothing worn in the home. The laundry basket must be labeled in the native language of the majority of the farmworkers and in English (for example, Spanish and English, Haitian Creole and English, Vietnamese and English) as: “Dirty Field Clothing, Wash Separately”. The owners and operators shall obtain a copy of the United States Environmental Protection Agency’s mini booklet entitled “Steps to Protect Yourself from Pesticides” at <http://www.cdc.gov/nasd/docs/d000701-d000800/d000732/d000732.html> or from the county health department to distribute to the migrant and seasonal farmworkers. The booklet contains educational material in Spanish, English and Haitian Creole, explaining the precautionary measures that must be taken to prevent pesticide poisoning in the home as well as explaining the importance of separating soiled field clothing from other clothing worn in the home. The booklets provided must be in the native language of the migrant and seasonal farmworkers. The owners or operators shall obtain a list of contact information for the migrant and seasonal farmworkers directing them where to seek medical attention and where to report a poisoning incident. The list shall be displayed in a conspicuous place in a common area in the migrant labor camp or residential migrant housing units for the health official to view during the inspections.

(9) ~~Floor~~ The floor drains properly trapped shall be provided in all shower baths and shower rooms to remove waste water and facilitate cleaning. The walls and partitions of shower rooms shall be smooth and impervious to moisture. A hose bib equipped to prevent backflow is required in each communal shower area. Soap and single service hand drying facilities shall be provided at communal personal hygiene facilities.

Specific Authority 381.006(5), 381.0086 FS. Law Implemented 381.0086 FS. History--New 1-1-77, Amended 10-7-84, Formerly 10D-25.66, Amended 8-6-92, 11-17-94, Formerly 10D-25.066, Amended _____.

64E-14.016 Field Sanitation Facilities.

Field Sanitation Facility Requirements ~~FIELD SANITATION FACILITIES REQUIREMENTS~~

Number of persons	Toilets	Hand Washing Units	Drinking Water
5-10	1	1	Yes

(1) Where 5 to 10 hand-laboring farmworkers are employed in one location at one time, a field sanitation facility, consisting of 1 toilet facility and 1 hand washing unit shall be provided. The toilet and hand washing unit shall be located adjacent to each other. The facility shall be located within a one-quarter-mile walk of any hand-laborer's place of work in the field. Where it is not feasible to locate facilities as required above due to terrain, the facilities shall be located at the point of closest vehicular access.

(2) Field toilet facilities shall be constructed and maintained in accordance with provisions of Section 64E-6.0101 ~~64E-6.001~~, F.A.C., emptied at least weekly, and provide a minimum storage capacity of 50 gallons per unit. Waste Septage from all field toilet facilities shall be disposed by a method approved by the county ~~public health department unit.~~ The department shall approve portable water flushed units when determined appropriate for a particular situation. Toilet facilities shall have a screened ventilation opening and self-closing doors that can be closed and latched from the inside and shall be constructed to ensure privacy.

(3) Noking water shall be potable and provided in containers constructed of smooth, impervious, corrosion resistant material, ~~such as Hydrocoolers or water coolers constructed as such are acceptable for use.~~ Potable water containers shall be maintained by sanitary methods. The interiors of potable water containers shall be cleaned and sanitized at least daily. The containers shall be marked with the words "Drinking Water", in English and in the native language of the majority of the workers. Single service cups shall be provided unless bottled water is provided or water is dispensed from a fountain equipped with an angled, protected jet outlet. Ice used for cooling drinking water shall be made from potable water. The water shall be suitably cool and in sufficient amounts, taking into account the air temperature, humidity and the nature of the work performed, to meet the needs of all employees. County health department staff, during the normal course of their work, shall take water samples at random to ensure the potability of the drinking water.

(5) The owners, operators, crewleaders, or primary persons in charge shall ensure that sanitary facilities are available (handwashing receptacles, soap, water, etc.) to allow for washing of hands after working in the fields and before drinking, eating or smoking tobacco. Farmworkers shall be reminded not to eat unwashed produce from the field or use

pesticide containers or other items from the field for food or drinking containers this is to prevent accidental ingestion of pesticide residues.

Specific Authority 381.006(5), 381.0086 FS. Law Implemented 381.0086 FS. History--New 1-1-77, Amended 10-7-84, Formerly 10D-25.67, Amended 8-6-92, 11-17-94, Formerly 10D-25.067, Amended 9-12-99, _____.

64E-14.017 Food Service Facilities.

(1) In each individual family unit, there shall be provided a range, a sink supplied with hot and cold water under pressure, and a refrigerator-freezer capable of maintaining temperatures at or below 41 45 degrees Fahrenheit for the refrigerator and at or below 0 degrees Fahrenheit for the freezer.

(2) No change.

(3) In facilities where there is a central mess servicing a dining room or mess hall, the central mess shall be operated and equipped in compliance with Chapter 64E-11, F.A.C. A separate permit for operation of the central mess in the migrant labor camp shall ~~not~~ be required.

(4) through (5) No change.

Specific Authority 381.006(5), 381.0086 FS. Law Implemented 381.0086 FS. History--New 1-1-77, Amended 10-7-84, Formerly 10D-25.68, Amended 8-6-92, 11-17-94, Formerly 10D-25.068, Amended _____.

64E-14.018 Sleeping Facilities, Beds and Bedding.

(1) Sleeping facilities shall be available to each migrant labor camp and residential migrant housing occupant. Barracks type facilities which are designed or operated for both sexes shall contain separate sleeping facilities for each sex. Sleeping facilities shall consist of beds, or cots or bunks complete with mattresses. The operator shall monitor the sleeping facilities to ensure the areas are clean and that ~~When provided by the operator, bedding is shall be kept~~ clean and free from rips and holes. All mattresses must either be replaced or cleaned when soiled or include a clean protective mattress covering made of a material, such as cloth. The covering shall also be smooth and easily cleanable. The covering must be designed to remain intact and protect the mattress from getting soiled. Bed coverings shall be kept clean and in good repair. The owners and operators of the migrant labor camps or residential migrant housing will be responsible for ensuring the protective mattress covers remain intact over the mattresses in use during the periods of occupancy.

(2) through (4) No change.

Specific Authority 381.006(5), 381.0086 FS. Law Implemented 381.0086 FS. History--New 1-1-77, Amended 10-7-84, Formerly 10D-25.69, Amended 8-6-92, 11-17-94, Formerly 10D-25.069, Amended _____.

64E-14.020 Citations, Fines.

(1) Citations will be written on DH Form 4084, _____ Feb 99, herein incorporated by reference, and shall describe the particular nature of the violation, including a specific reference to the provisions of statute or rule allegedly violated. Each and each day the violation exists without being corrected constitutes a separate violation for which a citation may be issued. The citation shall be issued to the owner, supervisor, or operator of the migrant farmworker housing or to the responsible person for remedying the field sanitation facilities' violation including the crew leader, the harvesting company, or the property owner and when a responsible person cannot be identified; any of the above may be cited. The DH Form 4084 can be obtained from the Department of Health. The fines imposed by a citation issued by the department may not exceed \$500 for each violation.

(2) No change.

~~(3) Department of Labor and Employment Security crew chief compliance officers shall also issue field sanitation citations to violators of requirements of this section.~~

~~(3)(4) To have the amount of the imposed fine reduced up to one-half, the citation recipient must submit physical proof to the department's county health department director, administrator, or other authorized staff that the violation was corrected within 48 24 hours from the time of the citation. In reducing the amount of the fine, department staff shall take into consideration such factors as the gravity of the violation and the history of compliance of the violator. In determining whether to reduce or waive the fine, the department shall give due consideration to such factors as the gravity of the violation, the good faith in correcting the violation demonstrated by the person who has allegedly committed the violation, and the person's history of previous violations, including violations for which enforcement actions were taken under this section or other provisions of state law.~~

~~(4)(5) No change.~~

Specific Authority 381.006(5), 381.0086 FS. Law Implemented 381.0086, 381.0087 FS. History--New 1-1-77, Amended 10-7-84, Formerly 10D-25.71, Amended 8-6-92, 11-17-94, Formerly 10D-25.071, Amended 9-12-99, _____.

64E-14.021 Responsibility of Operator and Owners.

(1) through (3) No change.

~~(4) Farmworker Housing Citation Fines. The fines imposed by a citation issued by the department may not exceed \$500 for each violation.~~

~~(5) The department may reduce or waive the fine imposed by the citation where the person responsible for correction presents proof to the department's county public health unit director, administrator or other authorized staff that the violation was corrected within 48 hours from the time of the citation. In determining whether to reduce or waive the fine, the department shall give due consideration to such factors of~~

~~the gravity of the violation, the good faith of the person who has allegedly committed the violation, and the person's history of previous violations, including violations for which enforcement actions were taken under this section or other provisions of state law.~~

Specific Authority 381.006(5), 381.0086 FS. Law Implemented 381.0086, 381.0087 FS. History--New 1-1-77, Amended 10-7-84, Formerly 10D-25.72, Amended 8-6-92, 11-17-94, Formerly 10D-25.072, Amended 9-12-99, _____.

64E-14.023 Enforcement.

(1) No change.

(2) Any person who interferes with, hinders, or opposes any employee of the department in the discharge of his or her duties pursuant to the provisions of Chapter 381, Chapter 386, Chapter 513, or Chapter 514, F.S. Florida Statutes, or who impersonates an employee of the department, is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. Any person who knowingly commits an assault or battery upon department personnel engaged in the lawful performance of their duties is guilty as delineated in subsection 381.0025, F.S.

Specific Authority 381.008-381.0086 FS. Law Implemented 381.0012, 381.0025, 381.0061, 381.0087 FS. History--New 1-1-77, Amended 10-7-84, 10D-5.74, Amended 8-6-92, 11-17-94, Formerly 10D-25.074, Amended _____.

64E-14.024 Animal Health and Safety.

(1) Animals requiring rabies vaccination under Section 828.30, F.S., must be vaccinated for rabies and their vaccinations must be current at the time of inspection. Proof of a current vaccination certificate shall be kept by the owner/operator of migrant labor camps or residential migrant housing and shall be made available to the department upon department request.

(2) All animals must be kept free from disease and in good health or under treatment by a licensed veterinarian.

(3) Aggressive, venomous, or potentially dangerous animals are not allowed in migrant labor camps or residential migrant housing units.

Specific Authority 381.006, 381.0086(1) FS. Law Implemented 381.0086(1) FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Sharon Sautler, Environmental Specialist III

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Leslie Harris, Environmental Administrator

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 1, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 22, 2007

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."

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:
59A-3.2085 Department and Services
 NOTICE OF WITHDRAWAL

Notice is hereby given that the above Rule Development, as noticed in Vol. 32, No. 49, December 8, 2006 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

RULE CHAPTER NO.: RULE CHAPTER TITLE:
61A-10 Cigarette and Tobacco Products
RULE NOS.: RULE TITLES:

PART I CIGARETTE TAX DIVISION RULES

- 61A-10.001 Definitions
- 61A-10.002 Stamps, Sale of
- 61A-10.0021 Stamping Agent – Requirements
- 61A-10.0022 Cigarette Distributing Agent – Requirements
- 61A-10.005 Excise Tax, Imposition and Exemption
- 61A-10.006 Stamps, Method of Affixing
- 61A-10.007 Stamps, Limitation of Use
- 61A-10.008 Refunds
- 61A-10.009 Sample Packages of Cigarettes
- 61A-10.0091 Manufacturer’s and Importer’s Reporting Requirements
- 61A-10.010 Sales, Passenger Carriers
- 61A-10.011 Cigarette Monthly Reports
- 61A-10.0111 Cigarette Audit
- 61A-10.0112 Required Documentation for Imported Cigarettes
- 61A-10.012 Manufacturers’ and Importers’ Representatives, Reports and Responsibilities
- 61A-10.013 Transactions, Wholesale Dealers, Manufacturers’, and Importers’ Representatives

- 61A-10.014 Wholesale Dealers, Purchase for Resale Prohibited
- 61A-10.015 Transfer, Unstamped Cigarettes
- 61A-10.016 Wholesaler, Wholesale Dealer or Exporter, Permit Changes
- 61A-10.017 Direct Shipments, Prohibition, Exception and Excise Taxes
- 61A-10.018 Invoices or Daily Sales Tickets, Cigarette Sales to Retail Dealers
- 61A-10.0181 Invoices, Other Tobacco Products Sales to Retail Dealers
- 61A-10.020 Vending Machines, Permits and Restrictions
- 61A-10.021 Vending Machines, Reports
- 61A-10.026 Sale of Stamped, Untaxed Cigarettes by Stamping Agents or Wholesale Dealers to Indians for Retail Sale, Reporting
- 61A-10.027 Interest on Excise Tax; Due Dates
- 61A-10.031 New Off Premise Storage of Unstamped Cigarettes
- PART II TOBACCO PRODUCTS TAX RULES**
- 61A-10.050 Definitions
- 61A-10.051 Excise Tax Exemption, Reports
- 61A-10.052 Monthly Reports, Required
- 61A-10.053 Records Maintenance
- 61A-10.054 Invoices, Tobacco Products Sales to Retailers
- 61A-10.055 Excise Tax Refunds
- PART III CIGARETTE AND TOBACCO PRODUCTS PERMIT RULES**
- 61A-10.080 Application for Cigarette Permit, Manufacturer or Importer
- 61A-10.081 Application for Cigarette Permit, Wholesale Dealer, Exporter, or Cigarette Distributing Agent
- 61A-10.082 Application for a Tobacco Products Wholesale Dealer Permit
- 61A-10.083 Application for Retail Dealer Permit, Cigarette and Tobacco Products
- 61A-10.084 Permit Changes
- 61A-10.085 Duplicate License Request

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., Florida Statutes, published in Vol. 32, No. 3, of the January 20, 2006 issue of the Florida Administrative Weekly. The changes were made in response to comments received by the public at a public hearing dated February 13, 2006 and to comments received from the Joint Administrative Procedures Committee, as well as technical changes. The changes are as follows:

PART I
CIGARETTE AND TOBACCO PRODUCTS TAX
DIVISION RULES

61A-10.001 Definitions.

(1) "Cigarette Distributing Agent" also known as "CDA" means a "distributing agent" as defined in Section 210.01(14), Florida Statutes.

(2) "Bill of Lading" means a receipt given by a carrier for goods accepted for transportation.

(3) "Stamping Agent" means an "agent" as defined in Section 210.01(9), Florida Statutes.

(4) "Audit" means the process of examining and verifying the records stock and equipment of manufacturers, importers, distributing agents, wholesale dealers, stamping agents, and retail dealers licensed by the Division.

(5) "Unconditional Guaranty Contract" is similar to an irrevocable letter of credit in that it is issued through a bank and the bank unconditionally guarantees payment under the terms and conditions contained in the contract.

Specific Authority 210.10 FS. Law Implemented 210.01, 210.085, 210.09, 210.15 FS. History—Amended 9-17-73, Repromulgated 12-19-74, Formerly 7A-10.01, 7A-10.001, Amended _____.

61A-10.002 Stamps, Sale of.

(1) Stamps will be sold only to stamping agents who have been given permission by the Division to use such stamps to evidence payment of taxes and the Division may sell such stamps in individual units of 1 roll or multiples thereof.

(2) Any such stamps purchased by a stamping agent may not be transferred or sold to any entity including other stamping agents; however, such stamps may be returned to the Division for credit or refund as specified in Rule 61A-10.008, Florida Administrative Code.

(3) Stamping agents shall requisition stamps using DBPR form AB&T 4000A-006, Requisition and Invoice for Cigarette Tax Stamps, which may be obtained as specified in Rule 61A-5.001, F.A.C., and is incorporated herein by reference and effective (). Each stamping agent purchasing tax stamps shall file with the Division DBPR form AB&T 4000A-050, Cigarette Stamp Signature Card, which may be obtained as specified in Rule 61A-5.001, F.A.C., and is incorporated herein by reference and effective (), listing employees authorized to requisition and receive tax stamps. Stamps will not be delivered to unauthorized individuals.

Specific Authority 210.10 FS. Law Implemented 210.05 FS. History—New 12-19-74, Amended 10-8-81, 8-29-84, Formerly 7A-10.02, 7A-10.002, Amended _____.

61A-10.0021 Stamping Agent – Requirements.

The Division shall authorize a wholesale dealer as a stamping agent to affix stamps to packages of cigarettes provided the dealer furnishes the Division with;

(1) An irrevocable letter of credit, certificate of deposit, unconditional guaranty contract, or a surety bond, issued by a solvent surety company registered to do business in ~~within~~ this state, equal to 110% of the estimated monthly stamp tax liability, but not less than \$2,000, as required in Sections 210.05 and 210.08, Florida Statutes. The Division shall determine the estimated monthly tax liability based on the packs of unstamped cigarettes purchased for resale within the State of Florida.

(a) Surety amounts will be reviewed with every audit ~~every 6 months~~ to verify compliance with this Rule. The surety amount will be based on the highest month's total liability.

(b) Liability for stamp purchases shall not exceed the surety amount.

(c) Stamping agents will provide the Division with a continuation certificate of the surety when the stamping agents pay their surety premium.

(d) If a surety instrument is cancelled, the stamping agent must cease operation.

(2) A letter from manufacturers and importers stating that they will ship to the applicant direct.

(3) A letter from the wholesale dealer requesting to be a stamping agent.

(4) If licensed as a stamping agent by another state, authorization from that state to purchase and affix that state's tax indicia within the State of Florida.

Specific Authority 210.10 FS. Law Implemented 210.01, 210.05, 210.08, 210.15, 210.40 History—New _____.

61A-10.0022 Cigarette Distributing Agent – Requirements.

Any entity permitted as a cigarette distributing agent may not own or sell cigarettes. All product movement by the cigarette distributing agent is to be initiated by manufacturer or importer of the cigarettes who shall remain the owner of such cigarettes. A cigarette distributing agent may not be appointed as a stamping agent.

Specific Authority 210.10 FS. Law Implemented 210.01, 210.05, 210.085, 210.15 FS. History—New _____.

61A-10.005 Excise Tax, Imposition and Exemption.

The cigarette excise tax is imposed upon the sale, receipt, purchase, possession, handling, consumption, distribution and use of cigarettes in Florida, except as follows:

(1) Cigarettes sold at post exchanges, ship service stores, ship stores, and slop chests when such agencies are operated under regulations of the Armed Forces of the United States or the United States Coast Guard or NASA on Armed Forces Reservations or other Federal Bases and Exchanges in Florida or on ships of the Armed Force Merchant Marines of the United States, may be sold without the payment of the Florida excise tax to members of the Armed Services of the United States only; tax exempt sales may not be made by such

agencies to anyone other than members of the Armed Services of the United States and cigarettes sold to other persons must be properly stamped and Florida excise tax due thereon paid.

(2) Cigarettes sold or given by charitable organizations to bona fide patients in regularly established veterans hospitals in Florida or inmates of a federal prison, for personal use or consumption of such patients or inmates, are exempt from the Florida excise tax; cigarettes sold or given to anyone other than a bona fide patient in such hospitals or other personal use of such patients or inmates of a federal prison, must be properly stamped and the Florida excise tax due thereon paid.

(3) Each wholesale dealer or cigarette distributing agent handling any such tax-free cigarettes shall attach to their monthly report a copy of the invoice or sales slip substantiating any such tax-free sale. The invoice or sales slip must be signed by a person authorized to receive such tax-free cigarettes. The name of any person authorized to receive and sign for such tax-free cigarettes must be submitted by the commanding officer of the military installation, hospital, or prison to the Bureau of Auditing office of the Division wherein such installation is situated.

Specific Authority 210.10 FS. Law Implemented U.S. Const. Art. VI cl. 2; 4 U.S.C. § 107; 14 U.S.C. §§ 1, 2; 42 U.S.C. §§ 2451, 2472; 210.03, 210.04, 210.05, 210.09, 210.11 FS. History–Repromulgated 12-19-74, Amended 3-1-76, Formerly 7A-10.05, 7A-10.005, Amended _____.

61A-10.006 Stamps, Method of Affixing.

(1) The stamps affixed to packages of cigarettes for the purpose of evidencing payment of the excise tax due thereon must be placed on the bottom of the package of such cigarettes in such a manner that the stamps are clearly visible, legible and complete.

(2) Wholesale dealers within this state must affix or cause to be affixed such stamps within 10 calendar days of receipt of the cigarettes.

(3) Wholesale dealers within this state may not maintain stocks of unstamped cigarettes unless that part is identified for sale or distribution outside this state or intended as tax exempt sales as defined in Section 210.04(4), Florida Statutes. Such unstamped stock must be maintained separately and apart from stamped cigarettes.

(4) Wholesale dealers from outside the state must affix Florida tax stamps prior to shipping cigarettes into this state.

Specific Authority 210.10 FS. Law Implemented 210.04, 210.05, 210.06 FS. History–Repromulgated 12-19-74, Amended 3-1-76, Formerly 7A-10.06, Amended 3-15-90, 7-9-91, 1-7-92, Formerly 7A-10.006, Amended _____.

61A-10.007 Stamps, Limitation of Use.

Stamping agents are prohibited from affixing stamps to any packages of cigarettes not actually owned by such stamping agents unless written permission for such action is received from the Division.

Specific Authority 210.10 FS. Law Implemented 210.06, 210.05 FS. History–Repromulgated 12-19-74, Formerly 7A-10.07, 7A-10.007, Amended _____.

61A-10.008 Refunds.

(1) No refund or credit will be made for stamps affixed to packages of cigarettes shipped from a wholesale dealer to a manufacturer or importer unless such wholesale dealer furnishes the Division with an original affidavit issued by the manufacturer or importer acknowledging the receipt of the cigarettes. Such an affidavit must be submitted with a completed DBPR form AB&T 4000A-004, Application for Refund or Credit of Cigarette Stamps, which may be obtained as specified in Rule 61A-5.001, F.A.C., and is incorporated herein by reference and effective (). Only upon receipt of a properly executed application will the Division make such refunds or credits. Applications for refunds or credits and supporting affidavits must be filed with the Division within nine months from the dates the shipments of such cigarettes were made as set forth in the affidavit.

(2) Unused stamps will be redeemed by the Division only in full rolls or partial rolls that can be re-sold to another stamping agent.

(3) Stamps misapplied to packages or stamps that become unusable may be destroyed by authorized employees of the Division and a credit or refund issued upon the submission of a completed DBPR form AB&T 4000A-004. Out of state stamping agents with misapplied Florida stamps must submit a sworn affidavit for misapplied or unusable stamps.

Specific Authority 210.10 FS. Law Implemented 210.11 FS. History–Amended 8-25-66, Repromulgated 12-19-74, Formerly 7A-10.08, 7A-10.008, Amended _____.

61A-10.009 Sample Packages of Cigarettes.

The Division may, in its discretion, authorize manufacturers and importers to distribute in the state sample packages of cigarettes containing not less than two (2) nor more than twenty (20) cigarettes without affixing any stamps; provided, the tax due on such sample cigarettes must be paid to the Division by the manufacturer or importer on or before the 10th calendar day of each month for all sample cigarettes distributed during the previous month. Reports shall be made on DBPR form AB&T 4000A-245, Manufacturer's and Importer's Report for Distribution of Samples, which may be obtained as specified in Rule 61A-5.001, F.A.C., and is incorporated herein by reference and effective ().

The manufacturer or importer shall submit to the Division, along with the report and payment of the excise tax, invoices covering all shipments of sample cigarettes for the preceding month. In those cases where the 10th calendar day falls on a Saturday, Sunday, or a legal holiday, reports and remittances shall be accepted as timely filed if postmarked or delivered to the Division on the following business day which is neither a

Saturday, Sunday or legal holiday. As used in this rule, legal holiday means those days as designated in Section 110.117, Florida Statutes, and Federal holidays.

(1) The individual package of sample cigarettes must bear the words "COMPLIMENTARY – NOT FOR SALE – ALL APPLICABLE STATE TAXES HAVE BEEN PAID" or a similar statement which would indicate such cigarettes are not to be sold and that the taxes upon such cigarettes have been paid. The printing of such words shall be of contrasting colors and easily read upon the package.

(2) Sample packages of twentys may be sent directly to individuals, such as stockholders, retired or former employees and as a result of customer's complaints; provided, the manufacturer is able to produce evidence of the address where such quantities of sample packages of twentys were delivered. The volume of sample cigarettes to any one residence shall not exceed 3 cartons or six hundred cigarettes.

(3) Where sample packages of twentys and/or packages of lesser amounts made to resemble packages of twentys are distributed at random by representatives of the manufacturer or by any other persons hired by the manufacturer for distributional or promotional purposes, the manufacturer shall notify the Division in writing at a minimum of fifteen calendar days prior to the beginning of the distributional or promotional date of such quantities, brands, and locations to be sampled.

(4) Sample packages containing twenty cigarettes which move through commercial channels to the consumer, such as "Buy one, get one free" or "Buy a carton, get two packs free" promotion, must have a Florida stamp affixed to the free goods by a qualified stamping agent.

Specific Authority 210.10 FS. Law Implemented 210.04, 210.09 FS. History—Repromulgated 12-19-74, Amended 3-1-76, 7-19-82, Formerly 7A-10.09, 7A-10.009, Amended _____.

61A-10.0091 Manufacturer's and Importer's Reporting Requirements.

Each manufacturer or importer shipping or causing to be shipped cigarettes into this state shall report such shipments to the Division on or before the 10th calendar day of each month for the previous month's shipments. Reports shall be made on the following DBPR forms:

(1) AB&T 4000A-250, Instate Cigarette Manufacturer's Report, which may be obtained as specified in Rule 61A-5.001, F.A.C., and is incorporated herein by reference and effective ().

(2) AB&T 4000A-251, Out of State Cigarette Manufacturer's Report, which may be obtained as specified in Rule 61A-5.001, F.A.C., and is incorporated herein by reference and effective ().

(3) AB&T 4000A-255, Instate Cigarette Importer's Receipt Report, and which may be obtained as specified in Rule 61A-5.001, F.A.C., and is incorporated herein by reference and effective ().

(4) AB&T 4000A-256, Out of State Cigarette Importer's Report, which may be obtained as specified in Rule 61A-5.001, F.A.C., and is incorporated herein by reference and effective ().

In those cases where the 10th calendar day falls on a Saturday, Sunday, or a legal holiday, monthly reports shall be accepted as timely filed if postmarked or delivered to the Division on the following business day which is neither a Saturday, Sunday or legal holiday. As used in this rule, legal holiday means those days as designated in Section 110.117, Florida Statutes, and Federal holidays.

Specific Authority 210.10 FS. Law Implemented 210.09 FS. History—New _____.

61A-10.010 Sales, Passenger Carriers.

Railroads, passenger vessels, and airlines are permitted to sell unstamped cigarettes to bona fide travelers while in transit; provided, however, such firm must report all such sales for the previous month to the Division on or before the tenth calendar day of each month. Such reports must be on DBPR form AB&T 4000A-220, Passenger Carrier Cigarette Report, which may be obtained as specified in Rule 61A-5.001, F.A.C., and is incorporated herein by reference and effective () and shall show all sales for the previous calendar month. A remittance for the amount of excise tax due the State on such sales must be submitted with the report.

In those cases where the 10th calendar day falls on a Saturday, Sunday, or a legal holiday, reports shall be accepted as timely filed if postmarked or delivered to the Division on the following business day which is neither a Saturday, Sunday or legal holiday. As used in this rule, legal holiday means those days as designated in Section 110.117, Florida Statutes, and Federal holidays.

Specific Authority 210.10 FS. Law Implemented 210.09 FS. History—Repromulgated 12-19-74, Formerly 7A-10.10, 7A-10.010, Amended _____.

61A-10.011 Cigarette Monthly Reports.

(1) Cigarette wholesale dealers, cigarette distributing agents, and exporters shall maintain complete and accurate records of all purchases and sales of cigarettes within or without the state. On or before the 10th calendar day of each month, such wholesale dealers, cigarette distributing agents, and exporters shall report to the Division all such purchases and sales of cigarettes for the preceding month. Monthly reports shall be made on the appropriate and applicable forms which may be obtained as specified in Rule 61A-5.001, F.A.C., and are incorporated herein by reference and effective (); DBPR form AB&T 4000A-200 Cigarette Distributing Agent's Report, DBPR form AB&T 4000A-205 Taxable Cigarette Wholesale Dealers Report, DBPR form AB&T 4000A-210 Cigarette Exporters Report, DBPR form AB&T 4000A-225 Tax Paid Cigarette Wholesale Dealers Report, or DBPR form AB&T 4000A-235 Common Carrier Monthly Report. Such

reports shall be prepared in triplicate; the original and one copy of the report shall be filed with the Division wherein the wholesale dealer's, cigarette distributing agent's, or exporter's place of business is located. The third copy of the report shall be maintained by the wholesale dealer, cigarette wholesale dealer or exporter and kept as part of their accounting records for a period of three years.

In those cases where the 10th calendar day falls on a Saturday, Sunday, or a legal holiday, monthly reports shall be accepted as timely filed if postmarked or delivered to the Division on the following business day which is neither a Saturday, Sunday or legal holiday. As used in this rule, legal holiday means those days as designated in Section 110.117, Florida Statutes, and Federal holidays.

(2) If the Division determines that any amount of gross tax is due from the monthly reports, the Division shall notify the permit holder in writing by personal delivery or U.S. Mail, stating that the permit holder has 10 calendar days from the receipt of written notification in which to correct the report and payment amount. If the permit holder does not correct the report and payment within the allotted time, the Division will assess the amount due together with interest and penalties and initiate administrative proceedings.

Specific Authority 210.09, 210.10 FS. Law Implemented 210.01, 210.09, 210.13 FS. History—Repromulgated 12-19-74, Formerly 7A-10.11, 7A-10.011, Amended _____.

61A-10.0111 Cigarette Audit.

(1) The term audit is defined in subsection Rule 61A-10.001(4), F.A.C.

(2) When the Division performs an audit on the permit holder, it shall determine the amount of tax due for the audited period. If the Division determines that any amount of additional gross tax is due, it shall notify the permit holder in writing by personal delivery or U.S. Mail, stating that the permit holder has 10 calendar days from the receipt of written notification in which to provide additional information to the Division. If the permit holder does not correct the audit finding and make payment within the allotted time, the Division will assess the proper amount due together with interest and penalties and initiate administrative proceedings according to Rule 61A-10.027, F.A.C.

(3) To determine whether the accounting records of the permit holder are reasonably accurate, the Division shall may use the formula of beginning inventory plus purchases for the period, less tax exempt sales, less ending inventory, to ascertain taxable sales for the period. Adjustments made to this formula will be based on factual and substantiated evidence. The results of the formula will represent sales transactions as defined in Section 210.01(3), Florida Statutes, for the period under review.

