

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF STATE

Division of Elections

RULE NO.: RULE TITLE:
1S-2.027 Clear Indication of Voter's Choice on
 a Ballot

PURPOSE AND EFFECT: The purpose is to hold a second rule development workshop and develop proposed language that clarifies the criteria for determining whether a voter has clearly indicated his or her choice on a ballot for purposes of a manual recount and any other event requiring such determination.

SUBJECT AREA TO BE ADDRESSED: Determination of Voter's Choice on a Ballot.

SPECIFIC AUTHORITY: 20.10(3), 97.012(1), 102.166 FS.

LAW IMPLEMENTED: 102.166 FS.

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

DATE AND TIME: Thursday, November 29, 2007, 10:00 a.m. – Noon

PLACE: Lake Mary Marriott, 1501 International Parkway, Lake Mary, Florida 32746

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: Department of State, Division of Elections at (850)245-6500. 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: Amy Tuck, Director, Division of Elections (850)245-6500 or Maria Matthews, Assistant General Counsel, Florida Department of State, 500 S. Bronough Street, Tallahassee, Florida 32399

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

DEPARTMENT OF STATE

Division of Elections

RULE NO.: RULE TITLE:
1S-2.032 Uniform Primary and General
 Election Ballot

PURPOSE AND EFFECT: The Department of State is holding a second rule development workshop for the purpose of revising and updating requirements for a uniform design, layout and content for election ballots.

SUBJECT AREA TO BE ADDRESSED: Uniform Ballot Design, Layout and Content.

SPECIFIC AUTHORITY: 20.10(3), 97.012(1), 101.151(8) FS.

LAW IMPLEMENTED: 101.151, 105.041 FS.

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

DATE AND TIME: Thursday, November 29, 2007, 10:00 a.m. – Noon

PLACE: Lake Mary Marriott, 1501 International Parkway, Lake Mary, Florida 32746

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: Amy Tuck, Director, Division of Elections (850)245-6500 or Maria Matthews, Assistant General Counsel, Florida Department of State (850)245-6536, R. A. Gray Building, 500 S. Bronough Street, Tallahassee, Florida 32399. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mark Ard, Division of Elections, Florida Department of State (850)245-6520, R. A. Gray Building, 500 S. Bronough Street, Tallahassee, Florida 32399

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

DEPARTMENT OF STATE

Division of Elections

RULE NO.: RULE TITLE:
1S-5.026 Voting System Audit

PURPOSE AND EFFECT: The purpose is to develop a rule that details the audit procedures to follow for conducting post-election audits of voting systems and provides a standard format for audit reports. This rule is required pursuant to sections 8 and 9 of Chapter 2007-30, Laws of Florida, which becomes effective July 1, 2008.

SUBJECT AREA TO BE ADDRESSED: Voting System Audits.

SPECIFIC AUTHORITY: 20.10(3), 97.012(1), 101.591 FS.

LAW IMPLEMENTED: 101.591 FS.

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

DATE AND TIME: Thursday, November 29, 2007, 10:00 a.m. – Noon

PLACE: Lake Mary Marriott, 1501 International Pkwy., Lake Mary, FL 32746

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: Mark Ard, Administrative Assistant, Division of Elections, Florida Department of State, R. A. Gray Building, 500 S. Bronough Street, Tallahassee, Florida 32399 (850)245-6500. 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: Amy Tuck, Director, Division of Elections (850)245-6500 or Maria Matthews, Assistant General Counsel, Florida Department of State, R. A. Gray Building, 500 S. Bronough Street, Tallahassee, Florida 32399

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

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-503.001
 RULE TITLE: Chaplaincy Services
 PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to permit Chaplains to have written contact with inmates where the inmate or the Chaplain has transferred to another FDOC institution.

SUBJECT AREA TO BE ADDRESSED: Chaplaincy services.
 SPECIFIC AUTHORITY: 944.09, 944.11, 944.803 FS.

LAW IMPLEMENTED: 20.315, 90.505, 944.09, 944.11 FS.
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

- 33-503.001 Chaplaincy Services.
- (1) through (5) No change.

(6) The Chaplain shall be authorized to maintain written communication with inmates where the inmate and the Chaplain have been at the same institution, at the same time, and either the inmate or the Chaplain has transferred to another Florida Department of Corrections institution under the following conditions:

(a) The written communication must fall within the scope of clergy professional standards (i.e. provides spiritual direction, advice, counsel, or encouragement).

(b) Consistent with the effective management and order of the institution, the Chaplain maintaining written communication with an inmate at another Florida Department of Corrections institution must inform the Chaplain at the inmate's current institutional location.

(6) through(12) renumbered (7) through (13) No change.

Specific Authority 944.09, 944.11, 944.803 FS. Law Implemented 20.315, 90.505, 944.09, 944.11 FS. History--New 1-6-82, Formerly 33-3.14, 33-3.014, Amended 10-18-01, 1-9-03,_____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: 59A-1.004
 RULE TITLE: Certification Procedure
 PURPOSE AND EFFECT: Rule 59A-1.004, Florida Administrative Code, is being amended to eliminate the requirement for site inspections of organ procurement organizations, tissue banks and eye banks to allow for the acceptance of certain accreditation organization inspection reports in lieu of Agency inspections.

SUBJECT AREA TO BE ADDRESSED: Certification inspections of organ, tissue, and eye procurement organizations.

SPECIFIC AUTHORITY: 765.541(2) FS.

LAW IMPLEMENTED: 765.542 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: Tara Ehlers, 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

Health Facility and Agency Licensing

RULE NOS.:	RULE TITLES:
59A-34.001	Definitions
59A-34.002	Carrier Report Form
59A-34.003	Supporting Documentation
59A-34.004	Timeliness of Carrier Report
59A-34.005	Notice of Deficiency
59A-34.006	Notice of Commencement of Investigation
59A-34.007	Provider Response
59A-34.008	Requests for Additional Information
59A-34.009	Agency Determination

PURPOSE AND EFFECT: The purpose of the proposed rule is to set forth the requirements for carriers to report health care provider violations and to initiate Agency investigation pursuant to Section 440.13(8)(b), (11), Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: The Agency’s Health Care Provider Compliance Review Process.

SPECIFIC AUTHORITY: 440.591 FS.

LAW IMPLEMENTED: 440.13(8), 440.13(11), 440.13(13) 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: Beverly Williams, Beverly.Williams@fldfs.com.; (850)413-1939

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

CARRIER REPORT OF HEALTH CARE PROVIDER VIOLATIONS AND INITIATION OF INVESTIGATION

59A-34.001 Definitions.

(1) The terms “instance of overutilization” and “pattern or practice of overutilization” as used in this rule shall have the same definitions as applied in Section 440.13(1)(k), F.S., and Section 440.13(1)(o), F.S., respectively.

(2) As used in this rule, the term “electronic submission” shall mean submission on a compact disc (CD).

Specific Authority 440.591 FS. Law Implemented 440.13(8), 440.13(11) FS. History–New _____.

59A-34.002 Carrier Report Form.

(1) The Carrier Report of Health Care Provider Violations (AHCA Form 3160-XXXX), is hereby incorporated by reference into this rule. This form may be obtained on the Internet at <http://www.myfloridacfo.com/wc/forms.html> or by contacting the Agency at (850)413-1613.

(2) The carrier shall use the Carrier Report of Health Care Provider Violations (AHCA Form 3160-XXXX) to report a category of alleged health care provider violation to the Agency.

(3) A separate Carrier Report of Health Care Provider Violations (AHCA Form 3160-XXXX) shall be submitted for each category of health care provider violation alleged by the carrier.

(4) Any carrier submission pursuant to section 440.13(7)(b), F.S., is excluded from the provisions prescribed in section 59A-34.002(2) of this rule.

Specific Authority 440.591 FS. Law Implemented 440.13(8), 440.13(11) FS. History–New _____.

59A-34.003 Supporting Documentation.

(1) A Carrier Report of Health Care Provider Violations must include any and all documentation that supports the alleged violation by the health care provider contained in the Carrier Report of Health Care Provider Violations (AHCA Form 3160-XXXX). Such documentation shall include, but is not limited to:

(a) Any medical records provided to any peer review consultant or independent medical examiner by the carrier, or by any entity acting on behalf of the carrier, for the purposes of evaluating the treatment rendered to the employee by the health care provider, for each date of service listed on the Carrier Report of Health Care Provider Violations (AHCA Form 3160-XXXX);

(b) Any report issued by a peer review entity or independent medical examiner relating to the alleged violations contained in the Carrier Report of Health Care Provider Violations (AHCA Form 3160-XXXX);

(c) Any request(s) for authorization of treatment submitted by the health care provider to the carrier;

(d) Any carrier response to a health care provider’s request for authorization of treatment;

(e) Any DFS-F5-DWC-25 forms submitted on behalf of the health care provider for date(s) of service listed in the Carrier Report of Health Care Provider Violations (AHCA Form 3160-XXXX); and

(f) Any Explanation of Bill Review disallowing or adjusting payment to the health care provider based on a finding pursuant to Section 440.13(6), F.S.

(2) If any of the required documentation identified in paragraphs 59A-34.003(1)(a)-(f), F.A.C., is not included with the Carrier Report of Health Care Provider Violations (AHCA Form 3160-XXXX), the carrier must provide a written explanation as to the reason(s) the documentation was not included. The Agency may consider a written explanation from the carrier as satisfying its obligation to provide the required documentation.

(3) All records and documentation submitted to the Agency in support of the Carrier Report of Health Care Provider Violations must be by electronic submission. The carrier must include three (3) complete sets of records and documentation with each Carrier Report of Health Care Provider Violations. Only one (1) set of records and documents shall be contained on a single electronic submission.

Specific Authority 440.591 FS. Law Implemented 440.13(8), 440.13(11) FS. History–New _____.

59A-34.004 Timeliness of Carrier Report.

The carrier shall submit a completed Carrier Report of Health Care Provider Violations (AHCA Form 3160-XXXX) and the required documentation to the Agency no later than 365 days after the issuance of the first Explanation of Bill Review to the health care provider that identifies an alleged category of health care provider violation. Failure to timely submit the Carrier Report of Health Care Provider Violations (AHCA Form 3160-XXXX) shall result in the Agency issuing a Notice of Dismissal of the Carrier Report of Health Care Provider Violations (AHCA Form 3160-XXXX).

Specific Authority 440.591 FS. Law Implemented 440.13(8), 440.13(11) FS. History–New _____.

59A-34.005 Notice of Deficiency.

(1) The Agency shall issue a Notice of Deficiency to a carrier that reports an alleged health care provider violation to the Agency, when such report does not include a completed Carrier Report of Health Care Provider Violations (AHCA Form 3160-XXXX) and the required documentation. The Agency shall also issue a Notice of Deficiency for any Carrier Report of Health Care Provider Violations that identifies more than a single category of health care provider violation.

(2) A carrier shall have ten (10) calendar days from receipt of the Notice of Deficiency to cure the deficiency identified in the Agency's Notice of Deficiency. Failure to submit a completed Carrier Report of Health Care Provider Violations (AHCA Form 3160-XXXX) and the required documentation or to timely cure the deficiency shall result in the Agency issuing a Notice of Dismissal of the Carrier Report of Health Care Provider Violations (AHCA Form 3160-XXXX).

Specific Authority 440.591 FS. Law Implemented 440.13(8), 440.13(11) FS. History–New _____.

59A-34.006 Notice of Commencement of Investigation.

Within thirty (30) days of receipt of a completed Carrier Report of Health Care Provider Violations (AHCA Form 3160-XXXX) and the required documentation, the Agency shall mail a notice to the health care provider and to the carrier listed on the Carrier Report of Health Care Provider Violations (AHCA Form 3160-XXXX) that the Agency has received a Carrier Report of Health Care Provider Violations (AHCA Form 3160-XXXX).

Specific Authority 440.591 FS. Law Implemented 440.13(8), 440.13(11) FS. History–New _____.

59A-34.007 Provider Response.

(1) Within thirty (30) days of the health care provider's receipt of the Agency's notification of receipt of a Carrier Report of Health Care Provider Violations (AHCA Form 3160-XXXX), the health care provider may submit a written response and documentation to the Agency disputing the alleged violations identified in the Carrier Report of Health Care Provider Violations (AHCA Form 3160-XXXX). Such documentation may include, but is not limited to:

(a) Any medical records provided to any peer review consultant or independent medical examiner by the health care provider, or by any entity acting on behalf of the health care provider, for the purposes of evaluating the treatment rendered to the employee by the health care provider, for each date of service listed on the Carrier Report of Health Care Provider Violations (AHCA Form 3160-XXXX);

(b) Any report issued by a peer review entity or independent medical examiner relating to the reported instance of overutilization identified on the Carrier Report of Health Care Provider Violations (AHCA Form 3160-XXXX);

(c) Any request(s) for authorization of treatment submitted by the health care provider to the carrier;

(d) Any carrier response to a health care provider's request for authorization of treatment; and

(e) Any DFS-F5-DWC-25 forms submitted on behalf of the health care provider for date(s) of service listed in the Carrier Report of Health Care Provider Violations (AHCA Form 3160-XXXX).

(2) Unless specifically requested pursuant to Rule 59A-34.008 of this rule, any documentation received by the Agency after thirty (30) days of the health care provider's receipt of the Agency's notification of receipt of a Carrier Report of Health Care Provider Violations (AHCA Form 3160-XXXX) shall be excluded from use in determining whether the health care provider engaged in violations identified in the Carrier Report of Health Care Provider Violations (AHCA Form 3160-XXXX).

(3) All records and documentation submitted to the Agency by the health care provider in response to the Carrier Report of Health Care Provider Violations must be by electronic submission. The health care provider must include three (3) complete sets of records and documentation with each written response to the Carrier Report of Health Care Provider Violations. Only one (1) set of records and documents shall be contained on a single electronic submission.

Specific Authority 440.591 FS. Law Implemented 440.13(8), 440.13(11) FS. History–New _____.

59A-34.008 Requests for Additional Records

(1) The Agency may, at any time, request additional records or documentation from the carrier or the health care provider listed on the Carrier Report of Health Care Provider Violations (AHCA Form 3160-XXXX). The Agency must receive any additional records or documentation within thirty (30) days of the carrier's or health care provider's receipt of the request for additional records or documentation.

(2) Any additional records or documentation received by the Agency after thirty (30) days of the carrier's or health care provider's receipt of the request for additional records or documentation shall be excluded from use in determining whether the health care provider engaged in the violation identified in the Carrier Report of Health Care Provider Violations (AHCA Form 3160-XXXX).

Specific Authority 440.591 FS. Law Implemented 440.13(8), 440.13(11) FS. History—New _____.

59A-34.009 Agency Determination

The Agency shall issue a determination on whether the category of alleged health care provider violation listed on the Carrier Report of Health Care Provider Violations is substantiated.

Specific Authority 440.591 FS. Law Implemented 440.13(8), 440.13(11) FS. History—New _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-5.020
 RULE TITLE: Provider Requirements

PURPOSE AND EFFECT: The purpose of this proposed rule amendment is to incorporate by reference update February 2008 to the Florida Medicaid Provider General Handbook. The handbook was updated to include the good cause reasons for which a recipient may change managed care plans. The effect of the rule amendment to Rule 59G-5.020, F.A.C., will be to incorporate by reference in rule update February 2008 to the Florida Medicaid Provider General Handbook.

SUBJECT AREA TO BE ADDRESSED: Provider Requirements.

SPECIFIC AUTHORITY: 409.91211, 409.9122, 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.905, 409.906, 409.907, 409.908, 409.912, 409.91211, 409.9122, 409.913 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, December 4, 2007, 1:30 p.m.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Karen Girard, Agency for

Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, MS 20, Tallahassee, Florida 32308, (850)488-9711, girardk@ahca.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-5.020 Provider Requirements.

(1) All Medicaid providers enrolled in the Medicaid program and billing agents who submit claims to Medicaid on behalf of an enrolled Medicaid provider must comply with the provisions of the Florida Medicaid Provider General Handbook, January 2007, updated July 2007 and February 2008, which is incorporated by reference and available from the fiscal agent's website at <http://floridamedicaid.acs-inc.com>. Click on Provider Support, and then on Handbooks. A Paper copy of the handbook may be obtained by calling Provider Enrollment at (800)377-8216.

(2) No change.

Specific Authority 409.919 FS. Law Implemented 409.902, 409.905, 409.906, 409.907, 409.908, 409.912, 409.91211, 409.9122, 409.913 FS. History—New 9-22-93, Formerly 10P-5.020, Amended 7-8-97, 1-9-00, 4-24-01, 8-6-01, 10-8-03, 1-19-05, 5-24-07, _____.

DEPARTMENT OF MANAGEMENT SERVICES

Communications and Information Technology Services

RULE NOS.:	RULE TITLES:
60FF-2.001	General
60FF-2.002	Definitions
60FF-2.003	Communication Service Authorization (CSA); Administration; Approval
60FF-2.004	Centralized Communications Billing
60FF-2.005	Service Provider Billing and Data Collection
60FF-2.006	Communications Service Proposals
60FF-2.007	Florida State Government Listings
60FF-2.008	Security Standards for Usage of State Communications Systems
60FF-2.009	Security and Reliability Provisions Required for SUNCOM Approved Use of Third Party Services, Software and Equipment
60FF-2.010	SUNCOM Response to System Failures and Security Breaches
60FF-2.011	SUNCOM Cost Recovery for System Failures and Security Breaches Caused by Third Parties

PURPOSE AND EFFECT: To consider development of a new rule chapter establishing requirements and procedures for eligible users utilizing SUNCOM services provided by the Department of Management Services and to define

requirements for state agencies to provide Florida State Government Listings information to be published on the state 411 web site and in commercial telephone directories.

SUBJECT AREA TO BE ADDRESSED: SUNCOM service requirements; state government listings requirements security standards for usage of state communications systems.

SPECIFIC AUTHORITY: 282.102(9) FS.

LAW IMPLEMENTED: 282.102, 282.103, 282.104, 282.105, 282.106, 282.107 FS.

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

DATE AND TIME: November 27, 2007, 9:30 a.m.

PLACE: 4030 Esplanade Way, Room 301, Tallahassee, Florida Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Marta McPherson at (850)488-2707; SUNCOM 278-2707. 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: Carolyn Mason, Project Management Office, DMS Communications and Information Technology Services, 4030 Esplanade Way, Suite 125, Tallahassee, Florida 32399-0950; Carolyn.mason@dms.myflorida.com; (850)922-7503

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

DEPARTMENT OF MANAGEMENT SERVICES

Communications and Information Technology Services

RULE NOS.:	RULE TITLES:
60FF-3.001	General
60FF-3.002	Approval Threshold, Exemptions; Requests; Documentation
60FF-3.003	Delegation to the Department of Education
60FF-3.004	Specifications for State Purchasing and Department of Management Services Contracts
60FF-3.005	Special or Unique Agency Communications Requirements

PURPOSE AND EFFECT: To consider development of a new rule chapter establishing requirements for the purchase, lease, and use of communications equipment, facilities, and services.

SUBJECT AREA TO BE ADDRESSED: State communications purchasing requirements for agencies.

SPECIFIC AUTHORITY: 282.102(9) FS.

LAW IMPLEMENTED: 282.102, 282.103 FS.

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

DATE AND TIME: November 27, 2007, 9:30 a.m.

PLACE: 4030 Esplanade Way, Room 301, Tallahassee, Florida Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Marta McPherson at (850)488-2707; SUNCOM 278-2707. 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: Carolyn Mason, Project Management Office, DMS Communications and Information Technology Services, 4030 Esplanade Way, Suite 125, Tallahassee, Florida 32399-0950; Carolyn.mason@dms.myflorida.com; (850)922-7503

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

DEPARTMENT OF MANAGEMENT SERVICES

Communications and Information Technology Services

RULE NOS.:	RULE TITLES:
60FF-4.001	General
60FF-4.002	Definitions
60FF-4.003	User Access to State Long Distance Communications System
60FF-4.004	SUNCOM Services Agreement
60FF-4.005	Review of Eligibility of Users
60FF-4.006	Modifications, Additions, Reductions or Terminations to Existing SUNCOM Service Initiated by an Eligible User
60FF-4.007	Modifications, Additions, Reductions or Terminations to Existing SUNCOM Service Initiated by the Department of Management Services

PURPOSE AND EFFECT: To consider development of a new rule chapter establishing requirements for the eligibility and use of the SUNCOM network and services provided by the Department of Management Services.

SUBJECT AREA TO BE ADDRESSED: Requirements for use of the SUNCOM network and services.

SPECIFIC AUTHORITY: 282.102(9) FS.

LAW IMPLEMENTED: 282.102, 282.103 FS.

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

DATE AND TIME: November 27, 2007, 9:30 a.m.

PLACE: 4030 Esplanade Way, Room 301, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Carolyn Mason, Project Management Office, DMS Communications and Information Technology Services, 4030 Esplanade Way, Suite 125, Tallahassee, Florida 32399-0950; Carolyn.mason@dms.myflorida.com; (850)922-7503

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: 61C-1.001 RULE TITLE: Definitions

PURPOSE AND EFFECT: The purpose and effect of the proposed rule development is to provide instructions on how to obtain a copy of the adopted Food Code.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development addresses instructions on obtaining a copy of the adopted Food Code.

SPECIFIC AUTHORITY: 509.032 FS.

LAW IMPLEMENTED: 509.032 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: Michelle Comingore, Operations Review Specialist, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 N. Monroe St., Tallahassee, FL 32303-1012; telephone: (850)488-1133

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61C-1.001 Definitions.

Except when otherwise defined in this rule, the definitions provided in paragraph 1-201.10(B), Food Code, 2001 *Recommendations of the United States Public Health Service/Food and Drug Administration*, the 2001 *Food Code Errata Sheet* (August 23, 2002), and *Supplement to the 2001 FDA Food Code* (August 29, 2003), herein adopted by reference, shall apply to Chapters 61C-1, 61C-3 and 61C-4, F.A.C. In addition, the following definitions apply to Chapters 61C-1, 61C-3 and 61C-4, F.A.C.:

(1) through (13) No change.

(14) Food Code – Food Code, 2001 *Recommendations of the United States Public Health Service/Food and Drug Administration* including *Annex 3: Public Health*

Reasons/Administrative Guidelines and *Annex 5: HACCP Guidelines* of the Food Code, the 2001 *Food Code Errata Sheet* (August 23, 2002), and *Supplement to the 2001 FDA Food Code* (August 29, 2003). Copies of the Food Code, as adopted by the division, are available on the division's Internet website, upon request to the department by phone, or by writing to the Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399. Copies of the Food Code may also be obtained from the U.S. Food and Drug Administration website.

(15) through (30) No change.

Specific Authority 509.032(~~6~~) FS. Law Implemented 509.032 FS. History—Amended 9-20-63, 3-21-64, 1-7-70, Revised 2-4-71, Amended 10-18-71, 11-17-73, 12-18-74, 12-5-82, Formerly 7C-1.01, Amended 9-10-89, 12-31-90, 2-27-92, 11-4-92, Formerly 7C-1.001, Amended 3-31-94, 10-9-95, 9-25-96, 1-1-98, 12-6-00, 2-27-05,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: 61C-1.008 RULE TITLE: License Fees

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendments is to update and simplify the license fee schedule for public lodging establishments and public food service establishments licensed by the division.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendments address license fees for public lodging and public food service establishments licensed by the division.

SPECIFIC AUTHORITY: 509.032, 509.251 FS.

LAW IMPLEMENTED: 509.013, 509.032, 509.251, 509.302 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: Michelle Comingore, Operations Review Specialist, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1012, telephone: (850)488-1133

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.001 RULE TITLE: General Definitions

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: Provides additional definitions of terms used in the provisions of Chapter 61D-14, F.A.C.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(a), (b), (d), (e), (g), (i), 551.104(4) FS.

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

DATE AND TIME: November 29, 2007, 9:00 a.m. – 5:00 p.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Mary Polombo at (850)413-0750. 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: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

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

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.003 RULE TITLE: Renewal of Slot Machine Licenses

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: Revises the qualification required for renewal of slot machine license.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(a), (b), 551.104(4) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.009 RULE TITLE: Denial Criteria for Occupational License Application or Renewal

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: Revises the denial criteria for occupational license application or renewal, specifies good moral character criteria, and clarifies language in the current rule.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(a), (b), 551.107(4)(a), (b), 551.107(5)(a), (b) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.011
RULE TITLE: Occupational License and Fingerprint Fees

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: Revises the license fee structure and clarifies language in the current rule.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(a), (b), (g), 551.107(4)(a), (d) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.016
RULE TITLE: Operational Requirements

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: Revises system operational requirements for surveillance and training requirements for surveillance personnel. The rule's language has also been modified to improve clarity.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(c), (e), (g), (h), (i), 551.113(3), 551.114 FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.017
RULE TITLE: Days and Hours of Operation

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: Revises the process to permit approval of variations in operational schedules.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.
LAW IMPLEMENTED: 551.103(1)(d), (e) FS.
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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.019
RULE TITLE: Compulsive or Addictive Gambling Prevention Program

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: Includes record keeping requirements for all training and follow-up training provided to employees.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.
LAW IMPLEMENTED: 551.103(1)(a), (b), (g), (i), 551.104(4)(i), 551.118(1) 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:

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.021
RULE TITLE: Complimentary Services or Items

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: The new rule defines complimentary and promotional items, as well as reporting and treatment for purposes of revenue reporting.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.
LAW IMPLEMENTED: 551.103(1)(d), (e), (g) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.022
RULE TITLE: Slot Machine Requirements

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: Technical standards for slot machine operations, slot machine capabilities and procedures for jackpot payment. The rule language has been modified to improve clarity.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(c), (d), (h), (i) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.024
RULE TITLE: Logic Compartment

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: Technical standards for access to logic compartments and required procedures to limit access to compartment keys. Provides procedures for sealing the compartments and providing access to authorized personnel. The rule language has been modified to improve clarity.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(c), (i) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.030
RULE TITLE: Video Monitors/Touchscreens

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: Technical standards for video monitor touchscreens, testing, and testing reports required.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(c), (d), (e), (i) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.031
 RULE TITLE: Bill Acceptors

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: Updates language regarding bill acceptor processing and clarifies meaning of rule.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(c), (d), (e), (i) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.032
 RULE TITLE: Progressive Slot Machine Requirements

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: The new rule provides system and operational requirements for slot machines configured to accept and participate in progressive jackpot slot machine play.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(c), (d), (e), 551.121(5) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**Division of Pari-Mutuel Wagering**

RULE NO.: 61D-14.033 RULE TITLE: Progressive Gaming Device Displays
 PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: The new rule provides system and operational requirements for progressive gaming device displays used in progressive jackpot slot machine play.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(c), (d), (e), 551.121(5) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**Division of Pari-Mutuel Wagering**

RULE NO.: 61D-14.035 RULE TITLE: Progressive Jackpots
 PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: The new rule provides system and operational requirements for progressive gaming jackpots used in progressive jackpot slot machine play.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(c), (d), (e), 551.121(5) FS.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**Division of Pari-Mutuel Wagering**

RULE NO.: 61D-14.037 RULE TITLE: Games with Bonus Features, Multiple Win Lines, Prizes

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: The rule language provides system and operational requirements for slot machine games identified and used in slot machine tournaments.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(c), (d), (e) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.:	RULE TITLE:
61D-14.040	Game Cycle, Payment of Credits by Ticket Printer, and Ticket Redemption

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: Changes processing of hand pay vouchers and clarifies language in rule.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(c), (d), (e), (i) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.:	RULE TITLE:
61D-14.048	Facility Based Monitoring System Required Reports

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: The rule has been amended to specify the daily reports the slot machine licensee is required to produce and additional definition of information data required in specified reports. The rule has also been modified to improve clarity and meaning.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(d), (e), (i), 551.104(4)(f) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.:	RULE TITLE:
61D-14.050	Floor Plan

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: The rule has been amended to specify the request forms required to relocate or realign slot machine games within a slot machine licensee's floor plan. The rule has also been modified to improve clarity and meaning.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(i), 551.104(4)(h), 551.114(5) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.051 **RULE TITLE:** Security Plan

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: Provides requirements for exercises and procedures for training, and clarifies language in rule.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(i), 551.104(4)(h) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.054 **RULE TITLE:** Surveillance Equipment

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: Provides policy and requirements for the use of surveillance equipment, procedures for training, and clarity to language in rule.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(g), (i), 551.104(4)(h) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.055
 RULE TITLE: Storage and Retrieval of Surveillance Recordings

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: Provides policy and requirements for the retention of surveillance records and clarity to language in rule.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(d), (e), (g), (i), 551.104(4)(h) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.058
 RULE TITLE: Slot Machine Licensees System of Internal Controls

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: The rule outlines reporting requirements for taxable financial data; revenue counts; and data recorded in the facility monitoring system. The rule language outlines the procedures for reporting revenue credits and other accounting adjustments. The rule also provides the procedure licensees shall use to modify their internal controls and obtain division approval of those modifications. The rule provides the technical steps required to document the division’s approval of the internal controls and publish the updated controls for implementation and enforcement. The rule language has also been modified to improve clarity.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(d), (e), (g), (i) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.059 RULE TITLE: Slot Machine Licensee Personnel
 PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.
 SUBJECT AREA TO BE ADDRESSED: Provides requirement for the drug testing program for licensed facilities and clarifies language in rule.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.
 LAW IMPLEMENTED: 551.103 (1)(g), (i), (j) FS.
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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.060 RULE TITLE: Business Entities, Internal Controls and Personnel Records
 PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.
 SUBJECT AREA TO BE ADDRESSED: Clarifies rule language regarding notice of location of business entity records maintained in the state for out-of-state business licensees.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.
 LAW IMPLEMENTED: 551.103(1)(d), (g), (i) FS.
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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.061 RULE TITLE: Slot Cash Storage Boxes
 PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.
 SUBJECT AREA TO BE ADDRESSED: Provides that full cash storage boxes, when removed from a machine, must be taken directly to a physically secured cage or taken directly to the count room under surveillance observation and security escort. Update also clarifies rule language.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.
 LAW IMPLEMENTED: 551.103 (1)(d), (g), (i) FS.
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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.065
 RULE TITLE: Procedure for Slot Cash Storage Box Count

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: Provides updated count room procedures and storage requirements for clothing used in the count room. Update also clarifies rule language.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(d), (g), (i) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.073
 RULE TITLE: Meter Readings

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: Update clarifies rule language for reconciliation of meter readings.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(d), (e), (i) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.074
 RULE TITLE: Security Requirements, System Access, and Firewalls

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: Provides instruction on processing access to facility records and player tracking data. The update also clarifies the rule language.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(d), (g), (i) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.076
RULE TITLE: Player Tracking System

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: Provides requirements that promotions be submitted to division for approval 30 calendar days in advance; internal control procedures provide for approval of award programs; and access to the player tracking system or promotional system be controlled and under surveillance. The update also clarifies the rule language.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(d), (e) FS.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

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

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.080
RULE TITLE: Retention, Storage and Destruction of Books, Records, and Documents

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: The update clarifies what records are to be retained permanently and which shall be retained for at least five years. The update also clarifies the rule language.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(d), (g) 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: November 29, 2007, 9:00 a.m. – 5:00 p.m.

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

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.082
 RULE TITLE: Annual Financial Report

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: Modify rule language to include a reference to the uniform annual report rule for pari-mutuel activities in Rule 61D-8.002, F.A.C., and harmonize the timing and substance of all reports from the pari-mutuel and slot machine facility.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(d), (e), (g) 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: November 29, 2007, 9:00 a.m. – 5:00 p.m.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.086
 RULE TITLE: Annual Compliance Audit

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: The rule language provides requests for annual report of facility written policy and summary of activity for prior year as required in Section 551.104, F.S.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(d), (g), 551.104(8) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.090
 RULE TITLE: Prohibited Acts

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: Clarifies rule language regarding prohibited acts to include the violation of facility drug-free work environment and violation for ejection of licensed personnel.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.
 LAW IMPLEMENTED: 551.103(1)(d), (e), (g), (h), (i), (2), (3), (4)(a), 551.104(4)(i), 551.112 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:

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NOS.:	RULE TITLES:
61D-14.100	Determination and Imposition of Penalty
61D-14.101	Time for Payment of Fines
61D-14.102	Individual Violations
61D-14.103	Facility Violations
61D-14.104	Citation Authority
61D-14.105	Disciplinary Guidelines
61D-14.106	Post Final Order Actions

PURPOSE AND EFFECT: The purpose and effect of the proposed rules will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: The rule language implements division authority and procedures to institute a citation process for violations of certain portions of Chapter 551, F.S., and Chapter 61D-14, F.A.C.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.
 LAW IMPLEMENTED: 551.103(1)(a), (4)(b), (5), 551.104(1), (4)(a), (b), (10)(b), 551.106(4), 551.107(5)(a), (b), (6)(a), (b), (c), (11), 551.109(1), (2), (3), (4), (5), 551.117 FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.:	RULE TITLE:
61D-14.200	Slot Machine Storage and Maintenance Facilities, and Educational, Training, or Testing Facilities

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: The new rule provides the requirements and procedures for licensure and operation of storage and maintenance facilities and educational, training and testing facilities.

SPECIFIC AUTHORITY: 551.109(2), 551.122 FS.

LAW IMPLEMENTED: 551.109(2)(a), (b) 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:

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.201
RULE TITLE: Slot Machine and Component Manufacturer Storage Facility Requirements

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: The new rule provides additional security requirements and procedures for licensure and operation of manufacturer’s storage and maintenance facilities.

SPECIFIC AUTHORITY: 551.103(1), 551.109(2), 551.122 FS.

LAW IMPLEMENTED: 551.109(2)(a), (b) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.202
RULE TITLE: Facility License – Slot Machine Storage and Maintenance Facility

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: The new rule provides procedures to obtain licensure for slot machine storage and maintenance facilities at which licensed slot machine business entities intend to store slot machine and related components within the state.

SPECIFIC AUTHORITY: 551.103(1), 551.109(2)(a), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(a), (b), 551.107(4)(a), 551.109(2)(a) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.203
 RULE TITLE: Facility License – Certified Educational Facilities

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: The new rule provides procedures to obtain licensure for certified educational facilities that intend to provide training and education services related to slot machine gaming in the state.

SPECIFIC AUTHORITY: 551.103(1), 551.109(2)(b), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(a), (b), 551.107(4)(a), 551.109(2)(b) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NOS.:	RULE TITLES:
61D-14.210	Licensee Insolvency
61D-14.211	Surrender of License on Closing of Business; Closing Due to Natural Disasters; Insolvency; Bankruptcy; Receivership
61D-14.212	Approval Required for Enforcement of Security Interest in Slot Machine Licensee's Business
61D-14.213	Application to Enforce Security Interest; Investigation
61D-14.214	Enforcement of a Security Interest in Personal Property Gaming Collateral
61D-14.215	Receivership or Custodianship

PURPOSE AND EFFECT: The purpose and effect of the proposed rules will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: The rule language describes required procedures a licensee shall observe if the licensee anticipates a period of insolvency requiring the intervention of the court; procedures for the surrender of licensure as a result of closing, for a variety of reasons; and application requirements to enforce a security interest in a licensee's slot machine gaming equipment.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(a), (b), (c), (d), (e), (g), (i), (4)(b), (5), 551.104(1), (4)(a), (b) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Veterinary Medicine

RULE NO.: 61G18-14.003 RULE TITLE: Endorsement Definitions
 PURPOSE AND EFFECT: The proposed rule amendment corrects the cited manual reference from "Physician's Manual" to "Practitioner's Manual".
 SUBJECT AREA TO BE ADDRESSED: Endorsement Definitions.
 SPECIFIC AUTHORITY: 474.217(1)(a) FS.
 LAW IMPLEMENTED: 474.217(1)(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 IS: Juanita Chastain, Executive Director, Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G18-14.003 Endorsement Definitions.

The term "Has demonstrated, in a manner designated by rule of the Board, knowledge of the laws and rules governing the practice of veterinary medicine in this state" shall mean that the applicant has successfully completed the laws and rules portion of the exam. However, for purposes of obtaining a temporary license pursuant to Section 474.2125, F.S., in an emergency situation as defined in Section 252.34(2), F.S., the applicant shall prepare and attach to the application, a statement that the veterinarian has read Chapters 474, 455, 465, 499, 585, 828, and 893, Florida Statutes, Rule Chapter 61G18, F.A.C., and the most recent edition of the "Practitioner's Manual" "~~Physician's Manual~~" published by the Drug Enforcement Administration of the Department of Justice. The statement shall contain the following acknowledgment: I acknowledge that knowingly making a

false statement in writing with the intent to mislead a public servant in the performance of his official duty is a misdemeanor of the second degree; Section 837.06, F.S.
 Specific Authority 474.217(1)(a), 474.206 FS. Law Implemented 474.217(1)(a) FS. History--New 8-17-94, Amended 3-20-95,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Veterinary Medicine

RULE NO.: 61G18-15.001 RULE TITLE: Permit Requirements
 PURPOSE AND EFFECT: The proposed rule amendment is to clarify the department's role relating to the decision of reinspection.
 SUBJECT AREA TO BE ADDRESSED: Permit Requirements.
 SPECIFIC AUTHORITY: 474.206, 474.215 FS.
 LAW IMPLEMENTED: 474.215 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: Juanita Chastain, Executive Director, Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, Florida 32399-0783
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G18-15.001 Permit Requirements.

(1) All establishments where veterinary medicine is practiced shall be required to have a permit issued by the Department of Business and Professional Regulation. An application for a permit shall be filed with the department not less than fourteen (14) days prior to the opening date of the establishment. The establishment shall be inspected for compliance with the minimum standards for sanitary conditions and physical plant as set forth in rule Chapter 61G18-15, F.A.C., prior to issuance of the permit. The decision whether reinspection prior to issuance of the permit is necessary because of the establishment's failure to meet required standards on the initial inspection shall be made by the department on an individual basis ~~by a committee appointed by the Chairman~~ and shall be based on the number and severity of the deficiencies documented on the initial inspection report.

(2) through (3) No change.

Specific Authority 474.206, 474.215 FS. Law Implemented 474.215 FS. History–New 11-14-79, Amended 12-10-81, 9-22-82, 12-12-83, 10-17-85, Formerly 21X-15.01, Amended 10-14-86, 5-9-90, Formerly 21X-15.001, Amended 2-6-95, 6-8-95, _____.

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

Division of Beaches and Shores

RULE NOS.:	RULE TITLES:
62B-33.002	Definitions
62B-33.0051	Coastal Armoring and Related Structures

PURPOSE AND EFFECT: A Petition to Determine Invalidity of Existing Rules and to Determine Invalidity of Agency Statements was filed with the Division of Administrative Hearings on 10/17/2007 (Road Less Traveled, et al. v. Fla. Dep’t of Env’tl. Prot.; DOAH Case No. 07-4767RX). This Petition was filed pursuant to Sections 120.56(3) and (4), Florida Statutes. The rule development will address provisions of the rule relating to coastal armoring and vulnerability.

SUBJECT AREA TO BE ADDRESSED: Coastal Armoring.

SPECIFIC AUTHORITY: 161.085(5) FS.

LAW IMPLEMENTED: 161.085 FS.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Rosaline Beckham, Department of Environmental Protection, Bureau of Beaches and Coastal Systems, 3900 Commonwealth Blvd, Mail Station 300, Tallahassee, FL 32399; Phone (850)488-7815; email Rosaline.Beacham@dep.state.fl.us

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NOS.:	RULE TITLES:
64B8-50.003	Delegation of Powers and Duties to Electrolysis Council
64B8-50.009	Certification of Public Records

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address language which is not authorized by statute.

SUBJECT AREA TO BE ADDRESSED: Deletion of language which is not authorized by statute.

SPECIFIC AUTHORITY: 478.43(1) FS.

LAW IMPLEMENTED: 456.025(11) , 478.43(3) FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B8-50.003 Delegation of Powers and Duties to Electrolysis Council.

(1) Pursuant to Section 478.43, Florida Statutes, the Board delegates to the Electrolysis Council the following powers and duties.

(a) Certification of applicants for examination and applicants for endorsement.

~~(b) Issuance of temporary permits to applicants for licensure.~~

~~(c) Certification of applicants for facility licensure.~~

~~(b)(d)~~ Approval of continuing education providers and electrolysis training programs.

(2) The Board shall enter final orders in disciplinary cases against electrologists and electrology facility license holders. The determination of probable cause to issue an administrative complaint against an electrologist or a electrology facility license holder shall be made by the Probable Cause Panel of the Board.

(3) Rulemaking proposals, petitions for declaratory statement and petitions to adopt, amend or repeal rules, which relate to the practice of electrology shall first be presented to the Council. The Council shall consider the matter and make recommendations to the Board as to the appropriate action to be taken.

Specific Authority 478.43(1) FS. Law Implemented 478.43(3) FS. History–New 5-31-93, Formerly 21M-75.003, Amended 11-16-93, Formerly 61F6-75.003, 59R-50.003, Amended _____.

64B8-50.009 Certification of Public Records.

Any person desiring certification of any Board or Council documents from the custodian of records as official public records shall submit that request along with a certification fee of \$ 25. ~~Normal duplicating fees shall also apply.~~

Specific Authority 478.43(1) FS. Law Implemented 456.025(11) 119.07(1) FS. History–New 5-31-93, Formerly 21M-75.009, 61F6-75.009, 59R-50.009, Amended _____.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NOS.: RULE TITLES:
64B8-51.001 Manner of Application
64B8-51.003 Documentation for Licensure

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address clarification and language which is not authorized by statute.

SUBJECT AREA TO BE ADDRESSED: Clarification with regard to fees and deletion of language which is not authorized by statute.

SPECIFIC AUTHORITY: 478.43(1), (4) FS.

LAW IMPLEMENTED: 478.45 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B8-51.001 Manner of Application.

(1) All persons applying for licensure as an electrologist shall submit a signed application to the Executive Director of the Council on forms provided by the Council and approved and incorporated herein by reference by the Board as Form DOH/MQA/EO APP/REV-04/03, entitled “Application for Electrologist Licensure”, effective 2-15-04, which can be obtained from the Council. The initial application must be accompanied by the application fee, as set forth in Rule 64B8-51.007, F.A.C.

(2) All applications must include an official transcript from a school of electrology which identifies the credits taken by home study or correspondence courses and those taken in classroom settings.

(3) All applications for licensure by examination shall be filed with the Executive Director of the Council and shall be completed at least 120 ~~90~~ days prior to the examination. Applications filed after the deadline may be considered at the next meeting of the Council.

~~(4) The application and fee may not be used for more than one year from the date of original submission of the application and fee if the application remains incomplete or the applicant has not taken at least one administration of the examination for~~

~~licensure. If such application remains incomplete or the applicant has not taken at least one administration of the examination for licensure during the one year period, then the application shall be closed and the applicant shall be required to reapply for licensure.~~

~~(5) Any applicant who has not passed the state examination within three (3) administrations immediately following the date on which the Council initially approved the applicant for examination must successfully complete twenty-five (25) hours of academic training and reapply for licensure.~~

Specific Authority 478.43(1), (4) FS. Law Implemented 478.45 FS. History–New 5-31-93, Formerly 21M-76.001, Amended 11-10-93, Formerly 61F6-76.001, Amended 5-29-96, Formerly 59R-51.001, Amended 12-23-97, 5-28-00, 8-9-01, 2-15-04, 10-31-05, _____.

64B8-51.003 Documentation for Licensure.

(1) In order to establish that an applicant is at least 18 years old, a copy of one of the following shall be submitted:

- (a) Birth certificate,
- (b) Passport,
- (c) Driver’s license.

(2) In order to establish that an applicant has a high school diploma or a graduate equivalency diploma, a ~~notarized~~ copy of the diploma shall be submitted. An applicant from a foreign country who does not have a high school diploma or graduate equivalency diploma shall submit equivalent documentation from a credentialing agency.

Specific Authority 478.43(1), (4) FS. Law Implemented 478.45 FS. History–New 5-31-93, Formerly 21M-76.003, 61F6-76.003, Amended 7-14-96, Formerly 59R-51.003, Amended _____.

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: RULE TITLE:
64B9-8.003 Citations

PURPOSE AND EFFECT: The purpose and effect is to add a citation for failure to update practitioner profiles.

SUBJECT AREA TO BE ADDRESSED: Citations.

SPECIFIC AUTHORITY: 456.077, 464.006 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, IF AVAILABLE, IS: Rick Garcia, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

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

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: 64B9-15.008 RULE TITLE: Testing and Competency Evaluation
 PURPOSE AND EFFECT: The purpose and effect is to amend the rule in response to and in accordance with Department of Health Testing Services request.
 SUBJECT AREA TO BE ADDRESSED: Testing and Competency Evaluation.
 SPECIFIC AUTHORITY: 464.202, 464.203 FS.
 LAW IMPLEMENTED: 464.202, 464.203, 464.2085 FS.
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Rick Garcia, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B9-15.008 Testing and Competency Evaluation.

- (1) No change.
- (2) The general areas of competency of the Written Exam are as follows:
 - (a) Role of the Nursing Assistant;
 - (b) Promotion of ~~Health and~~ Safety;
 - (c) Promotion of Function and Health of Residents;
 - (d) Basic Nursing Care Provided for Residents with Changes in Health Skills; and
 - (e) Specific Care Provided for Residents with Changes in Health Providing Specialized Care.
- (3) The Board adopts a passing score as set by the National Nurse Aide Examination Council. The minimum passing level of the Written Exam varies depending on the difficulty of the items for each form of the examination and will be established by the Board.
- (4) The Clinical Skills Test includes three of the following tasks in addition to hand washing and indirect care:
 - (a) Personal Care:
 - 1. Perineal Care – ~~Male and~~ Female;
 - 2. through 9. No change.
 - 10. Change Occupied Bed; and
 - 11. Foot Care.
 - (b) Promotion of ~~Promoting~~ Function, Health, and Safety:
 - 1. through 2. No change.
 - 3. Range of Motion for Upper Extremity ~~Extremities; and~~
 - 4. Range of Motion for Lower Extremity; Extremities; and

5. Ambulation.

~~(c) Environmental Activities—Changing an Occupied Bed;~~
~~(c)(4) Reporting and Recording:~~

- 1. Measure and Record Pulse and Respirations ~~Vital Signs;~~
- 2. No change.
- 3. Measure and Record Content of Urinary Drainage Bag; ~~and~~

4. Measure and Record Blood Pressure.

- (5) through (6) No change.
- (7) The Clinical Skills Observers for the Clinical Skills Test must meet the following criteria:
 - (a) No change.
 - (b) Have at least one year of experience in the provision of long-term care or caring for the chronically ill of any age;
 - (c) through (d) No change.

Specific Authority 464.202, 464.203 FS. Law Implemented 464.202, 464.203, 464.2085 FS. History—New 5-25-03, Amended 6-26-05, _____.

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: 64B13-3.003 RULE TITLE: Patient Records; Transfer or Death of Licensed Practitioner

PURPOSE AND EFFECT: The purpose of the amendment is to clarify that electronic signatures meet the requirements for medical records and set forth the type of electronic signatures that meet the requirements of the rule.

SUBJECT AREA TO BE ADDRESSED: Patient Records; Transfer or Death of Licensed Practitioner.

SPECIFIC AUTHORITY: 456.058, 463.005(1)(a), (d) FS.

LAW IMPLEMENTED: 456.057, 456.058, 463.005(1)(a), (d) 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 Optometry, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B13-3.003 Patient Records; Transfer or Death of Licensed Practitioner.

(1) The licensed practitioner must legibly sign the entry in his or her records for each patient encounter. If the practitioner maintains electronic patient records, the practitioner may affix

an electronic signature which can be generated by using either public key infrastructure or signature dynamics technology, and meets the following criteria:

(a) The electronic signature is unique to the person using it;

(b) The electronic signature is capable of verification;

(c) The electronic signature is under the sole control of the person using it;

(d) The electronic signature is linked to the record in such a manner that the electronic signature is invalidated if any data in the record are changed.

~~(2)(4)~~ A licensed practitioner shall maintain full and independent responsibility and control over all records relating to his or her patients and his or her optometric practice. ~~The licensed practitioner must legibly sign the entry for each patient encounter.~~ All such records shall remain confidential except as otherwise provided by law and shall be maintained by the licensed practitioner in compliance with Rule 64B13-3.001, F.A.C. For the purposes of this rule, "maintain full and independent responsibility and control" means that the records shall be maintained in the licensed practitioner's office or solely in the possession of the licensed practitioner, and that the licensed practitioner shall not share, delegate, or relinquish either possession of the records or his or her responsibility or control over those records with or to any entity which is not itself a licensed practitioner.

~~(7)(2)~~ No change.

Specific Authority 456.058, 463.005(1)(a), (d) FS. Law Implemented 456.057, 456.058, 463.005(1)(a), (d) FS. History—New 11-13-79, Amended 12-19-84, 4-8-85, Formerly 21Q-3.03, Amended 12-16-86, 7-11-88, Formerly 21Q-3.003, 61F8-3.003, Amended 2-14-96, Formerly 59V-3.003, Amended 3-29-98, 4-3-00, 1-2-02, 11-16-05,

NAVIGATION DISTRICTS

Florida Inland Navigation District

RULE NOS.:	RULE TITLES:
66B-1.003	Definitions
66B-1.005	Funds Allocation
66B-1.006	Application Process
66B-1.008	Project Eligibility
66B-1.015	Small-Scale Derelict Vessel Removal Projects

PURPOSE AND EFFECT: The purpose of the proposed rule development is to include the following provisions in the program rule: Expand the definition of eligible applicants; clarify the necessary permitting requirements prior to project funding; identify the provisions for land acquisition eligibility; correct the rule language to allow small-scale and derelict vessel applications out of the regular grant cycle; and to revise the provisions of the small-scale derelict vessel removal program.

The effect of the rule development is to implement changes in the administration of the District's Assistance Program that will assist the District and program applicants in the review and evaluation of applications submitted pursuant to the rule.

SUBJECT AREA TO BE ADDRESSED: Cooperative Assistance Program rule sections: Definitions, Funds Allocation, Application Process, Project Eligibility and Small-Scale Derelict Vessel Removal Projects.

SPECIFIC AUTHORITY: 374.976(2) FS.

LAW IMPLEMENTED: 374.976(1)-(3) FS.

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

DATE AND TIME: November 27, 2007, 11:00 a.m.

PLACE: The District office, 1314 Marcinski Road, Jupiter, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mark Crosley, Assistant Executive Director, Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, telephone number: (561)627-3386

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

NAVIGATION DISTRICTS

Florida Inland Navigation District

RULE NOS.:	RULE TITLES:
66B-2.003	Definitions
66B-2.005	Funds Allocation
66B-2.006	Application Process
66B-2.008	Project Eligibility
66B-2.015	Small-Scale Derelict Vessel Removal Projects

PURPOSE AND EFFECT: The purpose of the proposed rule development is to include the following provisions in the program rule: Clarify the necessary permitting requirements prior to project funding; identify the provisions for land acquisition eligibility; correct the rule language to allow small-scale and derelict vessel applications out of the regular grant cycle; and to revise the provisions of the small-scale derelict vessel removal program.

The effect of the rule development is to implement changes in the administration of the District's Assistance Programs that will assist the District and program applicants in the review and evaluation of applications submitted pursuant to the rule.

SUBJECT AREA TO BE ADDRESSED: Waterways Assistance Program rule sections: Definitions, Funds Allocation, Application Process, Project Eligibility and Small-Scale Derelict Vessel Removal Projects.

SPECIFIC AUTHORITY: 374.976(2) FS.
 LAW IMPLEMENTED: 374.976(1)-(3) FS.
 IF REQUESTED AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:
 DATE AND TIME: November 27, 2007, 11:00 a.m.
 PLACE: The District office, 1314 Marcinski Road, Jupiter, Florida
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mark Crosley, Assistant Executive Director, Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, telephone number: (561)627-3386
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS: AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE NOS.:	RULE TITLES:
69A-46.010	Submission of the Application
69A-46.015	Testing
69A-46.016	Insurance Requirements
69A-46.0165	Submission of the Application for a Water-Based Fire Protection Permit
69A-46.017	Required Continuing Education
69A-46.040	Installation Requirements for Automatic Sprinkler Systems Employing Water as the Extinguishing Agent
69A-46.041	Inspection Requirements for Fire Protection Systems

PURPOSE AND EFFECT: The purpose of these rule amendments is to update Rule Chapter 69A-46, F.A.C., to provide for submission of an updated application for water-based systems, and inspection tags using a new system of red and green tags to indicate compliance and non-compliance. The effect of these rules will be to provide a uniform method of filing an application for water-based fire suppression systems and for tagging fire suppression equipment.

SUBJECT AREA TO BE ADDRESSED: The amendments address application procedures for Fire Protection System Contractors and Systems, including applications for Water-Based Fire Protection Permits, installation requirements for automatic sprinkler systems employing water as an extinguishing agent, and testing, tagging and maintenance requirements for fire protection systems.

SPECIFIC AUTHORITY: 633.01, 633.517(1), 633.521(4) FS.
 LAW IMPLEMENTED: 471.025, 553.79(6), 633.065, 633.521, 633.521(4), 633.524, 633.534, 633.537, 633.547(2)(e) FS.
 A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:
 DATE AND TIME: Friday, November 30, 2007, 9:30 a.m.
 PLACE: Third Floor Conference Room, The Atrium Building, 325 John Knox Road, Tallahassee, Florida 32308
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Casia Sinco, Safety Program Manager, 200 E. Gaines Street, Tallahassee, Florida 32399-0342; telephone: (850)413-3171; fax: (850)414-6119
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69A-46.010 Submission of the Application.

(1) through (2) No change.

(3)(a) As a prerequisite to challenging the examination as a Contractor I, II, or III, the applicant shall provide evidence of four (4) years proven experience in the employment of a Contractor I, II, or III, or a combination of experience and education equivalent thereto.

1. "Experience in the employment of a contractor", as required by Section 633.521(3), Florida Statutes, must be gained from full-time employment by a contractor licensed as provided in Section 633.521, Florida Statutes, such employment relating to technical areas. For purposes of this rule chapter, "technical areas" means those activities engaged in by a contractor and participated in by the applicant which provide experience in laying out, fabricating, installing, inspecting, altering, repairing, or servicing fire protection systems. For purposes of this rule chapter, four (4) years proven experience as a certified plumber plumbing contractor, licensed pursuant to the provisions of Chapter 489, Florida Statutes, may be offered toward the experience requirements for a Contractor I or II and shall be considered equivalent to two (2) years proven experience in the employment of a contractor. A certified plumbing contractor shall offer no more than 4 years as a certified plumbing contractor toward the 4 years experience requirement in Section 633.521, Florida Statutes. The applicant's experience must be verified by the contractor employing the applicant utilizing Form DFS-K3-1795 (Effective: _____) Employment Verification Form, incorporated herein by reference, or: the The required verification shall be in the form of a letter from the employing contractor employer, on company stationery, attesting to describing the applicant's duties, the kinds of jobs he worked on; his dates of employment; and any other information reasonably calculated to provide the division with an informed understanding of the applicant's work experience. A copy of Form DFS-73-1795 (Effective: _____) can be obtained

~~from the Bureau of Fire Prevention, Division of State Fire Marshal, Department of Financial Services, 325 John Knox Road, The Atrium, Third Floor, Tallahassee, Florida 32303.~~ An applicant offering self-employment experience shall provide verification in the form of letters from customers, and others familiar with his work. It is the applicant's responsibility to furnish the required verification. The experience will be evaluated to determine an applicant's qualifications for the class of certificate requested; or,

2. through 4. No change.

(b) No change.

(c) As a prerequisite to challenging the examination as a Contractor V, the applicant shall provide evidence of:

1. No change.

2. Four years experience in the employment of ~~Employment by~~ an individual licensed as a certified underground utility contractor or plumbing contractor pursuant to the provisions of Chapter 489, Florida Statutes, ~~that the applicant has four (4) years experience in the employment of a certified underground utility contractor,~~ which shall be submitted utilizing Form DFS-K3-1795 (Effective: _____) Employment Verification Form; in the form of a letter, on company stationery, signed by the certified underground utility contractor or plumbing contractor, attesting to, ~~describing~~ the applicant's duties; the kinds of jobs he worked on; his dates of employment; and any other information reasonably calculated to provide the division with an informed understanding of the applicant's work experience; or

3. A combination of education and experience equivalent to four (4) years proven experience in the employment of a certified underground utility contractor or plumbing contractor. For purposes of combining education and experience, education in the areas described in paragraph (a)3., above, including at least 3 credit hours from a 4-year college or university or junior or community college in courses which teach the material in the National Fire Protection Association standards on which the applicant will be tested; or other equivalent coursework; and experience in the areas described in subparagraph (a)1., or subparagraph (c)1. or 2., above, shall be provided.

(d) No change.

(4) No change.

