

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Dairy Industry

RULE NOS.:	RULE TITLES:
5D-1.001	Documents Incorporated by Reference and Definitions
5D-1.003	Permits, Licenses and Inspections
5D-1.007	Dating; Standards for Milk, Milk Products and Frozen Desserts
5D-1.012	Future Dairy Farms, Milk Plants and Frozen Dessert Plants

PURPOSE AND EFFECT: The purpose of the rule amendment is to create rules governing manufacturing milk plants located within the State of Florida. It also updates the documents incorporated by reference and revision dates on required forms. The Department's purpose in creating these rules is to achieve compliance with Chapter 502, Florida Statutes, which was amended in the 2007 legislative session.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is the permitting, inspection and product standards for manufacturing milk plants.

SPECIFIC AUTHORITY: 502.014(6) FS.

LAW IMPLEMENTED: 502.012, 502.014, 502.053 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: December 14, 2007, 10:00 a.m.

PLACE: Dairy Conference Room, 3125 Conner Boulevard, Room 27, Tallahassee, Florida 32399-1650

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mr. Gary Newton, Chief, Bureau of Dairy Inspection, Division of Dairy Industry, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650, (850)487-1470, e-mail: newtong@doacs.state.fl.us

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Marketing and Development

RULE NOS.:	RULE TITLES:
5H-26.001	Purpose
5H-26.002	Definitions
5H-26.003	General Requirements Relating to the Sale or Purchase of Horses
5H-26.004	Bill of Sale

PURPOSE AND EFFECT: The purpose and effect of these proposed rules is to prevent unfair or deceptive trade practices relating to the sale and purchase of horses in Florida.

SUBJECT AREA TO BE ADDRESSED: The subject area addressed by these proposed rules is unfair or deceptive trade practices surrounding the sale and purchase of horses in Florida.

SPECIFIC AUTHORITY: 535.16 FS.

LAW IMPLEMENTED: 535.16 FS.

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

DATE AND TIME: December 17, 2007, 1:00 p.m. – 5:00 p.m.

PLACE: Betty Easley Conference Center, Room 152, 4075 Esplanade Way, 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: Kerry Flack, Assistant Division Director of Marketing and Development, 407 South Calhoun Street, M9, Tallahassee, FL 32399-0800, (850)488-4031. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Kerry Flack, Assistant Division Director of Marketing and Development, 407 South Calhoun Street, M9, Tallahassee, FL 32399-0800, (850)488-4031

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5H-26.001 Purpose.

The purpose of this rule chapter is to address unfair and deceptive trade practices surrounding the sale and purchase of horses in Florida. This rule enhances consumer protection by implementation of minimum requirements relating to the sale and purchase of horses in Florida.

Specific Authority 535.16 FS. Law Implemented 535.16 FS. History--New _____.

5H-26.002 Definitions.

As used in this rule, the following definitions shall apply:

(1) "Dual Agent" means a person who acts as an agent, consultant, consignor, or in any other capacity that creates a position of trust with both the Purchaser and the Owner.

(2) "Horse" means an equine as defined in Section 773.01(2), F.S.

Specific Authority 535.16 FS. Law Implemented 535.16 FS. History--New _____.

5H-26.003 General Requirements Relating to the Sale or Purchase of Horses.

(1) Any sale or purchase of a horse in Florida shall be:

(a) Accompanied by a written bill of sale described in Rule 5H-26.003, F.A.C.; and

(b) Signed by both the Purchaser and the Owner or their duly authorized agents or, in a transaction solely relating to a season or fractional interest in the horse, signed by the syndicate manager or horse manager. An agent who signs a written bill of sale or acknowledgement of purchase on behalf of his or her principal shall do so only if authorized in writing by such principal. When presented with such authorization, all other parties to the transaction may presume that an agent signing on behalf of his or her principal is duly authorized to act for the principal.

(2) A person shall not act as a dual agent in a transaction involving the sale or purchase of an interest in a horse without:

(a) The prior knowledge of both the Purchaser and the Owner; and

(b) Written consent of both the Purchaser and the Owner.