Specific Authority 210.09, 210.10 FS. Law Implemented 210.01, 210.09, 210.13 FS. History—New _____.

61A-10.0112 Required Documentation for Imported Cigarettes.

Importers must maintain the following documentation and provide it to the Division upon request:

(1) A copy of the importer's federal permit issued by the Internal Revenue Service;

(2) A copy of the Tobacco Tax and Trade Bureau form 5220.6 U.S. Customs form for the cigarettes showing the cigarette disbursement tax information required by the federal taxing authorities; and

(3) A Federal Trade Commission approval letter certified document demonstrating compliance with federal labeling regulations; and ingredient reporting.

(4) A Department of Health and Human Services, Office of Smoking and Health, Certificate of Compliance letter demonstrating compliance with federal ingredient reporting requirements.

Specific Authority 210.10 FS. Law Implemented 210.09, 210.185 FS. History—New _____.

61A-10.012 Manufacturers' and Importers' Representatives, Reports and Responsibilities.

Manufacturers' and importers' representatives are considered an extension of their respective manufacturer or importer.

(1) Manufacturers' and importers' representatives shall may only sell or distribute cigarettes to a wholesale dealer or importer; however, the Division has the discretion to authorize manufacturers' and importers' representatives to distribute free sample packages of cigarettes consistent with Rule 61A-10.009, F.A.C.

(2) Manufacturers and Importers shall report their respective representatives' activities as part of their required reports as specified in Rule 61A-10.0091, F.A.C.

Specific Authority 210.10 FS. Law Implemented 210.01, 210.085, 210.09 FS. History—Repromulgated 12-19-74, Formerly 7A-10.12, Amended 1-24-91, 8-28-91, Formerly 7A-10.012, Amended _____.

61A-10.013 Transactions, Wholesale Dealers, Manufacturers' and Importers' Representatives.

(1) Cigarette transactions between manufacturers' and/or importers' representatives and qualified wholesale dealers are to be reported individually. It will be the responsibility of each manufacturer's and importer's representative to issue individual sales slips for all such transactions.

(2) Any wholesale dealer making purchases from a manufacturer's or importer's representative must list on the monthly report the name and permit number of the manufacturer's or importer's on whose behalf the representative is acting. Each such sale or purchase is to be reported separately.

Specific Authority 210.10 FS. Law Implemented 210.09, 210.01 FS. History—Repromulgated 12-19-74, Amended 2-1-76, Formerly 7A-10.13, 7A-10.013, Amended _____.

61A-10.014 Wholesale Dealers, Purchase for Resale Prohibited.

Cigarette wholesale dealers are prohibited from purchasing cigarettes from retail dealers for the purpose of resale; however, cigarettes may be returned to a wholesale dealer's inventory by retail dealers if such returns are reported on the wholesale dealer's monthly report.

Specific Authority 210.10 FS. Law Implemented 210.15 FS. History—Repromulgated 12-19-74, Formerly 7A-10.14, 7A-10.014, Amended _____.

61A-10.015 Transfer, Unstamped Cigarettes.

Specific Authority 210.10(1) FS. Law Implemented 210.06(1) FS. History—Repromulgated 12-19-74, Amended 3-1-76, Formerly 7A-10.15, Amended 3-15-90, Formerly 7A-10.015, Repealed _____.

61A-10.016 Wholesaler, Wholesale Dealer or Exporter, Permit Changes.

Specific Authority 210.10(1) FS. Law Implemented 210.15(7) FS. History—Repromulgated 12-19-74, Amended 3-1-76, Formerly 7A-10.16, 7A-10.016, Repealed _____.

61A-10.017 Direct Shipments, Prohibition, Exception, and Excise Taxes.

(1) No manufacturer or importer may ship cigarettes directly to any retail dealer in the State of Florida; and no wholesale dealer may place orders with a manufacturer or importer for a direct shipment of cigarettes to a retail dealer.

(2) Whenever cigarettes are shipped by a vendor from outside the state directly to individual consumers in Florida, the out-of-state vendor has a responsibility to provide information to the Division as required by the Jenkins Act, Title 15, Chapter 10A, Section 376, United States Code. Any person selling or transferring cigarettes for profit in interstate commerce to other than a wholesale dealer must first report to the Division their intent to sell into Florida by providing their name and trade name, and the address of their places of business. By the 10th calendar day of each month the person must report to the Division all sales or transfers of cigarettes shipped into Florida by providing a memorandum or copy of the invoice covering each and every shipment made during the previous calendar month, and including the name and address of the person to whom the shipment was made, the brand, and the quantity thereof.

In those cases where the 10th calendar day falls on a Saturday, Sunday, or a legal holiday, reports shall be accepted as timely filed if postmarked or delivered to the Division on the following business day which is neither a Saturday, Sunday or legal holiday. As used in this rule, legal holiday means those days as designated in Section 110.117, Florida Statutes, and Federal holidays.

(3) Any person in possession of any cigarettes upon which a tax is imposed and upon which that tax has not been paid is personally liable for the amount of tax imposed. Whenever cigarettes are shipped from an out-of-state vendor to an individual consumer in Florida, the person receiving the cigarettes is responsible for the tax on the cigarettes and the payment of the tax to the state. DBPR Form AB&T 4000A-215, Individual Cigarette and/or Tobacco Product Excise Tax Report, which may be obtained as specified in Rule 61A-5.001, F.A.C., and is incorporated herein by reference and effective (), is used to report such cigarettes and for payment of the applicable excise taxes due to the Division.

Specific Authority 210.10 FS. Law Implemented 210.02, 210.085 FS. History—Repromulgated 12-19-74, Formerly 7A-10.17, 7A-10.017, Amended _____.

61A-10.018 Invoices or Daily Sales Tickets, Cigarette Sales to Retail Dealers.

(1) Cigarette wholesale dealers are required to keep sales tickets or invoices covering all sales of cigarettes to retail dealers.

(2) Invoices of cigarette sales by wholesale dealers to retail dealers must include:

- (a) Seller's business name, address, and cigarette wholesale dealer's state permit number;
- (b) Invoice number;
- (c) Purchaser's business name;
- (d) Purchaser's name (individual, partnership, or corporation);
- (e) Business address of purchaser, including county name;
- (f) Retail dealer state permit number;
- (g) Date of delivery;
- (h) Number of packages or cartons of each brand sold or delivered; and

(i) If products other than cigarettes are located on an invoice to the retail dealer, cigarettes shall be listed following one another in uninterrupted order.

(3) Invoices which include both cigarettes and other tobacco products must meet the minimum requirements set forth in this rule and Rule 61A-10.053, F.A.C.

Specific Authority 210.10 FS. Law Implemented 210.09(4)(a), 210.20, 569.007 FS. History—Repromulgated 12-19-74, Amended 3-1-76, Formerly 7A-10.18, 7A-10.018, Amended 12-20-94, _____.

61A-10.0181 Invoices, Other Tobacco Products Sales to Retail Dealers.

Specific Authority 210.10(1) FS. Law Implemented 210.09(4)(a), 210.60, 218.215, 218.23, 218.245, 218.25, 218.26, 569.007 FS. History—Repromulgated 12-19-74, Amended 3-1-76, Formerly 7A-10.18, 7A-10.018, Amended 12-20-94, Repealed _____.

61A-10.020 Vending Machines, Permits and Restrictions.

(1) Vending machines may only be operated by retail dealers.

(2) Vending machine operators must possess a Florida retail dealer permit issued by the Division. This permit shall cover the vending machine operator's primary business location as well as registered vending machines owned or operated by the vending machine operator. The premises on which a vending machine is located or placed must also possess a Florida retail dealer permit issued by the Division.

(3) Each vending machine dispensing cigarettes must be registered with the Division and have affixed thereto an identification sticker, DBPR form AB&T 4000A-008, Cigarette Vending Machine Identification, which may be obtained as specified in Rule 61A-5.001, F.A.C., and is incorporated herein by reference and effective (), furnished by the Division.

(4) No vending machines dispensing cigarettes may sell or offer for sale other products which are labeled or packaged in such a manner to resemble, represent or have a tendency to misrepresent cigarette products being sold or offered for sale unless notice is clearly provided that the product being dispensed is not a cigarette product. Notice is sufficient if displayed on or adjacent to the individual lever depressed or extended by the consumer to receive the product.

Specific Authority 210.10(1), 569.009 FS. Law Implemented 210.01, 210.07, 210.085, 569.003 FS. History--Amended 10-20-72, Repromulgated 12-19-74, Amended 3-1-76, Formerly 7A-10.20, Amended 1-16-89, Formerly 7A-10.020, Amended _____.

61A-10.021 Vending Machines, Reports.

Vending machine operators are required to furnish the Division, DBPR form AB&T 4000A-240 Monthly Changes of Vending Machine Locations, which may be obtained as specified in Rule 61A-5.001, F.A.C., and is incorporated herein by reference and effective (), and DBPR form AB&T 4000A-241 Annual Schedule of Vending Machine Locations, which may be obtained as specified in Rule 61A-5.001, F.A.C., and is incorporated herein by reference and effective (), on July 1st of each year.

Specific Authority 210.10(1) FS. Law Implemented 210.09 FS. History--Repromulgated 12-19-74, Amended 3-1-76, Formerly 7A-10.21, 7A-10.021, Amended _____.

61A-10.026 Sale of Stamped, Untaxed Cigarettes by Stamping Agents or Wholesale Dealers to Indians for Retail Sale, Reporting.

(1) Stamping agents or wholesale dealers may sell stamped but untaxed cigarettes only to ~~Federally recognized~~ the Seminole Indian Tribes or to an enrolled member thereof exclusively for retail sale on ~~Federally recognized~~ Seminole Indian Reservations or trust lands when such cigarettes have Division approved stamps affixed. ~~Federally recognized Indian Tribes~~ are those Indian Tribes published in the Federal Register

~~of the Department of the Interior, Bureau of Indian Affairs.~~ For purposes of this section, stamped but untaxed cigarettes will be referred to as "Indian cigarettes."

(2) Indian cigarettes may be sold only to a retail business exclusively owned and operated by a ~~Federally recognized~~ the Seminole Indian Tribe or an enrolled member thereof for retail sale exclusively by such Tribe or member on Seminole Indian Reservation or trust lands.

(3) Each designated stamping agent selling any such stamped but untaxed cigarettes to the Seminole a ~~Federally recognized~~ Indian Tribe or to an enrolled member thereof shall obtain and provide to the Division the following report and records:

(a) The invoice or sales slip substantiating any such tax-free sale shall be attached to the monthly report. The invoice or sales slip must be signed by a person authorized to receive such stamped but untaxed cigarettes.

(b) The name of any person authorized to receive and sign for such tax-free cigarettes shall be submitted by the designated stamping agent to the Division.

(c) A written statement which sets forth all persons or entities holding a direct or indirect interest in the retail business, located on Seminole Indian Reservations or trust lands, purchasing Indian cigarettes and all persons or entities entitled to share in any profits or income of the retail business purchasing such cigarettes. This statement shall be obtained prior to any sales of stamped but untaxed cigarettes to any retail business located on Seminole Indian Indian Reservations or trust lands. Any changes in interest or entitlement to share of profits or income shall be reported to the Division. Statements shall be kept on file for a period of three years and shall be available for inspection and review by the Division.

(4) All inventories of cigarettes bearing stamps which are to be sold to the Seminole a ~~Federally recognized~~ Indian Tribe or an enrolled member thereof for sale on Seminole Indian Reservations or trust lands must be kept in a separate and secure bonded area of the wholesale dealer's warehouse so as not to allow the commingling of taxed cigarettes bearing stamps with untaxed cigarettes bearing stamps. A log of all receipts and withdrawals must be maintained for the secured area by the stamping agent.

(5) No stamping agent shall be authorized to receive any Indian cigarettes which have been spoiled, damaged, or become stale unless such stamping agent originally applied the stamp to the Indian cigarettes.

(6) All stamping agents who apply stamps to cigarettes must separate taxable cigarettes from nontaxable Indian cigarettes prior to cancellation of cigarette tax stamps by the Division. Since there is no tax paid there can be no refund of tax for spoiled, damaged, or stale Indian cigarettes.

(7) Any sales of stamped but untaxed cigarettes by a stamping agent not in strict conformity with the provisions of this rule shall be deemed a taxable sale and such stamping agent shall be liable for payment of such taxes.

Specific Authority 210.09, 210.10(1), 210.11 FS. Law Implemented U.S. Const. Art. I § 8, cl. 3, U.S. Const. Art. VI cl. 2, 25 U.S.C. §§ 261-264; 210.05(5), 210.09 FS. History—New 10-14-79, Formerly 7A-10.26, Amended 12-31-85, Formerly 7A-10.026, Amended _____.

61A-10.027 Interest on Excise Tax; Due Dates.

(1) Excise taxes on cigarettes assessed pursuant to the accounting records and returns of the stamping agent are due not later than the 10th calendar day of the month following the calendar month in which the taxes were incurred. Interest on taxes assessed shall accrue from that date.

(2) Excise taxes on cigarettes owed by a stamping agent which are assessed as a result of a Division audit shall become due not later than the 10th calendar day of the month following the calendar month in which the Division determines the taxes were incurred. Interest on taxes assessed shall accrue from that date.

(3) Excise taxes on cigarettes owed by a stamping agent which are assessed as a result of a Division audit under circumstances where the Division is unable to allocate the taxes to any particular month shall be due not later than the 10th calendar day of the month following the calendar month which the Division makes its assessment. Interest on taxes owed shall accrue from that date.

(4) In those cases where the 10th calendar day falls on a Saturday, Sunday, or a legal holiday, remittances shall be accepted as timely filed if postmarked or delivered to the Division on the following business day which is neither a Saturday, Sunday or legal holiday. As used in this rule, legal holiday means those days as designated in Section 110.117, Florida Statutes, and Federal holidays.

Specific Authority 210.10 FS. Law Implemented 210.02(6) FS. History—New 10-31-89, Formerly 7A-10.027, Amended _____.

61A-10.031 New Off Premise Storage of Unstamped Cigarettes.

Specific Authority 210.10(1) FS. Law Implemented 210.09 FS. History—New 3-15-90, Formerly 7A-10.031, Repealed _____.

PART II

TOBACCO PRODUCTS DIVISION RULES

61A-10.050 Definitions.

“Tobacco Products Wholesale Dealer” also known as “TWD” means a “distributor” as defined in Section 210.25(4), Florida Statutes.

Specific Authority 210.75 FS. Law Implemented 210.01, 210.25 FS. History—New _____.

61A-10.051 Excise Tax Exemption, Reports.

Excise taxes imposed by Section 210.30, Florida Statutes, shall not apply to the following:

(1) Tobacco products sold at post exchanges, ship service stores, ship stores, slop chests, or other outlets to members of the armed services of the United States when such establishments are operated under the regulations of the Army, Navy, or Air Force of the United States, or the United States Coast Guard or NASA on such reservations in this state; however, it is unlawful for anyone, including members of the armed services of the United States, to purchase such tax-exempt tobacco products for resale within the State of Florida.

(2) Tobacco products shipped directly from the manufacturer or importer to facilities operated by the Federal Bureau of Prisons, located on lands solely owned by the United States government, for consumption by such inmates. Manufacturers or importers shipping such tobacco must notify the Division each month of the facility name and the quantity of tobacco products shipped.

(3) Each tobacco products wholesale dealer selling such tax-free tobacco products shall attach to the monthly report a copy of the invoice substantiating such tax-free sale. The invoice must be signed by a person authorized to receive such tax-free tobacco products. The name of any person authorized to receive and sign for such tax-free tobacco products must be submitted by the commanding officer of the military installation to the auditor supervisor for the district of the Division where the military installation is located.

Specific Authority 210.55, 210.75 FS. Law Implemented: U.S. Const. Art. VI cl. 2; 4 U.S.C. § 107; 14 U.S.C. §§ 1, 2; 42 U.S.C. §§ 2451, 2472; 210.30 FS. History—New _____.

61A-10.052 Monthly Reports, Required.

(1) Licensed tobacco products wholesale dealers and manufacturers, both inside and outside this state shall keep complete and accurate records and make full and complete reports reflecting the detail of all transactions on the appropriate and applicable forms furnished by the Division, which may be obtained as specified in Rule 61A-5.001, F.A.C., and are incorporated herein by reference and effective (); DBPR form AB&T 4000A-300 In-State Tobacco Products Wholesale Dealer’s Report, DBPR form AB&T 4000A-305 Out-Of-State Tobacco Products Wholesale Dealer’s Report, and DBPR form AB&T 4000A-310 Tobacco Products Manufacturer’s and Importer’s Report.

(2) Such required reports and remittances shall be deemed to be filed in a timely manner and qualify the tobacco products wholesale dealer for collection allowances under Section 210.55, Florida Statutes, when the report and remittance are received by the Division on or before the 10th calendar day of the month following the month being reported. In those cases where the 10th calendar day falls on a Saturday, Sunday, or a

legal holiday, monthly reports and remittances shall be accepted as timely filed if postmarked or delivered to the Division on the following business day which is neither a Saturday, Sunday or legal holiday. As used in this rule, legal holiday means those days as designated in Section 110.117, Florida Statutes, and Federal holidays.

(3) Mail containing the monthly report or the excise tax remittance must bear a date mark stamp affixed by the U.S. Postal Service, or other established businesses engaged in the delivery of mail, to authenticate the mailing date. Postage meters owned, leased or operated by the tobacco products wholesale dealer or manufacturer shall not serve as proof of mailing date without supporting affidavits, letters or records by the tobacco products wholesale dealer or manufacturer that the reports were placed in the U.S. Mail, or other established businesses engaged in the delivery of mail, on or before the 10th calendar day of the month.

(4) Failure of the tobacco products wholesale dealer to report and remit excise taxes as required shall cause the tobacco products wholesale dealer to be deemed delinquent and to forfeit all rights and privileges of collection allowances authorized by Chapter 210, Florida Statutes.

(5) If reports are physically delivered to the Division after the 10th calendar day of the month for reasons beyond the tobacco products wholesale dealer's control, the Division shall ~~may~~ consider affidavits and other supporting documentation in determining whether or not an exception should be made to approve the collection allowance.

(6) Tobacco products wholesale dealers receiving tobacco products from manufacturers shall be required to furnish the Division with a list of shipments received each month on forms provided by the Division. Manufacturers shipping tobacco products to Florida tobacco products wholesale dealers shall be required to furnish the Division with a list of shipments made each month on forms provided by the Division.

(7) The Division shall ~~may~~ authorize manufacturers to distribute sample packages of tobacco products within the state and provide tobacco products to employees and stockholders; provided, such samples and gifts are reported on DBPR form AB&T 4000A-245, Manufacturer's and Importer's Report for Distribution of Samples, which may be obtained as specified in Rule 61A-5.001, F.A.C., and is incorporated herein by reference and effective (), ~~furnished by the Division~~. The report shall be remitted to the Division along with any applicable excise tax payment on or before the 10th calendar day of each month for samples or gifts distributed during the previous month.

(8) If the Division determines that any amount of gross tax is due from the taxpayer, the Division shall notify the taxpayer in writing by personal delivery or U.S. Mail, stating that the taxpayer has 10 calendar days from the receipt of written notification in which to correct the report. If the taxpayer does not correct the report within the allotted time then the Division

will notify the taxpayer in writing by personal delivery or U.S. Mail, that it intends to assess the amount due together with interest, penalties, disallowance of discount, and initiate administrative proceedings.

(9) When the Division performs an audit on the taxpayer, it shall determine the tax due. If the Division determines that any amount of gross tax is due from the taxpayer, it shall notify the taxpayer in writing, stating that the taxpayer has 10 calendar days from the receipt of written notification in which to provide the Division with additional information. After 10 calendar days, the Division will notify the taxpayer in writing, that it intends to assess the proper amount due together with interest, penalties, disallowance of discount, and initiate administrative proceedings.

Specific Authority 210.55, 210.75 FS. Law Implemented 210.55, 210.60 FS. History--New_____.

61A-10.053 Records Maintenance.

Every manufacturer, tobacco products wholesale dealer and retailer must preserve all books, records, sales/purchase invoices, and other documents as required by Section 210.60, Florida Statutes. Such records shall be preserved for a period of 3 years. Records may be maintained on optical storage/retrieval systems capable of being viewed, retrieved and reproduced upon request by the Division.

Specific Authority 210.75 FS. Law Implemented 210.60 FS. History--New_____.

61A-10.054 Invoices, Tobacco Products Sales to Retailers.

(1) Tobacco products wholesale dealers are required to keep sales tickets or invoices covering all sales of tobacco products to retailers. Invoices of tobacco products sales by tobacco products wholesale dealers to retailers shall include:

- (a) Tobacco products wholesale dealer's name, address, and state permit number;
- (b) Invoice number;
- (c) Purchaser's business name;
- (d) Purchaser's name (individual, partnership, or corporation);
- (e) Purchaser's business address;
- (f) Retailer's state permit number;
- (g) Date of delivery;
- (h) Number of units of each brand of tobacco products, wholesale price per unit, and discount per unit sold to the retailer;
- (i) If items other than tobacco products are listed on the invoice to the retailer, tobacco products shall be listed following one another in uninterrupted order; and
- (j) In addition to the above requirements, an out of state tobacco products wholesale dealer licensed by the state of Florida shall list discounts separate and apart from the

wholesale price of each unit. All discounts and free units attached to units being sold shall not reduce the unit wholesale price for tax purposes.

(2) Invoices which include both cigarettes and other tobacco products must meet the minimum requirements set forth in this rule and Rule 61A-10.018, F.A.C.

Specific Authority 210.75 FS. Law Implemented 210.25, 210.60 FS. History--New_____.

61A-10.055 Excise Tax Refunds.

(1) To receive a refund or credit for tobacco products upon which the excise tax has been paid and the products have been subsequently transferred to an out-of-state location, or returned to a manufacturer or importer, or been destroyed, the tobacco products wholesale dealer must provide the following documentation to the Division:-

(a) Tobacco products shipped back to a manufacturer or importer must have an affidavit or credit memo from the manufacturer or importer stating that they have received the tobacco products.

(b) Tobacco products sold to tobacco products wholesale dealers, retailers, or consumers located outside of the state of Florida must have a sales invoice listing the quantity and type of tobacco products sold as well as the name, address, and telephone number of the out-of-state destination.

(c) Destroyed tobacco products must be witnessed by an agent of the Division and a copy of the signed destruction form must be provided to the Division.

(2) The amount of the tax reduction can be taken by reporting the transaction on the appropriate details page of the DBPR Form AB&T 4000A-300, Instate Tobacco Products Wholesale Dealer's Report, which may be obtained as specified in Rule 61A-5.001, F.A.C., and is incorporated herein by reference and effective ()~~,- by reporting the transaction on the appropriate details page of the report.~~

(3) In lieu of taking the deduction on the monthly report, the tobacco products wholesale dealer can request that the Division pay the refund or credit back to them.

Specific Authority 210.75 FS. Law Implemented 210.25, 210.67 FS. History--New_____.

PART III
CIGARETTE AND TOBACCO PRODUCTS
PERMIT RULES

61A-10.080 Application for Cigarette Permit, Manufacturer or Importer.

(1) In order to be permitted as a manufacturer or importer, or to make changes to an existing manufacturer or importer permit, a completed application must be submitted to and approved by the Division. A completed application shall consist of the following:

(a) Properly executed application on DBPR form ABT-6024 Application for Wholesale Cigarette Permit, which may be obtained as specified in Rule 61A-5.001, F.A.C., and is incorporated herein by reference and effective ()~~;~~ Instructions for filling out form DBPR ABT-6024 are provided in form DBPR ABT-6024i, Instructions for Completing Application for Wholesale Cigarette Permit, which may be obtained as specified in Rule 61A-5.001, F.A.C., and is incorporated herein by reference and effective ()~~).~~

(b) Payment of the permit fee of \$100~~;~~

(c) A copy of a Federal permit to manufacture or import cigarettes~~;~~ ~~and~~

(d) If the location for any permit is in the state, the applicant must submit to the Division a sketch of the premises along with a right of occupancy for the location. The sketch of the premises shall display all areas to be covered by the permit being applied for as well as all adjacent areas that currently have or will have another permit issued by the Division.

(2) A separate and complete application must be made for each place of business located within this state. Absent such a place of business in this state a permit is required for wherever its principal place of business is located.

(3) Permits remain in effect until July 1st following their issuance, or until suspended or revoked by the Division, or until surrendered by the permit holder.

(4) Prior to the expiration of the permit, the Department of Business and Professional Regulation will send permittees a renewal notice. The permittee shall comply with the terms of the renewal notice and submit a renewal fee of \$100 prior to July 1st June 30th of each year. It is the permittee's responsibility to timely renew a permit. Failure to receive the renewal notice from the Department of Business and Professional Regulation shall not excuse a permittee from penalties associated with late renewal.

(5) The Division shall assess delinquent renewal penalties on permit holders who fail to timely renew their permits. The Division will use the postmark date as evidence of delinquency. Any renewal postmarked after the due date will be considered delinquent and must pay the applicable delinquent renewal penalty in addition to the renewal fee to the Division prior to the permit being renewed. A penalty of \$20 will be assessed for each month or part of a month of such delinquency. Any permit not renewed within 60 days of its expiration shall be cancelled by the Division, unless the permit is involved in litigation. Furthermore, the Division may renew a permit after the 60 days for good and sufficient cause.

(6) A manufacturer or importer permit may not be transferred to a new owner.

(7) The Division may allow a permit to be moved to another location. To request that a permit be moved, a permit holder must follow the procedure set out in paragraph 61A-10.084(1)(b), F.A.C.

(8) If requested and upon application for a permit, the Division shall issue an initial temporary permit to any new applicant who has filed a complete application which does not on its face provide for denying a permit. The initial temporary permit will be valid for up to 90 days and may be extended by the Division for up to an additional 90 days. If the applicant is denied a permit, the initial temporary permit will cease to be valid on that date. The initial temporary permit fee is \$100, which is separate from the permit fee and which shall be submitted to the Division upon request of the initial temporary permit.

Specific Authority 210.10, 210.15 FS. Law Implemented 210.15, 210.151, 210.1605 FS. History--New _____.

61A-10.081 Application for Cigarette Permit, Wholesale Dealer, Exporter, or Cigarette Distributing Agent.

(1) In order to be permitted as a wholesale dealer, exporter, or cigarette distributing agent, or to make changes to an existing wholesale dealer permit, exporter permit, or cigarette distributing agent permit, a completed application must be submitted to and approved by the Division. A completed application shall consist of the following:

(a) Properly executed application on form, DBPR ABT-6024 Application for Wholesale Cigarette Permit, which may be obtained as specified in Rule 61A-5.001, F.A.C., and is incorporated herein by reference and effective (); Instructions for filling out form DBPR ABT-6024 are provided in form DBPR ABT-6024i, Instructions for Completing Application for Wholesale Cigarette Permit, which may be obtained as specified in Rule 61A-5.001, F.A.C., and is incorporated herein by reference and effective ().

(b) A set of fingerprints for each applicant and for any person or persons interested directly or indirectly with the applicant in the business for which the permit is being sought. Applicants shall properly execute and submit form DBPR ABT-6021 Division of Alcoholic Beverages and Tobacco Fingerprint Affidavit, which may be obtained as specified in Rule 61A-5.001, F.A.C., and is incorporated herein by reference and effective (), along with the official fingerprint card. When making changes to an existing permit, fingerprints will only be required for new applicants and for any new person or new persons interested directly or indirectly with the business for which the permit is changed.

(c) Payment of the permit fee of \$100, ~~and~~

(d) If the location for any permit is in the state, the applicant must submit to the Division a sketch of the premises along with a right of occupancy for the location. The sketch of the premises shall display all areas to be covered by the permit being applied for as well as all adjacent areas that currently have or will have another permit issued by the Division.

(2) A separate and complete application must be made for each place of business located within this state. Absent such a place of business in this state a permit is required for wherever its principal place of business is located.

(3) Permits remain in effect until July 1st following their issuance, or until suspended or revoked by the Division, or until surrendered by the permit holder.

(4) Prior to the expiration of the permit, the Department of Business and Professional Regulation will send permittees a renewal notice. The permittee shall comply with the terms of the renewal notice and submit a renewal fee of \$100 prior to July 1st June 30th of each year. It is the permittee's responsibility to timely renew a permit. Failure to receive the renewal notice from the Department of Business and Professional Regulation shall not excuse a permittee from penalties associated with late renewal.

(5) The Division shall assess delinquent renewal penalties on permit holders who fail to timely renew their permits. The Division will use the postmark date as evidence of delinquency. Any renewal postmarked after the due date will be considered delinquent and must pay the applicable delinquent renewal penalty in addition to the renewal fee to the Division prior to the permit being renewed. A penalty of \$20 will be assessed for each month or part of a month of such delinquency. Any permit not renewed within 60 days of its expiration shall be cancelled by the Division, unless the permit is involved in litigation. Furthermore, the Division may renew a permit after the 60 days for good and sufficient cause.

(6) A wholesale dealer permit, exporter permit, or cigarette distributing agent permit may not be transferred to a new owner.

(7) The Division may allow a permit to be moved to another location. To request that a permit be moved, a permit holder must follow the procedure set out in paragraph 61A-10.084(1)(b), F.A.C.

(8) If requested and upon application for a permit, the Division shall issue an initial temporary permit to any new applicant who has filed a complete application which does not on its face provide for denying a permit. The initial temporary permit will be valid for up to 90 days and may be extended by the Division for up to an additional 90 days. If the applicant is denied a permit, the initial temporary permit will cease to be valid on that date. The initial temporary permit fee is \$100, which is separate from the permit fee and which shall be submitted to the Division upon request of the initial temporary permit.

Specific Authority 210.10, 210.15 FS. Law Implemented 210.01, 210.15, 210.151, 210.1605 FS. History--New _____.

61A-10.082 Application for a Tobacco Products Wholesale Dealer Permit.

(1) A tobacco products wholesale dealer permit is required by any entity acting as a distributor as defined in subsection 61A-10.050(2), F.A.C. and Section 210.25(4), Florida Statutes 2005.

(2) In order to be permitted as a tobacco products wholesale dealer, or to make changes to an existing permit, a completed application must be submitted to and approved by the Division. A completed application shall consist of the following:

(a) Properly executed application on form; DBPR ABT-6005 Application for Tobacco Products Wholesale Dealer's Permit, which may be obtained as specified in Rule 61A-5.001, F.A.C., and is incorporated herein by reference and effective (). Instructions for filling out form DBPR ABT-6005 are provided in form DBPR ABT-6005i, Instructions for Completing Application for Tobacco Products Wholesale Dealer, which may be obtained as specified in Rule 61A-5.001, F.A.C., and is incorporated herein by reference and effective ().