Specific Authority 633.01, 633.517(1) FS. Law Implemented 633.521, 633.524, 633.534 FS. History—New 10-14-86, Amended 12-21-88, 10-20-93, Formerly 4A-46.010, Amended _____.

69A-46.015 Testing.

(1) An applicant who has been qualified to challenge an examination will be notified in writing of available examination dates and examination locations. Upon receipt of a written request for a specific examination date, the applicant will be sent a notice of the exam date, time and location at least seven days prior to the scheduled exam. The applicant will be

expected to challenge the exam on that day unless he or she submits a written waiver of his or her right to challenge the exam on that day and requests a later date. ~~The Regulatory Licensing Section will schedule an applicant for a later day upon receipt of a written request. The applicant will also be permitted to challenge the examination at the Regulatory Licensing Section's office in Tallahassee if the applicant makes a request for such testing in writing and receives written notification when the next available scheduled examination will be held in Tallahassee.~~

(2) through (9) No change.

Specific Authority 633.01, 633.517(1) FS. Law Implemented 633.521 FS. History—New 10-14-86, Amended 12-21-88, 8-1-90, 10-20-93, 10-2-96, 6-8-98, 11-21-01, Formerly 4A-46.015, Amended _____.

69A-46.016 Insurance Requirements.

(1) The Fire Protection System Contractor I, II, III, IV, or V licensed pursuant to Section 633.521, Florida Statutes, shall provide evidence of current and subsisting insurance coverage meeting the requirements of Section 633.521, Florida Statutes, to the Regulatory Licensing Section on Form DFS-K3-25, Certificate of Insurance Fire Protection System Contractor, revised and dated Effective: _____, as adopted and incorporated herein by reference. This form is available from the Regulatory Licensing Section, Bureau of Fire Prevention, 200 East Gaines Street, Tallahassee, FL 32399-0342.

(2) The licensed Fire Protection System Contractor I, II, III, IV, or V shall be responsible to ensure that current and subsisting insurance coverage meets the requirements of Section 633.521, Florida Statutes, and that an original signed Form DFS-K3-25, Certificate of Insurance is on file with the Regulatory Licensing Section.

(3) Failure to provide evidence of insurance coverage within 30 days of the expiration date of the policy or within 30 days of a notice to provide evidence of coverage shall result in administrative proceedings pursuant to Section 624.4211, Florida Statutes, as provided in subsection (4) of Section 633.521, Florida Statutes and pursuant to Section 633.547, Florida Statutes.

Specific Authority 633.01, 633.517(1), 633.521(4) FS. Law Implemented 633.521(4) FS. History—New 10-20-93, Amended 11-21-01, Formerly 4A-46.016, Amended _____.

69A-46.0165 Submission of the Application for a Water-Based Fire Protection Permit.

(1) An individual employed by a Fire Protection System Contractor I or II who will be inspecting water based fire protection systems must be issued a permit by the State Fire Marshal in accordance with Section 633.521, Florida Statutes, to conduct such work.

(2) The applicant for a Water-Based Fire Protection Permit shall submit an application on Form DFS-K3-1794, "Application for Water-Based Fire Protection Inspector Permit," (Effective: _____), incorporated herein by

reference, and available from the Bureau of Fire Prevention, Regulatory Licensing Section, 200 East Gaines Street, Tallahassee, Florida 32399-0342.

(3) The application shall be accompanied by a fee as prescribed in Section 633.524(1), Florida Statutes.

(4) The application shall be accompanied by two current full-face color passport size photographs, and a photocopy of the applicant's driver's license or identification card issued by the Florida Department of Highway Safety and Motor Vehicles. Each photograph shall have the name of the applicant printed legibly on the back of the photograph. Effective July 1, 2008, each application shall be accompanied by evidence that the applicant holds a NICET II in a subfield of Inspection and Testing of Water-Based Systems.

(5) Upon submission of a completed application, fee, and photographs, a permit and photo identification card will be issued to the applicant.

(6) Permittees must have a valid and subsisting permit upon their persons at all times while engaging in the inspection, testing and maintenance of fire protection systems. The permit must be produced upon demand. A permittee may perform only those services authorized under the Fire Protection System Contractor I or II employing such permittee.

(7) A permit shall be valid solely for use by the holder thereof in his or her employment by the licensee under whose license the permit was issued. A permittee changing his or her employer or place of employment shall obtain a new permit under the license of the holder at the new place of employment. The licensee shall notify the Regulatory Licensing Section, in writing, of the termination of a permittee within fifteen days of the termination. A permit and photo identification card of an individual leaving the employment of a Fire Protection System Contractor I or II becomes void and inoperative on the date of termination, pursuant to Section 633.521, Florida Statutes.

(8) A Water-Based Fire Protection Inspector permittee must qualify and maintain a NICET II certification in a subfield of Inspection and Testing of Water-Based Systems as a condition to renewal effective July 1, 2008.

Specific Authority 633.01, 633.517(1), 633.521(4) FS. Law Implemented 633.521(4) FS. History—New _____.

69A-46.017 Required Continuing Education.

(1) Fire Protection System Contractors Certificateholders shall complete a continuing education course or combination of courses in compliance with Section 633.537, Florida Statutes, within each biennial license period, except that a contractor who completes the competency examination and receives a license issued for 1 year or less shall be required to complete a continuing education course or combination of courses prorated at 50 percent of the required hours for a biennial license.

(2) The continuing education course or combination of courses shall be in a fire protection discipline related to the Certificate of Competency held by the Fire Protection System Contractor. All licensed Fire Protection System Contractors are required to complete an approved course or courses providing at least one hour of workplace safety class, one hour of business practices class, and one hour of a workers' compensation class as part of the required continuing education for each biennial renewal period.

(3) through (5) No change.

(6) The number of contact hours assigned to any course shall be determined by the Regulatory Licensing Section based on the course content and length of the course.

(a) through (b) No change.

(c) Each Fire Protection System Contractor certificateholder shall be notified by the Regulatory Licensing Section, in writing, if the coursework does not satisfy the continuing education requirement in Section 633.537, Florida Statutes. No notification will be given over the telephone.

(d) through (j) No change.

(7) Each Fire Protection System Contractor certificateholder is responsible for attending the appropriate course or courses and for maintaining proof of completion of the course or courses. Such proof shall be in the form of copies of certificates of completion awarded. The Regulatory Licensing Section will not accept any proof of completion except that submitted in accordance with subsection (8) below.

(8) Prior to the annual expiration of the Certificate of Competency, the Fire Protection System Contractor shall submit proof of completion of the required course or courses to the Regulatory Licensing Section. Submissions shall be submitted on a "Fire Protection System Contractor Continuing Education Coursework" Form, DFS-K3-141240 (Rev: _____) (03/00) as adopted and incorporated herein by reference. Forms are available from and submissions shall be sent to: Regulatory Licensing Section, 200 East Gaines Street, Tallahassee, Florida 32399-0342. Each Fire Protection System Contractors Certificateholders will be notified by the Regulatory Licensing Section, in writing, if the coursework does not satisfy the continuing education requirement in Section 633.537, Florida Statutes. No notification will be given over the telephone.

(9) Any Fire Protection System Contractor who does not complete the continuing education requirement shall not have his or her certificate renewed. If the Fire Protection System Contractor certificateholder is not renewed, the contractor certificateholder shall perform no work for which a license is required. A contractor certificateholder wishing to become licensed again shall meet the requirements of Section 633.521, Florida Statutes.

(10) Effective July 1, 2005 a Water-Based Fire Protection Inspector shall complete 8 hours of approved continuing education in compliance with Section 633.537, Florida

Statutes, which are preparatory curriculum for NICET II certification and shall support the general and special work elements for NICET II certification. An additional 16 hours of continuing education must be completed between July 1, 2006 and June 30, 2008.

(11) A Water-Based Fire Protection Inspector shall complete 16 hours of approved continuing education coursework in compliance with Section 633.537, Florida Statutes, within each biennial license period.

Specific Authority 633.01, 633.517(1) FS. Law Implemented 633.521, 633.537 FS. History—New 10-2-96, Amended 6-18-97, 6-8-98, 11-21-01, Formerly 4A-46.017, Amended _____.

69A-46.040 Installation Requirements for Automatic Sprinkler Systems Employing Water as the Extinguishing Agent.

~~(1) Fire protection system contractors installing an automatic sprinkler system employing water as the extinguishing agent shall supervise and be responsible for the complete system in accordance with the provisions of Section 633.539, Florida Statutes, except that a contractor installing the underground pipe shall supervise and be responsible only for the portion he or she installs and the contractor installing the remaining portion of the system shall be responsible only for his or her portion of the work. the contractor shall be responsible for installing the complete system in compliance with the National Fire Protection Association standards adopted pursuant to Rule Chapter 69A-3, F.A.C., except that if a contractor installs the underground portion of the system from the point of service to the aboveground connection flange in compliance with Section 633.539(3), Florida Statutes, pipe he or she shall be responsible to ensure for that portion of the system, and the contractor installing the remaining portion shall be responsible for the system from the point of connection to the underground throughout the remainder of the system.~~

(2) through (8) No change.

Specific Authority 633.01 FS. Law Implemented 553.79(6), 633.065, 633.547(2)(e) FS. History—New 12-21-88, Amended 8-1-90, 10-20-93, 11-21-01, Formerly 4A-46.040, Amended _____.

69A-46.041 Inspection Requirements for Fire Protection Systems, Testing and Maintenance.

~~The contractor I or II shall submit in writing to the Regulatory Licensing Section the names, addresses, and evidence of NFPA 25 training of all individuals in his or her employ that are performing inspections of fire protection systems. In addition, the licensed contractor I or II shall submit a full face current color passport photograph of each inspector along with a copy of the inspector's current driver's license or identification card issued by the Florida Department of Highway Safety and Motor Vehicles. The contractor shall not allow any individual to perform inspections under his or her certificate until that individual has been listed with the Regulatory Licensing~~

~~Section. The Regulatory Licensing Section shall issue a identification card to each inspector. The identification card is not a license. The contractor shall be responsible for each listed individual's inspections until he or she has requested in writing that the Regulatory Licensing Section delete the individual from his or her list of inspectors. The licensed fire protection system contractor shall notify the Regulatory Licensing Section, in writing, of an inspector leaving his or her employ within fifteen days of the termination. An inspector photo identification card of an individual leaving the employ of a contractor becomes void and inoperative on the date of departure.~~

(1) A Fire Protection Contractor, contracting to perform inspecting, testing, and maintenance service on a fire protection system shall comply with the requirements of Chapter 633, Florida Statutes, and the applicable NFPA standards as adopted in Rule Chapter 69A-3, F.A.C.

(2) Each system that has been inspected, tested, or maintained by a fire protection contractor, or his or her permitted Water-Based Fire Protection Inspector designated inspector, shall have a record tag of durable and weather resistant material placed on the riser or control device. The tag at "Figure A" shall include the following:

- ~~(a) Name, address and contractor license number of company.~~
- ~~(b) Date of inspection and type of inspection.~~
- ~~(c) Inspected by _____.~~
- ~~(d) The tag shall state "For more information see the inspection report."~~
- ~~(e) The tag shall state "Do not remove by order of the State Fire Marshal."~~
- ~~(f) The tag shall be approximately 3 1/2 inches by 5 1/2 inches.~~

~~SEE FLORIDA ADMINISTRATIVE CODE FOR "FIGURE A"~~

(3) Inspection Tags.

(a) After inspection and testing, an inspection tag shall be completed indicating all work that has been done, and then attached to the system riser in such a position as to permit convenient inspection and not hamper activation or operation. A new inspection tag shall be attached to the system riser each time an inspection and test service is performed.

(b) Inspection tags must be a maximum dimension of 133 mm (5 1/4 inches) in height and 89 mm (3 1/2 inches) in width.

(c) Inspection tags shall bear the following information in an easily read format:

1. 'DO NOT REMOVE BY ORDER OF THE STATE FIRE MARSHAL.' This particular information shall be in a minimum of 10pt type and in all capital letters.

2. The licensed Fire Protection System Contractor I or II's name and licensed physical address.

3. The license number of the Fire Protection System Contractor I or II;

4. The permit number of the Water-Based Fire Protection Inspector;

5. The permitted Water-Based Fire Protection Inspector's signature;

6. The day, month and year (to be punched);

7. The facility name and address.

8. Affixing this tag shall not be construed to invalidate the owner's responsibility to maintain the system as provided in Section 633.082, Florida Statutes.

9. The reverse of the non-compliant tag shall include at least four separate boxes for the listing of repair work as follows:

a. Date of Repair: _____

b. Repaired by (Signature): _____

c. Print Name: _____

d. Type of Repair: _____

e. Permit Number: _____ (if repair is made by a Water Based Fire Protection Inspector Permit Number must be noted.)

(d) Inspection tags may be printed and established for a five year period of time.

(e) An inspection tag shall only be removed by the Fire Protection System Contractor or his permitted Water-Based Fire Protection Inspector.

(4) Compliance and Noncompliance Tag.

(a) If a fire protection system is found to be in compliance with the applicable NFPA standards, a GREEN Compliance Tag shall be attached to the main control valve of the system.

(b) If a fire protection system is found to have deficiencies and is not in compliance with the applicable NFPA standards, a completed RED Noncompliance Tag shall be attached to the main control valve of the system to indicate that corrective action is necessary. If the system is operational but not in compliance with the applicable NFPA standards, the building owner or authorized representative and occupant shall be notified by copy of the NFPA 25 inspection report within 30 days of the inspection. If the system is not operational, the contractor or inspector shall notify the building owner or authorized representative, the occupant, and the authority having jurisdiction within 24 hours of the time of the inspection.

(5)(3) The contractor shall maintain in his or her file all records of any fire protection system having been inspected, serviced and maintained.

(6)(4) These records shall be made available to the State Fire Marshal upon request.

(7)(5) The contractor or his or her permitted Water-Based Fire Protection Inspector the designated inspector shall complete in detail the inspection reports as required in NFPA 25, as adopted in Rule Chapter 69A-3, F.A.C., that outlines all

points of the inspection, test, and maintenance as required by the applicable NFPA standards. A copy of the inspection report ~~which~~ shall be provided to the owner at the completion of each inspection performed.

(8)(6) The inspection report shall include a detailed explanation of every deficiency, and any deficiencies. The report shall indicate if the inspection is a weekly, monthly, quarterly or annual inspection. The inspection report shall include the name of the permitted Water-Based Fire Protection Inspector registered inspector, the inspector permit registration number, the inspector's signature, the date and time of the inspection, and the signature of the owner or the owner's representative.

(9) Pursuant to the provisions of Section 633.082, Florida Statutes, it is the owner's responsibility to maintain the fire protection system. Affixing an inspection tag as required herein does not invalidate responsibility nor shall a transfer of risk be construed.

Specific Authority 633.01 FS. Law Implemented ~~633.071, 633.082 471.025, 553.79(6),~~ 633.065, 633.547(2)(e) FS. History—New 10-20-93, Amended 11-21-01, Formerly 4A-46.041, Amended _____.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: 690-144.005
 RULE TITLE: Credit for Reinsurance
 PURPOSE AND EFFECT: To implement revisions to Section 624.610, F.S., relating to rating based collateral requirements.
 SUBJECT AREA TO BE ADDRESSED: Credit for reinsurance.

SPECIFIC AUTHORITY: 624.308 FS.

LAW IMPLEMENTED: 624.610 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: November 26, 2007, 9:30 a.m.

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ray Spudeck, Economist, Office of Insurance Regulation, E-mail ray.spudeck@fldfs.com

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

Section II Proposed Rules

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.:	RULE TITLE:
6A-1.09421	High School Competency Test Requirements

PURPOSE AND EFFECT: The proposed rule amendment will change the required administration schedule for the High School Competency Test to an annual administration. This change will provide an administration schedule that is commensurate with the current number of test takers each year. In addition, the amendment will eliminate obsolete provisions.

SUMMARY: This rule is amended to reduce the number of administrations per year of the High School Competency Test (HSCT) and to allow students to meet the high school testing requirement through earning passing scores on the Florida Comprehensive Assessment Test (FCAT). In addition, obsolete provisions are eliminated.

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

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

SPECIFIC AUTHORITY: 1001.02, 1008.22 (11) FS.

LAW IMPLEMENTED: 1001.02, 1003.428, 1003.43, 1008.22 FS.

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

DATE AND TIME: December 11, 2007, 10:00 a.m.

PLACE: Marriott Tampa Airport, Pinellas Room, Tampa, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Cornelia Orr, Assistant Deputy Commissioner, Assessment and School Performance, Florida Department of Education, 325 West Gaines Street, Suite 414, Tallahassee, Florida 32399, (850)245-0513

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.09421 High School Competency Test Requirements. The minimum student performance skills and competencies required for high school graduation by Section 229.57(3)(c)5., Florida Statutes, for the period 1994-95 through 1998-99 shall be determined in the manner prescribed below:

(1) The student examination, known as the High School Competency Test, required by Sections 232.246(5)(a) and 229.57(3)(c)5., Florida Statutes, shall be administered annually developed under the direction and supervision of the Deputy Commissioner for Educational Programs, and shall be:

- (a) Kept secured at all times.
- (b) Provided to testing centers all school districts in the quantity needed for the students in the district.
- (c) Administered in accordance with standard written instructions appropriate for the examination.

~~(d) Revised and updated as needed.~~

(2) ~~The test shall be developed in consultation with teachers and other appropriate professionals and shall be approved by the Commissioner prior to being administered to students. The test shall:~~

(a) Consist of two (2) sections; one (1) comprising communications skills, and one (1) comprising mathematical skills.

(b) Be derived from the skills adopted in subsection 6A-1.0941(1), F.A.C., for the time period from 1994-95 through 1998-99.

~~(3) The High School Competency Test shall be administered in cooperation with district school boards at least four (4) times during each school year.~~

~~(a) The test shall be scheduled at least twice each year for secondary students who are classified as high school juniors or seniors. The Division of Public Schools and the district school boards shall cooperate to the extent practicable in using other scheduled administrations to accommodate migrant students, transfer students, and others who are unable to be tested on the designated dates. No student shall be tested more than one (1) time in any thirty (30) day period.~~

~~(b) An adult who has earned sufficient credits to be classified as a high school sophomore, junior, or senior may take the examination initially at any scheduled administration. Adults who have taken the test previously but who have not yet earned passing scores in both sections of the test may retake the examination at any subsequent scheduled administration.~~

(4) To qualify for a high school diploma, each ~~secondary or~~ adult student must earn passing scores on both sections of the High School Competency Test or earn passing scores on the FCAT, as defined in Section 1008.22(3)(c), F.S., or scores on a standardized test that are concordant with passing scores on the FCAT as defined in Section 1008.22(9), F.S. High School Competency Test scores shall be reported in terms of an equated score scale. The passing scale score shall be seven hundred (700).

~~(a) For the time period of October 1994 through August 1996, the passing scale scores for the communications and mathematics sections of the High School Competency Test shall be set so that the percentage of grade eleven (11) students passing each section of the test in the 1994 administration will be equivalent to the percentage of grade eleven students who passed the respective sections of the High School Competency Test in October 1993. The passing scores for the High School Competency Test specified in this rule shall be reviewed not later than August 31, 1995, and recommendations to adjust the passing scores, as appropriate, shall be presented to the State Board by the Commissioner.~~

~~(b) After August 1996, all students shall meet the following passing score requirements regardless of whether they had taken and failed to pass the High School Competency Test prior to August 1996; the mathematics section passing scale score shall be set equivalent to a raw score of forty-two (42) out of fifty five (55) test questions on the October 1994 test; the communications section passing scale score shall be set equivalent to a raw score of fifty five (55) out of sixty five (65) test questions on the October 1994 test.~~

~~(c) Beginning in 1994, secondary students classified as juniors and adults who anticipate graduating after the 1994-95 academic year shall be tested on the skills adopted in subsection 6A-1.0941(1), F.A.C., for the time period from 1994-95 through 1998-99.~~

~~(d) A student who was initially tested on skills adopted in subsection 6A-1.0942(1), F.A.C., for the time period 1985-86 through 1993-94 and who expects to graduate from high school before August 1996 shall meet the High School Competency Test requirements prescribed in Rule 6A-1.0942, F.A.C.~~

~~(e) After August 1996, all students shall meet the High School Competency Test requirements described in Rule 6A-1.0942(1), F.A.C.~~

(5) No time limit shall be established for answering the questions on the High School Competency Test; provided, however, that no student shall be permitted to answer test items which have been seen by the student at a time other than the examination session in which the test questions are given to the student and provided that the examination session shall not be longer than the length of time normally scheduled for a school day.

~~(6) If a student fails to pass a section of the High School Competency Test as prescribed herein, the district school board shall provide special instructional assistance for such student in a manner deemed most appropriate by policies of the district school board.~~

- ~~(a) Such special assistance may take the form of:~~
- ~~1. Informal consultation between student and teachers;~~
 - ~~2. Tutoring of one (1) student by another student;~~
 - ~~3. Structured or nonstructured independent study;~~
 - ~~4. Special classroom study of short duration (one (1) to five (5) days);~~

- ~~5. Special classroom study of longer duration, or~~
- ~~6. Such other appropriate form as determined by the district school board.~~

~~(6)(b) When the student earns a passing score on a section of the High School Competency Test, it shall be recorded in the student's cumulative record. If the student has previously been awarded a Certificate of Completion in lieu of a standard high school diploma by virtue of failure to pass the High School Competency Test, such student shall be awarded a standard high school diploma. Appropriate instructional assistance and adequate opportunity to be retested so as to earn a passing score shall remain available to each student until such time as the student earns passing scores on each section of the test.~~

(7) Once a student has passed a section of the test measuring skills adopted in subsection 6A-1.0941(1), F.A.C., for the time period 1985-86 through 1993-94, the student will not be required to pass that section of the test measuring skills adopted in subsection 6A-1.0941(1), F.A.C., for the time period from 1994-95 through 1998-99.

(8) Invalidity of a section of this rule shall not invalidate the remainder of the rule.

Specific Authority 1001.02, 1008.22(11), 120.53(1)(b), 229.053(1), 229.57(3)(c)5. FS. Law Implemented 1001.02, 1003.428, 1003.43, 1008.22, 120.53(1)(b), 229.57, 232.246, 232.247 FS. History--New 1-2-95, Amended 12-19-95, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Cornelia Orr

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Jay Pfeiffer

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 30, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 27, 2007

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-1.099822
 RULE TITLE: School Improvement Rating for Alternative Schools

PURPOSE AND EFFECT: The purpose of this new rule is to define the terms and process used to calculate a school improvement rating for alternative schools. The effect of the rule will be the definition of an alternative school for the purpose of calculating an improvement rating; the establishment of a process to identify alternative schools; and the establishment of a process for calculating a school improvement rating that fulfills statutory requirements for school accountability.

SUMMARY: This rule is proposed to provide a definition of an alternative school for the purpose of calculating an improvement rating, the establishment of a process to identify

alternative schools; and the establishment of a process for calculating a school improvement rating that fulfills statutory requirements for school accountability.

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: 1008.34, 1008.341 FS.

LAW IMPLEMENTED: 1008.34, 1008.341 FS.

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

DATE AND TIME: December 11, 2007, 10:00 a.m.

PLACE: Tampa Airport Marriott, Tampa, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Juan Copa, Director, Office of Evaluation and Reporting, 325 West Gaines Street, Room 445, Tallahassee, Florida 32399-0400; (850)245-0744

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.099822 School Improvement Rating for Alternative Schools.

(1) Purpose. The Purpose of this rule is to implement the requirements of Sections 1008.34 and 1008.341, Florida Statutes.

(2) School Eligibility.

(a) Definition of an alternative school for accountability purposes. An alternative school, for purposes of school accountability improvement ratings, is any school that provides dropout prevention and academic intervention services pursuant to Section 1003.53, Florida Statutes, and has students referred to the school by another school in any district. Charter schools can be designated as alternative schools for the purposes of school accountability improvement ratings if the school's charter explicitly states that the mission of the charter school is to provide dropout prevention and academic intervention services through alternative education. This definition does not include "second chance schools" as defined by Section 1003.53, Florida Statutes, educational programs operated or contracted by Department of Juvenile Justice facilities, or district school board programs that serve students officially enrolled in dropout retrieval programs.

(b) In school year 2007-2008, and annually thereafter, school districts will have the opportunity to identify alternative schools for accountability purposes in compliance with the above guidelines. Those identified schools will have the option of earning a school grade, pursuant to Section 1008.34, Florida Statutes, or a school improvement rating, as outlined in subsection (5) of this rule.

(3) Accuracy of Data.

(a) Prior to the calculation of School Improvement Ratings for Alternative Schools, as described in subsection (5) of this rule, alternative schools will be identified in a cumulative list according to primary service type as designated in the Department of Education's Master School Identification file.

(b) Districts will be given the opportunity to review the cumulative list and submit additions and/or deletions, as necessary, to the Department of Education. Documentation required to make an addition or deletion to the list of alternative schools shall include, at a minimum:

1. Statement of the current mission of the school;
2. Description of the targeted student population;
3. Explanation of enrollment procedures; and
4. Verification that a majority of enrolled students are at-risk, low-performing students exhibiting discipline or attendance problems.

(4) Student Inclusion.

(a) As outlined in Section 1008.341(3), Florida Statutes, the calculation of a school improvement rating shall include the aggregate scores of students assigned to and enrolled in the alternative school during the October or February FTE count.

(b) As outlined in Section 1008.34(3)(b)3., Florida Statutes, the following students are not included in the accountability calculations for alternative schools:

1. Students subject to district school board policies for expulsion for repeated and/or serious offenses;
2. Students who are in dropout-retrieval programs who have officially been designated as dropouts; and
3. Students who are in programs operated or contracted by the Department of Juvenile Justice.

(5) Procedures for Calculating School Improvement Ratings for Alternative Schools.

(a) The school improvement ratings for alternative schools will be considered fully implemented with the following accountability elements:

1. The school improvement rating shall be based on a comparison of student learning gains for the current year and previous year. The learning gains definition will be consistent with the learning gains definition for school grades defined in Rule 6A-1.09981, F.A.C. The school improvement rating shall be calculated for each alternative school that has chosen to be rated by this method and:

a. Has a minimum of ten (10) eligible students with valid Florida Comprehensive Assessment Test (FCAT) scores in reading in the current and two previous years; and

b. Has a minimum of ten (10) eligible students with valid Florida Comprehensive Assessment Test (FCAT) scores in math in the current and two previous years.

2. The school improvement rating shall be designated as following:

a. “Improving” means the schools with students making more academic progress than when the students were served in their home schools. In order for a school to earn an “improving” designation, the percent of students making learning gains in reading and math in the current year must be at least five (5) percentage points higher than the percent of the same students making learning gains in the prior year in their home school.

b. “Maintaining” means schools with students making progress equivalent to the progress made when the students were served in their home schools. In order for a school to earn a “maintaining” designation, the percent of students making learning gains in reading and math in the current year must be less than five (5) percentage points above or below the percent of the same students making learning gains in the prior year in their home school.

c. “Declining” means schools with students making less academic progress than when the students were served in their home schools. In order for a school to earn a “declining” designation, the percent of students making learning gains in reading and math in the current year must be at least five (5) percentage points lower than the percent of the same students making learning gains in the prior year in their home school.

d. Unless performance data can be determined to accurately represent the progress of the school, the Commissioner is authorized to withhold the designation of a school’s improvement rating or designate the school in a lower improvement rating category. If less than ninety (90) percent of the school’s student population eligible for inclusion in the designation of the school’s improvement rating were assessed, the school’s improvement rating shall be designated incomplete (I) for at least thirty (30) days or until the data are determined by the Commissioner to accurately represent the performance of the school.

3. Pursuant to Section 1008.341, Florida Statutes, schools that improve at least one (1) level or maintain an “improving” rating are eligible for school recognition awards pursuant to Section 1008.36, Florida Statutes.

4. If a school earns a “declining” rating, the school is subject to the same requirements as a school designated School Performance Grade F as outlined in Rule 6A-1.09981, F.A.C.

(6) After the initial issuance of the school improvement ratings, school districts shall have the opportunity to review and submit for state review any appeal of the calculation as outlined in paragraph 6A-1.09981(9)(c), F.A.C.

(a) Crediting of Student Performance at the Alternative School to the Home School for the Purposes of Calculating the Home School’s School Grade. If an alternative school chooses to be evaluated through a school improvement rating rather than a school grade, the student performance of eligible

students (identified in Section 1008.34(3)(b)3., Florida Statutes) shall be included in the students’ home school’s grade as well as the alternative school’s school improvement rating.

(b) Definition of Home School. “Home School” is defined as the school the student was attending when assigned to an alternative school, pursuant to Section 1008.34, Florida Statutes. Limitations on Students Credited Back. Student performance data will only be credited back to the home school if:

1. The student was referred to the alternative school by another school in any district; and

2. The student’s grade level at the alternative school is within the same grade configuration as the student’s home school.

(c) Eligible students’ performance will be included in the calculation of the home school’s overall percentage of students making learning gains in reading and in math. Eligible students’ performance will be included in the home school’s grade calculation for a period of one (1) year unless the student returns to the traditional school system and then re-enters the alternative school system.

Specific Authority 1008.34, 1008.341 FS. Law Implemented 1008.34, 1008.341 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Juan Copa, Director, Office of Evaluation and Reporting,
Department of Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Jay Pfeiffer, Deputy Commissioner
for Assessment, Research, and Measurement, Department of
Education

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: October 31, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: August 10, 2007

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-2.0010 RULE TITLE:
Educational Facilities

PURPOSE AND EFFECT: The purpose of the rule amendment is to update the State Requirements for Educational Facilities to ensure compliance with Florida Statutes and alignment with other governing state rules.

SUMMARY: The rule is to be amended to comply with governing statutes as they relate to educational facilities.

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: Section 1(a) Article IX, State Constitution; 1001.02(1), 1001.02(2), 1013.37 FS.

LAW IMPLEMENTED: 1(a) Article IX, State Constitution; 1001.02, 1001.42(9), 1001.453, 1011.09, 1011.74, 1031.01, 1013.03, 1013.31, 1013.35, 1013.37, 1013.371, 1013.60, 1013.61, 1013.64, 1013.735, 1013.736, 1013.737 FS.

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

DATE AND TIME: December 11, 2007, 10:00 a.m.

PLACE: Tampa Airport Marriott, Tampa, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Spessard Boatright, Director, Office of Educational Facilities, 325 West Gaines Street, Tallahassee, Florida, (850)245-9229

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-2.0010 Educational Facilities.

~~State Board of Education Commissioner of Education~~ requirements adopted pursuant to Chapter 120, Florida Statutes, to implement the State Uniform Building Code for Public Educational Facilities Construction in Chapter 1013, Florida Statutes, are contained in Section 423 of the Florida Building Code and the Department of Education publications titled “State Requirements for Educational Facilities 2007”, “1999 Volume I Process”, “2005 Addendum to State Requirements for Educational Facilities Volume I”, and “2006 Addendum to State Requirements for Educational Facilities” which are hereby incorporated by reference and made a part of this rule to become effective with the effective date of the amended rule. All educational and ancillary facilities constructed by a school board or community college board shall comply with “State Requirements for Educational Facilities 2007”, “1999 Volume I Process”, “2005 Addendum to State Requirements for Educational Facilities, Volume I,” and “2006 Addendum to State Requirements for Educational Facilities,” the Florida Building Code (FBC), including Section 423, and the Florida Fire Prevention Code (FFPC). The FBC shall supersede any other code adopted by a board, or any other building code or ordinance, for the construction of educational and ancillary facilities and plants whether at the local, county, or state level rule. Copies of “State Requirements for Educational Facilities 2007” are available from the Office of Educational Facilities, Florida Department of Education, 325 West Gaines Street, Room 1054, Tallahassee, Florida 32399-0400, at a cost to be determined by Commissioner, but which shall not exceed actual cost, or from the Department of Education’s website at: <http://www.fldoe.org/edfacil> in PDF format.

~~(1) In addition to “State Requirements for Educational Facilities, 1999 Volume I,” “2005 Addendum to State Requirements for Educational Facilities, Volume I,” and “2006 Addendum to State Requirements for Educational Facilities” all, or the specific portions cited, of the following building codes are hereby incorporated by reference and made a part of this rule. If there should be conflicting requirements between these codes and “State Requirements for Educational Facilities, 1999 Volume I,” “2005 Addendum to State Requirements for Educational Facilities, Volume I,” “2006 Addendum to State Requirements for Educational Facilities” the more, or most stringent requirement shall apply.~~

~~(a) AHERA. Asbestos Hazard Emergency Response Act, 40 CFR, Part 763, as revised July 1, 1995.~~

~~(b) AISC. American Institute of Steel Construction Allowable Stress Design (Manual of Steel Construction), as adopted by the Florida Building Commission in Rule 9B-3.047, F.A.C.~~

~~(c) ANSI. American National Standards Institute. References to ANSI standards as adopted by the Florida Building Commission in Chapter 35 of the Florida Building Code.~~

~~(d) ASHRAE. American Society of Heating, Refrigeration, and Air Conditioning Engineers.~~

~~(e) ASTM. American Society for Testing Materials. References to ASTM standards shall be the edition as adopted by the Florida Building Commission in Chapter 35 of the Florida Building Code.~~

~~(f) DOT—AASHTO, American Association of State Highway and Transportation Officials, “Standard Specification for Highway Bridges, 17th Edition (2002)” and “Bridge Design Specifications, 3rd Edition (2004)” Sections 3.3.2, 3.14.1, 11, and 13, and Table 3.4.1-1 as modified by the Florida Department of Transportation (DOT) in “Structures Design Guidelines” Jan. Jul., January 2006 Revision (Topic Number 625-020-150-e) and DOT “Drainage Manual” Chapter 4, as required by the structure type and as incorporated by reference in subsection 14-15.002(2), F.A.C.~~

~~(g) FEMA. Federal Emergency Management Agency. Rules and Regulations 44 vention Code in State Fire Marshal Rules 69A-60.002 through 69A-60.005, F.A.C., NFPA 101, and other NFPA codes as applicable. Exceptions are NFPA 101 Sections 14.2.2.5 “Horizontal Exits” and 14.2.2.7 “Exit Passageways” and where NFPA codes are exceeded by these State Requirements.~~

~~(k) OSHA. Occupational Safety and Health Administration, U.S. Department of Labor, 29 CFR as Revised July 1, 2005.~~

~~(l) Chapter 69A, F.A.C., as adopted by the Division of State Fire Marshal.~~

~~(m) TMS. The Masonry Society Standards, 2005; TMS 402-02.~~

~~(2) Copies of the publications “State Requirements for Educational Facilities, 1999 Volume I”, “2005 Addendum to State Requirements for Educational Facilities”, and “2006 Addendum to State Requirements for Educational Facilities” are available from the Office of Educational Facilities, Florida Department of Education, Room 1054, 325 West Gaines Street, Tallahassee, Florida 32399-0400, at a cost to be determined by the Commissioner, but which shall not exceed actual cost or from the Department of Education’s website at <http://www.firn.edu/doe/edfacil> in pdf format. Copies of the codes listed in subsection (1) of this rule are available from the publisher whose location and address are available from the Office of Educational Facilities. These listed codes are readily available to the public upon request at the cost established by the publisher.~~

~~(3) All documents incorporated by reference in this rule are effective as they read on the date of the effective date of this rule.~~

Specific Authority Section 1(a) Article IX, State Constitution; 1001.02(1), 1001.02(2), 1013.37 FS. Law Implemented 1(a) Article IX, State Constitution; ~~50.011, 50.021, 50.031, 50.041, 50.051, 50.061, 50.071,~~ 1001.02, 1001.42(9), 1001.453, 1011.09, 1011.74, 1031.01, 1013.03, 1013.31, 1013.35, 1013.37, 1013.371, 1013.60, 1013.61, 1013.64, 1013.735, 1013.736, 1013.737 FS. History–New 10-30-94, Amended 4-28-97, Formerly 6A-2.0111, Amended 1-5-00, Formerly 6-2.001, Amended 8-22-05, 7-2-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Spessard Boatright, Director, Office of Educational Facilities
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Linda Champion, Deputy Commissioner for Finance and Operations
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 30, 2007
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 16, 2007

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-4.0282
 RULE TITLE: Specialization Requirements for the Endorsement in Athletic Coaching – Academic Class

PURPOSE AND EFFECT: The purpose of the rule amendment is to add other approved training organizations as providers of cardiopulmonary resuscitation (CPR) training for a CPR certificate or card, a requirement for certification as an athletic coach. The effect will be a rule that offers additional training providers for CPR training for athletic coaches.

SUMMARY: The rule is amended to offer additional approved training providers for the required CPR certificate for athletic coaching certification.

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, 1012.55, 1012.56 FS.

LAW IMPLEMENTED: 1001.02, 1012.54, 1012.55, 1012.56 FS.

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

DATE AND TIME: December 11, 2007, 10:00 a.m.

PLACE: Tampa Airport Marriott, Tampa, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Beverly Gregory, Chief Bureau of Educator Certification, Department of Education, 325 West Gaines Street, Room 201, Tallahassee, Florida 32399-0400, (850)245-0431

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-4.0282 Specialization Requirements for the Endorsement in Athletic Coaching – Academic Class.

- (1) Certification in another subject, and
- (2) Nine (9) semester hours in athletic coaching to include the areas specified below:
 - (a) Three (3) semester hours in care and prevention of athletic injuries and the effects and dangers of drug use including performance enhancing drugs,
 - (b) Three (3) semester hours in coaching theory,
 - (c) A course in theory and practice of coaching a specific sport, and

(3) A valid cardiopulmonary resuscitation course completion card or certificate issued by the American Heart Association or the American Red Cross or an equivalent cardiopulmonary resuscitation course completion card or certificate issued by an entity approved by the Florida Department of Health pursuant to Rule 64E-2.038, F.A.C.

Specific Authority 1001.02, 1012.55, 1012.56 FS. Law Implemented 1001.02, 1012.54, 1012.55, 1012.56 FS. History–New 12-4-89, Amended 10-26-05,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Beverly Gregory, Chief Bureau of Educator Certification
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Pam Stewart, Deputy Chancellor, Educator Quality, K-12 Public Schools
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 30, 2007
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 5, 2007

DEPARTMENT OF EDUCATION**State Board of Education**

RULE NO.: 6A-6.03014
 RULE TITLE: Exceptional Student Education
 Eligibility for Students Who Are
 Visually Impaired

PURPOSE AND EFFECT: The purpose of the proposed revisions is to update rule language to reflect current knowledge in the field and to insure consistency with the federal law, the Individuals with Disabilities Education Act (IDEA) 20 U.S.C. Chapter 33, and its implementing regulations. The effect of this revision will be consistency with the federal requirements and current knowledge in the field.

SUMMARY: The rule is amended to reflect current knowledge in the field of special education and visual impairments.

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), 1003.57(1)(e) FS.

LAW IMPLEMENTED: 1001.03, 1003.01, 1003.21, 1003.57, 1011.62 FS.

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

DATE AND TIME: December 11, 2007, 10:00 a.m.

PLACE: Tampa Airport Marriott, Tampa, Florida

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

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 6A-6.03014 follows. See Florida Administrative Code for current text.)

6A-6.03014 Exceptional Student Education Eligibility Special Programs for Students Who Are Visually Impaired.

(1) Definition. Students who are visually impaired include the following:

(a) A student who is blind, has no vision, or has little potential for using vision.

(b) A student who has low vision.

(c) The term visual impairment does not include students who have learning problems that are primarily the result of visual perceptual and/or visual motor difficulties.

(2) Activities Prior to Referral. Prior to referral for evaluation, the requirements in Rule 6A-6.0331, F.A.C., must be met.

(3) Procedures for student evaluation.

(a) The minimum procedures necessary for determining eligibility shall include:

1. A medical eye examination describing: etiology, diagnosis, treatment regimen, prognosis, near/distance, corrected/uncorrected acuity measures for left eye, right eye and both eyes, measure of field of vision, and recommendations for lighting levels, physical activity, aids, or use of glasses, as appropriate. For children birth to five (5) years of age or students who are otherwise unable to be assessed, a medical assessment describing visual functioning shall be documented when standard visual acuities and measure of field of vision are unattainable.

2. If a medical criterion listed in paragraph (4)(a) of this rule is met, then in addition to the provisions of Rule 6A-6.0331, F.A.C., a comprehensive assessment of skills known to be impacted by visual impairment, shall include, but is not limited to: functional vision evaluation, learning media assessment, and, if appropriate, orientation and mobility assessment.

(b) Reevaluation shall occur at least every three (3) years and shall include a minimum of a medical eye examination within the last calendar year, functional vision assessment, learning media assessment, and, if appropriate, any other formal evaluations addressed in the initial evaluation in accordance with Rule 6A-6.0331, F.A.C. The medical aspect of a reevaluation for students with bilateral anophthalmia may be waived by a written recommendation of a physician.

(4) Criteria for eligibility. A student is eligible for special education and related services if the following medical and educational criteria are met:

(a) Medical. A licensed ophthalmologist or optometrist has documented an eye condition that causes an impairment as manifested by at least one of the following:

1. A visual acuity of 20/70 or less in the better eye after best possible correction;

2. A peripheral field so constricted that it affects the student's ability to function in an educational setting;

3. A progressive loss of vision which may affect the student's ability to function in an educational setting, not including students who have learning problems that are primarily the result of visual perceptual and/or visual motor difficulties, or;

4. For children birth to five (5) years of age or students who are otherwise unable to be assessed, bilateral lack of central, steady, or maintained fixation of vision with an estimated visual acuity of 20/70 or less after best possible correction; bilateral central scotoma involving the perimacula area (20/80-20/200); bilateral grade III, IV, or V Retinopathy of Prematurity (ROP); or documented eye impairment as stated in paragraph (3)(a) of this rule.

(b) The student needs special education as defined in Rules 6A-6.0331 and 6A-6.03411, F.A.C.

(5) Supportive services.

(a) The district shall make available the professional services needed to support the program. This shall include registration of all students who are visually impaired for services from the Florida Instructional Materials Center for the Visually Impaired.

(b) Other support services may include, but are not limited to:

1. Provision of specialized textbooks, learning materials, assessment materials, and equipment; and
2. Cooperative planning with the Division of Blind Services, including parent involvement activities.

(6) This rule shall become effective March 1, 2008.

Specific Authority ~~4000.01~~, 1001.02, 1001.42(4)(l), 1003.01(3)(a), (b), 1003.55, 1003.57(+) FS. Law Implemented 1001.02, 1010.305(2), 1011.62(1)(c) FS. History—New 7-1-77, Amended 7-13-83, Formerly 6A-6.3014, Amended 2-12-91, 3-1-08.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Bambi Lockman, Chief, Bureau of Exceptional Education and Student Services, Florida Department of Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Pam Smith, Deputy Chancellor, Curriculum, Instruction and Student Services, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 30, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 20, 2006

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-6.03020
 RULE TITLE: Specially Designed Instruction for Students Who Are Homebound or Hospitalized

PURPOSE AND EFFECT: The purpose of these revisions is to incorporate amendments necessary due to the repeal and amendment of other State Board of Education rules relating to students with disabilities.

SUMMARY: The rule is amended to correctly reference other related State Board of Education rules relating to students with disabilities that were recently amended.

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), 1003.57(1)(e) FS.

LAW IMPLEMENTED: 1001.03, 1003.01, 1003.21, 1003.57, 1011.62 FS.

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

DATE AND TIME: December 11, 2007, 10:00 a.m.

PLACE: Tampa Airport Marriott, Tampa, Florida

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

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.03020 Specially Designed Instruction for Students Who Are Homebound or Hospitalized.

(1) through (2) No change.

(3) Criteria for eligibility. A student, who is homebound or hospitalized, is eligible for specially designed instruction if the following criteria are met:

(a)1. through 5. No change.

(b) The student is enrolled in a public school in kindergarten through twelfth grade prior to the referral for homebound or hospitalized services, unless the student meets criteria for eligibility under Rules 6A-6.03011, 6A-6.03012, 6A-6.03013, 6A-6.03014, ~~6A-6.03015~~, 6A-6.030151, 6A-6.030152, 6A-6.030153, 6A-6.03016, 6A-6.03018, ~~6A-6.03021~~, 6A-6.03022, 6A-6.03023, and 6A-6.03027, F.A.C.; and

(c) No change.

(4) through (7)(c) No change.

Specific Authority 1001.02(1), (2)(n), 1003.01(3)(a), 1003.57(5) FS. Law Implemented 1001.03(8), 1001.42(4)(l), 1003.01(3)(a), (b), 1003.57(5), 1011.62(1)(c) FS. History—New 7-1-77, Amended 7-2-79, 4-27-82, Formerly 6A-6.3020, Amended 5-18-86, 9-20-04, 9-20-04, _____ Cf. PL 105-17 (20 USC 1401, 1412, 1414, 1415).

NAME OF PERSON ORIGINATING PROPOSED RULE:
Bambi Lockman, Chief, Bureau of Exceptional Education and Student Services, Department of Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Pam Smith, Deputy Chancellor for Curriculum, Instruction, and Student Services, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 30, 2007

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

DEPARTMENT OF EDUCATION

Commission for Independent Education

RULE NO.: 6E-2.002
 RULE TITLE: Institutional Licensure

PURPOSE AND EFFECT: The purpose and effect is to clarify the existence of an exception to the granting of a provisional license when an institution holding an annual license or license by means of accreditation, undergoes a substantive change and to implement a technical change by correcting a reference.

SUMMARY: Generally, when an institution holding an annual license or license by means of accreditation undergoes a substantive change, a provisional license is granted by the Commission. The proposed rule clarifies that an exception exists where an institution holding a license by means of accreditation undergoes a substantive change by offering a program exceeding its accreditation and in that instance, the institution must apply for an annual license, rather than a provisional license.

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: 1005.22(1)(e), 1005.31(2), (3) FS.

LAW IMPLEMENTED: 1005.22(1)(o), (2)(d), 1005.31, 1005.32, 1005.33 FS.

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

DATE AND TIME: December 11, 2007, 10:00 a.m.

PLACE: Tampa Airport Marriott, Tampa, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Samuel L. Ferguson, Executive Director, Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400

THE FULL TEXT OF THE PROPOSED RULE IS:

6E-2.002 Institutional Licensure.

(1) Provisional license.

(a) through (b) No change.

(c) Substantive change. An institution which undergoes a substantive change, as defined in subsection 6E-1.003~~(55)~~(52), F.A.C., while holding an Annual License or a License by Means of Accreditation, shall be granted a Provisional License for a period of time determined by the Commission, except as provided in paragraph 6E-2.002(3)(g), F.A.C. An institution may submit a written request for a return to its previous status or for a new status when conditions set by the Commission have been met. Any limitations on the operation of the institution during the period of provisional licensure will be determined by the Commission when granting the Provisional License. An institution holding a Provisional License shall not request approval of or implement a substantive change until it holds an Annual License or License by Means of Accreditation. The Commission may delegate to the Executive

Director, the authority to return institutions to their previous status between Commission meetings, if the Executive Director determines that changes have no negative impact on the institution or the students attending the institution. Such action shall be reported to the Commission at the next meeting for further action.

(d) through (g) No change.

(2) through (3) No change.

Specific Authority 1005.22(1)(e), 1005.31(2), (3) FS. Law Implemented 1005.22(1)(o), (2)(d), 1005.31, 1005.32, 1005.33 FS. History—Repromulgated 12-5-74, Formerly 6E-4.01(1)(f)-(i), Readopted 11-11-75, Amended 2-6-78, 5-7-79, 10-13-83, Formerly 6E-2.02, Amended 11-27-88, 11-29-89, 10-19-93, 4-2-96, 4-11-00, 1-7-03, 12-23-03, 7-10-06, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Sam Ferguson, Executive Director, Commission for Independent Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Commission for Independent Education

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 3, 2007

DEPARTMENT OF EDUCATION

Commission for Independent Education

RULE NO.: 6E-4.001 **RULE TITLE:** Fees and Expenses

PURPOSE AND EFFECT: The purpose and effect is to institute a more equitable fee structure and to ensure that sufficient funds are collected in order for the Commission to carry out its duties and responsibilities.

SUMMARY: The rule sets forth the fees associated with licensure. The proposed rule increases fees due for licensure and provides for decreases or increases in the future based upon collections and expenditures.

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: 1005.22(1)(e), 1005.35, 1005.37, 1005.38 FS.

LAW IMPLEMENTED: 1005.22, 1005.35, 1005.37, 1005.38 FS.

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

DATE AND TIME: December 11, 2007, 10:00 a.m.

PLACE: Tampa Airport Marriott, Tampa, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Samuel L. Ferguson, Executive Director, Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400

THE FULL TEXT OF THE PROPOSED RULE IS:

6E-4.001 Fees and Expenses.

(1) The Base Fee and the Workload Fee shall be assessed at one of six levels based upon the Florida student enrollment (per license issued) for the last reported fiscal year. For each licensed institution, Florida student enrollment consists of all students enrolled at a Florida campus of an institution plus all Florida residents enrolled in any CIE licensed distance education program. If an institution that holds a license has not submitted enrollment data to the Commission (using the CIE Annual Data Collection) they shall be assessed at the highest level.

- (a) Level 1 = 0 to 100 students
- (b) Level 2 = 101-500 students
- (c) Level 3 = 501-1,000 students
- (d) Level 4 = 1,001 to 5,000 students
- (e) Level 5 = 5,001 to 10,000 students
- (f) Level 6 = over 10,000 students

If the total revenue collected by the Commission during a fiscal year is greater than 12% of the Commission's budgeted expenditures for the same fiscal year, the Commission is authorized to reduce the Base Fee and Workload Fee up to 3%. If the total revenue collected by the Commission during a fiscal year is less than the Commission's budgeted expenditures for the same fiscal year, the Commission is authorized to increase the Base Fee and Workload Fee up to 3%.

(2)(+) Base Fee. All nonpublic institutions and centers of out-of-state institutions under the jurisdiction of the Commission derive benefit from the services performed by the Commission. Such services include but are not limited to administration of the fair consumer practices program and the data collection and dissemination program. To defray the cost of such general services, each institution holding a provisional or annual license, or a license by means of accreditation, with an enrollment at Level 1 shall pay \$500, enrollment at Level 2 shall pay \$1,000, enrollment at Level 3 shall pay \$2,000, enrollment at Level 4 shall pay \$3,000, enrollment at Level 5 shall pay \$4,000 and enrollment at Level 6 shall pay \$5,000 of less than 100, shall submit annually a Base Fee of \$ 300, and each such institution with an enrollment of 100 or more shall submit annually a Base Fee of \$ 900. Enrollment shall be determined by the institution's data submission to the CIE Annual Data Collection during the previous fiscal year total student headcount in Florida, full-time and part-time, reported by each institution in its annual data report; or for a new institution, by its anticipated enrollment in Florida during its first year of operation. The Base Fee shall be due and collected

at the time of application for provisional licensure, annual review of licensure, or the annual Licensure by Means of Accreditation review.

(3)(2) Workload Fees. Each licensed Florida location of each institution receives technical assistance from the Commission, along with help in developing and implementing institutional articulation agreements and achieving candidacy status with accrediting agencies; and significant amounts of staff and administrative time are spent on evaluating applications, traveling to institutions for onsite visits, assisting institutions which are experiencing problems with financial aid or financial stability, and other duties assigned by the Commission making reviews. The following workload fees are assessed in addition to the Base Fee, and must be received prior to Commission consideration of each action.

Initial Application for License, or Moving from Nondegree to Degree:

New Nondegree Institutions \$2,000 + \$ 200 per program + ~~cost of visit~~

New Degree-Granting Institutions \$3,000 + \$ 200 per program + ~~cost of visit~~

Annual Review of Licensure and License by Means of Accreditation Review:

Level 1 = \$1,500

Level 2 = \$2,000

Level 3 = \$5,000

Level 4 = \$7,000

Level 5 = \$8,500

Level 6 = \$10,000

Institutions not Licensed by Means of Accreditation shall pay \$50 per licensed program (not to exceed \$500) as part of the Annual Review of License.

~~Nondegree Institutions \$1,500 + \$ 50 per program~~

~~Degree-Granting Institutions \$2,500 + \$ 50 per program~~

~~Review of Extended Annual License or Substantive Change Review \$1,000~~

~~Licensure by Means of Accreditation, Annually \$1,250~~

Provisional or Annual Licensure Extension (first) \$500

Provisional or Annual Licensure Extension (second) \$750

Provisional or Annual Licensure Extension (third) \$1,500

New Program or Program Modifications, Less than Substantive Change or More than One Minor Modification per Year:

Nondegree Programs \$500

Degree Programs \$1,000

Site Visits:

One Visit per Year Included in licensure fee

Subsequent Visits directed by Commission ~~\$300 Expenses~~ + Costs + \$200 per day

Approval to Use "College" or "University", First Time or Special Review \$500

Annual Licensure of Recruiting Agents (nontransferable) \$200

Criminal Justice Information Investigation \$50

Copy of Student Academic Transcript on File Search \$10

~~(4)(3)~~ Fines and disciplinary oversight:

Fine for Probation Requiring Oversight Up to \$5,000 depending on level and length of oversight required

Continuing Activity after Cease and Desist Letter, Per Day \$1,000

Monitoring Institution under Probable Cause, Per Calendar Quarter \$1,000

~~(5)(4)~~ Licensure application fees, base fees and program fees shall be paid annually.

~~(6)(5)~~ Student Protection Fund: Nondegree institutions will be charged a fee for the Student Protection Fund. The fees are specified in Rule 6E-4.005, F.A.C.

~~(7)(6)~~ Investigations and Resolution of Complaints. In cases where the Commission must investigate complaints pertaining to fair consumer practices, initiate Probable Cause proceedings, render findings of fact, and issue decisions, the institution shall be assessed a fee of no less than \$500 and no more than \$2,000, according to the administrative time required for the specific case, which is payable within 14 days of the official action being taken by the Commission.

~~(8)(7)~~ Failure to Submit Materials in a Timely Manner. In cases where the Commission has set a specific date for the filing of materials regarding licensure or other matters under its purview, and the institution has not filed said materials within 14 calendar days of the specified date, the Commission shall assess the institution \$100 per working day until the materials are received by the Commission. The postal date on the envelope or package containing the materials shall serve as the date of receipt.

~~(9)(8)~~ All fees, and any fines imposed for probation or other violations shall be paid to the Chief Financial Officer of the Department of Education for deposit into the Institutional Assessment Trust Fund as established in Section 1010.83, F.S., and identified as a separate revenue account for the authorized expenses of the Commission under the provisions of Section 1010.83, F.S.

Specific Authority 1005.22(1)(e), 1005.35, 1005.37, 1005.38 FS. Law Implemented 1005.22, 1005.35, 1005.37, 1005.38 FS. History—New 1-7-03, Amended 7-27-04, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Samuel L. Ferguson, Executive Director, Commission for Independent Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Commission for Independent Education

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

DATE NOTICES OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 30, 2007 and July 6, 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."

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NOS.:	RULE TITLES:
40D-4.021	Definitions
40D-4.041	Permits Required
40D-4.321	Duration of Permit
40D-4.331	Modification of Permits

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendments are to provide greater flexibility for conceptual ERP permits by reducing the level of application detail required and extending the duration of conceptual permits. This rulemaking will also clarify the circumstances under which subsequent rule changes will not affect projects constructed pursuant to a conceptually approved design.

SUMMARY: A conceptual permit is an environmental resource permit that approves the concepts of a phased development master plan. Under current rules, a conceptual permit "locks in" current rule criteria for all subsequent construction phases of the project. Additionally, issuance of a conceptual permit constitutes State Water Quality Certification. Although the level of detail required in a conceptual permit application is less than that required for a construction permit, the level of detail required to justify locking in current rules and to grant State Water Quality Certification is substantial and nearly as great as that required for a construction permit. The substantial level of detail required can be a disincentive to potential applicants. The proposed amendments to Chapter 40D-4, F.A.C., will allow more flexibility and require less detail in applications for conceptual permits. subsection 40D-4.021(3), F.A.C., defines the term "Conceptual Permit" Revisions are proposed to the current definition such that each subsequent construction phase will be reviewed under the permitting criteria in effect at the time the permit application is filed. Rule 40D-4.041, F.A.C., establishes the criteria by which an Environmental Resource Permit is required. Paragraph 40D-4.041(2)(c), F.A.C., specifically relates to conceptual permits. Revisions are proposed to the language in this section to clearly state that the elements of a conceptually approved design that will be binding on the District are those expressly stated in that permit. These design concepts will not be affected by subsequent rule changes so long as the permit is valid. Additional revisions are

proposed to this section to make it clear that design concepts approved in a conceptual permit that will contribute to the degradation of a water body designated as impaired pursuant to Rule 62-303, F.A.C., or are inconsistent with an adopted Total Maximum Daily Load (TMDL) or Basin Management Action Plan (BMAP) will not be binding on the District. Rule 40D-4.321, F.A.C., establishes the duration of Environmental Resource Permits, including conceptual permits. This rule currently provides a two-year duration for conceptual permits but allows the permit to remain valid so long as the phases are constructed consistent with the conceptual permit. Revisions are proposed to this section to change the duration of a conceptual permit from two years to five years. Rule 40D-4.331, F.A.C., allows a conceptual permit to be extended up to two years and a construction permit to be extended for five years. The proposed rule amendment will allow conceptual permits to be extended for an additional five years following approval of each construction phase.