(3) No person acting on behalf of either a Purchaser or an Owner, or acting as a dual agent, in a transaction involving the sale or purchase of a horse, may receive consideration, compensation, fees, a gratuity, or any other item of value related directly or indirectly to such transaction, from an individual or entity, including any consigner involved in the transaction, other than an agent's principal, unless:

(a) The agent receiving, and the person or entity making, the payment disclose in writing the payment to both the Purchaser and Owner; and

(b) Each principal for whom the agent is acting consents in writing to the payment.

(4) Any person acting as an agent for a Purchaser or an Owner or acting as a dual agent in a transaction involving the sale or purchase of a horse shall, upon request by his or her principal or principals, furnish copies of all financial records and financial documents in the possession or control of the agent pertaining to the transaction to the principal or principals. For purposes of this section, financial records shall not include the agent's or Owner's work product used to internally evaluate the horse.

(5) A violation of any provision of Chapter 5H-26, F.A.C., shall be considered an unfair and deceptive trade practice pursuant to Chapter 501, Part II, F.S.

(6) Except as provided in subsection (4), nothing in this rule shall require disclosure of compensation arrangements between a principal and an agent where no dual agency exists, where the agent is acting solely for the benefit of his or her principal, and where the agent is being compensated solely by his or her principal.

(7) No contract or agreement for payment of a commission, fee, gratuity, or any other form of compensation in connection with any sale or purchase of a horse shall be enforceable by way of an action or defense unless:

(a) The contract or agreement is in writing and is signed by the party against whom enforcement is sought; and

(b) The recipient of the compensation provides a written bill of sale for the transaction that complies with the provisions of Chapter 5H-26, F.A.C.

Specific Authority 535.16 FS. Law Implemented 535.16 FS. History--New _____.

5H-26.004 Bill of Sale.

The sale or purchase of a horse in Florida must be accompanied by a written bill of sale that must include at a minimum the following:

(1) The name and address of the buyer and the Owner;

(2) The name and address of the duly authorized agent of the buyer and the Owner, if applicable;

(3) The date of the sale;

(4) The purchase price of the horse;

(5) Date of Purchase by current Owner;

(6) Birth date of the horse (if known);

(7) Birth Location of the horse (if known);

(8) Prior Ownership of horse (if known);

(9) A written disclosure statement describing the condition of the horse including disclosure of all known alterations that affect the performance or health of the horse and all known medical ailments, defects, and surgeries. In lieu of the written disclosure statement the Owner of the horse shall provide all existing medical records or copies thereof. The written disclosure statement or medical records must be made available to prospective purchasers prior to sale.

(10) A space for the printed name and signature of the buyer and the Owner and agent, if applicable.

Specific Authority 535.16 FS. Law Implemented 535.16 FS. History--New _____.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF CORRECTIONS

RULE NO.:	RULE TITLE:
33-103.002	Inmate Grievances – Terminology and Definitions

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend Chapter 33-103, F.A.C., for clarity and to simplify the grievance process for inmates and

Department employees. Rule 33-103.002, F.A.C., is amended to clarify the reviewing authority for grievances, appeals, and specifically direct grievances.

SUBJECT AREA TO BE ADDRESSED: Inmate grievances.
SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS., 45 C.F.R. Part 160, 164
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:

33-103.002 Inmate Grievances – Terminology and Definitions

The following terms, as defined, shall be standard usage throughout the department:

(1) No change.

(2) Bureau of Inmate Grievance Appeals: The bureau authorized by the Secretary to receive, review, investigate, evaluate, and respond to grievance appeals and direct grievances as defined in subsection (8). The Bureau of Inmate Grievance Appeals is located in the Office of Research, Planning and Support Services and is managed by the Chief of Inmate Grievance Appeals.

(3) through (7) No change.

(8) Grievance Appeal, Direct Grievances, or Central Office Review: This is a statement of complaint filed with the Secretary of the Department of Corrections through the use of the Request for Administrative Remedy or Appeal, Form DC1-303. Appeals and direct grievances are addressed in Rule 33-103.007, F.A.C.

(9) through (14) No change.

(15) Reviewing Authority: Staff who are authorized to sign grievances or appeals as the final authority for review, e.g., warden, assistant warden, deputy warden, or the Secretary’s representative.