(b) Payment of the permit fee of \$25.

(c) If the location for any permit is in the state, the applicant must submit to the Division a sketch of the premises along with a right of occupancy for the location. The sketch of the premises shall display all areas to be covered by the permit being applied for as well as all adjacent areas that currently have or will have another permit issued by the Division.

(d) Submission of a surety bond issued by a surety company authorized to do business in Florida in the amount of no less than \$1,000. The Division shall have discretion in requiring a larger bond amount if the minimum is insufficient to fully protect the state.

(3) A separate and complete application must be made for each place of business the distributor proposes to engage in business. The applicant may provide the Division with one bond in an amount determined by the Division for all applications made by the distributor.

(4) The permit shall expire on June 30th of each year. The Department of Business and Professional Regulation will send out renewal notices to permittees prior to the expiration of the permit. The permittee shall comply with the terms of the renewal notice and submit the renewal fee of \$25 prior to July 1st of each year. It is the permittee's responsibility to timely renew a permit. Failure to receive the renewal notice from the Department of Business and Professional Regulation shall not excuse a permittee from penalties associated with late renewal.

(5) The Division shall assess delinquent renewal penalties on permit holders who fail to timely renew their permits. The Division will use the postmark date as evidence of delinquency. Any renewal postmarked after the due date will be considered delinquent and must pay the applicable delinquent renewal penalty in addition to the renewal fee to the

Division prior to the permit being renewed. A penalty of \$20 will be assessed for each month or part of a month of such delinquency. Any permit not renewed within 60 days of its expiration shall be cancelled by the Division, unless the permit is involved in litigation. Furthermore, the Division may renew a permit after the 60 days for good and sufficient cause.

(6) A tobacco products wholesale dealer's permit may not be transferred to a new owner. An attempt to transfer the permit will result in automatic expiration.

(7) If requested and upon application for a permit, the Division shall issue an initial temporary permit to any new applicant who has filed a complete application which does not on its face provide reason for denying a permit. The initial temporary permit will be valid for up to 90 days and may be extended by the Division for up to an additional 90 days. If the applicant is denied a permit, the initial temporary permit will cease to be valid on that date. The initial temporary permit fee is \$25, which is separate from the permanent permit fee and which shall be submitted to the Division upon request of the initial temporary permit.

Specific Authority 210.75 FS. Law Implemented 210.25, 210.35, 210.40, 210.405, 210.45, 210.51 FS. History—New _____.

61A-10.083 Application for Retail Dealer Permit, Cigarette and Tobacco Products Dealer Permit.

(1) For this section the term retail tobacco products dealer shall refer to the definition provided by Section 569.002(4), Florida Statutes. For this section the term tobacco products shall refer to the definition provided by Section 569.002(6), Florida Statutes. A tobacco products retail dealer permit is required to sell cigarettes and tobacco products at retail.

(2) In order to be permitted as a retail dealer, or to make changes to an existing tobacco products retail dealer permit, the applicant or permit holder must do one of the following:

(a) Retail dealers only interested in applying for a retail dealer tobacco products permit must review form DBPR ABT-6028i, Instructions for Completing Application for Retail Tobacco Products Dealer Permit, which may be obtained as specified in Rule 61A-5.001, F.A.C., and is incorporated herein by reference and effective (), and shall complete and submit form DBPR ABT-6028, Application for Retail Tobacco Products Dealer Permit, which may be obtained as specified in Rule 61A-5.001, F.A.C., and is incorporated herein by reference and effective (); or

(b) Retail dealers interested in applying for both a tobacco products permit and an alcoholic beverage license simultaneously must review form DBPR ABT-6001i, Instructions for Completing Alcoholic Beverage License and Retail Tobacco Products Dealer Permit Application, which may be obtained as specified in Rule 61A-5.001, F.A.C., and is incorporated herein by reference and effective (), and shall

complete and submit form DBPR ABT – 6001, Alcoholic Beverage License and Retail Tobacco Products Dealer Permit, as referenced in Rule 61A-5.700, F.A.C.; or

(c) Retail dealers interested in applying for multiple permits or to make changes thereto must review form DBPR ABT-6028i, Instructions for Completing Application for Retail Tobacco Products Dealer Permit, which may be obtained as specified in Rule 61A-5.001, F.A.C., and is incorporated herein by reference and effective (), and complete and submit form DBPR ABT 6028 Application for Retail Tobacco Products Dealer Permit, which may be obtained as specified in Rule 61A-5.001, F.A.C., and is incorporated herein by reference and effective ().

(3) The fee for a new tobacco products retail dealer permit shall be \$50.

(a) For applicants applying under paragraph ~~(2)(a)(1)(a)~~ of this rule, the \$50 fee must be paid when the application is submitted to the Division.

(b) Applicants applying under paragraph ~~(2)(a)(1)(b)~~ of this rule must submit the \$50 fee once the application has been approved by the Division. The Division will notify the applicant of their approval and will invoice the applicant for the cigarette and tobacco products retail dealer permit.

(4) The terms “place of business”, “place”, “the premises”, “location”, “single location” and “permitted premises” are synonymous. Place of business is defined as rooms where tobacco products are stored or sold or kept for the purpose of sale or consumption.

(a) Where sales of tobacco products are conducted through a vending machine, the premises shall include the place where the vending machine is located and any such vending machine including the area within the unobstructed line of sight of the dealer, or the dealer’s agent or employee responsible for preventing sales to persons under 18 years of age.

(b) Where sales of tobacco products are conducted from a cart or person moving about, the place of business and/or the premises shall include any such conveyance.

(c) A theme park complex, a hotel or resort complex, a stadium, an airport facility and the like will be considered a “single location” when all buildings or structures are owned, managed, controlled or operated under one business name and are situated on the same tract or plot of land that is not separated by a public street or highway.

(d) Itinerant stores, industrial caterers, trains, steamships and similar vehicles and vessels may be permitted for the retail sale of cigarette and tobacco products with the vehicle or vessel being designated as the place of business. In any such case, the location address shall be the office or homeport address in this state where the vehicle or vessel is domiciled.

~~(5)(a)~~ The permit year for a retail tobacco products dealer permit shall be from January 15 through the following January 15 of each year and shall not be pro rated except as follows:

~~(a)(b)~~ The permit year for a retail tobacco products dealer permit shall be changed so in order that the alcoholic beverage license and the tobacco permit may be renewed simultaneously. A person who is both an alcoholic beverage licensee and a retail tobacco products dealer permit holder will have a permit year commensurate with the alcoholic beverage license year. The retail tobacco products dealer permit will be renewed at a charge of \$50 and the permit year shall commensurate with the license year of the alcoholic beverage license which is either April 1 through March 31 or October 1 through September 30 as specified by county.

(6) A cigarette and tobacco products retail dealer permit may not be transferred to a new owner.

(7) The Division shall issue at the request of the applicant a temporary retail tobacco products permit whenever an applicant is also filing a temporary alcoholic beverage license of any kind. There shall be no fee for the issuance of the temporary retail tobacco products dealer permit.

(8) If a permit is lost or destroyed, a retail tobacco products permit holder may apply to the Division for the issuance of a duplicate permit. This request shall be in the form of an affidavit advising that the permit has been lost or destroyed and shall be accompanied by payment of a \$15 fee.

(9) Prior to the expiration of the permit, the Department of Business and Professional Regulation will send permittees a renewal notice. The permittee shall comply with the terms of the renewal notice and submit a renewal fee of \$50 prior to the permit expiration date. It is the permittee’s responsibility to timely renew a permit. Failure to receive the renewal notice from the Department of Business and Professional Regulation shall not excuse a permittee from penalties associated with late renewal.

(10) The Division shall assess delinquent renewal penalties on permit holders who fail to timely renew their permits. The Division will use the postmark date as evidence of delinquency. Any renewal postmarked after the due date will be considered delinquent and must pay the applicable delinquent renewal penalty in addition to the renewal fee to the Division prior to the permit being renewed. A penalty of \$5 will be assessed for each month or part of a month of such delinquency.

Specific Authority 569.009 FS. Law Implemented 569.002, 569.003 FS. History–New_____.

61A-10.084 Permit Changes.

(1) Any permittee desiring to make a change in the business name and/or the location of the place of business must secure a supplemental permit reflecting the new business name and/or location prior to initiating the change. Application for such supplemental permits must be made to the Division on the appropriate forms.

(a) To request a change of business name or change of mailing address, a permittee must complete and submit DBPR form ABT-6009 Change of Business Name or Change of Mailing Address Application, which may be obtained as specified in Rule 61A-5.001, F.A.C., and is incorporated herein by reference and effective (), to the Division.

(b) To make changes to a permit not covered by paragraph (a), the permittee shall submit a complete application to the Division as specified in Rules 61A-10.080, 61A-10.081, and 61A-10.082, F.A.C.

(2) Any wholesale dealer, distributing agent, or exporter desiring to make any changes in business name and/or location must furnish the Division with satisfactory evidence that the bond covering the wholesale dealer's, distributing agent's or exporter's business has been properly changed to reflect the new business name and/or place of business.

Specific Authority 210.10 FS. Law Implemented 210.15 FS. History--Repromulgated 12-19-74, Amended 3-1-76, Formerly 7A-10.16, 7A-10.016, 61A-10.016, Amended_____.

61A-10.085 Duplicate License Request.

Any permittee desiring to replace a lost or destroyed permit, may make a request to the Division for the issuance of a duplicate permit. This request shall be in the form of an affidavit advising that the permit has been lost or destroyed.

Specific Authority 20.165, 120.536, 210.10, 455.2035, 569.009 FS. Law Implemented 210.15, 455.219, 569.003 FS. History--New_____.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Christina B. Norman, senior attorney, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, Office of the General Counsel, 1940 North Monroe Street, Suite 42, Tallahassee, Florida 32399, (850)487-2563

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:
62-303.360	Primary Contact and Recreation Use Support
62-303.380	Drinking Water Use Support and Protection of Human Health

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. 21, May 25, 2007 issue of the Florida Administrative Weekly.

62-303.360 Primary Contact and Recreation Use Support.

- (1) No change.
- (a) through (d) No change.

(e) The water segment includes a sampling location that has ~~one two~~ or more monthly geometric mean values above the monthly geometric mean fecal coliform or enterococci criterion during the planning period. To calculate a monthly geometric mean, there shall be at least ten samples collected within that month, with at least one sample from each full week of the month.

- (2) through (4) No change.

Specific Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History--New 6-10-02, Amended 12-11-06,_____.

62-303.380 Drinking Water Use Support and Protection of Human Health.

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

(c) The water segment includes a sampling location that has ~~one two~~ or more monthly geometric mean values above the monthly geometric mean fecal coliform criterion during the planning period. To calculate a monthly geometric mean value for a sampling location, there shall be at least five samples collected within that month, with at least one sample from each full week of the month.

- (2) through (4) No change.

Specific Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History--New 6-10-02, Amended 12-11-06,_____.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-346.030	Definitions
62-346.050	Permits Required
62-346.070	Procedures to Prepare Applications and Notices for Permits and to Request Verification of Qualification for an Exemption
62-346.090	Processing of Notices and Applications
62-346.091	Documents Incorporated by Reference
62-346.100	Modification of Permits
62-346.120	Permit Extensions
62-346.900	Environmental Resource Permit Forms

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. 10, March 9, 2007 issue of the Florida Administrative Weekly.

62-346.030 Definitions.

Except as otherwise defined in this chapter or in the Applicant's Handbook, the definitions in Rules 62-4.020, 62-340.200 and 62-341.021, F.A.C., and the following definitions apply to this chapter and to the Applicant's Handbook Volumes I and II. However, the definitions in subsections 62-346.030(8), (11), (17), (20), (24), (29), (35), (39), and (42), F.A.C., are not applicable under this rule until the effective date of the rules adopted under Section 373.4145(1)(b), F.S.:

(24) "Listed species" means those animal species that are endangered, threatened or of special concern and are listed in Rules 68A-27.003, 68A-27.004, and 68A-27.005, F.A.C., and those plant species listed in 50 Code of Federal Regulation 17.12, as amended June 19, 2006, when such plants are located in a wetland or other surface water.

(40) "Registered Professional" means a professional registered or licensed in Florida with the necessary expertise in the fields of hydrology, hydrogeology, hydraulics, drainage, flood control, erosion and sediment control, and stormwater pollution control, and who is qualified by education and experience in the technical analyses, design, and application of required structures, processes, and systems, to design and certify the stormwater management systems under review. Examples of registered professionals, authorized pursuant to Chapter 455, F.S., and the respective practice acts by which they are regulated, are professional engineers licensed under Chapter 471, F.S., professional landscape architects licensed under Chapter 481, F.S., professional surveyors and mappers under Chapter 472, F.S., and professional geologists licensed under Chapter 492, F.S. Registered professionals may sign and seal only those drawings, documents, and calculations commensurate with their skills, background, knowledge, education, and experience, and in accordance with their respective practice acts.

62-346.050 Permits Required.

(1) Unless an activity qualifies for an exemption under Rule 62-346.051, F.A.C., or a noticed general permit under Chapter 62-341, F.A.C., an individual permit under this chapter must be obtained from the Department prior to the construction, alteration, operation maintenance or repair (excluding routine custodial maintenance), abandonment, or removal of a stormwater management system. This includes all applications for conceptual approval permits. Applications for individual permits will be reviewed and acted upon in accordance with subsection 62-346.090(2), F.A.C. ~~However, dredging and filling in, on, or over surface waters of the state remain subject to the requirements of Chapter 62-312, F.A.C., and permits under this chapter are not required for such activities until the effective date of the rules adopted under Section 373.4145(1)(b), F.S.~~

(2) Activities qualify for a noticed general permit if they meet the criteria in Chapter 62-341, F.A.C. Noticed general permits will be reviewed and acted upon in accordance with subsection 62-346.090(1), F.A.C.

(3) In addition to any permits required under this chapter, dredging and filling in, on, or over surface waters of the state remain subject to the requirements of Chapter 62-312, F.A.C., including the need to obtain a separate permit under that chapter until the effective date of the rules adopted under Section 373.4145(1)(b), F.S. The construction, alteration, operation, maintenance or repair (excluding routine custodial maintenance), abandonment, or removal of an activity that requires a permit under this chapter but is not eligible for a noticed general permit will require an individual permit. This includes all applications for conceptual approval permits. Applications for individual permits will be reviewed and acted upon in accordance with subsection 62-346.090(2), F.A.C.

62-346.070 Procedures to Prepare Applications and Notices for Permits and to Request Verification of Qualification for an Exemption.

(2) Applications and notices shall be prepared as follows:

(a) Applications for individual permits shall be made on Form 62-346.900(1), "Application for Stormwater Permit in Northwest Florida," incorporated by reference herein.

1. Applications to the Department for individual permits must contain one original of the completed application with original signatures on Section A; location map(s) of sufficient detail to allow someone who is unfamiliar with the site to travel to and locate the specific site of the activity; ~~construction plans and~~; drawings, calculations, environmental information, and other details supporting documents requested in Section B that depict and describe the design, nature, scope, limits, intent, and functioning of the proposed activities; one paper copy of all the above; and the fee as required by Rule 62-346.071, F.A.C.

2. Applications to the NFWFMD for individual permits can be submitted through the NFWFMD Internet site at <http://www.nfwfmd.state.fl.us/permits/permits-ERP.html>. The application must include as attachments: location map(s) of sufficient detail to allow someone who is unfamiliar with the site to travel to and locate the specific site of the activity; ~~construction plans and~~; drawings, calculations, environmental information, and other details supporting documents requested in Section B that depict and describe the design, nature, scope, limits, intent, and functioning of the proposed activities; and the fee as required by Rule 62-346.071, F.A.C. If the applicant does not utilize the electronic application, paper copies shall be submitted by mail or other delivery service to the appropriate office of the NFWFMD. If a paper application is submitted, it must include all requirements of subparagraph 62-346.070(2)(a)1., above, as for the Department.

(b) A notice of intent to use a noticed general permit under Chapter 62-341, F.A.C., shall be made at least 30 days prior to initiating the activities, or by such other time as specified in the

noticed general permit by submitting a completed Form 62-346.900(2), "Notice of Intent to Conduct a Noticed General Permit in Northwest Florida," incorporated by reference herein.

1. The notice to the Department must contain one original of the completed notice with original signatures; one copy of the completed notice; location map(s) of sufficient detail to allow someone who is unfamiliar with the site to travel to and locate the specific site of the activity; two sets of ~~construction~~ plans and; drawings, calculations, environmental information, and other details required in the noticed general permit supporting documents that depict and describe the design, nature, scope, limits, intent, and functioning of the proposed activities; and the notice fee required by Rule 62-346.071, F.A.C.

2. The notice to the NFWFMD can be submitted through the NFWFMD Internet site at <http://www.nfwfmd.state.fl.us/permits/permits-ERP.html>. The notice must include as attachments: location map(s) of sufficient detail to allow someone who is unfamiliar with the site to travel to and locate the specific site of the activity; ~~construction~~ plans and; drawings, calculations, environmental information, and other details required in the noticed general permit supporting documents that depict and describe the design, nature, scope, limits, intent, and functioning of the proposed activities; and the fee as required by Rule 62-346.071, F.A.C. If the applicant does not utilize an electronic permit application, paper copies shall be submitted by mail or other delivery service to the appropriate office of the NFWFMD. If a paper application is submitted, it must include all requirements of subparagraph 62-346.070(2)(b)1., above, as for the Department.

(c) Verification of exemptions may be requested as provided below:

1. Applications to the Department for verification of exemptions for stormwater systems that do not involve any work in, on, or over surface waters of the state shall be made either electronically via the Internet site of the Department, or by submitting an "Application for Stormwater Permit in Northwest Florida" in accordance with paragraph 62-346.070(2)(a), F.A.C., or by letter. Applications for verification of any exemption that involves work in, on, or over waters of the state shall be made either on Form 62-312.900(1), "Joint Application for Works in the Waters of Florida," incorporated by reference herein, or by letter. The application or letter must contain location map(s) of sufficient detail to allow someone who is unfamiliar with the site to travel to and locate the specific site of the activity; two sets of ~~construction~~ plans and; drawings, calculations, environmental information, and other supporting documents that depict and describe the proposed activities.

2. Applications to the NFWFMD for verification of exemption under this chapter can be submitted through the NFWFMD Internet site at <http://www.nfwfmd.state.fl.us/permits/permits-ERP.html>. If the applicant does not utilize the electronic self-certification on the NFWFMD Internet site,

then a verification of exemption may be obtained from the NFWFMD by providing the following for review: location map(s) of sufficient detail to allow someone who is unfamiliar with the site to travel to and locate the specific site of the activity; and ~~construction~~ plans and; drawings, calculations, environmental information, and other supporting documents sufficient to depict and describe the proposed activities. The NFWFMD will advise in writing whether the activity is exempt.

(5) All copies of the ~~construction~~ plans and drawings, together with supporting calculations and documentation submitted to the Department must be signed, sealed, and dated by a registered professional, as required by Chapters 471, 472, 481 or 492, F.S., as applicable, when the design of the system requires the services of a registered professional for paper applications submitted to the Department or NFWFMD. For electronic application submissions to the NFWFMD, an electronic signature file must be submitted that shall serve the same purpose as individual signing or sealing of paper applications, plans, and supporting documents.

62-346.090 Processing of Notices and Applications.

(4) Unless otherwise provided for in this rule, processing fees for applications under one fee category shall not be refunded in whole or in part where an applicant modifies a project to qualify for a lesser fee category when the project did not qualify for that fee category when processing commenced. However, refunds shall be given for those incomplete applications that qualify for the lesser fee category solely as a result of a change in Department rules while the application is being processed.

62-346.091 Documents Incorporated by Reference.

(1) The following documents are hereby incorporated by reference for use in this Chapter:

(a) "Department of Environmental Protection and Northwest Florida Water Management District Environmental Resource Permit Applicant's Handbook – Volume I (General)," including Appendices A and C, but excluding Appendices A, B, C, and D, effective [Effective Date]. [Summary of Changes: Updated Figure 1B in Section 1.2 to correctly show the location of the Northwest Florida Water Management District Office in Gadsden County; and clarification of language in sections 12.3.1 and 12.3.2 to better identify the financial and legal requirements of non-governmental entities to operate and maintain stormwater management systems. These changes can be viewed in the updated Applicant's Handbook Volume I accessible at: http://www.dep.state.fl.us/water/wetlands/erp/rules/draft_nw.htm].

(b) "Department of Environmental Protection and Northwest Florida Water Management District Environmental Resource Permit Applicant's Handbook – Volume II (Design Requirements for Stormwater Treatment and Management Systems – Water Quality and Water Quantity)," including Appendix A, effective [Effective Date]. [Summary of Changes: Correction of text in sections 3.3.2(d), 3.3.4(a)5., 4.6, and 8.7

to conform to terminology used in the rest of the Handbook; and amendments to the requirements for Sensitive Karst Areas in sections 17.3.2 and 17.3.3 to reflect comments received before and during the rule adoption hearing, including correction to the description of low permeability material, the addition of an option to use an impermeable liner, requirements for vegetating basin side slopes and bottoms, and additional options for demonstrating that proposed systems are not within the influence of a sensitive Karst feature. These changes can be viewed in the updated Applicant's Handbook Volume II accessible at: http://www.dep.state.fl.us/water/wetlands/erp/rules/draft_nw.htm].

62-346.100 Modification of Permits.

(2) Modifications to individual permits also ~~shall~~ may be required by the Department when conditions warrant, based on the following as follows:

(b) Where appropriate to exercise its authority set forth in ~~revoke or modify a permit in accordance with~~ Section 373.429, F.S.

62-346.120 Permit Extensions.

(1) An application to extend the duration of an individual environmental resource permit under this chapter may be applied for and will be evaluated in accordance with the provisions of this chapter applicable to permit modifications, and the provisions of subsections (2) and (3) below.

(2) A modification to extend a valid individual permit shall be granted if the application for extension is received by Department before expiration of the permit construction phase, and the activity:

(a) Continues to be consistent with plans, terms, and conditions of the valid permit;

(b) Is consistent with the Department's rules in effect at the time the Department takes ~~final agency~~ action on the request for extension; and

62-346.900 Environmental Resource Permit Forms.

The forms and instructions used in the Environmental Resource Permit program under this chapter are incorporated by reference as stated in subsections (1) through (10) below. The forms are listed by rule number, which is also the form number, and with the subject title and effective date. Copies of forms may be obtained from the Internet sites of the Department at <http://www.dep.state.fl.us/water/wetlands/erp/forms.htm>, or NFWFMD at <http://www.nfwfmd.state.fl.us/permits/permits-ERP.html>, or from any local district or branch office of the Department (see <http://www.dep.state.fl.us/secretary/dist/>) or NFWFMD, or by writing to the Florida Department of Environmental Protection, Submerged Lands and Environmental Resources Office, M.S. 2500, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, or to Northwest Florida Water Management District, District Headquarters Office, 75 Water Management Drive, Havana, Florida 32333.

(1) "Application for Stormwater Permit in Northwest Florida," incorporated by reference in subsection 62-346.070(2), F.A.C., [Effective Date]. [Summary of Changes: Deleted the word "engineering" in the plan and drawing detail requirements in Section B.V; and corrected Figure 1B in Appendix C, Form 62-346.900(1) Attachment 1, to correctly show the location of the Northwest Florida Water Management District Office in Gadsden County. These changes can be viewed in the updated Applicant's Handbook Volume I accessible at: http://www.dep.state.fl.us/water/wetlands/erp/rules/draft_nw.htm].

(2) "Notice of Intent to Use an Environmental Resource Noticed General Permit in Northwest Florida," incorporated by reference in subsection 62-346.070(2), F.A.C., [Effective Date]. [Summary of Change: Conformed the level of plan and drawing detail requirements in Section B.I. with the rest of the Handbook by deleting the word "construction," adding the word "drawings," and deleting the words "an appropriate." These changes can be viewed in the updated Applicant's Handbook Volume I accessible at: http://www.dep.state.fl.us/water/wetlands/erp/rules/draft_nw.htm].

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.:	RULE TITLE
64B9-5.007	Continuing Education for Expert Witnesses in Disciplinary Cases
	NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 32, No. 42, October 20, 2006 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF HEALTH

Council of Medical Physicists

RULE NO.:	RULE TITLE:
64B23-7.006	Application for Physicist-in-Training
	NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 33, No. 16, April 20, 2007 issue of the Florida Administrative Weekly.

The above-proposed rule was published as Rule 64B23-7.001, F.A.C., in the Notice of Rule Development, previously published in the March 16, 2007, Florida Administrative Weekly, Vol. 33, No. 11, on page 1235 and in the Notice of Proposed Rulemaking in the April 20, 2007, issue of the Florida Administrative Weekly, Vol. 33, No. 16, on page 1831. The rule should have been proposed as Rule 64B23-7.006, F.A.C., in both the Notice of Rule Development and Notice of Proposed Rulemaking.

The foregoing change does not affect the substance of the proposed rule.

THE PERSON TO BE CONTACTED REGARDING THE ABOVE CHANGE IS: Joe Baker, Executive Director, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3250

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NO.: RULE TITLE:
65A-4.2131 Learnfare Requirements
NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 33, No. 20, May 18, 2007 issue of the Florida Administrative Weekly.

65A-4.2131 Learnfare Requirements.

(1) Learnfare Requirements. Temporary cash assistance (TCA) will be reduced when a participant's dependent school-age child(ren) is determined to be a habitual truant or school dropout or the parent or caretaker relative whose needs are included in the TCA assistance group fails to attend a school conference each semester. Notification of the Learnfare Program requirements and the right to request a fair hearing if they disagree with a department decision will be provided upon TCA application using the CF-ES 2064, Your Rights and Responsibilities, ~~Jun 2007~~ ~~Oct 05~~, incorporated by reference.

Specific Authority 414.45 FS. Law Implemented 414.1251 FS. History--New 6-2-02, Amended.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: RULE TITLE:
69O-170.013 Filing Procedures for Property and Casualty Insurance Rates, Rules, Underwriting Guidelines, and Forms

NOTICE OF CORRECTION

Notice is hereby given that the following corrections are made to the Notice of Change published in Vol. 33, No. 21, May 25, 2007, and the Notice of Public Hearing published in Vol. 33, No. 27 on July 6, 2007 of the *Florida Administrative Weekly*. The original publication date of the proposed rules in the Florida Administrative Weekly is corrected to read: Vol. 31, No. 26, published on July 1, 2005.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NOS.: RULE TITLES:
69O-203.202 Standards for Discount Medical Plans
69O-203.204 Filing, Approval of DMPO Plans, Rates and Related Forms
69O-203.205 Bundled Products

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. 18, May 4, 2007 issue of the Florida Administrative Weekly.

These changes are being made to address concerns expressed at the public hearing. The change is solely in subsection 69O-203.205(3) which will read:

(3) When the bundled product contains insurance or other products subject to regulation and approval by the Office, a DMPO may submit for approval a combined application. Each product that is involved in the sale of the bundled product, combined application, and the charges relating to each component of the bundled product must be filed in accordance with the laws and regulations applicable to each component.

The remainder of the reads as previously published.

**Section IV
Emergency Rules**

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF THE LOTTERY

RULE NO.: RULE TITLE:
53ER07-45 Instant Game Number 707, BONUS FOR LIFE

SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 707, "BONUS FOR LIFE," 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:


53ER07-45 Instant Game Number 707, BONUS FOR LIFE.

(1) Name of Game. Instant Game Number 707, "BONUS FOR LIFE."

(2) Price. BONUS FOR LIFE lottery tickets sell for \$5.00 per ticket.

(3) BONUS FOR LIFE 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 BONUS FOR LIFE 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 ONE	2 TWO	3 THREE	4 FOUR	5 FIVE	6 SIX	7 SEVEN	8 EIGHT	9 NINE	10 TEN
11 ELEVEN	12 TWELVE	13 THIRTEEN	14 FOURTEEN	15 FIFTEEN	16 SIXTEEN	17 SEVENTEEN	18 EIGHTEEN	19 NINETEEN	20 TWENTY
21 THIRTYONE	22 THIRTYTWO	23 THIRTYTHREE	24 THIRTYFOUR	25 THIRTYFIVE	26 THIRTYSIX	27 THIRTYSEVEN	28 THIRTYEIGHT	29 THIRTYNINE	 THIRTY

(5) The “WINNING NUMBERS” play symbols and play symbol captions are as follows:

1 ONE	2 TWO	3 THREE	4 FOUR	5 FIVE	6 SIX	7 SEVEN	8 EIGHT	9 NINE	10 TEN
11 ELEVEN	12 TWELVE	13 THIRTEEN	14 FOURTEEN	15 FIFTEEN	16 SIXTEEN	17 SEVENTEEN	18 EIGHTEEN	19 NINETEEN	20 TWENTY
21 THIRTYONE	22 THIRTYTWO	23 THIRTYTHREE	24 THIRTYFOUR	25 THIRTYFIVE	26 THIRTYSIX	27 THIRTYSEVEN	28 THIRTYEIGHT	29 THIRTYNINE	

(6) The prize symbols and prize symbol captions are as follows:

\$1.00 ONE	\$2.00 TWO	\$4.00 FOUR	\$5.00 FIVE	\$10.00 TEN	\$15.00 FIFTEEN	\$25.00 TWENTY FIVE	\$50.00 FIFTY
\$75.00 SEVENTY FIVE	\$100 ONE HUNDRED	\$200 TWO HUNDRED	\$250 TWO FIFTY	\$500 FIVE HUNDRED	\$1,000 ONE THOUSAND	\$10,000 TEN THOUSAND	LIFE \$25K/YR/LIFE


(7) The legends are as follows:

WINNING NUMBERS YOUR NUMBERS

(8) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the “YOUR NUMBERS” play area that matches a play symbol and corresponding play symbol caption in the “WINNING NUMBERS” play area shall entitle the claimant to the prize shown for that play symbol. The prizes are: \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$15.00, \$25.00, \$50.00, \$75.00, \$100, \$200, \$250, \$500, \$1,000, \$10,000 and

LIFE
\$25K/YR/LIFE

(b) A ticket having a  symbol in the “YOUR NUMBERS” play area shall entitle the claimant to a prize of \$100.