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

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

SPECIFIC AUTHORITY: 373.044, 373.113, 373.118, 373.149, 373.171 FS.

LAW IMPLEMENTED: 373.403, 373.413, 373.416, 373.416(1), 373.426, 373.427, 373.429, 373.805 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: Karen E. West, Deputy General Counsel, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651

THE FULL TEXT OF THE PROPOSED RULES IS:

40D-4.021 Definitions.

When used in this chapter and Chapters 40D-40 and 40D-400, F.A.C.:

(1) through (2) No change.

(3) "Conceptual Permit" means an Environmental Resource Permit ~~that issued by the District which~~ approves the design concepts of a phased development master plan for a surface water management system or for a mitigation bank ~~which is binding upon the District and the permittee based upon the rules in effect at the time of filing of the conceptual application and constitutes final District action so that construction and operation permits for each phase will be reviewed under the permitting criteria in effect when the application for the conceptual permit was filed.~~

(4) through (22) No change

Specific Authority 373.044, 373.113, 373.118, 373.149, 373.171 FS. Law Implemented 373.403, 373.413 FS. History—Readopted 10-5-74, Formerly 16J-4.02, Amended 10-1-84, 3-1-88, 9-11-88, 10-3-95, 7-23-96, 2-27-02, 9-26-02, 2-19-04, 2-6-07, _____.

40D-4.041 Permits Required.

(1) No change.

(2) The District issues the following types of Environmental Resource Permits:

(a) through (b) No change.

(c) Conceptual permits are individual permits for mitigation banks and projects to be developed in phases ~~that~~ which approve the design concepts of a phased development master plan. Construction and operation permits for each phase must meet the conditions for issuance in Rules 40D-4.301 and 40D-4.302, F.A.C., in effect when the application for the construction permit is filed. Design concepts approved by the District in the conceptual permit will be expressly stated in that permit and shall not be affected by subsequent rule changes so long as the permit is valid. Design concepts approved in a conceptual permit that will contribute to the degradation of a water body on the verified list of impaired waters adopted pursuant to Rule 62-303, F.A.C., or are inconsistent with an adopted TMDL or BMAP shall not be binding on the District. A conceptual permit does not authorize construction, alteration, operation, or abandonment of a surface water management system or establishment of a mitigation bank.

(d) No change.

(3) through (6) No change.

Specific Authority 373.044, 373.113, 373.118, 373.149, 373.171 FS. Law Implemented 373.413, 373.416, 373.426, 373.427 FS. History—Readopted 10-5-74, Amended 12-31-74, 9-4-77, 6-7-78, Formerly 16J-4.04, 16J-4.10(1), (2), (4), Amended 10-1-84, 3-1-88, 10-3-95, 7-23-96, 10-16-96, 4-17-97, 10-11-01, 7-16-02, 9-26-02, 3-26-03, _____.

40D-4.321 Duration of Permit.

(1) Unless revoked, extended, or otherwise modified, the duration of an Environmental Resource Permit issued pursuant to this chapter is:

(a) Five ~~Two~~ years from the date of issuance; or the date specified as a condition of the permit for a conceptual permit, unless within that period an application for a construction permit is approved filed for any portion of the project. If an ~~the~~ application for a construction permit is approved and construction is commenced according to Rule 40D-4.321, F.A.C., then the conceptual permit remains ~~is~~ valid for the term of the construction permit. Multiple construction permits may be approved for projects approved by a conceptual permit, and the latest date calculated from any related construction permit will determine the duration of the conceptual permit. Conceptual permits that have no construction permit approved for a period of five years shall expire automatically at the end

~~of the five-year period. A construction permit that constitutes a substantial modification of the conceptual permit shall not extend the duration of the conceptual permit. For the purposes of this section, the term "substantial modification" shall mean a modification that is reasonably expected to lead to substantially different water resource or environmental impacts and requires a detailed review. A construction permit that constitutes a substantial modification of the conceptual permit must comply with the same criteria as new applications so long as the conceptually permitted phases are under construction consistent with a phased development master plan for a surface water management system that has been permitted by the District. If construction of the permitted phases is discontinued or is inconsistent with the phased development master plan then the conceptual permit shall expire.~~

(b) through (e) No change.

(2) ~~Conceptual~~ Permits expire automatically at the end of their duration as described herein unless modified pursuant to Rule 40D-4.331, F.A.C.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.413, 373.416 FS. History--New 10-1-84, Amended 3-1-88, 10-3-95, 7-23-96, _____.

40D-4.331 Modification of Permits.

An application for modification of an Environmental Resource Permit shall be processed in accordance with this rule, unless the permit is revoked, ~~suspended~~ or expired.

(1) through (3) No change.

(4) Application for permit modification to ~~renew or~~ extend the existing permit duration shall occur by formal application and review, and such requests shall be submitted no sooner than 180 days prior to the permit expiration date.

(a) A modification seeking extension of a ~~for~~ construction permit ~~renewal~~ will be granted if it is reasonably assured by the applicant and determined that any completed construction is in compliance with a currently valid permit, and the proposed construction will be in compliance with the District's rules in effect at the time the application for modification to extend ~~renew~~ is filed.

(b) ~~A~~ Applications for conceptual permit or renewal and site conditions assessment permit may be extended if the permit complies ~~renewal or extension must comply~~ with the same criteria as new applications.

(c) Each modification to ~~renew or~~ extend can be granted for a duration as needed, up to five years ~~for construction permits and site conditions assessment permits, and up to two years for conceptual permits.~~

Specific Authority 373.044, 373.113, 373.149, 373.171 FS. Law Implemented 373.413, 373.416(1), 373.429, 373.805 FS. History--Readopted 10-5-74, Formerly 16J-4.13, Amended 10-1-84, 3-1-88, 10-1-88, 6-29-93, 10-3-95, 7-23-96, 2-1-05, 2-6-07, _____.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 25, 2007

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

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NOS.:	RULE TITLES:
40D-21.231	Declaring a Water Shortage
40D-21.331	Declaring a Water Shortage Emergency
40D-21.441	Public Supply Water Shortage Mitigation Plans

PURPOSE AND EFFECT: The proposed amendments will provide that approved Water Shortage Mitigation Plans will be considered by the District in determining whether to declare a water shortage or water shortage emergency. The proposed amendments will also clarify submittal documentation for a Water Shortage Mitigation Plan and the effect on the District's authority under its Water Shortage Plan and water use permits where the District approves a variance or waiver to the District's Water Shortage Plan based on a Water Shortage Mitigation Plan.

SUMMARY: The proposed amendments add that approved Water Shortage Mitigation Plans will be a factor to be considered by the Governing Board or Executive Director in determining whether to declare a water shortage or water shortage emergency, respectively. The proposed amendments also clarify that the District retains its authority to impose restrictions and to affect water use permits during a declared water shortage or water shortage emergency in areas where a Water Shortage Mitigation Plan has been approved.

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

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

SPECIFIC AUTHORITY: 373.044, 373.113 FS.

LAW IMPLEMENTED: 373.119, 373.175, 373.246 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Karen A. Lloyd, Assistant Deputy Counsel, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651

THE FULL TEXT OF THE PROPOSED RULES IS:

40D-21.231 Declaring a Water Shortage.

(1) No change.

(2) In considering whether to declare a Water Shortage, the Board shall consider the effect of any Water Shortage Mitigation Plans approved by the Board pursuant to Rule 40D-21.441, F.A.C.

(2) through (5) renumbered (3) through (6) No change.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.175, 373.246 FS. History—New 11-19-84, Amended 7-2-86, 4-9-06,_____.

40D-21.331 Declaring a Water Shortage Emergency.

(1) through (2) No change.

(3) If the monitoring and evaluation process indicates that conditions are rapidly deteriorating, or if the District receives a request for an emergency action related to an ongoing drought or other Water Shortage event, District staff shall ascertain whether the provisions of Part II of this Rule are sufficient to protect public health, safety or welfare and Essential Uses, or the health of livestock and other animals, fish or aquatic life in the affected area. This shall be accomplished through consideration of the following:

(a) through (b) No change.

(c) The effect of any Water Shortage Mitigation Plans approved by the Board pursuant to Rule 40D-21.441, F.A.C., and rRecommendations from, and emergency actions taken by, a local government in the affected area.

(4) No change.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.119, 373.246 FS. History—New 11-19-84, Amended 7-2-86, 4-9-06,_____.

40D-21.441 Public Supply Water Shortage Mitigation Plans.

(1) No change.

(2) A Regional Authority or Local Water Supplier may request that the District approve its WSMP for implementation in lieu of some or all of the applicable provisions of this Chapter so that it may take pre-designated local action in response to conditions described in the WSMP. The request shall be submitted in the form of a petition for variance or waiver of some or all of the provisions of this Chapter, pursuant to Section 120.542, F.S. A petition for variance or waiver may be filed at any time, whether the District has declared a Water Shortage or not, and the Regional Authority

or Local Water Supplier is encouraged to file its petition well in advance of its need to implement the drought provisions of its WSMP.

(3) Once a WSMP is approved by the District, it shall be binding on the applicable Regional Authority or Local Water Supplier and its customers. Each Regional Authority and Local Water Supplier and their customers shall continue to comply with any provisions of this Chapter and any order issued pursuant thereto which are not varied or waived through the District's approval of the WSMP. The District shall consider the effect of an approved WSMP in conjunction with Rule 40D-21.231, F.A.C. The existence of an approved WSMP does not affect the authority of the District to declare or rescind a water shortage and applicable response mechanisms as provided in this Chapter and Chapter 373, F.S. Each Regional Authority and Local Water Supplier should seek clarification as to the applicability of any orders that are issued after District approval of its WSMP.

(4)(3) In addition to fulfilling the requirements of Section 120.542, F.S., and Rule 40D-1.1002, F.A.C., the proposed WSMP shall contain the following:

(a) through (c) No change.

(d) Identification of supply management response mechanisms to be implemented for each Water Shortage Phase. Supply management includes, but is not limited to, supply supplementation through the use of permitted supply sources, including withdrawal of quantities or for a purpose not expressly granted by the applicable Water Use Permit, or the temporary use of emergency supply sources, which may include unpermitted sources. Identification of each supply management response must include a detailed description of the methodologies used to select the applicable proposed supplementation source and a detailed description of the legal and physical means through which the proposed supplementation will be accomplished. The granting of a variance or waiver based on a WSMP does not constitute a modification to the petitioner's Water Use Permit nor does it constitute issuance of an emergency authorization. However, Each Regional Authority or Local Water Supplier is encouraged to proactively coordinate with the District to develop a template executive director order or other document to be presented used, when needed, for the District's consideration, to expedite the processing of any request for a temporary permit modification or other emergency authorization in conjunction with implementation of the WSMP authorize emergency use of each proposed supplementation source, as part of the petition for variance or waiver.

(e) through (j) No change.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.175, 373.246 FS. History—New 4-9-06, Amended_____.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 25, 2007

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: 61C-1.004
 RULE TITLE: General Sanitation and Safety Requirements

PURPOSE AND EFFECT: This rule amendment corrects Division of State Fire Marshal and Department of Agriculture and Consumer Services rules cited and adopted by reference in Chapter 61C-1, F.A.C. These changes are necessary due to the transfer of Chapter 4A, F.A.C., to Chapter 69A, F.A.C. and the adoption of federal standards for the regulation of bottled water.

SUMMARY: These amendments correct Division of State Fire Marshal and Department of Agriculture and Consumer Services rules cited and adopted by reference in Chapter 61C-1, 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: 509.032 FS.

LAW IMPLEMENTED: 509.032, 509.215, 509.221 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: Michelle Comingore, Operations Review Specialist, Department of Business and Professional Regulation, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, FL 32399-1012; telephone: (850)488-1133

THE FULL TEXT OF THE PROPOSED RULE IS:

61C-1.004 General Sanitation and Safety Requirements.

The following general requirements and standards shall be met by all public lodging and public food service establishments.

(1) Water, plumbing and waste.

Except as specifically provided in these rules, standards for water, plumbing and waste shall be governed by Chapter 5, Food Code, herein adopted by reference. For the purposes of this section, the term “food establishment” as referenced in the Food Code shall apply to all public lodging and public food establishments as defined in Chapter 509, F.S.

(a) No change.

(b) Bottled and packaged potable water shall be transported and obtained in accordance with the requirements of Title 21, Code of Federal Regulation, Parts 129 and 165, as adopted by the Department of Agriculture and Consumer Services in Rule 5K-4.002 Chapter 5E-15, F.A.C., herein adopted by reference.

(c) through (e) No change.

(2) through (4) No change.

(5) All fire safety, protection and prevention equipment must be installed, approved, maintained and used in accordance with Chapter 509, FS, and the National Fire Protection Association Life Safety Code Chapter 101, as adopted by the Division of State Fire Marshal in Chapter 69A-3 4A-3, F.A.C., herein adopted by reference.

(6) through (8) No change.

(9) Fire safety equipment.

(a) No change.

(b) A standard state approved service tag shall be attached to each extinguisher and a person holding a valid state permit issued by the State Fire Marshal shall recharge or inspect the extinguisher and shall prepare the tag to include the information required by Rule 69A-21.241 rule 4A-21.041, F.A.C., herein adopted by reference.

(c) through (e) No change.

(10) No change.

(11) Electrical wiring – To prevent fire or injury, defective electrical wiring shall be replaced and wiring shall be kept in good repair. No extension cords shall be used except during cleaning, maintenance and other temporary activities. Only a wall switch or approved pull cord shall be permitted in bathrooms. In accordance with the provisions of NFPA 70, the National Electrical Code, as adopted by the Division of State Fire Marshal in Chapter 69A-3 4A-3, F.A.C., Uniform Fire Safety Rules and Standards, sufficient electrical outlets shall be provided.

(12) No change.

(13) Gas appliances – All appliances, including water heaters using gas, shall be kept in good repair and properly vented when manufacturers’ instructions require venting of the appliance and shall meet the following requirements:

(a) All appliances shall have a nationally recognized testing laboratory seal such as AGA or UL seal.

(b) Heating appliances shall be properly sized in BTU input for room air space. Proper sizing of heating appliances shall be determined in accordance with the provisions of NFPA 54, the National Fuel Gas Code, as adopted by the Division of State Fire Marshal in Chapter ~~69A-3 4A-43 and 4A-55~~, F.A.C.; ~~for public lodging establishments and public food service establishments, respectively.~~

Specific Authority ~~509.032(2)(d), 509.032(3), 509.032(6)~~ FS. Law Implemented ~~509.032(2)(d), (3)(a)(b)(e)~~, 509.215, 509.221 FS. History—Amended 2-20-64, 7-14-67, 2-8-69, Revised 2-4-71, Amended 2-17-73, Repromulgated 12-18-74, Amended 9-19-84, Formerly 7C-1.04, Amended 12-31-90, 2-11-92, 6-15-92, Formerly 7C-1.004, Amended 3-31-94, 10-9-95, 9-25-96, 5-11-98, 7-2-98,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Bill L. Veach, Director, Division of Hotels and Restaurants,
Department of Business and Professional Regulation
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: October 23, 2007
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: August 3, 2007

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Florida Real Estate Appraisal Board

RULE NOS.:	RULE TITLES:
61J1-10.001	Definitions
61J1-10.002	Registered Trainee Real Estate Appraiser
61J1-10.003	Certified Residential Appraiser
61J1-10.004	Certified General Appraiser

PURPOSE AND EFFECT: The Board proposes the rule promulgation in order to create the qualifications for licensure.
SUMMARY: The rule promulgation defines the qualifications for licensure.

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

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

SPECIFIC AUTHORITY: 475.614 FS.

LAW IMPLEMENTED: 475.611, 475.613, 475.615, 475.617 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: Thomas O’Bryant, Deputy Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULES IS:

61J1-10.001 Definitions.

(1) “Accredited” means accredited by the Commission on Colleges, a regional or national accreditation association, or by an accrediting agency that is recognized by the U.S. Secretary of Education.

(2) “AOB” means Appraiser Qualifications Board, which is an independent board of the Appraisal Foundation.

(3) “Classroom hour” is defined as 50 minutes out of each 60-minute segment.

(4) “USPAP” means Uniform Standards of Professional Appraisal Practice, and are the most recent standards approved and adopted by the Appraisal Standards Board of the Appraisal Foundation.

Specific Authority 475.614 FS. Law Implemented 475.611, 475.613, 475.615, 475.617 FS. History—New_____.

61J1-10.002 Registered Trainee Real Estate Appraiser.

(1) An applicant for registration as a trainee real estate appraiser must present evidence satisfactory to the Board that the applicant has successfully completed at least 100 classroom hours in approved academic courses in subjects related to real estate appraisal, including the following required curriculum:

(a) Basic appraisal principles (30 hours);

(b) Basic appraisal procedures (30 hours);

(c) The 15-hour National USPAP course, or its equivalent, taught by an AOB-certified USPAP instructor; and

(d) Appraisal Subject Matter Electives (20 hours) which shall include the Florida laws and rules and Roles and Responsibilities of Supervisors and Trainees.

(2) An applicant must have passed examinations in the prerequisite courses set forth in subsection 61J-10.002(1), F.A.C., for the courses to be acceptable.

(3) An applicant must have completed the 15-hour National USPAP course, or its equivalent, within the 2 years immediately preceding the receipt of the application for registration by the Board or department.

(4) An applicant who was previously registered as a trainee real estate appraiser and whose registration expired due to failure to renew pursuant to Rule 61J-4.007, F.A.C., may not use the qualifying education for the void trainee real estate appraiser registration to obtain another trainee real estate appraiser registration.

Specific Authority 475.614 FS. Law Implemented 475.613, 475.615, 475.617 FS. History—New_____.

61J1-10.003 Certified Residential Appraiser.

An applicant for certification as a residential real estate appraiser must present evidence satisfactory to the Board that the applicant meets the following minimum education, experience, and examination requirements:

(1) Education requirement.

(a) An Associate degree, or higher, from an accredited college, junior college, community college, or university; or

(b) Successful passage of at least 21 semester credit hours or its equivalent, including all of the following collegiate subject matter courses from an accredited college, junior college, community college, or university:

1. English Composition;
2. Principles of Economics (Micro or Macro);
3. Finance;
4. Algebra, Geometry, or higher mathematics;
5. Statistics;
6. Computer Science; and
7. Business or Real Estate Law.

If an accredited college or university accepts the College-Level Examination Program (CLEP) examinations(s) and issues a transcript for the exam, showing its approval, it will be considered as credit for the college course.

(c) Satisfactory completion of at least 200 classroom hours in approved academic courses in subjects related to real estate appraisal, including the following required core curriculum that are prerequisites to taking the AQB-approved examination in subsection (3) of this rule:

1. Basic appraisal principles (30 hours);
2. Basic appraisal procedures (30 hours);
3. The 15-hour National USPAP course, or its equivalent, taught by an AQB-certified USPAP instructor;
4. Residential Market Analysis and Highest and Best Use (15 hours);
5. Residential Appraiser Site Valuation and Cost Approach (15 hours);
6. Residential Sales Comparison and Income Approaches (30 hours);
7. Residential Report Writing and Case Studies (15 hours);
8. Statistics, Modeling and Finance (15 hours);
9. Advanced Residential Applications and Case Studies (15 hours); and
10. Appraisal Subject Matter Electives (20 hours) which shall include the Florida laws and rules and the Roles and Responsibilities of Supervisors and Trainees.

(2) Experience requirements. At least 2500 hours as set forth in Rule 61J1-6.001, Florida Administrative Code.

(3) Examination. Successful completion of the AQB-approved Certified Residential Real Property Examination and the Florida laws and rules examination.

Specific Authority 475.614 FS. Law Implemented 475.613, 475.615, 475.617 FS. History—New

61J1-10.004 Certified General Appraiser.

An applicant for certification as a general real estate appraiser must present evidence satisfactory to the Board that the applicant meets the following minimum education, experience, and examination requirements:

(1) Education requirement.

(a) A Bachelors degree, or higher, from an accredited college or university; or

(b) Successful passage of at least 30 semester credit hours or its equivalent, including all of the following collegiate subject matter courses from an accredited college, junior college, community college, or university:

1. English Composition;
2. Micro Economics;
3. Macro Economics;
4. Finance;
5. Algebra, Geometry, or higher mathematics;
6. Statistics;
7. Computer Science;
8. Business or Real Estate Law; and
9. Two elective courses in accounting, geography, agricultural economics, business management, or real estate.

If an accredited college or university accepts the College-Level Examination Program (CLEP) examinations(s) and issues a transcript for the exam, showing its approval, it will be considered as credit for the college course.

(c) Satisfactory completion of at least 300 classroom hours in approved academic courses in subjects related to real estate appraisal, including the following required core curriculum that are prerequisites to taking the AQB-approved examination in subsection (3) of this rule:

1. Basic appraisal principles (30 hours);
2. Basic appraisal procedures (30 hours);
3. The 15-hour National USPAP course, or its equivalent, taught by an AQB certified USPAP instructor;
4. General Appraiser Market Analysis and Highest and Best Use (30 hours);
5. Statistics, Modeling and Finance (15 hours);
6. General Appraiser Sales Comparison Approach (30 hours);
7. General Appraiser Site Valuation and Cost Approach (30 hours);
8. General Appraiser Income Approach (60 hours);
9. General Appraiser Report Writing and Case Studies (30 hours); and
10. Appraisal Subject Matter Electives (30 hours) which shall include the Florida laws and rules and the Roles and Responsibilities of Supervisors and Trainees.

(2) Experience requirements. At least 3000 hours as set forth in Rule 61J1-6.001, Florida Administrative Code.

(3) Examination. Successful completion of the AQB-approved Certified General Real Property Appraiser Examination and the Florida laws and rules examination.

Specific Authority 475.614 FS. Law Implemented 475.613, 475.615, 475.617 FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Florida Real Estate Appraisal Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Real Estate Appraisal Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 8, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 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 ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:
62-213.205 Annual Emissions Fee

PURPOSE AND EFFECT: The proposed rule involves amendments to Chapter 62-213, F.A.C., to increase the annual Title V emissions fee factor from \$25.00 to \$30.00, and to provide that the Title V permit serve as written notice to the Title V source of the annual requirement for submission of the emissions fee.

SUMMARY: The proposed rule amendment involves the department's EPA-approved Title V air operation permit program.

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

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

SPECIFIC AUTHORITY: 403.0872 FS.

LAW IMPLEMENTED: 403.0872 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: Wednesday, December 12, 2007, 10:00 a.m.

PLACE: Florida Department of Environmental Protection, Division of Air Resource Management, 111 South Magnolia Drive, Suite 23, Directors Conference Room, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ms. Trina Vielhauer at (850)921-9503 or trina.vielhauer@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

62-213.205 Annual Emissions Fee.

Each Title V source permitted to operate in this state must pay between January 15 and March 1 of each year, upon written notice ~~as provided in the Title V permit from the Department~~, an annual emissions fee in an amount determined as set forth in subsection 62-213.205(1), F.A.C.

(1) Emissions Fee Calculation and Payment. Each Title V source must calculate the annual fee, based upon the source's previous year's emissions, by multiplying the applicable annual emissions fee factor times the tons of each regulated air pollutant (except carbon monoxide) allowed to be emitted per hour by specific condition of the source's most recent certification, construction permit or operation permit, times the annual hours of operation allowed by specific condition; provided, however, that:

(a) For emissions occurring prior to calendar year 2008, the emissions fee factor is \$25. For emissions occurring in calendar year 2008 and thereafter, the emissions fee factor is \$30. The emissions fee factor may be increased beyond \$25 only if the Secretary of the Department affirmatively finds that a shortage of revenue for support of the Title V source operation permit program will occur in the absence of a fee factor adjustment. The annual emissions fee factor may never exceed \$35 without legislative approval.

(b) through (k) No change.

(2) through (4) No change.

Specific Authority 403.061, 403.087 FS. Law Implemented 403.087, 403.0872 FS. History--New 12-21-92, Amended 11-25-93, Formerly 17-213.200, Amended 11-23-94, 1-1-96, 3-13-96, 6-25-96, 2-11-99, 1-3-01, 4-16-01, 6-2-02, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mr. Joseph Kahn, Director, Division of Air Resource Management

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 17, 2007

DEPARTMENT OF HEALTH

Board of Medicine

RULE NOS.: RULE TITLES:
64B8-50.005 Final Orders
64B8-50.006 Designation of Official Reporter

PURPOSE AND EFFECT: The Board proposes the repeal of these rules since they are not necessary.

SUMMARY: The rules are 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: 478.43(1) FS.

LAW IMPLEMENTED: 120.53(2), 456.013 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: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin # C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULES IS:

64B8-50.005 Final Orders.

Specific Authority 478.43(1) FS. Law Implemented 456.013 FS. History--New 5-31-93, Formerly 21M-75.005, Amended 11-16-93, Formerly 61F6-75.005, 59R-50.005, Repealed.

64B8-50.006 Designation of Official Reporter.

Specific Authority 478.43(1) FS. Law Implemented 120.53(2) FS. History--New 5-31-93, Formerly 21M-75.006, 61F6-75.006, 59R-50.006, Repealed.

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

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

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:
64B8-51.005 Issuance of Temporary Permits

PURPOSE AND EFFECT: The Board proposes the repeal of this rule since the substance of the rule is addressed by statute.

SUMMARY: The 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: 478.43(1), (4) FS.

LAW IMPLEMENTED: 478.46 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-51.005 Issuance of Temporary Permits.

Specific Authority 478.43(1), (4) FS. Law Implemented 478.46 FS. History--New 5-31-93, Formerly 21M-76.005, 61F6-76.005, 59R-51.005, Repealed.

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

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

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

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: RULE TITLE:
64B16-26.103 Continuing Education Credits;
 License Renewal; Consultant
 Pharmacist License Renewal;
 Nuclear Pharmacist License
 Renewal

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify the requirements for continuing education credits and license renewal.

SUMMARY: Requirements for continuing education credits and license will be clarified.

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: 456.033, 465.009 FS.

LAW IMPLEMENTED: 456.013(7), (9), 456.033, 465.009 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: Rebecca R. Poston, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B16-26.103 Continuing Education Credits; License Renewal; Consultant Pharmacist License Renewal; Nuclear Pharmacist License Renewal.

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

(c) Prior to renewal, a licensee must complete, within the 24 month period prior to the expiration date of the license, a two-hour continuing education course approved in advance by an Accreditation Council for Pharmacy Education (ACPE) provider ~~the Board or the Accreditation Council for Pharmacy Education (ACPE)~~ on medication errors that covers the topics set forth in subsection Rule 64B16-26.6011(2), F.A.C. Hours obtained pursuant to this section may be applied by the licensee to the requirements of subsection (1).

(d) through (j) No change.

(k) All programs accredited ~~approved by an~~ the ACPE provider for continuing education for pharmacists are deemed approved by the Board for general continuing education hours for pharmacists. ~~Any course necessary to meet the continuing education requirement for HIV/AIDS, consultant pharmacist license renewal or nuclear pharmacist license renewal shall be Board approved.~~

(l) No change.

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

(3)(a) Prior to renewal a nuclear pharmacist shall complete no less than 24 hours of Board approved continuing education in the course work specified in Rule 64B16-26.304, ~~64B16-26.303~~, F.A.C., within the 24 month period prior to the expiration date of the nuclear pharmacist license. A nuclear program or course accredited by an ACPE provider shall be deemed approved by the Board for nuclear pharmacist continuing education hours. The hours earned to satisfy this requirement cannot be used to apply toward the 30 hours required in subsection (1) above. However, if nuclear pharmacist license renewal hours are earned and not used to meet the requirements of this paragraph, they may be applied by the licensee to the 30 hours required in subsection (1).

(b) through (c) No change.

Specific Authority 456.033, 465.009 FS. Law Implemented 456.013(7), (9), 456.033, 465.009 FS. History—New 3-19-79, Formerly 21S-6.07, Amended 1-7-87, Formerly 21S-6.007, Amended 7-31-91, 10-14-91, Formerly 21S-26.103, 61F10-26.103, Amended 7-1-97, Formerly 59X-26.103, Amended 7-11-00, 10-15-01, 1-2-02, 1-12-03, 4-12-05, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Pharmacy

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 15, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 12, 2007

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-28.141
 RULE TITLE: Automated Pharmacy System in a Community Pharmacy

PURPOSE AND EFFECT: The Board proposes the rule amendment to provide additional updated requirements for an automated pharmacy system in a community pharmacy.

SUMMARY: Requirements for an automated pharmacy system in a community pharmacy will be updated.

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

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

SPECIFIC AUTHORITY: 465.005, 465.022 FS.

LAW IMPLEMENTED: 465.018, 465.022 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: Rebecca R. Poston, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B16-28.141 Automated Pharmacy System in a Community Pharmacy.

(1) Definitions. “Automated pharmacy system” means a mechanical system, located within or adjacent to ~~the~~ confines the prescription department, that performs operations or activities, other than compounding or administration, relative to storage, packaging, dispensing, or distribution of medication, and which collects, controls, and maintains all transaction information.

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

(3) Additional Requirements for Patient Accessed Automated Pharmacy Systems. A pharmacy may use a patient accessed automated pharmacy system, provided that:

(a) Meets the requirements in subsection (2) above.

(b) The stocking or restocking of a medicinal drug shall only be completed by a Florida licensed pharmacist, except as provided in paragraph (c) below.

(c) If the automated pharmacy system uses removable cartridges or container to store the drug, the stocking or restocking of the cartridges or containers may occur at a licensed repackaging facility and be sent to the provider pharmacy to be loaded by personnel designated by the pharmacist if:

1. A Florida licensed pharmacist verifies the cartridge or container has been properly filled and labeled.

2. The individual cartridge or container is transported to the provider pharmacy in a secure, tamper-evident container.

3. The automated pharmacy system uses a bar code verification, electronic verification, weight verification, radio frequency identification (RFID) or similar process to ensure that the cartridge or container is accurately loaded into the automated pharmacy system.

4. The Florida licensed pharmacist verifying the filling and labeling is responsible if the cartridge or container is stocked or restocked incorrectly by the personnel designated to load the cartridges or containers.

(d) The automated pharmacy system must use at least two separate verifications, such as bar code verification, electronic verification, weight verification, radio frequency identification (RFID) or similar process to ensure that the proper medication is being dispensed from the automated system.

(e) The medication shall bear a patient specific label that complies with Rule 64B16-28.108, F.A.C.

(f) The record of transactions with the patient accessed automated pharmacy system shall be available to authorized agents of the Department of Health. The record of transactions shall include:

1. Name of the patient.

2. Name, strength, and dosage form of the drug product dispensed.

3. Quantity of drug dispensed.

4. Date and time of dispensing.

5. Name of provider pharmacy.

6. Prescription number.

7. Name of prescribing practitioner.

8. Identity of the pharmacist who approved the prescription or order.

9. Identity of the person to whom the drug was released.

(4) The Florida licensed pharmacist responsible for filling, verifying, or loading the automated pharmacy system shall be responsible for her or his individual action.

(5) A prescription dispensed pursuant to the requirements of this rule shall be deemed to have been certified by the pharmacist.

Specific Authority 465.005, 465.022 FS. Law Implemented 465.018, 465.022 FS. History—New 11-29-04, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Pharmacy

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 15, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 12, 2007

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.:

RULE TITLE:

64B16-28.501

Institutional Permit – Consultant Pharmacist of Record

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify the requirements for an institutional permit and for the consultant pharmacist of record.

SUMMARY: The requirements for an institutional permit and for the consultant pharmacist of record will be clarified.

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: 465.005, 465.0125, 465.022 FS.

LAW IMPLEMENTED: 465.0125, 465.019, 465.022 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: Rebecca R. Poston, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B16-28.501 Institutional Permit – Consultant Pharmacist of Record.

Each facility holding a Class I, a Class II, or a Modified Class II Institutional permit shall designate a consultant pharmacist of record to ensure compliance with the laws and rules governing the permit. The Board office shall be notified in writing within 10 days of any change in the consultant pharmacist of record. The consultant pharmacist of record for a Class I ~~or a~~ Modified Class II, or a Special ALE permit shall conduct Drug Regimen Reviews as required by Federal or State law, inspect the facility and prepare a written report to be filed at the permitted facility at least monthly. In addition, the consultant pharmacist of record must monitor monthly the facility system for providing medication administration records and physician order sheets to ensure that the most current

record of medications is available for the monthly drug regimen review. The consultant pharmacist of record may utilize additional consultant pharmacists to assist in this review and or in the monthly facility inspection.

Specific Authority 465.005, 465.0125, 465.022 FS. Law Implemented 465.0125, 465.019, 465.022 FS. History--New 7-18-94, Formerly 61F10-28.501, 59X-28.501, Amended 1-2-02,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Pharmacy

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 15, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 12, 2007

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE NO.: 64B17-5.001
RULE TITLE: Requirements for Reactivation of an Inactive or Retired License

PURPOSE AND EFFECT: The purpose and effect is to delete the requirement of a documented completion of the required HIV/AIDS course for each biennium the license was inactive.

SUMMARY: The requirement of a documented completion of the required HIV/AIDS course for each biennium the license was inactive is deleted.

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: 486.025, 486.085(2), (4)(a), 486.108(2), 456.036 FS.

LAW IMPLEMENTED: 486.085, 486.108, 456.036 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan Love, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, FL 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B17-5.001 Requirements for Reactivation of an Inactive or Retired License.

Depending upon the time of reactivation, an inactive or retired license shall be reactivated upon demonstration that the licensee has paid the reactivation fee, the biennial renewal fee

for an active license or the difference between the inactive or retired status renewal fee and the active status renewal fee, and if applicable, a change of status and/or delinquency fee, provided that the licensee has:

(1) No change.

~~(2) Documented completion of the required HIV/AIDS course as prescribed in Rule 64B17-8.001, F.A.C., for each biennium the license was inactive.~~

~~(2)(3)~~ Documented completion of the required medical errors prevention courses as prescribed in Rule 64B17-8.002, F.A.C., for each biennium after the effective date of the statutory requirement while the license was inactive.

~~(3)(4)~~ Documented proof of completion of 24 hours of approved continuing education as provided in Rule 64B17-9.001, F.A.C., including ~~HIV/AIDS~~ and medical errors prevention for the preceding biennium during which the licensee held an active license.

~~(4)(5)~~ Documented successful passage of the Laws & Rules examination.

Specific Authority 486.025, 486.085(2), (4)(a), 486.108(2), 456.036 FS. Law Implemented 486.085, 486.108, 456.036 FS. History--New 8-6-84, Formerly 21M-8.11, Amended 9-22-87, 12-30-87, 6-20-89, Formerly 21M-8.011, Amended 3-24-93, Formerly 21MM-5.001, 61F11-5.001, Amended 12-22-94, 4-4-95, 8-16-95, 7-1-97, Formerly 59Y-5.001, Amended 8-9-04, 7-19-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Physical Therapy Practice

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Physical Therapy Practice

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

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

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE NO.: 64B17-8.001
RULE TITLE: Requirement for Instruction on Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome

PURPOSE AND EFFECT: The purpose and effect is to clarify the time of completion required for coursework accepted from schools of physical therapy.

SUMMARY: The time of completion required for coursework accepted from schools of physical therapy is clarified.

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: 456.033, 486.025 FS.

LAW IMPLEMENTED: 456.033 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan Love, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, FL 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B17-8.001 Requirement for Instruction on Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome.

(1) No change.

(2) Each licensee must complete at least one clock hour on HIV/AIDS education no later than upon the licensee's first renewal of licensure. The Board shall accept coursework from schools of physical therapy, provided such coursework was completed no more than five (5) years preceding initial licensure date after July 1, 1994.

(3) No change.

Specific Authority 456.033, 486.025 FS. Law Implemented 456.033 FS. History--New 6-3-90, Amended 9-30-91, 6-3-92, Formerly 21MM-8.001, 61F11-8.001, Amended 4-20-97, Formerly 59Y-8.001, Amended 4-5-07,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Physical Therapy Practice

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Physical Therapy Practice

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

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

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE NO.: RULE TITLE:

64B17-9.001 Continuing Education

PURPOSE AND EFFECT: The purpose and effect is to clarify the language regarding courses that are sponsored or approved.

SUMMARY: The language regarding courses that are sponsored or approved is clarified.

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: 486.025 FS.

LAW IMPLEMENTED: 456.013(6), 486.109(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan Love, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, FL 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B17-9.001 Continuing Education.

(1) through (5) No change.

(6) The Board approves for continuing education credit:

(a) No change.

(b) Courses sponsored or approved by the American Physical Therapy Association or any of its components; or

(c) Courses sponsored or approved by the Florida Physical Therapy Association, so long as they meet the criteria set forth in subsection 64B17-9.001(3), F.A.C.; or

(d) Courses sponsored or approved by the Federation of State Boards of Physical Therapy.

(d) through (f) relettered (e) through (g) No change.

(7) through (8) No change.

Specific Authority 486.025 FS. Law Implemented 456.013(6), 486.109(2) FS. History--New 4-6-92, Formerly 21MM-9.001, Amended 3-7-94, Formerly 61F11-9.001, Amended 12-5-95, Formerly 59Y-9.001, Amended 2-14-02, 4-21-02, 1-2-03, 6-28-04, 4-9-06, 5-28-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Physical Therapy Practice

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Physical Therapy Practice

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

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

FLORIDA HOUSING FINANCE CORPORATION

RULE NOS.: RULE TITLES:

67-32.002 Definitions

67-32.0035 Applicant Administrative Appeal Procedures.

67-32.005 Application Procedures

67-32.006 Terms and Conditions of Loan

67-32.007 Scoring, Ranking, and Funding Guidelines

PURPOSE AND EFFECT: Pursuant to Florida Statutes Section 420.5087(3)(d), the Florida Housing Finance Corporation administers the Elderly Housing Community Loan (EHCL) Program. This program provides loans to sponsors of affordable rental housing for very low income elderly households. Chapter 67-32, F.A.C., provides the procedures for the administration of this loan program and criteria for receiving, evaluating, and competitively ranking all applications for loans under the EHCL program.

SUMMARY: The intent of this Rule is to provide loans to sponsors of housing for the elderly to make building preservation, health, or sanitation repairs or improvements which are required by federal, state, or local regulation or code, or life-safety or security-related repairs or improvements to such housing. Revisions to the Rule are required to implement technical and clarifying changes. The adoption of these revisions will increase the efficiency and effectiveness of local program service delivery and will provide greater clarification of the program.

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

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

SPECIFIC AUTHORITY: 420.5087 FS.

LAW IMPLEMENTED: 420.5087 FS.

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

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

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, 6th Floor Seltzer Room, Tallahassee, Florida 32301-1329

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: Derek Helms (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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Derek Helms, EHCL Administrator, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329

THE FULL TEXT OF THE PROPOSED RULES IS:

67-32.002 Definitions.

For the purposes of this rule the following definitions shall apply:

(1) No change.

(2) "Affordability Period" means compliance with the provisions of Rule Chapter 67-32, F.A.C., and the EHCL Application instructions for the term of the loan or 15 years, whichever is longer.

(3)(2) "Applicant" means any person or legally formed entity, public or private, for profit or not for profit that provides Housing for the Elderly who is requesting funding from the Elderly Housing Community Loan Program (EHCL).

(3) through (8) renumbered (4) through (9) No change.

(10) "ELI Persons" or "Extremely Low Income Persons" means Extremely low income persons as defined in Section 420.0004(8), F.S., as outlined in the ELI County Chart included in the Application instructions.

(11) "ELI Set-Aside" or "Extremely Low Income Set-Aside" means the number of units designated to serve ELI Households.

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

Specific Authority 420.5087(3)(d) FS. Law Implemented 420.5087(3)(d) FS. History—New 10-2-89, Amended 2-25-96, Formerly 91-32.002, Amended 11-9-98, 1-2-00, 12-31-00, 3-17-02, 5-5-03, 2-16-05, 2-20-07, _____.

67-32.0035 Applicant Administrative Appeal Procedures.

(1) At the conclusion of the review and scoring process established by this rule chapter, each Applicant will be provided with the final ranking scores and a notice of rights, which shall constitute the point of entry to contest any issue related to Applications for the EHCL Program.

(2) Each Applicant that wishes to contest the final scores must file a petition with the Corporation within 21 Calendar Days after the date the Applicant receives its notice of rights. The petition must conform to subsection 28-106.201(2) or 28-106.301(2), and subsection 67-52.002(3), F.A.C., and specify in detail each issue and score sought to be challenged. If the petition does not raise a disputed issue of material fact, the challenge will be conducted pursuant to Section 120.57(2), F.S. If the petition raises one or more disputed issues of material fact, a formal administrative hearing will be conducted pursuant to Section 120.57(1), F.S. At the conclusion of any administrative hearing, a recommended order shall be entered by the designated hearing officer or administrative law judge which will then be considered by the Board.

(3) Any Applicant who wishes to challenge the findings and conclusions of the recommended order entered pursuant to a Section 120.57(2), F.S., proceeding in which it is a party shall be allowed the opportunity to submit written arguments to the Board. Any written argument should be typed and double-spaced with margins no less than one inch in either Times New Roman 14-point or Courier New 12-point font and may not exceed five (5) pages, not including caption and certificate of service. Written arguments must be filed with Florida Housing Finance Corporation's Clerk at 227 North

Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, no later than 5:00 p.m., Eastern Time, no later than five (5) Calendar Days from the date of issuance of the recommended order. Failure to timely file a written argument shall constitute a waiver of the right to have a written argument considered by the Board. Parties will be permitted to make oral presentations to the Board regarding recommended orders only in response to questions from the Board.

(4) If any Petitioner ultimately obtains a final order that modifies the score so that its Application would have been in the funding range of the applicable final ranking had it been entered prior to the date the final rankings were presented to the Board, the Corporation shall provide the requested funding from the next available funding, whether in the current year or a subsequent year.

Specific Authority 420.5095 FS. Law Implemented 420.5095 FS. History—New_____.

67-32.005 Application Procedures.

(1) The Corporation hereby adopts and incorporates by reference the EHCL Program Application Package EA0703 (01/08) ~~(12/06)~~.

(2) through (5) No change.

(6) At no time during the Application, scoring and appeal process may Applicants or their representatives contact Board members concerning their own Development or any other Applicant's Development. At no time from the Application Deadline until the issuance of the final scores as set forth in subsection (9) above, may Applicants or their representatives verbally contact Corporation staff concerning their own Application or any other Applicant's Application. If an Applicant or its representative does contact a Board member in violation of this section, the Board shall, upon a determination that such contact was deliberate, disqualify such Applicant's Application.

Specific Authority 420.5087(3)(d) FS. Law Implemented 420.5087(3)(d) FS. History—New 10-2-89, Amended 1-9-92, 2-25-96, Formerly 91-32.005, Amended 11-9-98, 1-2-00, 12-31-00, 3-17-02, Repromulgated 5-5-03, Amended 2-16-05, 1-26-06, 2-20-07,_____.

67-32.006 Terms and Conditions of Loan.

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

(c) The loan term shall not exceed fifteen years but may be for a shorter period of time as requested by Applicant or recommended by the credit underwriter. However, if the lien of the Corporation's encumbrance is subordinate to the lien of another mortgage, then the term may be made co-terminus with the longest term of the superior lien if requested by the Borrower and approved by the credit underwriter based on debt service coverage ratio, loan to value ratio, and other factors pertaining to the loan.

(d) through (2) No change.

(3) The Corporation shall forgive the portion of loan attributable to the units in a project reserved for Extremely Low Income (ELI) Persons for non-profit organizations, where the project will provide affordable housing to the Elderly for 15 years or more. The portion of the loan that may be forgiven shall not exceed 25 percent.

(3) through (7) renumbered (4) through (8) No change.

Specific Authority 420.5087(3)(d) FS. Law Implemented 420.5087(3)(d) FS. History—New 10-2-89, Amended 1-9-92, 2-25-96, Formerly 91-32.006, Amended 11-9-98, Repromulgated 1-2-00, Amended 12-31-00, 3-17-02, 5-5-03, 2-16-05, 1-26-06, 2-20-07,_____.

67-32.007 Scoring, Ranking, and Funding Guidelines.

(1) through (2) No change.

(3) With the exception of those items specified in the Application as mandatory elements which cannot be changed once the Application deadline has passed, Applicants will have 15 days from the date the Corporation sends the preliminary scores to the Applicant to submit additional documentation, revised pages, and any such information the Applicant deems appropriate to address issues raised during scoring that could result in rejection of the Application or a score less than the maximum available. Where specific pages of the Application are revised or additional information is provided, each new page must be marked "revised" and an original and two copies of this additional documentation must be submitted by the deadline for the Corporation to consider it in determining final scores. Pages of the Application that are not revised or otherwise changed may not be resubmitted, except those documents signed by third parties shall be submitted in their entirety.

(4) through (6) No change.

~~(7) Following the Board's action on recommended orders received for all appeals resolved pursuant to Section 120.57, F.S., The Corporation staff shall implement the Board's action by adjusting the scoring and ranking to reflect the outcome of the final orders.~~

(7)(8) Eligible Applications shall be funded in the order of their scoring and ranking until all allocated funding has been awarded. However, an Application shall not be considered for funding if it does not meet threshold requirements as provided in the Application Package.

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

Specific Authority 420.5087(3)(d) FS. Law Implemented 420.5087(3)(d) FS. History—New 10-2-89, Formerly 91-32.007, Amended 11-9-98, 1-2-00, Repromulgated 12-31-00, Amended 3-17-02, 5-5-03, 2-16-05, 1-26-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Jody Bedgood, Program Manager, Elderly Housing
 Community Loan (EHCL) Program, Florida Housing Finance
 Corporation, 227 North Bronough Street, Suite 5000,
 Tallahassee, Florida 32301-1329, (850)488-4197, extension
 1112

NAME OF SUPERVISOR OR PERSON WHO APPROVED
 THE PROPOSED RULE: Derek Helms, Program
 Administrator

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

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

Medicaid

RULE NO.:	RULE TITLE:
59G-4.199	Mental Health Targeted Case Management

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. 36, September 7,
 2007 issue of the Florida Administrative Weekly.

These changes are in response to comments received from the
 Joint Administrative Procedures Committee.

59G-4.199(3) We added form numbers to the forms that are
 incorporated by reference. The rule text now reads as follows:
 "The following forms that are included in the Florida Medicaid
 Mental Health Targeted Case Management Coverage and
 Limitations Handbook are incorporated by reference: Agency
 Certification, Children's Mental Health Targeted Case
 Management, AHCA-Med Serv Form 022, June 2007 July
~~2006~~, in Appendix B, one page; Agency Certification, Adult
 Mental Health Targeted Case Management, AHCA-Med Serv
Form 023, June 2007 July 2006, in Appendix C, one page;
 Agency Certification, Intensive Case Management Team
 Services, Adult Mental Health Targeted Case Management,
AHCA-Med Serv Form 024, June 2007 July 2006, in
 Appendix D, one page; Case Management Supervisor
 Certification, Children's Mental Health Targeted Case

Management, AHCA-Med Serv Form 025, July 2006, in
 Appendix E, one page; Case Management Supervisor
 Certification, Adult Mental Health Targeted Case
 Management, AHCA-Med Serv Form 026, July 2006, in
 Appendix F, one page; Case Manager Certification, Children's
 Mental Health Targeted Case Management, AHCA-Med Serv
Form 027, July 2006, in Appendix G, one page; Case Manager
 Certification, Adult Mental Health Targeted Case
 Management, AHCA-Med Serv Form 028, July 2006, in
 Appendix H, one page; Children's Certification, Children's
 Mental Health Targeted Case Management, AHCA-Med Serv
Form 029, July 2006, in Appendix I, one page; Adult
 Certification, Adult Mental Health Targeted Case
 Management, AHCA-Med Serv Form 030, July 2006, in
 Appendix J, one page; Adult Certification, Intensive Case
 Management Team Services, Adult Mental Health Targeted
 Case Management, AHCA-Med Serv Form 031, July 2006, in
 Appendix K, two pages; Medicaid 30-Day Certification for
 Children's or Adult Mental Health Targeted Case
 Management, AHCA-Med Serv Form 032, June 2007 July
~~2006~~, in Appendix L, one page."

We added the following sentence at the end of subsection
 59G-4.199(3), F.A.C., to explain how the forms are obtained,
"The forms are available by photocopying them from the
Florida Medicaid Mental Health Targeted Case Management
Coverage and Limitations Handbook."

The rule incorporates by reference update June 2007 to the
 Florida Medicaid Mental Health Targeted Case Management
 Coverage and Limitations Handbook. On Page 1-4,
 Department of Children and Families Mental Health Program
 Office Responsibilities, we added "targeted" to the sentence so
 that it reads, "The Department of the Children and Families
 (DCF), Mental Health Program Office is responsible for
 approving policy for the mental health targeted case
 management program in conjunction with Medicaid."

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-3.002	Definitions
63E-3.003	Administration of the Serious or Habitual Juvenile Offender (SHO) Program
63E-3.004	Sanitation
63E-3.005	Safety and Security
63E-3.006	Continuity of Operations Planning
63E-3.007	Youth Admission

- 63E-3.008 Intake
- 63E-3.009 Orientation
- 63E-3.010 Case Management
- 63E-3.012 Youth Services
- 63E-3.014 Program Monitoring and Evaluation
- 63E-3.015 Research Projects

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. 33, August 17, 2007 issue of the Florida Administrative Weekly.

63E-3.002 Definitions.

For the purpose of this rule the following words shall have the meanings indicated.

(1) through (2) No change.

(3) Authority for Evaluation and Treatment (AET) or Authority for Evaluation and Treatment For Youth Over 18 Years of Age – The document that, when signed by a parent or guardian if the youth is under 18 years old ~~or younger~~ or signed by the youth if he or she is over 18 years of age, gives the department the authority to assume responsibility for the provision of necessary and appropriate physical and mental health care to a youth in the department’s physical custody. The Authority for Evaluation and Treatment (HS 002, May 2007) and the Authority for Evaluation and Treatment For Youth Over 18 Years of Age (HS 003, May 2007) are incorporated into this rule and are accessible electronically at http://www.djj.state.fl.us/forms/health_services_forms_index.html.

(4) through (5) No change.

(6) Behavior Management System – An organized system designed to promote positive behavior through the giving or taking of rewards or privileges based on youth behavior. Behavior management within the SHO program shall be based on evidence based specific techniques that have been found to be effective ~~with male offenders 13 years of age or older~~, and take into account the ~~their~~ level of cognitive ability, emotional maturity, and other personal characteristics.

(7) Case Management Process – Refers to the process a residential commitment program uses to assess a youth, develop goals to address the youth’s criminogenic risks and needs, review and report the youth’s progress, and plan for the youth’s transition to the community upon release. This process is implemented within the context of BARJ that focuses on accountability, competency development and community safety.

(8) through (14) No change.

(15) Designated Health Authority – The individual who is responsible for the provision of necessary and appropriate health care to youth in a residential commitment program. Individual Designated Health Authorities must be a physician (MD) or osteopathic physician (DO) holding who holds a clear

and active license pursuant to Chapter 458 or Chapter 459, F.S., respectively, and meeting all requirements to practice independently in the State of Florida.

(16) No change.

(17) Direct-Care Staff – An employee whose primary job responsibility is to provide care, custody, and control of youth admitted ~~committed~~ to the facility. This definition includes those who directly supervise staff responsible for the daily care, custody, and control of youth.

(18) No change.

(19) Evidence-based Treatment and Practices – Treatment and practices, which have been independently evaluated and found to reduce the likelihood of recidivism or at least two criminogenic needs, with a juvenile offending population. The evaluation must have used sound methodology, including, but not limited to, random assignment, use of control groups, valid and reliable measures, low attrition, and appropriate analysis. Such studies shall provide evidence of statistically significant positive effects of adequate size and duration. In addition, there must be evidence that replication by different implementation teams at different sites is possible with similar positive outcomes.

(20) through (24) No change.

(25) Institutional Review Board (IRB) – The department’s IRB reviews research proposals that seek access to departmental records or youth in the department’s care, custody, or under the department’s supervision. The board reviews ~~looks at~~ all aspects of a research proposal and evaluates potential risks and benefits to participating juveniles and the department, as well as the researcher’s plan to diminish risks. Based on this evaluation, ~~t~~he IRB makes recommendations to the department’s Secretary or his or her designee ~~administration~~ who then decides whether or not the proposal is approved.

(26) No change.

(27) Jimmy Ryce Act for Violent Sexual Offenders – Residential Program Notification Checklist – The checklist sent, along with supporting documents, to the youth’s JPO to be reviewed by the Department of Children and Families Services to determine eligibility for civil commitment as a sexually violent predator pursuant to Sections 394.910-.932, F.S. The checklist (DJJ/BCS Form 23) dated February 2005, is incorporated by reference and is accessible electronically at http://www.djj.state.fl.us/forms/residential_rule63E_forms.htm.

(28) No change.

(29) Juvenile Probation Officer (JPO) – A Juvenile Probation Officer (JPO) is an employee of the department responsible for the intake of youth upon arrest and the supervision of youth on court ordered supervision in the community. The JPO serves as the primary case manager for the purpose of managing, coordinating and monitoring the services provided and sanctions required for each youth. In this rule chapter, whenever a reference is made to the objectives

and duties of a JPO it shall also apply to case management staff of a provider agency contracted to perform these duties and objectives. The officer responsible for the direct supervision of a youth in the community or on post-commitment probation or conditional release.

(30) through (31) No change.

(32) Orientation – The process that commences ~~occurs~~ within 24 hours of the youth's admission whereby facility staff inform the youth of the rules, expectations, services, and goals of the residential program.

(33) Performance Plan – An individualized plan developed by the treatment team and youth that stipulate measurable goals the youth must achieve prior to release from the program. Performance plan goals are based on the prioritized needs identified during assessment of the youth and may be updated as appropriate. The plan identifies the youth's and staffs' responsibilities and the timelines associated with completion of each goal. The performance plan also serves as the basis for the youth's post-residential services plan since it includes the transition goals and activities identified at the transition conference conducted at least 60 days, or 90 days for youth who are sex offenders, prior to the youth's anticipated release.

(34) through (37) No change.

~~(38) Program – A contracted or state-operated residential or non-residential environment providing supervision of youth who have been identified to receive services within the community. This includes, but is not exclusively limited to, non-secure detention, home detention, Intensive-Delinquency Diversion Services (IDDS) programs, conditional release programs, screening and intake units, and day treatment programs.~~

~~(38)(39)~~ Program Director – The on-site administrator of a residential commitment program for juvenile offenders, whether state or privately operated; who is accountable for the on-site operation of the program.

~~(39)(40)~~ Protective Action Response (PAR) – The department-approved verbal and physical intervention techniques and the application of mechanical restraints used in accordance with Chapter 63H-1, F.A.C.

~~(40)(41)~~ Protective Action Response Certification – Certification awarded to an employee who has successfully completed PAR training as described in this rule. Only employees who are PAR certified are authorized to use PAR.

~~(41)(42)~~ Qualified Researcher – As defined for this rule is any person who has been approved through the department's Institutional Review Board (IRB) proposal process to conduct a research project with youth in the care, custody and supervision of the department.

~~(42)(43)~~ Sexually Violent Predator (SVP) – As defined in Section 394.912, F.S. For purposes of this chapter of this rule, SVP eligible refers to a youth being subject to the requirements of Sections 394.910-.932, F.S.

~~(43)(44)~~ Safety and Security Coordinator – The person responsible for the oversight of the facility's safety and security program which includes, but is not limited to: facility security, fire safety and awareness, disaster preparedness, and the oversight of equipment and tool management within the facility.

~~(44)(45)~~ Sick Call Care – The health care delivery system component intended to provide care in response to episodic complaints of illness or injury of a non-emergency nature.

~~(45)(46)~~ Temporary Release – Any court-approved period of time during which an eligible youth is allowed to leave a residential program without the direct supervision of program staff or properly screened and trained interns or volunteers. The purpose of temporary release activities is to provide youth with opportunities to develop skill competencies and prepare for transition upon release or discharge from the program. Examples of temporary release include, but are not limited to, home visits and community employment.

~~(46)(47)~~ Transfer – The movement of a youth from one residential program to another, at the same restrictiveness level, a lower restrictiveness level, or a higher restrictiveness level.

~~(47)(48)~~ Transition Conference – A conference conducted at least 60 days, or 90 days for youth who are sex offenders, prior to a youth's anticipated release at which the youth, residential staff, the youth's JPO and/or post-residential service provider, the youth's parent(s) or guardian(s), and other pertinent parties establish transition activities, responsibilities, and timelines necessary for the youth's successful release and reintegration into the community.