(a) Informal Grievance:

1. Staff member who is responsible for the issue grieved.

(b)(a) Formal Grievance Level:

1. Major Institutions – warden or assistant warden;

2. (b) Private Correctional Facilities – warden, deputy warden, or, when determined by staff in the Bureau of Inmate Grievance Appeals that further review is required, the warden, deputy warden, or the Executive Director of the Privatization Commission;

3. (e) Road Prisons, Vocational Centers, Work Camps, Community Correctional Centers, and Contract Community Facilities – warden or assistant warden of the supervising institution.

(c)(d) No change.

(d)(e) Direct Grievances:

1. A direct grievance which is to be reviewed by the warden: The warden is authorized to designate the assistant warden or deputy warden (deputy warden applicable to private facilities only) to grant and implement relief as approved by the warden, except as to grievances involving discipline, grievances alleging violation of the Americans With Disabilities Act, grievances challenging placement in close management and subsequent reviews, grievances of an emergency nature, grievances of reprisal or grievances of a sensitive nature.

2. A direct grievance which is to be reviewed by the Bureau of Inmate Grievance Appeals: the Bureau Chief, or those staff designated by the Secretary to serve as his representative.

(16) No change.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History– New 10-12-89, Amended 1-15-92, 12-22-92, 4-10-95, 12-7-97, Formerly 33-29.002, Amended 10-11-00, 1-2-03, 9-16-03, 2-9-05, _____.

DEPARTMENT OF CORRECTIONS

RULE NO.:	RULE TITLE:
33-103.004	Inmate Grievances – Staff and Inmate Participation

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend Chapter 33-103, F.A.C., for clarity and to simplify the grievance process for inmates and Department employees. Rule 33-103.004, F.A.C., is amended to reflect the changes made to Rule 33-103.002, F.A.C.

SUBJECT AREA TO BE ADDRESSED: Inmate grievances.
SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS., 45 C.F.R. Part 160, 164
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:

33-103.004 Inmate Grievances – Staff and Inmate Participation.

(1) Inmate and employee participation in the grievance process will take the form of solicitation of written comments by inmates and employees on selected formal inmate grievances that staff determine will significantly impact the inmate population and which challenge general procedures and practices prior to the initial adjudication of the grievance. Each institution shall within 5 calendar days of receipt, post copies of this type of formal grievance on inmate and employee bulletin boards, circulate among all inmates in all disciplinary, administrative, and close management areas, including all inmates under sentence of death. These grievances shall be posted and circulated without identification of individual names or identifying facts. Written comments must be received in the office of the reviewing authority as defined in paragraphs 33-103.002(15)(b)(a) through (d), F.A.C., within 5 calendar days from the date of posting in order to receive consideration. With the exception of submitting written comments, no inmate or employee who appears to be involved in the matter shall participate in any capacity in the final resolution of a grievance.

(2) Inmates and employees have the opportunity to review the effectiveness and credibility of the department’s grievance procedure through the submission of written comments to the reviewing authority as defined in paragraphs 33-103.002(15)(a) through (c)(d), F.A.C. The reviewing authority shall review and respond to written comments received and institute procedural changes as appropriate. Comments received relating to this rule that are outside the decision making authority of the reviewing authority as defined in paragraphs 33-103.002(15)(a) through (c)(d), F.A.C. shall be forwarded to the Office of the General Counsel for review and appropriate action. If the comments or complaint focuses on the implementation of the rule at a particular institution, the reviewing authority as defined in paragraphs 33-103.002(15)(b)(a) through (c)(d), F.A.C., has the authority to make necessary changes in this implementation consistent with the rule. If the comments or complaint deal with the content of the rule itself and the only way a change could be effected would be to change the rule, then it needs to be forwarded to the Office of the General Counsel. The Office of the General Counsel shall review the complaint to see if there appears to be a problem with the rule itself. If changes are necessary, the Office of the General Counsel coordinates the rule promulgation process. The warden shall receive a response and in turn advise the employee or inmate.

(3) through (4) No change.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History—New 10-12-89, Amended 1-15-92, 4-10-95, 12-7-97, Formerly 33-29.004, Amended 10-11-00, 2-9-05,_____.