(c) The winner of a “\$25,000 a year for life” prize may choose one of two payment options for receiving his or her prize. Payment options are “Cash Option” and “Annual

Payment.” At the time a “\$25,000 a year for life” prize is claimed, the terminal will produce a player claim instructions ticket. The winner has sixty (60) days from the date the player claim instructions ticket is produced to file a claim choosing the Cash Option. If a winner does not choose the Cash Option within such time, the Annual Payment option will be applied. Once the winner signs the Winner Claim Form and exercises the winner’s chosen option, the election of that option shall be final. Winner Claim Form DOL-173-2, Revised 9/05, and Spanish Winner Claim Form DOL-173-2S, Revised 9/05, are incorporated herein by reference and may be obtained from any Lottery retailer, Lottery office or from the Lottery’s website at www.flalottery.com.

(d) Cash Option prizes will be paid in a single cash payment equal to the amount of cash required to purchase U.S. Government Securities that would fund \$500,000 payable over a twenty year period, less applicable federal withholding taxes. This figure will be determined during the week following the date on which the “\$25,000 a year for life” prize is claimed by obtaining quotes from at least two investment sources. The quote costing the least to fund the twenty year payment stream, had the annual payment option been selected, will be the amount of the Cash Option prize.

(e) Annual Payment prizes claimed by an individual will be paid in equal annual installments of \$25,000 for the life of the winner, with a minimum of twenty annual payments, less applicable federal withholding taxes. Annual Payment prizes claimed by a trust, corporation or other legal entity shall consist of twenty annual payments of \$25,000 each, less applicable federal withholding taxes.

(f) Any interest or earnings accruing on a “\$25,000 a year for life” prize prior to the prize payment or purchase of securities, under either the Cash Option or the Annual Payment Option, shall accrue to the State of Florida and not to the winner.

(9) The estimated odds of winning, value and number of prizes in Instant Game Number 707 are as follows:

GAME PLAY	VALUE	ODDS OF 1 IN	NUMBER OF WINNERS IN 84 POOLS OF 120,000 TICKETS PER POOL
\$1 x 5	\$5	30.00	336,000
(\$1 x 3) + \$2	\$5	30.00	336,000
\$1 + (\$2 x 2)	\$5	60.00	168,000
\$5	\$5	60.00	168,000
\$1 x 10	\$10	60.00	168,000
\$2 + (\$4 x 2)	\$10	60.00	168,000
(\$1 x 4) + (\$2 x 3)	\$10	60.00	168,000
\$1 + (\$2 x 2) + \$5	\$10	30.00	336,000
\$10	\$10	60.00	168,000

\$1 x 15	\$15	60.00	168.000
\$15	\$15	60.00	168.000
\$5 x 5	\$25	300.00	33.600
(\$5 x 3) + \$10	\$25	400.00	25.200
\$5 + (\$10 x 2)	\$25	300.00	33.600
(\$2 x 5) + \$5 + \$10	\$25	300.00	33.600
(\$1 x 5) + (\$2 x 10)	\$25	400.00	25.200
\$25	\$25	600.00	16.800
\$50	\$50	300.00	33.600
\$5 x 15	\$75	20,000.00	504
\$5 + (\$10 x 7)	\$75	20,000.00	504
(\$5 x 5) + \$50	\$75	20,000.00	504
(\$10 x 5) + \$25	\$75	20,000.00	504
\$75	\$75	20,000.00	504
\$10 + (\$15 x 6)	\$100	2,400.00	4,200
(\$5 x 10) + (\$10 x 5)	\$100	2,400.00	4,200
\$25 x 4	\$100	2,400.00	4,200
(\$25 x 2) + \$50	\$100	2,400.00	4,200
\$100 (MONEYBAG)	\$100	240.00	42,000
\$100 (MONEYBAG)	\$500	20,000.00	504
+\$200 x 2			
(\$50 x 3) + \$100 (MONEYBAG)	\$500	20,000.00	504
\$250			
\$500	\$500	20,000.00	504
\$100 (MONEYBAG)	\$1,000	252,000.00	40
+\$200 x 2 + \$500			
\$200 x 5	\$1,000	252,000.00	40
(\$50 x 10) + (\$100 x 5)	\$1,000	252,000.00	40
\$500 x 2	\$1,000	252,000.00	40
\$1,000	\$1,000	252,000.00	40
\$1,000 x 10	\$10,000	2,520,000.00	4
(\$500 x 10) + (\$1,000 x 5)	\$10,000	2,520,000.00	4
\$10,000	\$10,000	2,520,000.00	4
LIFE (\$25,000 A YEAR FOR LIFE)	TOP PRIZE	5,040,000.00	2

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 7-6-07.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: July 6, 2007

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER07-46
 RULE TITLE: Instant Game Number 708, CASH FOR LIFE

SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 708, “CASH FOR LIFE,” 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:

53ER07-46 Instant Game Number 708, CASH FOR LIFE.

(1) Name of Game. Instant Game Number 708, “CASH FOR LIFE.”

(2) Price. CASH FOR LIFE lottery tickets sell for \$2.00 per ticket.

(3) CASH FOR LIFE 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 CASH FOR LIFE 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 ONE	2 TWO	3 THREE	4 FOUR	5 FIVE	6 SIX	7 SEVEN	8 EIGHT	9 NINE	10 TEN	
11 ELEVEN	12 TWELVE	13 THIRTEEN	14 FOURTEEN	15 FIFTEEN	16 SIXTEEN	17 SEVENTEEN	18 EIGHTEEN	19 NINETEEN	20 TWENTY	

(5) The “WINNING NUMBERS” play symbols and play symbol captions are as follows:

1 ONE	2 TWO	3 THREE	4 FOUR	5 FIVE	6 SIX	7 SEVEN	8 EIGHT	9 NINE	10 TEN
11 ELEVEN	12 TWELVE	13 THIRTEEN	14 FOURTEEN	15 FIFTEEN	16 SIXTEEN	17 SEVENTEEN	18 EIGHTEEN	19 NINETEEN	20 TWENTY

(10) The estimated overall odds of winning some prize in Instant Game Number 707 are 1 in 3.85. 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 707, the estimated odds of winning, value and number of prizes shall be proportionate to the number of tickets reordered.

(12) By purchasing a BONUS FOR LIFE lottery ticket the player agrees to comply with and abide by all prize payment rules of the Florida Lottery.

(13) Payment of prizes for BONUS FOR LIFE lottery tickets shall be made in accordance with rules of the Florida Lottery governing payment of prizes.

(6) The prize symbols and prize symbol captions are as follows:

TICKET TICKET	\$1.00 ONE	\$2.00 TWO	\$5.00 FIVE	\$10.00 TEN
\$25.00 THY FIVE	\$50.00 FIFTY	\$100 ONE HUN	\$200 THO HUN	\$1,000 ONE THO
				LIFE \$10K/YR/LIFE

(7) The legends are as follows:

WINNING NUMBERS YOUR NUMBERS

(8) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the "YOUR NUMBERS" play area that matches a play symbol and corresponding play symbol caption in the "WINNING NUMBERS" play area shall entitle the claimant to the prize shown for that play symbol. The prizes are: TICKET, \$1.00, \$2.00, \$5.00, \$10.00, \$25.00, \$50.00,

\$100, \$200, \$1,000 and **LIFE**
\$100K/YR/LIFE

(b) A ticket having a "HIN \$50" symbol in the "YOUR NUMBERS" play area shall entitle the claimant to a prize of \$50. 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 CASH FOR LIFE 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.

(c) The winner of a "\$10,000 a year for life" prize may choose one of two payment options for receiving his or her prize. Payment options are "Cash Option" and "Annual Payment." At the time a "\$10,000 a year for life" prize is claimed, the terminal will produce a player claim instructions ticket. The winner has sixty (60) days from the date the player claim instructions ticket is produced to file a claim choosing the Cash Option. If a winner does not choose the Cash Option within such time, the Annual Payment option will be applied. Once the winner signs the Winner Claim Form and exercises the winner's chosen option, the election of that option shall be final. Winner Claim Form DOL-173-2, Revised 9/05, and Spanish Winner Claim Form DOL-173-2S, Revised 9/05, are incorporated herein by reference and may be obtained from any Lottery retailer, Lottery office or from the Lottery's website at www.flalottery.com.

(d) Cash Option prizes will be paid in a single cash payment equal to the amount of cash required to purchase U.S. Government Securities that would fund \$200,000 payable over a twenty year period, less applicable federal withholding taxes. This figure will be determined during the week following the date on which the "\$10,000 a year for life" prize is claimed by

obtaining quotes from at least two investment sources. The quote costing the least to fund the twenty year payment stream, had the annual payment option been selected, will be the amount of the Cash Option prize.

(e) Annual Payment prizes claimed by an individual will be paid in equal annual installments of \$10,000 for the life of the winner, with a minimum of twenty annual payments, less applicable federal withholding taxes. Annual Payment prizes claimed by a trust, corporation or other legal entity shall consist of twenty annual payments of \$10,000 each, less applicable federal withholding taxes.

(f) Any interest or earnings accruing on a "\$10,000 a year for life" prize prior to the prize payment or purchase of securities, under either the Cash Option or the Annual Payment Option, shall accrue to the State of Florida and not to the winner.

(9) The estimated odds of winning, value and number of prizes in Instant Game Number 708 are as follows:

GAME PLAY	VALUE	ODDS OF 1 IN	NUMBER OF
			WINNERS IN 56 POOLS OF 180,000 TICKETS
TICKET	\$2	8.33	1,209,600
\$2	\$2	75.00	134,400
\$2 x 2	\$4	30.00	336,000
\$1 + (\$2 x 2)	\$5	37.50	268,800
\$5	\$5	37.50	268,800
(\$1 x 2) + (\$2 x 4)	\$10	150.00	67,200
\$5 x 2	\$10	75.00	134,400
\$10	\$10	150.00	67,200
\$5 x 5	\$25	450.00	22,400
\$5 + (\$10 x 2)	\$25	450.00	22,400
\$25	\$25	450.00	22,400
\$5 x 10	\$50	1,800.00	5,600
\$10 x 5	\$50	1,800.00	5,600
\$50 (MONEYBAG)	\$50	450.00	22,400
\$10 x 10	\$100	9,000.00	1,120
(\$10 x 5) + \$50 (MONEYBAG)	\$100	1,500.00	6,720
\$100	\$100	18,000.00	560
(\$25 x 2) + \$50 (MONEYBAG) + \$100	\$200	90,000.00	112
\$200	\$200	90,000.00	112
\$100 x 10	\$1,000	720,000.00	14
\$1,000	\$1,000	720,000.00	14
LIFE (\$10,000 A YEAR FOR LIFE)	TOP PRIZE	5,040,000.00	2

(10) The estimated overall odds of winning some prize in Instant Game Number 708 are 1 in 3.88. 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 708, the estimated odds of winning, value and number of prizes shall be proportionate to the number of tickets reordered.

(12) By purchasing a CASH FOR LIFE lottery ticket the player agrees to comply with and abide by all prize payment rules of the Florida Lottery.

(13) Payment of prizes for CASH FOR LIFE 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 7-6-07.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: July 6, 2007

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER07-47
 RULE TITLE: Instant Game Number 709, LOADED FOR LIFE

SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 709, “LOADED FOR LIFE,” 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:

53ER07-47 Instant Game Number 709, LOADED FOR LIFE.

(1) Name of Game. Instant Game Number 709, “LOADED FOR LIFE.”

(2) Price. LOADED FOR LIFE lottery tickets sell for \$10.00 per ticket.

(3) LOADED FOR LIFE 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 LOADED FOR LIFE 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	2	3	4	5	6	7	8	9	10	11	12	13	14	15
ONE	TWO	THREE	FOUR	FIVE	SIX	SEVEN	EIGHT	NINE	TEN	ELEVEN	TWELVE	THIRTEEN	FOURTEEN	FIFTEEN
16	17	18	19	20	21	22	23	24	25	26	27	28	29	30
SIXTEEN	SEVENTEEN	EIGHTEEN	NINETEEN	TWENTY	TWENTYONE	TWENTYTWO	TWENTYTHREE	TWENTYFOUR	TWENTYFIVE	TWENTYSIX	TWENTYSEVEN	TWENTYEIGHT	TWENTYNINE	THIRTY

(5) The “WINNING NUMBERS” play symbols and play symbol captions are as follows:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
ONE	TWO	THREE	FOUR	FIVE	SIX	SEVEN	EIGHT	NINE	TEN	ELEVEN	TWELVE	THIRTEEN	FOURTEEN	FIFTEEN
16	17	18	19	20	21	22	23	24	25	26	27	28	29	30
SIXTEEN	SEVENTEEN	EIGHTEEN	NINETEEN	TWENTY	TWENTYONE	TWENTYTWO	TWENTYTHREE	TWENTYFOUR	TWENTYFIVE	TWENTYSIX	TWENTYSEVEN	TWENTYEIGHT	TWENTYNINE	THIRTY

(6) The prize symbols and prize symbol captions are as follows:

\$5.00 FIVE	\$10.00 TEN	\$15.00 FIFTEEN	\$20.00 TWENTY	\$25.00 TWTY FIV	\$40.00 FORTY	\$50.00 FIFTY
\$100 ONE HUN	\$200 TWO HUN	\$500 FIVE HUN	\$1,000 ONE THO	\$10,000 TEN THO	LIFE \$50K/TR/LIFE	

(7) The legends are as follows:

WINNING NUMBERS YOUR NUMBERS

(8) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the “YOUR NUMBERS” play area that matches a play symbol and corresponding play symbol caption in the “WINNING NUMBERS” play area shall entitle the claimant to the prize shown for that play symbol. The prizes are: \$5.00, \$10.00, \$15.00, \$20.00, \$25.00, \$40.00, \$50.00,

\$100, \$200, \$500, \$1,000, \$10,000 and **LIFE** \$50K/TR/LIFE.

(b) A ticket having a “WIN \$200” symbol in the “YOUR NUMBERS” play area shall entitle the claimant to a prize of \$200.

(c) The winner of a “\$50,000 a year for life” prize may choose one of two payment options for receiving his or her prize. Payment options are “Cash Option” and “Annual Payment.” At the time a “\$50,000 a year for life” prize is claimed, the terminal will produce a player claim instructions ticket. The winner has sixty (60) days from the date the player claim instructions ticket is produced to file a claim choosing the Cash Option. If a winner does not choose the Cash Option within such time, the Annual Payment option will be applied. Once the winner signs the Winner Claim Form and exercises

the winner's chosen option, the election of that option shall be final. Winner Claim Form DOL-173-2, Revised 9/05, and Spanish Winner Claim Form DOL-173-2S, Revised 9/05, are incorporated herein by reference and may be obtained from any Lottery retailer, Lottery office or from the Lottery's website at www.flalottery.com.

(d) Cash Option prizes will be paid in a single cash payment equal to the amount of cash required to purchase U.S. Government Securities that would fund \$1,000,000 payable over a twenty year period, less applicable federal withholding taxes. This figure will be determined during the week following the date on which the "\$50,000 a year for life" prize is claimed by obtaining quotes from at least two investment sources. The quote costing the least to fund the twenty year payment stream, had the annual payment option been selected, will be the amount of the Cash Option prize.

(e) Annual Payment prizes claimed by an individual will be paid in equal annual installments of \$50,000 for the life of the winner, with a minimum of twenty annual payments, less applicable federal withholding taxes. Annual Payment prizes claimed by a trust, corporation or other legal entity shall consist of twenty annual payments of \$50,000 each, less applicable federal withholding taxes.

(f) Any interest or earnings accruing on a "\$50,000 a year for life" prize prior to the prize payment or purchase of securities, under either the Cash Option or the Annual Payment Option, shall accrue to the State of Florida and not to the winner.

(9) The estimated odds of winning, value and number of prizes in Instant Game Number 709 are as follows:

GAME PLAY	VALUE	ODDS OF 1 IN	NUMBER OF WINNERS IN 42 POOLS OF 120,000 TICKETS PER POOL
\$5 x 2	\$10	30.00	168,000
\$10	\$10	30.00	168,000
\$5 x 3	\$15	30.00	168,000
\$15	\$15	30.00	168,000
\$10 x 2	\$20	30.00	168,000
\$20	\$20	30.00	168,000
\$5 x 5	\$25	120.00	42,000
\$5 + (\$10 x 2)	\$25	120.00	42,000
\$5 + \$20	\$25	120.00	42,000
\$25	\$25	120.00	42,000
\$10 x 4	\$40	150.00	33,600
\$20 x 2	\$40	200.00	25,200
\$40	\$40	200.00	25,200

\$5 x 20	\$100	480.00	10,500
\$10 x 10	\$100	300.00	16,800
(\$10 x 6) + (\$20 x 2)	\$100	521.74	9,660
\$25 x 4	\$100	600.00	8,400
\$100	\$100	600.00	8,400
\$10 x 20	\$200	6,000.00	840
(\$10 x 10) + (\$25 x 4)	\$200	6,000.00	840
\$50 x 4	\$200	6,000.00	840
\$20 x 10	\$200	6,000.00	840
\$200 (MONEY BAG)	\$200	300.00	16,800
\$25 x 20	\$500	20,000.00	252
(\$50 x 2) + (\$100 x 2) + \$200	\$500	6,666.67	756
(MONEYBAG) (\$20 x 10) + (\$50 x 6)	\$500	20,000.00	252
\$100 x 5	\$500	20,000.00	252
\$500	\$500	20,000.00	252
\$50 x 20	\$1,000	60,000.00	84
(\$100 x 6) + (\$200 x 2)	\$1,000	60,000.00	84
(\$100 x 3) + \$200 (MONEYBAG) + \$500	\$1,000	12,000.00	420
\$500 x 2	\$1,000	60,000.00	84
\$1,000	\$1,000	60,000.00	84
\$500 x 20	\$10,000	120,000.00	42
\$10,000	\$10,000	120,000.00	42
LIFE (\$50,000 A YEAR FOR LIFE)	TOP PRIZE	2,520,000.00	2

(10) The estimated overall odds of winning some prize in Instant Game Number 709 are 1 in 3.77. 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 709, the estimated odds of winning, value and number of prizes shall be proportionate to the number of tickets reordered.

(12) By purchasing a LOADED FOR LIFE lottery ticket the player agrees to comply with and abide by all prize payment rules of the Florida Lottery.

(13) Payment of prizes for LOADED FOR LIFE 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 7-6-07.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: July 6, 2007

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER07-48
 RULE TITLE: Instant Game Number 705, LUCKY FOR LIFE

SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 705, "LUCKY FOR LIFE," 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:

53ER07-48 Instant Game Number 705, LUCKY FOR LIFE.

(1) Name of Game. Instant Game Number 705, "LUCKY FOR LIFE."

(2) Price. LUCKY FOR LIFE lottery tickets sell for \$20.00 per ticket.

(3) LUCKY FOR LIFE 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 FOR LIFE 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	2	3	4	5	6	7	8	9	10	11	12	13	14	15
ONE	TWO	THREE	FOUR	FIVE	SIX	SEVEN	EIGHT	NINE	TEN	ELEVEN	TWELVE	THIRTEEN	FOURTEEN	FIFTEEN
16	17	18	19	20	21	22	23	24	25	26	27	28	29	30
SIXTEEN	SEVENTEEN	EIGHTEEN	NINETEEN	TWENTY	TWENTYONE	TWENTYTWO	TWENTYTHREE	TWENTYFOUR	TWENTYFIVE	TWENTYSIX	TWENTYSEVEN	TWENTYEIGHT	TWENTYNINE	THIRTY
31	32	33	34	35	36	37	38	39						
THIRTYONE	THIRTYTWO	THIRTYTHREE	THIRTYFOUR	THIRTYFIVE	THIRTYSIX	THIRTYSEVEN	THIRTYEIGHT	THIRTYNINE	WIN \$500					

(5) The "WINNING NUMBERS" play symbols and play symbol captions are as follows:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
ONE	TWO	THREE	FOUR	FIVE	SIX	SEVEN	EIGHT	NINE	TEN	ELEVEN	TWELVE	THIRTEEN	FOURTEEN	FIFTEEN
16	17	18	19	20	21	22	23	24	25	26	27	28	29	30
SIXTEEN	SEVENTEEN	EIGHTEEN	NINETEEN	TWENTY	TWENTYONE	TWENTYTWO	TWENTYTHREE	TWENTYFOUR	TWENTYFIVE	TWENTYSIX	TWENTYSEVEN	TWENTYEIGHT	TWENTYNINE	THIRTY
31	32	33	34	35	36	37	38	39						
THIRTYONE	THIRTYTWO	THIRTYTHREE	THIRTYFOUR	THIRTYFIVE	THIRTYSIX	THIRTYSEVEN	THIRTYEIGHT	THIRTYNINE						

(6) The prize symbols and prize symbol captions are as follows:


\$5.00 FIVE	\$10.00 TEN	\$20.00 TWENTY	\$25.00 TWY FIV	\$40.00 FORTY	\$50.00 FIFTY
\$100 ONE HUN	\$250 THO FTY	\$500 FIVE HUN	\$1,000 ONE THO	\$10,000 TEN THO	LIFE \$100K/YR/LIFE


(7) The legends are as follows:

WINNING NUMBERS YOUR NUMBERS

(8) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the "YOUR NUMBERS" play area that matches a play symbol and corresponding play symbol caption in the "WINNING NUMBERS" play area shall entitle the claimant to the prize shown for that play symbol. The prizes are: \$5.00, \$10.00, \$20.00, \$25.00, \$40.00, \$50.00, \$100,

\$250, \$500, \$1,000, \$10,000 and 

(b) A ticket having a " " symbol in the "YOUR NUMBERS" play area shall entitle the claimant to a prize of \$500.

(c) The winner of a "\$100,000 a year for life" prize may choose one of two payment options for receiving his or her prize. Payment options are "Cash Option" and "Annual Payment." At the time a "\$100,000 a year for life" prize is claimed, the terminal will produce a player claim instructions ticket. The winner has sixty (60) days from the date the player claim instructions ticket is produced to file a claim choosing the Cash Option. If a winner does not choose the Cash Option within such time, the Annual Payment option will be applied. Once the winner signs the Winner Claim Form and exercises the winner's chosen option, the election of that option shall be final. Winner Claim Form DOL-173-2, Revised 9/05, and Spanish Winner Claim Form DOL-173-2S, Revised 9/05, are incorporated herein by reference and may be obtained from any Lottery retailer, Lottery office or from the Lottery's website at www.flalottery.com.

(d) Cash Option prizes will be paid in a single cash payment equal to the amount of cash required to purchase U.S. Government Securities that would fund \$2,000,000 payable over a twenty year period, less applicable federal withholding taxes. This figure will be determined during the week following the date on which the "\$100,000 a year for life" prize is claimed by obtaining quotes from at least two investment sources. The quote costing the least to fund the twenty year payment stream, had the annual payment option been selected, will be the amount of the Cash Option prize.

(e) Annual Payment prizes claimed by an individual will be paid in equal annual installments of \$100,000 for the life of the winner, with a minimum of twenty annual payments, less applicable federal withholding taxes. Annual Payment prizes claimed by a trust, corporation or other legal entity shall consist of twenty annual payments of \$100,000 each, less applicable federal withholding taxes.

(f) Any interest or earnings accruing on a "\$100,000 a year for life" prize prior to the prize payment or purchase of securities, under either the Cash Option or the Annual Payment Option, shall accrue to the State of Florida and not to the winner.

(9) The estimated odds of winning, value and number of prizes in Instant Game Number 705 are as follows:

GAME PLAY	VALUE	ESTIMATED ODDS OF 1 IN	NUMBER OF WINNERS IN 106 POOLS OF 120,000 TICKETS PER POOL
\$5 x 4	\$20	15.00	848,000
\$10 x 2	\$20	15.00	848,000
\$20	\$20	30.00	424,000
\$10 x 4	\$40	60.00	212,000
(\$10 x 2) + \$20	\$40	60.00	212,000
\$20 x 2	\$40	120.00	106,000
\$5 + \$10 + \$25	\$40	120.00	106,000
\$40	\$40	60.00	212,000
\$25 x 2	\$50	60.00	212,000
\$50	\$50	60.00	212,000
\$5 x 20	\$100	120.00	106,000
\$25 x 4	\$100	200.00	63,600
(\$20 x 3) + \$40	\$100	150.00	84,800
\$20 x 5	\$100	200.00	63,600
\$100	\$100	120.00	106,000
\$20 x 25	\$500	2,400.00	5,300
\$25 x 20	\$500	2,400.00	5,300
\$50 x 10	\$500	2,400.00	5,300
\$100 x 5	\$500	2,400.00	5,300
\$500	\$500	240.00	53,000
(MONEYBAG)			
\$40 x 25	\$1,000	120,000.00	106
\$100 x 10	\$1,000	120,000.00	106
(\$250 x 2) + \$500	\$1,000	20,000.00	636
(MONEYBAG)			
\$500 x 2	\$1,000	120,000.00	106
\$1,000	\$1,000	120,000.00	106
\$1,000 x 10	\$10,000	60,000.00	212
\$10,000	\$10,000	60,000.00	212

LIFE (\$100,000 A YEAR FOR LIFE)	TOP PRIZE	3,180,000.00	4
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(10) The estimated overall odds of winning some prize in Instant Game Number 705 are 1 in 3.27. 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 705, the estimated odds of winning, value and number of prizes shall be proportionate to the number of tickets reordered.

(12) By purchasing a LUCKY FOR LIFE 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 FOR LIFE 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 7-6-07.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.
EFFECTIVE DATE: July 6, 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

Division of Victim Services and Criminal Justice Programs
The Department of Legal Affairs, Division of Victim Services and Criminal Justice Programs, hereby gives notice that it has issued an Order on the Petition for Waiver and Variance filed on behalf of Circle K Stores, Inc. The petition seeks a waiver or variance from Rule 2A-5.005, F.A.C., in regard to the requirement regarding test photos and remote triggering devices. The Petition was filed on May 7, 2007. The Notice was published in Vol. 33, No. 21, of the May 25, 2007, Florida Administrative Weekly (F.A.W.), and the Amended Notice was published in Vol. 33, No. 25, of the June 22, 2007, F.A.W. The Division Director determined that the petition should be

granted for the following reasons: the Petitioner presented evidence that the purpose of the underlying statute has been met through the use of a superior digital recording, and that application of the rule would violate the principles of fairness in this matter. The Order granting the Petition was filed on July 2, 2007.

A copy of the Order may be obtained by contacting: Rick Nuss, Chief, Bureau of Criminal Justice Programs, Department of Legal Affairs, PL-01, The Capitol, Tallahassee, Florida 32399-1050, telephone number (850)414-3351.

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 July 10, 2007, the Suwannee River Water Management District (District) Governing Board has issued an order.

This Order grants Variance under Section 120.542, F.S., to Mr. Lawrence Diaz. The petition for waiver was received by SRWMD on June 14, 2007. Notice of receipt of petition requesting the waiver was published in F.A.W., Vol. 33, No. 25 on June 22, 2007. No public comment was received. This Order provides a variance of the SRWMD's criteria for subsection 40B-4.3030(9), F.A.C., to the zero-rise certification requirement, and paragraph 40B-4.3030(11)(b), F.A.C., to the 75-foot setback requirement within Township 9 South, Range 14 East, Section 17, Gilchrist County.

A copy of the Order 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 1(800)226-1066 in Florida only.

NOTICE IS HEREBY GIVEN THAT on June 29, 2007, the St. Johns River Water Management District, received a petition for variance from Hammock Landing/West Melbourne, LLC, 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 (ERP) Application 4-009-92272-3. The permit applicant is proposing to construct a surface water management system, consisting of a wet detention pond that will serve a 76.16-acre commercial project in Brevard County and discharge into the Melbourne-Tillman Water Control District canal system. 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 2007-51.

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, (386)312-2347.

NOTICE IS HEREBY GIVEN THAT on June 28, 2007, South Florida Water Management District (District) received a petition for waiver from Alligator Alley Pipeline Company Application No. 06-1113-1, for utilization of Works or Lands of the District known as the North New River Canal and Water Conservation Area 3A, Broward County for proposed testing of an existing petroleum transmission line, chain link fence enclosure and above ground valves within the south right of way of the North New River Canal, Section (multiple) Township 50 South, Range 37 East through 41 East. The petition seeks relief from subsections 40E-6.011(4) and (6), Florida Administrative Code, which prohibits above ground structures within 40' feet of top of canal bank, and paragraph 40E-6.221(2)(j), Florida Administrative Code, which prohibits placement of transmission lines 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: South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn: Kathie Ruff, Office of Counsel.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT on May 3, 2007, the Division of Hotels and Restaurants received a Petition for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from Luigi's Trattoria located in Fernandina Beach. The above referenced F.A.C. states...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.....The

proposed establishment has one bathroom facility for patrons and they are requesting a variance to have a seating capacity of forty-two (42).

This variance request was approved June 29, 2007, and is contingent upon the Petitioner ensuring the public bathroom is functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, and kept in a clean and sanitary manner. Seating shall not exceed (42) which includes inside and outside seating. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes. To obtain a copy of the approved variance you may contact David.Fountain@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on June 15, 2007, the Division of Hotels and Restaurants received a second Petition for an Emergency Variance for subsections 61C-4.0101(1) and 61C-4.010(6), Florida Administrative Code, from RC Catering located in Orlando. The above referenced F.A.C. addresses food supplies, food protection, and physical facilities-except as specifically provided in this rule, public food service establishments shall be subject to the provisions of chapter three and chapter six of the FDA Food Code. They are requesting to do open air food service on a Mobile Food Dispensing Vehicle.

This variance request was approved June 29, 2007, and contingent upon the Petitioner's use of open-air steam table properly covered and air curtain operating properly according to manufacturer's specifications and Section 6-202-15(D)(2), 2001 FDA Food Code, as to expel possible contaminants and vermin. Approval is also contingent upon Petitioner conducting all re-heating for hot holding at approved commissaries to the proper temperature per Section 3-403.11, 2001 FDA Food Code; and potentially hazardous food is held at proper temperatures according to Section 3-501.16, 2001 FDA Food Code.

The Petitioner shall strictly adhere to subsection 61C-4.0161(1)(c), Florida Administrative Code, and report to the commissary at least once daily when operating. All warewashing is to be conducted at the commissary and strict adherence to employee health guidelines as specified in the Section 2-201, 2001 FDA Food Code, are to be followed. Petitioner shall also use a potable water tank and utilize a wastewater holding tank that is at least 15% larger than the potable water holding tank; and sloped to a drain that is 1 inch in inner diameter or greater, equipped with a shut-off valve. Petitioner must receive potable water from an approved source with written documentation provided and sanitize the fresh water and wastewater tanks at least once every 24 hours.

Copies of the variance and operating procedures are to be present on the MFDV at all times of operation and shall be adhered to as approved by the Division. This variance is not

transferable under any conditions. All provisos must be complied prior to final approval and licensing. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes. To obtain a copy of the approved variance you may contact David.Fountain@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on June 19, 2007, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from Lyn's Ice Cream and Sandwiches located in Clermont. The above referenced F.A.C. states ...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.....The proposed establishment has one bathroom facility for patrons and they are requesting a variance to have a seating capacity of twenty-eight (28).