~~(48)(49)~~ Transition Planning – The process of establishing transition activities to facilitate a youth's successful release and reintegration into the community.

~~(49)(50)~~ Treatment Team – A multidisciplinary team consisting of representatives from the program's administrative, educational, vocational, residential, medical, mental health, substance abuse, and counseling components which assesses each youth to identify his needs and risk factors, develop rehabilitative treatment goals, ensure service delivery, and assesses and reports the youth's progress. The youth is a member of the treatment team.

~~(50)(51)~~ Victim Notification of Release – Unless victim notification rights have been waived, a letter that a residential commitment program sends to the victim, or the next of kin in cases of homicide, or the parent or legal guardian in cases involving minor victims, prior to any discharge or release, including a temporary release, of a youth whose committing offense meets the criteria for victim notification pursuant to Chapter 960, F.S. This form (RS 011, dated September 2006) is incorporated into this rule and is accessible electronically at http://www.djj.state.fl.us/forms/residential_rule63E_forms.htm.

Specific Authority 985.47, 985.64 FS. Law Implemented 985.47 FS. History–New _____.

63E-3.003 Administration of the Serious or Habitual Juvenile Offender (SHO) Program.

A SHO program for youth at least 13 years of age at the time of disposition for the current offense shall include the following:

(1) A treatment modality for youth that includes evidence-based treatment and practices of changing negative or inappropriate behavior and promotes positive pro-social behavior;

(2) A ~~Program Director on-site administrator~~ who is accountable for the daily operation of the program. The Program Director ~~This administrator~~ is ultimately responsible for ongoing program planning and evaluation to ensure the integrity, safety, security, and effective operation of the program;

(3) A facility management team established by the ~~Program Director on-site administrator~~ that will meet at least monthly to discuss the ongoing operational issues of the program, strategize resolution of problems and ensure contract compliance;

(4) A Program Director who is responsible for ensuring that the daily operations of the program are conducted in a manner that provides a positive quality of life for the youth. Each program shall consist of at least 9 months of intensive secure residential treatment and will not exceed the maximum term of imprisonment that an adult may serve for the same offense. Conditional release assessment shall be provided in accordance with s. 985.46. The components of the program shall include, but not be limited to:

- (a) Shelter;
- (b) Security and Safety;
- (c) Clothing;
- (d) Food;
- (e) Process to address youth grievances;
- (f) Access to the Abuse Hotline, and/or Central Communications Center;
- (g) Diagnostic evaluation services;
- (h) Appropriate treatment modalities, including substance abuse intervention, mental health services, and sexual behavior dysfunction interventions and gang-related behavior interventions;
- (i) Prevocational and vocational services;
- (j) Job training, job placement, and employability-skills training;
- (k) Case Management Services;
- (l) Educational services, ~~including special education services for youth with disabilities and pre-GED literacy;~~
- (m) Self-sufficiency planning;
- (n) Independent living skills;
- (o) Parenting skills;
- (p) Recreational and leisure time activities to include large muscle exercise;

(q) Community involvement opportunities commencing, where appropriate, with the direct and timely payment of restitution to the victim;

- (r) Graduated reentry into the community;
 - (s) A diversity of forms of individual and family treatment appropriate to and consistent with the child's needs;
 - (t) Consistent and clear consequences for misconduct;
 - (u) Opportunities for expression of religious beliefs;
 - (v) Family visitation;
 - (w) Access to incoming mail and opportunities to send outgoing mail; and
 - (x) Telephone access.
- (5) Pre-employment screened employees (Level 2) pursuant to Chapter 435 and Section 985.644(5), F.S., and as set forth in Chapter 63H-2, F.A.C.;

(6) Orientation training in accordance with job responsibilities within the first 15 days of employment as set forth in Chapter 63H-2, F.A.C. This training, at a minimum shall include:

- (a) The Department's mission and how the program fits and interacts within the overall continuum of care;
- (b) The Program's mission, philosophy and treatment approach;
- (c) The program rules and the behavior management system;
- (d) Personnel policies;
- (e) Job responsibilities;
- (f) Confidentiality (Section 985.04, F.S.);
- (g) Introduction to safety and security issues;
- (h) Child abuse reporting (as defined in Chapters 39 and 827, F.S.);
- (i) Central Communication Center Incident reporting; and
- (j) Professional Ethics issues and employee standards of conduct, including disciplinary and legal consequences for noncompliance with departmental or facility rules.

(7) Direct-care employees who are certified in Protective Action Response (PAR) within 90 days of hire. Staff who are not PAR certified may provide direct-care supervision of youth only if directly supervised by a PAR certified staff as set forth in Chapter 63H-1, F.A.C.

Specific Authority 985.47(10), 985.64 FS. Law Implemented 985.47(10) FS. History--New _____.

63E-3.004 Sanitation.

- (1) through (2) No change.
- (3) Biohazardous waste shall be disposed of in accordance with OSHA Standard 29 CFR 1910.1030 (Amended 1-1-2004). Youth shall not be allowed to clean, handle, or dispose of any other person's biohazardous material, bodily fluids or human waste.
- (4) No change.

Specific Authority 985.47, 985.64 FS. Law Implemented 985.47 FS. History–New _____.

63E-3.005 Safety and Security.

(1) No change.

(2) Physical security features for a SHO program shall meet the requirements the department has established for programs designated as high-risk. The required physical security features for newly constructed facilities include a security fence of at least 12 feet in height with an inside overhang or razor wire; electronic door locks with manual override on entry, exit, and passage doors; a closed circuit video taped television surveillance system with inside and outside cameras; a sally port with intercom; an electric or manual secure pedestrian gate with intercom capability; secure windows that are break-resistant or screened glass; sleeping room doors that open outward; exterior security lighting; electronic search equipment; and radio or cell phone communication devices for staff.

(3) through (4) No change.

(5) The program shall maintain strict control of flammable, poisonous, and toxic items. At a minimum, the program shall:

(a) Maintain a complete inventory of all such items used in the facility.

(b) Maintain a current list of personnel identified by position title or function, who are authorized to handle these items.

(c) Not allow youth to handle these items and restrict their access to areas where these items are being used.

(d) Dispose of hazardous items and toxic substances or chemicals in accordance with Occupational Safety and Health Administration (OSHA) standards (OSHA Standard 29 CFR 1910.1030 (Amended 1-1-2004)).

(e) Maintain Material Safety Data Sheets (MSDS) on site as required by OSHA (OSHA Standard 29 CFR 1910.1030 (Amended 1-1-2004)).

Specific Authority 985.47, 985.64 FS. Law Implemented 985.47 FS. History–New _____.

63E-3.006 Continuity of Operations Planning.

(1) The Program Director shall oversee the development of a Continuity of Operations Plan (COOP). The intent is for each program to have a planned and comprehensive approach to effectively manage emergencies and disaster events, including those that require the program to re-locate its youth and staff while maintaining operations, safety, and security. The program's COOP shall:

(a) through (d) No change.

(e) Indicate essential or key personnel (designated by the Program Director) who, due to their position and/or training, are responsible during an emergency or disaster for ensuring

that the program remains operational and responsive to the needs of the youth, as well as ~~continued~~ to ensure the safety of youth, staff, and the public;

~~(f) Be compatible with or combined with the program's COOP;~~

~~(f)(g) Be compatible with the department's Residential Region's Disaster Plan and its COOP.~~

(2) No change.

Specific Authority 985.47, 985.64 FS. Law Implemented 985.47 FS. History–New _____.

63E-3.007 Youth Admission.

(1) through (2) No change.

(3) If the JPO or JPO supervisor does not provide any missing core documents upon request, a residential commitment program may elect to not admit a youth, thereby rejecting the youth. However, within two hours of a decision to reject a youth, the program shall notify the Regional Director for Residential and Correctional Facilities and the Regional Director for Probation and Community Intervention of this action. The youth continues his or her status of awaiting residential placement while the department immediately pursues acquisition or production of the missing core documents, thereby expediting the youth's subsequent admission to the residential commitment program.

(4) A residential commitment program shall communicate internally as follows:

(a) Program staff responsible for admission are notified when a new admission is scheduled to arrive and the youth's name, date and time of anticipated arrival, mode of transportation, medical and mental health needs, and any safety or security risks are documented in the logbook.

(b) Regardless of the youth's condition upon admission, the designated health authority is notified of an admission with any of the following medical problems documented in the commitment packet: asthma; allergies with anaphylaxis; adrenal insufficiency; cancer or history of cancer; cardiac arrhythmias, disorders or murmurs; congenital heart disease; cystic fibrosis; developmental disability/mental retardation; diabetes; history of EpiPen use; eating disorders; head injuries that occurred within the two weeks prior to admission; hearing, speech or visual deficits; hemophilia; hepatitis; human immunodeficiency virus (HIV) or AIDS, hypo or hyperthyroidism, hypertension; inflammatory bowel disease; kidney failure (with or without dialysis); neuromuscular conditions; pregnancy or having given birth within the two weeks prior to admission; seizure disorders; sickle cell anemia; scoliosis; sickle cell trait; spina bifida; systemic lupus erythematosus; and active tuberculosis.

(c) Residential staff will note any existing documentation of mental health or substance abuse problems, needs or risk factors and report the documentation to appropriate clinical and administrative staff.

(d)(e) Information included in the commitment or transfer packet is distributed to program staff as their job functions dictate.

(5) Within 24 hours of admission, a residential commitment program shall refer to the department's Office of General Counsel ~~Circuit legal counsel~~ any commitment order appearing to be in conflict with Chapter 985, F.S., or legally insufficient ~~otherwise questionable~~. The program shall maintain documentation of the referral.

(6) No change.

(7) Although it is the intent that deoxyribonucleic acid (DNA) samples be collected prior to a youth's admission to a residential commitment program, if a youth who meets the DNA testing criteria per Section Chapter 943.325 F.S., is admitted to the facility without DNA testing, the program shall contact Florida Department of Law Enforcement (FDLE) to verify whether or not a DNA sample is on file for the youth. If not, the program shall collect DNA samples, using the test kit and accompanying instructions provided by FDLE, submit them to FDLE no later than 45 days prior to a youth's release, and document these actions in the youth's individual management record.

(8) No change.

Specific Authority 985.47, 985.64 FS. Law Implemented 985.47 FS. History--New _____.

63E-3.008 Intake.

(1) No change.

(2) The following entry screenings shall be completed immediately upon a youth's admission to a program. These screenings are used to ensure that the youth has no emergency medical, mental health, or substance abuse conditions of a nature that render admission unsafe.

(a) No change.

(b) The Mental Health Screening may be conducted by non-clinical program staff responsible for youth intake. This screening is conducted to identify mental health needs requiring attention. Either the MAYSI-2 or clinical mental health and clinical substance abuse screening must be administered upon each youth's admission to a residential commitment. Direct care staff trained in its administration may conduct MAYSI-2 screening. Clinical mental health screening must be conducted by a licensed mental health professional and clinical substance abuse screening must be conducted by a qualified substance abuse professional as defined in Section 397.311(25)(24), F.S., and in accordance with subsection 65D-30.003(15), F.A.C. (12-12-05), using valid and reliable screening instruments.

(c) No change.

(3) Unless a youth is being admitted into a program directly from secure detention, a correctional facility, or another program, a shower, including shampooing hair, is required.

(a) An ectoparasiticide or an ovicide may be used routinely for all new admissions if the program's designated health authority deems it appropriate, if it is used in accordance with current guidelines, and if it is not contraindicated for medical or health reasons. In the absence of such a routine protocol approved by the designated health authority, an ectoparasiticide and an ovicide shall not be routinely used, and shall be used only if an infestation with lice or scabies is present and use is ordered by the designated health authority, is in accordance with current guidelines, and is not contraindicated.

(b) Two staff of the same gender as the youth shall supervise the newly admitted youth during this shower.

(4) No change.

(5) A residential commitment program shall inventory each youth's personal property upon admission and document the inventory by listing every item. Program staff shall immediately secure in a locked area all money, jewelry and other items of value. After all personal possessions have been inventoried and documented, the staff conducting the inventory, the youth, and a witness shall sign and date the documentation to attest to its accuracy. The program shall:

(a) through (c) No change.

(d) Send inventoried property to the youth's home, have the youth's parents or legal guardians retrieve the youth's property or store such property until the youth's release from the program.

(6) through (7) No change.

(8) Based on a review of all documentation and interactions with the youth, the Program Director or designee shall make an initial classification of the youth for purposes of room or living area assignment within the program. To determine the offender's risk of escape, the program shall use, at a minimum, the Predisposition Report and face sheet in the Juvenile Justice Information System (JJIS) to secure information about the youth's past history of escapes and escape attempts. Assignment to a group or staff advisor shall also be based on this initial classification. If the program has an orientation unit that houses newly admitted youth, a copy of the classification form shall be sent to the orientation unit. Factors to consider for the safety and security of youth and staff, when classifying the youth shall include, but are not limited to:

- (a) Sex;
- (b) Age;
- (c) Size;
- (d) Emotional maturity;
- (e) Gang affiliation;
- (f) Medical or mental health problems;
- (g) History of violence;
- (h) Sexual aggression;
- (i) Predatory behavior;

- (j) Risk of escape and risk to the public; and
- (k) Skill levels.
- (9) No change.

(10) The program shall ensure that a current photograph and critical information are obtained and easily accessible for use in verifying the youth’s identity as needed during his stay in the program. The program shall ensure that a current photograph of each youth is maintained in the individual management record and the individual healthcare record. A photograph shall be made available to law enforcement or other criminal justice agencies to assist in apprehending the youth in the event of escape. The program may store this critical information electronically, however, a hard copy of the information on each youth shall be maintained in an administrative file that is easily accessible and mobile in the event of an emergency situation that results in the program having to relocate quickly or in the event the information is needed when the computer is inoperative. The critical information shall include, but not be limited to, the following:

- (a) Youth’s full name, ~~Social Security number~~, and DJJ ID number;
- (b) through (n) No change.
- (11) No change.

Specific Authority 985.47, 985.64 FS. Law Implemented 985.47 FS. History–New _____.

63E-3.009 Orientation.

(1) Youth admitted to the SHO program shall commence ~~receive~~ orientation to the program within 24 hours of admission.

- (2) Orientation to the program shall include the following:
 - (a) through (g) No change.

(h) Program’s youth grievance procedures. A residential commitment program shall establish written procedures specifying the process for youth to grieve actions of program staff and conditions or circumstances in the program related to the violation or denial of basic rights. These procedures shall establish each youth’s right to grieve and ensure that all youth are treated fairly, respectfully, without discrimination, and that their rights are protected. The procedures shall address each of the following phases of the youth grievance process, specifying timeframes that promote timely feedback to youth and rectification of situations or conditions when grievances are determined to be valid or justified. A programs grievance process shall have the following components:

1. Informal phase wherein the youth attempts to resolve the complaint or condition with staff on duty at the time of the grieved situation;
2. Formal phase wherein the youth submits a written grievance that requires a written response from a supervisory staff person; and

3. Appeal phase wherein the youth may appeal the outcome of the formal phase to the program director or designee.

4. Program staff shall be trained on the program’s youth grievance process and procedures.

5. Program staff shall explain the grievance process to youth during their program orientation and shall post the written procedures throughout the facility for easy access by youth.

6. Youth shall be given free access to grievance forms and accompanying instructions and program staff shall assist a youth in filing a grievance if needed.

7. The program shall maintain documentation on each youth grievance and its outcome for at least one year. The one-year period begins when the youth submits a written grievance that requires a written response from a supervisory staff person.

- (i) through (l) No change.

Specific Authority 985.47, 985.64 FS. Law Implemented 985.47 FS. History–New _____.

63E-3.010 Case Management.

- (1) through (8) No change.

(9) Performance summaries shall be completed every 90 days beginning 90 days from the signing of the youth’s performance plan, unless the committing court requests monthly performance summaries, in which case the performance summary shall be completed every 30 days beginning 30 days following completion of the performance plan. Areas that shall be addressed in the performance summary include, but are not limited to:

- (a) through (c) No change.
- (d) The youth’s overall behavior adjustment; for youth receiving mental health or substance abuse services, their progress shall be addressed in a manner that complies with the confidentiality requirements set forth in state ~~and federal~~ statute Section 985.04, F.S.;
- (e) Significant incidents (positive or negative); and
- (f) The justification for a request for release, discharge or transfer, if applicable.

(10) The staff member who prepared the summary, the treatment team leader, the Program Director or designee, and the youth shall review, sign and date the Performance Summary. Program staff shall give the youth the opportunity to add comments to the Performance Summary prior to signing it. Within 10 working days the program shall distribute the performance summary to the:

- (a) Committing court,
- (b) Youth’s JPO,
- (c) The youth;
- ~~(d)(e)~~ Parents or guardians; and
- ~~(e)(d)~~ Other pertinent parties.

(11) If the Performance Summary is the notification of the program's intent to release or discharge a youth, the residential program shall send the original of the release or discharge summary, together with the Pre-Release Notification and Acknowledgement form, to the youth's JPO (rather than directly to the court). The program shall place the original performance summaries and copies of the youth's release or discharge summary and the Pre-release Notification form in the youth's individual management record.

(12) Transition Planning. The program shall begin planning for the youth's transition back to the community upon admission to the program. It is critical that all parties involved with the youth communicate with each other on a regular basis to ensure information is transferred in a timely manner, and job tasks related to the youth's transition are assigned and completed within the designated timeframes.

(a) The residential commitment program is responsible for the timely notification of a youth's release from the program to the youth's JPO, the youth, and other pertinent parties. Pre-Release Notification and Acknowledgement Notification of Release form shall be sent to the youth's JPO at least 45 days prior to the youth's targeted transition date (90 days prior for sex offenders). No section of this form can be left blank and all arrangements made for the youth must be clearly stated on this form.

(b) through (d) No change.

(13) No change.

Specific Authority 985.47(10), 985.64 FS. Law Implemented 985.47(10) FS. History--New _____.

63E-3.012 Youth Services.

(1) through (3) No change.

(4) Participation in the educational program is mandatory for students of compulsory school-attendance age, as defined in Section 1003.21, F.S. For programs operated by private providers, the school district may provide educational services directly or may contract with a private provider to deliver its own educational program. Youth identified with disabilities, as defined by IDEA, will have an Individualized Education Plan developed and implemented according to the individual needs of the youth.-

(5) The educational program at the SHO program shall establish an educational and prevocational training component appropriate for all youth and consistent with the Sunshine State Educational Standards (Section 1003.41, F.S. and Rule 6A-1.09401, F.A.C.). ~~juvenile justice education standards that includes:~~

~~(a) Basic Achievement Skills Inventory (BASI) or other common assessment tools identified by the Florida Department of Education;~~

~~(b) Performance plan goals (student outcomes) focused on post-placement needs. Based on the student assessment and identification of youth's needs, performance goals~~

~~(educational, prevocational training outcomes) must be developed in conjunction with the youth. Performance goals must target educational and prevocational services that will assist the youth in acquiring the skills most needed to increase success upon release from the residential program to the community;~~

~~(e) Educational and vocational curricula that are approved by the local school district, reviewed and revised at least annually and as needed based on skill acquisition demonstrated by youth in pre-testing and post-testing.~~

~~(d) Educational staff that are qualified, competent and trained in the residential program's philosophy, treatment approach(es), behavior management system, and other treatment components of the program, as well as program safety and security procedures. They shall be trained specifically on how to work effectively with the program's population. Staff shall also be trained in how to integrate support services with instruction and funding procedures for accessing resources. Educational staff shall receive in service training in areas including but not limited to instructional delivery, understanding youth behavior and learning styles, and processes and procedures commonly used in juvenile justice educational programs.~~

~~(e) The testing and provision of special education services to youth requiring these services.~~

(6) through (7) No change.

(8) Programs allowing youth to participate in water related activities shall have a water safety plan, which is to be reviewed and approved annually by the program monitor which at a minimum, shall address the following:

~~(a) Age and maturity of the youth who will participate;~~

~~(b) Identification of swimmers and non-swimmers;~~

~~(c) Special needs youth;~~

~~(d) Type of water in which the activity is taking place (pool or open water);~~

~~(e) Water conditions (clarity, turbulence, etc.);~~

~~(f) Bottom conditions;~~

~~(g) Lifeguard to youth ratio and positioning of lifeguards; and~~

~~(h) Equipment needed for the activity.~~

(9) No change.

(10) The Program Director shall ensure access to and the provision of necessary and appropriate physical health care services to all youth committed to the program. The health care delivery system shall include the following components:

(a) through (i) No change.

(11) The SHO program shall have a Designated Health Authority defined as the physician (MD or DO licensed pursuant to Chapter 458 or 459, F.S.) who shall be a state employee or contract physician with the appropriate training and knowledge to be accountable for ensuring the delivery of administrative, managerial and medical oversight of the

facility's healthcare system by agreement, employment, contract or other arrangement, provides and/or supervises other medical professionals or paraprofessionals in the provision of health care within the facility.

(12) The Program Director shall ensure access to and provision of mental health services to all youth committed to the program. The mental health care delivery system shall include the following components:

(a) through (f) No change.

(g) A Designated Mental Health Authority will be accountable to the Program Director for ensuring that mental health services are appropriately provided in the SHO. This person shall be a licensed mental health professional (psychiatrist licensed pursuant to Chapter 458 or 459, F.S., psychologist licensed under Chapter 490, F.S., mental health counselor, clinical social worker or marriage and family therapist licensed under Chapter 491, F.S., or a psychiatric nurse as defined in Section 394.455(23), F.S.). A licensed mental health professional shall provide directly supervise clinical- oversight to unlicensed mental health staff.

Specific Authority 985.47(10), 985.64 FS. Law Implemented 985.47(10) FS. History--New _____.

63E-3.014 Program Monitoring and Evaluation.

(1) No change.

(2) Security Audit. The DJJ region's ~~security monitor~~ shall conduct an audit of the programs safety and security measures at least annually. The program shall develop a corrective action plan as instructed by the regional security monitor to address any non-compliance issues identified in the security audit report. If the region ~~security monitor~~ performs a Pre-Operational and Post-Operational Review or Quality Assurance program audit, that may be substituted as the annual security audit.

(3) through (4) No change.

(5) Pursuant to Section 985.632, F.S., the department shall conduct quality assurance reviews of residential commitment programs. Standards and indicators used for this purpose shall be based on provisions of this rule chapter. In some cases where federal funds are involved, audits may be conducted according to federal requirements. Other reviews or audits may be required per contract or departmental policy or as determined necessary by the department. For example, a Program Administrative Review may be conducted in a program by designated regional staff when DJJ headquarters determines a more detailed review of an incident is required. Also, an investigation may be conducted by the DJJ Inspector General's staff when determined necessary. In addition, there may be inspections or reviews required locally, for example, by the county.

(6) The program shall cooperate with any review or investigation coordinated or conducted by the department's Office of the Inspector General pursuant to Section 20.055.

E.S. Based on the findings of a quality assurance review, the program shall develop and implement an outcome-based corrective action plan.

Specific Authority 985.47(8), (11), 985.64 FS. Law Implemented 985.47(8), (11) FS. History--New _____.

63E-3.015 Research Projects.

(1) For purposes of this section, research is defined as a systematic investigation designed for the gathering and analysis of information to develop or contribute to generalized knowledge. Research proposals from researchers within the department and from other institutions are subject to the department's Institutional Review Board (IRB) Process and must be approved in writing by the DJJ Secretary or designee prior to its implementation, including contact with youth or access to youth records for the purposes of such research. Proposals or requests that are not subject to the department's IRB process include: All research project requests must follow be submitted to the department's Institutional Review Board Research Proposal Review Process, prior to any contact with youth. The Institutional Review Board Research Proposal Review Process is the evaluating body procedure the department utilizes to accept or deny research projects submitted to the department for consideration. The membership of the Institutional Review Board process consist of employees from all branches and units in the department who review proposed research designs to be conducted at DJJ sites. The IRB is chaired by staff from the department's Bureau of Research and Data.

(a) Requests from state and federal government agencies for existing data and information collected by the department for program management and evaluation purposes if they are to be used for the same purposes by the requesting agencies and a data sharing agreement exists between the aforementioned entities;

(b) Research and evaluation deemed necessary by the department for program management and reporting and conducted by the department's unit specifically designated to conduct research and evaluation activities;

(c) Data collection and data analysis conducted by any department unit for purposes of program management and reporting on their daily operations;

(2) The recommendation of the IRB for approval of a research proposal shall be based on: No research project involving contact with youth or access to confidential information is authorized without the department's IRB and the Secretary's permission. Prior to any research project involving youth in the department's custody, the research project's lead researcher shall obtain permission from the youth and the youth's parents or legal guardian.

(a) The likelihood that the research will not cause harm to the subjects;

(b) The requester’s plan to seek informed assent from each perspective participant and consent from his or her legally authorized representative and to provide supporting documentation of acquired assent and consent;

(c) The requester’s plan to take adequate precautions to protect the privacy and confidentiality of subjects and their information;

(d) The support from the residential commitment programs to serve as research sites;

(e) A determination that the associated workload for departmental staff will not interfere with their capacity to perform regularly assigned job functions; and

(f) The potential of the research to provide the department and other juvenile justice stakeholders with information that can be used to improve services to youth or otherwise reduce juvenile delinquency.

(3) The principal investigator, meaning the person who requested the IRB to review the research proposal and who is conducting and/or directing the research project, shall ensure any department approved research project is implemented as approved by the department. The principal investigator shall secure authorization from the IRB prior to implementing any changes in the approved research design and methodology. Additionally, the principal investigator shall report any anticipated and unanticipated problems and changes involving risk to subjects and others to the IRB director for review. Any violation or deviation from IRB requirements, approved research protocol, or human subjects may result in termination of departmental approval. The principal investigator of any research project shall meet the department’s definition of a qualified researcher as defined by this rule.

(4) The principal investigator shall submit a copy of the final report published on the authorized research project to the department for review at least 90 days prior to its submission for publication.

(5) A residential commitment program shall not permit commencement of any research project in or associated with the program without an IRB letter of approval signed by the department’s Secretary or designee.

Specific Authority 985.47(11), 985.64 FS. Law Implemented 985.47(11) FS. History–New _____.

DEPARTMENT OF JUVENILE JUSTICE

Residential Services

RULE NOS.:	RULE TITLES:
63E-6.002	Definitions
63E-6.003	Admission Criteria
63E-6.006	Program Components
63E-6.012	Residential Substance Abuse Treatment Overlay Services

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 33, No. 35, August 31, 2007 issue of the Florida Administrative Weekly.

63E-6.002 Definitions.

(1) through (6) No change.

(7) Intensive Mental Health Treatment – treatment for:

(a) through (d) No change.

(e) Youth who have a behavior history of sexual offending deviance.

(8) through (14) No change.

Specific Authority 985.4891, 985.645 FS. Law Implemented 985.4891 FS. History–New 11-19-06, Amended _____.

63E-6.003 Admission Criteria.

(1) No change.

(2) All youth referred to the STAR program shall be screened by the department to determine if they have the physical, psychological and substance abuse profile conducive to successfully completing the rigorous physical aspects and intensive behavioral management inherent in a STAR program. The screening shall include:

(a) through (b) No change.

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

treatment, reveals suicidal risk histories, a DSM-IV-TR diagnosis of substance abuse, substance dependence, poly substance dependence, substance intoxication or substance withdrawal, or indicates high-risk suicidal tendencies or history of self-injurious behavior. Youth diagnosed with substance abuse or substance abuse dependence disorders may be considered for placement if the STAR program has been designated by the Department as meeting the requirements to provide residential substance abuse treatment overlay services (RSAT Overlay Services) pursuant to Rule 63E-6.012, F.A.C.

(3) No change.

Specific Authority 985.4891, 985.645 FS. Law Implemented 985.4891(2), (7)(a) FS. History—New 11-19-06, Amended.

63E-6.006 Program Components.

(1) The STAR program shall contain the following program components or services:

(a) through (d) No change.

(e) Mental health and substance abuse counseling and services shall be provided, including alcohol and other drug abuse awareness, education, treatment or referral to treatment for youth in need of such services. If a STAR program is designated for residential substance abuse treatment overlay services (RSAT Overlay Services), the STAR program must provide those services in accordance with Rule 63E-6.0012, F.A.C.

(f) No change.

(2) No change.

Specific Authority 985.4891, 985.645 FS. Law Implemented 985.4891(3), (4) FS. History—New 11-19-06, Amended.

63E-6.012 Residential Substance Abuse Treatment Overlay Services.

(1) No change.

(2) Residential Substance Abuse Treatment Overlay Services (RSAT Overlay Services), are defined as: substance abuse assessments; substance abuse education; substance abuse treatment activities such as substance abuse counseling, skills training (e.g., substance refusal skills, coping skills, interpersonal problem solving skills) and relapse prevention. These services shall be provided as follows:

(a) Provided for youths with a diagnosed Substance-Related Disorder and functional impairment associated with substance abuse or substance dependence. The youth may also have a co-occurring mental disorder other than those mental disorders identified in subsection 63E-6.002(6), F.A.C. However, substance abuse must be the primary disorder. Substance abuse services in DJJ facilities must be provided in accordance with subsection 65D-30.003(15), F.A.C. (12-12-05).

(b) Clinical Staffing Requirements:

1. Designated Mental Health Authority- The provider shall designate a single licensed mental health professional as the Designated Mental Health Authority. The role and function of the Designated Mental Health Authority shall be clearly articulated in a written agreement between the Provider and the Designated Mental Health Authority. There must be clear organizational lines of authority and communication between the Designated Mental Health Authority and the clinical staff who are delivering on-site mental health and substance abuse services in the program.

2. Qualified Professional – must be on-site at least five days per week wherein services are provided under Chapter 397 licensure as specified in paragraph 65D-30.003(15)(a) or (b), F.A.C. (12-12-05).

3. Substance Abuse Clinical Staff: A substance abuse clinical staff person must be on-site 7 days of the week in facilities where services are provided under Chapter 397 licensure as specified in paragraph 65D-30.003(15)(a) or (b), F.A.C. (12-12-05). A substance abuse clinical staff must be on-site each day Substance Abuse Overlay Services are billed.

4. Licensed Qualified Professional— must be on-site daily (7 days of the week) in DJJ facilities that are not licensed under Chapter 397, F.S., or where services are not provided by a service provider licensed under Chapter 397, F.S. The licensed qualified professional must be on-site and provide a substance abuse service each day Substance Abuse Overlay Services are billed.

5. Psychiatrist – must be on-site bi-weekly for consultation, medication management and to participate in treatment planning for youths receiving psychotropic medication. The psychiatrist must be available for emergency consultation 24 hours a day, 7 days a week.

(c) Clinical Staff Qualifications:

1. Qualified Professional – A physician licensed under Chapter 458 or 459, F.S.; a professional licensed under Chapter 490 or 491, F.S.; or a person meeting the qualifications in who is certified through a DCF recognized certification process of substance abuse treatment services and who holds, at a minimum, a bachelor's degree and meets all the requirements in (See Section 397.311 (25), F.S.)

2. Licensed Qualified Profession – a person who is a physician licensed under Chapter 458 or 459, F.S., a psychologist licensed under Chapter 490, F.S., or a mental health counselor, clinical social worker or marriage and family therapist licensed under Chapter 491, F.S.

3. Certified Addiction Professional: A person who is certified through a Department of Children and Families recognized certification process for substance abuse treatment services and who holds, at a minimum, a bachelor's degree. A person who is certified in substance abuse treatment services by a state-recognized certification process in another state at

the time of employment with a licensed service provider in this state must meet the requirements set forth in Section 397.311(25), F.S.

4. Substance Abuse Clinical Staff: A non-licensed substance abuse clinical staff person may provide substance abuse services in a DJJ residential commitment program only as an employee of a service provider licensed under Chapter 397 or in facility licensed under Chapter 397, Florida Statutes as specified in paragraph 65D-30.003(15)(a), or (b), F.A.C. (12-12-05). The non-licensed substance abuse clinical staff person must hold a Bachelor's degree from an accredited university or college with a major in psychology, social work, counseling or related human services field and meet the training requirements provided in Chapter 65D-30, F.A.C. (12-12-05) and work under the direct supervision of a qualified professional under Section 397.311(25), F.S.

5. Licensed Mental Health Professional: A psychiatrist licensed under Chapter 458 or 459, F.S., who is board certified in Child and Adolescent Psychiatry or Psychiatry by the American Board of Psychiatry and Neurology or has completed a training program in Psychiatry approved by the American Board of Psychiatry and Neurology for entrance into its certifying examination, a psychologist licensed under Chapter 490, F.S., a mental health counselor, clinical social worker or marriage and family therapy licensed under Chapter 491, F.S., or a psychiatric nurse as defined in Section 394.455(23), F.S.

6. Mental Health Clinical Staff Person: A mental health clinical staff person, if not otherwise licensed, must have, at a minimum, a Bachelor's degree from an accredited university or college with a major in psychology, social work, counseling or a related human services field. Related human services field is one in which major course work includes the study of human behavior and development, counseling and interviewing techniques, and individual, group or family therapy.

7. A non-licensed mental health clinical staff person providing mental health services in the program must meet one of the following qualifications and comply with d.

a. Hold a master's degree from an accredited university or college in the field of counseling, social work, psychology, or related human services field; or

b. Hold a bachelor's degree from an accredited university or college in the field of counseling, social work, psychology or related human services field and have two years experience working with (e.g., assessing, counseling, treating) youths with serious emotional disturbance or substance abuse problems; or

c. Hold a bachelor's degree from an accredited university or college in the field of counseling, social work, psychology or related human services field and have 52 hours of pre-service training prior to working with youths. The 52 hours of pre-service training must include a minimum of 16 hours of documented training in their duties and responsibilities. When pre-service training has been successfully completed, the

non-licensed person may begin working with youths, but must be trained for one year by a mental health clinical staff person who holds a master's degree. Pre-service training must cover, at a minimum: basic counseling skills, basic group skills, program philosophy, therapeutic milieu, behavior management, client rights, crisis intervention, early intervention and de-escalation, documentation requirements, normal and abnormal adolescent development and typical behavior problems.

d. Non-licensed mental health clinical staff person must work under the direct supervision of a licensed mental health professional. Direct Supervision means that the licensed mental health professional has at least one hour per week of on-site face-to-face interaction with the non-licensed mental health clinical staff person for the purpose of overseeing and directing (as permitted by law within his or her State of Florida licensure) the mental health services that the non-licensed mental health clinical staff person is providing in the facility. The licensed mental health professional must assure that mental health clinical staff (whether licensed or non-licensed) working under their direct supervision are performing services that they are qualified to provide based on education, training and experience.

(d) Required Components.

1. Substance abuse screening at the time of admission;

2. Comprehensive substance abuse evaluation or updated evaluation;

3. Substance abuse treatment planning, updating and review;

4. Daily substance abuse services for each youth; (7 days of the week) provided by substance abuse clinical staff;

5. Individual, group and family substance abuse counseling; (substance abuse counseling provided to each youth at least 5 days of the week);

6. Psychiatric services as needed, and is required for youths receiving psychotropic medication A psychiatrist must be on-site bi-weekly to provide psychiatric evaluations, medication management and participate in treatment planning for youths receiving psychotropic medication;

7. Mental health evaluation and treatment for youths with co-occurring mental disorders;

8. Routine and Random urinalysis drug testing with positive tests followed by appropriate clinical intervention and sanctions. (Including drug screening upon the youth's initial intake into the program);

9. Crisis Intervention and Suicide Prevention services;

10. 24-hour response capability;

11. All provided services must be documented.

Specific Authority 985.4891, 985.645 FS. Law Implemented 985.4891(3) FS. History—New _____.

DEPARTMENT OF JUVENILE JUSTICE

Residential Services

RULE NOS.:	RULE TITLES:
63E-7.006	Quality of Life and Youth Grievance Process
63E-7.007	Youth Hygiene and Dress Code
63E-7.008	Facility and Food Services
63E-7.009	Behavior Management

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. 27, July 6, 2007 issue of the Florida Administrative Weekly.

63E-7.006 Quality of Life and Youth Grievance Process.

(1) A residential commitment program shall establish the expectation that staff will treat youth with dignity and respect, and the program shall provide a positive quality of life for its youth by providing, at a minimum, the following:

- (a) Shelter;
 - (b) Safety and security;
 - (c) Clothing;
 - (d) Food;
 - (e) Access to the Department of Children and Families' central abuse hotline addressed in Chapter 39, F.S., or if the youth is 18 years or older, the department's Central Communications Center that serves as the department's incident reporting hotline;
 - (f) Healthcare;
 - (g) Mental health and substance abuse services;
 - (h) Educational and prevocational or vocational services;
 - ~~(i)(j)~~ Opportunities for recreation and large muscle exercise;
 - ~~(j)(k)~~ Opportunities for expression of religious beliefs;
 - ~~(k)(l)~~ Visitation;
 - ~~(l)(m)~~ Access to incoming mail and opportunities to send outgoing mail; and
 - ~~(m)(n)~~ Telephone access.
- (2) through (3) No change.

(4) A residential commitment program shall provide opportunities for youth to receive incoming emergency telephone calls from family members or his or her legal guardian and calls from the youth's JPO, ~~and~~ attorney of record ~~and, if applicable, the dependency case manager~~. The program shall allow each youth to make outgoing calls to the JPO, ~~and~~ attorney of record ~~and, if applicable, the dependency case manager~~. A written procedure that fosters family reunification and community reintegration shall specify youths' access to incoming calls from and outgoing calls to family and other persons.

(5) A residential commitment program shall establish written procedures specifying the process for youth to grieve actions of program staff and conditions or circumstances in the

program related to the violation or denial of basic rights. These procedures shall establish each youth's right to grieve and ensure that all youth are treated fairly, respectfully, without discrimination, and that their rights are protected.

(a) through (c) No change.

~~(d) The program shall provide grievance forms and accompanying instructions at locations throughout the facility so they are readily accessible to youth. When a youth requests assistance in filing a grievance, program staff shall assist the youth as needed. Program staff shall ensure that a youth requesting to file a grievance be given necessary forms and accompanying instructions and shall assist the youth in filing the grievance if needed.~~

(e) No change.

Specific Authority 985.64, 985.601(3)(a), 20.316 FS. Law Implemented 985.601(3)(a), 985.03(44), 985.441(1)(b) FS. History—New _____.

63E-7.007 Youth Hygiene and Dress Code.

(1) through (4) No change.

(5) A residential commitment program shall establish and enforce a dress code for youth.

(a) through (c) No change.

(d) The program shall establish an internal process to review and provide a timely response to a youth's request for exemption from the dress code based on a religious belief. The program shall accommodate a youth's validated religious belief unless it is determined that doing so would compromise the safe and secure operation of the program.

Specific Authority 985.64, 985.601(3)(a), 20.316 FS. Law Implemented 985.601(3)(a), 985.03(44), 985.441(1)(b) FS. History—New _____.

63E-7.008 Facility and Food Services.

(1) through (5) No change.

(6) The siting of any new facility or structure for the purpose of operating a residential commitment program shall be in accordance with the following:

(a) Local zoning codes and ordinances per Section 125.01, F.S.;

(b) Provisions as specified in Rule Titles 62 ~~and~~ 17, F.A.C. pertaining to new construction and site development;

(c) through (e) No change.

(f) Additional minimum requirements to include:

1. Sleeping quarters.

a. 35 square feet unencumbered space, defined as usable space that is not encumbered by furnishings or fixtures, per youth in the sleeping quarters, with at least one dimension of the unencumbered space no less than seven feet;

b. One partition for every four youth in shared sleeping areas; and

c. A bed, a mattress that meets the national fire safety performance requirements, a pillow, a desk, a chair or stool, and personal storage space for every youth.

2. 35 square feet per youth for dayroom and multi-purpose room activities;

3. 50 square feet outdoor recreational space per youth;

4. 56.25 square feet per youth for rooms used for educational purposes, with a classroom size based on a maximum of 16 youth;

5. Natural and artificial light to accommodate daily activities of the program;

6. Heating and air conditioning equipment with the capacity to maintain indoor temperatures between 68 and 75 degrees Fahrenheit ~~Temperatures in indoor living and work areas for summer and winter comfort zones;~~

7. Space to accommodate dining, individual counseling, group meetings and other activities involving youth and staff that are integral to the program design; and

8. A closed circuit television system that includes but is not limited to, a color digital recording device. The digital video recorder (DVR) must be capable of a minimum of 30 days recorded event storage within the hard drive, have a minimum setting of eight frames per second, have a minimum of 16 camera inputs, and be capable of remote viewing. All equipment must be surge protected and have a universal surge protector backup and be connected to an emergency power supply.

(7) through (9) No change.

(10) A residential commitment program shall use a cycle menu that, with the exception of any residential commitment program with a bed capacity of five or less beds, is reviewed and approved by a dietitian licensed pursuant to Chapter 468, F.S. The program shall provide each youth with at least three nutritionally balanced meals and one nutritional snack per day and shall:

(a) Serve at least two of the meals hot;

~~(b) Consider food flavor, texture, temperature, appearance and palatability when preparing and serving food;~~

~~(b)(e)~~ Provide youth special diets when prescribed for health reasons or when dictated by religious beliefs; and

~~(c)(d)~~ Not withhold food as a disciplinary measure.

(11) A residential commitment program that is a food service establishment or is included in a food service establishment as defined in Chapter 381, F.S., shall provide food services pursuant to Chapter 64E-11, Florida Administrative Code (F.A.C.):

(a) General: Rule 64E-11.001, F.A.C. (8-28-96)

(b) Definitions: Rule 64E-11.002, F.A.C. (7-14-03)

(c) Food Supplies: Rule 64E-11.003, F.A.C. (7-14-03)

(d) Food Protection: Rule 64E-11.004, F.A.C. (7-14-03)

(e) Personnel: Rule 64E-11.005, F.A.C. (7-14-03)

(f) Food Equipment and Utensils: Rule 64E-11.006, F.A.C. (7-14-03)

(g) Sanitary Facilities and Control: Rule 64E-11.007, F.A.C. (7-14-03)

(h) Other Facilities and Operations: Rule 64E-11.008, F.A.C. (3-15-98)

~~(i)(j)~~ Temporary Food Service Events: Rule 64E-11.009, F.A.C. (3-15-98)

~~(j)(k)~~ Procedure When Infection is Suspected: Rule 64E-11.011, F.A.C. (2-21-91)

~~(k)(l)~~ Manager Certification: Rule 64E-11.012, F.A.C. (7-14-03)

~~(l)(m)~~ Certificates and Fees: Rule 64E-11.013, F.A.C. (7-14-03)

(12) A private home that serves as a residential commitment placement, such as a family home, shall provide food services pursuant to Rule 64E-12.004, F.A.C.

Specific Authority 985.64, 985.601(3)(a), 20.316 FS. Law Implemented 985.601(3)(a), 985.03(44), 985.441(1)(b) FS. History—New _____.

63E-7.009 Behavior Management.

(1) Consistent with its treatment approach, a residential commitment program shall establish a behavior management system, utilizing evidence-based techniques, that is responsive to the unique characteristics of the program's population. Only someone with training or experience in behavior management techniques or systems shall develop or modify a program's behavior management system. A program's behavior management system shall foster accountability for behavior and compliance with the residential community's rules and expectations.

(2) A residential commitment program's behavior management system shall be described in writing and designed to:

(a) Maintain order and security;

(b) Promote safety, respect, fairness, and protection of rights within the residential community;

(c) Provide constructive discipline and a system of positive and negative consequences to encourage youth to meet expectations for behavior;

(d) Provide opportunities for positive reinforcement and recognition for accomplishments and positive behaviors;

(e) Promote socially acceptable means for youth to meet their needs;

(f) Include a process that addresses the following and is conducted in a manner that accommodates the cognitive capacity of individual youth whereby:

1. Staff explain to the youth the reason for any sanction imposed;

2. The youth is given an opportunity to explain his or her behavior; and

3. Staff and the youth discuss the behavior's impact on others, reasonable reparations for harm caused to others, and alternative acceptable behaviors;

(g) Promote dialogue and peaceful conflict resolution;

(h) Minimize separation of youth from the general population; and

~~(i)~~ (j) Complement the performance planning process, including coordination with any individual behavior plan when applicable. A copy of an individual behavior plan for any youth who has been identified as a client of the Agency for Persons with Disabilities will be provided to that agency.

(3) A residential commitment program's behavior management system shall not:

(a) Be used solely to increase a youth's length of stay;

(b) Be used to deny a youth basic rights or services to include regular meals, clothing, sleep, physical or mental health services, educational services, exercise, correspondence, and contact with his or her parents or legal guardian, attorney of record, JPO, or clergy and, if applicable, the dependency case manager;

(c) Promote the use of group discipline;

(d) Allow youth to sanction other youth; or

(e) Include disciplinary confinement wherein a youth is isolated in a locked room as discipline for misbehavior.

(4) No change.

(5) A moderate-risk, high-risk, or maximum-risk residential commitment program with a bed capacity of 50 beds or more may designate a living unit within the facility as a behavior management unit. The purpose of a behavior management unit is to provide a treatment environment that provides opportunities for youth to make positive changes in behavior that will facilitate progress in his or her overall treatment in the program. Any behavior management unit shall be designed and operated as follows: A moderate-risk, high-risk, or maximum-risk residential commitment program with a bed capacity of 50 beds or more may establish a behavior management unit to deal with a youth's misbehavior when less restrictive interventions have proven ineffective or are deemed unreasonable for the circumstances. For purposes of this rule, a behavior management unit is a designated living area within the facility that enables the program to separate from the general population those youth whose inappropriate behavior significantly disrupts the program's residential community, endangers the safety of staff and other youth, or threatens major destruction of property. The behavior management unit may be secure with locking exit doors, but shall not be comprised of secure rooms wherein youth are kept in lock-down status.

(a) The program shall document the following before a youth is placed in a behavior management unit:

1. The youth continues to demonstrate a pattern of maladaptive behavior that is highly disruptive to his or her responsivity to treatment, as well as other youths' ongoing

treatment, after the program has documented attempts to address the behavior using less restrictive alternative intervention strategies that have proven to be ineffective;

2. The youth is assessed and it is determined that he or she is not a danger to self and there are no identified mental health, physical health or other factors that contraindicate placement; and

3. At least two members of the youth's treatment team recommends the youth's placement in the behavior management unit, and the program director approves the placement or, in his or her absence, a program management level staff person designated by the program director grants approval.

~~(a) If a youth is assessed and it is determined that he or she is not a danger to self and there are no identified mental health, physical health or other contraindicating factors, a supervisor may approve placing a youth in the behavior management unit as a result of one or more of the following serious behavioral problems:~~

~~1. Physically assaulting another youth or staff member;~~

~~2. Leading, directing, or inciting other youth to riot or escape;~~

~~3. Attempting to escape (or escaped and is returned to the program);~~

~~4. Inflicting major property destruction; and~~

~~5. Repeatedly violating rules of the program.~~

(b) A behavior management unit's bed capacity shall not exceed 15. The unit may be secure with locking exit doors, but shall not be comprised of secure rooms wherein youth placed in the unit are kept in lock-down status. Sleeping rooms for youth shall have a minimum of 35 square feet of unencumbered space and shall meet the following specifications:

1. Solid core hardwood or metal door with a shatter-resistant observation window;

2. Vents not easily accessible from the toilet, sink or bed that are covered with small mesh or a metal plate (holes no larger than 3/16 inch) with no edges exposed;

3. A mattress that meets national fire safety performance requirements and that is suitable for use on the floor or a suicide-resistant bed;

4. Recessed light fixtures covered with shatter-resistant material or alternative lighting reviewed and approved by the department;

5. Shatter-resistant windows or, if glass windows that are not shatter resistant, covered with security-rated screens or other materials that prevent access to the glass;

6. No electrical outlets; and

7. Electrical switches located outside the sleeping rooms or covered and secured if located inside the rooms.

(c) The staff-to-youth ratio in a behavior management unit shall be at least that provided in the general population and sufficient to operate the unit safely and securely. Staff whose regular assignment is to work in the behavior management unit shall be trained in implementation of the program's behavior management system, as well as specific intervention strategies as needed to implement the behavioral goals for each youth in the unit. Staff assigned to the unit shall have specialty training in behavior management and behavior modification techniques.

(d) The unit shall provide a treatment environment that focuses specifically on youths' maladaptive behavior and provides opportunities for the youth to make positive changes in behavior that facilitate progress in their overall treatment. Additionally, the program shall provide basic rights, care and services to any youth in a behavior management unit consistent with the other sections of this rule chapter. Sleeping rooms for youth shall have a minimum of 35 square feet of unencumbered space and shall meet the following specifications:

1. ~~Solid core hardwood or metal door with a shatter resistant observation window;~~
2. ~~Vents not easily accessible from the toilet, sink or bed that are covered with small mesh or a metal plate (holes no larger than 3/16 inch) with no edges exposed;~~
3. ~~A security rated, fire retardant plastic mattress suitable for use on the floor or a suicide-resistant bed;~~
4. ~~Recessed light fixtures covered with shatter-resistant material or alternative lighting reviewed and approved by the department;~~
5. ~~Shatter resistant windows or, if glass windows that are not shatter resistant, covered with security-rated screens or other materials that prevent access to the glass;~~
6. ~~No electrical outlets; and~~
7. ~~Electrical switches located outside the sleeping rooms or covered and secured if located inside the rooms.~~

(e) Consistent with the cognitive capacity of each youth placed in the behavior management unit, staff shall engage the youth in a process as follows:

1. ~~(e) Staff shall discuss with the youth the pattern of maladaptive behavior that resulted in explain to the youth the reasons for placement in the behavior management unit well as the and discuss with the youth consequences of repetition of the maladaptive behavior, alternative acceptable behaviors, harm caused to others as a result of the maladaptive behavior and possible reparations.~~

2. ~~(f) Staff shall advise the youth that of criteria for release from the behavior management unit is based upon his or her; including achievement of short-term goals established by the treatment team to address maladaptive behaviors. Staff shall also explain that making positive behavior changes while in the behavior management unit will help him or her progress in the overall program.~~

~~(g) At a minimum, the program shall provide youth with the following while they are placed in the behavior management unit:~~

1. ~~Regular meals;~~
2. ~~Clean clothing and linen;~~
3. ~~Personal hygiene;~~
4. ~~Educational services and other treatment activities associated with attainment of short-term goals for release from the unit;~~
5. ~~At least one hour of large muscle physical exercise daily; and~~
6. ~~Telephone, correspondence, and visitation contact with the attorney of record, JPO, clergy and parents or guardian.~~

~~(f)(h) Reviews and Release.~~

1. The youth's treatment team shall review the case within 72 hours of the youth being placed in a behavior management unit. If the treatment team decides to continue the youth's placement in the unit, the team shall develop short-term goals to assist the youth with accountability for behavior and changing or controlling maladaptive behaviors. The youth shall be present when the treatment team meets and given an opportunity to give input.

2. Release from the behavior management unit is contingent upon a youth's completion of his or her behavioral goals. While the youth is in the behavior management unit, the treatment team may revise the youth's behavioral goals to assist him or her in changing the targeted pattern of maladaptive behavior and facilitate release from the unit.

3. ~~2-~~ If the youth remains in the behavior management unit for 14 days, the treatment team shall review the youth's progress in attaining the short-term goals to ~~and~~ determine whether the youth is to be released or placement continued.

4. ~~3-~~ Every 72 hours that the youth remains in the behavior management unit after the 14-day review, the treatment team shall review the youth's progress toward meeting his or her behavioral goals and recommend continued placement or release. At this stage, continued placement requires approval of the program director or, in his or her absence, a management level staff person designated by the program director ~~his or her designee.~~

5. ~~4-~~ If possible, the youth shall participate in all treatment team reviews, but if not, a representative of the treatment team shall discuss review findings with the youth.

6. ~~(j) The program director or, in his or her absence, a management level staff person designated by the program director, may approve release of a youth from the behavior management unit at any time it is determined that continued placement would be detrimental to the youth's well being. The program shall release a youth from the behavior management unit at any time it is determined that continued placement would be detrimental to the youth's well being or at the discretion of the program director or his or her designee.~~

(g)(k) Mechanical restraints may be used in the behavior management unit only as a last resort and any use shall be pursuant to Rule 63H-1.005, F.A.C., and documented pursuant to Rule 63H-1.007, F.A.C.

(h)(t) A program with a behavior management unit shall establish a system of documentation and record maintenance to include, at a minimum, the following:

1. Ongoing log of placements, including the name of each youth placed, date of placement, date of release, and the name of the program director or designee who approved the placement approving supervisor;
2. Documentation of treatment team meetings and reviews while the youth is in the behavior management unit, including initial short-term goals and any subsequent modifications, review date and signatures of participants, description of the youth's progress, and recommendations; and
3. Documentation of the program director's or his or her designee's approval of a recommendation for continued placement resulting from any 72-hour review conducted after the youth's 14th day in the unit.

Specific Authority 985.64, 985.601(3)(a), 20.316 FS. Law Implemented 985.601(3)(a), 985.03(44), 985.441(1)(b) FS. History—New _____.

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: 64B3-5.0011 RULE TITLE: Definitions

NOTICE OF CORRECTION

Notice is hereby given that the following change has been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in the September 14, 2007, issue of the Florida Administrative Code, in Vol. 33, No. 37. The change is as follows:

The Notice of Change published on September 28, 2007, in this rule was published in error.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: 64B13-4.001 RULE TITLE: Examination Requirements

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 33, No. 34, August 24, 2007 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-27.700 RULE TITLE: Definition of Compounding

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. 30, No. 50, December 10, 2004 issue of the Florida Administrative Weekly.

The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The changes are as follows:

1. Subsection (3) will be added to the rule and shall read as follows:

(3) Office use compounding. "Office use" means the provision and administration of a compounded drug to a patient by a practitioner in the practitioner's office or by the practitioner in a health care facility or treatment setting, including a hospital, ambulatory surgical center, or pharmacy. A pharmacist may dispense and deliver a quantity of a compounded drug to a practitioner for office use by the practitioner in accordance with this section provided:

(a) The quantity of compounded drug does not exceed the amount a practitioner anticipates may be used in the practitioner's office before the expiration date of the drug;

(b) The quantity of compounded drug is reasonable considering the intended use of the compounded drug and the nature of the practitioner's practice;

(c) The quantity of compounded drug for any practitioner and all practitioners as a whole, is not greater than an amount the pharmacy is capable of compounding in compliance with pharmaceutical standards for identity, strength, quality, and purity of the compounded drug that are consistent with United States Pharmacopoeia guidelines and accreditation practices.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254.

FLORIDA HOUSING FINANCE CORPORATION

RULE NOS.:	RULE TITLES:
67-58.001	Purpose and Intent
67-58.002	Definitions
67-58.003	Application and Selection Procedures for Projects
67-58.006	General Program Procedures and Restrictions
67-58.015	Supplemental Loans for Green Building
67-58.050	Construction Disbursements

- 67-58.080 Terms of the Loan to Applicants
- 67-58.090 Disbursement of Funds, Draw Requests, and Construction Loan Servicing
- 67-58.100 Terms of the Loan to Eligible Persons

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. 39, September 28, 2007 issue of the Florida Administrative Weekly.

The changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee and written comments received in response to the rule hearing on October 22, 2007. The changes are as follows:

PART I ADMINISTRATION

67-58.001 Purpose and Intent.

The purpose of this rule chapter is to establish the procedures by which the Corporation shall administer the Application process, credit underwriting and loan servicing of the Community Workforce Housing Innovation Pilot (CWHIP) Program (CWHIP) pursuant to Section 420.5095, F.S.

Specific Authority Section 420.5095 FS. Law Implemented Section 420.5095 FS. History—New 12-17-06, Amended _____.

67-58.002 Definitions.

(1) through (5) No change.

(6) “Applicant” means an entity seeking a loan from Florida Housing for the New Construction or Rehabilitation of housing under CWHIP which is a ~~party to member~~ of the Public-Private Partnership and has been designated by the Public-Private Partnership as having financial responsibility and which will execute all loan documents and will have the authority at closing to encumber the Project.

(7) through (21) No change.

~~(22) “Essential Services Personnel” means persons in need of affordable housing who are employed in occupations or professions in which they are considered essential services personnel, as defined by each county and eligible municipality within its respective local housing assistance plan pursuant to Section 420.9075(3)(a), F.S. For the purposes of CWHIP, Essential Services Personnel must meet the income requirements set forth in the definition of Workforce Housing.~~

(23) through (34) renumbered (22) through (33) No change.

~~(35) “Public Private Partnership” means any form of business relationship entity that includes substantial involvement of at least one county, one municipality, or one public sector entity, such as a school district or other unit of local government in which the Project is to be located, and at least one private sector for profit or not for profit business or charitable entity, and may be any form of business relationship entity, including a joint venture or contractual agreement.~~

(36) through (38) renumbered (34) through (36) No change.