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:

33-103.005 Informal Grievance

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend Chapter 33-103, F.A.C., for clarity and to simplify the grievance process for inmates and Department employees. Rule 33-103.005, F.A.C., is amended to clarify when an inmate may bypass the informal grievance process and when an informal grievance should not be utilized and to reflect the changes made to Rule 33-103.002, F.A.C. The requirement in Rule 33-103.005, F.A.C., that inmates deliver informal grievances to the responsible staff member, is amended to require that informal grievances be collected by a designated staff member, logged, and forwarded to the responsible staff member for response. The requirement in Rule 33-103.005, F.A.C., that attachments be submitted in triplicate, has also been removed.

SUBJECT AREA TO BE ADDRESSED: Inmate grievances.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS., 45 C.F.R. Part 160, 164
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:

33-103.005 Informal Grievance.

(1) Inmates shall utilize the informal grievance process prior to initiating a formal grievance, ~~except~~ in the case of an emergency grievance, a grievance of reprisal, a grievance of a sensitive nature, a grievance alleging violation of the Americans with Disabilities Act, a medical grievance, a grievance involving admissible reading material, a grievance involving gain time governed by Rule 33-601.101, F.A.C., Incentive Gain Time, a grievance challenging placement in close management and subsequent reviews, grievances regarding the return of incoming mail governed by subsection 33-210.101(14), F.A.C., or a grievance involving disciplinary action (does not include corrective consultations) governed by Rules 33-601.301-.314, F.A.C., an inmate may utilize the formal grievance process governed by Rule 33-103.006, F.A.C., directly, bypassing the informal grievance process. An inmate shall utilize the direct grievance process governed by subsection 33-103.007(6), F.A.C., for grievances alleging a violation of the Health Insurance Portability and Accountability Act (HIPAA) rather than initiating an informal or formal grievance.

~~(a) When an inmate decides to initiate a grievance, an~~ informal grievance shall be submitted to the designated staff by personally placing the informal grievance in a locked grievance box. Locked boxes shall be available to inmates in open population and special housing units. A staff person from classification, the grievance coordinator's office, or the assistant warden's office shall be responsible for the key. If the staff member collecting the grievances is from classification or the assistant warden's office, he or she shall retrieve the grievances and appeals and deliver them to the institutional grievance coordinator. The warden shall designate one (1) staff member who shall log all informal grievances and distribute to the appropriate department or staff.

(b) After being logged, informal grievances shall be forwarded to the staff member who is responsible in the particular area of the problem, the classification team, the appropriate section head, or other institutional staff. When an informal grievance is received by the reviewing authority as defined in paragraphs 33-103.002(15)(a) ~~through (d)~~, F.A.C., the reviewing authority shall respond to the grievance, refer the grievance to a staff member for response, or shall advise the inmate to re-file with a specific staff member.

(c) The inmate shall not file duplicate informal grievances with different staff members.

(2) When submitting an informal grievance, the inmate shall use Form DC6-236, Inmate Request, and shall:

(a) No change.

(b) On top of the page, or on the same line as the word "Request", or on the first line of the request section the inmate shall print the words "Informal Grievance". Failure to do this will cause the request to be handled routinely and it will not be considered an informal grievance. This will also cause the form to be unacceptable as documentation of having met the informal step if it is attached to a formal grievance submitted at the next step.

1. No change.

2. When completing the inmate request form for submission as an informal grievance, the inmate shall ensure that the form is legible, that included facts are accurately stated, and that only one issue or complaint is addressed. If additional space is needed, the inmate shall use attachments and not multiple copies of Form DC6-236. ~~Attachments that are a continuation of the grievance statement, shall be submitted in triplicate.~~ The inmate shall sign and date the form and write in his Department of Corrections number and forward the informal grievance to the designated staff person. If an inmate fails to sign his grievance, it shall result in a delay in addressing the grievance until it can be verified that it is that inmate's grievance.

~~3. The inmate shall submit all copies of the completed form to the staff member who is responsible for the particular area of the problem.~~

(3) Upon receipt of the informal grievance, the recipient shall note the date of receipt on the form.

(4) through (5) No change.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History—New 10-12-89, Amended 1-15-92, 12-22-92, 3-30-94, 4-17-94, 4-10-95, 8-10-97, 12-7-97, 2-17-99, Formerly 33-29.005, Amended 8-1-00, 2-9-05, _____.