This variance request was approved June 29, 2007, and is contingent upon the Petitioner ensuring the public bathroom is functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, and kept in a clean and sanitary manner. Seating shall not exceed (28) which includes inside and outside seating. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes. To obtain a copy of the approved variance you may contact David.Fountain@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on June 22, 2007, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsections 61C-4.0101(1) and 61C-4.010(6), Florida Administrative Code, from Perez's Catering located in Orlando. The above referenced F.A.C. addresses food supplies, food protection, and physical facilities-except as specifically provided in this rule, public food service establishments shall be subject to the provisions of chapter three and chapter six of the FDA Food Code. They are requesting to do open air food service on a Mobile Food Dispensing Vehicle.

A copy of the Petition 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 June 22, 2007, the Division of Hotels and Restaurants received a Petition for a Routine Variance for subsections 61C-4.0101(1) and 61C-4.010(6), Florida Administrative Code, from Tequila

Mexican Restaurant located in Tampa. The above referenced F.A.C. addresses food supplies, food protection, and physical facilities-except as specifically provided in this rule, public food service establishments shall be subject to the provisions of chapter three and chapter six of the FDA Food Code. They are requesting to do open air food service on four Mobile Food Dispensing Vehicles.

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 June 28, 2007, the Division of Hotels and Restaurants received a Petition for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from Big E's located in Lake City. 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 July 9, 2007, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.0101(1) and 61C-4.010(6), Florida Administrative Code, from J&J Catering located in Orlando. The above referenced F.A.C. addresses food supplies, food protection, and physical facilities-except as specifically provided in this rule, public food service establishments shall be subject to the provisions of chapter three and chapter six of the FDA Food Code. They are requesting to do open air food service on a Mobile Food Dispensing Vehicle.

A copy of the Petition 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 June 21, 2007, the Board of Landscape Architecture has issued an order.

The Order is regarding the Petition for Waiver or Variance, filed on April 11, 2007, by Mike Sosadeeter. The Notice of Petition for Waiver or Variance was published in Vol. 33, No. 18, of the May 4, 2007, F.A.W. Petitioner sought a waiver or variance of Rule 61G10-11.004, F.A.C., entitled "Practical Experience in Landscape Architecture" which requires that applicants for licensure as a registered landscape architect shall demonstrate prior to licensure, one year of practical experience in landscape architectural work under the supervision of a registered landscape architect. The Board considered the instant Petition at a duly-noticed public telephonic meeting held May 31, 2007.

The Board's Order granted the petition finding that Petitioner established that the purpose of the underlying statute, Section 481.310, Florida Statutes, would be met by granting a variance or waiver from Rule 61G10-11.004, F.A.C. The Board further found that Petitioner had established that applying the requirements of the aforementioned Rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Juanita Chastain, Executive Director, Board of Landscape Architecture, 1940 North Monroe Street, Tallahassee, Florida 32399-0783.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT on July 5, 2007, the Board of Clinical Laboratory Personnel, received a petition for for variance or waiver from Petitioner Karen Lowe, who seeks a variance from subsections 64B3-5.002(1) and 64B3-2.003(6), Florida Administrative Code, with respect to the educational requirements for supervisors.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257, within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on May 9, 2007, the Board of Medicine issued an order. The Petition for Waiver and/or Variance was filed by Terri Hartsfield, E.O., on February 19, 2007, seeking a waiver or variance from subsection 64B8-52.003(5), F.A.C., with regard to the restriction on the number of home study hours permitted for

the purposes of continuing education. The Notice was published in Vol. 33, No. 11, of the F.A.W., on March 16, 2007. The Board, at its meeting held by telephone conference call on May 2, 2007, granted the Petition for Waiver finding that the Petitioner demonstrated a substantial hardship and met the purpose of the underlying statute. The waiver shall only apply to the Petitioner's licensure biennium ending May 30, 2008.

The Board's Order may be obtained by contacting: the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

NOTICE IS HEREBY GIVEN THAT on July 3, 2007, the Board of Medicine received a petition filed on behalf of Bay Area Renal Stone Center and three representatives of its staff physicians, seeking a waiver or variance from subparagraph 64B8-9.009(4)(b)2., F.A.C., with regard to the requirement for Advanced Cardiac Life Support (ACLS) certification. Comments on this petition should be filed with the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

For a copy of the petition, contact Larry McPherson, Jr., Executive Director, Board of Medicine, at the above address, or telephone (850)245-4131.

NOTICE IS HEREBY GIVEN THAT on July 9, 2007, the Board of Opticianry, received a petition for Jay Cohen and Dori A. Valenti-Cohen, seeking a waiver or variance of Rule 64B12-9.016, Florida Administrative Code, with respect to being licensed in the state of Florida. Petitioners seek waiver of the requirement to apply for examination within 2 years of ceasing the actual practice of opticianry in another state.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Board of Opticianry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

NOTICE IS HEREBY GIVEN THAT on July 2, 2007, the Board of Podiatric Medicine, received a petition for Eustace Vivian Allen, seeking a variance or waiver of Rules 64B18-11.001 and 64B18-11.002, F.A.C., which provides that an application file for licensure is not complete unless it contains verifications of a passing score from examination of the National Board of Podiatric Medical Examiners, including Part I, Part II, and the PMLexis Examination administered after August 1996.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joe Baker, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3258. Comments on this petition should be filed with the Board of Podiatry 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. This Notice amends the Notice of Emergency Petition for Variance and Waiver published in the F.A.W., on June 22, 2007, Vol. 33, No. 25.

NOTICE IS HEREBY GIVEN THAT the Department of Health, has received an Emergency Petition for Variance from or Waiver of Agency paragraphs 64F-12.012(3)(a) and (c) F.A.C., from AmerisourceBergen Drug Corporation and Amerisource Health Services Corporation d/b/a American Health Packaging. The petition seeks a variance from or waiver of paragraphs 64F-12.012(3)(a) and (c), F.A.C. incorporating by 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.

Please take note that the Emergency Petition for Variance from or Waiver of Agency paragraphs 64F-12.012(3)(a) and (c), F.A.C. was voluntarily withdrawn by AmerisourceBergen Drug Corporation and Amerisource Health Services Corporation d/b/a American Health Packaging on June 15, 2007.

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)245-4294.

FINANCIAL SERVICES COMMISSION

NOTICE IS HEREBY GIVEN that on July 5, 2007, the Office of Insurance Regulation, received a petition for a variance and/or waiver from paragraph 69O-149.0025(4)(b), F.A.C. In its petition Blue Cross and Blue Shield of Florida ask to be permanently relieved from compliance with this rule for health insurance policies that have a maximum monthly premium of \$150.00, such maximum premium amount to be indexed as set forth in the petition.

A copy of the Petition for Variance or Waiver may be obtained by contacting Bob Prentiss by email: bob.prentiss@fldfs.com.

Section VI Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF LEGAL AFFAIRS

The **Florida Elections Commission** announces a meeting to which all interested persons are invited. Parts of the meeting are confidential.

DATES AND TIMES: Thursday, August 16, 2007, 9:00 a.m. – until the Commission adjourns; Friday, August 17, 2007, 8:30 a.m. – until the Commission adjourns.

PLACE: DoubleTree Hotel, 101 S. Adams Street, Florida Room, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review and adjudication of cases relating to alleged violations of Chapters 104 and 106, Florida Statutes, and to the late filing of campaign treasurer's reports.

For a copy of the agenda or additional information call Patsy Rushing, 107 W. Gaines Street, Suite 224, Collins Building, Tallahassee, FL 32399-1050, (850)922-4539.

If a person decides to appeal any decision of the Commission with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings and will need to assure that a verbatim record of the proceedings is made.

If you need an accommodation because of disability in order to participate, please call Patsy Rushing at least 48 hours before the meeting.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Florida **Department of Agriculture and Consumer Services, Division of Forestry** announces a meeting of the Off-Highway Vehicle Recreation Advisory Committee which is open to all interested persons.

DATE AND TIME: Wednesday, July 25, 2007, 9:00 a.m. – 3:00 p.m. (EST)

PLACE: Disney Wilderness Preserve, 2700 Scrub Jay Trail, Kissimmee, FL 34759, (407)935-0002

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting of the Off-Highway Vehicle Recreation Advisory Committee.

A copy of the agenda may be obtained by contacting: John Waldron, 3125 Conner Blvd., Tallahassee, FL 32399, (850)414-9852.

The Florida **Department of Agriculture and Consumer Services, Division of Forestry** announces a meeting of the Florida Council which is open to all interested persons.

DATE AND TIME: September 4, 2007, 1:30 p.m. – 3:30 p.m.

PLACE: Sawgrass Marriott Resort, Ponte Vedra Beach, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Updates on Division of Forestry Programs.

A copy of the agenda may be obtained by contacting: Michael C. Long, Director, Division of Forestry, 3125 Conner Boulevard, Tallahassee, FL 32399-1650, (850)488-4274.

The Florida **Division of Forestry** and the Florida **Fish and Wildlife Conservation Commission** announces a meeting of the Management Advisory Group of the Babcock Ranch Preserve Conceptual Management Plan – a group of notified

stakeholders with an interest in the management of Babcock Ranch Preserve. The public is welcome to attend as audience members.

DATE AND TIME: August 8, 2007, 9:00 a.m. – 4:00 p.m.

PLACE: Charlotte County Eastport Environmental Campus, Training Room B, 25550 Harborview Rd., Port Charlotte, FL 33980

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to engage members of the Management Advisory Group in identifying important planning considerations and to get input at the beginning of the planning process in order to guide development of the 10-year Conceptual Management Plan for Babcock Ranch Preserve.

A copy of the Management Prospectus (Babcock Ranch Preserve Act; Sections 259.1053, 259.1052 and 259.10521, Florida Statutes) may be obtained by visiting the official website of the Florida Legislature at www.leg.state.fl.us/Welcome/index.cfm and searching for these Sections 259.1053, 259.1052, and 259.10521, F.S.

A copy of the meeting agenda and the Conceptual Management Plan Resource Scoping Summary for Babcock Ranch Preserve may be obtained after July 26, 2007, by contacting Pandion Systems, Inc. at (352)372-4747 or by visiting the official Babcock Ranch Preserve Conceptual Management Plan website at www.babcockcmp.org.

If accommodations are needed for persons with disabilities or for additional information, please contact Christine Denny, Project Manager at Pandion Systems, Inc. at (352)372-4747.

The Florida **Division of Forestry** and the Florida **Fish and Wildlife Conservation Commission** announces a Plan Development Workshop – a meeting of the Conceptual Management Plan Partners of the Babcock Ranch Preserve. The public is welcome to attend as audience members.

DATE AND TIME: August 9, 2007, 9:00 a.m. – 5:00 p.m. (and 10th if needed)

PLACE: Ruttenburg Park, 6490 South Pointe Blvd., Fort Myers, FL 33919

GENERAL SUBJECT MATTER TO BE CONSIDERED: The CMP Partners (Florida Division of Forestry, Florida Fish and Wildlife Conservation Commission Lee County, Charlotte County, Babcock Ranch Management LLC, and Babcock Ranch, Inc.) will meet for a Plan Development Workshop to compose goals and objectives, a budget, and an optimal boundary to guide the creation of the Babcock Ranch Preserve Conceptual Management Plan.

A copy of the agenda may be obtained after July 26, 2007, by contacting Pandion Systems, Inc. at (352)372-4747 or by visiting the official Babcock Ranch Preserve Conceptual Management Plan website at www.babcockcmp.org.

If accommodations are needed for persons with disabilities or for additional information, please contact Christine Denny, Project Manager at Pandion Systems, Inc. at (352)372-4747.

DEPARTMENT OF EDUCATION

The **Charter School Appeal Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: July 31, 2007, 10:00 a.m. – Completion

PLACE: Senate Building Committee Meeting Room 301, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Charter School Appeal Commission Hearing will be hearing the Application Denial of Padahs' Academy vs. Hillsborough County School Board.

A copy of the agenda may be obtained by contacting: Office of Independent Education and Parental Choice, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399 or by phone at (850)245-0502.

For more information, you may contact: Office of Independent Education and Parental Choice at 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399, (850)245-0502

The **Education Practices Commission** announces a hearing to which all persons are invited.

A Teacher Hearing Panel

DATE AND TIME: July 25, 2007, 8:30 a.m. or as soon thereafter as can be heard

PLACE: The Florida Hotel and Conference Center, 1500 Sand Lake Road, Orlando, Florida 32809, (407)859-1500

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Hearing Panel of the Education Practices Commission will consider final agency action in matters dealing with the disciplining of certified educators.

A copy of the agenda may be obtained by contacting the Education Practices Commission.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this hearing, he or she will need to ensure that a verbatim record of the proceeding is made. The record will include the testimony and evidence upon which the appeal is to be based.

Additional information may be obtained by writing to: Education Practices Commission, 325 W. Gaines Street, 224 Burlington Building, Tallahassee, Florida 32399-0400.

The **Florida Conflict Resolution Consortium** and the **Committee for a Sustainable Emerald Coast** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, July 20, 2007, 12:00 Noon – 2:00 p.m. (EST); 1:00 p.m. – 3:00 p.m. (CST)

PLACE: Call In: (850)645-9020 or 1(800)210-4771

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a conference call for the members of the Environmental Stewardship subcommittee to discuss materials and reports to be presented at the July committee meeting.

DEPARTMENT OF COMMUNITY AFFAIRS

The **Department of Community Affairs** announces a hearing to which all persons are invited.

DATE AND TIME: August 23, 2007, 3:00 p.m.

PLACE: Room 250L, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: In July 2007, the Department of Community Affairs (DCA), in cooperation with other agencies, will begin preparation of an Annual Performance Report (or Performance and Evaluation Report) for Federal Fiscal Year 2006 as required by the U.S. Department of Housing and Urban Development (HUD). Performance reports must be prepared in accordance with the instructions found in 24 CFR 91.520.

All programs funded by HUD and administered by state agencies will be included in this Performance Report. The programs include the Florida Small Cities Community Development Block Grant Program administered by the Department of Community Affairs, the Emergency Shelter Grant Program administered by the Department of Children and Families, the Housing Opportunities for Persons With AIDS Program administered by the Department of Health, and the Home Investment Partnership Program administered by the Florida Housing Finance Corporation. This annual report, prepared according to HUD guidelines, consists of detailed information on grants made to eligible local governments or other awards to eligible entities.

A public hearing will be held on the proposed performance report before it is submitted to HUD.

A 30-day public comment period will begin on August 23, 2007 and end on September 24, 2007. A draft will be posted to the Department's website at <http://www.floridacommunitydevelopment.org/cdbg/ConsolidatedPlan.cfm> on or about August 23, 2007. Comments on the report may be submitted in writing to: Florida Small Cities CDBG Program, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

To be included in the report submitted to HUD, written comments must be received by the Department no later than 5:00 p.m., September 24, 2007.

The final report will be submitted to HUD by September 30, 2007.

A copy of the agenda may be obtained by contacting Judy Peacock at (850)922-1887 or (850)487-3644 (email judy.peacock@dca.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 5 days before the workshop/meeting by contacting the Department at (850)487-3644. 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 Judy Peacock at (850)922-1887 or (850)487-3644 (email judy.peacock@dca.state.fl.us).

DEPARTMENT OF LAW ENFORCEMENT

The Florida **Department of Law Enforcement**, Missing Children Information Clearinghouse Advisory Board announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, July 24, 2007, 9:00 a.m. – 4:00 p.m.

PLACE: Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly MCIC Advisory Board meeting. A meeting, for the purpose of notice herein, is limited to a gathering for the purpose of conducting public business by members of a collegial body constituting the agency head.

A copy of the agenda may be obtained by writing to: Florida Department of Law Enforcement, Post Office Box 1489, Tallahassee, Florida 32302, Attention: Dinah Johnson, Missing Children Information Clearinghouse.

DEPARTMENT OF TRANSPORTATION

The Florida **Transportation Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: July 30, 2007, 1:30 p.m. – until completion of business

PLACE: Florida Department of Transportation, 605 Suwannee Street, Burns Building, Executive Suite, Commission Office, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Teleconference of the Florida Transportation Commission's Subcommittee to discuss the implementation of HB 985.

A copy of the agenda may be obtained by contacting Cathy Goodman at (850)414-4105.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting Cathy Goodman at (850)414-4105. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Florida Transportation Commission, Room 176, M.S. 9, 605 Suwannee Street, Tallahassee, Florida 32399-0450, (850)414-4105.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

The Babcock Ranch, Inc., by and through the **Board of Trustees of the Internal Improvement Trust Fund** announces a public meeting to which all persons are invited.

DATE AND TIME: August 8, 2007, 9:00 a.m. – 4:00 p.m.

PLACE: Charlotte County Eastport Environmental Campus, Training Room B, 25550 Harborview Rd., Port Charlotte Florida 33980

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to engage members of the Management Advisory Group in identifying important planning considerations and to get input at the beginning of the planning process in order to guide development of the 10-year Conceptual Management Plan for Babcock Ranch Preserve. A copy of the Management Prospectus (Babcock Ranch Preserve Act, Section 253.1053, Florida Statutes; see also Sections 259.1052, 259.10521, F.S.) may be obtained by visiting the official website of the Florida Legislature at www.leg.state.fl.us/Welcome/index.cfm and searching on the Florida statutes cited above.

A copy of the meeting agenda and the "Conceptual Management Plan Resource Scoping Summary for Babcock Ranch Preserve" may be obtained after July 26, 2007, by contacting Pandion Systems, Inc. at (352)372-4747 or by visiting the official Babcock Ranch website at www.babcockcmp.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Christine Denny, Project Manager, Pandion Systems, Inc. at (352)372-4747. 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 Christine Denny, above.

The **Department of Environmental Protection**, Office of Coastal and Aquatic Managed Areas, acting as staff to the **Board of Trustees of the Internal Improvement Trust Fund** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 8, 2007, 6:00 p.m.

PLACE: Guana Tolomato Matanzas NERR Marineland office, 9741 Ocean Shore Blvd., St. Augustine, FL 32080

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Management Advisory Group (MAG) for the Guana Tolomato Matanzas National Estuarine Research Reserve (GTMNERR) will hold its next meeting on Wednesday, August 8, 2007, 6:00 p.m. The MAG provides advisory input to the Office of Coastal and Aquatic Managed Areas for the management of the GTMNERR.

A copy of the agenda may be obtained by contacting Annette Odom at (904)823-4500.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Annette Odom at (904)823-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Board of Directors of Babcock Ranch, Inc., through the **Board of Trustees of the Internal Improvement Trust Fund** announces a public meeting to which all persons are invited.

DATES AND TIME: August 9, 2007, 9:00 a.m. – 5:00 p.m.; August 10, 2007, if necessary

PLACE: Ruttenburg Park, 6490 South Pointe Blvd., Fort Myers, Florida 33919

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors announces a public meeting where two or more of the Conceptual Management Plan Partners (Florida Division of Forestry and the Florida Fish and Wildlife Conservation Commission) will hold a workshop at which the public is invited to attend as audience members. The CMP Partners will compose goals and objectives, a budget, and an optimal boundary in order to guide the creation of the Babcock Ranch Preserve Conceptual Management Plan.

A copy of the agenda may be obtained by contacting: Christine Denny, Pandion Systems, Inc., (352)372-4747 after July 26, 2007, or by visiting the official Babcock Ranch Preserve Conceptual Management Plan website at www.babcockcmp.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Christine Denny at (352)372-4747. 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 Christine Denny, above.

The **Department of Environmental Protection**, Office of Coastal and Aquatic Managed Areas, acting as staff to the **Board of Trustees of the Internal Improvement Trust Fund** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 15, 2007, 10:00 a.m.

PLACE: St. Lucie County Oxbow Eco-Center, 5400 N. E. St. James Dr., Port St. Lucie, FL 34983

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose is for members of the Advisory Committee to discuss the revision of the North Fork, St. Lucie Aquatic Preserve Management Plan.

A copy of the agenda may be obtained by contacting Aquatic Preserve Manager, Laura Herren at (772)429-7995.

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 Aquatic Preserve Manager, Laura Herren at (772)429-7995. 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** of Florida announces a public hearing to which all persons are invited.

DATE AND TIME: Tuesday, July 31, 2007, 9:00 a.m. – Until conclusion

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Monroe Street and Apalachee Parkway, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Trustees of the State Board of Administration, on July 31, 2007, will consider proposed new and amended rules and will be asked for permission to file the rule for notice. Rule 19-11.002, beneficiary designations; Rule 19-11.003, distributions; Rule 19-11.004, excessive trading; Rule 19-11.005, complaint procedures; Rule 19-11.006, procedures regarding new hires; Rule 19-11.007, procedures regarding second elections; Rule 19-11.008, forfeitures; Rule 19-11.009, reemployment after retirement, and Rule 19-11.010, privacy are proposed to be amended or are new (the last three) to reflect recent legislative and policy changes. Notice of Proposed Rule Development for these rules was published in the F.A.W., on June 22, 2007.

A copy of the State Board of Administration's agenda for the July 31, 2007 Cabinet meeting may be obtained by contacting: Dorothy Westwood, State Board of Administration, 1801 Hermitage Blvd., Tallahassee, Florida 32308, (850)413-1350.

The **State Board of Administration** of Florida announces a public hearing to which all persons are invited.

DATE AND TIME: Tuesday, July 31, 2007, 9:00 a.m. – Until conclusion

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Monroe Street and Apalachee Parkway, Tallahassee, Florida
 GENERAL SUBJECT MATTER TO BE CONSIDERED: The Trustees of the State Board of Administration, on July 31, 2007, will consider a proposed amended rule and will be asked for permission to file the rule for notice. Rule 19-12.007, acceptance of rollovers, expands the acceptance of rollovers. Notice of Proposed Rule Development for this rule was published in the F.A.W., on June 22, 2007.

A copy of the State Board of Administration's agenda for the July 31, 2007 Cabinet meeting may be obtained by contacting Dorothy Westwood, State Board of Administration, 1801 Hermitage Blvd., Tallahassee, Florida 32308, (850)413-1350.

The **State Board of Administration** of Florida announces a public hearing to which all persons are invited.

DATE AND TIME: Tuesday, July 31, 2007, 9:00 a.m. – Until conclusion

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Monroe Street and Apalachee Parkway, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Trustees of the State Board of Administration, on July 31, 2007, will consider a proposed amended rule and will be asked for permission to file the rule for notice. Rule 19-13.002, role and responsibilities of the Division of Retirement within the Department of Management Services, amends the rule to reflect recent changes. Notice of Proposed Rule Development for this rule was published in the Florida Administrative Weekly on June 22, 2007.

A copy of the State Board of Administration's agenda for the July 31, 2007 Cabinet meeting may be obtained by contacting: Dorothy Westwood, State Board of Administration, 1801 Hermitage Blvd., Tallahassee, Florida 32308, (850)413-1350.

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces a workshop to which all persons are invited.

DATE AND TIME: Wednesday, August 1, 2007, 9:30 a.m.

PLACE: Betty Easley Conference Center, Room 152, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Docket Number 070297-EI – Review of 2007 Electric Infrastructure Storm Hardening Plan filed pursuant to Rule 25-6.0342, F.A.C., submitted by Tampa Electric Company.

Docket Number 070298-EI – Review of 2007 Electric Infrastructure Storm Hardening Plan filed pursuant to Rule 25-6.0342, F.A.C., submitted by Progress Energy Florida, Inc.

Docket Number 070299-EI – Review of 2007 Electric Infrastructure Storm Hardening Plan filed pursuant to Rule 25-6.0342, F.A.C., submitted by Gulf Power Company.

Docket Number 070301-EI – Review of 2007 Electric Infrastructure Storm Hardening Plan filed pursuant to Rule 25-6.0342, F.A.C., submitted by Florida Power & Light Company.

The purpose of the workshop is to discuss the Storm Hardening Plans filed with the Commission by each investor-owned utility pursuant to Rule 25-6.0342, Florida Administrative Code. The objective of this workshop is to allow parties, interested persons, and staff to identify disputed issues and potential areas for stipulation.

If you wish to comment but cannot attend the workshop, please file written workshop comments with the Office of Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. All comments should be filed on or before July 30, 2007 and should specifically reference Electric Storm Hardening Plan Workshop.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or at (850)413-6770.

Emergency Cancellation of Customer Meeting

If a named storm or other disaster requires cancellation of the meeting, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation of the meeting will also be provided on the Commission's website <http://www.psc.state.fl.us/> under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Florida Public Service Commission, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

The Florida **Public Service Commission** announces a workshop on Rule 25-4.110, Customer Billing for Local Exchange Telecommunications Companies, F.A.C., to which all persons are invited.

DATE AND TIME: Monday, August 6, 2007, 9:30 a.m.

PLACE: Betty Easley Conference Center, Room 140, 4075 Esplanade Way, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this workshop is to discuss proposed amendments of Rule 25-4.110. Undocketed.

A copy of the agenda may be obtained by contacting: Kira Scott, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6216.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6770. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Kira Scott, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6216.

The Florida **Public Service Commission** announces a workshop on Rule 25-24.845, Customer Relations, F.A.C., to which all persons are invited.

DATE AND TIME: Monday, August 6, 2007, 9:30 a.m.

PLACE: Betty Easley Conference Center, Room 140, 4075 Esplanade Way, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this workshop is to discuss proposed amendments of Rule 25-24.845, F.A.C. Undocketed.

A copy of the agenda may be obtained by contacting: Kira Scott, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6216.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Office of Commission Clerk, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6770. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Kira Scott, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850) 413-6216.

The Florida **Public Service Commission** announces its regularly scheduled conference to which all interested persons are invited.

DATE AND TIME: August 14, 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 the Office of Commission Clerk at (850)413-6770 or writing to: 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.floridapsc.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 its Internal Affairs meeting to which all interested persons are invited.

DATE AND TIME: August 14, 2007, Immediately following the Commission Conference which commences at 9:30 a.m. in Joseph P. Cresse Hearing Room 148

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 the 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 a workshop to which all persons are invited.

DATE AND TIME: Wednesday, August 15, 2007, 9:30 a.m.

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Undocketed Matter – Review of Ten-Year Site Plans of Electric Utilities. The purpose of this workshop is to afford an opportunity for discussion and public comment on the ten-year site plans submitted by Florida's electric utilities.

A copy of the agenda may be obtained by contacting: Director, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399 0850.

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: Director, Office of Commission Clerk 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399 0850.

Emergency Cancellation of Customer Meeting

If a named storm or other disaster requires cancellation of the meeting, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation of the meeting will also be provided on the Commission's website <http://www.psc.state.fl.us/> under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199. 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 Jeanette Sickel at (850)413-6461.

EXECUTIVE OFFICE OF THE GOVERNOR

The **Office of Film and Entertainment** and the **Florida Film and Entertainment Advisory Council**, "Family-Friendly" Task Force will convene in meeting via conference call. This is a public meeting to which all persons are invited.

DATE AND TIME: Monday, July 23, 2007, 9:30 a.m.

PLACE: Governor's Office of Film and Entertainment, The Capitol, Suite 2001, Tallahassee, FL 32399-0001

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss "Family Friendly" Task Force issues of the Advisory Council that have arisen since the 2007 2nd quarter FFEAC meeting.

Should any person wish to appeal any decision made with respect to the above referenced meeting, he/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, any handicapped person wishing to attend this meeting should contact the Commission at least 48 hours prior to the meeting in order to request any special assistance.

REGIONAL PLANNING COUNCIL

The **Northeast Florida Regional Council**, Planning and Growth Management Policy Committee announces the following public meeting to which all persons are invited.

DATE AND TIME: Thursday, August 2, 2007, 8:30 a.m.

PLACE: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss pending planning and growth management issues.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

The **Northeast Florida Regional Council**, Personnel, Budget, and Finance Policy Committee announces the following public meeting to which all persons are invited.

DATE AND TIME: Thursday, August 2, 2007, 9:00 a.m.

PLACE: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss pending personnel, budget, and finance policy matters.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

The **Northeast Florida Regional Council** announces the following public meeting to which all persons are invited.

DATE AND TIME: Thursday, August 2, 2007, 10:00 a.m.

PLACE: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly Meeting.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

If a person decides to appeal any decision made by the Council with respect to any matter considered at this meeting, he/she will have to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based.

Individuals needing materials in alternate format, sign language interpreter, or other meeting information, call Angi Giles at (904)279-0880, extension 145, at least three working days prior to the meeting. Hearing-impaired callers use Florida Relay Service, 1(800)955-8771.

Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

The **Northeast Florida Regional Council**, Legislative Committee announces the following public meeting to which all persons are invited.

DATE AND TIME: Thursday, August 2, 2007, 12:00 Noon, following monthly Board meeting

PLACE: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss legislative issues.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

The **East Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, July 27, 2007, 10:00 a.m.

PLACE: ECFRPC Offices, 631 North Wymore Road, Suite 100, Maitland, FL 32751 (Please call (407)623-1075 ext. 335 to confirm date, time, and place)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular quarterly meeting of the Local Emergency Planning Committee.

A copy of the agenda may be obtained by writing to: Ruth Little, East Central Florida Regional Planning Council, 631 North Wymore Road, Suite 100, Maitland, Florida 32751 or by visiting www.ecfrpc.org.

The ECFRPC desires to accommodate persons with disabilities. Accordingly, any physically handicapped person, pursuant to Section 286.26 Florida Statutes, should, at least 48

hours prior to the meeting, submit a written request to the Council that the physically handicapped person desires to attend the meeting.

The **South Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, August 6, 2007, 10:00 a.m.

PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any Development Order received prior to the meeting; Any proposed Local Government Comprehensive Plan received prior to the meeting; Any adopted Local Government Comprehensive Plan received prior to the meeting; Proposed Local Government Comprehensive Plan Amendments for Sunny Isles Beach, and Pembroke Pines; Any proposed Local Government Comprehensive Plan Amendment received prior to the meeting; Adopted Local Government Comprehensive Plan Amendment for Hialeah Gardens; Any adopted Local Government Comprehensive Plan Amendment received prior to the meeting; Executive Committee meeting on monthly Council business.

A copy of the agenda may be obtained by contacting: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021, (954)985-4416.

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 calling (954)985-4416. 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: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021, (954)985-4416.

The **Treasure Coast Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: August 2, 2007, 10:00 a.m.

PLACE: Wolf High Technology Center, Indian River Community College Chastain Campus, 2400 S. E. Salerno Road, Stuart, FL 34997

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the meeting of the Florida District 10 Local Emergency Planning Committee.