~~(37)(39) “Scattered Sites” for a single rental Project means a Project consisting of real property in the same county (i) any part of which is not contiguous (“non-contiguous parts”) or (ii) any part of which is divided by a street or easement (“divided parts”) and (iii) it is readily apparent from the proximity of the non-contiguous parts or the divided parts of the real property, chain of title, or other information available to the Corporation that the non-contiguous parts or the divided parts of the real property are part of a common or related scheme of the Project. For a homeownership Project, “Scattered Sites” means a Project developed on non-contiguous sites of five (5) or more housing units developed on sites that are more than 2,000 feet apart and there are not more than four (4) housing units on any one site.~~

(40) through (41) renumbered (38) through (39) No change.

~~(42) “Workforce Housing” means housing affordable to Eligible natural persons or families whose total annual household income does not exceed 140 percent AMI, adjusted for household size, or 150 percent AMI, adjusted for household size, in Areas of Critical State Concern designated under Section 380.05, Florida Statutes (FS), for which the Legislature has declared its intent to provide affordable housing, and areas that were designated as Areas of Critical State Concern for at least 20 consecutive years prior to removal of the designation. For purposes of this rule, Workforce Housing includes affordable housing as defined in Section 420.0004 420.004, F.S.~~

Specific Authority Section 420.5095 FS. Law Implemented 420.5095 FS. History—New 12-17-06, Amended _____.

67-58.003 Application and Selection Procedures for Projects.

(1) When submitting an Application, Applicants must utilize the Community Workforce Innovation Pilot (CWHIP) Program (CWHIP) Application in effect at the Application Deadline.

(a) The CWHIP Application Package (“CWHIP-816 (11/26/07)”) is adopted and incorporated by reference herein, and consists of the forms and instructions obtained from the Corporation, for a fee, at 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329 or available, without charge, on the Corporation’s Website under the Workforce Housing link labeled 2007 CWHIP, which shall be completed and submitted to the Corporation in accordance with this rule chapter in order to apply for the CWHIP Program.

(b) No change.

(2) through (8) No change.

(9) Notwithstanding any other provision of these rules, there are certain items that must be included in the Application and cannot be revised, corrected or supplemented after the

Application Deadline. Failure to submit these items in the Application at the time of the Application Deadline shall result in rejection of the Application without opportunity to submit additional information. Any attempted changes to these items will not be accepted. Those items are as follows:

(a) Parties ~~to~~ of the Public-Private Partnership; notwithstanding the foregoing, the parties ~~to~~ of the Public-Private Partnership may be changed only by approval of the Board after the Applicant has been invited to enter credit underwriting;

(b) Identity of the Applicant; notwithstanding the foregoing, the identity of the Applicant may be changed only by approval of the Board after the Applicant has been invited to enter credit underwriting;

(b) through (f) renumbered (c) through (g) No change.

~~(h)(g)~~ Submission of one “Original” original hard copy with the required number of photocopies of the Application by the Application Deadline;

~~(i)(h)~~ No change.

~~(j)(i)~~ The Application labeled “Original” Hard Copy must include a properly completed Certification Statement reflecting an original signature; and

~~(k)(j)~~ No change.

All other items may be submitted as cures pursuant to subsection (4) above.

With regard to paragraphs (a), (b), ~~(c)~~ and ~~(f)(e)~~ above, the Board shall consider the facts and circumstances of each Applicant’s request and any credit underwriting report, if available, prior to determining whether to grant the requested change.

(10) through (11) No change.

~~(12) When two or more Applications receive the same numerical score, T~~he Applications will be ranked as outlined in the Application instructions.

(13) through (15) No change.

Specific Authority 420.5095 FS. Law Implemented 420.5095 FS. History–New_____.

67-58.006 General Program Procedures and Restrictions.

(1) Loans, excluding loans made pursuant to rule 67-58.015, F.A.C., shall be in an amount not to exceed 50 percent of the Total Project Cost attributable to the units set aside for Workforce Housing, or the minimum amount required to make the Project economically feasible, whichever is less, as determined by the Credit Underwriter.

(2) through (3) No change.

Specific Authority 420.5095 FS. Law Implemented 420.5095 FS. History–New_____.

67-58.015 Supplemental Loans for Green Building.

A supplemental loan is available to Applicants who have been awarded CWHIP funds under this application cycle and have committed to the requirements contained in Part III. C.3 b. and c. of the Application instructions. The supplemental loan is forgiven on a per set-aside unit basis as the certification is received for each set-aside unit. If certification is not obtained, the pro-rata supplemental loan amount attributed to that set-aside unit that did not receive certification becomes due and payable immediately with a penalty of 18 percent of the pro-rata amount.

Specific Authority 420.5095 FS. Law Implemented 420.5095 FS. History–New_____.

PART II MULTIFAMILY RENTAL PROJECTS

67-58.050 Construction Disbursements.

(1) CWHIP loan proceeds, including any supplemental loan pursuant to rule 67-58.015, F.A.C., shall be disbursed during the construction phase in an amount per Draw which does not exceed the ratio of the CWHIP loan to the Total Project Cost unless approved by the Credit Underwriter.

(2) through (8) No change.

Specific Authority 420.5095 FS. Law Implemented 420.5095 FS. History–New 12-17-06, Amended_____.

PART III HOMEOWNERSHIP PROJECTS

67-58.080 Terms of the Loans to Applicants.

(1) through (11) No change.

(12) Loans, excluding any supplemental loan pursuant to Rule 67-58.015, F.A.C., shall be assigned to Eligible Persons on a pro-rata basis with each set-aside unit closing.

(13) No change.

Specific Authority 420.5095 FS. Law Implemented 420.5095 FS. History–New 12-17-06, Amended_____.

67-58.090 Disbursement of Funds, Draw Requests, and Construction Loan Servicing.

(1) CWHIP loan proceeds, including any supplemental loan pursuant to Rule 67-58.015, F.A.C., shall be disbursed during the construction phase in an amount per Draw which does not exceed the ratio of the CWHIP loan to the Total Project Development Cost unless approved by the Credit Underwriter.

(2) through (8) No change.

Specific Authority Section 420.5095 FS. Law Implemented Section 420.5095 FS. History–New 12-17-06, Amended_____.

67-58.100 Terms of the Loans to Eligible Persons.

(1) through (7) No change.

(8) The Corporation will consider resubordinating its existing ~~second~~ mortgage loan to an Eligible Person to a first mortgage loan when a refinancing occurs. In making a

determination, the Corporation will review the following terms of the new transaction: loan type; term of the loan; interest rate; type of interest rate (variable or fixed); principal balance of the loan; reason for requesting subordination of the loan; and whether or not the terms of the new loan are beneficial to the Eligible Person. Eligible Persons requesting resubordination are subject to the following:

- (a) through (d) No change.
- (9) through (11) No change.

Specific Authority Section 420.5095 FS. Law Implemented Section 420.5095 FS. History—New 12-17-06, Amended _____.

Application and Instructions

The following changes were made to the Application Package – CWHIP-816 (11/26/07):

- **Part II Applicant and Project Team:**
Section A. Applicant: Deleted “Relationship to Applicant” in Developer information section
- **Part III Project:**
Section B. Unit Types: Added “Type of Unit, Rental, Condo, Townhome, SF Detached” in Unit Mix chart
Section C. Innovation: Revised scoring criteria in response to written comments received by FHFC
- **Part IV Contributions:**
Included waived Developer fees as an acceptable form of Contribution
Revised scoring criteria and calculation of points to include other forms of Contributions
- **Part V Financing:**
Section B. Leveraging: Clarified scoring criteria of leveraging range (no longer a tie-breaker)
Section C. Finance Documents: Clarified acceptable forms of documentation of Corporation funding commitments
Section D. Non-Corporation Funding Commitments: Clarified acceptable forms of documentation of Non-Corporation funding commitments
- **Threshold Requirements:** Revised Innovation threshold score from 67 to 60
- **Ranking and Selection Criteria:** Revised ranking and selection criteria
- **Project cost Pro Forma:** Deleted contradictory items: “Supplemental Loan” line item in Rental Permanent Analysis section
“Supplemental Loan” line item in Homebuyer Permanent Affordability Analysis section

THE PERSON TO BE CONTACTED REGARDING THE CHANGES TO THE PROPOSED RULE IS: Bridget Warring, Homeownership Programs Manager, Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, Florida 32301, (850)488-4197

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: 690-137.013
RULE TITLE: Florida Hurricane Catastrophe Fund Assessment Information Gathering

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 32, No. 26, June 30, 2006 issue of the Florida Administrative Weekly has been withdrawn.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NOS.: 690-171.002, 690-171.008
RULE TITLES: General Reporting Requirements, Insurer Experience Reporting – Calendar Year Experience

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. 38, September 21, 2007 issue of the Florida Administrative Weekly.

The change is solely in 690-171.002, .008 which will read:

(1) Forms incorporated by reference in Division Number 69Q these rules are available on the Office’s website: <http://www.floridfs.com>.

~~(4)(a) Any insurer or insurer group which does not write at least 1/2 percent of the Florida market, based on written premiums, shall not be required to complete and submit to the Office the forms prescribed by Rule 690-171.008, F.A.C. Instead of completing form OIR-308, “Calendar Year Experience” as adopted in Rule 690-171.008, F.A.C., the insurer shall list each line of insurance that is less than 1/2 percent of the market and list the corresponding written premiums for each of these lines of insurance.~~

690-171.008 Insurer Experience Reporting – Calendar Year Experience.

~~(1) Any insurer authorized to transact fire, homeowner’s, multiple peril, commercial multiple peril, medical malpractice, product liability, workers’ compensation, private passenger automobile liability, commercial automobile liability, private passenger automobile physical damage, commercial automobile physical damage, directors’ and officers’, or other liability insurance shall report, for each such line of insurance, the information required by Section 627.915(2), F.S., Section 627.915(5), F.S., or required by rule, on Form OIR-B1-308 (Rev. 07/03), “Calendar Year Experience”, data reporting form OIR-D0-308 (Revised 02/2007) “Florida Property and Casualty Insurance Calendar Year Experience”, which is hereby incorporated by reference, and is available and is to be completed and submitted on the Office’s website: <http://www.floridfs.com/D14-308>.~~

The remainder of the rule 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.: 53ER07-64
 RULE TITLE: Instant Game Number 725, FLORIDA SNOWBIRDS

SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 725, "FLORIDA SNOWBIRDS," 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:

53ER07-64 Instant Game Number 725, FLORIDA SNOWBIRDS.

(1) Name of Game. Instant Game Number 725, "FLORIDA SNOWBIRDS."

(2) Price. FLORIDA SNOWBIRDS lottery tickets sell for \$2.00 per ticket.

(3) FLORIDA SNOWBIRDS 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 FLORIDA SNOWBIRDS lottery ticket, the ticket must meet the applicable requirements of Rule 53ER06-4, F.A.C.

(4) The play symbols and play symbol captions are as follows:

TICKET	\$2.00	\$3.00	\$5.00	\$10.00
TICKET	TWO	THREE	FIVE	TEN
\$20.00	\$50.00	\$100	\$500	\$1,000
THENTY	FIFTY	ONE HUN	FIVE HUN	ONE THO
				TEN THO

(5) The legend is:

PLAY AREA

(6) Determination of Prizewinners.

(a) A ticket having three like amounts and corresponding amount captions in the play area shall entitle the claimant to a prize of that amount. A ticket having three "TICKET" symbols in the play area shall entitle the claimant to 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 FLORIDA SNOWBIRDS lottery ticket that 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.

(b) The prizes are: TICKET, \$2.00, \$3.00, \$5.00, \$10.00, \$20.00, \$50.00, \$100, \$500, \$1,000 and \$10,000.

(7) The estimated odds of winning, value, and number of prizes in Instant Game Number 725 are as follows:

GAME PLAY	WIN	ODDS OF	NUMBER OF WINNERS IN 42 POOLS OF
TICKET	\$2 TICKET	1 IN	TICKETS PER POOL
		10.00	180,000
\$2	\$2	12.50	756,000
\$3	\$3	30.00	604,800
\$5	\$5	25.00	252,000
\$10	\$10	30.00	302,400
\$20	\$20	150.00	252,000
\$50	\$50	300.00	50,400
\$100	\$100	3,000.00	25,200
\$500	\$500	22,500.00	2,520
\$1,000	\$1,000	90,000.00	336
\$10,000	\$10,000	945,000.00	84
			8

(8) The estimated overall odds of winning some prize in Instant Game Number 725 are 1 in 3.37. 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.

(9) For reorders of Instant Game Number 725, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(10) By purchasing an FLORIDA SNOWBIRDS lottery ticket the player agrees to comply with and abide by all prize payment rules of the Florida Lottery.

(11) Payment of prizes for FLORIDA SNOWBIRDS 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 10-26-07.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: October 26, 2007

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER07-65
 RULE TITLE: Instant Game Number 723, JINGLE JACKPOT

SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 723, "JINGLE JACKPOT," 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:

53ER07-65 Instant Game Number 723, JINGLE JACKPOT.

(1) Name of Game. Instant Game Number 723, "JINGLE JACKPOT."

(2) Price. JINGLE JACKPOT lottery tickets sell for \$10.00 per ticket.

(3) JINGLE JACKPOT 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 JINGLE JACKPOT 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
ONE	TWO	THREE	FOUR	FIVE	SIX	SEVEN	EIGHT	NINE	TEN
11	12	13	14	15	16	17	18	19	20
ELEVEN	TWELVE	THIRTEEN	FOURTEEN	FIFTEEN	SIXTEEN	SEVENTEEN	EIGHTEEN	NINETEEN	TWENTY
21	22	23	24	25	26	27	28	29	30
THIRTYONE	THIRTYTWO	THIRTYTHREE	THIRTYFOUR	THIRTYFIVE	THIRTYSIX	THIRTYSEVEN	THIRTYEIGHT	THIRTYNINE	THIRTY

(5) The "WINNING NUMBERS" play symbols and play symbol captions are as follows:

1	2	3	4	5	6	7	8	9	10
ONE	TWO	THREE	FOUR	FIVE	SIX	SEVEN	EIGHT	NINE	TEN
11	12	13	14	15	16	17	18	19	20
ELEVEN	TWELVE	THIRTEEN	FOURTEEN	FIFTEEN	SIXTEEN	SEVENTEEN	EIGHTEEN	NINETEEN	TWENTY
21	22	23	24	25	26	27	28	29	30
THIRTYONE	THIRTYTWO	THIRTYTHREE	THIRTYFOUR	THIRTYFIVE	THIRTYSIX	THIRTYSEVEN	THIRTYEIGHT	THIRTYNINE	THIRTY

(6) The prize symbols and prize symbol captions are as follows:

\$5.00	\$10.00	\$15.00	\$20.00	\$25.00	\$50.00	\$500,000
FIVE	TEN	FIFTEEN	TWENTY	THIRTY FIVE	FIFTY	FIFTHUN THRO
\$100	\$200	\$250	\$500	\$1,000	\$10,000	\$500,000
ONE HUN	TWO HUN	THORHUNTY	FIVE HUN	ONE THO	TEN THO	FIVHUN THO

(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 amount shown for that play symbol. A

ticket having a "WIN \$100" symbol in the "YOUR NUMBERS" play area shall entitle the claimant to \$100.00.

(b) The prize amounts are: \$5.00, \$10.00, \$15.00, \$20.00, \$25.00, \$50.00, \$100, \$200, \$250, \$500, \$1,000, \$10,000 and \$500,000.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 723 are as follows:

GAME PLAY	WIN	ODDS OF 1 IN	NUMBER OF WINNERS IN 26 POOLS OF 120,000 TICKETS PER POOL
\$5 x 2	\$10	15.00	208,000
\$10	\$10	15.00	208,000
\$5 + \$10	\$15	30.00	104,000
\$15	\$15	30.00	104,000
\$10 x 2	\$20	30.00	104,000
\$20	\$20	30.00	104,000
\$5 x 5	\$25	120.00	26,000
\$5 + (\$10 x 2)	\$25	120.00	26,000
\$5 + \$20	\$25	120.00	26,000
\$25	\$25	120.00	26,000
\$10 x 5	\$50	171.43	18,200
\$25 x 2	\$50	171.43	18,200
\$50	\$50	120.00	26,000
(\$5 x 10) + (\$10 x 5)	\$100	600.00	5,200
\$10 x 10	\$100	600.00	5,200
\$50 x 2	\$100	600.00	5,200
\$100 (JINGLE BELL)	\$100	120.00	26,000
(\$25 x 10) + (\$50 x 5)	\$500	30,000.00	104
\$50 x 10	\$500	30,000.00	104
\$100 x 5	\$500	30,000.00	104
\$250 x 2	\$500	30,000.00	104
\$500	\$500	30,000.00	104
\$200 x 5	\$1,000	60,000.00	52
\$500 x 2	\$1,000	60,000.00	52
\$1,000	\$1,000	60,000.00	52
\$1,000 x 10	\$10,000	1,040,000.00	3
\$10,000	\$10,000	1,040,000.00	3
\$500,000	\$500,000	1,560,000.00	2

(10) The estimated overall odds of winning some prize in Instant Game Number 723 are 1 in 3.00. 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 723, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) By purchasing a JINGLE JACKPOT lottery ticket the player agrees to comply with and abide by all prize payment rules of the Florida Lottery.

(13) Payment of prizes for JINGLE JACKPOT 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 10-26-07.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE:
EFFECTIVE DATE: October 26, 2007

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER07-66 RULE TITLE: Instant Game Number 726, TROPICAL HOLIDAY CASH

SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 726, “TROPICAL HOLIDAY CASH,” 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:

53ER07-66 Instant Game Number 726, TROPICAL HOLIDAY CASH.

(1) Name of Game. Instant Game Number 726, “TROPICAL HOLIDAY CASH.”

(2) Price. TROPICAL HOLIDAY CASH lottery tickets sell for \$1.00 per ticket.

(3) TROPICAL HOLIDAY CASH 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 TROPICAL HOLIDAY CASH lottery ticket, the ticket must meet the applicable requirements of Rule 53ER06-4, F.A.C.

(4) The play symbols and play symbol captions are as follows:



(5) Determination of Prizewinners.

(a) A ticket having three like prize amounts and corresponding prize amount captions in the play area shall entitle the claimant to a prize of that amount. A ticket having three “TICKET” symbols in the play area shall entitle the claimant to a \$1.00 instant ticket, except as follows. A person who submits by mail a TROPICAL HOLIDAY CASH lottery ticket that entitles the claimant to a prize of a \$1.00 instant ticket and whose mailing address is outside the state of Florida will receive a check for \$1.00 in lieu of an actual ticket.

(b) A ticket having a “” symbol in the play area shall entitle the claimant to a prize of \$25. The prizes are: TICKET, \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$15.00, \$50.00, \$100 and \$500.

(6) The estimated odds of winning, value, and number of prizes in Instant Game Number 726 are as follows:

GAME PLAY	WIN	ESTIMATED ODDS OF 1 IN	NUMBER OF WINNERS IN 56 POOLS OF 180,000 TICKETS PER POOL
TICKET	\$1 TICKET	12.00	840,000
\$1	\$1	25.00	403,200
\$2	\$2	18.75	537,600
\$4	\$4	50.00	201,600
\$5	\$5	60.00	168,000
\$10	\$10	150.00	67,200
\$15	\$15	300.00	33,600
\$25 (STAR FISH)	\$25	300.00	33,600
\$50	\$50	3,600.00	2,800
\$100	\$100	45,000.00	224
\$500	\$500	90,000.00	112

(7) The estimated overall odds of winning some prize in Instant Game Number 726 are 1 in 4.41. 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.

(8) For reorders of Instant Game Number 726, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(9) By purchasing a TROPICAL HOLIDAY CASH lottery ticket the player agrees to comply with and abide by all prize payment rules of the Florida Lottery.

(10) Payment of prizes for TROPICAL HOLIDAY CASH 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 10-26-07.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE:

EFFECTIVE DATE: October 26, 2007

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER07-67
 RULE TITLE: Instant Game Number 719, WINNERS\$ WONDERLAND®

SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 719, “WINNERS\$ WONDERLAND,” 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:

53ER07-67 Instant Game Number 719, WINNERS\$ WONDERLAND®.

(1) Name of Game. Instant Game Number 719, “WINNERS\$ WONDERLAND®.”

(2) Price. WINNERS\$ WONDERLAND® lottery tickets sell for \$5.00 per ticket.

(3) WINNERS\$ WONDERLAND® 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 WINNERS\$ WONDERLAND® 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
ONE	TWO	THREE	FOUR	FIVE	SIX	SEVEN	EIGHT	NINE	TEN
11	12	13	14	15	16	17	18	19	20
ELEVEN	TWELVE	THIRTEEN	FORTY	FIFTEEN	SIXTEEN	SEVENTEEN	EIGHTEEN	NINETEEN	TWENTY
21	22	23	24	25	26	27	28	29	
THIRTYONE	THIRTYTWO	THIRTYTHREE	THIRTYFOUR	THIRTYFIVE	THIRTYSIX	THIRTYSEVEN	THIRTYEIGHT	THIRTYNINE	

(5) The “WINNING NUMBERS” play symbols and play symbol captions are as follows:

1	2	3	4	5	6	7	8	9	10
ONE	TWO	THREE	FOUR	FIVE	SIX	SEVEN	EIGHT	NINE	TEN
11	12	13	14	15	16	17	18	19	20
ELEVEN	TWELVE	THIRTEEN	FORTY	FIFTEEN	SIXTEEN	SEVENTEEN	EIGHTEEN	NINETEEN	TWENTY
21	22	23	24	25	26	27	28	29	
THIRTYONE	THIRTYTWO	THIRTYTHREE	THIRTYFOUR	THIRTYFIVE	THIRTYSIX	THIRTYSEVEN	THIRTYEIGHT	THIRTYNINE	

(6) The prize symbols and prize symbol captions are as follows:

\$1.00	\$2.00	\$4.00	\$5.00	\$10.00	\$15.00	\$20.00	\$25.00
ONE	TWO	FOUR	FIVE	TEN	FIFTEEN	TWENTY	THIRTY FIVE
\$50.00	\$75.00	\$100	\$200	\$500	\$1,000	\$10,000	\$100,000
FIFTY	SEVENTY FIVE	ONE HUND	TWO HUND	FIVE HUND	ONE THO	TEN THO	ONE HUN THO

(7) The “BONUS BOX” symbols and symbol captions are as follows:

TRY AGAIN	TRY AGAIN	NO BONUS	NO BONUS	GIFT
TRY AGAIN	NO BONUS	TRY AGAIN	NO BONUS	HIN\$100

(8) The legends are as follows:

WINNING NUMBERS	YOUR NUMBERS	BONUS BOX
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(9) 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 amount shown for that play symbol. A ticket having a “**GIFT** HIN\$100” symbol in the “BONUS BOX” play area shall entitle the claimant to \$100.00.

(b) The prize amounts are: \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$15.00, \$20.00, \$25.00, \$50.00, \$75.00, \$100, \$200, \$500, \$1,000, \$10,000 and \$100,000.

(10) The estimated odds of winning, value, and number of prizes in Instant Game Number 719 are as follows:

GAME PLAY	WIN	ODDS OF 1 IN	NUMBER OF WINNERS IN 42 POOLS OF 120,000 TICKETS PER POOL
\$1 x 5	\$5	60.00	84,000
(\$1 x 3) + \$2	\$5	60.00	84,000
\$1 + (\$2 x 2)	\$5	60.00	84,000
\$5	\$5	12.00	420,000
\$1 x 10	\$10	60.00	84,000
\$2 + (\$4 x 2)	\$10	60.00	84,000
(\$1 x 4) + (\$2 x 3)	\$10	60.00	84,000
\$5 x 2	\$10	120.00	42,000
\$10	\$10	120.00	42,000
\$5 x 3	\$15	60.00	84,000

\$15	\$15	60.00	84.000
\$5 x 5	\$25	300.00	16,800
(\$5 x 3) + \$10	\$25	400.00	12,600
\$5 + (\$10 x 2)	\$25	300.00	16,800
(\$2 x 5) + \$5 + \$10	\$25	300.00	16,800
\$5 + \$20	\$25	400.00	12,600
\$25	\$25	600.00	8,400
\$50	\$50	120.00	42,000
(\$5 x 5) + (\$10 x 5)	\$75	20,000.00	252
\$5 + (\$10 x 7)	\$75	20,000.00	252
(\$5 x 5) + \$50	\$75	20,000.00	252
(\$10 x 5) + \$25	\$75	20,000.00	252
\$75	\$75	20,000.00	252
\$10 + (\$15 x 6)	\$100	3,000.00	1,680
\$10 x 10	\$100	3,000.00	1,680
\$25 x 4	\$100	3,000.00	1,680
(\$25 x 2) + \$50	\$100	3,000.00	1,680
\$100 (GIFT)	\$100	248.96	20,244
\$50 x 10	\$500	120,000.00	42
\$100 (GIFT) + (\$200 x 2)	\$500	40,000.00	126
\$500	\$500	120,000.00	42
\$100 x 10	\$1,000	120,000.00	42
\$1,000	\$1,000	120,000.00	42
\$1,000 x 10	\$10,000	840,000.00	6
\$10,000	\$10,000	840,000.00	6
\$100,000	\$100,000	840,000.00	6

(11) The estimated overall odds of winning some prize in Instant Game Number 719 are 1 in 3.79. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(12) For reorders of Instant Game Number 719, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(13) By purchasing a WINNER\$ WONDERLAND® lottery ticket the player agrees to comply with and abide by all prize payment rules of the Florida Lottery.

(14) Payment of prizes for WINNER\$ WONDERLAND® 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 10-26-07.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE:
EFFECTIVE DATE: October 26, 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

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 MANAGEMENT SERVICES

NOTICE IS HEREBY GIVEN THAT on October 19, 2007, the Department of Management Services has issued an order.

This cause came before the Department of Management Services upon a petition for emergency variance from Section 121.085(2), Florida Statutes, filed by K. Judith Lane, Esq., on behalf of Ronald R. Futch. After careful review of the petition, the Department of Management Services finds as follows:

Petitioner seeks a variance from Section 121.085(2), Florida Statutes, which is a statute, not a rule. Section 120.542(1), Florida Statutes, does not authorize an agency to grant a variance or waiver to a statute. While variance and waiver may be used to relax rules of regulatory agencies, only the State Legislature may change a statutory requirement.

It is therefore ORDERED AND ADJUDGED that the petition should be, and the same is hereby, DENIED.

A copy of the Order may be obtained by contacting: Geoffrey M. Christian, Esq., Assistant General Counsel, Office of General Counsel, Department of Management Services, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950.

NOTICE IS HEREBY GIVEN THAT on October 19, 2007, the Department of Management Services has issued an order.

This cause came before the Department of Management Services upon a petition for emergency variance from Section 121.085(2), Florida Statutes, filed by K. Judith Lane, Esq., on behalf of Michael L. Hensler. After careful review of the petition, the Department of Management Services finds as follows:

Petitioner seeks a variance from Section 121.085(2), Florida Statutes, which is a statute, not a rule. Section 120.542(1), Florida Statutes, does not authorize an agency to grant a variance or waiver to a statute. While variance and waiver may be used to relax rules of regulatory agencies, only the State Legislature may change a statutory requirement.

It is therefore ORDERED AND ADJUDGED that the petition should be, and the same is hereby, DENIED.

A copy of the Order may be obtained by contacting: Geoffrey M. Christian, Esq., Assistant General Counsel, Office of General Counsel, Department of Management Services, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT on October 16, 2007, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

Subsections 61C-4.010(5) and 61C-1.004(1), Florida Administrative Code, from Coffee Hut Atrium inside of the Club at Shores of Panama located in Panama City Beach. The above referenced F.A.C., refers to Chapters four and five in the 2001 Federal Food and Drug Administration (FDA) Food Code. The Chapters in the 2001 FDA Food Code refer to required cooling, heating, holding, warewashing, and service sink equipment in food service establishments. The Petitioner is requesting to share warewashing facilities with a licensed food service establishment on the same premises. Approval is contingent upon the Petitioner ensuring a sufficient number of three-compartment sinks or mechanical warewashing machines for washing, rinsing, and sanitizing equipment and utensils for Coffee Hut Atrium and fourth floor prep kitchen. All provisos shall be met prior to final licensing. Any violation of the variance is the equivalent of a violation of the rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

A copy of the Order may be obtained by contacting David.Fountain@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on October 16, 2007, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

A Petition for an Emergency Variance for paragraphs 61C-1.004(1)(a), 61C-1.004(1)(d) and subsection 61C-4.010(6), Florida Administrative Code (F.A.C.), from Espresso Caffè Express at Millenia located in Orlando. The above referenced F.A.C. state the water supply shall meet the standards provided in Chapters 64E-8, 62-550 and 62-555 F.A.C., that sewage shall be disposed of in a public sewerage system or other approved sewerage system in accordance with the provisions of Chapter 64E-6 or 62-601, F.A.C., and physical facilities at public food service establishments shall be subject to the provisions of Chapter 6 of the Food Code. The Petitioner is requesting a variance to not have hard plumbing in their kiosk and use alternative methods for sewage disposal and obtaining potable water. Approval is contingent upon Petitioner using one (6) gallon or greater potable water tanks and utilizing wastewater holding tank that is at least 15% larger than the potable water holding tank. Water and wastewater holding tanks are to be emptied as often as needed to prevent a

sanitary nuisance. Petitioner must have an approved supply of potable water with written documentation provided and sanitize the fresh water and wastewater tanks at least once every 24 hours. If the menu changes or expands in any manner, the Petitioner must notify the Division in writing and this variance request will be re-evaluated. All provisos and plan review deficiencies shall be met prior to licensing. The Petitioner shall follow all applicable Administrative Rules and Federal Food and Drug Administration Food Code references. Any violation of the variance is the equivalent of a violation of the rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261 Florida Statutes.

A copy of the Order may be obtained by contacting David.Fountain@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on October 16, 2007, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

A Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from L.A. Café and Coffee House located in Lehigh Acres. 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). Approval 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.

A copy of the Order may be obtained by contacting David.Fountain@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on October 16, 2007, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

A Petition for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from Latin Corner Restaurant located in Minneola. 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 nineteen (19). Approval 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 (19) 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.

A copy of the Order may be obtained by contacting David.Fountain@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on October 16, 2007, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

A Routine Variance for subsections 61C-4.010(5) and 61C-1.004(1), Florida Administrative Code, from Tiki Huts Pool Deck inside of the Club at Shores of Panama located in Panama City Beach. The above referenced F.A.C. refers to Chapters four and five in the 2001 Federal Food and Drug Administration (FDA) Food Code. The Chapters in the 2001 FDA Food Code refer to required cooling, heating, holding, warewashing, and service sink equipment in food service establishments. The Petitioner is requesting to share warewashing facilities with a licensed food service establishment on the same premises. Approval is contingent upon the Petitioner ensuring a sufficient number of three-compartment sinks or mechanical warewashing machines for washing, rinsing, and sanitizing equipment and utensils for Tiki Huts Pool Deck and fourth floor prep kitchen. All provisos shall be met prior to final licensing. Any violation of the variance is the equivalent of a violation of the rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

A copy of the Order may be obtained by contacting David.Fountain@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on October 17, 2007, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from Cuban Delight Café Corp. located in Lakeland. 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 (20). This variance request was approved and is contingent upon the Petitioner ensuring the public bathroom is functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, and kept in a clean and sanitary manner. Seating shall not exceed (20) 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.

A copy of the Order may be obtained by contacting David.Fountain@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN that on October 17, 2007, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

A Petition for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from D'Lites Emporium located in Hernando. 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 (20). Approval 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 (20) 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.

A copy of the Order may be obtained by contacting David.Fountain@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on October 17, 2007, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

A Petition for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from Quiznos Sub #4350 located in Tampa. The above referenced F.A.C. states...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated....The proposed establishment has one bathroom facility for patrons and they are requesting a variance to have a seating capacity of twenty (20). Approval 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 (20) 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.

A copy of the Order may be obtained by contacting David.Fountain@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on October 17, 2007, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

A Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from Vino Loco located in Englewood. 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). Approval 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.

A copy of the Order may be obtained by contacting David.Fountain@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on October 22, 2007, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for paragraph 61C-1.004(1)(d), Florida Administrative Code, from International Crepe Company located in Tampa. The above referenced F.A.C.s state the water supply shall meet the standards provided in Chapters 64E-8, 62-550 and 62-555, F.A.C., that sewage shall be disposed of in a public sewerage system or other approved sewerage system in accordance with the provisions of Chapter 64E-6 or 62-601 F.A.C., and physical facilities at public food service establishments shall be subject to the provisions of Chapter 6 of the Food Code. The Petitioner is requesting a variance to not have hard plumbing in their kiosk and use alternative methods for sewage disposal and obtaining potable water.

A copy of the Petition for Variance or Waiver may be obtained by contacting David.Fountain@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on October 26, 2007, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from Burkes of Ireland located in Crystal River. The above referenced F.A.C. states...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.....The proposed establishment has two unisex bathrooms for patrons and they are requesting a variance to have a seating capacity of fifty (50) and two bathrooms with a unisex designation.

A copy of the Petition for Variance or Waiver may be obtained by contacting David.Fountain@dbpr.state.fl.us.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

NOTICE IS HEREBY GIVEN THAT on October 8, 2007, the Department of Environmental Protection, received a petition for Adventus Americas, Inc., seeking a variance from the prohibition from a zone of discharge under subsection 62-522.300(3), F.A.C., for the use of RemOx® EC to clean up a site that is contaminated with organic wood preservatives. The petition has been assigned OGC File No. 07-1825.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Cathy McCarty, Department of Environmental Protection, Underground Injection Control Program, MS 3530, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)245-8654. Written comments must be received by Cathy McCarty at the above address no later than 14 days from the date of publication of this notice.

NOTICE IS HEREBY GIVEN THAT the Department of Environmental Protection has received a letter withdrawing the petition for a variance or waiver from Mary Rosenheim on behalf of the St. Joe Company, WL-822 AR. The petition requested a variance or waiver of subsection 62B-33.002(5), Florida Administrative Code, as noticed in the Department's official notice Internet site at: <http://tlhora6.dep.state.fl.us/onw/publications/5-varianceJenkins-4-21-06-INT.pdf> under the link "Official Notices." The property is located at 1701 E. County Hwy. 30-A, in Walton County.

The petition for variance or waiver has been officially withdrawn.

A copy of the withdrawal letter can be obtained by contacting Rosaline Beckham at (850)488-7815, during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at 5050 West Tennessee Street, Bldg. B, Suite 160, Tallahassee, Florida 32304, or by e-mail at: rosaline.beckham@dep.state.fl.us. Any comments should be filed in writing with the Department at the above address and should be submitted within 30 days of the date of this publication.

NOTICE IS HEREBY GIVEN THAT on February 23, 2007, the Department of Environmental Protection has issued an order.

The order grants a request for a variance or waiver pursuant to Section 120.542, F.S., to the petitioner, Steve Lewis Barton, in Indian River County. The petition was filed November 27, 2006, seeking a variance from or waiver to subsection 62B-33.013(3), F.A.C., which provides for one three-year time extension to complete activities permitted by the Department

(IR-522 MI). The request was notice in the Florida Administrative Weekly, Vol. 32, No. 51, December 22, 2006. The date of the order is February 23, 2007.

The general basis for the agency's decision is as follows:

There are two requirements to obtain a variance from a rule under Section 120.542, F.S. First, a petitioner must demonstrate that the purpose of the underlying statute will be or has been achieved by other means. The petitioner has demonstrated that a time extension of the permit expiration date is consistent with the intent of the statute in that it allows DEP to authorize completion of the construction subject to the facts and circumstances surrounding the application. Therefore the general purpose of the underlying statute [Section 161.053, F.S.] would be achieved in granting a time extension, thereby, satisfying the first criteria for a variance. Second, a petitioner must demonstrate that application of the rule would create a substantial hardship or violate principles of fairness. The petitioner has demonstrated that the imposition of the time limit imposed by the subject rule results in a technical hardship, thereby, satisfying the second criteria for a variance.

A copy of the final order may be obtained by contacting: Rosaline Beckham, Department of Environmental Protection, Bureau of Beaches and Coastal Systems, 3900 Commonwealth Boulevard, Mail Station 300, Tallahassee, Florida 32399-3000, (850)488-7815, or by e-mail at: rosaline.beckham@dep.state.fl.us.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT on September 14, 2007, the Board of Dentistry has issued an order.

The Board of Dentistry hereby gives notice of the issuance of an Order regarding the Petition for Variance for Jose Avila, D.D.S. The Notice of Petition for Variance was published in Vol. 33, No. 32, of the August 10, 2007, F.A.W. The Board considered the Petition at a duly-noticed public meeting held on September 14, 2007.

The Board's Order, filed on October 8, 2007, grants the Petition for Variance or Waiver, finding that Petitioner has complied with the requirements of Section 120.542(2) of the Florida Statutes. Specifically, Petitioner has demonstrated how the purpose of the underlying statute would be achieved or has been achieved by other means as evidenced through his supplemental studies and practice experience. Additionally, Petitioner has demonstrated that strict application of subsections 64B5-2.0146(2) and/or 64B5-7.003(4), Florida Administrative Code, would create a substantial hardship or violate principles of fairness. Moreover, Petitioner has complied with Sections 120.542(2) of the Florida Statutes, and subsections 64B5-2.0146(2) and 64B5-7.003(4), of the Florida Administrative Code. Based upon the foregoing, the Board determined that Petitioner is eligible for a waiver or variance of subsections 64B5-2.0146(2) and 64B5-7.003(4), F.A.C.

A copy of the Order may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258.

NOTICE IS HEREBY GIVEN THAT on September 14, 2007, the Board of Dentistry has issued an order.

The Board of Dentistry hereby gives notice of the issuance of an Order regarding the Petition for Variance for Andres Carbanaru. The Notice of Petition for Variance was published in Vol. 33, No. 31, of the August 3, 2007, F.A.W. The Board considered the Petition at a duly-noticed public meeting held on September 14, 2007.

The Board's Order, filed on October 8, 2007, grants the Petition for Variance or Waiver, finding that Petitioner has complied with the requirements of Section 120.542(2) of the Florida Statutes. Specifically, Petitioner has demonstrated how the purpose of the underlying statute would be achieved or has been achieved by other means as evidenced through his supplemental studies and practice experience. Additionally, Petitioner has demonstrated that strict application of subsection 64B5-2.0146(2), Florida Administrative Code, would create a substantial hardship or violate principles of fairness. Moreover, Petitioner has complied with Section 120.542(2) of the Florida Statutes, and subsection 64B5-2.0146(2) of the Florida Administrative Code. Based upon the foregoing, the Board determined that Petitioner is eligible for a waiver or variance of subsection 64B5-2.0146(2), F.A.C.

A copy of the Board's Order may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

NOTICE IS HEREBY GIVEN THAT on September 14, 2007, the Board of Dentistry has issued an order.

The Board of Dentistry hereby gives notice of the issuance of an Order regarding the Petition for Variance for Jazriel Cruz, D. D. S. The Notice of Petition for Variance was published in Vol. 33, No. 32, of the August 10, 2007, F.A.W. The Board considered the Petition at a duly-noticed public meeting held on September 14, 2007.

The Board's Order, filed on October 8, 2007, grants the Petition for Variance or Waiver, finding that Petitioner has complied with the requirements of Section 120.542(2) of the Florida Statutes. Specifically, Petitioner has demonstrated how the purpose of the underlying statute would be achieved or has been achieved by other means as evidenced through his supplemental studies and practice experience. Additionally, Petitioner has demonstrated that strict application of subsections 64B5-2.0146(2) and/or 64B5-7.003(4), Florida Administrative Code, would create a substantial hardship or violate principles of fairness. Moreover, Petitioner has complied with Section 120.542(2) of the Florida Statutes, and subsections 64B5-2.0146(2) and 64B5-7.003(4) of the Florida

Administrative Code. Based upon the foregoing, the Board determined that Petitioner is eligible for a waiver or variance of subsections 64B5-2.0146(2) and 64B5-7.003(4), F.A.C.

A copy of the Order may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

NOTICE IS HEREBY GIVEN THAT on September 14, 2007, the Board of Dentistry has issued an order.

The Board of Dentistry hereby gives notice of the issuance of an Order regarding the Petition for Variance for Ana Victoria Garcia-Motta, D.D.S. The Notice of Petition for Variance was published in Vol. 33, No. 32, of the August 10, 2007, F.A.W. The Board considered the Petition at a duly-noticed public meeting held on September 14, 2007.

The Board's Order, filed on October 8, 2007, denies the Petition for Variance or Waiver, finding that Petitioner has complied with the requirements of Section 120.542(2) of the Florida Statutes. Specifically, Petitioner has not demonstrated how the purpose of the underlying statute would be achieved or has been achieved through Petitioner's education and training in Orthodontics. Additionally, Petitioner has not demonstrated that strict application of subsection 64B5-2.0146(2), Florida Administrative Code, would create a substantial hardship or violate principles of fairness in a manner significantly different from the way it affects other similarly situated persons who are subject to the rule. Based upon the foregoing, the Board determined that Petitioner is not eligible for a waiver or variance of subsection 64B5-2.0146(2), F.A.C.

A copy of the Order may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

NOTICE IS HEREBY GIVEN THAT on September 14, 2007, the Board of Dentistry has issued an order.

The Board of Dentistry hereby gives notice of the issuance of an Order regarding the Petition for Variance for Laura Hernandez, D.D.S. The Notice of Petition for Variance was published in Vol. 33, No. 31, of the August 3, 2007, F.A.W. The Board considered the Petition at a duly-noticed public meeting held on September 14, 2007.

The Board's Order, filed on October 8, 2007, grants the Petition for Variance or Waiver, finding that Petitioner has complied with the requirements of Section 120.542(2) of the Florida Statutes. Specifically, Petitioner has demonstrated how the purpose of the underlying statute would be achieved or has been achieved by other means as evidenced through her supplemental studies and practice experience. Additionally, Petitioner has demonstrated that strict application of subsections 64B5-2.0146(2) and/or 64B5-7.003(4), Florida Administrative Code, would create a substantial hardship or violate principles of fairness. Moreover, Petitioner has complied with Sections 120.542(2) of the Florida Statutes, and

subsections 64B5-2.0146(2) and 64B5-7.003(4) of the Florida Administrative Code. Based upon the foregoing, the Board determined that Petitioner is eligible for a waiver or variance of subsections 64B5-2.0146(2) and 64B5-7.003(4), F.A.C.

A copy of the Order may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

NOTICE IS HEREBY GIVEN THAT on September 14, 2007, the Board of Dentistry has issued an order.

The Board of Dentistry hereby gives notice of the issuance of an Order regarding the Petition for Variance for Monica Tabbitta, D.D.S. The Notice of Petition for Variance was published in Vol. 33, No. 18, of the May 4, 2007, F.A.W. The Board considered the Petition at a duly-noticed public meeting held on September 14, 2007.

The Board's Order, filed on October 8, 2007, grants the Petition for Variance or Waiver, finding that Petitioner has complied with the requirements of Section 120.542(2) of the Florida Statutes. Specifically, Petitioner has demonstrated how the purpose of the underlying statute would be achieved or has been achieved by other means as evidenced through her supplemental studies and practice experience. Additionally, Petitioner has demonstrated that strict application of subsection 64B5-2.0146(2), Florida Administrative Code, would create a substantial hardship or violate principles of fairness. Moreover, Petitioner has complied with Sections 120.542(2) of the Florida Statutes, and subsection 64B5-2.0146(2) of the Florida Administrative Code. Based upon the foregoing, the Board determined that Petitioner is eligible for a waiver or variance of subsection 64B5-2.0146(2), F.A.C.

A copy of the Order may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

NOTICE IS HEREBY GIVEN THAT on September 14, 2007, the Board of Dentistry has issued an order.

The Board of Dentistry hereby gives notice of the issuance of an Order regarding the Petition for Variance for Dania Tamimi, BDS, DMSc. The Notice of Petition for Variance was published in Vol. 33, No. 34, of the August 24, 2007, F.A.W. The Board considered the Petition at a duly-noticed public meeting held on September 14, 2007.

The Board's Order, filed on October 8, 2007, grants the Petition for Variance or Waiver, finding that Petitioner has complied with the requirements of Section 120.542(2) of the Florida Statutes. Specifically, Petitioner has demonstrated how the purpose of the underlying statute would be achieved or has been achieved by other means as evidenced through her supplemental studies, practice experience and achievement of licensure in another state. Additionally, Petitioner has demonstrated that strict application of subsection 64B5-2.0146(2), Florida Administrative Code, would create a

substantial hardship or violate principles of fairness. Moreover, Petitioner has complied with Sections 120.542(2) of the Florida Statutes, and subsection 64B5-2.0146(2) of the Florida Administrative Code. Based upon the foregoing, the Board determined that Petitioner is eligible for a waiver or variance of subsection 64B5-2.0146(2), F.A.C.

A copy of the Order may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258.

NOTICE IS HEREBY GIVEN THAT on October 25, 2007, the Board of Medicine received a petition filed on behalf of Gerald Pierre, M.D., seeking a waiver or variance from subsection 64B8-2.001(2), F.A.C., with regard to the requirement for the passing score on the FLEX examination to be obtained in one administration of the examination. 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 October 30, 2007, the Board of Medicine, received a petition for waiver or variance filed by Lisa Francis-Smith, MPH, PA-C, from subsection 64B8-30.003(2), F.A.C., with regard to the requirement for a review course for applicants who fail to pass the PANCE within 5 attempts.

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.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Larry McPherson, Jr., Executive Director, Board of Medicine, at the above address, or telephone (850)245-4131.

NOTICE IS HEREBY GIVEN THAT on October 31, 2007, the Board of Medicine, received a petition for waiver or variance filed by Hector R. Colon Colon, M.D., from Rule 64B8-4.009, F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner's medical school.

Comments on this petition should be filed with the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Larry McPherson, Jr., Executive Director, Board of Medicine, at the above address, or telephone (850)245-4131.

NOTICE IS HEREBY GIVEN THAT on October 29, 2007, the Board of Physical Therapy Practice, received a petition for Gabriela A. Motta, seeking a variance or waiver of paragraph 64B17-3.001(5)(d), F.A.C., which requires, effective January 1, 2007, that an applicant provide evidence of successful completion of a Board approved English proficiency examination if English was not the language of instruction as evidenced by a minimum score of 89 on the TOEFL as well as accompanying minimum scores in the test's four components of: 24 in writing; 26 in speaking; 21 in reading comprehension; and 18 in listening comprehension.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Susan Love, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, or telephone (850)245-4373, ext. 3480. Comments on this petition should be filed with the Board of Physical Therapy Practice within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on October 25, 2007, the Department of Health, Bureau of Emergency Medical Services, received a petition for Variance or Waiver from James G. Leker, MD and Maureen Zelinka, MD.

Nature of Rule: Requires a medical director shall be board certified and active in a broad-based clinical medical specialty with demonstrated experience in prehospital care and hold an ACLS certificate or equivalent as determined in Rule 64E-2.032, F.A.C. Prehospital care experience shall be documented by the provider.

Date and Place of Notice: Notice was published on November 9, 2007 in the F.A.W.

All comments and requests for copies of the petitions must be received in writing by November 23, 2007.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lisa M. Walker, Government Analyst II, Bureau of Emergency Medical Services, 4052 Bald Cypress Way, Bin C18, Tallahassee, Florida 32399-1738.

FLORIDA HOUSING FINANCE CORPORATION

NOTICE IS HEREBY GIVEN THAT on October 26, 2007, the Florida Housing Finance Corporation has issued an order.

The Florida Housing Finance Corporation gives notice of the entry of an Order Granting a Petition for Waiver or Variance
NAME OF THE PETITIONER: BHG-79th St., LLC.

DATE PETITION WAS FILED: September 25, 2007

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Paragraph 67-48.004(1)(e), Florida Administrative Code
REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: F.A.W., October 5, 2007, Vol. 33, No. 40

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION APPROVED THE VARIANCE OR WAIVER: October 26, 2007

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

A copy of the Order is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, FL 32301-1329. The Final Order is posted on Florida Housing's website at floridahousing.org.

Requests for copies or inspections should be made to: Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4197 or e-mail to Sherry.Green@floridahousing.org.

NOTICE IS HEREBY GIVEN THAT on October 26, 2007, the Florida Housing Finance Corporation has issued an order.

The Florida Housing Finance Corporation gives notice of the entry of an Order Granting a Petition for Waiver or Variance.

NAME OF THE PETITIONER: Carlisle Group VI, Ltd.

DATE PETITION WAS FILED: September 23, 2007

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Paragraphs 67-21.003(1)(a) and 67-48.004(14)(b), Florida Administrative Code

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: F.A.W., October 5, 2007, Vol. 33, No. 40

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION APPROVED THE VARIANCE OR WAIVER: October 26, 2007

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

A copy of the Order is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, FL 32301-1329. The Final Order is posted on Florida Housing's website at floridahousing.org.

Requests for copies or inspections should be made to: Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4197 or e-mail to Sherry.Green@floridahousing.org.

NOTICE IS HEREBY GIVEN THAT on October 26, 2007, the Florida Housing Finance Corporation has issued an order.

The Florida Housing Finance Corporation gives notice of the entry of an Order Granting a Petition for Waiver or Variance.

NAME OF THE PETITIONER: Creative Choice Homes XXXII, Ltd.

DATE PETITION WAS FILED: August 22, 2007

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Paragraph 67-48.004(14)(e), Florida Administrative Code
REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: F.A.W., August 31, 2007, Vol. 33, No. 35

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION APPROVED THE VARIANCE OR WAIVER: October 26, 2007

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

A copy of the Order is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, FL 32301-1329. The Final Order is posted on Florida Housing's website at floridahousing.org.

Requests for copies or inspections should be made to: Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4197 or e-mail to Sherry.Green@floridahousing.org.

NOTICE IS HEREBY GIVEN THAT on October 26, 2007, the Florida Housing Finance Corporation has issued an order.

The Florida Housing Finance Corporation gives notice of the entry of an Order Granting a Petition for Waiver or Variance.

NAME OF THE PETITIONER: Friendship Tower, Ltd.

DATE PETITION WAS FILED: August 21, 2007

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Paragraph 67ER06-27(1)(a), Florida Administrative Code
REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: F.A.W., August 31, 2007, Vol. 33, No. 35

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION APPROVED THE VARIANCE OR WAIVER: October 26, 2007

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

A copy of the Order is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, FL 32301-1329. The Final Order is posted on Florida Housing's website at floridahousing.org.

Requests for copies or inspections should be made to: Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4197 or e-mail to Sherry.Green@floridahousing.org.

NOTICE IS HEREBY GIVEN THAT on October 26, 2007, the Florida Housing Finance Corporation has issued an order.

The Florida Housing Finance Corporation gives notice of the entry of an Order Granting a Petition for Waiver or Variance.

NAME OF THE PETITIONER: Golden Acres Redevelopment, Ltd.

DATE PETITION WAS FILED: August 17, 2007

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Paragraph 67-48.004(10)(a), Florida Administrative Code

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: F.A.W., August 31, 2007, Vol. 33, No. 35

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION APPROVED THE VARIANCE OR WAIVER: October 26, 2007

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

A copy of the Order is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, FL 32301-1329. The Final Order is posted on Florida Housing's website at floridahousing.org.

Requests for copies or inspections should be made to: Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4197 or e-mail to Sherry.Green@floridahousing.org.

NOTICE IS HEREBY GIVEN THAT on October 26, 2007, the Florida Housing Finance Corporation has issued an order.

The Florida Housing Finance Corporation gives notice of the entry of an Order Granting a Petition for Waiver or Variance.

NAME OF THE PETITIONER: Golden Acres Redevelopments Phase II, Ltd.

DATE PETITION WAS FILED: August 17, 2007

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Paragraph 67ER06-27(1)(a), Florida Administrative Code.

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: F.A.W., August 31, 2007, Vol. 33, No. 35

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION APPROVED THE VARIANCE OR WAIVER: October 26, 2007

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

A copy of the Order is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, FL 32301-1329. The Final Order is posted on Florida Housing's website at floridahousing.org.

Requests for copies or inspections should be made to: Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4197 or e-mail to Sherry.Green@floridahousing.org.

NOTICE IS HEREBY GIVEN THAT on October 26, 2007, the Florida Housing Finance Corporation has issued an order.

The Florida Housing Finance Corporation gives notice of the entry of an Order Granting a Petition for Waiver or Variance.

NAME OF THE PETITIONER: Highland Gardens Development, Ltd.

DATE PETITION WAS FILED: August 21, 2007

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Paragraph 67-48.004(1)(a), Florida Administrative Code.

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: F.A.W., August 31, 2007, Vol. 33, No. 35

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION APPROVED THE VARIANCE OR WAIVER: October 26, 2007

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

A copy of the Order is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, FL 32301-1329. The Final Order is posted on Florida Housing's website at floridahousing.org.

Requests for copies or inspections should be made to: Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4197 or e-mail to Sherry.Green@floridahousing.org.

NOTICE IS HEREBY GIVEN THAT on October 26, 2007, the Florida Housing Finance Corporation has issued an order.

The Florida Housing Finance Corporation gives notice of the entry of an Order Granting a Petition for Waiver or Variance.

NAME OF THE PETITIONER: Lakeside Village Housing, Ltd., LLLP

DATE PETITION WAS FILED: August 21, 2007

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Paragraph 67-48.004(14)(e), Florida Administrative Code.

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: F.A.W., August 31, 2007, Vol. 33, No. 35

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION APPROVED THE VARIANCE OR WAIVER: October 26, 2007

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

A copy of the Order is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, FL 32301-1329. The Final Order is posted on Florida Housing's website at floridahousing.org.

Requests for copies or inspections should be made to: Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4197 or e-mail to Sherry.Green@floridahousing.org.

NOTICE IS HEREBY GIVEN THAT on October 26, 2007, the Florida Housing Finance Corporation has issued an order.

The Florida Housing Finance Corporation gives notice of the entry of an Order Granting a Petition for Waiver or Variance.

NAME OF THE PETITIONER: Palafox Landing, Ltd.

DATE PETITION WAS FILED: September 25, 2007

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Paragraph 67-48.004(1)(a), subsections 67-48.004(14) and 67-48.002(83), Florida Administrative Code.

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: F.A.W., October 5, 2007, Vol. 33, No. 40

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION APPROVED THE VARIANCE OR WAIVER: October 26, 2007

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

A copy of the Order is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, FL 32301-1329. The Final Order is posted on Florida Housing's website at floridahousing.org.

Requests for copies or inspections should be made to: Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4197 or e-mail to Sherry.Green@floridahousing.org.

NOTICE IS HEREBY GIVEN THAT on October 26, 2007, the Florida Housing Finance Corporation has issued an order.

The Florida Housing Finance Corporation gives notice of the entry of an Order Granting a Petition for Waiver or Variance.

NAME OF THE PETITIONER: Pine Haven Housing, Ltd., LLLP

DATE PETITION WAS FILED: August 21, 2007

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Paragraph 67-48.004(14)(e), Florida Administrative Code.

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: F.A.W., August 31, 2007, Vol. 33, No. 35

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION APPROVED THE VARIANCE OR WAIVER: October 26, 2007

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

A copy of the Order is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, FL 32301-1329. The Final Order is posted on Florida Housing's website at floridahousing.org.

Requests for copies or inspections should be made to: Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4197 or e-mail to Sherry.Green@floridahousing.org.

NOTICE IS HEREBY GIVEN THAT on October 26, 2007, the Florida Housing Finance Corporation has issued an order.

The Florida Housing Finance Corporation gives notice of the entry of an Order Granting a Petition for Waiver or Variance.

NAME OF THE PETITIONER: Postmaster Associates, Ltd.

DATE PETITION WAS FILED: September 24, 2007

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Paragraph 67-48.004(14)(b), Florida Administrative Code.

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: F.A.W., October 5, 2007, Vol. 33, No. 40

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION APPROVED THE VARIANCE OR WAIVER: October 26, 2007

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

A copy of the Order is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, FL 32301-1329. The Final Order is posted on Florida Housing's website at floridahousing.org.

Requests for copies or inspections should be made to: Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4197 or e-mail to Sherry.Green@floridahousing.org.

NOTICE IS HEREBY GIVEN THAT on October 26, 2007, the Florida Housing Finance Corporation has issued an order.

The Florida Housing Finance Corporation gives notice of the entry of an Order Granting a Petition for Waiver or Variance.

NAME OF THE PETITIONER: Salt Creek Apartments, Ltd.

DATE PETITION WAS FILED: September 24, 2007

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Subsection 67-48.010(5)(2001), Florida Administrative Code.