DEPARTMENT OF CORRECTIONS

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

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend Chapter 33-103, F.A.C., for clarity and to simplify the grievance process for inmates and Department employees. Rule 33-103.006, F.A.C., is amended to reflect the changes made to Rule 33-103.002, F.A.C., and the requirement that formal grievances be submitted in triplicate has been removed.

SUBJECT AREA TO BE ADDRESSED: Inmate grievances.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS., 45 C.F.R. Part 160, 164
 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:

33-103.006 Formal Grievance – Institution or Facility Level.

(1) When an inmate decides to file a formal grievance, he shall do so by completing Form DC1-303, Request for Administrative Remedy or Appeal and filing within the time limits set forth in Rule 33-103.011, F.A.C.

(a) In institutions and private correctional facilities, inmates shall direct this form to the warden or warden or assistant warden or deputy warden as defined in paragraphs 33-103.002(15)(a), (b) and (e), F.A.C.

(b) No change.

(2) Procedural Requirements.

(a) through (c) No change.

~~(d) Attachments that are a continuation of Part A, the grievance statement, shall be submitted in triplicate. If the inmate fails to submit the continuation of his grievance statement of complaint in triplicate, it may result in no copy of the continuation pages being returned to the inmate with the response.~~

(e) through (g) renumbered (d) through (f) No change.

~~(g)(h)~~ The inmate shall attach a copy of the informal grievance and the response to the informal grievance to his DC1-303 form, unless the grievance is a direct formal grievance of the following; is an emergency grievance; a grievance of reprisal; a grievance of a sensitive nature; a medical grievance; a grievance alleging violation of the Americans with Disabilities Act; a grievance involving gain time governed by Rule 33-601.101, F.A.C., Incentive Gain Time; a grievance challenging placement in close management and subsequent reviews; a grievance regarding the return of incoming mail governed by subsection 33-210.101(14), F.A.C.; or a grievance of disciplinary action (excluding corrective consultations). Any other pertinent documentation shall be attached also. Informal grievances as described in subparagraph 33-103.005(2)(b)1., F.A.C., shall not be accepted as documentation of having met the requirements of the informal grievance step.

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

~~(i)(j)~~ No change.

(3) The following types of grievances may be filed directly with the reviewing authority as defined in paragraphs 33-103.002(15)~~(b)(a) through (d)~~, F.A.C., by-passing the informal grievance step, and may be sent in a sealed envelope through routine institutional mail channels:

(a) Emergency Grievance – Upon receipt, the reviewing authority as defined in paragraphs 33-103.002(15)~~(b)(a) through (d)~~, F.A.C., shall take the following action as soon as possible, but no later than two calendar days following receipt:

- 1. through 4. No change.
- (b) through (i) No change.
- (4) No change.

(5) Upon receipt of the formal grievance, the recipient [reviewing authority as defined in paragraphs 33-103.002(15)~~(b)(a) through (d)~~, F.A.C.] shall cause the following to occur:

(a) through (d) No change.

(6) Following investigation and evaluation by the reviewing authority as defined in paragraphs 33-103.002(15)~~(b)(a) through (d)~~, F.A.C., a response shall be provided to the inmate within 20 calendar days of receipt of the grievance as required by paragraph 33-103.011(3)(b), F.A.C. The degree of investigation is determined by the complexity of the issue and the content of the grievance. The response shall state whether the grievance is approved, denied, or being returned and shall also state the reasons for the approval, denial or return.

(a) through (b) No change.

(c) The reviewing authority as defined in paragraphs 33-103.002(15)~~(b)(a) through (d)~~, F.A.C., shall retain a complete copy of the grievance on file.

(d) No change.

(7) No change.

(8) Mailing Procedures. The warden or person designated in paragraphs 33-103.002(15)~~(b)(a) through (d)~~, F.A.C., shall establish a procedure in the institution or facility under his supervision for processing those grievances which require mailing. Inmates who are filing grievances that require mailing shall be required to utilize the procedure set forth in this rule when processing their grievances or appeals to the reviewing authority of community facilities or the Bureau of Inmate Grievance Appeals in the central office. The institution or facility shall provide postage for grievances submitted through this process. Procedures implemented shall include, at a minimum, the following:

(a) through (e) No change.