A copy of the agenda may be obtained by contacting Liz Gulick at (772)221-4060.

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).

For more information, you may contact Liz Gulick at (772)221-4060.

The District II, **Local Emergency Planning Committee (LEPC)** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 25, 2007, 10:00 a.m. (Eastern Time), 9:00 a.m. (Central Time)

PLACE: Tallahassee Fire Department Training Room, 2964 Municipal Way, Tallahassee, Florida 32304

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold the regularly scheduled LEPC meeting.

An agenda may be obtained by writing: Apalachee Regional Planning Council, 20776 Central Avenue East, Suite 1, Blountstown, FL 32424 or calling (850)674-4571.

If any person desires to appeal any decision with respect to any matter considered at the above-cited meeting, such person will need a record of the proceedings. For such purpose, he/she will need to ensure that a verbatim record of the proceeding is made to include the testimony and evidence upon which the appeal is to be based.

If special accommodations at the meeting are required because of a disability or impairment, please contact Council Offices at (850)674-4571 prior to the meeting.

The **Apalachee Regional Planning Council** announces a public meeting to which all persons are invited. In addition to its regular business, the agenda will include the review of any Local Government Plan Amendment(s) received in a timely manner.

DATE AND TIME: Thursday, July 26, 2007, 10:30 a.m. (Eastern Time), 9:30 a.m. (Central Time)

PLACE: Holiday Inn Select, 316 W. Tennessee Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold the regular monthly meeting of the Apalachee Regional Planning Council's Board of Directors.

An agenda may be obtained by writing the Apalachee Regional Planning Council, 20776 Central Avenue East, Suite 1, Blountstown, FL 32424 or calling (850)674-4571.

If any person desires to appeal any decision with respect to any matter considered at the above-cited meeting, such person will need a record of the proceedings. For such purpose, he/she will need to ensure that a verbatim record of the proceeding is made to include the testimony and evidence upon which the appeal is to be based.

If special accommodations at the meeting are required because of a disability or impairment, please contact Council Offices at (850)674-4571 prior to the meeting.

REGIONAL TRANSPORTATION AUTHORITIES

The **South Florida Regional Transportation Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, July 31, 2007, 2:00 p.m.

PLACE: Main Conference Room of SFRTA's Administrative Offices, 800 N. W. 33rd Street, Pompano Beach, FL 33064

GENERAL SUBJECT MATTER TO BE CONSIDERED: ADA Advisory Committee Meeting.

A copy of the agenda may be obtained by contacting SFRTA Executive Office at (954)788-7915.

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 SFRTA Executive Office at (954)788-7915. 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).

METROPOLITAN PLANNING ORGANIZATIONS

The Florida **Metropolitan Planning Organization Advisory Council (MPOAC)** announces a meeting of the Staff Directors' to which all persons are invited.

DATE AND TIME: July 26, 2007, 12:30 p.m. – 3:00 p.m.

PLACE: Crowne Plaza Orlando Airport Hotel, 5555 Hazeltine National Drive, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Activities related to transportation planning within and adjacent to metropolitan areas in Florida carried out by local, state, and federal agencies.

A copy of the agenda may be obtained by contacting: Brigitte Messina, MPOAC, 605 Suwannee Street, MS 28B, Tallahassee, FL 32399-0450, 1(866)374-3368, ext. 4037 or e-mail: brigitte.messina@dot.state.fl.us.

The Florida **Metropolitan Planning Organization Advisory Council** (MPOAC) announces a meeting of the Governing Board to which all persons are invited.

DATE AND TIME: July 26, 2007, 4:00 p.m. – 7:00 p.m.

PLACE: Crowne Plaza Orlando Airport Hotel, 5555 Hazeltine National Drive, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Activities related to transportation planning within and adjacent to metropolitan areas in Florida carried out by local, state, and federal agencies.

A copy of the agenda may be obtained by contacting: Brigitte Messina, MPOAC, 605 Suwannee Street, MS 28B, Tallahassee, FL 32399-0450, 1(866)374-3368, ext. 4037 or e-mail: brigitte.messina@dot.state.fl.us.

WATER MANAGEMENT DISTRICTS

The **St. Johns River Water Management District** (District) announces a public meeting to which all persons are invited.

Projects and Land Committee Business Meeting

DATE AND TIME: Monday, August 6, 2007, 3:00 p.m.

PLACE: District Headquarters, Executive Building, Room 162, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of agenda items including regulatory and non-regulatory matters.

NOTE: In the event a quorum of the Committee is not available for the business meeting at the date, time, and place set forth above, the Committee shall meet on Tuesday, August 7, 2007, 8:00 a.m. at District Headquarters, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177. One or more Governing Board members may attend and participate in the meeting by means of communications media technology.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention: Hazel Hinton, by mail or phone (386)329-4347 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 Hazel Hinton at (386)329-4347. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **St. Johns River Water Management District** (District) announces a workshop to which all persons are invited.

DATE AND TIME: Monday, August 6, 2007, 3:00 p.m., Public Workshop for the discussion of District Budget for fiscal year 2007-2008; Workshop will begin immediately following Projects & Land Committee

PLACE: District Headquarters, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of budget issues and revenue projections for fiscal year 2007-2008.

A copy of the agenda may be obtained by contacting St. Johns River Water Management District, Attention: Vicki Kroger, Director, Office of Budget, by mail or phone (386)329-4500.

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** (District) announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, August 7, 2007

8:15 a.m. Chairmen's Meeting

8:45 a.m. Finance & 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: Consideration of District business including regulatory and non-regulatory matters. Staff may recommend approval of external budget 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 phone (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 the District Clerk at (386)329-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Southwest Florida Water Management District** (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, July 31, 2007, 9:00 a.m.

PLACE: District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: GOVERNING BOARD COMMITTEE MEETINGS, BOARD MEETING, PUBLIC HEARING AND ADOPTION OF PROPOSED DISTRICT AND WATERSHED BASIN MILLAGE RATES FOR FISCAL YEAR 2008: Conduct Committee meetings, including review of Recommended Annual Service Budget, Board meeting and public hearing. Adoption of proposed District and Watershed Basin millage rates for Fiscal Year 2008. A closed attorney-client session will be held during the lunch break.

A copy of the agenda may be obtained by contacting: SWFWMD Executive Department, 2379 Broad Street, Brooksville, Florida 34604, 1(800)423-1476 (Florida) or (352)796-7211, extension 4606.

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 the General Services Department at 1(800)423-1476 (Florida) or (352)796-7211, extension 4527, TDD only 1(800)231-6103. 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 the SWFWMD Executive Department at the address above.

COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

The Florida **Commission for the Transportation Disadvantaged** announces an Ombudsman Committee Meeting to which all persons are invited.

DATE AND TIME: Tuesday, July 24, 2007, 10:00 a.m. – until completion

PLACE: Commission Business Office, Rhyne Building, 2740 Centerview Drive, Tallahassee, FL 32301, (850)410-5700, Conference Call Number: 1(888)808-6959, Conference Code: 524736

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss regular Committee Business.

In accordance with the Americans with Disabilities Act, persons in need of special accommodations to participate in the meeting or an agenda should contact Nikki Smith at the following address and telephone number at least 5 days in advance: Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450, (850)410-5700 or 1(800)983-2435.

The meeting is subject to change upon chairperson's request.

The Florida **Commission for the Transportation Disadvantaged** announces a CTC Tour to which all persons are invited.

DATE AND TIME: Friday, July 27, 2007, 10:00 a.m. – until completion

PLACE: Miami-Dade Transit Agency, 3300 N. W. 32nd Avenue, Miami, FL 33142, (305)267-6305

GENERAL SUBJECT MATTER TO BE CONSIDERED: To tour local Community Transportation Coordinator facilities and observe the coordinated transportation system.

In accordance with the Americans with Disabilities Act, persons in need of special accommodation to participate in the meeting or an agenda should contact Nikki Smith at the following address and telephone number: Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450, (850)410-5700 or 1(800)983-2435.

The meeting is subject to change upon chairperson's request.

The Florida **Commission for the Transportation Disadvantaged** announces a CTC Tour to which all persons are invited.

DATE AND TIME: Monday, July 30, 2007, 10:00 a.m. – until completion

PLACE: Broward County Board of County Commissioners, 3201 Copans Road, Pompano Beach, FL 33069, (954)357-8494

GENERAL SUBJECT MATTER TO BE CONSIDERED: To tour local Community Transportation Coordinator facilities and observe the coordinated transportation system.

In accordance with the Americans with Disabilities Act, persons in need of special accommodation to participate in the meeting or an agenda should contact Nikki Smith at the following address and telephone number: Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450, (850)410-5700 or 1(800)983-2435.

The meeting is subject to change upon chairperson's request.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Division of Professions, Community Association Managers** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, August 10, 2007, 10:30 a.m.

PLACE: The Ritz-Carlton, 1111 Ritz-Carlton Drive, Sarasota, Florida 34236

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Department of Business and Professional Regulation, Community Association Managers, 1940 North Monroe Street, Tallahassee, Florida 32399 or by calling the Council office at (850)922-5012.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact the Council Office at (850)922-5012.

The **Division of Florida Land Sales, Condominiums and Mobile Homes** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, July 27, 2007, 9:00 a.m. – 4:00 p.m. (or until business is completed)

PLACE: City Council Chambers, Third Floor, Clearwater City Hall, 112 South Osceola Avenue, Clearwater, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive public input and conduct general business of the Advisory Council on Condominiums.

A copy of the agenda may be obtained by contacting: Carol Windham, Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, 1940 North Monroe, Tallahassee, Florida 32399-1032, (850)488-1631.

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: Carol Windham, Government Analyst at (850)488-1631. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Department of Business and Professional Regulation, Bureau of Elevator Safety** announces the next meeting of the Elevator Safety Technical Advisory Council to which all persons are invited.

DATE AND TIME: August 1, 2007, 9:00 a.m. – 3:00 p.m. (EST)

PLACE: Stephen P. Clark Center, Miami-Dade County, 111 N. W. 1st Street, Room 18-4, Miami, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Elevator Safety Technical Advisory Council meeting.

Questions and Comments may be directed Doug Melvin, Acting Chief, Bureau of Elevator Safety at (850)488-9098.

The Probable Cause Panel of the **Construction Industry Licensing Board** announces a meeting to which all interested persons are invited.

DATE AND TIMES: July 24, 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, Board of Employee Leasing Companies** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 15, 2007, 10:00 a.m. or soon thereafter

PLACE: The Buena Vista Suites, 8203 World Center Drive, Orlando, Florida 32821, (407)239-8588

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.

NOTICE OF CANCELLATION – The Florida **Board of Professional Engineers** and the **Florida Engineers Management Corporation** announces a public meeting of the Board Operations Committee to conduct the business of the Board and Corporation to which all persons are invited.

DATE AND TIME: Tuesday, July 17, 2007, 1:00 p.m. – Until conclusion

PLACE: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Board Operations Committee to conduct general business of the Board and Corporation.

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 Paul J. Martin at (850)521-0500.

NOTICE OF CANCELLATION – The Florida **Board of Professional Engineers** announces that the public meeting of the Legislative Committee to which all interested persons are invited.

DATE AND TIME: Tuesday, July 17, 2007, 1:00 p.m. – until conclusion of meeting

PLACE: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Committee.

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 Paul J. Martin at (850)521-0500.

The Florida **Board of Professional Engineers** announces a public meeting to conduct the business of the Board, including committee business to which all persons are invited.

DATES AND TIME: Wednesday, August 1, 2007; Thursday, August 2, 2007, 8:30 a.m., if the business of the Board is not concluded

PLACE: Marco Island Marriott, 400 S. Collier Blvd., Marco Island, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Board.

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 **Department of Business and Professional Regulation** announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 3, 2007, 9:00 a.m.

PLACE: Access Phone: 1(888)808-6959, Conference Code Number 9226020

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel meeting portions which are closed to the public. Agenda available on request.

A copy of the agenda may be obtained by contacting: Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, FL 32399.

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 Veterinary Medicine, 1940 North Monroe Street, Tallahassee, FL 32399. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, FL 32399, (850)922-7154.

The **Building Code Administrators and Inspectors Board** announces a workshop to which all persons are invited.

DATE AND TIME: August 23, 2007, 9:00 a.m. or as soon thereafter as possible

PLACE: Four Seasons Resort Palm Beach, 2800 South Ocean Boulevard, Palm Beach, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the workshop is to discuss Florida Administrative Code, Chapter 61G19, for possible changes to ensure compliance with newly adopted statutory changes.

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 Building Code Administrators and Inspectors Board at (850)922-6096. 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 Real Estate Appraisal Board** (FREAB) announces a meeting to which all persons are invited.

DATES AND TIMES: Monday, August 6, 2007, 9:00 a.m.; Tuesday, August 7, 2007, 8:30 a.m.

PLACE: Division of Real Estate, Conference Room N901, North Tower, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of the Appraisal Board – among topics included, but not limited to, are proposed legislation affecting Chapter 475, Part II, F.S., rule development workshops, Florida Administrative Code 61J1 rule amendments, disciplinary actions, 2008 AQB Criteria Changes and general subject matter.

A copy of the agenda may be obtained by writing to: Beverly Ridenauer, Government Analyst II, Florida Real Estate Appraisal Board, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772.

If a person decides to appeal a decision made by the Board, with respect to any matter considered at this meeting or hearing, a record of the proceedings for such purpose, upon which the appeal is based, may be required.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Department of Business and Professional Regulation, (407)481-5632, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Division of Real Estate using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Probable Cause Panel of the **Florida Real Estate Appraisal Board** announces a meeting to which all interested persons are invited.

DATE and TIME: Wednesday, August 8, 2007, 9:00 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 N901, 400 West Robinson Street, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases to determine probable cause and to conduct a public meeting to review cases where probable cause was previously found.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Board members or its counsel.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Division of Real Estate, (407)481-5632 (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).

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

The **Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling** announces a public meeting to which all persons are invited.

DATES AND TIMES: August 2, 2007, 1:00 p.m.; August 3, 2007, 9:00 a.m.

PLACE: Embassy Suites, 1100 S. E. 17th Street, Ft. Lauderdale, FL 33316, (954)527-2700

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official Board Meeting.

A copy of the agenda may be obtained by contacting: Sue Foster, Executive Director, Department of Health, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling 4052 Bald Cypress Way, BIN #C08, Tallahassee, Florida 32399-3258.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System, 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster, (850)245-4474, at least one week prior to the meeting.

The Florida **Board of Medicine**, Rules and Legislative Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, August 9, 2007, 4:00 p.m.

PLACE: Embassy Suites, 1100 S. E. 17th Street, Ft. Lauderdale, FL 33607, (954)527-2700

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Committee.

A copy of the agenda may be obtained by contacting: 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.

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: Larry McPherson, Board Director, Medical Quality Assurance, 4052 Bald Cypress Way, Bin # C03, Tallahassee, Florida 32399-3253. 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: Martha Moore, Medical Quality Assurance, 4052 Bald Cypress Way, Bin # C03, Tallahassee, Florida 32399-3253, (850)245-4131, ext. 3533.

The Florida **Board of Medicine**, Rules/Legislative Committee announces a meeting to which all persons are invited.

DATE AND TIME: Thursday, August 9, 2007, 4:00 p.m.

PLACE: Embassy Suites, 1100 S. E. 17th Street, Ft. Lauderdale, FL 33607, (954)527-2700

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Committee.

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.

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. A verbatim tape record of the proceeding may be obtained from a court reporter, if present, or an audio record from the Board Director.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)245-4131, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Board of Medicine**, Surgical Care Committee announces a public meeting to which all persons are invited.

DATE AND TIME: August 9, 2007, immediately following the Board of Medicine, Rules and Legislation Committee meeting commencing at 4:00 p.m. (EST)

PLACE: Embassy Suites, 1100 S. E. 17th Street, Ft. Lauderdale, FL 33316, (954)527-2700

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the general business of the Board.

A copy of the agenda may be obtained by contacting: Gwyn Willis, (850)245-4131, ext. 3532 or www.Gwyn_Willis@doh.state.fl.us.

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 Gwyn Willis at (850)245-4131, ext. 3532 or www.Gwyn_Willis@doh.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 Florida **Board of Medicine** announces a public meeting to which all persons are invited.

DATES AND TIME: Friday and Saturday, August 10-11, 2007, 8:00 a.m.

PLACE: Embassy Suites, 1100 S. E. 17th Street, Ft. Lauderdale, FL 33607, (954)527-2700

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Board.

A copy of the agenda may be obtained by contacting: 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.

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: Larry McPherson, Board Director, Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253. 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: The Florida Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, FL 32399-3253, (850)245-4131, ext. 3533.

The Florida **Board of Medicine** and Osteopathic Medical Board, Joint Committee on Anesthesiologist Assistants announces a meeting to which all persons are invited.

DATE AND TIME: Monday, July 30, 2007, 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Code 2454136

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Committee.

A copy of the agenda may be obtained by writing to JoAnne Trexler, Supervisor, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

If any person decides to appeal any decision made by the Committee 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.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, Anesthesiologist Assistants, (850)245-4131 at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Board of Opticianry** announces a public meeting to which all persons are invited.

DATE AND TIME: August 6, 2007, 8:30 a.m.

PLACE: Marriott Tampa Airport, Tampa International Airport, Tampa, FL 33607, (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official Board Meeting.

A copy of the agenda may be obtained by contacting: Sue Foster, Executive Director, Department of Health, Board of Opticianry 4052 Bald Cypress Way, BIN #C08, Tallahassee, Florida 32399-3258.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she may need to ensure that a verbatim record of the proceeding is made, which records include the testimony and evidence upon which the appeal is to be made.

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD). Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster, (850)245-4474, at least one week prior to the meeting date.

The **Board of Orthotists and Prosthetists** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, August 10, 2007, 9:00 a.m.

PLACE: Renaissance, 1917 S. E. 17th Street, Ft. Lauderdale, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257 or accessing www.doh.state.fl.us/mqa/orthPros/index.html.

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 Probable Cause Panel of the **Board of Osteopathic Medicine** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, August 10, 2007, 10:00 a.m. or soon thereafter

PLACE: Quorum Hotel, 700 N. Westshore Blvd., Tampa, FL 33609, (813)289-8200

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review those cases on which a determination of existence of probable cause has already been made.

A copy of the PUBLIC portion of the agenda may be obtained by writing to: Kathryn Price, Senior Attorney, Department of Health, Prosecution Services, 4052 Bald Cypress Way, #C-65, Tallahassee, FL 32399.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Practitioner Regulation Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required.

The Practitioner Regulation Section may be contacted at 4052 Bald Cypress Way, #C-65, Tallahassee, FL 32399, 1(800)955-8771 (TDD) or 1(800)955-8770 via Florida Relay Service.

The Florida **Board of Osteopathic Medicine** announces a public meeting to which all persons are invited.

DATES AND TIMES: Friday, August 10, 2007, 4:00 p.m., or shortly thereafter; Saturday, August 11, 2007, 9:00 a.m., or shortly thereafter

PLACE: Quorum Hotel, 700 N. Westshore Blvd., Tampa, FL 33609, (813)289-8200

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Board business.

A copy of any item on the agenda may be obtained by writing: Pamela King, Executive Director, Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, or you may call (850)488-0595. You will be charged seventeen cents per page for the number of copies desired.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he may need to ensure that a verbatim record of the proceedings is made, which records includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Christy Robinson, (850)488-0595, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired, can contact Christy Robinson using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Board of Pharmacy** announces a public meeting to which all persons are invited.

DATES AND TIMES: August 14, 2007, 1:00 p.m.; August 15, 2007, 8:00 a.m.

PLACE: The Rosen Plaza on International Drive, 9700 International Drive, Orlando, FL 32819, (407)996-9700

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will meet to conduct disciplinary proceedings and general board business.

A copy of the agenda may be obtained by contacting: Board of Pharmacy, 4052 Bald Cypress Way, C-04, Tallahassee, FL 32399 or (850)245-4292. The agenda will also be available at www.doh.state.fl.us/mqa, one week prior to the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting the Board of Pharmacy at (850)245-4292. 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 Health** announces Rules on 64E-6.001, General; 64E-6.002, Definitions; 64E-6.003, Permits; 64E-6.004, Application for System Construction Permit; 64E-6.005, Location and Installation; 64E-6.006, Site Evaluation Criteria; 64E-6.008, System Size Determinations; 64E-6.009, Alternative Systems; 64E-6.010, Septage and Food Establishment Sludge; 64E-6.0101, Portable Restrooms and Holding Tanks; 64E-6.011, Abandonment of Systems; 64E-6.012, Standards for the Construction, Operation, and Maintenance of Aerobic Treatment Units; 64E-6.013, Construction Materials and Standards for Treatment Receptacles; 64E-6.014, Construction Standards for Drainfield Systems; 64E-6.015, Permitting and Construction of Repairs; 64E-6.0151, Additive Use; 64E-6.016, U.S. Department of Agriculture Soil Textural Classification System; 64E-6.017, Definitions; 64E-6.018, System Location, Design and Maintenance Criteria; 64E-6.0181, Cesspit and Undocumented System Replacement and Interim System Use; 64E-6.0182, Coordinated Permitting; 64E-6.019, Requirements for Registration; 64E-6.020, Master Septic Tank Contractors; 64E-6.021, Issuance of Registration Certificates and Renewal; 64E-6.022, Standards of Practice and Disciplinary Guidelines; 64E-6.023, Certification of Partnerships and Corporations; 64E-6.025, Definitions; 64E-6.026, Applications for Innovative System Permits and System Construction Permits; 64E-6.027, Permits; 64E-6.028, Location and Installation; 64E-6.029, Monitoring; 64E-6.0295, Innovative System Reclassification; 64E-6.030, Fees, F.A.C., public meeting to which all persons are invited.

DATE AND TIME: August 21, 2007 9:00 a.m.

PLACE: Marriott Orlando Airport, 7499 Augusta National Drive, Orlando, FL 32822, (407)859-0552

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Technical Review and Advisory Panel will discuss issues relating to onsite sewage treatment and disposal systems and the Wekiva Study Area which may require changes to Chapter 64E-6, Florida Administrative Code.

A copy of the agenda may be obtained by contacting: Shirley Kugler, Department of Health, Bureau of Onsite Sewage Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1713.

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 14 days before the workshop/meeting by contacting: Shirley Kugler, Department of Health, Bureau of Onsite Sewage Programs, 4052 Bald Cypress Way, Bin #A08,

Tallahassee, Florida 32399-1713. 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: Gerald Briggs, Department of Health, Bureau of Onsite Sewage Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1713.

The Florida **Department of Health, Division of Health Access and Tobacco** announces a public physician workforce development conference call to which all persons are invited. DATE AND TIME: Wednesday, August 1, 2007, 10:00 a.m. – 12:00 Noon

PLACE: Via Conference Call Number: 1(888)808-6959, Code 2454144

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss implementation and planning of the Florida physician workforce project.

A copy of the agenda or additional information may be obtained by writing to the Division of Health Access and Tobacco, Department of Health, 4052 Bald Cypress Way, Bin C-18, Tallahassee, FL 32399-1738 or by calling Jessica Rivenbark at (850)245-4446, ext. 2711.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment, should contact the Division of Health Access and Tobacco, (850)245-4446, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please call the Division of Health Access and Tobacco using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Health, Office of Vital Statistics** announces an Electronic Death Registration Work Group meeting to which all interested persons are invited.

DATE AND TIME: August 9, 2007, 8:30 a.m. – 3:00 p.m.

PLACE: Hilton Garden Inn – Airport, Jacksonville Florida, (904)359-6900. ext. 1014

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting to discuss the development and implementation of an electronic death registration system in Florida.

FLORIDA HOUSING FINANCE CORPORATION

The **Florida Housing Finance Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: July 27, 2007, following the Board Meeting at a time to be announced at the conclusion of the Board Meeting

PLACE: Tallahassee City Hall, Commission Chambers, 300 South Adams Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive comments and suggestions from interested persons relative to Rule Chapters 67-21 and 67-48, F.A.C., and the competitive funding programs of the Corporation, including the Multifamily Mortgage Revenue Bond Program, the State Apartment Incentive Loan (SAIL) Program, the HOME Investment Partnerships (HOME Rental) Program, and the Housing Credit (HC) Program.

A copy of the agenda may be obtained by contacting Blake Carson-Poston or viewing the FHFC Website.

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 Blake Carson-Poston at (850)488-4197. 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).

FISH AND WILDLIFE CONSERVATION COMMISSION

The **Fish and Wildlife Conservation Commission, Division of Law Enforcement**, Boating and Waterways announces a public meeting to which all persons are invited.

DATE AND TIME: July 27, 2007, 8:30 a.m.

PLACE: Florida Fish and Wildlife Conservation Commission Bryant Building Auditorium, 620 South Meridian Street, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Evaluation Committee for the Florida Boating Improvement Program (FBIP) will meet to score applications for fiscal year 2007-2008 funding.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in the meeting is asked to advise the FWC at least five calendar days before the meeting by contacting the ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the FWC by calling (850)488-9542.

For more information, email FBIP@MyFWC.com or call (850)488-5600.

NOTICE OF CANCELLATION – 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: THIS MEETING HAS BEEN CANCELLED.

A copy of the agenda may be obtained by contacting: Mark Robson, 2590 Executive Center Circle, East, Suite 201, Tallahassee, Florida 32301, (805)487-0554.

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 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).

For more information, you may contact: Mark Robson, 2590 Executive Center Circle, East, Suite 201, Tallahassee, Florida 32301, (805)487-0554.

DEPARTMENT OF FINANCIAL SERVICES

The **Division of Fire Marshal** announces a public meeting to which all persons are invited.

DATE AND TIME: July 25, 2007, 1:00 p.m.

PLACE: Sanibel Harbour Resort and Spa, 17260 Harbour Pointe Drive, Fort Myers, Florida 33908

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Florida Fire Safety Board.

A copy of the agenda may be obtained by contacting: Donald Rollins, Bureau of Fire Prevention, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, FL 32399-0342, (850)413-3171.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Donald Rollins, 200 E. Gaines Street, Tallahassee, FL 32399-0342, (850)413-3171. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FINANCIAL SERVICES COMMISSION

The **Financial Services Commission** announces a public meeting on Rule 690-149.002, F.A.C., Scope and Applicability, to which all persons are invited.

DATE AND TIME: July 31, 2007, 9:00 a.m. during a regular meeting of the Financial Services Commission

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the Final Public Hearing on the adoption of proposed amendments to Rule 690-149.002, Florida Administrative Code, published on March 16, 2007 in Vol. 33, No. 11, of the F.A.W., No notice of change was published.

A copy of the agenda may be obtained by contacting the Governor and Cabinet Website at <http://www.myflorida.com/myflorida/cabinet/mart.html>. The agenda should be available approximately one week before the cabinet meeting.

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 Tracie Lambright at e-mail Tracie.Lambright@fldfs.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Tracie Lambright at e-mail Tracie.Lambright@fldfs.com.

FLORIDA ASSOCIATION OF COMMUNITY COLLEGES

The **Council of Community College Presidents** announces a public meeting to which all persons are invited.

DATES AND TIMES: July 18, 2007, 6:30 p.m. – 8:00 p.m.; July 19, 2007, 8:00 a.m. – 2:00 p.m.

PLACE: Renaissance Hotel, 4200 Jim Walter Blvd., Tampa, Florida, 1(800)644-2685

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues affecting Florida's 28 public community colleges.

A copy of the agenda may be obtained by contacting tingramm@facc.org.

For more information, you may contact: Michael Comins, CEO, Florida Association of Community Colleges, 113 E. College Avenue, Tallahassee, Florida 32301, (850)222-3222, www.facc.org.

SUWANNEE COUNTY CONSERVATION DISTRICT

The **Suwannee County Conservation District** will hold regular meeting to which all interested persons are invited.

DATE AND TIME: Thursday, July 19, 2007, 7:00 p.m.

PLACE: Suwannee River Water Management District.

Contact the District Office at (386)362-2622, ext. 3 for more information.

FLORIDA COMPREHENSIVE HEALTH ASSOCIATION

The **Florida Comprehensive Health Association** created pursuant to Section 627.6488, F.S., as amended, announces a public meeting to which all interested persons are invited.

DATE AND TIME: Tuesday, July 24, 2007, 1:00 p.m.

PLACE: Department of Financial Services, 200 E. Gaines Street, Larson Building, Rm. 101B, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board of Directors' Meeting.

A copy of the proposed agenda may be obtained by writing to: Brenda DeYounks, Florida Comprehensive Health Association, 820 E. Park Avenue, D-200, Tallahassee, Florida 32301, (850)309-1200 or by facsimile (850)309-1222.

If any person desires to appeal any decision with respect to any matter considered at the above cited meeting, such person will need a record of the proceedings, and for such purpose, they 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.

SOIL AND WATER CONSERVATION DISTRICTS

The **Broward Soil and Water Conservation District** announces a workshop to which all persons are invited.

DATE AND TIME: July 25, 2007, 5:00 p.m.

PLACE: 6191 Orange Drive, Suite 6181-P, Davie, Florida 33313

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Supervisors, Broward Soil and Water Conservation District, will discuss the creation of a Watershed Improvement District in Broward County, Florida.

A copy of the agenda may be obtained by contacting russell.setti@browardswcd.org.

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 1 day before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: russell.setti@browardswcd.org.

CITIZENS PROPERTY INSURANCE CORPORATION

The **Citizens Property Insurance Corporation** announces a Board of Governors Meeting to which all interested persons are invited.

DATE AND TIME: Thursday, August 2, 2007, 9:00 a.m. (EDT)

PLACE: Conference Call: (866)259-0754

GENERAL SUBJECT MATTER TO BE CONSIDERED: Items of discussion include, but are not limited to, committee reports.

For additional information, please call Barbara Walker at 1(800)807-7647, extension 3744.

In accordance with the Americans with Disabilities Act, people with disabilities or physical impairments who require assistance to participate in this meeting are requested to contact Barbara Walker at least five days prior to the meeting.

HARDEE COUNTY ECONOMIC DEVELOPMENT AUTHORITY

The **Hardee County Economic Development Authority** (Independent Board) announces a meeting to which all interested persons are invited to participate.

DATE AND TIME: Tuesday, August 7, 2007, 8:30 a.m.

PLACE: County Commission Chambers, 412 West Orange Street, Room 102, Wauchula, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: During this meeting grant applications received will be reviewed and ranked pursuant to Chapter 2004-394; Senate Bill 3110; Laws of Florida. Applicants may also provide a presentation on their projects.

For more information call the County Manager’s office at (863)773-9430.