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: F.A.W., October 5, 2007, Vol. 33, No. 40

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION APPROVED THE VARIANCE OR WAIVER: October 26, 2007

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

A copy of the Order is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, FL 32301-1329. The Final Order is posted on Florida Housing's website at floridahousing.org.

Requests for copies or inspections should be made to: Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4197 or e-mail to Sherry.Green@floridahousing.org.

NOTICE IS HEREBY GIVEN THAT on October 26, 2007, the Florida Housing Finance Corporation has issued an order.

The Florida Housing Finance Corporation gives notice of the entry of an Order Granting a Petition for Waiver or Variance.

NAME OF THE PETITIONER: Sea Grape II, Ltd.

DATE PETITION WAS FILED: August 21, 2007

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Paragraph 67-48.004(14)(e), Florida Administrative Code.

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: F.A.W., September 25, 2007, Vol. 33, No. 40

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION APPROVED THE VARIANCE OR WAIVER: October 26, 2007

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

A copy of the Order is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, FL 32301-1329. The Final Order is posted on Florida Housing's website at floridahousing.org.

Requests for copies or inspections should be made to: Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4197 or e-mail to Sherry.Green@floridahousing.org.

NOTICE IS HEREBY GIVEN THAT on October 26, 2007, the Florida Housing Finance Corporation has issued an order.

The Florida Housing Finance Corporation gives notice of the entry of an Order Granting a Petition for Waiver or Variance.

NAME OF THE PETITIONER: Villa Patricia Phase III, LLC.

DATE PETITION WAS FILED: September 25, 2007

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Paragraph 67ER06-27(14)(e), Florida Administrative Code.

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: F.A.W., October 5, 2007, Vol. 33, No. 40

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION APPROVED THE VARIANCE OR WAIVER: October 26, 2007

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

A copy of the Order is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, FL 32301-1329. The Final Order is posted on Florida Housing's website at floridahousing.org.

Requests for copies or inspections should be made to: Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4197 or e-mail to Sherry.Green@floridahousing.org.

NOTICE IS HEREBY GIVEN THAT on October 26, 2007, the Florida Housing Finance Corporation has issued an order.

The Florida Housing Finance Corporation gives notice of the entry of an Order Granting a Petition for Waiver or Variance.
 NAME OF THE PETITIONER: Villa Patricia Phase II, LLC.
 DATE PETITION WAS FILED: September 25, 2007
 RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Paragraph 67-48.004(14)(e), Florida Administrative Code.
 REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: F.A.W., October 5, 2007, Vol. 33, No. 40
 THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION APPROVED THE VARIANCE OR WAIVER: October 26, 2007
 THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.
 A copy of the Order is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, FL 32301-1329. The Final Order is posted on Florida Housing's website at floridahousing.org.
 Requests for copies or inspections should be made to: Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4197 or e-mail to Sherry.Green@floridahousing.org.

NOTICE IS HEREBY GIVEN THAT on October 26, 2007, the Florida Housing Finance Corporation has issued an order.
 The Florida Housing Finance Corporation gives notice of the entry of an Order Granting a Petition for Waiver or Variance.
 NAME OF THE PETITIONER: The Villages at Halifax Housing, Ltd., LLLP
 DATE PETITION WAS FILED: August 21, 2007
 RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Paragraph 67-48.004(14)(g), Florida Administrative Code.
 REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: F.A.W., August 31, 2007, Vol. 33, No. 35
 THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION APPROVED THE VARIANCE OR WAIVER: October 26, 2007
 THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.
 A copy of the Order is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Florida Housing

Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, FL 32301-1329. The Final Order is posted on Florida Housing's website at floridahousing.org.
 Requests for copies or inspections should be made to: Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4197 or e-mail to Sherry.Green@floridahousing.org.

NOTICE IS HEREBY GIVEN THAT on October 26, 2007, the Florida Housing Finance Corporation has issued an order.
 The Florida Housing Finance Corporation gives notice of the entry of an Order Granting a Petition for Waiver or Variance.
 NAME OF THE PETITIONER: The Villas at Carver Park, LLLP
 DATE PETITION WAS FILED: August 17, 2007
 RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Paragraph 67-21.003(1)(a), Florida Administrative Code.
 REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: F.A.W., August 31, 2007, Vol. 33, No. 35
 THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION APPROVED THE VARIANCE OR WAIVER: October 26, 2007
 THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.
 A copy of the Order is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, FL 32301-1329. The Final Order is posted on Florida Housing's website at floridahousing.org.
 Requests for copies or inspections should be made to: Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4197 or e-mail to Sherry.Green@floridahousing.org.

Section VI Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

The **Florida Historical Commission** announces a public meeting to which all persons are invited.
 DATE AND TIME: Thursday, November 29, 2007, 9:00 a.m. – 2:00 p.m.
 GENERAL SUBJECT MATTER TO BE CONSIDERED: National Register Review.
 DATE AND TIME: Friday, November 30, 2007, 9:00 a.m. – 2:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

PLACE: Florida Southern College, William M. Hollis Seminar Room, Thad Buckner Building, 111 Lake Hollingsworth Drive, Lakeland, Florida 33801, 1(863)680-6298

A copy of the agendas may be obtained by writing to: Division of Historical Resources, 500 South Bronough Street, Tallahassee, Florida 32399-0250 or calling (850)245-6333.

Should any person wish to appeal any decision made with respect to the above referenced meeting, she or he may need to ensure verbatim recording of the proceedings in order to provide a record for judicial review.

Pursuant to Section 286.26, Florida Statutes, people with disabilities wishing to attend this meeting should contact the agency at least 48 hours prior to the meeting in order to request any special assistance. Please contact the Division of Historical Resources by telephone at (850)245-6360, or by Fax at (850)245-6436.

DEPARTMENT OF LEGAL AFFAIRS

The **Florida Commission on the Status of Women** announces a public meeting to which all persons are invited.

DATE AND TIME: November 16, 2007, 8:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: The 4th Quarterly Meeting of 2007 of the Florida Commission on the Status of Women.

NOTE: In the absence of quorum, items on this agenda will be discussed as workshop, and notes will be recorded although no formal action will be taken. If you have any questions, please call (850)414-3300.

A copy of the agenda may be obtained by contacting: Florida Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, Fax (850)921-4131.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Florida Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, Fax (850)921-4131. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Florida Commission on the Status of Women at the Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, Fax (850)921-4131.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Consumer Fertilizer Task Force** announces a public meeting to which all persons are invited.

DATE AND TIME: November 14, 2007, 8:00 a.m. – 5:00 p.m.

PLACE: The Florida Department of Agriculture and Consumer Services, George Eyster Auditorium, 3125 Connor Boulevard, Tallahassee, Florida 32399, (850)488-3731

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting will be to review, discuss and seek consensus on a package or recommendations to the legislature for proposed refinements to Florida's regulation and use of consumer fertilizers to ensure they are based on the best available science and uniform subject to variations necessary to meet mandated state and federal water quality standards.

A copy of the agenda may be obtained by contacting: Mr. Anderson H. "Andy" Rackley, Director, Division of Agricultural Environmental Services, 3125 Conner Boulevard, Suite F, Tallahassee, Florida 32399, (850)488-3731.

The Florida **Division of Forestry** and the Florida **Fish and Wildlife Conservation Commission** announces the first of two public hearings on the topic of the Babcock Ranch Preserve (BRP) Conceptual Management Plan (CMP) to which all interested persons are invited.

DATE AND TIME: November 28, 2007, 6:00 p.m. – 9:00 p.m.

PLACE: Tringali Recreation Center, Community Center Room, 3460 North Access Road, Englewood, FL 34224

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this public hearing is to gather public input on the BRP Draft 1 CMP. It is also a time for the public to gain a greater understanding of the steps being taken to create the CMP. Members of the Management Advisory Group and 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 also attend this public hearing.

Copies of the Draft 1 CMP, the Management Prospectus (Babcock Ranch Preserve Act), and associated materials are available from the official BRP CMP website at www.babcockcmp.org or by contacting Pandion Systems, Inc. at (352)372-4747.

If accommodations are needed for persons with disabilities, please request so within 48 hours of the hearing by contacting: Christine Denny, Project Manager, at Pandion Systems, Inc. at (352)372-4747.

You are hereby notified in accordance with Section 286.0105, Florida Statutes.

The Florida **Division of Forestry** and the Florida **Fish and Wildlife Conservation Commission** announces the second of two public hearings on the topic of the Babcock Ranch Preserve (BRP) Conceptual Management Plan (CMP) to which all interested persons are invited.

DATE AND TIME: November 29, 2007, 6:00 p.m. – 9:00 p.m.
PLACE: Buckingham Community Center, 4940 Buckingham Road, Fort Myers, FL 33905

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this public hearing is to gather public input on the BRP Draft 1 CMP. It is also a time for the public to gain a greater understanding of the steps being taken to create the CMP. Members of the Management Advisory Group and 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 also attend this public hearing.

Copies of the Draft 1 CMP, the Management Prospectus (Babcock Ranch Preserve Act), and associated materials are available from the official BRP CMP website at www.babcockcmp.org or by contacting Pandion Systems, Inc. at (352)372-4747.

If accommodations are needed for persons with disabilities, please request so within 48 hours of the hearing by contacting: Christine Denny, Project Manager, at Pandion Systems, Inc. (352)372-4747.

You are hereby notified in accordance with Section 286.0105, Florida Statutes.

The Florida **Department of Agriculture and Consumer Services, Division of Food Safety** announces a public meeting to which all persons are invited.

DATE AND TIME: December 3, 2007, 10:00 a.m.
PLACE: Florida Department of Agriculture and Consumer Services, Conner Complex, George Eyester Auditorium, 3125 Conner Boulevard, Tallahassee, Florida, (850)488-0295

GENERAL SUBJECT MATTER TO BE CONSIDERED: Informational and general business meeting of the Florida Food Safety and Food Defense Advisory Council.

A copy of the agenda or for more information, you may contact: Carol Windham, Division of Food Safety, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650, (850)488-0295.

DEPARTMENT OF EDUCATION

The **Department of Education, Division of Blind Services**, Business Enterprises Program announces a Selection Panel meeting to which all persons are invited.

DATES AND TIMES: November 13, 2007, 3:00 p.m.; 9:00 a.m. – 5:00 p.m. on subsequent days until all business has been concluded

PLACE: Orlando Downtown Courtyard, Conference Room, 730 North Magnolia Avenue, Orlando, Florida 32803, (407)996-1000

GENERAL SUBJECT MATTER TO BE DISCUSSED: Review applications and interview applicants for the business opportunities announced in September 2007.

The **Division of Blind Services**, Business Enterprises Program and State Committee of Vendors are announcing a Training Meeting to which all interested persons are invited to attend.

DATE AND TIME: November 30, 2007, 8:30 a.m. – 11:00 a.m.

PLACE: Embassy Suites – South, 8978 International Drive, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Improvement in the training process for new Vending Facility Managers.

The **Division of Blind Services**, Business Enterprises Program and State Committee of Vendors are announcing a meeting to which all interested persons are invited to attend.

DATES AND TIMES: November 30, 2007, 1:30 p.m.; December 1, 2007, 8:30 a.m.

PLACE: Embassy Suites South, 8978 International Drive, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Administration for the Business Enterprises Program will discuss topics as they are brought up during the meeting.

The State Committee of Vendors will present reports from subcommittees; formation of new subcommittees; member appointments to existing and new subcommittees, and General Topics of interest brought up by the District Representatives at the meeting.

A copy of the quarterly minutes can be obtained at the Division of Blind Services web site: www.state.fl.us/dbs/ and going to Business Enterprises Program.

The **Florida Schools of Excellence Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: November 14, 2007, 10:00 a.m. – completion

PLACE: Odyssey Charter School, 1755 Eldron Boulevard, Southeast, Palm Bay, Florida 32909-6832

GENERAL SUBJECT MATTER TO BE CONSIDERED: Per Section 1002.335(3)(c), Florida Statutes, The Florida Schools of Excellence Commission shall meet each month at the call of the chair.

A copy of the agenda may be obtained by contacting Rudy Rodriguez at Rudy.Rodriguez@fldoe.org.

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

For more information, you may contact Rudy Rodriguez at Rudy.Rodriguez@fldoe.org.

The **Charter School Review Panel** announces a public meeting to which all persons are invited.

DATE AND TIME: November 14, 2007, 2:00 p.m. – completion

PLACE: Odyssey Charter School, 1755 Eldron Boulevard, Southeast, Palm Bay, Florida 32909-6832

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Education shall regularly convene a Charter School Review Panel in order to review issues, practices, and policies regarding charter schools.

A copy of the agenda may be obtained by contacting: Office of Independent Education and Parental Choice, Attention: Jenna Vetre, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399-0400, (850)245-0502.

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: Office of Independent Education and Parental Choice, Attention: Jenna Vetre, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399-0400, (850)245-0502. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Office of Independent Education and Parental Choice, Attention: Jenna Vetre, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399-0400, (850)245-0502.

The **Florida Schools of Excellence Commission** announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 16, 2007, 10:00 a.m. – completion

PLACE: 1(888)808-6959, Conference Code 2450861

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Schools of Excellence Commission will be discussing legislative and budget issues.

A copy of the agenda may be obtained by contacting Rudy Rodriguez at Rudy.Rodriguez@fldoe.org.

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

For more information, you may contact Rudy Rodriguez at Rudy.Rodriguez@fldoe.org.

The **Florida Atlantic University** announces a public meeting to which all persons are invited.

DATE AND TIME: November 15, 2007, 11:00 a.m.

PLACE: Florida Atlantic University, Boca Raton Campus, 777 Glades Road, Bldg. 69, Room 110, Boca Raton, FL 33431

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold and Orientation Meeting regarding Florida's Art in State Buildings Program for BT-616 College of Engineering and Computer Science Building.

A copy of the agenda may be obtained by contacting Corina Mavrodin at cmavrodi@fau.edu.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting Corina Mavrodin at (561)297-0541. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact Corina Mavrodin at (561)297-0541.

DEPARTMENT OF TRANSPORTATION

The **Florida Transportation Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: November 27, 2007, 9:00 a.m. – 12:00 Noon

PLACE: Florida Department of Transportation, 605 Suwannee Street, Burns Building, Executive Conference Room, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Teleconference of the Florida Transportation Commission's Subcommittee to discuss additional oversight of the Transportation Authorities as stated in 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. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Florida Transportation Commission, Room 176, M.S. 9, 605 Suwannee Street, Tallahassee, Florida 32399-0450, (850)414-4105.

The **Department of Transportation** announces a workshop to which all persons are invited.

DATE AND TIME: November 29, 2007, 9:00 a.m.

PLACE: Department of Transportation, Haydon Burns Building, Auditorium, 605 Suwannee Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a rule development workshop on the proposed new Rule 14-10.025, F.A.C., Wall Murals. Rule 14-10.025, F.A.C., is being adopted to implement provisions of Section 479.156, Florida Statutes, regulating wall murals as defined in Section 479.01(27), Florida Statutes. A new application form is incorporated by reference. A rule development workshop was requested to discuss the proposed new rule.

A copy of the agenda may be obtained by contacting: James C. Myers, Clerk of Agency Proceedings, Department of Transportation, 605 Suwannee Street, MS 58, Tallahassee, Florida 32399-0458, (850)414-5393.

NOTE: The only agenda item is the text of the proposed rule as published in F.A.W., Vol. 33, No. 42, October 19, 2007.

NOTICE OF REVISION – The Florida **Department of Transportation**, District Two announces public meetings to which all persons are invited.

NOTE: This is a correction of a notice previously published in the October 19, 2007 and October 26, 2007, F.A.W.

1. Live Oak Hearing: Specific notice is provided to the County Commissions for Taylor, Madison, Lafayette, Hamilton, and Suwannee counties serving as MPO for their respective counties.

DATE AND TIME: Thursday, November 29, 2007, 5:30 p.m.

PLACE: Suwannee River Water Management District, Board Room #103, 9225 County Road 49, Live Oak, Florida

2. Lake City Hearing: Specific notice is provided to the Gainesville Metropolitan Transportation Planning Organization (MTPO) and the County Commissions for Dixie, Levy, Gilchrist, Bradford, Alachua, Columbia, and Union counties serving as MPO for their respective counties.

DATE AND TIME: Tuesday, December 4, 2007, 5:30 p.m.

PLACE: Florida Department of Transportation, Lake City District Office, Madison Room, 1109 South Marion Avenue, Lake City, Florida

3. Jacksonville Hearing: Specific notice is provided to the First Coast Metropolitan Planning Organization (FCMPO) and the County Commissions for Putnam, St. Johns, Nassau, Baker, Clay, and Duval counties serving as MPO for their respective counties.

DATE AND TIME: Thursday, December 6, 2007, 5:30 p.m.

PLACE: Florida Department of Transportation, Jacksonville Urban Office, Training Facility, 2198 Edison Avenue, Jacksonville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presentation of the Department's Tentative Work Program for Fiscal Years beginning July 1, 2008, through June 30, 2013. These Public Hearings are being conducted pursuant to Section 339.135(4)(c), Florida Statutes, to consider the Department's Tentative Work Program for the period 2008-2009 through 2012-2013, and to consider the necessity of making any changes to the Department's Tentative Work Program.

The proposed improvements have been developed in accordance with the Civil Rights Act of 1964 and/or other nondiscrimination authorities. Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons may file a written complaint to the District's Administrative Compliance Monitor or with the Department of Transportation's Equal Opportunity Office in Tallahassee.

District Office: Florida Department of Transportation, District Two, Mrs. Cindy Duffany, Administrative Compliance Monitor, 1109 South Marion Avenue – MS 2016, Lake City, Florida 32025-8574

Central Office: Florida Department of Transportation, Equal Opportunity Office, 605 Suwannee Street – MS 65, Tallahassee, Florida 32399-0450

Written comments from the Commissions and other interested parties will be received by the Department at the Public Hearings and through December 21, 2007. Comments should be addressed to:

Mr. Charles W. Baldwin, P.E., District Secretary, Florida Department of Transportation, District Two, 1109 South Marion Avenue, Lake City, Florida 32025-5874, 1(800)749-2967.

Persons who require accommodations under the Americans with Disabilities Act or persons who require translations services (free of charge) should contact: Mr. Bill Henderson, District Planning and Environmental Manager, Lake City District Office at 1(800)749-2967 at least ten (10) days in advance of the public hearings.

The Florida **Department of Transportation**, District Seven announces a hearing to which all persons are invited.

DATE AND TIME: Tuesday, December 4, 2007, 5:00 p.m. – 7:00 p.m.

PLACE: Pasco County Government Center, Board of County Commission Chambers, 7530 Little Road, New Port Richey, Florida

DATE AND TIME: Thursday, December 6, 2007, 5:00 p.m. – 7:00 p.m.

PLACE: Tampa Bay Regional Planning Council, 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation, District Seven, invites you to attend the District Seven and Turnpike Enterprise Five-Year Tentative Work Program Public Hearings for Fiscal Years July 1, 2008 through June 30, 2013. The Department's Tentative Work Program lists projects funded over the next five years and includes preliminary engineering, right-of-way acquisition, construction, public transportation and Florida Turnpike Enterprise projects for Citrus, Hernando, Hillsborough, Pasco, and Pinellas counties. The Department will receive verbal and written comments at the public hearings. Written comments not received at the hearings must be postmarked by December 17, 2007 to become part of the official public hearing transcript. Written comments should be addressed to: Donald J. Skelton, P.E., District Secretary, Florida Department of Transportation, District Seven, 11201 N. McKinley Drive, MS 7-100, Tampa, Florida 33612.

A copy of the agenda may be obtained by contacting: Ms. Lee Royal, Community Liaison Administrator at (813)975-6427 or 1(800)226-7220.

Persons who require accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact Ms. Royal at least seven days prior to the hearing(s).

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

The **Department of Environmental Protection**, Office of Coastal and Aquatic Managed Areas, acting as staff to the **Board of Trustees of the Internal Improvement Trust Fund** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 5, 2007, 2:00 p.m.

PLACE: The Apalachicola National Estuarine Research Reserve's Nature Center, 261 7th St., Apalachicola, FL 32320

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose is for the members of the Reserve Advisory Council to discuss the revision of the Apalachicola National Estuarine Research Reserve Management Plan.

A copy of the agenda may be obtained by contacting Reserve Manager, Seth Blitch at (850)653-8063.

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 Reserve Manager, Seth Blitch at (850)653-8063. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FLORIDA PAROLE COMMISSION

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, November 28, 2007, 9:00 a.m.

PLACE: Florida Parole Commission, 2601 Blair Stone Road, Bldg. C, Tallahassee, Florida 32399-2450

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery and Control Release matters as well as other Commission business.

A copy of the agenda may be obtained by contacting: Florida Parole Commission, 2601 Blair Stone Road, Bldg. C, Tallahassee, Florida 32399-2450.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least Five days before the workshop/meeting by contacting: Florida Parole Commission, 2601 Blair Stone Road, Bldg. C, Tallahassee, Florida 32399-2450. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Florida Parole Commission, 2601 Blair Stone Road., Bldg. C, Tallahassee, Florida 32399-2450.

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: November 20, 2007, 9:30 a.m.

PLACE: Betty Easley Conference Center, Room 148, 4075 Esplanade Way, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Docket No. 070660-EI, Application of Florida Power & Light Company for authority to issue and sell securities pursuant to Section 366.04, Florida Statutes, and Chapter 25-8, Florida Administrative Code. The Company seeks PSC approval pursuant to Section 366.04, Florida Statutes, and Chapter 25-8, Florida Administrative Code, to issue and sell, and/or exchange any combination of the long-term debt and equity securities and/or to assume liabilities or obligations as guarantor, endorser, or surety in an aggregate amount not to exceed \$6.1 billion during calendar year 2008. In addition, the Company seeks permission to issue and sell short-term securities during the calendar years 2008 and 2009 in an amount or amounts such that the aggregate principal amount of short-term securities outstanding at the time of, and including, any such sale shall not exceed \$3.0 billion.

A copy of the agenda may be obtained by contacting the Office of the Commission Clerk at (850)413-6770.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting the Office of the Commission Clerk at (850)413-6770. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Katherine Fleming, Office of the General Counsel at (850)413-6218.

The Florida **Public Service Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: November 20, 2007, 9:30 a.m.

PLACE: Betty Easley Conference Center, Room 148, 4075 Esplanade Way, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Docket No. 070666-GU, Application of Florida City Gas (FCG), a Division of Pivotal Utility Holdings, Inc., for authority to issue short-term debt security pursuant to Section 366.04, Florida Statutes, and Chapter 25-8, Florida Administrative Code. The Company seeks PSC approval pursuant to Section 366.04, Florida Statutes, to finance its on-going cash requirements through its participation and

borrowings from and investments in AGL Resources Inc.'s (AGLR) Utility Money Pool. In addition, the Company seeks approval to make short-term borrowings not to exceed \$800 million (aggregate for the Company's three utilities) annually from the Utility Money Pool according to limits that are consistent, given the seasonal nature of the Company's business and its anticipated cash demands, with the Company's capitalization. FCG's share of these borrowings will not exceed \$250 million.

A copy of the agenda may be obtained by contacting: Office of the Commission Clerk at (850)413-6770.

For more information, you may contact: Katherine Fleming, Office of the General Counsel at (850)413-6218.

The Florida **Public Service Commission** announces a workshop to which all persons are invited.

DATE AND TIME: Thursday, November 29, 2007, 9:30 a.m.

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL 32399-0862

GENERAL SUBJECT MATTER TO BE CONSIDERED: UNDOCKETED – RE: ENERGY EFFICIENCY AND DEMAND SIDE MANAGEMENT OPPORTUNITIES AND ACCOMPLISHMENTS. The purpose of the workshop is to discuss issues relevant to Florida's Demand Side Management programs and to Energy Efficiency Initiatives of other state agencies.

A copy of the Agenda will be available by November 21, 2007. One or more Commissioners may be present and may participate in the Workshop.

EMERGENCY CANCELLATION OF WORKSHOP: If a named storm or other disaster requires cancellation of the workshop, Commission staff will attempt to give timely direct notice to all interested persons. Notice of cancellation of the workshop will also be provided on the Commission's website (<http://www.psc.state.fl.us/>) under the Hot Topics Link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199.

A copy of the agenda may be obtained by contacting: Tom Ballinger, Division of Economic Regulation, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0852, (850)413-6680 or tballinger@psc.state.fl.us or Lisa Bennett, Office of the General Counsel at (850)413-6230 or lbennett@psc.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting the Office of Commission Clerk at (850)413-6770. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

EXECUTIVE OFFICE OF THE GOVERNOR

Volunteer Florida, the Governor's Commission on Volunteerism and Community Service is pleased to announce a meeting (via conference call) to which all persons are invited.

DATE AND TIME: Monday, November 26, 2007, 4:00 p.m.

PLACE: Please contact Kristin Mullikin at (850)414-0092 for conference call in information.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Disability Outreach Committee Meeting.

If you require a reasonable accommodation to participate, please advise 72 hours in advance with your request.

REGIONAL PLANNING COUNCILS

The **Gold Coast Clean Cities Coalition** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, November 15, 2007, 10:00 a.m. – 12:00 Noon

PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021

GENERAL SUBJECT MATTER TO BE CONSIDERED: To continue discussions and presentations regarding the advancement of clean alternative fuels within Palm Beach, Broward, Miami-Dade and Monroe Counties.

A copy of the agenda may be obtained by contacting: Gold Coast Clean Cities Coalition, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021.

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 Coalition at (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).

For more information, you may contact Larry Allen at (954)985-4416.

The **Treasure Coast Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: November 28, 2007, 9:30 a.m.

PLACE: Treasure Coast Regional Planning Council, 301 East Ocean Boulevard, Suite 300, Stuart, FL 34994

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Council's Budget/Personnel Committee.

A copy of the agenda may be obtained by contacting: Liz Gulick at (772)221-4060.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting. If you

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

REGIONAL TRANSPORTATION AUTHORITIES

The **South Florida Regional Transportation Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, November 27, 2007, 2:00 p.m.

PLACE: Main Conference Room, SFRTA's Administrative Offices, 800 N. W. 33rd Street, Pompano Beach, FL 33064

GENERAL SUBJECT MATTER TO BE CONSIDERED: ADA Advisory Committee.

A copy of the agenda may be obtained by contacting SFRTA Executive Office at (954)788-7915.

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: Executive Office, 800 N. W. 33rd Street, Suite 100, Pompano Beach, Florida 33064. 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.

COMMISSION ON ETHICS

The Florida **Commission on Ethics** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, November 30, 2007, 8:30 a.m.

PLACE: Senate Office Building, Room 37, 404 South Monroe Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Commission Meeting.

A copy of the agenda may be obtained by contacting: Commission on Ethics, P. O. Drawer 15709, Tallahassee, Florida 32317-5709.

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: Commission on Ethics at (850)488-7864. 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.

WATER MANAGEMENT DISTRICTS

The **Southwest Florida Water Management District** announces a workshop to which all persons are invited.

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

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public input on regulations governing long-term multi-phase projects to address environmental resource permitting requirements for issuance of a water use permit for multi-phase projects that require both a water use permit and an environmental resource permit and 20 year standby ground water permits for projects using significant alternative water supplies.

A copy of the agenda may be obtained by contacting: Karen A. Lloyd, Assistant General Counsel, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Dianne Lee at (352)796-7211 or 1(800)423-1476, extension 4658; TDD only number 1(800)231-6103; Fax number (352)754-6878, Suncom 663-6878. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Southwest Florida Water Management District** announces a public meeting on Rules 40D-2.091, Publications Incorporated by Reference; 40D-2.321, Duration of Permits; 40D-2.801, Water-Use Caution Areas, F.A.C. to which all persons are invited.

Governing Board Meeting

DATE AND TIME: November 26, 2007, 9:00 a.m.

PLACE: Southwest The Quorum Hotel, 700 N. Westshore Blvd., Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The adoption of proposed interim rules to include a balanced regulatory approach for protecting the public interest against excessive stress on the water resources of an area of Central Florida referred to as the Central Florida Coordination Area, providing for allocations of available groundwater and expeditious development of supplemental water supply

projects to avoid the adverse effects of competition as well as harm to the water resources. The public hearing on October 30, 2007, was continued to November 26, 2007, to allow for consideration of any changes to the proposed rules in response to comments from the Joint Administrative Procedures Committee or other persons.

A copy of the agenda may be obtained by contacting: Karen A. Lloyd, Assistant General Counsel, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Dianne Lee at (352)796-7211 or 1(800)423-1476, extension 4658, TDD only number 1(800)231-6103, Fax number (352)754-6878, Suncom 663-6878. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **South Florida Water Management District** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, November 20, 2007, 10:00 a.m. – 11:00 a.m.

PLACE: Meeting ID Number 5442

DATE AND TIME: Thursday, November 29, 2007, 10:00 a.m. – 11:00 a.m.

PLACE: Meeting ID Number 6627

DATE AND TIME: Thursday, December 6, 2007, 10:00 a.m. – 11:00 a.m.

PLACE: Meeting ID Number 0085

DATE AND TIME: Thursday, December 13, 2007, 10:00 a.m. – 11:00 a.m.

PLACE: Meeting ID Number 8053

DATE AND TIME: Thursday, December 20, 2007, 10:00 a.m. – 11:00 a.m.

PLACE: Meeting ID Number 0057

DATE AND TIME: Thursday, December 27, 2007, 10:00 a.m. – 11:00 a.m.

PLACE: Meeting ID Number 7627

This is a teleconferenced meeting. You may call into the teleconference by dialing either of the following telephone numbers: (561)682-6700, 1(866)433-6299. You will be prompted to dial the meeting ID number associated with the

meetings above. South Florida Water Management District, Building B-2, 2 S. E. St. Lucie River Conference Room, 3301 Gun Club Rd., West Palm Beach, Florida, 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: The South Florida Water Management District (District or SFWMD) has selected three experts to participate in a peer review panel to evaluate the Kissimmee Basin Hydrologic Assessment, Modeling and Operations Study (KB MOS) model and application to identify alternative structure operating criteria to meet the flood control, water supply, aquatic plant management, and natural resource operations objectives of the Upper and Lower Kissimmee Basin and its associated water resource projects. These teleconferenced meetings are a continuation of the peer review.

The agendas for the conference call meetings will be posted seven (7) days before the meeting and can be accessed at the KB MOS website link: https://my.sfwmd.gov/portal/page?_pageid=2294,4946313,2294_4947316:2294_11158145&_dad=portal&_schema=PORTAL.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: District Clerk's Office (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact the District Clerk's Office at (561)682-2087.

The **South Florida Water Management District** announces a meeting and hearing to which all persons are invited.

DATE AND TIME: Thursday, December 13, 2007, Regular meeting starts at 9:00 a.m.; the public hearing is anticipated to start after completion of the Discussion Agenda but may occur earlier or later in the day.

PLACE: Palm Beach County Convention Center, 650 Okeechobee Boulevard, Room 2ABC Combined, West Palm Beach, Florida 33401

GENERAL SUBJECT MATTER TO BE CONSIDERED: A public hearing of the Governing Board of the South Florida Water Management District to adopt the Florida Forever Work Plan, 2008 Annual Update; included as Chapter 6A, Volume II of the South Florida Environmental Report. The Florida Forever Work Plan, 2008 Annual Update will be available on the SFER Web Conference Board for public review at www.sfwmd.gov/sfer. Public review and comment on the Plan update begins October 19, 2007 and may be made by regular

mail received by the District no later than 5:00 p.m. on December 12, 2007, on the Web Conference Board or by electronic mail until 5:00 p.m. on December 12, 2007; or in person at the public hearing on December 13, 2007. At the conclusion of the public hearing, the District Governing Board will vote on a recommendation to adopt the Plan.

A copy of the agenda may be obtained by contacting seven days prior to the meeting: (1) District website www.sfwmd.gov or (2) by writing to: South Florida Water Management District, Mail Stop 1130, P. O. Box 24680, West Palm Beach, FL 33416-4680.

For additional information, please contact: Wanda Caffie-Simpson, Land Acquisition and Land Management Department, South Florida Water Management District Headquarters, Building B-1, 3301 Gun Club Road, Mail Stop Code 7310, West Palm Beach, FL 33406, (561)682-6445, wsimpo@sfwmd.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting the District Clerk's Office at (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact the District Clerk's Office at (561)682-2087.

The **Water Resources Advisory Commission (WRAC)** Recreation Issues Workshop announces a public meeting to which all persons are invited.

DATE AND TIME: November 19, 2007, 5:00 p.m. – 8:00 p.m.

PLACE: SFWMD, 3301 Gun Club Road, Building B-1, Auditorium, West Palm Beach, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Public Meeting of the Water Resources Advisory Commission (WRAC) regarding recreation issues. The public is advised that it is possible that one or more members of the Governing Board of the South Florida Water Management District may attend and participate in this meeting.

A copy of the agenda may be obtained by contacting Rick Smith at (561)682-6517 or at our website <http://my.sfwmd.gov/wrac>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting the District's Clerk Office, Jacki McGorty at

(561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

REGIONAL UTILITY AUTHORITIES

The **Tampa Bay Water** announces a public meeting to which all persons are invited.

DATE AND TIMES: Monday, November 26, 11:30 a.m., Joint Board reception and lunch; 1:00 p.m., Joint Meeting

PLACE: Quorum Hotel, 700 N Westshore Blvd., Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Joint Meeting of the Southwest Florida Water Management District Board of Directors and the Tampa Bay Water Board of Directors for discussion and direction regarding regional water supply issues of concern in the Tampa Bay area.

A copy of the agenda may be obtained by contacting the Tampa Bay Water Records Department at (727)796-2355.

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. 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 Tampa Bay Water Records Department at (727)796-2355.

The Technical Review Committee of the **Withlacoochee Regional Water Supply Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, November 28, 2007, 10:00 a.m.

PLACE: Withlacoochee Regional Planning Council, Board Room, 1241 S. W. 10th Street, Ocala, Florida 34474

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the findings of the feasibility analyses of new water supply projects in the Withlacoochee Region.

A copy of the agenda may be obtained by contacting: Withlacoochee Regional Water Supply Authority, P. O. Drawer 190, Tallahassee, Florida 32302 or Jackson Sullivan at (850)513-3604.

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 Jackson Sullivan at (850)513-3604.

NOTICE OF CHANGE – The Withlacoochee Regional Water Supply Authority announces a public meeting to which all persons are invited.

DATE AND TIME: The regularly scheduled November 21, 2007 meeting has been changed to Wednesday, November 28, 2007, 4:30 p.m.

PLACE: City Commission Chambers, City Hall, 151 S. E. Osceola Avenue, 2nd Floor, Ocala, Florida 34471

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct regular business of the Authority.

A copy of the agenda may be obtained by contacting: Withlacoochee Regional Water Supply Authority, P. O. Drawer 190, Tallahassee, Florida 32302 or at www.WRWSA.org under “minutes and notices,” “current agenda.”

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 Jackson Sullivan at (850)513-3604.

DEPARTMENT OF VETERANS’ AFFAIRS

The Florida **Commission on Veterans’ Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, November 15, 2007, 1:00 p.m.

PLACE: Room 116, The Knott Building, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting and planning session.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact: Nancy Schiellerd, Florida Department of Veterans’ Affairs, 4040 Esplanade Way, Suite 152, Tallahassee, Florida 32399-0950. Please telephone (850)487-1533 at least 48 hours prior to the meeting.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a meeting of the Medical Care Advisory Committee to which all interested parties are invited to attend.

DATE AND TIME: November 15, 2007, 1:00 p.m. – 4:00 p.m.
 PLACE: Conference Room C, AHCA headquarters, 2727 Mahan Drive, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Federal regulations require each state Medicaid Program to establish a committee to serve in an advisory capacity on health and medical care issues. According to 42CFR 431.12, this committee must include the following:

- board-certified physicians and other representatives of the health professions who are familiar with the medical needs of low-income people and with the resources available for their care;
- members of consumer groups, including Medicaid recipients;
- Agency heads from the Department of Children and Family Services and the Department of Health.

The committee will be asked to provide the Agency with advice on improving Medicaid beneficiaries' access to specialists, and enhancing our communication with Medicaid beneficiaries. Members may also be asked to review and provide input on a variety of Medicaid materials, and to make recommendations to the Agency about Medicaid policies, rules and procedures.

The **Agency for Health Care Administration**, in conjunction with the **Department of Elder Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, November 29, 2007, 8:30 a.m. – 11:30 a.m. (Eastern)

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is being held to afford interested persons the opportunity to express their views and provide input regarding the 1915(c) waiver and the program design for Florida Senior Care. Section 409.912(5), Florida Statutes, provides authorization for the Agency for Health Care Administration, in partnership with the Department of Elder Affairs, to implement an integrated, fixed-payment delivery program for Medicaid beneficiaries who are 60 years of age or older or dually eligible for Medicare and Medicaid. The primary purpose of this meeting is to present each of the program design changes necessitated by Section 409.912(5), Florida Statutes. An overview of the program will be provided as well as an opportunity for public comment on the 1915(c) waiver amendment, on a first come - first serve basis.

A copy of the agenda may be obtained by contacting: Cheryl Young, 2727 Mahan Drive, Mail Stop 20, Tallahassee, FL 32308, (850)487-2618, e-mail: youngc@ahca.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 7 days before the workshop/meeting by contacting: Cheryl Young, 2727 Mahan Drive, Mail Stop 20, Tallahassee, FL 32308, (850)487-2618, e-mail: youngc@ahca.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Agency for Health Care Administration**, in conjunction with the **Department of Elder Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, November 29, 2007, 1:30 p.m. – 4:30 p.m. (Eastern)

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is being held to afford interested persons the opportunity to express their views and provide input regarding the design of the evaluation of Florida Senior Care. Section 409.912(5), Florida Statutes, provides authorization for the Agency for Health Care Administration, in partnership with the Department of Elder Affairs, to implement an integrated, fixed-payment delivery program for Medicaid beneficiaries who are 60 years of age or older or dually eligible for Medicare and Medicaid. The program shall be implemented initially on a pilot basis in Brevard, Orange, Osceola and Seminole counties; and Miami-Dade and Monroe counties. Enrollment in Florida Senior Care shall be on a voluntary basis.

A copy of the agenda may be obtained by contacting: Stephanie Clarke, 2727 Mahan Drive, Mail Stop 20, Tallahassee, FL 32308, (850)487-2618, e-mail: clarkest@ahca.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Stephanie Clarke, 2727 Mahan Drive, Mail Stop 20, Tallahassee, FL 32308, (850)487-2618, e-mail: clarkest@ahca.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Agency for Health Care Administration** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, December 3, 2007, 10:00 a.m. – 12:00 Noon

PLACE: This will be a telephone conference. Phone Line: 1(888)808-6959, Conference Code: 7556753

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Agency for Health Care Administration, Division of Medicaid, announces a phone conference with the Kidney, Pancreas,

Kidney/Pancreas Committee of the Organ Transplant Advisory Council to review and recommend revisions to the State Plan as it pertains to organ transplantation for Florida Medicaid.

A copy of the agenda may be obtained by contacting: Theresa Kumar, Transplant Coordinator, Agency for Health Care Administration, Medicaid Services, Mail Stop 20, Tallahassee, Florida 32308, (850)922-7322, kumart@ahca.myflorida.com.

The **Agency for Health Care Administration** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, December 6, 2007, 10:00 a.m. – 12:00 Noon

PLACE: This will be a telephone conference. Phone Line: 1(888)808-6959, Conference Code: 7556753

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Agency for Health Care Administration, Division of Medicaid, announces a telephone conference with the Heart, Lung, Heart/Lung Committee of the Organ Transplant Advisory Council to review and recommend revisions to the State Plan as it pertains to organ transplantation for Florida Medicaid.

A copy of the agenda may be obtained by contacting: Theresa Kumar, Transplant Coordinator, Agency for Health Care Administration, Medicaid Services, Mail Stop 20, Tallahassee, Florida 32308, (850)922-7322, kumart@ahca.myflorida.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Florida **Board of Professional Engineers** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, November 14, 2007, 8:30 a.m.

PLACE: 2507 Callaway Road, Suite 200, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review of applications for examination and/or licensure by endorsement and to review applications of foreign educated applicants.

A copy of the agenda may be obtained by contacting Carrie A. Flynn.

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 Carrie A. Flynn. 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 Carrie A. Flynn.

The Florida **Board of Professional Engineers**, Educational Advisory and Application Review Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, November 14, 2007, 8:30 a.m.

PLACE: 2507 Callaway Road, Suite 200, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review of applications for examination and/or licensure by endorsement and to review applications of foreign educated applicants.

A copy of the agenda may be obtained by contacting Carrie A. Flynn.

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 Carrie A. Flynn. 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 Carrie A. Flynn.

The Florida **Board of Professional Engineers** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, November 30, 2007, 10:00 a.m.

PLACE: 2507 Callaway Road, Suite 200, Tallahassee, FL 32303, 1(866)895-8146, Passcode 5210500

GENERAL SUBJECT MATTER TO BE CONSIDERED: To act on recommendations from the Educational Advisory and Application Review Committees to approve or deny applications for licensure and any old or new business of the Florida Board of Professional Engineers.

A copy of the agenda may be obtained by contacting Carrie A. Flynn.

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 Carrie A. Flynn. 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 Carrie A. Flynn.

The **Florida Engineers Management Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, December 4, 2007, 1:00 p.m.

PLACE: 2507 Callaway Road, Suite 200, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Corporation.

A copy of the agenda may be obtained by contacting Carrie A. Flynn.

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 Carrie A. Flynn. 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 Carrie A. Flynn.

The Florida **Board of Professional Engineers** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 5, 2007, 8:30 a.m.

PLACE: Wednesday, 2507 Callaway Road, Suite 200, Tallahassee, FL 32303

DATE AND TIME: Thursday, December 6, 2007, 8:30 a.m.

PLACE: Ramada Inn & Conference Center, 2900 North Monroe Street, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Board.

A copy of the agenda may be obtained by contacting Carrie A. Flynn.

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 Carrie A. Flynn. 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 Carrie A. Flynn.

The **Board of Accountancy Rules Committee** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, November 20, 2007, 10:00 a.m.

PLACE: Conference call

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Rules Committee will meet to discuss rule changes.

A copy of the agenda may be obtained by contacting: Veloria A. Kelly, Division Director, Division of Certified Public Accounting, 240 N. W. 76th Drive, Suite A, Gainesville, Florida 32607.

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 June Carroll at (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact June Carroll at (850)487-1395 or if you wish to participate.

The **Board of Accountancy** announces a public meeting to which all persons are invited.

DATES AND TIMES: Thursday, December 6, 2007, 10:00 a.m. – until all Probable Cause Panel business is concluded; Thursday, December 6, 2007, 3:00 p.m. – until all Long Range Planning business is concluded. (Amended); Friday, December 7, 2007, 9:00 a.m. – until all Board Meeting business is concluded

PLACE: Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Probable Cause Panel will meet to conduct hearings on disciplinary matters. These meetings are closed to the public; however, there may be cases where probable cause was previously found which are to be reconsidered. This is a public meeting. The Board will meet to discuss Long Range Planning issues; this is a public meeting and will also be available by

conference call. The Board will meet to consider enforcement proceedings including consideration of investigation officers' reports and other general business. This is a public meeting.

A copy of the agenda may be obtained by contacting: Veloria A. Kelly, Division Director, Division of Certified Public Accounting, 240 N. W. 76th Drive, Suite A, Gainesville, Florida 32607. Anyone wishing to participate in the Long Range Planning meeting should notify June Carroll, (352)333-2505.

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 Veloria Kelly at (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact June Carroll at (850)487-1395.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

The **Board of Dentistry** announces a public meeting to which all persons are invited.

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

PLACE: Department of Health, Building 4042, Room 301, 4052 Bald Cypress Way, Tallahassee, FL 32399-3258, (850)245-4474

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review reconsideration cases.

A copy of the agenda may be obtained by contacting Sue Foster at (850)245-4474.

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 proceedings is made, which records include the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Sarah Walls at (850)245-4474, at least five calendar days prior

to the meeting. Persons who are hearing or speech impaired, can contact Ms. Walls using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Medicine**, Finance and Statistic Committee announces a public meeting to which all persons are invited.

DATE AND TIME: November 29, 2007, the Finance and Statistic Committee meeting will be held immediately following the Physician Assistant (PA) Council Meeting (Estimated Start Time is 4:00 p.m.)

PLACE: Orlando Airport Marriott, 7499 Augusta National Drive, Orlando, Florida, (407)851-9000

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Finance and Statistic Committee meeting. This meeting is scheduled to follow the Physician Assistant Council (PA) meeting that is scheduled to start at 3:00 p.m.

A copy of the agenda may be obtained by contacting: Cheryl_Graham@doh.state.fl.us or call her at (850)245-4137.

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. 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: Cheryl_Graham@doh.state.fl.us or call (850)245-4137.

The Florida **Board of Medicine**, Rules and Legislative Committee announces a public meeting to which all persons are invited.

DATE AND TIME: November 29, 2007, the Rules and Legislative Committee meeting will be held immediately following the Finance and Statistic Committee Meeting (Estimated Start Time is 5:00 p.m.)

PLACE: Orlando Airport Marriott, 7499 Augusta National Drive, Orlando, Florida (407)851-9000

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Rules and Legislative Committee meeting. This meeting is scheduled to follow the Finance and Statistic Committee meeting that is scheduled to start at 4:00 p.m.

A copy of the agenda may be obtained by contacting: Cheryl_Graham@doh.state.fl.us or call her at (850)245-4137.

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. 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: Cheryl_Graham@doh.state.fl.us or call her at (850)245-4137.

The Florida **Board of Medicine** announces a public meeting to which all persons are invited.

DATES AND TIME: Friday, November 30, 2007; Saturday, December 1, 2007, 8:00 a.m.

PLACE: Orlando Airport Marriott, 7499 Augusta National Drive, Orlando, Florida, (407)851-9000

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the business of the Florida Board of Medicine.

A copy of the agenda may be obtained by contacting: Cheryl Graham, Administrative Assistant to the Executive Director, 4052 Bald Cypress Way, BIN C03, Tallahassee, Florida 32399-3253. You can email her at Cheryl_Graham@doh.state.fl.us or call (850)245-4137.

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: Cheryl Graham, Administrative Assistant, Executive Director, 4052 Bald Cypress Way, BIN C03, Tallahassee, Florida 32399-3253. You can email her at Cheryl_Graham@doh.state.fl.us or call (850)245-4137. 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: Cheryl Graham, Administrative Assistant, Executive Director, 4052 Bald Cypress Way, BIN C03, Tallahassee, Florida 32399-3253. You can email her at Cheryl_Graham@doh.state.fl.us or call (850)245-4137.

NOTICE OF CHANGE – The Florida **Board of Nursing**, and Council on Certified Nursing Assistants announces a public meeting to which all persons are invited. November Meeting has been changed to:

DATE AND TIME: Wednesday, December 5, 2007

8:30 a.m. Council on Certified Nursing Assistants

6:00 p.m. Practice Committee

6:15 p.m. Advance Practice Committee

6:15 p.m. Legislative Committee

Full Board Meeting immediately following Legislative

Committee Meeting

DATE AND TIME: Thursday, December 6, 2007

8:30 a.m. Credentials Committee

8:30 a.m. Education Committee

1:00 p.m. Full Board meeting

DATE AND TIME: Friday, December 7, 2007

8:30 a.m. Full Board meeting

PLACE: Sheraton Miami Mart (tentative), 711 N. W. 72nd Avenue, Miami, FL. 33126, (305)261-3800

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Board, Council and Committees.

A copy of the agenda may be obtained by contacting: the Executive Director, Florida Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3252.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 days before the workshop/meeting by contacting the Board at (850)245-4125. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Board of Nursing**, South Probable Cause Panel announces a public meeting to which all persons are invited.

DATE AND TIME: December 13, 2007, 5:30 p.m.

PLACE: Department of Health, Tallahassee at Meet Me Number 1(888)808-6959, Conference Code (2458182)

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

A copy of the agenda may be obtained by contacting: Florida Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3257.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 days before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Board of Osteopathic Medicine** announces a workshop to which all persons are invited.

DATE AND TIME: November 17, 2007, 9:00 a.m.

PLACE: Lake Erie College of Osteopathic Medicine, 5000 Lakewood Ranch Boulevard, Bradenton, Florida 34211

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Osteopathic Medicine hereby gives notice that a public workshop for the purposes of rule development on Rule 64B15-14.0055, F.A.C. A notice of rule development was published in Vol. 33, No. 30, of the July 27, 2007, F.A.W.

A copy of the agenda may be obtained by contacting: Pamela King, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting: Pamela King, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256. 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 Pharmacy** announces a public meeting to which all persons are invited.

DATES AND TIMES: December 4, 2007, 1:00 p.m.; December 5, 2007, 8:00 a.m.

PLACE: The Omni Jacksonville Hotel, 245 Water Street, Jacksonville, FL 32202, (904)355-6664

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 be available at www.doh.state.fl.us/mqa, one week prior to the meeting.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Department of Health**, Council of Licensed Midwifery announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 30, 2007, 10:00 a.m. or soon thereafter

PLACE: Conference Call Number: 1(888)808-6959, Conference Code: 2454587

GENERAL SUBJECT MATTER TO BE CONSIDERED: The rules hearing is being held to consider amendments to Council of Licensed Midwifery Rule No. 64B24-2.004, Licensure by Endorsement.

A copy of the agenda may be obtained by contacting: Pamela King, Department of Health, Council of Licensed Midwifery, 4052 Bald Cypress Way, Bin C-06, Tallahassee, FL 32399-3250.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least five (5) days before the workshop/meeting by contacting: Council of Licensed Midwifery, 4052 Bald Cypress Way, Bin C-06, Tallahassee, FL 32399-3250. 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 a public meeting to which all persons are invited.

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

PLACE: Telephone Conference Call Phone Number: 1(888)808-6959, When prompted, enter the Conference Code: 2454070#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Technical Review and Advisory Panel will discuss and initially approve or disapprove, pursuant to Section 381.0065(3)(j), Florida Statutes, two proposed research projects:

1. A grant-funded project on the assessment of water quality protection by advanced onsite sewage treatment and disposal systems.
2. A project to evaluate the environmental impacts of onsite sewage treatment and disposal systems on surface waters by assessing the effects of sewerage areas that were previously served by onsite sewage systems.

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.

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: 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 **Office of Trauma** announces a workshop to which all persons are invited.

DATE AND TIME: Wednesday, November 28, 2007, 1:00 p.m. – 3:00 p.m. (EST)

PLACE: Florida Department of Health, Office of Trauma, Capital Circle Office Complex, 4025 Esplanade Way, Building 4025, Conference Room 301, Tallahassee, Florida, Conference Call Number: (888)808-6959, Conference Code: 2354440

GENERAL SUBJECT MATTER TO BE CONSIDERED: Trauma Registry.

A copy of the agenda may be obtained by contacting: Susan McDevitt, Office of Trauma, Department of Health, 4052 Bald Cypress Way, Bin C-18, Tallahassee, Florida 32399-1738, (850)245-4440, ext. 2760, email: susan_mcdevitt@doh.state.fl.us, Fax: (850)488-2512. The preliminary revisions to Trauma Registry Manual and Rule 64E-2.018, F.A.C., can be found on the following website: <http://www.doh.state.fl.us/demo/Trauma/notices.htm> under "Notices and Upcoming Events."

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: Susan McDevitt, Office of Trauma, Department of Health, 4052 Bald Cypress Way, Bin C-18, Tallahassee, Florida 32399-1738, (850)245-4440, ext. 2760, email: susan_mcdevitt@doh.state.fl.us, Fax: (850)488-2512. 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).

This is to announce the **Lifeguard and Swimming Instructor Program**, Advisory Group conference call meeting. This meeting is open to the public.

DATE AND TIME: December 5, 2007, 1:30 p.m. – 3:00 p.m.

PLACE: If you wish to participate in the referenced conference call, you must call Mr. Pryor to obtain the telephone number.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will be for evaluating Lifeguarding and Swimming Instructor training programs proposed to be considered as equivalent with paragraph 64E-9.008(1)(a), Florida Administrative Code. The advisory group will provide an assessment of the programs to the department.

The person to contact regarding this conference call meeting, agenda and pertinent information is: Mr. Robert S. Pryor, Department of Health, Bureau of Water Programs, 4052 Bald Cypress Way, BIN C-22, Tallahassee, FL 32399-1742, Telephone (850)245-4444, ext. 2369.

The **Department of Health** announces a public meeting on Rules 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 to which all persons are invited.

DATE AND TIME: December 13, 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.

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: 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).

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: 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** announces a public meeting to which all persons are invited.

DATES AND TIMES: November 14, 2007, 9:30 a.m. – 4:00 p.m.; November 15, 2007, 8:00 a.m. – 2:00 p.m.

PLACE: Keiser University Ft. Lauderdale, 1500 N. W. 49th St., 5th Floor, Auditorium, Ft. Lauderdale, FL 33309

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the last meeting of the Governor’s Council on Physical Fitness and will be a time for final recommendations, finalizing the State Implementation Plan and providing guidance for next steps for the Council.

The general public is encouraged to attend. Public comments will be accepted by members of the general public on both days. Individuals wishing to address the Council are asked to complete a public comment form before the time specified on the agenda for that day.

A copy of the agenda may be obtained by contacting www.HealthyFloridians.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Catherine Howard at catherine_howard@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).

For more information, you may contact Catherine Howard at catherine_howard@doh.state.fl.us.

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, November 14, 2007, 10:00 a.m. – 12:00 Noon

PLACE: Via Conference Call: 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-15, 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, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

COMMISSION ON MARRIAGE AND FAMILY SUPPORT INITIATIVES

The **Commission on Marriage and Family Support Initiatives** announces a public meeting to which all persons are invited.

EXECUTIVE COMMITTEE

DATE AND TIME: Wednesday, November 7, 2007, 8:30 a.m. – 9:30 a.m.

RESEARCH AND POLICY COMMITTEE

DATE AND TIME: Thursday, November 1, 2007, 9:00 a.m. – 11:00 a.m.

PUBLIC AWARENESS AND OUTREACH COMMITTEE

DATE AND TIME: Thursday, November 15, 2007, 10:00 a.m. – 12:00 Noon

PLACE: All the meetings will be held via conference call at 111 N. Gadsden Street, Suite 100, Tallahassee, FL 32301-1507

GENERAL SUBJECT MATTER TO BE CONSIDERED: Commission Business.

A copy of the agenda may be obtained by contacting: Heidi Rodriguez at hrodriguez@ounce.org or (850)488-4952, ext. 135.

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: Heidi Rodriguez at hrodriguez@ounce.org or (850)488-4952, ext. 135. 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: Heidi Rodriguez at hrodriguez@ounce.org or (850)488-4952, ext. 135.

FLORIDA TELECOMMUNICATION RELAY, INC.

The **Florida Telecommunications Relay, Inc.** announces a regular meeting to which all interested persons are invited.

DATE AND TIME: Tuesday, November 13, 2007, 1:00 p.m.

PLACE: Board of Directors, 1820 E. Park Avenue, Suite 101, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Board of Directors.

A copy of the agenda may be obtained by writing: Mr. James Forstall, Executive Director, 1820 E. Park Avenue, Suite 101, Tallahassee, Florida 32301.

The meeting is subject to cancellation for lack of a quorum or unavailability of an interpreter.

FLORIDA COMPREHENSIVE HEALTH ASSOCIATION

The **Florida Comprehensive Health Association** created pursuant to Section 627.6488, Florida Statutes, as amended, announces a public meeting as follows:

DATE AND TIME: Tuesday, November 13, 2007, 1:00 p.m.

PLACE: Florida Comprehensive Health Association, 820 E. Park Ave., D-200, Tallahassee, FL 32301

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 **Duval Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: November 14, 2007, 10:00 a.m.

PLACE: Duval Agricultural Extension Center, 1010 N. McDuff Avenue, Jacksonville, FL 32254

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the business of the District Board.

The **Madison Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: November 19, 2007, 8:15 a.m.

PLACE: USDA-NRCS Center, Madison, FL 32340

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting Doris at (850)973-6595.

The **Ochlockonee River Soil and Water Conservation District** announces meetings to which members of the public are encouraged to attend.

DATES AND TIME: November 19, 2007; December 10, 2007, 4:00 p.m.

PLACE: Leon County Agricultural Extension Office, 615 Paul Russell Road, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meetings to discuss technical and administrative issues related to the District's activities. During the December meeting, the District will discuss its intention to promulgate rules concerning the application of fertilizer containing phosphorus in Leon County.

The agenda for the meeting will be available at least seven days prior to the meeting and can be obtained by contacting Blas Gomez, Chair at (850)933-6268.

FLORIDA WORKERS' COMPENSATION INSURANCE GUARANTY ASSOCIATION

The Board of Directors of the **Florida Workers' Compensation Insurance Guaranty Association** announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 15, 2007, 11:00 a.m. (EST)

PLACE: via teleconference

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will meet regarding the regular business of the Association.