(f) Upon receipt of ~~a the~~ mailed grievance by the reviewing authority as defined in paragraph 33-103.002(15)(d), F.A.C., or the Bureau of Inmate Grievance Appeals, the following shall occur:

1. The decision of whether or not the grievance has been timely filed by the inmate shall be made based upon the following comparisons:

a. No change.

~~b. In the case of an appeal being filed with central office, by comparing the receipt date on the DC1-303 form to the response date of the formal grievance.~~

~~b.e.~~ In the case of a grievance being filed directly at the institutional ~~or central office~~ level, by comparing the receipt date on the DC1-303 form to the date of the incident or situation giving rise to the complaint.

2. through 3. No change.

(9) through (10) No change.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History—New 10-12-89, Amended 1-15-92, 12-22-92, 4-10-95, 8-10-97, 12-7-97, 5-10-98, 2-17-99, Formerly 33-29.006, Amended 8-1-00, 10-11-00, 2-9-05, 10-28-07, _____.

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-103.007
 RULE TITLE: Appeals and Direct Grievances to the Office of the Secretary

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend Chapter 33-103, F.A.C., for clarity and to simplify the grievance process for inmates and Department employees. Rule 33-103.007, F.A.C., is amended regarding the requirements of HIPAA related grievances, direct grievances to the Secretary, reflect the changes made to Rule 33-103.002, F.A.C., and for clarity. The requirement that attachments be submitted in triplicate has been removed.

SUBJECT AREA TO BE ADDRESSED: Inmate grievances.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS., 45 C.F.R. Part 160, 164
 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:

33-103.007 Appeals and Direct Grievances to the Office of the Secretary.

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

~~(e) Attachments that are a continuation of Part A, grievance statement, shall be submitted in triplicate. If the inmate fails to submit the continuation of his grievance statement of complaint in triplicate, it may result in no copy of the continuation pages being returned to the inmate with the response;~~

(d) through (g) renumbered (c) through (f) No change.

(3) If the grievance appeal is not a direct grievance to the Office of the Secretary, the inmate shall:

- ~~(a) Attach a copy of his formal grievance and response;~~
- ~~(b) Attach a copy of his informal grievance and response, except when appealing grievances on disciplinary action (excluding corrective consultations), medical issues, admissible reading material, placement in close management and subsequent reviews, violation of the Americans with Disabilities Act, grievances regarding the return of incoming~~

~~mail governed by subsection 33-210.101(14), F.A.C., or grievances involving gain time governed by Rule 33-601.101, F.A.C., Incentive Gain Time;~~

~~(e) Attach any other documentation that the inmate has that is pertinent to the review and that the inmate wants reviewed. Attachments as required by the rule that do not meet the requirements of this rule may result in the grievance being returned to the inmate;~~

~~(d) Submit the complete form with attachments to the Office of the Secretary in accordance with subsection 33-103.006(8), F.A.C. Failure to submit a complete grievance shall result in the grievance being returned to the inmate without action.~~

~~(e) If the inmate is filing an amendment to a previously filed grievance or appeal, the inmate shall clearly state this at the beginning of PART A of the Request for Administrative Remedy or Appeal, Form DC1-303.~~

~~(3)(4) The Office of the Secretary has designated the Bureau of Inmate Grievance Appeals to receive, review, investigate, evaluate and respond to appeals and direct grievances filed with the Office of the Secretary. Appeals and direct grievances to the Office of the Secretary shall be turned over that same date to the Bureau of Inmate Grievance Appeals which shall ensure that the grievance is date-stamped in on the date of receipt. Upon receipt the appeal or direct grievance by the Bureau of Inmate Grievance Appeals, the following shall occur:~~

~~(a) The decision of whether or not the grievance has been timely filed by the inmate shall be made based upon the following comparisons:~~

- ~~1. In the case of an appeal being filed with the central office, by comparing the receipt date on the DC1-303 form to the response date of the formal grievance.~~
- ~~2. In the case of a grievance being filed directly at the central office level, by comparing the receipt date on the DC1-303 form to the date of the incident or situation giving rise to the complaint.~~