Interested parties may appear at the public meeting and be heard. If a person decides to appeal any decision made by the members, with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

This is a Disabled-Accessible facility. Any disabled person needing to make special arrangements should contact the County Commissioner’s office at least forty-eight (48) hours prior to the public meeting. This notice is published in compliance with Florida Statutes 286.0105.

ORANGE COUNTY RESEARCH AND DEVELOPMENT AUTHORITY

The **Orange County Research and Development Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: August 9, 2007, 8:00 a.m.

PLACE: Central Florida Research Park, 12424 Research Parkway, Suite 100, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

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

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Robert P. Klamo, Unit Owner, In Re: Island Towers Association, Inc. The petition seeks the agency’s opinion as to the applicability of Section 718.110(4), Florida Statutes. as it applies to the petitioner.

Whether Island Towers Association, Inc. may reconstruct storm damaged carports without storage lockers by a 75% unit owner vote under Section 718.110(4), Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: the Division Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from In Re: World Plaza Condominium Association, Inc., Docket No. 2007034274. The petition seeks the agency’s opinion as to the applicability of Section 718. 111(11)(a), Florida Statutes. as it applies to the petitioner.

Whether a commercial condominium association may transfer its responsibility for insuring the common elements of freestanding units to the unit owners under Section 718.111(11)(a), Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: the Division Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

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

The Board of Medicine hereby gives notice that it has received a Petition for Declaratory Statement filed on behalf of Bay Area Renal Stone Center and three representatives of its staff physicians, on July 3, 2007. The Petition seeks the Board's opinion as to whether extracorporeal shockwave lithotripsy is considered surgery as set forth in paragraph 64B8-9.009(1)(a), F.A.C. The Board will consider this petition at its meeting scheduled for August 11, 2007, in Ft. Lauderdale, Florida.

Copies of the petition may be obtained by writing: Larry G. McPherson, Jr., Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

Section VIII
Notices of Petitions and Dispositions
Regarding the Validity of Rules

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges

NONE

Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF EDUCATION

NOTICE TO PROFESSIONAL CONSULTANTS:

The University of Florida Board of Trustees announces that Professional Services in the discipline of mechanical/electrical engineering will be required for the project listed below:

Project No. 934274, Boiler No. 4 Replacement, Chilled Water Plant #2.

The project consists of designing a replacement for the 150,000 lbs/hr Boiler No. 4 located in the Chilled Water Plant #2. The scope of the project can be summarized as follows:

- Removal of existing boiler and selected fans, pumps, piping, and accessories.
- Design new 150,000 lbs/hr boiler, fans, pumps, piping, controls, and accessories connected to existing campus loop connections.
- Design Electrical as required for boiler replacement.
- Structural and Architectural work as required for boiler replacement and separation of chiller room with boiler room to meet codes.
- Design new controls integrated with DDC control system.
- Temporary removal and re-build of wall to remove/install boiler equipment.

The estimated construction budget is approximately \$2.0 million however, this is subject to change. The project is planned to be delivered using the Design-Bid-Build (Lump Sum Hard Bid) method.

The selected firm will provide design, construction documents and construction administration services for the referenced project. Blanket professional liability insurance will be required for this project in the amount of \$1,000,000, and will be provided as a part of Basic Services. Plans and

specifications for University of Florida projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes.

Applicants will be evaluated on the basis of their past performance, experience, personnel, design ability, references, workload, and responses to questions posed both in the shortlist and interview phases. The Selection Committee may reject all proposals and stop the selection process at any time.

Applicants desiring to provide professional services for the project shall submit a proposal only after thoroughly reviewing the facilities program, Project Fact Sheet, and other background information. The proposal shall be limited to 40 single-sided, consecutively-numbered pages and shall include:

1. A Letter of Application that concisely illustrates the applicant's understanding of the scope of services, design intent, and other goals and considerations as outlined in the Project Fact Sheet and facilities program.
2. Company information and signed certification.
3. A completed, project-specific "Professional Qualifications Supplement" (PQS) proposal with signed certification. Applications on any other form will not be considered.
4. 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 professional 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 project-specific PQS form, instructions, Project Fact Sheet, facilities program, UF Design Services Guide, UF Construction Standards, standard University of Florida Owner-Professional agreement, and other project and process information can be found on the Facilities Planning & 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 Wednesday, August 29, 2007. Facsimile (FAX) submittals are not acceptable and will not be considered.

Physical Plant Division
 Architecture/Engineering Department
 (Francisco Oquendo)
 P. O. Box 117715
 Gainesville, FL 32611-7715
 Telephone: 352-392-1405
 FAX: (352)392-4958
 Internet: www.ppd.ufl.edu and www.facilities.ufl.edu

Notice of Bid/Request for Proposal

NOTICE TO CONSTRUCTION MANAGERS

Florida State University announces that construction management services will be required for the project listed below:

Project No.: FS-264

Project and Location: Ruby Diamond Auditorium Renovation and Expansion

Florida State University, Tallahassee, Florida

The project consists of the design and construction of approximately 50,000 gsf of renovated space and 25,000 gsf of new space. The project will renovate Ruby Diamond Auditorium, in the Westcott Building, transforming it into a premier performance hall. All major building systems will be upgraded, and acoustics and audience chamber architecture will be addressed. An addition to the building will provide a multi-purpose space and a rehearsal hall. Pedestrian access will be enhanced, and nearby handicapped parking and a covered drop-off area will be provided. The construction cost will be approximately \$26,600,000.00.

The contract for construction management services will consist of two phases. Phase one is pre-construction services, for which the construction manager will be paid a fixed fee. 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 Document phase. 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, encouraging the inclusion of Minority Business Enterprises (MBEs). Failure to negotiate an acceptable fixed fee for phase one of the contract, or to arrive at an acceptable GMP within the time provided in the agreement may result in the termination of the construction manager's contract.

Selection of finalists for interviews will be made on the basis of construction manager qualifications, including experience and ability; past experience; bonding capacity; record-keeping/administrative ability, critical path scheduling expertise; cost estimating; cost control ability; quality control capability; and qualifications of the firm's personnel, staff and consultants. Finalists will be provided with the latest documentation prepared by the project architect/engineer, a description of the final interview requirements and, if requested, a copy of the standard Florida State University's construction management agreement. The Selection Committee may reject all proposals and stop the selection process at any time. The construction manager shall have no ownership, entrepreneurial or financial affiliation with the selected architect/engineer involved with this project.

Instructions:

Firms desiring to provide construction management services for the project shall submit a letter of application and the completed Florida State University "Construction Manager Qualifications Supplement." Proposals must not exceed 80 pages, including the Construction Manager Qualifications Supplement and letter of application. Pages must be numbered consecutively. Submittals which do not comply with these requirements or do not include the requested data will not be considered. No submittal material will be returned.

All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133, Florida Statutes, a construction management firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected construction management firm must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$50,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

The Florida State University Construction Manager Qualifications Supplement forms and the Project Fact Sheet may be obtained through the website at www.fpc.fsu.edu or by contacting: Lynetta Mills, Facilities Design and Construction, 109 Mendenhall Maintenance Building A, Florida State University, Tallahassee, Florida 32306-4152, (850)644-2843 telephone, (850)644-8351 facsimile.

For further information on the project, contact Lisa Durham, Sr. Project Manager, at the address and phone listed above.

Five bound copies of the required proposal data shall be submitted. Submittals must be received at the address listed above by 2:00 p.m. (Local Time), on Friday, August 17, 2007. Facsimile (FAX) or electronic submittals are not acceptable

and will not be considered. All applicants will be notified of the results of the short listing via the Facilities Design and Construction web site at www.fpc.fsu.edu.

**Notice of Bid/Request for Proposal
FOR PROFESSIONAL SERVICES**

The University of South Florida announces that Professional Services in the discipline of Architecture will be required for the project listed below:

PROJECT NUMBER: 534

PROJECT AND LOCATION: Interdisciplinary Science Teaching and Research Facility (ISA), University of South Florida, Tampa Campus, Tampa, Florida.

PROJECT DESCRIPTION:

The Interdisciplinary Science Teaching and Research Facility (ISA) is planned to consist of the design and construction of a new, approximately 140,700 NASF (234,500 GSF) multi-story facility to accommodate upper and lower division interdisciplinary teaching and research needs of the University. The facility is planned to include research labs (52,000 NASF); teaching labs (36,400 NASF); classrooms (11,000 NASF); office space (9,000 NASF); study areas (1,000 NASF) and shell space (31,300 NASF). Components within the facility shall include two 300-seat lecture halls, a Bio-nano Research Laboratory, an Imaging Center, and a Nuclear Magnetic Resonance (NMR) facility, among other specialized laboratories. The construction budget is estimated to be approximately \$68,300,000 including site development and hurricane hardening. Project development, including professional services, is contingent upon availability of funds. If additional funding is realized, the University has the option to incorporate additional scope/funding under this contract including completion of shell space. The construction delivery method is anticipated to be Construction Management.

The selected firm will provide planning, design, construction documents, construction administration and post-occupancy services for the project in coordination with the 2005 USF Tampa Campus 10 Year Master Plan update and USF standards for design and construction. The University is seeking to hire a consultant team with extensive experience in interdisciplinary science teaching and research facility design. All disciplines required for the design of the facility are to be provided for this project under the contract with the selected firm, including architecture, engineering, interior design and any specialty consultants. Consultant services for design expertise unique to the Interdisciplinary Science Teaching and Research Facility (ISA) may be provided by specialty design consultants. Firm submittals should include descriptions of experience and knowledge of Sustainable Design and Hurricane Hardening. The design and construction administration services by the selected team shall facilitate the facility needs, and accomplishing those needs within the mandatory project schedule in order to meet occupancy requirements for this

project. The selected firm will be required to provide computer drawings according to the standards of the University of South Florida, including computer record drawings reflecting as-built conditions to facilitate the University's space management program. Blanket professional liability insurance will be required for this project in the amount of \$3,000,000, and will be provided as a part of Basic Services. It is the University's responsibility to negotiate a fair, competitive, and reasonable compensation per Section 287.055, F.S. A fair, competitive and reasonable compensation shall be evaluated based upon the following information: (1) Compensation on similar projects; (2) other compensation reference data; and (3) after approval of the ranking, proposals requested from the short-listed firms based upon a scope of services document to be provided at the time of negotiations. Selection of finalists for interview will be made on the basis of professional qualifications of the proposed design team, including experience and ability to meet the project requirements and the goals and objectives of the University's Strategic Plan; past experience; design ability; volume of work; and distance from project. The distance factor for this project will provide a maximum of one point difference in scoring for location between in-state and out-of-state applicants. As part of the University of South Florida's Strategic Plan, USF made a commitment to foster a diverse community distinguished by a shared purpose, collaboration, open and timely communication, mutual respect, trust, and inclusiveness. The University of South Florida is an equal opportunity institution, and, as such, strongly encourages the lawful use of certified Minority and Women-owned Business Enterprises ("MBEs") in the provision of design and construction-related services by providing a fair and equal opportunity to compete for, or for participation in, design and/or construction-related services.

The plans and specifications for the University of South Florida projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$25,000 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

INSTRUCTIONS:

Firms desiring to apply to provide professional services shall submit one (1) original submittal and six (6) bound copies consisting of the information as required in the "Submittal Requirements" of the Project Fact Sheet including a letter of interest, a completed "USF Professional Qualifications Supplement (PQS)" dated July 2007 for the Interdisciplinary Science Teaching and Research Facility (ISA) and any required or additional information within the proposal limits.

Applications on any other form will not be considered. Submittals are part of the public record. All applicants 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. Applications which do not comply with the above instructions may be disqualified. Application materials will not be returned.

The "Professional Qualifications Supplement (PQS)" for the Interdisciplinary Science Teaching and Research Facility (ISA), dated July 2007, and "Project Fact Sheet", which includes project information and selection criteria, may be obtained by contacting: Kathy Bennett, Contracts Administrator, University of South Florida, Facilities Planning and Construction, via e-mail at kbennett@admin.usf.edu, by mail at 4202 East Fowler Avenue, FPC110, Tampa, Florida 33620-7550, or by phone at (813)974-3098, (813)974-2625.

Interested firms are invited and encouraged to attend a Pre-Submittal Meeting at 2pm Eastern Time, on Monday, July 30, 2007 at the University of South Florida, Theater II Building (THR) to review the scope and requirements of this project. The University address is 4202 East Fowler Avenue, Tampa, Florida 33620-7550. The Theater II Building is located on campus at 3829 USF Holly Drive. Requests for meetings by individual firms will not be granted.

No verbal communication shall take place between the applicants and the employees of the University of South Florida except as provided at the Pre-Submittal Meeting, the Pre-Interview Meeting and the request for the PQS and Fact Sheet. Requests for any project information must be in writing to the above e-mail address. The Selection Committee may reject all proposals and stop the selection process at any time.

One (1) original and six (6) copies of the requested submittal data, bound in the order listed in the "Submittal Requirements" of the Project Fact Sheet shall be addressed to:

Michael L. Walden, Project Manager
Facilities Planning and Construction
University of South Florida
4202 East Fowler Avenue, FPC 110
Tampa, Florida 33620-7550.

Applications that do not comply with the above instructions may be disqualified.

Submittals must be received in the University of South Florida, Facilities Planning and Construction office, FPC110 by 2:00 p.m. (Eastern Time), Friday, August 17, 2007 Facsimile (FAX) or electronic submittals are not acceptable and will not be considered.

REQUEST FOR PROPOSAL
 Florida Vehicle Procurement Program
 FVPP-08-MV – FVPP-08-SC

Notice is hereby given that Henry J. Cusack, representing the Florida Vehicle Procurement Program (FVPP), University of South Florida, Center for Urban Transportation Research will receive sealed proposals on behalf of agencies within the state of Florida, herein referred to as the "Purchasers" to establish a statewide contract for the manufacture and delivery of the following 2007 model year vehicle types:

	Minimum	Maximum
Small Cutaway Type Vehicles	0	500
Extended Low Floor Van Type Vehicles	0	500

The quantities reflect the immediate and foreseeable needs of agencies within Florida and were determined by using the most recent State of Florida Program of Projects, historical data from previous FVPP contracts, and Agency (s) vehicle replacement schedules. All or part of the quantity of vehicles stated herein may be assigned to other public transit agencies desiring to purchase the same equipment specified in Part 2 of this solicitation. The FVPP reserves the right to reject any and all proposals, or any part of any or all proposals.

Copies of the RFP may be obtained from: Henry J. Cusack, FVPP Project Administrator, University of South Florida, Center for Urban Transportation Research, 4202 E. Fowler Ave., CUT 100, Tampa, Florida 33620, or by telephone at (813)974-7834. The proposal may also be downloaded from our website at <http://www.cutr.usf.edu/fvpp/>.

Sealed proposals in original and five (5) copies must be received at the above address (Attn: Lisa Staes) not later than 4:00 p.m. (EST), August 22, 2007.

A MANDATORY pre-proposal meeting will be held at 11:00 a.m. (EST), on July 31, 2007 at Big Bend Transit, 2201 Eisenhower Street, Tallahassee, Florida 32399. The purpose of this meeting is to answer questions and discuss specifications/clarifications relative to the RFP. Interested proposers are required to attend this meeting. Subcomponent vendors are welcome but are not required to attend.

The successful proposer will be required to comply with all Equal Opportunity Laws and Regulations, Buy America Laws, Chapter 287 of the Florida Statutes and other applicable Federal and State regulations.

Notice of Bid/Request for Proposal
 NOTICE TO CONSTRUCTION MANAGERS

The Florida International University Board of Trustees announces that construction management services will be required for the project listed below:

Project Name and Number: College of Nursing and Health Sciences (Molecular Biology)/Health Sciences Laboratory Clinic, BT-833

Project Location: This facility will be located at Florida International University, University Park.

Project Description: The Project consists of site improvements and the construction of a multi-story educational facility sited north of the Heath and Life Sciences II Bldg. located on the northeast quadrant of University Park campus. The new building will straddle the Avenue of the Sciences creating a "Gateway" to the future Academic Health Science Center. The building will accommodate the College of Nursing and Health Science programs consisting of classrooms, simulation/teaching laboratories, conference/seminar rooms, computer labs, student academic support areas, administrative/faculty offices and support services/facilities. In addition, the new building will include standard general classrooms and wet lab spaces for an approximate total gross square feet of 101,000. The total construction budget is approximately \$34 million.

The contract for construction management services will consist of two phases. Phase one is pre-construction services, for which the construction manager will be paid a fixed fee. Phase one services include value engineering, construct ability analysis, development of a cost model, estimating, and the development of a Guaranteed Maximum Price (GMP) at 100% Construction Document phase. 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 fixed fee for phase one of the contract, or to arrive at an acceptable GMP within the time provided in the agreement may result in the termination of the construction manager's contract. Selection of finalists for interviews will be made on the basis of construction manager qualifications, including experience and ability; past experience; bonding capacity; record-keeping/administrative ability, critical path scheduling expertise; accelerated construction scheduling; cost estimating; cost control ability; quality control capability; and qualification of the firm's personnel, staff and consultants. Finalists will be provided with a copy of the building program, a description of the final interview requirements, and a copy of the standard construction management agreement. The Selection Committee may reject all proposals and stop the selection process at any time. The construction manager shall have no ownership, entrepreneurial or financial affiliation with the selected architect/engineer involved with this project.

Firms desiring to provide construction management services for the project shall submit a letter of application and a completed Construction Manager Qualifications Supplement form. Proposals must not exceed 80 pages, including the Construction Manager Qualifications Supplement and letter of application. Pages must be numbered consecutively. Submittals, which do not comply with these requirements or do not include the requested data, will not be considered. No submittal material will be returned.

All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133, Florida Statutes, a construction management firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected construction management firm must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

The Construction Manager Qualifications Supplement (CMQS) form and the Project Fact Sheet may be obtained from the web-site <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 at (305)348-4090.

Six (6) bound copies of the required proposal data will be submitted to: Selection Committee, Facilities Planning, Florida International University, University Park, CSC 236, Miami, Florida 33199.

Submittals must be received by 2:00 p.m. (Local Time), August 10, 2007. Facsimile (FAX) submittals are not acceptable and will not be considered.

Notice of Bid/Request for Proposal

NOTICE TO PROFESSIONAL CONSULTANTS

Florida International University Board of Trustees announces that Professional Services in the discipline of Architecture will be required for the project listed below:

Project Name and Number: Parking Garage Five (BT-865)/Retail/Public Safety (BT-875)

Project Description: The project consists of the design and construction of a multilevel open garage for approximately 1,441 cars and related site, utility, roadwork and 150 gross square feet of parking garage support space. To be included in the garage will be 25,000 gross square feet of retail space (shell only) and 9,065 gross square feet of office space for the FIU public Safety Department. Consideration of a future phase of approximately 6,300 gross square feet for Public Safety future expansion will be planned as a part of the project.

INSTRUCTIONS:

Firms desiring to apply for consideration shall submit a letter of application.

The letter of application should have attached:

1. A completed Board of Regents "Professional Qualifications Supplement (SUSPQS)," dated September 1999. Applications on any other form will not be considered.

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. State of Florida Minority Business Enterprise certification is no longer requested. Application material will not be returned.

The plans and specifications for A/E projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a 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 their being placed on the convicted vendor list.

Professional Qualifications Supplement and the Project Fact Sheet forms may be obtained on-line at <http://facilities.fiu.edu> Requests for meetings by individual firms will not be granted.

Submit qualifications to: Selection Committee, Florida International University, Facilities Planning, Campus Support Complex, Room 236, University Park, Miami, Florida 33199, by 2:00 p.m. (Local Time), on August 17, 2007. Late submittals shall be disqualified. Facsimile (FAX) submittals are not acceptable and will not be considered.

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."

EXECUTIVE OFFICE OF THE GOVERNOR

The Volunteer Florida Foundation is issuing a Request for Proposals. Funding is offered to organizations that wish to operate a My Safe Florida Home, Non-Profit, Program to strengthen homes of low-income Floridians against future damage from disaster. The program will be responsible for identifying eligible homeowners, assisting them through the registration process, negotiating services, and completing the mitigation project in accordance with Section 215.5586, F.S. Proposals will be due August 20, 2007. Eligibility requirements and guidance for submitting a proposal are

available at www.fladisasterfund.org. If you have questions about the RFP or need alternative formats, please contact fladisasterfund@volunteerflorida.org.

WATER MANAGEMENT DISTRICTS

Notice of Bid/Request for Proposal RFP06/07-051LM Audit

The Suwannee River Water Management District (SRWMD) announces its interest in obtaining proposals for audit and certification that its SFI Program conforms to the 2005-2009 Edition of the Sustainable Forestry Initiative® Standard. SRWMD manages approximately 160,000 acres of forestland in the State of Florida. The audit and verification will apply to Suwannee River Water Management District's SFI Program implementation in the State of Florida, including its forestland management and other related activities that are covered by the SFI Standard.

SRWMD has also developed a program for measuring success called Excellence in Land Management (ELM). The District would negotiate inclusion of this standard into the audit based on a mutual determination of readiness.

This project should follow the schedule below:

July 13, 2007	Release of Request for Proposals (RFP).
August 1, 2007	Contractor Registration Forms must be received by the District by 9:00 a.m.
August 10, 2007	All questions must be received by the District in writing no later than 4:00 p.m.
August 17, 2007	Proposals due prior to 4:00 p.m., at District Headquarters in Live Oak. Opening of proposals will occur at this time and date. *
August 31, 2007	Selection of Qualified Firm(s) at 3:30 p.m., at District Headquarters in Live Oak. *
September 7, 2007	Presentations (if requested) by Top Ranked Firms starting at 8:30 a.m., at District Headquarters in Live Oak. *
October 9, 2007	Governing Board Approval of Selected Firm(s) at 9:00 a.m., at District Headquarters. *

Request for Proposals Documents (RFP 06/07-051LM) are available on the District's website at <http://www.mysuwannee-river.com/services/bids+and+contracts>. Persons interested in submitting qualifications for this project should return those completed documents to Gwen Lord, Administrative Assistant, Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida 32060. For more information or assistance contact Gwen Lord at (386)362-1001 or 1(800)226-1066 (Florida only).

EXPRESSWAY AUTHORITIES

REQUEST FOR PROPOSALS

MDX PROCUREMENT/contract NO.: RFP-07-01 – MDX WORK PROGRAM NO.: 10007.030/10009.030/10010.030
The Miami-Dade Expressway Authority (“MDX” or “Authority”) requires the services of a qualified Design-Build Firm to implement an Advanced Traffic Management System (“ATMS”) on certain MDX Roadways. The Work consists of, but is not limited to, providing all design, labor, maintenance of traffic schemes, materials, equipment and incidentals necessary to actively manage traffic on SR 112 (Airport Expressway) from Le Jeune Road to Interstate 95 (I-95), SR 924 (Gratigny Parkway) from SR 826 (Palmetto Expressway) to N. W. 27th Avenue, SR 874 (Don Shula Expressway) from SR 826 to Homestead Extension of Florida's Turnpike (HEFT), and SR 878 (Snapper Creek Expressway) from SR 874 (Don Shula Expressway) to U.S. 1 (South Dixie Highway). Please refer to the Solicitation Documents for all prequalification requirements for this Project. MDX notifies all Proposers and individuals that it requires and encourages small, minority and women-owned businesses to have full opportunity to submit a response to any Solicitation Document issued by MDX. For copies of the RFP with complete information on the scope of services as well as submittal requirements, please log onto our web site: www.mdx-way.com or call MDX Procurement Office at (305)637-3277. Please note: In order to download any MDX solicitations, you must register as a vendor. The vendor registration can only be done through MDX's website. The deadline for submitting a Technical Proposal is August 14, 2007, by 2:00 p.m. (Eastern Time). A Mandatory Pre-Proposal Conference will be scheduled. Please check the Solicitation Documents or with MDX Procurement Office for the date and time. Failure by a Design-Build Firm to attend and/or be represented at the Pre-Proposal Conference shall result in its Technical Proposal being deemed non-responsive.

DEPARTMENT OF MANAGEMENT SERVICES

Notice of Bid/Request for Proposal
FOR GENERAL OR ROOFING CONTRACTORS
PROPOSALS ARE REQUESTED FROM QUALIFIED GENERAL OR ROOFING CONTRACTORS BY THE DEPARTMENT OF MANAGEMENT SERVICES HEREINAFTER REFERRED TO AS OWNER, FOR THE RE-ROOFING OF:
PROJECT NUMBER: MSFM-26005078
PROJECT NAME: Replace Dome Roof Membrane The Capitol Building
PROJECT LOCATION: Tallahassee, Florida
ESTIMATED CONSTRUCTION BUDGET: \$620,000.00

For details please visit the Department’s website listed below and click on “Search Advertisement – 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.”

FLORIDA SHERIFFS ASSOCIATION

BID ANNOUNCEMENTS

BID NUMBER: 07-07-0828
BID TITLE: FIRE/RESCUE VEHICLES & OTHER FLEET EQUIPMENT
ADVERTISEMENT: JULY 20, 2007 & JULY 27, 2007
PRE-BID CONFERENCE: AUGUST 2, 2007, 1:00 P.M.
PRE-BID CONFERENCE TO BE HELD AT:
 MARION COUNTY SHERIFF’S OFFICE
 CONFERENCE ROOM
 692 N.W. 30TH AVENUE
 OCALA, FL 34475-5608
BID OPENING DATE: AUGUST 28, 2007 at 8:00 A.M.
BID OPENING TO BE HELD AT:
 FLORIDA SHERIFFS ASSOCIATION
 COOPERATIVE BID COORDINATOR’S OFFICE
 2617 MAHAN DR. (32308)
 P. O. BOX 12519
 TALLAHASSEE, FL 32317-2519

BIDS MUST BE CONTAINED IN A SEALED ENVELOPE ADDRESSED TO THE FLORIDA SHERIFFS ASSOCIATION. INDICATE ON THE OUTSIDE OF THE ENVELOPE THE BID NUMBER, TITLE, OPENING DATE AND TIME. ALL VENDORS THAT ARE NOT ATTENDING THE OPENING WILL BE REQUIRED TO HAVE THEIR BIDS TO FSA BY 5:00 P.M. ON MONDAY, AUGUST 27, 2007. VENDORS WHO WILL BE BRINGING THEIR BIDS MUST HAVE THEM SIGNED IN BY 8:00 A.M. ON TUESDAY, AUGUST 28, 2007. THE FSA OFFICE WILL OPEN AT 7:00 A.M. ALL PARTICIPATING VENDORS ARE INVITED AND ENCOURAGED TO ATTEND THE BID OPENING.

ALL QUESTIONS PERTAINING TO THIS BID SHOULD BE DIRECTED TO LYNN MEEK OR PEGGY GOFF WITH THE FLORIDA SHERIFFS ASSOCIATION AT (850)877-2165.

BID ANNOUNCEMENT

BID NUMBER: 07-15-0827
BID TITLE: PURSUIT, ADMINISTRATIVE NON-PURSUIT, UTILITY VEHICLES, TRUCKS & VANS, & OTHER FLEET EQUIPMENT
ADVERTISEMENT DATES: JULY 20, 2007 & JULY 27, 2007
PRE-BID CONFERENCE: AUGUST 2, 2007, 8:30 A.M.
PRE-BID CONFERENCE TO BE HELD AT:
 MARION COUNTY SHERIFF’S OFFICE
 CONFERENCE ROOM
 692 N. W. 30TH AVENUE
 OCALA, FL 34475-5608
REPLIES DUE: AUGUST 27, 2007, 12:00 NOON
BID OPENING TO BE HELD AT:
 FLORIDA SHERIFFS ASSOCIATION
 COOPERATIVE BID COORDINATOR’S OFFICE
 2617 MAHAN DR. (32308)
 P. O. BOX 12519
 TALLAHASSEE, FL 32317-2519

BIDS MUST BE SUBMITTED ELECTRONICALLY THROUGH THE FLORIDA SHERIFFS ASSOCIATION’S VEHICLE BID AWARD SYSTEM. SOLICITATION DOCUMENTS AND SPECIFICATIONS CAN BE ACCESSED THROUGH <http://veba.flsheriffs.org>. VENDORS WHO WISH TO PARTICIPATE IN THIS INVITATION TO BID MUST CONTACT LYNN MEEK WITH THE FLORIDA SHERIFFS ASSOCIATION AT lmEEK@flsheriffs.org OR (850)877-2165. YOU WILL BE REQUIRED TO HAVE A USER NAME AND GENERIC PASSWORD BEFORE YOU CAN LOG ON TO THE VEBA SITE.

H. LEE MOFFITT CANCER RESEARCH INSTITUTE

Notice of Bid/Request for Proposal

The H. Lee Moffitt Cancer Research Institute, Inc. and its subsidiaries operate pursuant to Section 1004.43, F.S. Moffitt and its’ subsidiaries have facilities on the campus of the University of South Florida in Tampa, FLorida. Architectural, engineering and design firms interested in working on projects for Moffitt may provide letters of interest to: H. Lee Moffitt Cancer Research Institute, Inc., Attention: Facilities Department, 12902 Magnolia Drive SRB-FAC, Tampa, Florida 33612-9497.

**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 Section 380.06(4)(a), Florida Statutes.

FILE NO.: BLID-05-2007-007
 DATE RECEIVED: July 6, 2007
 DEVELOPMENT NAME: SOUTHERN HILLS PLANTATION
 DEVELOPER/AGENT: Landmar Group, LLC/
 Fowler White etal
 DEVELOPMENT TYPE: 28-24.023, 28-24.031, 28-24.020,
 F.A.C.
 LOCAL GOVERNMENT Brooksville City

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-06-2007-010
 DATE RECEIVED: July 2, 2007
 DEVELOPMENT NAME: POINCIANA ELEMENTARY L
 DEVELOPER/AGENT: School District of Osceola County
 DEVELOPMENT TYPE: 28-24.023, 28-24.024, F.A.C.
 LOCAL GOVERNMENT Osceola County

In re: MONROE COUNTY LAND
 DEVELOPMENT REGULATIONS
 ADOPTED BY MONROE COUNTY
 ORDINANCE NO. 007-2007

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2006), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and Monroe County is a local government within the Florida Keys Area.

2. On May 11, 2007, the Department received for review Monroe County Ordinance No. 007-2007 ("Ord. 007-2007"), adopted by Monroe County on April 18, 2007.
3. The purpose of the Ordinance is to amend Monroe County Code Section 9.5-22(h)(2) in order to change the location of one of the two monthly Planning Commission meetings to a location in the Lower Keys rather than the current location in Marathon. The regularly scheduled (bi-monthly) meetings shall rotate between the lower Keys and the upper Keys sub-areas and provide easier access for the citizenry of the lower Keys to participate in public hearings appropriate to the lower Keys sub area.
4. Ordinance 007-2007 is consistent with the 2010 Monroe County Comprehensive Plan, Goal 1303.