A copy of the agenda may be obtained by contacting Cathy Irvin at (850)386-9200.

AMERICAN GUARANTY FUND GROUP

The Board of Directors of the **American Guaranty Fund Group** announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 15, 2007, 11:30 a.m. (EST)

PLACE: via Teleconference

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will meet regarding the regular business of the Association.

A copy of the agenda may be obtained by contacting Cathy Irvin at (850)386-9200.

FLORIDA SELF-INSURERS GUARANTY ASSOCIATION, INC.

The **Florida Self-Insurers Guaranty Association, Inc.** announces a telephone conference meeting of the Finance Committee of its Board of Directors. All interested persons are invited to attend.

DATE AND TIME: Thursday, November 15, 2007, 4:30 p.m.

PLACE: 1427 E. Piedmont Drive, 2nd Floor, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

Information on the meeting may be obtained by contacting Brian Gee, Executive Director at (850)222-1882.

TAMPA BAY ESTUARY PROGRAM

The **Tampa Bay Estuary Program** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, November 16, 2007, 9:00 a.m. – 4:00 p.m.

PLACE: Tampa Bay Regional Planning Council, 4000 Gateway Centre Boulevard, Suite 100, Pinellas Park, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Management Board (a.m.) – Action will be taken on approval of the FY 07/08 Bay Mini-Grants and discussion will include the Nitrogen Management Consortium’s strategy for 2008-2012. Policy Board (p.m.) – Action will be taken on approval of the FY 07/08 Bay Mini-Grants and selection of the new TBEP Executive Director.

A copy of the agenda may be obtained by contacting ron@tbep.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting ron@tbep.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

AREA AGENCY ON AGING OF PASCO-PINELLAS

The **Area Agency on Aging of Pasco-Pinellas** announces a public meeting to which all persons are invited.

DATE AND TIME: November 19, 2007, 9:30 a.m.

PLACE: 9887 4th Street, North, Suite 100, St. Petersburg, FL 33702

GENERAL SUBJECT MATTER TO BE CONSIDERED: Items related to Area Agency on Aging of Pasco-Pinellas Business and Board of Directors oversight.

A copy of the agenda may be obtained by contacting: Elizabeth Laubach, 9887 4th Street, North, Suite 100, St. Petersburg, FL, (727)570-9696.

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. 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.

FLORIDA INSURANCE ASSISTANCE INTERLOCAL AGENCY

The **Florida Insurance Assistance Interlocal Agency** announces a public meeting to which all persons are invited.

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

PLACE: Law Offices of Harrison, Sale, McCloy, Thompson, Duncan & Jackson, 304 Magnolia Avenue, Panama City, Florida 32402

GENERAL SUBJECT MATTER TO BE CONSIDERED: Organization Meeting of the Florida Insurance Assistance Interlocal Agency.

A copy of the agenda may be obtained by contacting: Randy Hanna, Bryant Miller Olive, 101 North Monroe Street, Suite 900, Tallahassee, FL 32301, (850)222-8611.

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 Randy Hanna at (850)222-8611. 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).

SCRIPPS FLORIDA FUNDING CORPORATION

The Reports Committee of the **Scripps Florida Funding Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, November 19, 2007, 1:00 p.m. (EST)

PLACE: Teleconference 1(877)279-4173, Passcode: 254482

GENERAL SUBJECT MATTER TO BE CONSIDERED: At this meeting, the Reports Committee will review a draft of the Scripps Florida Funding Corporation 2007 Annual Report.

A copy of the agenda may be obtained by contacting: <http://www.flgov.com/scripps> for meeting agenda, date, time, and place information. The date, time, and/or place are subject to change.

Pursuant to Section 286.26, Florida Statutes, any disabled person wishing to participate in this meeting in order to request any needed special assistance should contact scrippscorp@bellsouth.net at least 48 hours in advance of the meeting.

CRIMINAL JUSTICE STANDARDS AND TRAINING

The **Criminal Justice Standards and Training**, Region X Council announces a meeting to which all interested persons are invited.

DATE AND TIME: November 20, 2007, 9:30 a.m.

PLACE: Punta Gorda Police Department, 1410 S. Tamiami Trail, Punta Gorda, FL 33950

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda: Pledge, Introduction to Guests, Minutes of previous meeting (08/28/07); Report of Sarasota County Technical Institute; Report of Southwest Florida Public Service Academy; Other items of interest; Date for next Region 10 meeting, Adjournment.

FLORIDA HIGHER EDUCATIONAL FACILITIES FINANCING AUTHORITY

The **Florida Higher Educational Facilities Financing Authority** will hold a teleconference meeting to which all interested persons are invited.

DATE AND TIME: Tuesday, November 27, 2007, 9:00 a.m.

PLACE: Conference Call: 1(800)371-8200, Access Code 73808

GENERAL SUBJECT MATTER TO BE CONSIDERED: Routine Authority business, including but not limited to, Authority membership and reappointment, administrative activities, and financial transactions.

For more information or to obtain a copy of the agenda, please contact: Jennifer Mock, Independent Colleges and Universities of Florida, 542 East Park Avenue, Tallahassee, Florida 32301, (850)681-3188.

Any person requiring special accommodations due to a disability should contact the agency at least five days prior to the meeting in order to request any special assistance by calling Jennifer Mock at (850)681-3188.

FLORIDA BIRTH-RELATED NEUROLOGICAL INJURY COMPENSATION ASSOCIATION

The Medical Advisory Committee of the **Florida Birth-Related Neurological Injury Compensation Association**, Board of Directors announces an organizational conference call meeting to which all interested persons are invited.

DATE AND TIME: Tuesday, November 27, 2007, 5:00 p.m. – 6:00 p.m.

PLACE: Conference call

For additional information, contact our office at (850)488-8191.

The Board of Directors of the **Florida Birth-Related Neurological Injury Compensation Association** announces a conference call meeting for Executive Session only for the board to receive individual claim updates.

DATE AND TIME: Thursday, November 29, 2007, 12:00 Noon – 1:00 p.m.

PLACE: Conference Call

For additional information, contact our office at (850)488-8191.

EARLY LEARNING ADVISORY COUNCIL

The next meeting of the **Early Learning Advisory Council** will be held on:

“Meet and Greet” session

DATE AND TIME: November 28, 2007, 4:00 p.m. – 6:00 p.m.
Regular Quarterly Meeting

DATE AND TIME: November 29, 2007, 8:30 a.m. – 12:00 Noon

PLACE: Doubletree Hotel Orlando, 5780 Major Boulevard, Orlando, FL 32819, 1(407)351-1000. Please reference the group “AWI’s, Office of Early Learning” when making your reservations to receive the special group rate.

ABLE TRUST

The **Able Trust** (Florida Endowment Foundation for Vocational Rehabilitation) will hold a telephone conference on: DATE AND TIME: December 5, 2007, 2:00 p.m.

PLACE: The Able Trust office, 106 E. College Avenue, Suite 820, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose is to review and approve grants to assist persons with disabilities in securing employment and reviewing committee reports.

For more information, special accommodations or alternative format request, please call The Able Trust at (850)224-4493 or 1(888)838-2253, before November 30, 2007.

Section VII

Notices of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has received the petition for declaratory statement from James DiPietro, on behalf of the Broward County Board of Rules and Appeals, on October 22, 2007, regarding whether a proposed local amendment to section 105.4.1.2, Florida Building Code, Building Volume (2004 as amended 12/05 and 12/06) is permissible under Section 553.73(4)(a), Florida Statutes. The proposed amendment would allow the Building Official to reinstate an expired building permit and waive or modify regulations that became effective between the original date of application for the permit and the date the permit was reinstated or a new permit issued. It has been assigned the number DCA07-DEC-252.

A copy of the request may be obtained by writing: Paula P. Ford, Clerk, Department of Community Affairs, Florida Building Commission, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has received the petition for declaratory statement from Joseph R. Hetzel, P.E., on behalf of Door & Access Systems Manufacturers Association International, on October 23, 2007, regarding whether product approval wind load testing per ANSI/DASMA 108 of garage door assemblies, as required by section 1714.5.3.1, Florida Building Code, Building Volume (2004 as amended 12/05 and 12/06) will include and qualify fasteners attaching the garage door assembly to the vertical wood jambs, and the jamb-to-building frame fasteners. It has been assigned the number DCA07-DEC-255.

A copy of the request may be obtained by writing: Paula P. Ford, Clerk, Department of Community Affairs, Florida Building Commission, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Department of Community Affairs has received the petition for declaratory statement from Carter N. McDowell, Esquire, Bilzin Sumberg Baena Price & Axelrod, on behalf of SBR-Fortune Associates, LLLP, on October 16, 2007. The petition seeks the agency's opinion as to whether pursuant to Section 163.180(2)(b), Florida Statutes, a new development, which constructs and dedicates public park and recreation facilities prior to the issuance of a Certificate of Occupancy in excess of the amount necessary to serve the new development pursuant to the legal government's adopted level of service, meet the requirements for park and recreation concurrency. It has been assigned the number DCA07-DEC-247.

A copy of the request may be obtained by writing: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN THAT the Florida Public Service Commission has received the petition for declaratory statement from Embarq Florida, Inc. The petition seeks the agency's opinion as to the applicability of Rule 25-4.094, F.A.C., as it applies to the petitioner.

The petition inquires as to whether, pursuant to Rule 25-4.094, F.A.C., Treviso Bay Development must pay the advance deposit deemed necessary by Embarq to "guarantee performance", or Embarq is not required to place facilities to serve the development. Embarq also seeks to clarify that, in the latter instance, it will have complied with, and not violated the Commission's Order denying Embarq's request to be relieved of its COLR obligation. Docket No. 070649-TL.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Office of Commission Clerk, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850 (850)413-6770.

Please refer all comments to: Office of Commission Clerk, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6770.

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 Charles Goldsmith, M.D., and Lawrence Schimmel, M.D., on October 24, 2007. The Petitioners seek the Board's opinion as to the applicability of Section 458.331(1)(i), Florida Statutes, as it applies to Petitioner. The Petitioners seek the Board's interpretation with regard to whether the business and investment arrangements outlined in the Petition violate the Florida Patient Self-Referral Act, as set forth in Section 456.053, F.S., or the physician fee-splitting provision, as set forth in Section 458.331(1)(i), F.S. The Board will consider this petition at its meeting scheduled for December 1, 2007, in Orlando, Florida.

A copy 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.

NOTICE IS HEREBY GIVEN THAT the Board of Nursing has received the petition for declaratory statement from Ceretha Thomas-Marshall, ARNP-BC. The petition seeks the agency's opinion as to the applicability of Section 464.012, F.S., as it applies to the petitioner.

Specifically, the Petitioner requests that the Board issue a Declaratory Statement determining under the provisions of Section 464.012, F.S. whether it is within the scope of practice of an Advanced Registered Nurse Practitioner, Family Specialty, to provide health education, blood pressure and diabetes screenings at community health fairs, community outreach and religious congregations without having a protocol with a licensed physician in the State of Florida. This petition will be considered by the Board at its meeting on December 5, 2007, 6:00 p.m.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Rick Garcia, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, Division of State Fire Marshal has issued an order disposing of the petition for declaratory statement filed by Lily Obrenovic on October 25, 2007. The following is a summary of the agency's disposition of the petition:

The subject of the Petition is whether Rule Chapter 69A-57, Florida Administrative Code, requires the installation of a fire alarm system with three pull stations and monitoring in an adult family care home. The Declaratory Statement concludes that a fire alarm system with three pull stations and monitoring is not required by Rule Chapter 69A-57, Florida Administrative Code, in an adult family care home.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, FL 32399-0340, or by e-mailing your request to Lesley.Mendelson@fldfs.com.

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, Division of State Fire Marshal has issued an order disposing of the petition for declaratory statement filed by Frank McElroy, Fire Marshal, St. Johns County on October 29, 2007. The following is a summary of the agency's disposition of the petition:

The subject of the Petition is sprinkler requirements for a restaurant. The Declaratory Statement concludes that the described area is required to be sprinklered.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, FL 32399-0340 or by e-mailing your request to Lesley.Mendelson@fldfs.com.

FINANCIAL SERVICES COMMISSION

NOTICE IS HEREBY GIVEN THAT has received the petition for declaratory statement from the petition seeking the agency's opinion as to the applicability of as it applies to the petitioner.

OFFICE OF FINANCIAL REGULATION NOTICE IS HEREBY GIVEN THAT the Office of Financial Regulation received a petition for declaratory statement on October 2, 2007, from Joel E. Weiss, apparently a principal of Weiss, Spencer & Levin, Inc. The petition seeks the Office's opinion as to the application of Chapter 559, Florida Statutes, and specifically subsection 559.543(1) and paragraph 559.544(5)(e), Florida Statutes, to the activities of Weiss, Spencer & Levin, Inc.

A copy of the petition for declaratory statement may be obtained by writing: Agency Clerk, Office of Financial Regulation, P. O. Box 8050, Tallahassee, FL 32314-8050.

NOTICE IS HEREBY GIVEN that the Office of Financial Regulation received a request for a Declaratory Statement on October 16, 2007, from Jerry L. Johnson, an individual from Titusville, Florida, regarding the application of Section 517.021(23)(d), Florida Statutes, to sales of viaticated policies. The request has been assigned the number 0356-S-10/07.

A copy of the request may be obtained by writing: Jennifer Hrdlicka, Assistant General Counsel, Office of Financial Regulation, 200 E. Gaines Street, Fletcher Building, Suite 526, Tallahassee, Florida 32399-0379.

**Section VIII
Notices of Petitions and Dispositions
Regarding the Validity of Rules**

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

**Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges**

NONE

**Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee**

NONE

**Section XI
Notices Regarding Bids, Proposals and
Purchasing**

DEPARTMENT OF EDUCATION

Notice of Bid/Request for Proposal

NOTICE TO PROFESSIONAL CONSULTANTS

Florida State University, State of Florida, announces that professional services in the discipline of architecture will be required for the project listed below:

Project No. FS-248

Project and Location: William H. Johnston Building

Remodeling and Expansion

Florida State University, Tallahassee, Florida

The project consists of the design and construction of approximately 78,000 square feet of building expansion and approximately 65,000 square feet of building remodeling and renovation. The building is located between Honors Way and Convocation Way, and just north of University Way. The existing connector between the east and west wings is expected to be demolished to make way for the expansion, which will be physically connected to the recently renovated East Wing of the Johnston Building (Suwannee Room) and the existing West Wing of the Johnston Building. The Johnston Building Remodel and Expansion will provide shared common and support spaces including classrooms, computer labs, reading rooms as well as student and faculty lounges. The project delivery system will be construction management. The design professional is expected to create a sustainable project including, but not limited to LEED certification. The selected firm will provide design, construction documents and administration for the referenced project which has a construction budget of approximately \$42,900,000.00. 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.

Location will be scored as follows:

Florida firms will receive a score of "1", and out of state, firms will receive a score of "0".

INSTRUCTIONS

Firms desiring to apply for consideration shall submit a letter of application.

The letter of application should have attached:

1. A completed Florida State University "Professional Qualifications Supplement," dated August, 2003. Applications on any other form, or on versions dated prior to 8/03, 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 chartered by the Florida Department of State to operate in Florida.

Submit six copies of the above requested data bound in the order listed above. Applications which do not comply with the above instructions may be disqualified. Application materials will not be returned.

The plans and specifications for Florida State University projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or

consultant in excess of \$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.

Professional Qualifications Supplement forms, descriptive project information, and selection criteria may be obtained through our website, 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 James M. Reynolds, Project Manager, at the address and phone listed above.

Submittals must be received in the above office, by 2:00 p.m. (Local Time), on December 11, 2007. Facsimile (FAX) or electronic submittals are not acceptable and will not be considered.

NOTICE TO DESIGN/BUILD FIRMS

The University of Central Florida on behalf of its Board of Trustees announces that Professional Services in the discipline of design/build will be required for the project listed below:

Project No. UCF-TBA Thermal Energy storage Tank

Project and Location: Thermal Energy Storage Tank, University of Central Florida, Main Campus, Orlando, Florida 32816-3020.

The combined project cost is to be determined for planning, construction and furnishings/equipment. There will be one design/build contract for this project.

The projects consist of the design and construction of a new Thermal Energy Storage Tank, the storage capacity will be approximately 20,000 ton-hrs and the media will be water. The projected project cost is approximately \$2,200,000.

FORM OF PROPOSALS

It is the University's intention to have professionals in the disciplines of design/build for this project.

This facility will be the in the early planning phase in the fiscal year 2007-08. The selected design/build firm will provide design, construction documents, and administration for the referenced project. Blanket professional liability insurance for the design/build firm will be required for this project in the amount of \$250,000 and will be provided as a part of Basic Services.

Five (5) bound copies of the required proposal data shall be submitted to: Mr. David Norvell, Physical Plant, 4000 Central Florida Blvd., Post Office Box 163600, Orlando, FL 32816-3600. Submittals must be received by 5:00 p.m. (Local Time), on Friday, December 10, 2007. Facsimile (FAX) submittals are not acceptable and will not be considered. Late submissions will not be accepted.

The committee members have elected not to meet with proposed firms.

INSTRUCTIONS FOR DESIGN/BUILDERS

Design/Build firms desiring to apply for consideration must include a letter of application and should have attached:

1. The most recent version of the Florida Board of Education "Professional Qualifications Supplement" (PQS) dated 7/03, completed by the applicant. Do not alter the PQS form.
2. A copy of the firm's current Professional Registration Certificates from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.
3. The most recent version of the Florida Board of Education "Revised Construction Manager Qualifications Supplement" (CMQS) dated 02/02. Do not alter the CMQS form.

Applications that do not comply with all instructions may be disqualified. Application materials will not be returned.

Selection of finalists for interviews will be made on the basis of design/builders' qualifications separately, including experience and ability; past experience; bonding capacity; cost estimating; qualification of the firm's personnel, staff and consultants; and ability to include minority business enterprise participation. Finalists will be provided with a description of the final interview topics. The Selection Committee may reject all proposals and stop the selection process at any time.

The plans and specifications for Florida Board of Education projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of placement on the convicted vendor list.

Carefully review the Design/Build Contract and General Condition's documents. Submitting a proposal for this project constitutes complete agreement with and acceptance of the terms and conditions contained within these documents. These documents can be found on our website at www.fp.ucf.edu with the advertisement.

INSTRUCTIONS FOR DESIGN/BUILDERS

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.

DESIGN/BUILD CONTRACT

The contract for design/build services will consist of two phases. Phase one will consist of the development of construction documents and the development of a Guaranteed Maximum Price (GMP) at 50% construction documents. If the GMP is accepted, phase two, the construction phase, will be implemented. In phase two of the contract, the design/build becomes the single point of responsibility for performance of the construction of the project and shall publicly bid trade contracts. Failure to negotiate an acceptable GMP within the time provided in the agreement may result in the termination of the design/builders' contract.

PROJECT FACT SHEET

Project Fact Sheet contains the selection criteria which is the primary basis for determining the shortlist. The Project Fact Sheet, Professional Qualifications Supplement forms, Construction Manager Qualifications Supplement forms, descriptive project information, and selection criteria may be obtained by contacting: Mr. David Norvell, University of Central Florida, phone (407)823-0970, e-mail: dnorvell@mail.ucf.edu, Web site: www.fp.ucf.edu.

Notice of Bid/Request for Proposal

NOTICE FOR UNF BLDG. 15 RESTROOM RENOVATION

Invitation to Bid – ITB 08-08

The University of North Florida – Board of Trustees, a public body corporate, announces the Restroom Renovation will be required for Building 15 (Bldg. 15) at the University of North Florida, 1 UNF Drive, Jacksonville, Florida.

The project consists of the renovating eight (8) toilet spaces in Building 15, the John E. Matthews Computer Science Building. These spaces are numbered #1920, #1922, #1930, #1931, #2921, #2922, #3904, and #3905. Work will include demolition and removal of wall partitions and doors (as indicated on the floor plans); all ceilings (including the light fixtures and HVAC components); all plumbing fixtures; all toilet partitions and accessories; and all interior finishes. Work includes the construction of new wall partitions (as indicated on the floor plans) and ceilings (including lighting, HVAC components, and finishes), and installation of new doors and door hardware (as indicated on floor plans); plumbing fixtures; toilet partitions and accessories; and new ceramic tile at all floors and walls. Removal and relocation of existing fire alarm devices is also included in this scope of work.

Successful suppliers must have demonstrable previous experience with the described systems and technical requirements. All bidders must be qualified at the time of bid

opening in accordance with the Instructions to Bidders, Article B-2 in ITB 08-08 Bid documents. No submittal material will be returned.

Minority Business participation is strongly recommended and supported by the University of North Florida.

As required by Section 287.133, Florida Statutes, a supplier may not submit a bid for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected supplier 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.

Vendor shall have established equal opportunity practices which conform to all laws against discrimination and prohibits discrimination based on race, creed, color, sex, age, national origin, marital status or religion; neither Vendor nor any subcontractor or other person, firm or business entity with whom it would be engaged in a combined effort to perform the services has hired any person who is an officer or employee of UNF.

BIDDING DOCUMENTS: Full sets of Bidding Documents may be examined at the Engineer's office and local plan rooms:

ARCHITECT/ENGINEER:

JSA Architects, Inc.

207 North Laura Street, Suite 300

Jacksonville, Florida 32202

Telephone: (904)353-5581

Facsimile: (904)354-4682

PRINTED DOCUMENTS: Full sets of bid documents may be obtained from Florida Blueprint Services, 542 South Edgewood Avenue, Jacksonville, Florida, (904)388-7686. Copies may be purchased for the printing and handling cost. **NO REFUND WILL BE MADE FOR THESE DOCUMENTS.**

PRE-BID MEETING: Bidders are required to attend the pre-solicitation/pre-bid meeting. The mandatory Pre-Bid meeting has been scheduled for:

DATE AND TIME: November 27, 2007, 2:00 p.m. (Local Time).

PLACE: University of North Florida, Building 6, Room #1225, 1 UNF Drive, Jacksonville, Florida 32224

BID OPENING: Submit three (3) copies of the Bid in full and in accordance with the requirements of the drawings and Project Manual to: University of North Florida, Purchasing Department, Attn: Dianna White, Building 6, 1 UNF Drive, Jacksonville, Florida 32224. Bid packages must be received no later than 2:00 p.m. (Local Time), December 11, 2007. Facsimile (FAX) submittals are not acceptable and will not be considered.

QUESTIONS regarding UNF ITB 08-08 Bldg. 15 Restroom Renovation bid documents and requirements may be addressed by contacting:

Dianna White
Purchasing Department Bldg. 6
University of North Florida
1 UNF Drive
Jacksonville, Florida 32224
Phone: (904)620-1731
Email: dianna.white@unf.edu

Notice of Bid/Request for Proposal

NOTICE FOR UNF BLDG. 6, 34 & 39 FIRE ALARM
REPLACEMENT – Invitation to Bid ITB 08-09

The University of North Florida – Board of Trustees, a public body corporate, the Fire Alarm Replacement for buildings 6, 34, and 39 at the University of North Florida, 1 UNF Drive, Jacksonville, Florida.

The project consists of the providing new fire alarm systems at UNF buildings 6, 34, and 39 and retrofitting smoke vents in building 34. Fire alarms equipment and devices shall be as manufactured by Simplex Grinnell. The work includes conduits, fire alarm cables, power circuits, boxes, fire alarm devices and equipment, cutting and patching, gas solenoid valves, fire alarm testing, fire alarm certifications, smoke vents fusible links and control, sealing wall/floor conduits penetrations, and removal of existing fire alarm system, as specified in these bid documents.

Successful suppliers must have demonstrable previous experience with the systems and technical requirements. All bidders must be qualified at the time of bid opening in accordance with the Instructions to Bidders, Article B-2 in ITB 08-09 Bid documents. No submittal material will be returned.

Minority Business participation is strongly recommended and supported by the University of North Florida.

As required by Section 287.133, Florida Statutes, a supplier may not submit a bid for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected supplier 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.

Vendor shall have established equal opportunity practices which conform to all laws against discrimination and prohibits discrimination based on race, creed, color, sex, age, national origin, marital status or religion; neither Vendor nor any subcontractor or other person, firm or business entity with whom it would be engaged in a combined effort to perform the services has hired any person who is an officer or employee of UNF.

BIDDING DOCUMENTS: Full sets of Bidding Documents may be examined at the Engineer's office and local plan rooms:

ARCHITECT/ENGINEER:
Haddad Engineering, Inc.
2955 Hartley Road, Suite 205
Jacksonville, Florida 32257
Telephone: (904)262-5066
Facsimile: (904)262-7139

PRINTED DOCUMENTS: Full sets may be obtained from Florida Blueprint Services, 542 South Edgewood Avenue, Jacksonville Florida, telephone (904)388-7686. Copies may be purchased for the printing and handling cost. NO REFUND WILL BE MADE FOR THESE DOCUMENTS.

PRE-BID MEETING: Bidders are required to attend the pre-solicitation/pre-bid meeting. Minority business enterprise firms are invited to attend to become familiar with the project specifications and to become acquainted with contractors interested in bidding the project. The meeting has been scheduled for: November 27, 2007, 3:00 p.m. (Local Time). University of North Florida, Building 6, Room #1225, 1 UNF Drive, Jacksonville, Florida 32224.

BID OPENING: Submit two (2) copies of the Bid in full and in accordance with the requirements of the drawings and Project Manual to: University of North Florida, Purchasing Department, Attn: Doug Nelson, Building 6, Room #1301, 1 UNF Drive, Jacksonville, Florida 32224. Bid packages must be received no later than 3:00 p.m. (Local Time), December 11, 2007. Facsimile (FAX) submittals are not acceptable and will not be considered.

QUESTIONS regarding UNF ITB 08-09 buildings 6, 34, and 39 Fire Alarm Replacement bid documents and requirements may be addressed by contacting:

Doug Nelson
Purchasing Coordinator Bldg. 6
University of North Florida
1 UNF Drive
Jacksonville, FL 32224
Phone: (904)620-1737
Email: dnelson@unfl.edu

ADVERTISEMENT FOR BIDS

The School Board of Pinellas County, Florida will receive sealed bids in the Purchasing Department of the Walter Pownall Service Center, 11111 South Belcher Road, Largo, Florida until 1:00 p.m. (Local Time), on November 16, 2007 for the purpose of selecting a supplier to provide per the bid specifications for:

Breakfast Kits
 Bid 08-391-568

The purpose and intent of this invitation to bid are to select a supplier to provide and deliver pre-packaged, shelf stable breakfast meal kits to the central food service warehouse as specified herein.

Public opening of the Bids will occur in the Purchasing Conference Room at the above address and all interested parties are invited to be present.

Specifications are available at the office of:

Purchasing Department
 Walter Pownall Service Center
 11111 So. Belcher Road
 Largo, FL 33773

BY ORDER OF THE SCHOOL BOARD OF PINELLAS COUNTY, FLORIDA

CLAYTON M. WILCOX SUPERINTENDENT OF SCHOOLS AND EX-OFFICIO SECRETARY TO THE SCHOOL BOARD	MARY BROWN CHAIRMAN
	MARK C. LINDEMANN DIRECTOR, PURCHASING

ADVERTISEMENT FOR BIDS

The School Board of Pinellas County, Florida will receive sealed bids in the Purchasing Department of the Walter Pownall Service Center, 11111 South Belcher Road, Largo, Florida until 1:00 p.m. (Local Time), on December 5, 2007, for the purpose of selecting a Contractor for supplying all labor, material, and ancillary services required for the scope listed below.

HVAC, Ceiling & Lighting Renovations
 Bid# 08-968-558

Northwest Elementary School

5601-22nd Avenue, North, St. Petersburg, FL 33710

SCOPE OF PROJECT: This bid will select a "General or Mechanical Contractor". The work shall consist of furnishing all materials, labor, tools, equipment and supervision required for demolition of mechanical and electrical equipment systems, ceiling tiles and fixtures and installation of new mechanical equipment, electrical and ceiling tiles/grids. All remodeling shall be in accordance with plans and specifications. The awarded contractor may subdivide the work into reasonable subcontracts as deemed necessary. This project requires Bid and Performance Security. Provide a list of proposed subcontractors along with your bid response.

BID AND PERFORMANCE SECURITY: Bid and Performance Security is required with this bid.

LICENSING REQUIREMENTS: A "General Contractor or Mechanical Contractor" with the license of "CG and/or RG" or "CM and/prRM" in accordance with State of Florida Department of Business and Professional Regulation, Division of Professions, and appropriate licensing with the Pinellas

County Construction Licensing Board. Minimum (5) five-years of experience, with (10) ten years in HVAC. All Contractors/Sub-Contractors shall have a permanent office in Florida.

PRE-BID CONFERENCE: A pre-bid conference will be held at the Main Office in Northwest Elementary School, 5601-22nd Avenue North, St. Petersburg, FL 33710 on November 9, 2007, at 2:00 p.m. Attendance at this pre-bid conference is MANDATORY in order for all potential bidders to receive the benefit of answers to theirs and other's technical questions first hand. Plans and specifications are available:

Purchasing Department
 Walter Pownall Service Center
 11111 So. Belcher Road
 Largo, FL 33773
 (727)547-7230

The Owner reserves the right to reject all bids.

BY ORDER OF THE SCHOOL BOARD OF PINELLAS COUNTY, FLORIDA

DR. CLAYTON WILCOX SUPERINTENDENT OF SCHOOLS AND EX-OFFICIO SECRETARY TO THE SCHOOL BOARD	NANCY N. BOSTOCK CHAIRMAN
	MARK C. LINDEMANN DIRECTOR, PURCHASING

DEPARTMENT OF TRANSPORTATION

Notice of Bid/Request for Proposal

The Florida Department of Transportation Contracts Administration Office announces the following project:

BID/PROPOSAL NUMBER: E-9076

FINANCIAL PROJECT NUMBERS: 420664-1-52-01 & 422511-1-52-01

MBE/DBE RESERVATION OR PREFERENCE: None

DEADLINE FOR SUBMITTAL OF PRE-QUALIFICATION REQUIREMENTS and BID/PROPOSAL DUE DATE AND TIME: December 14, 2007, 2:30 p.m. (Local Time)

SCOPE OF SERVICES: Sealed written bids are requested from State of Florida licensed Building or General Contractors for an additional work bay for calibration of equipment and covered parking at the Gainesville State Materials Research Lab/Office located at 5007 Northeast 29th Avenue, Gainesville Florida 32024.

MANDATORY PRE-BID/PROPOSAL MEETING: November 27, 2007, 10:00 a.m., at the Florida Department of Transportation Gainesville State Materials Research Lab/Office located at 5007 Northeast 29th Avenue, Gainesville Florida 32024.

Bid/Proposal documents will only be issued to Bidders/Proposers who have attended the Mandatory Pre-Meeting.

BID/PROPOSAL GUARANTY BOND: If the bid amount is less than \$100,000.00 no bid guaranty is required, however, if the bid amount exceeds \$100,000.00, a five percent bid guaranty of the bid amount must accompany the Bid/Proposal, or the bid shall be deemed non-responsive and rejected. The bid guaranty shall be in the form of a certified check, cashiers check, treasurers check, bank draft, or bid bond made payable to the Florida Department of Transportation.

Bidders/Proposers shall refer to section A-24 of the Fixed Capital Outlay specifications for clarification of the bid guaranty amount.

PERFORMANCE BOND AND LABOR AND MATERIALS BOND: If the construction contract award amount is \$100,000.00 or less, a Performance Bond or a Labor and Material Payment Bond are not required. If the contract sum exceeds \$100,000.00 a Performance Bond of 100 percent and Labor and Materials Bond of 100 percent shall be required. If increases are made to the original contract sum, the contractor shall also furnish the Florida Department of Transportation with additional bonding equivalent to the increases. Bidders/Proposers shall refer to section A-25 of the Fixed Capital Outlay Specifications for clarification of the Performance Bond and Labor and Materials Bond amount and the provisions surety companies are required to comply with.

REQUESTING BID/PROPOSAL DOCUMENTS: Requests for Plans, Specifications and/or Bid/Proposal Documents should be directed to Mike Schafenacker or Bessie White, Contracts Administration Office, Florida Department of Transportation via a completed Fax Order Form. This form may be requested from Mike Schafenacker or Bessie White by calling (850)414-4000.

BID/PROPOSAL OPENING AND POSTING OF BID TABULATIONS: Sealed bids will be received until 2:30 p.m. on December 14, 2007, at the Florida Department of Transportation Contracts Administration Office, Room B-1, Mail Station 55, 605 Suwannee St., Tallahassee, Florida 32399. The bid opening will be held in the Contracts Administration Office on December 14, 2007, 2:30 p.m.

POSTING INFORMATION: Unless otherwise notified in writing the notice of intent to award will be posted on December 21, 2007 at the Florida Department of Transportation, 605 Suwannee St., Room 550, General Counsel's Office, Tallahassee, Florida 32399. If the Department is unable to post as defined above, the Department will notify all Bidders/Proposers by mail, fax and/or telephone. The Department will provide written notification of any future posting in a timely manner.

BID SOLICITATION/AWARD/NON-AWARD PROTEST RIGHTS: Any person adversely affected by this Bid Solicitation shall file a notice of protest within 72 hours of receipt of the bid documents. Any person adversely affected by the intended decision of the Department to award a contract or to reject all bids shall file a notice of protest within 72 hours

after the posting. If notice of intended decision is given by certified mail or express delivery, the adversely affected person must file the notice of protest within 72 hours after receipt of the notice of intent.

A formal written protest must be filed within ten days after filing the notice of protest. The formal written protest shall state with particularity the facts and law upon which the protest is based. All protests must be submitted in accordance with Sections 120.569 and 120.57, Florida Statutes. The required notice of protest and formal protest must each be timely filed with the: Clerk of Agency Proceedings, Florida Department of Transportation, 605 Suwannee Street, MS 58, Room 550, General Counsel's Office, Tallahassee, Florida 32399-0458. In accordance with Section 120.57(3), Florida Statutes, failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, or failure to post the bond or other security required by law within the time allowed for filing a bond shall constitute a waiver of proceedings under chapter 120, Florida Statutes.

THE DEPARTMENT RESERVES THE RIGHT TO REJECT ANY OR ALL BIDS/PROPOSALS RECEIVED.

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."

EXPRESSWAY AUTHORITIES

NOTICE TO PROFESSIONAL ENGINEERING CONSULTANTS

The Orlando-Orange County Expressway Authority requires the services of a Professional Engineering Consultant in connection with the design to widen S.R. 417 (Central Florida GreeneWay) from S.R. 528 to Curry Ford Road in Orange County, Florida. Shortlist consideration will be given to only those firms who are qualified pursuant to law, and as determined by the Authority, based on information provided by the firms, and who have been prequalified by FDOT to perform the indicated Types of Work.

MAJOR TYPES OF WORK: Group 3.2, Major Highway Design; Group 3.3, Controlled Access Highway Design; Group 4.1, Minor Bridge Design.

ADDITIONAL TYPES OF WORK REQUIRED: Group 7, Traffic Operations Design; Group 8, Surveying and Mapping and Group 9, Soil Exploration, Material Testing and Foundations.

A copy of the complete LOI requirements may be obtained through Demandstar by visiting www.demandstar.com or www.expresswayauthority.com.

The Orlando-Orange County Expressway Authority reserves the right to postpone, to reject any and all responses, in whole or in part. All proposers must certify that they are not on the Comptroller General's list of ineligible contractors. All responses must remain in effect for sixty (60) days from the date of LOI opening unless otherwise specified.

The Orlando-Orange County Expressway Authority solicits and encourages M/WBE participation.

Responses are due at 2:00 p.m., on November 30, 2007. Responses will be publicly opened at 2:30 p.m., on that same day.

DEPARTMENT OF MANAGEMENT SERVICES

**NOTICE TO PROFESSIONAL CONSULTANTS
FOR ARCHITECTURE AND ENGINEERING SERVICES**

The Department of Management Services (DMS), Division of Real Estate Development and Management, announces that professional services are required for the project(s) listed below.

PROJECT NUMBER: DOE-27024000
PROJECT NAME: Site Development and Construction of New Residential Training Center, Daytona Beach Rehabilitation Center
PROJECT LOCATION: Daytona Beach, Florida
ESTIMATED CONSTRUCTION BUDGET: \$7,000,000.00

For details please visit the Department's website listed below and click on "Search Advertisements – Division of Real Estate Development and Management." http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu.

**PUBLIC ANNOUNCEMENT FOR CONSTRUCTION
CONTRACTORS TO PROVIDE CONSTRUCTION
MANAGEMENT AT RISK SERVICES**

REQUEST FOR QUALIFICATIONS (RFQ): The Department of Management Services, Division of Real Estate Development and Management, request qualifications for licensed general contractors, to submit for Construction Management at Risk services on the following project:

PROJECT NUMBER: DOE-27024000
PROJECT NAME: Site Development and New Residential Training Center, Daytona Beach Rehabilitation Center
LOCATION: Daytona Beach, Florida
ESTIMATED CONSTRUCTION BUDGET: \$7,000,000.00

The award will be made in accordance with Section 255.29, F.S., and the procedures and criteria of the Departments Division of Real Estate Development and Management.

For details please visit the Department's website listed below and click on "Search Advertisements – Division of Real Estate Development and Management." http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu.

**Notice of Bid/Request for Proposal
NOTICE TO PROFESSIONAL CONSULTANTS
FOR MECHANICAL-ENGINEERING SERVICES**

The Department of Management Services (DMS), Division of Real Estate Development and Management, announces that Mechanical-Engineering services are required for the project(s) listed below:

NOTE: One firm will be selected to provide all services.
PROJECT NUMBER: MSFM-27009009
PROJECT NAME: Replace HVAC Controls, Fort Myers Regional Service Center (RSC)
PROJECT LOCATION: Fort Myers, Florida
ESTIMATED CONSTRUCTION BUDGET: \$525,000.00
PROJECT NUMBER: MSFM-27009010
PROJECT NAME: Chiller Replacement, Fort Pierce Regional Service Center (RSC)
PROJECT LOCATION: Fort Pierce, Florida
ESTIMATED CONSTRUCTION BUDGET: \$613,920.00
PROJECT NUMBER: MSFM-27009011
PROJECT NAME: HVAC Controls Replacement at the Largo Regional Service Center (RSC)
PROJECT LOCATION: Largo, Florida
ESTIMATED CONSTRUCTION BUDGET: \$335,000.00
PROJECT NUMBER: MSFM-27009014
PROJECT NAME: Replace 200-Ton HVAC Chiller, Hurston Garage CEP Regional Service Center (RSC)
PROJECT LOCATION: Orlando, Florida
ESTIMATED CONSTRUCTION BUDGET: \$184,575.00
RESPONSE DUE DATE: December 11, 2007 by 4:00 p.m. (Eastern Standard Time)

For details please visit the Department's website listed below and click on "Search Advertisements – Division of Real Estate Development and Management." http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu.

**ADVERTISEMENT FOR BIDS FOR MECHANICAL
CONTRACTORS**

PROPOSALS ARE REQUESTED FROM QUALIFIED MECHANICAL CONTRACTORS BY THE DEPARTMENT OF MANAGEMENT SERVICES HEREINAFTER REFERRED TO AS OWNER, FOR THE HVAC REPLACEMENT REPAIRS FOR:

PROJECT NUMBER: MSFM-26005079
PROJECT NAME: HVAC Replacement for P-4, & P-5, The Capitol Building
PROJECT LOCATION: Tallahassee, Florida
ESTIMATED CONSTRUCTION BUDGET: \$337,500.00

The award will be made in accordance with Section 255.29, F.S., and the procedures and criteria of the Departments Division of Real Estate Development and Management.

For details please visit the Department's website listed below and click on "Search Advertisements – Division of Real Estate Development and Management." http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu.

PUBLIC ANNOUNCEMENT FOR CONSTRUCTION CONTRACTORS TO PROVIDE MECHANICAL SERVICES REQUEST FOR QUALIFICATIONS (RFQ): The Department of Management Services, Division of Real Estate Development and Management, request qualifications for licensed mechanical contractors, to submit for Construction Management at Risk services on the following project(s):

NOTE: One firm will be selected to provide all services.

PROJECT NUMBER: MSFM-27009009

PROJECT NAME: Replace HVAC Controls, Fort Myers Regional Service Center (RSC)

PROJECT LOCATION: Fort Myers, Florida

ESTIMATED CONSTRUCTION BUDGET: \$525,000.00

PROJECT NUMBER: MSFM-27009010

PROJECT NAME: Chiller Replacement, Fort Pierce Regional Service Center (RSC)

PROJECT LOCATION: Fort Pierce, Florida

ESTIMATED CONSTRUCTION BUDGET: \$613,920.00

PROJECT NUMBER: MSFM-27009011

PROJECT NAME: HVAC Controls Replacement at the Largo Regional Service Center (RSC)

PROJECT LOCATION: Largo, Florida

ESTIMATED CONSTRUCTION BUDGET: \$335,000.00

PROJECT NUMBER: MSFM-27009014

PROJECT NAME: Replace 200-Ton HVAC Chiller, Hurston Garage CEP Regional Service Center (RSC)

PROJECT LOCATION: Orlando, Florida

ESTIMATED CONSTRUCTION BUDGET: \$184,575.00

RESPONSE DUE DATE: December 11, 2007 by 4:00 p.m. (Eastern Standard Time)

The award will be made in accordance with Section 255.29, F.S., and the procedures and criteria of the Departments Division of Real Estate Development and Management.

For details please visit the Department's website listed below and click on "Search Advertisements – Division of Real Estate Development and Management." http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

INVITATION TO BID

BID NO. BDC 26-07/08

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Construction is soliciting formal competitive bids for the project listed below:

PROJECT NAME: Werner-Boyce Salt Springs State Park-Entrance and Internal Roadway with utilities.

SCOPE OF WORK: The contractor shall provide the necessary labor, supervision, equipment and materials required to successfully construct an entrance and internal roadway with utilities.

PARK LOCATION: Werner-Boyce Salt Spring State Park- Located off Scenic Drive in Port Richey, turn west off U.S. HWY., address, 9120 Old Post Road, Port Richey, Florida

PROJECT MANAGER: Patty Vickers, Bureau of Design and Construction, Alfred B Maclay Gardens State Park, 3540 Thomasville Road, Tallahassee, Florida, Telephone Number: (850)488-5372, Fax Number: (850)488-1141.

MINORITY BUSINESS REQUIREMENT: The Department of Environmental Protection supports diversity in its Procurement Program and requests that all sub-contracting opportunities afforded by this bid embrace diversity enthusiastically. The award of sub-contracts should reflect the full diversity of the citizens of the State of Florida. The Department will be glad to furnish a list of Minority Owned Firms that could be offered sub-contracting opportunities.

PREQUALIFICATION: When the total bid price including alternates exceeds \$200,000.00, each bidder whose bid is governed by Chapter 399, 489, and 633 of the Florida Statutes for licensure or certification must submit prequalification data of their eligibility prior to the bid closing date.

INSTRUCTIONS: Any firm desiring plans and bid specifications for this project may obtain a copy by writing the address or calling the telephone number below. Plans and specifications will be available on November 9, 2007 at: Werner- Boyce Salt Springs State Park, 9120 Old Post Road, Port Richey, Florida 34668, Attention: Toby Brewer, Telephone Number: (727)816-1890, Fax Number: (727)816-1888.

ADA REQUIREMENTS: Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact Michael Renard with the Bureau of Design and Construction at (850)488-5372 at least five (5) workdays prior to openings. If you are hearing or speech impaired, please contact the Florida Relay Services by calling 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

BID SUBMITTAL DUE DATE: No later than 4:30 p.m., Tuesday, December 11, 2007, to the below address: Florida Department of Environmental Protection Bureau of Design and Construction, 3540 Thomasville Road, Tallahassee, Florida

32309, attention Michael Renard, Construction Projects Administer, Bureau of Design and Construction, (850)488-3572. The Department reserves the right to reject any or all bids.

BID POSTING DATE: No later than 2:00 p.m., Friday, December 21, 2007, unless extended by the Department for good cause.

**INVITATION TO BID
BID NO. BDC 33-07/08**

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Construction is soliciting formal competitive bids for the project listed below:

PROJECT NAME: Hillsborough River State Park – Wastewater Treatment and Disposal Systems Improvements

SCOPE OF WORK: The contractor shall provide the necessary labor, supervision, equipment and materials required to successfully complete the proposed Wastewater Treatment Plants (#1 & 2) modification (conversion from Extended Aeration to M.L.E. process at each plant), construct new Effluent Pumping system, force main and spray field disposal area, raising the berm at each of the existing effluent disposal storage ponds (#1 & 2) and associated work.

PARK LOCATION: 15402 U.S. 301 North, Thonotosassa, FL

PROJECT MANAGER: Fred Hand, Bureau of Design and Construction, Alfred B Maclay Gardens State Park, 3540 Thomasville Road, Tallahassee, Florida, Telephone Number: (850)488-5372, Fax Number: (850)488-1141.

MINORITY BUSINESS REQUIREMENT: The Department of Environmental Protection supports diversity in its Procurement Program and requests that all sub-contracting opportunities afforded by this bid embrace diversity enthusiastically. The award of sub-contracts should reflect the full diversity of the citizens of the State of Florida. The Department will be glad to furnish a list of Minority Owned Firms that could be offered sub-contracting opportunities.

PREQUALIFICATION: When the total bid price including alternates exceeds \$200,000.00, each bidder whose field is governed by Chapter 399, 489, and 633 of the Florida Statutes for licensure or certification must submit prequalification data of their eligibility prior to the bid closing date.

INSTRUCTIONS: Any firm desiring plans and bid specifications for this project may obtain a copy by writing the address or calling the telephone number below. Plans and specifications will be available on November 9, 2007 at: Hillsborough River State Park, 15402 U.S. 301 North, Thonotosassa, FL 33592, Attention: Greg Toppin, Telephone Number: (813)987-6771, Fax Number: (813)987-6773.

ADA REQUIREMENTS: Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please

contact Michael Renard with the Bureau of Design and Construction at (850)488-5372, at least five (5) workdays prior to openings. If you are hearing or speech impaired, please contact the Florida Relay Services by calling 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

BID SUBMITTAL DUE DATE: No later than 3:30 p.m., Tuesday, December 11, 2007, to the below address: Florida Department of Environmental Protection Bureau of Design and Construction, 3540 Thomasville Road, Tallahassee, Florida 32309, attention Michael Renard, Construction Projects Administer, Bureau of Design and Construction, (850)488-3572. The Department reserves the right to reject any or all bids.

BID POSTING DATE: No later than 2:00 p.m., Friday, December 21, 2007, unless extended by the Department for good cause.

**INVITATION TO BID
BID NO. BDC 34-07/08**

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Construction is soliciting formal competitive bids for the project listed below:

PROJECT NAME: Fort Zachary Taylor Historic State Park – Barracks Building Stabilization

SCOPE OF WORK: The contractor shall provide the necessary labor, supervision, equipment and materials required to successfully complete work related to the stabilization of the barracks building portion of a National Historic Landmark. All work activities must be undertaken with sufficient care to protect historic elements. The work includes but is not limited to selective demolition, restoration of historic brick and mortar, temporary and permanent shoring, timber roof structure, metal roofing and sheetmetal work, and new electrical distribution.

PARK LOCATION: P. O. Box 6560, Key West, FL 33041 (the end of Southard Street through Truman Annex, Monroe County)

PROJECT MANAGER: Ron Blair, Bureau of Design and Construction, Alfred B Maclay Gardens State Park, 3540 Thomasville Road, Tallahassee, Florida, Telephone Number: (850)488-5372, Fax Number: (850)488-3537.

MINORITY BUSINESS REQUIREMENT: The Department of Environmental Protection supports diversity in its Procurement Program and requests that all sub-contracting opportunities afforded by this bid embrace diversity enthusiastically. The award of sub-contracts should reflect the full diversity of the citizens of the State of Florida. The Department will be glad to furnish a list of Minority Owned Firms that could be offered sub-contracting opportunities.

PREQUALIFICATION: When the total bid price including alternates exceeds \$200,000.00, each bidder whose field is governed by Chapter 399, 489, and 633 of the Florida Statutes for licensure or certification must submit prequalification data of their eligibility prior to the bid closing date. Bidders shall be

experienced with historic restoration projects involving selective demolition, roofing, and the restoration of historic brick and mortar. Bidders shall submit qualifying project experiences including for each a project description, name of owner and contact, project cost, completion date, and identification of key subcontractors no later than 4:00 p.m., Tuesday November 20, 2007 to recipient of Bid listed below.

INSTRUCTIONS: Any firm desiring plans and bid specifications for this project may obtain a copy by writing the address or calling the telephone number below. Plans and specifications will be available on November 9, 2007 at: Fort Zachary Taylor Historic State Park, P. O. Box 6560, Key West, FL 33041, Attention: Mark Knapke, Telephone Number: (305)292-6713, Fax Number: (305)292-6881.

ADA REQUIREMENTS: Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact Michael Renard with the Bureau of Design and Construction, (850)488-5372, at least five (5) workdays prior to openings. If you are hearing or speech impaired, please contact the Florida Relay Services by calling 1(800)955-8771 (TDD) or 12(800)955-8770 (Voice).

BID SUBMITTAL DUE DATE: No later than 4:00 p.m., Tuesday, December 11, 2007, to the below address: Florida Department of Environmental Protection Bureau of Design and Construction, 3540 Thomasville Road, Tallahassee, Florida 32309, attention Michael Renard, Construction Projects Administer, Bureau of Design and Construction, (850)488-3572. The Department reserves the right to reject any or all bids.

BID POSTING DATE: No later than 2:00 p.m., Friday, December 21, 2007, unless extended by the Department for good cause.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

INVITATION TO BID

The State of Florida, Agency for Persons with Disabilities, hereinafter called the Owner, c/o State of Florida Department of Children and Family Services, Office of General Services, on behalf of the Owner announces that proposals are requested from qualified General Contractors for the construction of:

PROJECT NUMBER: APD 07240000

PROJECT: WILLIAM J. (BILLY JOE) RISH PARK
RENOVATIONS AND ADDITIONS
CAPE SAN BLAS, FLORIDA

PREQUALIFICATION: The Owner accepts bids from those firms which demonstrate current relevant licensure with the Florida Department of Business and Professional Registration by submittal of a copy of that license or certificate with their bid and compliance with the pre-qualification requirements as stated hereinbefore and in the project specifications.

The work includes but is not limited to the demolition and removal of existing elevated boardwalks. Installation of new boardwalks with composite material and 6' wide concrete sidewalks, installation of sanitary sewer grinder pumps @ each existing cabin, new cabins, pool bathhouse and dining lodge kitchen. Existing Group Cabins to have existing rusted floor beam joist hangers, bolts and fasteners replaced. Renovate Group Cabins to meet ADA standards and finishes, install new fire alarms, install new intercom systems, install new fire sprinkler systems, provide new cement board siding and paint. Replace HVAC equipment and ductwork. Existing Family Cabins to have existing rusted floor beam joist hangers, bolts and fasteners replaced. Install new emergency generator, completely new water, sewer, and electrical site utilities. Construct new 9 hole Golf Course with concrete surface with artificial turf with tee off's, fairways, and greens with two holes each. Renovation of Dining Lodge Kitchen and equipment, renovate bathrooms to meet ADA accessibly, and new finishes. There will be several add alternates included in the bid package. The estimated construction cost for this project is \$2,500,000.00.

PERFORMANCE BOND AND LABOR AND MATERIAL BOND: If the construction award is \$100,000.00 or more, a Performance Bond and Labor and Material Payment Bond are required.

BID DATE AND TIME: Sealed bids will be received at the architect's office, 1223 Airport Road, Destin, Florida 32541, on Tuesday, December 18, 2007 until 2:00 p.m. (Local Time), at which time they will be publicly opened and read aloud.

PRE-BID INSPECTION: The pre-bid inspection will be gathering at the Dining Lodge Building, William Joe Rish Park, Cape San Blas, Florida, on Tuesday, November 27, 2007, 10:00 a.m. (Local Time). An informative meeting will take place at this location followed by a visit to each building location and tour of the site. All others visiting after this time shall be by appointment only. Bidders setting up an appointment after November 21, 2007, you must contact Mr. Billy C. Quinn, Jr., Resident Park Manager at (850)227-1876, William J. Rish Park. All questions pertaining to this project must be addressed to the architect in writing.

PROPOSAL: Bids must be submitted in full accordance with the requirements of the drawings, specifications, bidding conditions and contractual conditions, which may be examined and obtained for \$300.00 refundable from the architect:

DAG ARCHITECTS INC.
 1223 AIRPORT ROAD
 DESTIN, FLORIDA 32541
 TELEPHONE: (850)837-8152

CONTRACT AWARD: The bid tabulation and Notice of Award Recommendation will be posted by 2:00 p.m. (Local Time), on December 21, 2007, at the Architects Office. In the event that the bid tabulation and Notice of Award Recommendation cannot be posted in this manner, then all bidders will be otherwise notified. Any protests of the bid must be made within 72 hours of posting of the results. "Failure to file a protest within the time prescribed in Section 120.53(5), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes." If no protest is filed per Section B-21 of the Instructions to Bidders, "Notice and Protest Procedures: the Owner will award the contract to the qualified, responsive low bidder in accordance with Chapter 60D-5, F.A.C.

Notice of Bid/Request for Proposal

Proposals are requested from qualified General Contractors by the State of Florida, Department of Children and Family Services, hereinafter referred to as Owner, for the construction of:

PROJECT NUMBER: DCF-07225520
 PROJECT: BUILDING 32 RENOVATIONS
 NORTHEAST FLORIDA STATE
 HOSPITAL
 MACCLENNY, FLORIDA

PREQUALIFICATION: The Owner accepts bids from those firms who demonstrate current licensure with the Florida Department of Business and Professional Regulation, as a Certified General Contractor, and who comply with the pre-qualification requirements as stated in the project specifications.

BONDING REQUIREMENTS: See Section B-11 for bid guarantee requirements. See Section C-5 for performance and payment bond requirements.

BID DATE AND TIME: Sealed bids will be received at the ENGINEERING OFFICE, NORTHEAST FLORIDA STATE HOSPITAL, 7487 S.R. 121 SOUTH, MACCLENNY, FLORIDA 32063 on December 11, 2007, until 2:00 p.m. (Local Time), at which time they will be publicly opened and read aloud.

PRE-BID MEETING: A pre-bid meeting and inspection of the on-site conditions will be held on November 27, 2007, 10:00 a.m., at the above address. After this date, inspection of the on-site conditions can be arranged by contacting Zander Brantley, (904)259-6211, ext. 1166.

PROPOSAL: Bids must be submitted in full accordance with the requirements of the Drawings and the General and Technical Specifications, which may be examined and obtained for \$125.00 refundable from the Architect:

SKINNER VIGNOLA McLEAN, INC.
 1628 N. W. 6th Street
 Gainesville, Florida 32609
 Telephone: (352)378-4400
 Fax: (352)377-5378

CONTRACT AWARD: The Bid Tabulation and Notice of Award Recommendation will be posted within two business days, at the location where the bids were opened. In the event that the Bid Tabulation and Notice of Award Recommendation cannot be posted in this manner, then all bidders will be duly notified. If no protest is filed per Section B-21 of the Instructions to Bidders, "Notice and Protest Procedures," the Owner will award a contract to the qualified, responsive low bidder in accordance with Chapter 60D-5, F.A.C.

FLORIDA HOUSING FINANCE CORPORATION

Notice of Bid/Request for Proposal

The Florida Housing Finance Corporation invites all qualified entities wishing to provide media planning and buying services (e.g. print, radio, television, outdoor and online advertising) for Florida Housing Finance Corporation to submit proposals for consideration. Proposals shall be accepted until 2:00 p.m. (Eastern Time), Friday, December 14, 2007, to the attention of Robin L. Grantham, Contracts Administrator, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

For questions or additional information, please contact Robin L. Grantham at (850)488-4197 or robin.grantham@florida housing.org. To obtain a copy of the Request for Qualifications, which outlines selection criteria and offeror's responsibilities, please submit your request to the attention of Robin L. Grantham, or you can download the Request for Qualifications from the Florida Housing Finance Corporation web site at <http://www.floridahousing.org/Home/BusinessLegal/Solicitations/RequestForQualifications.htm>.

Any modifications that occur to the Request for Qualifications will be posted at the web site and may result in an extension of the deadline.