~~(4)(5) Upon receipt of the grievance appeal or direct grievance, the Chief of Inmate Grievance Appeals shall cause the following to occur:~~

- ~~(a) through (c) No change.~~
- ~~(d) A grievance appeal or direct grievance may be returned to the inmate for any one or more of the reasons stated in Rule 33-103.014, F.A.C., without further processing.~~
- ~~(e) No change.~~
- ~~(f) The response shall state whether the appeal or direct grievance is approved, denied, or being returned and shall also state the reasons for the approval, denial or return. The criteria considered in approving, denying or returning an appeal or direct grievance will vary with the facts of the grievance.~~

~~(5) Grievance appeals – If the grievance appeal is not a direct grievance to the Office of the Secretary, the inmate shall:~~

- ~~(a) through (e) No change.~~

(6) Direct Grievances.

(a) Emergency grievances, grievances of reprisals, or grievances of a sensitive nature may be filed directly with the Office of the Secretary using the Request for Administrative Remedy or Appeal, Form DC1-303. Grievances alleging a violation of the Health Insurance Portability and Accountability Act (HIPAA) must be filed directly with the Office of the Secretary using the Request for Administrative Remedy or Appeal, Form DC1-303. The following shall apply:

1. The inmate shall state at the beginning of Part A of Form DC1-303 that the grievance concerns either an emergency, or is a grievance of a reprisal, or a grievance of a sensitive nature. When alleging HIPAA violations, the inmate shall state that the grievance concerns HIPAA at the beginning of Part A of Form DC1-303.

2. The inmate must clearly state the reason for not initially bringing the complaint to the attention of institutional staff and by-passing the informal and formal grievance steps of the institution or facility, except in the case of a HIPAA violation grievance which must be filed directly with the Office of the Secretary.

3. The inmate may forward grievances of these ~~four~~ three types to the Office of the Secretary in a sealed envelope by following the procedure set out in paragraph 33-103.006(8)(d), F.A.C. When a direct grievance alleging violation of HIPAA is received at the Office of the Secretary, the Bureau of Inmate Grievance Appeals shall forward the grievance to the Office of the Assistant Secretary for Health Services for investigation and response. The disclosure of medical information in a grievance authorizes staff to review the information and to use and disclose the medical information necessary to investigate in order to respond. Following preparation of a response and signature of the responding employee, the grievance shall be returned to the Bureau of Inmate Grievance Appeals to ensure appropriate filing and routing.

(b) Emergency Grievances. An emergency grievance may be filed directly with the Secretary. Upon receipt, staff of the Bureau of Inmate Grievance Appeals shall take the following actions as soon as possible, but no later than two calendar days following receipt:

1. through 4. No change.

(c) Grievances appeals filed directly with the Office of the Secretary that are grievances of reprisal, ~~or~~ grievances of a sensitive nature, or a grievance alleging a violation of HIPAA shall be responded to according to established time frames.

~~(d) Grievances alleging violation of the Health Insurance Portability and Accountability Act (HIPAA) must be filed directly with the Office of the Secretary using the Request for Administrative Remedy or Appeal, Form DC1-303, and shall be responded to according to established time frames. The inmate shall state at the beginning of Part A of Form DC1-303 that the grievance concerns HIPAA.~~

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

(7) through (8) No change.

Specific Authority 944.09 FS. Law Implemented 944.09 FS., 45 C.F.R. Part 160, 164. History—New 10-12-89, Amended 1-15-92, 12-22-92, 4-10-95, 8-10-97, 12-7-97, 10-7-98, 2-17-99, Formerly 33-29.007, Amended 8-1-00, 6-29-03, 2-9-05, 8-21-06, _____.

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-103.008
 RULE TITLE: Grievances of Medical Nature

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend Chapter 33-103, F.A.C., for clarity and to simplify the grievance process for inmates and Department employees. Rule 33-103.008, F.A.C., is amended to reflect the changes made to Rules 33-103.002 and 33-103.007, F.A.C.

SUBJECT AREA TO BE ADDRESSED: Inmate grievances.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS., 45 C.F.R. Part 160, 164
 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:

33-103.008 Grievances of Medical Nature.

(1)(a) No change.