CONCLUSIONS OF LAW

5. The Department is required to approve or reject land development regulations that are enacted, amended, or rescinded by any local government in the Florida Keys Area of Critical State Concern. § 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2006).
6. Monroe County is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2006) and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.
7. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2006). The regulations adopted by Ord. 007-2007 are land development regulations.
8. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in § 380.0552(7), Fla. Stat. See *Rathkamp v. Department of Community Affairs*, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff'd, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.
9. Ord. 007-2007 promotes and furthers the following Principles:
 - (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
 - (l) To protect the public health, safety, and welfare of the citizens of the Florida Keys and maintain the Florida Keys as a unique Florida resource.
10. Ord. 007-2007 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 007-2007 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

/s/ _____

CHARLES GAUTHIER, AICP
Director, Division of Community Planning
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED

REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 10th day of July, 2007.

/s/ _____

Paula Ford, Agency Clerk

By U.S. Mail:
Honorable Mario Di Gennaro
Mayor of Monroe County
Florida Keys Marathon Airport
9400 Overseas Highway, Suite 210
Key West, Florida 33050

Danny L. Kolhage
 Clerk to the Board of County Commissioners
 500 Whitehead Street
 Key West, Florida 33040

Andrew Trivette
 Director
 Planning and Environmental Resources
 2798 Overseas Highway, Suite 400
 Marathon, Florida 33050

By Hand Delivery or Interagency Mail:
 Craig Diamond, Bureau of State Planning, DCA Tallahassee
 Clark Turner, ACSC Administrator, DCA Tallahassee
 Richard E. Shine, Assistant General Counsel, DCA Tallahassee

DEPARTMENT OF TRANSPORTATION

The Florida Department of Transportation intends to issue an "Airport Site Approval Order," in accordance with Chapter 330, Florida Statutes, "Regulation of Aircraft, Pilots, and Airports" and Chapter 14-60, Florida Administrative Code, "Airport Licensing, Registration, and Airspace Protection" for the following site:

Fly High Heliport, a private airport, in Polk County, at Latitude 28° 20' 45.66" and Longitude 81° 39' 52.74", to be owned and operated by Mr. Eric Peterson, Fly High WI2607 Milton Ave., Kissimmee, FL 34741.

A copy of the Airport Site Approval Order, the Airport's application, the applicable rules, and other pertinent information may be obtained by contacting: Mr. William J. Ashbaker, P.E., State Aviation Manager, Florida Department of Transportation, Aviation Office, 605 Suwannee Street, Mail Station 46, Tallahassee, Florida 32399-0450, (850)414-4500, aviation.fdot@dot.state.fl.us, Website: <http://www.dot.state.fl.us/aviation>.

ADMINISTRATIVE HEARING RIGHTS: Any person whose substantial interests will be determined or affected by this Airport Site Approval Order has the right, pursuant to Section 120.57, Florida Statutes, to petition for an administrative hearing. The petition for an administrative hearing must conform to the requirements of Rule Chapter 28-106, Florida Administrative Code, and must be filed, in writing, within twenty-one days of the publication of this notice, with the Clerk of Agency Proceedings, Office of General Counsel, Florida Department of Transportation, 605 Suwannee Street, Mail Station 58, Room 550, Tallahassee, Florida 32399-0450. Failure to file a petition within the allowed time constitutes a waiver of any right such person has to request a hearing under Chapter 120, Florida Statutes.

The Florida Department of Transportation intends to issue an "Airport Site Approval Order," in accordance with Chapter 330, Florida Statutes, "Regulation of Aircraft, Pilots, and Airports" and Chapter 14-60, Florida Administrative Code, "Airport Licensing, Registration, and Airspace Protection" for the following site:

Pittman Oaks Airport, a private airport, in Suwannee County, at Latitude 30° 25' 30.15" and Longitude 83° 02' 54.49", to be owned and operated by Dr. D. Coile, 1263 145th Road, Live Oak, FL 32060.

A copy of the Airport Site Approval Order, the Airport's application, the applicable rules, and other pertinent information may be obtained by contacting Mr. William J. Ashbaker, P.E., State Aviation Manager, Florida Department of Transportation, Aviation Office, 605 Suwannee Street, Mail Station 46, Tallahassee, Florida 32399-0450, (850)414-4500, aviation.fdot@dot.state.fl.us. Website: <http://www.dot.state.fl.us/aviation>.

ADMINISTRATIVE HEARING RIGHTS: Any person whose substantial interests will be determined or affected by this Airport Site Approval Order has the right, pursuant to Section 120.57, Florida Statutes, to petition for an administrative hearing. The petition for an administrative hearing must conform to the requirements of Rule Chapter 28-106, Florida Administrative Code, and must be filed, in writing, within twenty-one days of the publication of this notice, with the Clerk of Agency Proceedings, Office of General Counsel, Florida Department of Transportation, 605 Suwannee Street, Mail Station 58, Room 550, Tallahassee, Florida 32399-0450. Failure to file a petition within the allowed time constitutes a waiver of any right such person has to request a hearing under Chapter 120, Florida Statutes.

The Florida Department of Transportation intends to issue an "Airport Site Approval Order," in accordance with Chapter 330, Florida Statutes, "Regulation of Aircraft, Pilots, and Airports" and Chapter 14-60, Florida Administrative Code, "Airport Licensing, Registration, and Airspace Protection" for the following site:

Ridge Landing, a private airport, in Polk County, at Latitude 27° 45' 26" and Longitude 81° 36' 02", to be owned and operated by Mr. John Fazzini, 101 East Stuart Avenue, Lake Wales, FL 33853.

A copy of the Airport Site Approval Order, the Airport's application, the applicable rules, and other pertinent information may be obtained by contacting: Mr. William J. Ashbaker, P.E., State Aviation Manager, Florida Department of Transportation, Aviation Office, 605 Suwannee Street, Mail Station 46, Tallahassee, Florida 32399-0450, (850)414-4500, aviation.fdot@dot.state.fl.us, Website: <http://www.dot.state.fl.us/aviation>.

ADMINISTRATIVE HEARING RIGHTS: Any person whose substantial interests will be determined or affected by this Airport Site Approval Order has the right, pursuant to Section 120.57, Florida Statutes, to petition for an administrative hearing. The petition for an administrative hearing must conform to the requirements of Rule Chapter 28-106, Florida Administrative Code, and must be filed, in writing, within twenty-one days of the publication of this notice, with the Clerk of Agency Proceedings, Office of General Counsel, Florida Department of Transportation, 605 Suwannee Street, Mail Station 58, Room 550, Tallahassee, Florida 32399-0450. Failure to file a petition within the allowed time constitutes a waiver of any right such person has to request a hearing under Chapter 120, Florida Statutes.

The Florida Department of Transportation intends to issue an "Airport Site Approval Order," in accordance with Chapter 330, Florida Statutes, "Regulation of Aircraft, Pilots, and Airports" and Chapter 14-60, Florida Administrative Code, "Airport Licensing, Registration, and Airspace Protection" for the following site:

ST JOSEPH'S – NORTH HELIPOINT, a private airport, in Hillsborough County, at Latitude 28° 07' 41" and Longitude 82° 30' 23", to be owned and operated by Mr. Timothy Parker, 3001 W. Dr. Martin Luther King Jr. Blvd., Tampa, FL 33607.

A copy of the Airport Site Approval Order, the Airport's application, the applicable rules, and other pertinent information may be obtained by contacting: Mr. William J. Ashbaker, P.E., State Aviation Manager, Florida Department of Transportation, Aviation Office, 605 Suwannee Street, Mail Station 46, Tallahassee, Florida 32399-0450, (850)414-4500, aviation.fdot@dot.state.fl.us, Website: <http://www.dot.state.fl.us/aviation>.

ADMINISTRATIVE HEARING RIGHTS: Any person whose substantial interests will be determined or affected by this Airport Site Approval Order has the right, pursuant to Section 120.57, Florida Statutes, to petition for an administrative hearing. The petition for an administrative hearing must conform to the requirements of Rule Chapter 28-106, Florida Administrative Code, and must be filed, in writing, within twenty-one days of the publication of this notice, with the Clerk of Agency Proceedings, Office of General Counsel, Florida Department of Transportation, 605 Suwannee Street, Mail Station 58, Room 550, Tallahassee, Florida 32399-0450. Failure to file a petition within the allowed time constitutes a waiver of any right such person has to request a hearing under Chapter 120, Florida Statutes.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that A & A Scooters, Inc., intends to allow the establishment of C.C.C., LLC, as a dealership for the sale of motorcycles manufactured by Chongqing Astronautical Basha Manufacturing Group (BASH) at 1424 Viscaya Boulevard, Cape Coral (Lee County), Florida 33990, on or after July 1, 2007.

The name and address of the dealer operator(s) and principal investor(s) of C.C.C., LLC are dealer operator(s): Gene Fedorovich, 1424 Viscaya Boulevard, Cape Coral, Florida 33990; principal investor(s): Kevin Touhey, 1424 Viscaya Boulevard, Cape Coral, Florida 33990.

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: Leah Jordan, Sales and Licensing Specialist, A & A Scooters, Inc., 2533 Royal Lane, #505, Dallas, Texas 75229.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Zongshen, Inc., intends to allow the establishment of DK Cycle, Inc., as a dealership for the sale of Zongshen motorcycles (ZONG) at 1333 Washington Avenue, Miami Beach (Dade County), Florida 33139, on or after July 1, 2007.

The name and address of the dealer operator(s) and principal investor(s) of DK Cycle, Inc. are dealer operator(s): David Buzaglo, 1333 Washington Avenue, Miami Beach, Florida 33139; principal investor(s): David Buzaglo, 1333 Washington Avenue, Miami Beach, Florida 33139.

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: Jieming Qiu, General Manager, Zongshen, Inc., 3511 Northwest 113 Court, Doral, Florida 33178.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Carter Brothers Manufacturing, intends to allow the establishment of Fantasea Scooter Rentals, as a dealership for the sale of Sanyang motorcycles at 1646 Scenic Gulf Drive, Destin (Walton County), Florida 32550, on or after July, 5, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Fantasea Scooter Rentals are dealer operator(s): Steve Fontana, 668 Driftwood Point Road, Santa Rosa Beach, Florida 32459; principal investor(s): Steve Fontana, 668 Driftwood Point Road, Santa Rosa Beach, Florida 32459.

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: Jack Mullinax, Carter Brothers Manufacturing, 1871 Highway 231, 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, notice is given that A & A Scooters, Inc., intends to allow the establishment of Faulkner Motorsports, as a dealership for the sale of motorcycles manufactured by Chongqing Astronautical Bashan Motorcycle Manufacturing Group (BASH) and Chongqing Lifan Industry Group (CHOL) at 4237 U.S. 19, New Port Richey (Pasco County), Florida 34652, on or after July 15, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Faulkner Motorsports are dealer operator(s): John T. Faulkner, 4237 U.S. 19, New Port Richey, Florida 34652; principal investor(s): John T. Faulkner, 4237 U.S. 19, New Port Richey, Florida 34652.

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: Leah Jordan, Sales and Licensing Specialist, A & A Scooters, Inc., 2533 Royal Lane, #505, Dallas, Texas 75229.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that STR Motorsports, Inc., intends to allow the establishment of Faulkner Motorsports, as a dealership for the sale of KYMCO motorcycles (KYO) at 4237 U.S. 19, New Port Richey (Pasco County), Florida 34652, on or after July 3, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Faulkner Motorsports are dealer operator(s): John T. Faulkner, 9841 Lema Court, New Port Richey, Florida 34655; principal investor(s): John T. Faulkner, 9841 Lema Court, New Port Richey, Florida 34655.

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: Bruce Ramsey, Vice President of Sales and Marketing, KYMCO, USA, 5 Stan Perkins Road, Spartanburg, South Carolina 29307.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Power Group International, LLC., intends to allow the establishment of Florida Marine Boat RV-Auto Sales, Inc., as a dealership for the sale of Tomberlin golfcars (TOMB) at 4804 95th Street North, St. Petersburg (Pinellas County), Florida 33708, on or after June 21, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Florida Marine RV-Auto Sales, Inc. are dealer operator(s): Gus Zeidler, 4804 95th Street North, St. Petersburg, Florida 33708; principal investor(s): Gus Zeidler, 4804 95th Street North, St. Petersburg, Florida 33708.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Michelle Nobles, Power Group International, LLC., 3123 Washington Road, Augusta, Georgia 30907.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Dixie Sales Company, intends to allow the establishment of Gary K. Mudge d/b/a Big Dog Marine Service Center, as a dealership for the sale of motorcycles manufactured by Jiangsu Linhai Power Machinery Group (LINH) at 7653 Blanding Boulevard, Jacksonville (Duval County), Florida 32244-5111, on or after July 9, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Gary K. Mudge d/b/a Big Dog Marine Service Center are dealer operator(s): Gary K. Mudge, 7653 Blanding Boulevard, Jacksonville, Florida 32244-5111; principal investor(s): Gary K. Mudge, 7653 Blanding Boulevard, Jacksonville, Florida 32244-5111.

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: Debbie Kohser, Dixie Sales Company, Post Office Box 1408, Greensboro, North Carolina 27402.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Scooter Management, LLC, intends to allow the establishment of Gator Moto, LLC, as a dealership for the sale of motorcycles manufactured by Qianjiang Motorcycle Group Corp. (QIAN) and Shanghai Meitian Motorcycle Co. Ltd. (MEIT) at 2106 Northwest 67th Place, Suite 15, Gainesville, (Alachua County), Florida 32653, on or after July 10, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Gator Moto, LLC are dealer operator(s): Justin Jackrel, 4337 Northwest 35th Terrace, Gainesville, Florida 32605; principal investor(s): Justin Jackrel, 4337 Northwest 35th Terrace, Gainesville, Florida 32605; Ashley Smith, 4337 Northwest 35th Terrace, Gainesville, Florida 32605.

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: Michael Klaiman, Scooter Management, LLC, 6910 Renwick Drive, Suite C, Houston, Texas 77081.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Power Group International, LLC, intends to allow the establishment of Golf and Electric Vehicles, as a dealership for the sale of Tomberlin golfcars (TOMB) at 717 South Cocoa Boulevard, Cocoa (Brevard County), Florida 32922, on or after June 21, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Golf and Electric Vehicles are dealer operator(s): Roger Brownell, 717 South Cocoa Boulevard, Cocoa, Florida 32922; principal investor(s): Roger Brownell, 717 South Cocoa Boulevard, Cocoa, Florida 32922.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Michelle Nobles, Power Group International, LLC, 3123 Washington Road, Augusta, Georgia 30907.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Power Group International, LLC, intends to allow the establishment of Golf and Electric Vehicles, as a dealership

for the sale of Tomberlin golfcars (TOMB) at 6384 Phillips Highway, Jacksonville (Duval County), Florida 32216, on or after June 21, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Golf and Electric Vehicles are dealer operator(s): Roger Brownell, 6384 Phillips Highway, Jacksonville, Florida 32216; principal investor(s): Roger Brownell, 6384 Phillips Highway, Jacksonville, Florida 32216.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Michelle Nobles, Power Group International, LLC, 3123 Washington Road, Augusta, Georgia 30907.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Power Group International, LLC, intends to allow the establishment of Golf and Electric Vehicles, as a dealership for the sale of Tomberlin golfcars (TOMB) at 17051 Jean Street, Unit 1, Fort Myers (Lee County), Florida 33967, on or after June 21, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Golf and Electric Vehicles are dealer operator(s): Roger Brownell, 17051 Jean Street, Unit 1, Fort Myers, Florida 33967; principal investor(s): Roger Brownell, 17051 Jean Street, Unit 1, Fort Myers, Florida 33967.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Michelle Nobles, Power Group International, LLC, 3123 Washington Road, Augusta, Georgia 30907.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Power Group International, LLC, intends to allow the establishment of Golf and Electric Vehicles, as a dealership for the sale of Tomberlin golfcars (TOMB) at 18754 East Colonial Drive, Orlando (Orange County), Florida 32820, on or after June 21, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Golf and Electric Vehicles are dealer operator(s): Roger Brownell, 18754 East Colonial Drive, Orlando, Florida 32820; principal investor(s): Roger Brownell, 18754 East Colonial Drive, Orlando, Florida 32820.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Michelle Nobles, Power Group International, LLC, 3123 Washington Road, Augusta, Georgia 30907.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Verucci Motorcycles, LLC, intends to allow the establishment of Scooter Zoom, Co., as a dealership for the sale of motorcycles manufactured by WUXI Futong Motorcycle Co. Ltd. (WUXI) and Chongqing Lifan Industry Group (CHOL) at 2503 Sheridan Street, Hollywood (Broward County), Florida 33020, on or after July 30, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Scooter Zoom, Co. are dealer operator(s): Eduardo Cabrera, 2503 Sheridan Street, Hollywood, Florida 33020; principal investor(s): Eduardo Cabrera, 2503 Sheridan Street, Hollywood, Florida 33020.

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: Joyce Haddad, General Manager, Verucci Motorcycles, 7836 Northwest 46 Street, Miami, Florida 33166.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Power Sports Factory, intends to allow the establishment of Skolnick & Waitze, Inc. d/b/a Sportcycles R US, as a dealership for the sale of Yamati motorcycles (YMTI) and motorcycles manufactured by Qianjiang Motorcycles

Group Corp. (QIAN) at 4412 South US Highway 1, Fort. Pierce (St. Lucie County), Florida 34982, on or after June 5, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Skolnick & Waitze, Inc. d/b/a Sportcycles R US are dealer operator(s): Arthur Skolnick and Cynthia Skolnick, 127 Queens Road, Fort Pierce, Florida 34949; principal investor(s): Arthur Skolnick and Cynthia A. Skolnick, 127 Queens Road, Fort Pierce, Florida 34949.

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: Steve Rubakh, President, Power Sports Factory, 6950 Central Highway, Pennsauken, New Jersey 08109.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Hitong Motors Corp., intends to allow the establishment of Southtrust Motors, Inc., as a dealership for the sale of motorcycles manufactured by Shanghai JMSTAR Motorcycle Co. Ltd. (JMST), Chunfeng Holding Group Co. Ltd. (CFHG), Benzhou Vehicle Industry Group Co. Ltd. (SHWI), Kaitong Motorcycle Manufacturing Co. (KAIT), Chongqing Lifan Industry Group Co. (CHOL) and Cixi Kingring Motorcycle Co. Ltd. (KING) at 9605 Northwest 79 Avenue, #1-2, Hialeah Gardens (Dade County), Florida 33016, on or after July 10, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Southtrust Motors, Inc. are dealer operator(s): Rolando Romo, 9605 Northwest 79 Avenue #1-2,

Hialeah Gardens, Florida 33016; principal investor(s): Rolando Romo, 9605 Northwest 79 Avenue #1-2, Hialeah Gardens, Florida 33016.

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: Hong Wang, Hitong Motors Corp., 16507 Northwest 8 Avenue, Miami, Florida 33169.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that RTM Group, Inc., intends to allow the establishment of Tokam, Inc. d/b/a Honda Key West, as a dealership for the sale of RTM Group, Inc. (RTMI) motorcycles at 417 Southard Street, Key West (Monroe County), Florida 33040, on or after July 2, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Tokam, Inc. d/b/a Honda Key West are dealer operator(s): Victor Mills, 417 Southard Street, Key West, Florida 33040; principal investor(s): Victor Mills, 417 Southard Street, Key West, Florida 33040.

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: Raul Romero Jr., President, RTM Group, Inc., 6500 Northwest 72nd Avenue, Suite 103, Miami, Florida 33166.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Isuzu Motors America, Inc., intends to allow the establishment of Tomlinson Motor Company of Gainesville, Inc., as a dealership for the sale of Isuzu vehicles at 3580 North Main Street, Gainesville, (Alachua County), Florida 32609, on or after July 2, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Tomlinson Motor Company of Gainesville, Inc. are dealer operator(s): John David Tomlinson, Jr., 3580 North Main Street, Gainesville, Florida 32609; principal investor(s): John David Tomlinson, Jr., 3580 North Main Street, Gainesville, Florida 32609.

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: Edwin T. Robinson, Isuzu Motors America, Inc., 13340 183rd Street, Cerritos, California 90702-6007.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Zongshen, Inc., intends to allow the establishment of Wala Corp. d/b/a Vespa Jacksonville, as a dealership for the sale of Zongshen motorcycles (ZONG) at 1128 North 3rd Street, Jacksonville Beach (Duval County), Florida 32250, on or after July 1, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Wala Corp. d/b/a Vespa Jacksonville are dealer operator(s): Thomas Bole, 1125 North 3rd Street, Jacksonville Beach, Florida 32250; principal investor(s): Thomas Bole, 1125 North 3rd Street, Jacksonville Beach, Florida 32250.

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: Jieming Qiu, General Manager, Zongshen, Inc., 3511 Northwest 113 Court, Doral, Florida 33178.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Flyscooters, LLC, intends to allow the establishment of Wenmark, Inc. d/b/a All The Wheel Toys, as a dealership for the sale of motorcycles manufactured by Taizhou Zhongneng

Motorcycle Co. Ltd. (BAMC) at 1540 Northwest Federal Highway, Stuart (Martin County), Florida 34994, on or after July 1, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Wenmark, Inc. d/b/a All The Wheel Toys are dealer operator(s): Mark and Wendy Mourning, 1540 Northwest Federal Highway, Stuart, Florida 34994; principal investor(s): Mark and Wendy Mourning, 1540 Northwest Federal Highway, Stuart, Florida 34994.

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: Yi Yang Li, Operation Manager, Flyscooters, LLC, 4540 Worth Street, Suite 201, Los Angeles, California 90063.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

**BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND**

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

LAND AND WATER ADJUDICATORY COMMISSION

NOTICE OF RECEIPT OF PETITION

On May 22, 2007, the Florida Land and Water Adjudicatory Commission ("FLWAC" or "Commission") received a petition to establish the Huntington Hammocks Community Development District (the "District"). The Commission will follow the requirements of Chapter 42-1, Florida Administrative Code (F.A.C.), as amended, and Chapter 190, Florida Statutes (F.S.), as amended, in ruling on this petition.

SUMMARY OF CONTENTS OF PETITION: The petition, filed by Seville LLC, requests the Commission establish a community development district located entirely within unincorporated Hernando County, Florida. The land area proposed to be served by the District comprises approximately 1,036.71 acres. A general location map is contained as Exhibit 1B to the petition to establish the District. The proposed land area is generally located in Northern Hernando County, with its Northern boundary comprised of the Hernando County/Citrus County Line. The proposed District is further located West of U.S. 98 and East of U.S. 19. There are 83 parcels of real property located within the external boundaries of the proposed District which are to be excluded from the District. Exhibit 2 to the petition depicts the location and provides a list of the real properties located within the external boundaries of the proposed District which are to be excluded from the District. The 83 parcels generally include road rights-of-way; a future electric utility site; a water treatment well site; and, 79 parcels of real property consisting of residential platted lots and common ground green space tracts. The Petitioner has obtained written consent to establish the District from the landowners of 100% of the real property located within the proposed District. The proposed infrastructure plan consists of roads, paving and street lighting; water and wastewater; stormwater management; and, an irrigation system.

SUMMARY OF ESTIMATED REGULATORY COSTS: The statement of estimated regulatory costs (SERC) supports the petition to establish the District. The complete text of the SERC is contained as Exhibit 8 to the petition. The requirements for a SERC are found in Section 120.541(2), F.S. A SERC must contain (a) a good faith estimate of the number of individuals and entities likely to be required to comply with the rule, together with a description of the types of individuals likely to be affected by the rule; (b) a good faith estimate of the costs to the agency, and to any other state and local government entities, of implementing and enforcing the proposed rule, and any anticipated effect on state or local revenues; (c) a good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local governmental entities, required to comply with the requirements of the rule; (d) an analysis of the impact on small businesses as defined by Section 288.703, F.S., and an analysis of the impact on small counties and small cities as defined by Section 120.52, F.S.; (e) any additional information that the agency determines may be useful; and (f) any good faith written proposal submitted under section (a) and either a statement adopting the alternative or a statement rejecting the alternative in favor of the proposed rule. Addressing section (a), the District, Hernando County, and certain state agencies are the principal entities that are likely to be required to comply with the rule. In addition, current and future property owners will be affected by the establishment of the proposed District. Under section (b), FLWAC and the State of Florida will incur administrative costs. Hernando County will incur costs resulting from the

initial review and on-going costs resulting from the on-going administration of the District. There is a \$15,000 filing fee paid to Hernando County to offset any costs it may incur. Adoption of the proposed rule to approve the formation of the District will not have an adverse impact on State and local revenues. Addressing section (c), the District may levy non-ad valorem special assessments on properties within its boundaries to finance infrastructure that the District funds and to defray the costs of operating and maintaining the infrastructure and associated community facilities. The District may issue notes, bonds, or other indebtedness to fund its improvement program. Prospective future land owners would be required to pay off such indebtedness over time in the form of non-ad valorem special assessments or other rates, fees or charges. The District may also impose an annual levy for the operation and maintenance of the District. Under section (d), approval of the petition to establish the District will have no impact or a positive impact on small businesses. Hernando County has a population of 130,802 according to the Census 2000 conducted by the United States Census Bureau and is therefore not defined as a "small" county according to Section 120.52, Florida Statutes. Under section (e), the analysis provided in the SERC was based on a straightforward application of economic theory. Input was received from the Petitioner's engineer and other professionals associated with the Petitioner.

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

DATE AND TIME: Monday, August 6, 2007, 10:00 a.m.

PLACE: City Hall
Council Chambers
201 Howell Avenue
Brooksville, Florida

Any person requiring a special accommodation to participate in the hearing because of a disability should contact Craig A. Wrathell, Wrathell, Hart, Hunt & Associates, LLC, (954)426-2105, at least two (2) business days in advance in order to provide sufficient opportunity to make appropriate arrangements.

Copies of the petition may be obtained by contacting: Craig A. Wrathell, Wrathell, Hart, Hunt and Associates, LLC, 6131 Lyons Road, Suite 100, Coconut Creek, Florida 33073, (954)426-2105; 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, (850)487-1884.

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 INTENT TO ISSUE PROPOSED**MODIFICATION OF POWER PLANT CERTIFICATION**

The Florida Department of Environmental Protection (Department) hereby provides notice of an intent to modify the Power Plant Conditions of Certification issued pursuant to the Florida Electrical Power Plant Siting Act, Chapter 403.501 et seq., Florida Statutes, concerning: Palm Beach County Resource Recovery Facility Power Plant Siting Application No. PA 84-20, OGC Case No. 07-1171. Pursuant to Section 403.516(1)(c), Florida Statutes, the Department proposes to modify the Conditions of Certification for the Palm Beach County Resource Recovery Facility site to require the submittal and implementation of a facility-wide water conservation plan.

A copy of the proposed modification may be obtained by contacting Michael P. Halpin, P.E., Administrator, Siting Coordination Office, Department of Environmental Protection, 2600 Blair Stone Road, M.S. 48, Tallahassee, Florida 32399-2400, (850)245-8002.

Pursuant to Section 403.516(1)(c)2., Florida Statutes, parties to the certification proceeding have 45 days from issuance of notice to such party's last address of record in which to object to the requested modification. Failure of any of the parties to file a response will constitute a waiver of objection to the requested modification. Any person who is not already a party to the certification proceeding and whose substantial interest is affected by the requested modification has 30 days from the date of publication of this public notice to object in writing. The written objection must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, M.S. 35, Tallahassee, Florida 32399-3000 within the specified period. If no objections are timely received, then a Final Order approving the modification shall be issued by the

Department. If timely objections are raised and agreement can not be reached, then pursuant to Chapter 62-17.211, Florida Administrative Code, the applicant may file a petition for modification seeking approval of those portions of the request for modification to which written objections were timely filed. Mediation is not available in this proceeding.

FLORIDA STATE CLEARINGHOUSE

The state is coordinating reviews of federal activities and federally funded projects as required by Section 403.061(40), F.S. A list of projects is available at: http://www.dep.state.fl.us/secretary/oip/state_clearinghouse/ ("Current Project Information") or call (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

DEPARTMENT OF HEALTH

On June 15, 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 Maurice Stallings Brazil, A.R.N.P., license number RN 1007872. 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 July 3, 2007, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Erica Denise Choice, C.N.A., license number CNA 123351. 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 July 5, 2007, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Ingrid Ellen Duhr, R.N., license number RN 9252729. 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 July 5, 2007, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Melissa Ann Fish, C.N.A., license number CNA 144516. 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 July 5, 2007, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Lydia Ruth Nixon, R.N., license number RN 2332572. 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 July 3, 2007, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Susanne Ziegler, R.Ph., license number PS 25656. 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.

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN June 25, 2007
 and June 29, 2007

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF LEGAL AFFAIRS
Division of Victim Services and Criminal Justice Programs

2A-8.005	6/25/07	7/15/07	33/21	
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STATE BOARD OF ADMINISTRATION

19-8.028	6/27/07	7/17/07	33/15	
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DEPARTMENT OF CORRECTIONS

33-601.307	6/27/07	7/17/07	33/19	
33-601.602	6/27/07	7/17/07	33/19	
33-601.721	6/27/07	7/17/07	33/19	

WATER MANAGEMENT DISTRICTS
South Florida Water Management District

40E-40.051	6/29/07	7/19/07	33/21	
40E-40.061	6/29/07	7/19/07	33/21	

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

61G6-5.001	6/25/07	7/15/07	33/21	
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF ENVIRONMENTAL PROTECTION

62-210.200	6/26/07	7/16/07	33/21	
62-212.400	6/26/07	7/16/07	33/21	
62-212.720	6/26/07	7/16/07	33/21	

DEPARTMENT OF JUVENILE JUSTICE
Detention Services

63G-2.004	6/25/07	7/15/07	33/4	33/18
63G-2.0045	6/25/07	7/15/07	33/4	33/18
63G-2.005	6/25/07	7/15/07	33/4	33/18
63G-2.006	6/25/07	7/15/07	33/4	33/18
63G-2.011	6/25/07	7/15/07	33/4	33/18

DEPARTMENT OF HEALTH
Board of Chiropractic

64B2-18.001	6/27/07	7/17/07	33/20	
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Board of Dentistry

64B5-2.013	6/27/07	7/17/07	33/18	
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Division of Disease Control

64D-3.046	6/25/07	7/15/07	33/20	
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DEPARTMENT OF FINANCIAL SERVICES
OIR Insurance Regulation

69O-167.014	6/29/07	7/19/07	33/7	
69O-170.0155	6/27/07	7/17/07	33/17	33/22