CANAVERAL PORT AUTHORITY

The Canaveral Port Authority (CPA) is requesting technical proposals and qualifications from consulting firms interested in providing architectural and engineering Design Services for a

Joint Port Intelligence and Operations Center (JPIOC) for Port Canaveral and to provide technical support to staff at Port Canaveral - located in Brevard County, Florida. These services will be acquired in compliance with the Consultants Competitive Negotiations Act, Florida Statutes 287.055. The A & E consulting firm will be required to display a recurring knowledge of both Florida State and Federal security requirements for commercial seaports, maritime operations and design of fire stations. Consultant will make appropriate recommendations to the Port regarding the security requirements to meet the minimum state and federal regulations under F.S. 311 and 33 CFR part 105 respectively to maintain compliance in a cost-effective manner. Consultant will be required to assist the Port staff in formulating both federal and state project funding requests as well as to follow through with contract plans and specifications for implementing the projects. Consultant will be responsible for the design and integration of inter and internet communications for Access Control, Alarm and Perimeter Security Systems, Vehicle Inspection Systems, and CCTV Monitoring Systems.

MINIMUM CRITERIA

As a minimum, the firms proposing shall have at least ten (10) years experience in work of a similar nature with airports/seaports and military installations. Consultant must provide references of at least 5 prior successful security projects.

It is recommended that the firm have an office within reasonable proximity to the Canaveral Port Authority and/or demonstrate that they would be able to provide services in a timely manner.

PROPOSAL CONTENT

Each responding consulting firm shall provide six (6) copies of their proposal, giving detailed information on the following:

1. Firm history, location, capabilities, etc.
2. GSA Standard Form 330 or equivalent
3. Five (5) examples of previous experience with providing similar services in the recent past. Include a brief description of the work and individuals to be contacted with telephone numbers.
4. A list of services which would not be performed in-house and a list of consultants, which would provide these services for the firm.
5. A schedule of current commitments and the degree of completion of each.
6. An organization chart and other information which will be useful in evaluating the proposal service.
7. Outline of methodology for implementation of the proposed scope of work.
8. Resumes of key individuals to be involved in the various aspects of the project and an explanation of each individual's role in the project.
9. Evidence of coverage with at least one million dollars of professional liability insurance.

10. Provide evidence that firm is licensed to do business in the State of Florida.

SUBMITTAL SCHEDULE

Firms desiring to provide such professional services to the CPA must furnish six (6) copies of their expression of interest to: Canaveral Port Authority, P. O. Box 267, 445 Challenger Road, Cape Canaveral, FL 32920. Attn: Jon O. Brazee, P.E., Chief Engineer, not later than 2:00 p.m., November 19, 2007. Questions should be directed to Peggy Gooch, Senior Administrative Assistant, Engineering at (321)783-7831, ext. 218 or email pgooch@portcanaveral.org. Qualifications package will be available on Monday, October 22, 2007 upon request.

PUBLIC MEETING

A committee established by the Chief Executive Officer will meet on December 4, 2007, 2:00 p.m., in the Port Commission Meeting Room to review and recommend for Commission approval a ranking of qualified firms to the CPA Commission at their regularly scheduled meeting to be held at 2:00 p.m., December 12, 2007, at which time selections will be established.

The Canaveral Port Authority (CPA) is requesting technical proposals from consulting firms interested in providing professional Planning and Design services on a task basis under a professional services continuing contract. These services are to be procured in accordance with the Consultants Competitive Negotiations Act, Florida Statutes Section 287.055.

SCOPE OF WORK

The consulting firm will be required to assist the Port in a multitude of professional planning and design services. The preferred consulting firm will provide an indication of relevant seaport experience pertaining to some or all of the following areas: Port Master Plan development, implementation, and update; Sub-Area Plan Development; Strategic Development/Action Plan Development; Conceptual and Long Range Study Planning; Site Layout; Access, Parking, and Traffic Circulation Design; Multimodal/Intermodal Transportation Planning; Signage; Landscape Design; Waterfront/Waterside Development Design; Infrastructure Design; Security Planning and Design; Feasibility Analyses; Cost/Benefit Analyses; Economic Impact Analyses; Cargo and Passenger Activity Forecasts; Buffer and Setback Determination and Design; Environmental Planning and Design; Stormwater Management Design; Erosion and Sediment Control Design; Database/GIS Development; Decision Tool/Framework Development and Design; Regulatory Planning Guidance.

The selected consultant may also be required to perform other Planning and Design related tasks not specified above.

MINIMUM CRITERIA

At a minimum, all responding consultant firms shall have demonstrated experience in seaport planning and development projects.

PROPOSAL CONTENT

Each responding consultant shall provide four (4) copies of their proposal, giving detailed information on the following:

1. Firm history, location, staff, and capabilities;
2. GSA Standard Form 330 or equivalent;
3. Previous experience providing similar services. Include a brief description of the services performed and contact information for references;
4. A listing of the services outlined in the Scope of Work that would NOT be performed in-house and a list of sub-consultants which would provide these services;
5. A schedule of current commitments and the status of each;
6. An organizational chart and other pertinent staffing and resource information which demonstrates the ability of the consultant to assign appropriate staff to projects initiated under the continuing services contract and the completion of such projects in a timely and responsive manner;
7. Resumes of key individuals that would be primary contacts under the continuing services contract;
8. Evidence of coverage of at least one million dollars (\$1,000,000) of professional liability insurance.

SUBMITTAL SCHEDULE

Consultant firms desiring to provide professional Planning and Design services to the CPA under a continuing services contract must furnish four (4) copies of their proposal, including all above referenced content, to:

CANAVERAL PORT AUTHORITY

Attn: Peggy Gooch, Sr Administrative Assistant,
 Engineering
 P. O. Box 267
 445 Challenger Road
 Cape Canaveral, Florida 32920

All proposals shall be submitted to the Canaveral Port Authority no later than 3:00 p.m., November 19, 2007.

PUBLIC MEETING

A proposal review/ranking committee will meet on December 4, 2007 at 3:00 p.m. in the Port Commission Meeting Room at 445 Challenger Road, Cape Canaveral, Florida. The review/ranking committee will select a preferred consultant(s) which will be presented to the Port Commission for approval at their regularly scheduled meeting on December 12, 2007.

ADDITIONAL INFORMATION

The selected consultant(s) will be required to perform all contract services under a standard Canaveral Port Authority continuing services contract, a sample of which may be

requested by contacting Peggy Gooch, Senior Administrative Assistant, Engineering, Canaveral Port Authority (321)783-7831, ext. 218 or email pgooch@portcanaveral.org.

DEPARTMENT OF MILITARY AFFAIRS

ADVERTISEMENT FOR BIDS

A complete copy of the official solicitation must be obtained from the MyFlorida.Com, MyFloridaMarketPlace (MFMP), Vendor Bid System at http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu.

PROPOSALS ARE REQUESTED FROM QUALIFIED GENERAL CONTRACTORS BY THE State of Florida, Department of Military Affairs HEREINAFTER REFERRED TO AS OWNER, FOR THE CONSTRUCTION OF:

PROJECT NO: 120250

ACCOUNTING CODE: 2085 MILCON

PROJECT NAME & LOCATION: Army Aviation Support Facility No. 1 – Add/Alter, Cecil Field, Jacksonville, FL

FOR (PROJECT DESCRIPTION): Construction of new Hangar 872 and Renovation of Existing Hangar 860 (See Section 01 11 00)

PREQUALIFICATION: Each bidder whose field is governed by Chapter 399, 455, 489, and 633 of the Florida Statutes for licensure or certification must submit prequalification data of their eligibility with their bid at or prior to the bid opening. After the bid opening, the low bidder must qualify in accordance with Rule 60D-5.004, F.A.C. A copy of the requirements is included in the Non-Technical Specifications Level IV/V, Instructions To Bidders under Section B-2 “Bidder Qualification Requirements and Procedures”. Note: A completed experience questionnaire and financial statement form number DBC 5085 (Exhibit 3) must be submitted with bid.

BID SECURITY: Bids/Proposals in total excess of \$100,000.00, the bidder must provide with bid, a good faith deposit in the amount of 5% of the bid by way of a bid bond from a surety insurer authorized to do business in the STATE OF FLORIDA as surety or a certified check or cashier’s check accompanying the bid.

PERFORMANCE BOND AND LABOR AND MATERIAL PAYMENT BOND’S are required from any persons or parties entering into a formal contract with the STATE OF FLORIDA for contracts in total excess of \$100,000.00 for construction, additions, renovations, repairs, or demolition of any public building pursuant to Florida Statute Section 255.05(1)(a).

Any questions from proposers concerning this solicitation shall be submitted in writing, identifying the submitter, to the Architectural-Engineering Firm listed below, attention: Kimberly Piety, by email (Kimberly.piety@rsandh.com) or by facsimile. No questions will be accepted later than 10 days before bid opening date. E-mail inquiries are preferred; however a hard copy or facsimile is acceptable.

MANDATORY PRE-BID MEETING

DATE AND TIME: December 4, 2007, 10:00 a.m. (Local Time)

PLACE: AASF #1, Hangar 860, Cecil Field, Jacksonville, Florida

All interested parties should call Mrs. Bobbie Smith at (904)823-0256, to be placed on the access list by COB November 30, 2007. All General Contractors interested in bidding on this project are required to attend this pre-bid meeting.

Sealed bids will be received, publicly opened and read aloud on: (BIDS MUST BE SUBMITTED PRIOR TO BID OPENING NO LATE BIDS WILL BE ACCEPTED):

DATE AND TIME: January 17, 2008, 2:00 p.m. (Local Time)

PLACE: Robert F. Ensslin National Guard Armory, 2305 State Road 207, St. Augustine, FL 32086

MARK ENVELOPES: ATTN: SEALED BIDS for Project No. 120250 AASF #1 – Add/Alt, Cecil Field Commerce Center, Jacksonville, Florida, Michele Dobbs 0255/Bobbie Smith 0256.

BID/PROPOSAL: All responses must be submitted in a sealed package and shall be clearly marked on the outside of package with the above information. Department of Military Affairs is not responsible for the opening of any solicitation package which is not properly marked. It is the respondent's responsibility to assure its response is submitted in the place and time indicated in this solicitation. Also, all responses must be in full accordance with the requirements of the Drawings, Specifications, Bidding Conditions and Contractual Conditions, and Non-Technical Specifications, which have been prepared by the Engineer as listed, and may be obtained as follows:

ARCHITECT-ENGINEER: Reynolds, Smith and Hills, Inc.

TELEPHONE: (904)256-2500, (904)256-2501 Fax

Upon request to the ARCHITECT-ENGINEER, FULL SETS of drawings and specifications may be purchased directly from the printer at their regular price:

NGI

7999 Philips Highway, Suite 202

Jacksonville, FL 32256

(904)448-1600

Attention: Ben Williams

Drawings will not be released by the printer without the approval of the ARCHITECT-ENGINEER, who shall maintain the official bidders list.

CONTRACT AWARD: The lowest bid will be the bid from the responsive bidder that has submitted the lowest price for the base bid or base bid plus the additive alternates or less the deductive alternates chosen by the Agency to be included in or excluded from the proposed contract, taken in numerical order listed in the bid documents. The order of the alternates may be selected by the Agency in any sequence so long as such

acceptance out of order does not alter the designation of the low bidder. The official Notice of Award Recommendation will be by electronic posting on the Department's website at http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu.

Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. If no protest is filed, the contract will be awarded to the qualified, responsible and responsive low bidder in accordance with Chapter 60D-5, F.A.C., by the Owner.

CLARIFICATIONS/REVISIONS: Before award, the Buyer reserves the right to seek clarifications or request any information deemed necessary for proper evaluation of submissions from all respondents deemed eligible before Contract award. Failure to provide requested information may result in rejection of the response.

The Department reserves the right to accept or reject any or all proposals received and reserves the right to make an award with or without further discussion of the proposals submitted or accept minor informalities or irregularities in the best interest of the State of Florida, which are considered a matter of form and not substance, and the correction or waiver of which is not prejudicial to other proposers. Minor irregularities are defined as those that will not have an adverse effect on the Department's interest and will not affect the price of the proposal by giving a proposer an advantage or benefit not enjoyed by all other proposers. It is understood the proposal will become a part of the Department's official file, without obligation to the Department. Proposals may be rejected if found to be irregular or not in conformance with the requirements and instructions contained herein. A proposal may be found to be irregular or non-responsive by reasons that include, but are not limited to failure to utilize or complete in their entirety prescribed forms, conditional proposals, incomplete proposals, ambiguous proposals, and improper, missing and/or undated signatures.

The Non-Technical Specifications Level IV and V are considered to be applicable to this solicitation and award of contract when made and are made a part hereof.

The State of Florida, Department of Military Affairs, objects to and shall not consider any additional terms or conditions submitted by a respondent, including any appearing in documents attached as part of a respondent's response. In submitting its response, a respondent agrees that any additional terms or conditions; whether submitted intentionally or inadvertently, shall have no force or effect. Failure to comply with terms and conditions, including those specifying information that must be submitted with a response, shall be grounds for rejecting a response.

Prior to entering into a contract with the State of Florida, Department of Military Affairs, the selected contractor must be registered with the Florida Department of Management Services (DMS) MyFloridaMarketPlace Vendor Registration

System. Information about the registration process is available, and registration must be completed at the MyFloridaMarketPlace website (link available under BUSSINESS at www.myflorida.com). Prospective contractors who do not have Internet access may request assistance from the MyFloridaMarketPlace Customer Service at 1(866)352-3776. The State of Florida, through the Department of Management Services, has instituted MyFloridaMarketPlace, a statewide e-procurement system. Pursuant to subsection 60A-1.032(1), Florida Administrative Code, this contract shall be exempt from the one percent (1%) transaction fee.

The State of Florida’s performance and obligation to pay under this contract is contingent upon availability of funding and an annual appropriation by the Legislature.

NO VERBAL STATEMENTS MADE BY ANY STATE OF FLORIDA EMPLOYEE OR AGENCY REPRESENTATIVE WILL OPERATE TO SUPERSEDE INFORMATION PUBLISHED IN THIS SOLICITATION. ONLY WRITTEN ADDENDUMS ISSUED BY THE DEPARTMENT OF MILITARY AFFAIRS CONSTRUCTION AND FACILITY MANAGEMENT OFFICE OR ITS REPRESENTATIVES WILL OPERATE TO ALTER OR OTHERWISE AMEND THIS SOLICITATION.

Section XII
Miscellaneous

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to subsection 380.06(4)(a), Florida Statutes.

FILE NO.: BLIM-05-2007-012
DATE RECEIVED: October 29, 2007
DEVELOPMENT NAME: ON TOP OF THE WORLD CIRCLE SQUARE WOODS
DEVELOPER/AGENT: On Top of the World Communities, Inc.
DEVELOPMENT TYPE: 28-24.023, 28-24.031, F.A.C.
LOCAL GOVERNMENT: Marion County

STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS
In re: CITY OF MARATHON LAND
DEVELOPMENT REGULATIONS
ADOPTED BY ORDINANCE NO. 2007-14

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), partially approving and partially rejecting a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

- 1. The Florida Keys Area is a statutorily designated area of critical state concern, and the City of Marathon is a local government within the Florida Keys Area.
2. On August 24, 2007, the Department received for review City of Marathon (“City”) Ordinance No. 2007-14 (“Ord. 2007-14”).
3. The purpose of Ord. 2007-14 is to amend and restate the City’s previously existing Land Development Regulations (“LDR”) applicable to the Interim Comprehensive Plan with revised LDRs specific to the City’s adopted and approved Comprehensive Plan as required by § 163.3202, Fla. Stat. (2006). Ord. 2007-14 amends and restates Chapters 103, 104, 106, and 107 of the LDRs of the City of Marathon City Code, and provides for the repeal of all code provisions and ordinances inconsistent with Ord. 2007-14.
4. In Final Order No. DCA07-087, the Department found the previously proposed LDRs, with the exception of Sections 104.01, 106.27 and 106.38, consistent with the Principles for Guiding Development as set forth in § 380.0552(7), Fla. Stat. Ord. 2007-14 is in response to the Department’s Final Order No. DCA 07-087, and intended to address other issues that have arisen in the interim period. Ord. 2007-14 amends and restates Chapter 103 – Zoning Districts; Chapter 104 – Specific Use Regulations; Chapter 106 – Natural and Historic Resources Protection; and Chapter 107 – General Development Standards; of the City’s LDRs. With the exception of the specifically identified portions of Table 103.15.2 and Section 104.01, the remaining Chapters are consistent with the City’s Comprehensive Plan.
5. Table 103.15.2 is amended to include density for affordable housing within the Residential Low (RL) zoning designation and is inconsistent with the City of Marathon Comprehensive Plan Table 1-1, Future Land Use Densities and Intensities, allocating zero units per acre for affordable housing for the Residential Low Future Land Use Category.

- 6. Section 104.01 Level of Review for Use applicable to (1) a Group Home, and (2) Hotels or Motels is inconsistent with the City’s Comprehensive Plan, Objective 1-3.5 Manage Growth Rate within the City, Policy 1-3.5.4 Residential Building Permit Allocation System, and Section 110 of the LDRs providing a definition of a dwelling unit. Data and analysis accompanying the above referenced Section 104.01 Level of Review for Use provisions, Group Home and Hotels or Motels was found insufficient.

CONCLUSIONS OF LAW

- 7. 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).
- 8. The City of Marathon 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.
- 9. “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. 2007-14 are land development regulations.
- 10. 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.
- 11. Those portions of Ord. 2007-14 identified as Table 103.15.2 and Section 104.01 Levels of Review of Uses: Group Homes, Hotels or Motels, are inconsistent the following Principle:
 - (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.
 - (e) To limit the adverse impacts of development on the quality of water throughout the Florida Keys.
- 12. Ord. 2007-14 with the exception of specifically identified portions of Table 103.15.2 and Section 104.1 Levels of Review of Uses: Group Homes, Hotels or Motels is consistent with the City’s Comprehensive Plan and consistent with the following Principles:
 - (b) To protect shoreline and marine resources, including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife, and their habitat.

(c) To protect upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife and their habitat.

(k) To provide adequate alternatives for the protection of public safety and welfare in the event of a natural disaster or manmade disaster and for a post disaster reconstruction plan.

(l) To protect the public health, safety, and welfare of the citizens of the Florida Keys and maintain the Florida Keys as a unique Florida Resource.

- 13. With the exception of Table 103.15.2 and Section 104.01, Levels of Review of Uses: Group Homes, Hotels or Motels, Ord. 2007-14 is not inconsistent with the remaining Principles and is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that, with the exception of specifically identified portions of Table 103.15.2 and Section 104.01, Levels of Review of Uses: Group Homes, Hotels or Motels, Ord. 2007-14 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED. Specifically identified Table 103.15.2 and Section 104.01 are found to be inconsistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and are hereby REJECTED.

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
 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 26th day of October, 2007.

/s/ _____
Paula Ford, Agency Clerk

By U.S. Mail:
Honorable John Bartus, Mayor
City of Marathon
10054-55 Overseas Highway
Marathon, Florida 33050

Cindy Ecklund, City Clerk
City of Marathon
10045-55 Overseas Highway
Marathon, Florida 33050

Mike Puto
Acting City Manager
City of Marathon
10054-55 Overseas Highway
Marathon, Florida 33050

Jimmy L. Morales, Esq.
Stearns Weaver Miller Weissler
Alhadeff & Sitterson, P.A.
Suite 2200 Museum Tower
150 West Flagler Street
Miami, Florida 33130

By Hand Delivery or Interagency Mail:
Clark Turner, ACSC Administrator
Mate Santa Maria, Biologist
Richard E. Shine, Assistant General Counsel

STATE OF FLORIDA
In re: MONROE COUNTY LAND
DEVELOPMENT REGULATIONS
ADOPTED BY MONROE COUNTY
ORDINANCE NO. 035-2007

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 August 29, 2007, the Department received for review Monroe County Ordinance No. 035-2007 ("Ord. 035-2007"), adopted by Monroe County on July 18, 2007.
3. This Ordinance does repeal the current Sections 9.5-174 through 9.5-174 of the Monroe County Code. Ord. 035-2007 does add provisions 9.5-171 through 9.5-179 to the Monroe County Code. The purpose of this Ordinance is to provide additional guidance to applicants and County staff for processing Beneficial Use Determination applications and to provide a non-judicial procedure by which a property owner may seek relief from the literal application of applicable Plan and LDR provisions including but not limited to setbacks, buffer yards and clustering when such application is alleged to have the effect of denying all economically reasonable use of the property.
4. Ordinance 035-2007 is consistent with the 2010 Monroe County Comprehensive Plan.

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. 035-2007 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. 035-2007 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.
 - (d) To ensure the maximum well-being of the Florida Keys and its citizens through sound economic development.
 - (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. 035-2007 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 035-2007 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 29th day of October, 2007.

/s/ _____
Paula Ford, Agency Clerk

By U.S. Mail:
Honorable Charles McCoy
Mayor of Monroe County
500 Whitehead Street, Suite 102
Key West, Florida 33040

Danny L. Kolhage
 Clerk to the Board of County Commissioners
 500 Whitehead Street
 Key West, Florida 33040

Aref Joulani
 Acting Director
 Planning and Environmental Resources
 2798 Overseas Highway, Suite 400
 Marathon, Florida 33050

By Hand Delivery or Interagency Mail:
 Clark Turner, ACSC Administrator, DCA Tallahassee
 Richard E. Shine, Assistant General Counsel, DCA Tallahassee

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

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 All About Scooters, LLC, as a dealership for the sale of RTM Group, Inc. (RTMI) motorcycles at 2312 Apalachee Parkway #10, Tallahassee (Leon County), Florida 32301, on or after October 25, 2007.

The name and address of the dealer operator(s) and principal investor(s) of All About Scooters, LLC are dealer operator(s): Susan Smith, 2312 Apalachee Parkway #10, Tallahassee, Florida 32301; principal investor(s): Susan Smith, 2312 Apalachee Parkway #10, Tallahassee, Florida 32301.

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 More
 than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Keeway America, LLC, intends to allow the establishment of Aztec Scooter Company, as a dealership for the sale of motorcycles manufactured by Zhejiang Qianjiang Motorcycle Co. Ltd. (ZHQM) at 132 West Park Avenue, Suite 7, Edgewater (Volusia County), Florida 32132, on or after October 30, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Aztec Scooter Company are dealer operator(s): Manuel J. Cacdac, 2312 Hill Street, New Smyrna Beach, Florida 32169; principal investor(s): Manuel J. Cacdac, 2312 Hill Street, New Smyrna Beach, Florida 32169.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Marlow L. Miller III, Keeway America, LLC, 2912 Skyway Circle North, Irving, Texas 75038.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Ducati North America, Inc., intends to allow the establishment of Baseline Specialist, Inc. d/b/a MelilliMoto, as a dealership for the sale of Ducati motorcycles (DUCA) at 6810 Southeast 58th Avenue, Ocala (Marion County), Florida 34480, on or after December 10, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Baseline Specialist, Inc. d/b/a MelilliMoto are dealer operator(s): Sebastian V. Didato, 6828 Southeast 89th Street, Ocala, Florida 34472; principal investor(s): Sebastian V. Didato, 6828 Southeast 89th Street, Ocala, Florida 34472.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Kristi Blanchard, Ducati North America, Inc., 10443 Bandle Drive, Cupertino, California 95014.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

NOTICE OF WITHDRAWAL

Notice is hereby given that the publication of Baseline Specialist, Inc. d/b/a MelilliMoto, as a new point for a Ducati (DUCA) franchise dealership in Marion County by Ducati North America, Inc., published in Vol. 33, No. 42, pp. 4976-4977 of the F.A.W., on October 19, 2007, has been withdrawn.

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 Columbia ParCar Corp., intends to allow the establishment of Bellenbrook, LLC d/b/a Tee Time Golf Cars, as a dealership for the sale of neighborhood electric vehicles manufactured by Columbia ParCar Corp. (COLB) at 1510 North U.S. Highway 1, Ormond (Volusia County), Florida 32174, on or after October 15, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Bellenbrook, LLC d/b/a Tee Time Golf Cars are dealer operator(s): Dale Sheppard, 1510 North U.S. Highway 1, Ormond, Florida 32174; principal investor(s): Dale Sheppard, 1510 North U.S. Highway 1, Ormond, Florida 32174.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Todd L. Sauey, President, Columbia ParCar Corp., 1115 Commercial Avenue, Reedsburg, Wisconsin 53959.

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 Bikes R Us, Inc., as a dealership for the sale of Zhejiang Huawin Motorcycle Co. Ltd. (POPC) motorcycles at 516 South Dixie Highway, Hallandale (Broward County), Florida 33009, on or after October 24, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Bikes R Us, Inc. are dealer operator(s): Oriá Nunez, 516 South Dixie Highway, Hallandale, Florida 33009; principal investor(s): Oriá Nunez, 516 South Dixie Highway, Hallandale, Florida 33009.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Hong Wang, President, Hitong Motors 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 Mercedes-Benz USA, LLC, intends to allow the establishment of Brumos Motor Cars, Inc. d/b/a Mercedes-Benz of Orange Park, as a dealership for the sale of Mercedes-Benz (MERZ) motor vehicles at 7018 Blanding Boulevard, Orange Park, (Clay County), Florida 32244, on or after December 1, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Brumos Motor Cars, Inc. d/b/a Mercedes-Benz of Orange Park are dealer operator(s): Timothy R. O'Sullivan, 1193 Queens Harbour Boulevard, Jacksonville, Florida 32224; principal investor(s): A.D. Davis, 6400 San Pablo Road South, Jacksonville, Florida 32225.

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: Allen Price, Mercedes-Benz USA, LLC, 8813 Western Way, Jacksonville, Florida 32256-0367.

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 Cars for Us Corp., as a dealership for the sale of Zhejiang Huawin Motorcycle Co. Ltd. (POPC) motorcycles at 395 East 10 Avenue, Hialeah (Dade County), Florida 33010, on or after October 24, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Cars for Us Corp. are dealer operator(s): Guido Munoz, 395 East 10 Avenue, Hialeah, Florida 33010; principal investor(s): Guido Munoz, 395 East 10 Avenue, Hialeah, Florida 33010.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Hong Wang, President, Hitong Motors 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.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Hong Wang, President, Hitong Motors 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 More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Cruise Car, Inc., intends to allow the establishment of International Caddy Carts, Inc., as a dealership for the sale of low speed vehicles manufactured by Suzhou Eagle Electric Vehicle Manufacturing Company (EEVM) at 12691 South Tamiami Trail, North Port (Sarasota County), Florida 34287, on or after October 31, 2007.

The name and address of the dealer operator(s) and principal investor(s) of International Caddy Carts, Inc. are dealer operator(s): Richard Cucchi, 12691 South Tamiami Trail, North Port, Florida 34287; principal investor(s): Richard Cucchi, 12691 South Tamiami Trail, North Port, Florida 34287.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: William Kics, Cruise Car, Inc., 1932 Whitfield Park Loop, Sarasota, Florida 34243.

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 House of Scooters, Inc., as a dealership for the sale of Zhejiang Huawin Motorcycle Co. Ltd. (POPC) motorcycles at 1313 North State Road 7, Hollywood (Broward County), Florida 33021, on or after October 24, 2007.

The name and address of the dealer operator(s) and principal investor(s) of House of Scooters, Inc. are dealer operator(s): Orestes Nunez, 1313 North State Road 7, Hollywood, Florida 33021; principal investor(s): Orestes Nunez, 1313 North State Road 7, Hollywood, Florida 33021.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

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 Cruise Car, Inc., intends to allow the establishment of International Sun Protection, Inc., as a dealership for the sale of low speed vehicles manufactured by Suzhou Eagle Electric Vehicle Manufacturing Company (EEVM) at 1523 Ridgewood Avenue, Holly Hill (Volusia County), Florida 32117, on or after October 31, 2007.

The name and address of the dealer operator(s) and principal investor(s) of International Sun Protection, Inc. are dealer operator(s): Bill Gallagher, 1523 Ridgewood Avenue, Holly Hill, Florida 32117; principal investor(s): Bill Gallagher, 1523 Ridgewood Avenue, Holly Hill, Florida 32117.

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: Bill Kics, Cruise Car, Inc., 1932 Whitfield Park Loop, Sarasota, Florida 34243.

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 Keeway America, LLC, intends to allow the establishment of John T. Faulkner d/b/a Faulkner Motorsports, as a dealership for the sale of motorcycles manufactured by Zhejiang Qianjiang Motorcycle Co. Ltd. (ZHQM) at 4237 US 19, New Port Richey (Pasco County), Florida 34652, on or after October 31, 2007.

The name and address of the dealer operator(s) and principal investor(s) of John T. Faulkner d/b/a 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: Marlow L. Miller III, Keeway America, LLC, 2912 Skyway Circle North, Irving, Texas 75038.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Keeway America, LLC, intends to allow the establishment of Mega Powersports, as a dealership for the sale of motorcycles manufactured by Zhejiang Qianjiang Motorcycle Co. Ltd. (ZHQM) at 390 North Beach Street, Daytona Beach (Volusia County), Florida 32114, on or after October 25, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Mega Powersports are dealer operator(s): David Levinson, 5331 Vista Club Run, Sanford, Florida 32771; principal investor(s): David Levinson, 5331 Vista Club Run, Sanford, Florida 32771.

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: Marlow L. Miller III, Keeway America, LLC, 2912 Skyway Circle North, Irving, Texas 75038.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Alma Gonzalez, Vento North America, 6190 Cornerstone Court E., Suite #200, San Diego, California 92121.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Vento North America, LLC, intends to allow the establishment of Nordan Enterprises, LLC d/b/a Nordan Scooters, as a dealership for the sale of Qianjiang (QIAN) motorcycles at 11461 South Orange Blossom Street Terrace, Suite #3, Orlando (Orange County), Florida 32837, on or after November 19, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Nordan Enterprises, LLC d/b/a Nordan Scooters are dealer operator(s): Daniel Apointe, 14005 Abaco Isle Drive, Orlando, Florida 32824; principal investor(s): Daniel Apointe, 14005 Abaco Isle Drive, Orlando, Florida 32824.

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

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 Vento North America, LLC, intends to allow the establishment of Nordan Enterprises, LLC d/b/a Nordan Scooters, as a dealership for the sale of Jialing (JIAL) motorcycles at 11461 South Orange Blossom Street Terrace, Suite #3, Orlando (Orange County), Florida 32837, on or after November 19, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Nordan Enterprises, LLC d/b/a Nordan Scooters are dealer operator(s): Daniel Apointe, 14005 Abaco Isle Drive, Orlando, Florida 32824; principal investor(s): Daniel Apointe, 14005 Abaco Isle Drive, Orlando, Florida 32824.

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.

Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Alma Gonzalez, Vento North America, 6190 Cornerstone Court E., Suite #200, San Diego, California 92121.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Auto Easy Finance, Inc. d/b/a Daelim Motor USA, intends to allow the establishment of Power and Play Warehouse, Inc., as a dealership for the sale of Daelim (DAEL) motorcycles at 550 North Flagler Avenue, Pompano Beach (Broward County), Florida 33060, on or after September 17, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Power and Play Warehouse, Inc. are dealer operator(s): Thomas McMahan, 550 North Flagler Avenue, Pompano Beach, Florida 33060; principal investor(s): Thomas McMahan, 550 North Flagler Avenue, Pompano Beach, Florida 33060.

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: Maria Maury, Auto Easy Finance, Inc. d/b/a Daelim Motor USA, 6500 Northwest 72 Avenue, Suite 301, Miami, Florida 33166.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Hitong Motors Corp., intends to allow the establishment of Scooters Zoom Corp., as a dealership for the sale of Zhejiang Huawin Motorcycle Co. Ltd. (POPC) motorcycles at 2503 Sheridan Street, Hollywood (Broward County), Florida 33020, on or after October 24, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Scooters Zoom Corp. 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: Hong Wang, President, 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 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 Zhejiang Huawin Motorcycle Co. Ltd. (POPC) motorcycles at 9605 Northwest 79 Avenue, #1-2, Hialeah Gardens (Dade County), Florida 33016, on or after October 24, 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, President, 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 Keeway America, LLC, intends to allow the establishment of Swamp Cycles, LLC, as a dealership for the sale of motorcycles manufactured by Zhejiang Qianjiang Motorcycle Co. Ltd. (ZHQM) at 534 Southwest 4th Avenue, Gainesville (Alachua County), Florida 32601, on or after October 30, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Swamp Cycles, LLC are dealer operator(s): Shawn Glasser, 1710 Southwest 49th Place, Gainesville, Florida 32608 and Tom Glasser, 1710 Southwest 49th Place, Gainesville, Florida 32608; principal investor(s): Shawn Glasser, 1710 Southwest 49th Place, Gainesville, Florida 32608 and Tom Glasser, 1710 Southwest 49th Place, Gainesville, Florida 32608.

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: Marlow L. Miller III, Keeway America, LLC, 2912 Skyway Circle North, Irving, Texas 75038.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
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 Taylor Auto Group, Inc. d/b/a American E Cars, as a dealership for the sale of Tomberlin (TOMB) golfcars at 369 Blanchard Boulevard, Suite N-2, Orange Park (Clay County), Florida 32073, on or after August 22, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Taylor Auto Group, Inc. d/b/a American E Cars are dealer operator(s): Joseph R. Taylor, 369 Blanchard Boulevard, Suite N-2, Orange Park, Florida 32073; principal investor(s): Joseph R. Taylor, 369 Blanchard Boulevard, Suite N-2, Orange Park, Florida 32073.

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: 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 Hitong Motors Corp., intends to allow the establishment of USA Wholesale Scooters, Inc., as a dealership for the sale of Zhejiang Huawin Motorcycle Co. Ltd. (POPC) motorcycles at 2902 East Sunrise Boulevard, Fort Lauderdale (Broward County), Florida 33304, on or after October 24, 2007.

The name and address of the dealer operator(s) and principal investor(s) of USA Wholesale Scooters, Inc. are dealer operator(s): Noel Farbman, 2902 East Sunrise Boulevard, Fort Lauderdale, Florida 33304; principal investor(s): Noel Farbman, 2902 East Sunrise Boulevard, Fort Lauderdale, Florida 33304.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License

Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Hong Wang, President, Hitong Motors 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 More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Keeway America, LLC, intends to allow the establishment of U.V.M. Trading, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Qianjiang Motorcycle Co. Ltd. (ZHQM) at 7341 Collins Avenue, Miami Beach (Dade County), Florida 33141, on or after October 30, 2007.

The name and address of the dealer operator(s) and principal investor(s) of U.V.M. Trading, Inc. are dealer operator(s): Anabella Cabello, 7341 Collins Avenue, Miami Beach, Florida 33141 and Mariano Diaz, 7341 Collins Avenue, Miami Beach, Florida 33141; principal investor(s): Anabella Cabello, 7341 Collins Avenue, Miami Beach, Florida 33141 and Mariano Diaz, 7341 Collins Avenue, Miami Beach, Florida 33141.

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: Marlow L. Miller III, Keeway America, LLC, 2912 Skyway Circle, North, Irving, Texas 75038.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Hitong Motors Corp., intends to allow the establishment of Unique Scooters, Inc., as a dealership for the sale of Zhejiang Huawin Motorcycle Co. Ltd. (POPC) motorcycles at 4255 East 8 Avenue, Hialeah (Dade County), Florida 33013, on or after October 24, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Unique Scooters, Inc. are dealer operator(s): Mauricio Rios, 4255 East 8 Avenue, Hialeah, Florida 33013; principal investor(s): Mauricio Rios, 4255 East 8 Avenue, Hialeah, Florida 33013.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Hong Wang, President, Hitong Motors 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 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 Varsity Cycle, Inc. d/b/a Vespa Palm Beach, as a dealership for the sale of KYMCO motorcycles (KYO) at 524 A Northlake Boulevard, Lake Park (Palm Beach County), Florida 33408, on or after November 1, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Varsity Cycle, Inc. d/b/a Vespa Palm Beach are dealer operator(s): Tony Cappadona, 2749 Southeast 11 Street, Pompano Beach, Florida 33062; principal investor(s): Tony Cappadona, 2749 Southeast 11 Street, Pompano Beach, Florida 33062.

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, 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 Tank Sports, Inc., intends to allow the establishment of Vento Motorcycles Broward, Inc., as a dealership for the sale of KTMMEX motorcycles (KTMM) at 2123 North State Road 7, Hollywood (Broward County), Florida 33021, on or after October 25, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Vento Motorcycles Broward, Inc. are dealer operator(s): Paul Steward, 2123 North State Road 7, Hollywood, Florida 33021; principal investor(s): Paul Steward, 2123 North State Road 7, Hollywood, Florida 33021.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Mike Turber, Tank Sports, Inc., 10925 Schmidt Road, El Monte, California 91733.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Hitong Motors Corp., intends to allow the establishment of Veruccino Motors, Inc., as a dealership for the sale of Zhejiang Huawin Motorcycle Co. Ltd. (POPC) motorcycles at 2801 North State Road 7, Hollywood (Broward County), Florida 33021, on or after October 24, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Veruccino Motors, Inc. are dealer operator(s): Isidro Ley, 2801 North State Road 7, Hollywood, Florida 33021; principal investor(s): Isidro Ley, 2801 North State Road 7, Hollywood, Florida 33021.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Hong Wang, President, Hitong Motors 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 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 Vespa of Jacksonville, Inc., as a dealership for the sale of KYMCO motorcycles (KYOO) at 1128 North 3rd Street, Jacksonville (Duval County), Florida 32250, on or after October 3, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Vespa of Jacksonville, Inc. are dealer operator(s): Thomas R. Bole, 935 North Grandview Avenue, Daytona Beach, Florida 32118; principal investor(s): Thomas R. Bole, 935 North Grandview Avenue, Daytona Beach, Florida 32118.

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, 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.

**BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND**

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

AGENCY FOR HEALTH CARE ADMINISTRATION

**CERTIFICATE OF NEED
EXEMPTIONS**

The Agency for Health Care Administration authorized the following exemption pursuant to Section 408.036(3), Florida Statutes:

County: Broward District: 10
 ID # E0600018 Decision: A Issue Date: 10/5/2007
 Facility/Project: Northwest Medical Center
 Applicant: Northwest Medical Center, Inc.
 Project Description: Provide adult emergency PCI without an approved open heart surgery program
 Proposed Project Cost: \$251,546.00

NOTICE OF LITIGATION

The Agency for Health Care Administration has received the following petitions for administrative hearings as of the close of business on October 19, 2007, concerning certificate of need decisions. No decision has been made as to the sufficiency of these petitions. A brief description of these projects is listed below. Resolution of these requests for hearings by way of a grant or denial of their certificate of need at issue will determine the substantial interest of persons. Those persons whose substantial interest may be determined by these proceedings including settlements, grants, and denials are advised to govern themselves accordingly and may wish to exercise rights including intervention. See Chapter 120, F.S., as well as Section 408.039, F.S. and Rule 59C-1.012, F.A.C. In deference to rights of substantially affected persons, AHCA will not settle or otherwise reach a final resolution of these matters for a period of 30 days from the date of the publication.

CON#	INITIAL APPLICANT, PARTY REQUEST HEARING (PRH)	DECISION	PROJECT	CTY,
NA	Delicense, Inc. d/b/a Baptist Hospital, (PRH) same as applicant		57 general acute care beds from License Number 4456, Escambia County, Baptist Hospital, Inc. d/b/a Baptist Hospital, (PRH) same as applicant	

The Florida Agency for Health Care Administration (the Agency), Bureau of Medicaid Program Analysis, provides the following public notice regarding reimbursement for nursing home facilities participating in the Florida Medicaid Program. **PURPOSE:** To comply with federal public notice requirements in Section 1902(a)(13)(A) of the Social Security Act in changing reimbursement for nursing home facilities, the Agency is publishing the final rates, the methodologies underlying the establishment of such rates, and justifications for the final rates. The Agency has amended its Title XIX Long-Term Care Reimbursement Plan (The Plan) to incorporate changes to the reimbursement methodology.

FINAL RATES: The purpose of the amendment was to incorporate changes to the Florida Title XIX Long-Term Care Reimbursement Plan payment methodology effective January 1, 2007.

1. The certified nursing assistant staffing ratio has been modified in accordance with Section 400.23(3), Florida Statutes, and the 2006-07 General Appropriations Act, House Bill 5001, Specific Appropriation 243, effective January 1, 2007.
2. Effective April 25, 2007, in compliance with the Department of Administrative Hearings (DOAH) Case No. 06-3489RX, the low occupancy adjustment is no longer applicable.

METHODOLOGIES: The methodology underlying the establishment of the final rates for Medicaid nursing facilities are rates resulting from the revised methodology used to calculate per diem rates in the Title XIX Long-Term Care Reimbursement Plan. **JUSTIFICATION:** The justification for the final rate change is Section 400.23(3), Florida Statutes, and the 2006-07 General Appropriations Act, House Bill 5001, Specific Appropriation 243 and DOAH Case No. 06-3489RX.

The Agency has implemented the above changes effective January 1, 2007. Providers, beneficiaries and their representatives, and other concerned state residents may provide written comment on the final rates, methodologies and justification underlying the establishment of such changes. Written comments may be mailed to: Edwin Stephens, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Mail Stop 21, Tallahassee, Florida 32308 or emailed to stephene@ahca.myflorida.com.

Please contact the person listed above to request a copy of the Title XIX Long-Term Care Reimbursement Plan.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

The Department of Environmental Protection gives notice of its intent to grant a water quality criteria exemption for the aesthetically based secondary drinking water standard for color (standard 15 color units, exemption limit 50 color units), and for the Florida primary drinking water standard for sodium (standard 160 mg/L, exemption limit 300 mg/L) to the Manatee County Public Works Department, Mr. Daniel T. Gray, Utilities Operation Director. The water quality criteria exemption is for the reclaimed water aquifer storage and recovery (ASR) project at the Manatee County Southwest

Regional Wastewater Treatment Plant (WWTP). The exemption is granted for the duration of the Manatee County Southwest Regional WWTP reclaimed water ASR-1 Class V well construction permit, and subsequent construction permits issued by the Department to allow operational testing of this ASR well. Future exemptions must be petitioned for by the applicant in conjunction with a construction permit for any other ASR well or operation permit for any ASR project at this site. The ASR facility is located at the Manatee County Southwest Regional WWTP, 5101 65th Street, West, Bradenton (Manatee County), Florida.

A person whose substantial interests are affected by the Department's proposed exemption decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, within 21 days of the date of this notice. The petitioner must mail a copy of the petition to the applicant Mr. Daniel T. Gray, Utility Operations Director, 4410 66th Street West, Bradenton, Florida 34210, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, of the Florida Statutes, or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will only be at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the Florida Administrative Code.

A petition that disputes the material facts on which the Department's action is based must contain the following information:

- (a) The name, address, and telephone number of each petitioner; the name, address, and telephone number of the petitioner's representative, if any; the Department case or identification number and the county in which the subject matter or activity is located;
- (b) A statement of when and how each petitioner received notice of the Department action;
- (c) A statement of how each petitioner's substantial interests are affected by the Department action;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A statement of facts that the petitioner contends warrant reversal or modification of the Department action;

(f) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief; and

(g) Demand for relief (sought by the petitioner, stating precisely the action that the petitioner wants the Department to take).

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department on the petitions have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation is not available for this proceeding.

The application is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection, Bob Martinez Center, 2600 Blair Stone Road, Room 212E, Tallahassee, Florida 32399-2400.

The Department of Environmental Protection gives notice of its intent to grant a variance under Section 403.201, F.S., from the provisions of Rule [e.g., 62-4.244(5)(c)], F.A.C., to Indian River County Board of Commissioners, 1840 25th Street, Vero Beach, Florida, 32960, (File No. 0166929-011-EV) to allow to allow a 1,000 meter mixing zone down current from the dredge site and 150 meters offshore of the beach disposal site during dredging and disposal operations associated with the beach restoration project. The requested mixing zone variance is to be authorized for activities occurring within Indian River County Sectors I and II and the offshore borrow area. The Department's file on this matter is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection, 5050 W. Tennessee St., Bldg. B, Tallahassee, FL 32304, telephone: (850)414-7798, Stephanie Gudeman.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received by the clerk) in the

Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Mediation under Section 120.573, F.S. is not available.

Because the administrative hearing process is designed to redetermine final agency action on the application, the filing of a petition for an administrative hearing may result in a modification of the agency action or even a denial of the application. If a sufficient petition for an administrative hearing or request for an extension of time to file a petition is timely filed, this agency action automatically becomes only proposed agency action on the application, subject to the result of the administrative review process. Accordingly, the applicant is advised not to commence construction or other activities in accordance with this variance until the deadlines noted below for filing a petition for an administrative hearing, or request for an extension of time has expired.

Under subsections 28-106.111(3) and 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

In the event that a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Any intervention will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

In accordance with subsection 28-106.111(2) and paragraph 62-110.106(3)(a), F.A.C., petitions for an administrative hearing by the applicant must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first.

Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action; and (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action; including an explanation of how the alleged facts relate to the specific rules or statutes; and (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C. Under Sections 120.569(2)(c) and (d), F.S., a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This action is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above. Upon the timely filing of a petition this order will not be effective until further order of the Department.

This variance constitutes an order of the Department. The applicant has the right to seek judicial review of the order under Section 120.68, Florida Statutes, by the filing of a notice of appeal under Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida, 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the final order is filed with the Clerk of the Department.

FLORIDA STATE CLEARINGHOUSE

The state is coordinating reviews of federal activities and federally funded projects as required by Section 403.061(40), F.S. A list of projects, comments deadlines and the address for providing comments are available at http://www.dep.state.fl.us/secretary/oip/state_clearing/. For information, call (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

NOTICE OF PUBLIC OPPORTUNITY TO COMMENT ON THE FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT AND CONSISTENCY DETERMINATION FOR OIL AND GAS LEASE SALE 224 IN FEDERAL WATERS OFF FLORIDA

Interested persons are hereby given notice that a U.S. Department of the Interior, Minerals Management Service, has issued a Final Supplemental Environmental Impact Statement (FSEIS) and Coastal Zone Management Act Consistency Determination (CD) for eastern Gulf of Mexico oil and gas Lease Sale 224. The lease sale, mandated by the Gulf of Mexico Energy Security Act of 2006, is more than 125 miles from Florida. The sale is scheduled to be held in March 2008 and includes about 134 unleased blocks covering about 584,817 acres.

The FSEIS and CD are available for inspection at the Florida Department of Environmental Protection (FDEP), Office of Intergovernmental Programs, Room 953 DA, Douglas Building, 3900 Commonwealth Boulevard, MS 47, Tallahassee, Florida 32399-3000, (850)245-2163. Written comments regarding this activity and its consistency with the Florida Coastal Management Program should be submitted to FDEP, at the address listed above, by November 29, 2007. Contact: Shana Kinsey or Debby Tucker, (850)245-2163, email address Shana.Kinsey@dep.state.fl.us or Debby.Tucker@dep.state.fl.us.

This public notice fulfills the requirements of 15 CFR 930.

NOTICE OF PUBLIC OPPORTUNITY TO COMMENT ON GEOLOGICAL AND GEOPHYSICAL PERMIT APPLICATION FOR FEDERAL WATERS OF THE GULF OF MEXICO OFFSHORE FLORIDA

Interested persons are hereby given notice that a U.S. Department of the Interior, Minerals Management Service, Geological and Geophysical Permit Application submitted by TGS, to collect 3D seismic data in federal waters of the Gulf of Mexico off Florida, was received by the State of Florida.

The permit application is available for inspection at the Florida Department of Environmental Protection (FDEP), Office of Intergovernmental Programs, Room 953 DA, Douglas Building, 3900 Commonwealth Boulevard, MS 47, Tallahassee, Florida 32399-3000, (850)245-2163. Written comments regarding this activity and its consistency with the Florida Coastal Management Program should be submitted to FDEP, at the address listed above, by November 23, 2007. Contact: Shana Kinsey or Debby Tucker, (850)245-2163, email address Shana.Kinsey@dep.state.fl.us or Debby.Tucker@dep.state.fl.us.

This public notice fulfills the requirements of 15 CFR 930.

DEPARTMENT OF HEALTH

On October 24, 2007, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension with regard to the license of Long V. Mai, A.P. license number AP 2135. 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 October 24, 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 the regard to the license of Greg T. Trotta, D.C., license number CH 6914. 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 October 24, 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 the regard to the license of Leonard Douglas Brown, Jr., R.N., license number RN

9180741. 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 October 24, 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 the regard to the license of Marsha Lynnglebe Jerdon, L.P.N., license number PN 805861. 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 October 24, 2007, Ana M. Viamonte Ros, M.D., M.P.H. State Surgeon General, issued an Order of Emergency Suspension with regard to the license of Wendy Marie Kersey, L.P.N. license number PN 1316101. 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 October 24, 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 the regard to the license of Charletha A. Nelons, C.N.A., license CNA 109162. 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 October 24, 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 the regard to the license of Christopher L. Smith, C.N.A., license number CNA 129102.

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 October 24, 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 the regard to the license of Kellie Sue Weaver, R.N., license RN 9210488. 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 October 24, 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 the regard to the license of John R. Yates, R.Ph., license PS 27850. 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 October 24, 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 the regard to the license of William Ryan, Ph.D., license number PY 2974. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE OF CORRECTION: Notice is hereby given that the date listed for the QPD below was incorrect in the October 26, 2007, Vol. 33, No. 43 issue of the F.A.W. on page 5106.

DIVISION OF TREASURY
BUREAU OF COLLATERAL MANAGEMENT
PUBLIC DEPOSITS SECTION

FOR PUBLIC DEPOSITORS TO RECEIVE THE PROTECTION FROM LOSS PROVIDED IN CHAPTER 280, FLORIDA STATUTES, THEY SHALL COMPLY WITH THE FOLLOWING ON EACH PUBLIC DEPOSIT ACCOUNT IN ADDITION TO ANY OTHER REQUIREMENTS SPECIFIED IN CHAPTER 280: (1) EXECUTE THE PUBLIC DEPOSIT IDENTIFICATION AND ACKNOWLEDGMENT FORM DFS-J1-1295 WITH THE QUALIFIED PUBLIC DEPOSITORY (QPD), MAINTAIN IT AS A VALUABLE RECORD, AND CONFIRM THE ACCOUNT ANNUALLY; (2) EXECUTE A REPLACEMENT FORM DFS-J1-1295 WHEN THERE IS A MERGER, ACQUISITION, NAME CHANGE, OR OTHER EVENT WHICH CHANGES THE ACCOUNT NAME, ACCOUNT NUMBER, OR NAME OF THE QPD.

THE FOLLOWING QPDS ARE AUTHORIZED TO HOLD PUBLIC DEPOSITS. THEY ARE LISTED UNDER THE STATE OF HOME OFFICE LOCATION. INSTITUTIONS MARKED WITH AN ASTERISK HAVE LIMITED THE AMOUNT OF PUBLIC DEPOSITS THEY WILL ADMINISTER AND ARE NOT ACCEPTING NEW PUBLIC DEPOSIT ACCOUNTS. DEPOSITORIES HAVING A DATE BESIDE THEIR NAME ARE IN THE PROCESS OF WITHDRAWING FROM THE PROGRAM AND SHALL NOT RECEIVE OR RETAIN PUBLIC DEPOSITS AFTER THE DATE SHOWN. THEY MAY, HOWEVER, HAVE CERTAIN OBLIGATIONS TO THE PROGRAM AFTER THAT DATE WITH WHICH THEY MUST COMPLY BEFORE CONCLUDING THE WITHDRAWAL PROCESS.

VERO BEACH

CITRUS BANK, N.A. 11/09/2007
INDIAN RIVER NATIONAL BANK

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT, IN AND FOR LEON COUNTY, FLORIDA

CASE NO.: 2007-CA-1761

In Re: The Receivership of SUNCOAST PHYSICIANS HEALTH PLAN, INC., a Florida corporation.

NOTICE TO ALL POLICYHOLDERS, CREDITORS, AND CLAIMANTS HAVING BUSINESS WITH SUNCOAST PHYSICIANS HEALTH PLAN, INC.

You are hereby notified that by order of the Circuit Court of the Second Judicial Circuit, in and for Leon County, Florida, entered the 10th day of August, 2007, the Department of Financial Services of the State of Florida was appointed as Receiver of SUNCOAST PHYSICIANS HEALTH PLAN, INC. and was ordered to liquidate the assets located in Florida of said company.

Policyholders, claimants, creditors, and other persons in this State having claims against the assets of SUNCOAST PHYSICIANS HEALTH PLAN, INC., shall present such claims to the Receiver on or before 11:59 p.m. on Monday, August 11, 2008, or such claims shall be forever barred.

Requests for forms for the presentation of such claims and inquiries concerning this Receivership should be addressed to:

The Division of Rehabilitation and Liquidation of the Florida Department of Financial Services, Receiver for SUNCOAST PHYSICIANS HEALTHPLAN, INC., Post Office Box 110, Tallahassee, Florida 32302-0110. Additional information may be found at the following Internet site: www.floridainsurance receiver.org.

FINANCIAL SERVICES COMMISSION

NOTICE OF FILINGS

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received the following applications. Comments may be submitted to the Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition with the Clerk, Legal Services Office, Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0379. The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., November 30, 2007):

APPLICATIONS WITHDRAWN

Application for a New Financial Institution

Applicant and Proposed Location: Bank of Florida – Palm Beach County, 595 South Federal Highway, Suite 100, Boca Raton, Florida 33432

Withdrawn: October 24, 2007

Application And Plan For The Purchase Of Certain Assets And Assumption of Certain Liabilities

Acquiring Entity: Bank of Florida – Palm Beach County (In Organization), 595 South Federal Highway, Suite 100, Boca Raton, Florida 33432

Selling Entity: Bank of Florida – Southeast, Ft. Lauderdale, Florida

Withdrawn: October 24, 2007

EXPANDED FIELD OF MEMBERSHIP

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received a request by a credit union to expand its field of membership. Specific information regarding the expansion can be found at <http://www.fldfs.com/ofr/banking/cufm.asp>.

Name and Address of Applicant: Gulf States Credit Union, Post Office Box 945110, Maitland, Florida 32794-5110

Expansion Includes: Select Employee Group

Received: October 24, 2007

SOIL AND WATER CONSERVATION DISTRICT

The Ochlockonee River Soil and Water Conservation District will discuss its intention to promulgate rules concerning the application of fertilizer containing phosphorus in Leon County. The discussion will take place during the District's regular meeting at the Leon County Agricultural Extension Office, 615 Paul Russell Road, Tallahassee, Florida at 4:00 p.m., on December 19, 2007. All members of the public are encouraged to attend. The agenda for the meeting will be available at least seven days prior to the meeting and can be obtained by contacting Blas Gomez, Chair at (850)933-6268.

Section XIII
Index to Rules Filed During Preceding Week

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.	Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
					61G4-15.017	10/26/07	11/15/07	33/38	
					61G4-15.018	10/26/07	11/15/07	33/38	
					61G4-15.026	10/26/07	11/15/07	33/38	
					61G4-15.027	10/26/07	11/15/07	33/38	
					61G4-18.001	10/26/07	11/15/07	33/38	
DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES					Board of Landscape Architecture				
Division of Standards					61G10-18.001	10/23/07	11/12/07	33/38	
5F-14.001	10/23/07	11/12/07	33/33						
5F-14.002	10/23/07	11/12/07	33/33						
5F-14.003	10/23/07	11/12/07	33/33						
DEPARTMENT OF COMMUNITY AFFAIRS					DEPARTMENT OF HEALTH				
Division of Housing and Community Development					Board of Chiropractic				
9B-3.0475	10/25/07	11/14/07	33/30		64B2-13.004	10/24/07	11/13/07	33/37	
DEPARTMENT OF TRANSPORTATION					Board of Medicine				
14-109.0011	10/22/07	11/11/07	33/38		64B8-30.005	10/22/07	11/11/07	33/35	
					64B8-30.0151	10/22/07	11/11/07	33/35	
					64B8-30.0152	10/22/07	11/11/07	33/35	
					64B8-30.019	10/22/07	11/11/07	33/35	
DEPARTMENT OF CORRECTIONS					64B8-31.0101	10/22/07	11/11/07	33/35	
33-208.003	10/24/07	11/13/07	33/38		64B8-31.0102	10/22/07	11/11/07	33/35	
WATER MANAGEMENT DISTRICTS					Board of Osteopathic Medicine				
Southwest Florida Water Management District					64B15-6.0035	10/22/07	11/11/07	33/35	
40D-1.659	10/22/07	11/11/07	33/27		64B15-6.0112	10/22/07	11/11/07	33/35	
AGENCY FOR HEALTH CARE ADMINISTRATION					64B15-6.0113	10/22/07	11/11/07	33/35	
Medicaid Program Office					64B15-6.013	10/22/07	11/11/07	33/35	
59G-4.230	10/26/07	11/15/07	33/32		64B15-7.0101	10/22/07	11/11/07	33/35	
59G-13.081	10/26/07	11/15/07	33/31		64B15-7.0102	10/22/07	11/11/07	33/35	
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION									
Construction Industry Licensing Board									
61G4-15.003	10/26/07	11/15/07	33/38						
61G4-15.015	10/26/07	11/15/07	33/38						