(b) If a formal grievance of a medical nature is received by the reviewing authority of community facilities as defined in paragraph 33-103.002(15)~~(b)(e)~~, F.A.C., it shall be forwarded to the Office of the Director for Regional Health Services for investigation and response. However, if the medical grievance originates out of one of the drug treatment centers which have a chief health officer, it shall be forwarded to that chief health officer for investigation and response. Following preparation of a response and signature of the responding employee, the grievance shall be returned to the reviewing authority of community facilities to ensure appropriate filing and routing.

(c) No change.

(2) If a grievance appeal of a medical nature ~~or a direct grievance alleging violation of HIPAA~~ is received by at the Office of the Secretary, the Bureau of Inmate Grievance Appeals shall forward the grievance to the Office of the Assistant Secretary for Health Services for investigation and response. The disclosure of medical information in a grievance authorizes staff to review the information and to use and disclose the medical information necessary to investigate in order to respond. Following preparation of a response and

signature of the responding employee, the grievance shall be returned to the Bureau of Inmate Grievance Appeals to ensure appropriate filing and routing. Other procedures applicable to the processing of a grievance appeal of a medical nature are as stated in Rule 33-103.007, F.A.C.

Specific Authority 944.09 FS. Law Implemented 944.09 FS., 45 C.F.R. Part 160, 164. History—New 10-12-89, Amended 1-15-92, 12-22-92, 4-10-95, 12-7-97, Formerly 33-29.008, Amended 6-29-03, 2-9-05,_____.

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-103.011 **RULE TITLE:** Time Frames for Inmate Grievances
PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend Chapter 33-103, F.A.C., for clarity and to simplify the grievance process for inmates and Department employees. Rule 33-103.011, F.A.C., is amended to reflect the changes made to Rule 33-103.002, F.A.C.
SUBJECT AREA TO BE ADDRESSED: Inmate grievances
SPECIFIC AUTHORITY: 944.09 FS.
LAW IMPLEMENTED: 944.09 FS., 45 C.F.R. Part 160, 164
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:

33-103.011 Time Frames for Inmate Grievances ~~Time frames.~~

When determining the time frames for grievances in all cases, the specified time frame shall commence on the day following the date of the incident or response to the grievance at the previous level. For example, if an incident occurred on December 1, fifteen days from that date would be December 16.

- (1) No change.
- (2) An extension of the above-stated time periods shall be granted when it is clearly demonstrated by the inmate to the satisfaction of the reviewing authority as defined in paragraphs 33-103.002(15)(b) and (c)(a) ~~through (d)~~, F.A.C., or the Secretary that it was not feasible to file the grievance within the relevant time periods and that the inmate made a good faith effort to file in a timely manner. The granting of such an extension shall apply to the filing of an original grievance or when re-filing a grievance after correcting one or more deficiencies cited in Rule 33-103.014, F.A.C.
- (3) Responding to Grievances.

- (a) No change.
- (b) Formal Grievances – The reviewing authority as defined in paragraphs 33-103.002(15)(b)(a) ~~through (d)~~, F.A.C., shall have up to 20 calendar days from the date of receipt of the grievance to take action and respond. See Rule 33-103.006, F.A.C.
- (c) through (d) No change.
- (4) through (5) No change.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History—New 10-12-89, Amended 1-15-92, 12-22-92, 4-10-95, 12-7-97, Formerly 33-29.011, Amended 2-9-05,_____.

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-103.012 **RULE TITLE:** Grievance Records
PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend Chapter 33-103, F.A.C., for clarity and to simplify the grievance process for inmates and Department employees. Rule 33-103.012, F.A.C., is amended to reflect the changes made to Rules 33-103.002 and 33-103.005, F.A.C., including the requirement of logging informal grievances.
SUBJECT AREA TO BE ADDRESSED: Inmate grievances.
SPECIFIC AUTHORITY: 944.09 FS.
LAW IMPLEMENTED: 944.09 FS., 45 C.F.R. Part 160, 164
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:

33-103.012 Grievance Records.

(1) A log shall be made of each formal grievance, direct grievance, or appeal and shall contain, at a minimum, the following information:

- (a) through (g) No change.
- (2) No change.
- (3) A log shall be made of each informal grievance and shall contain, at a minimum, the following information:
 - (a) Inmate name;
 - (b) Prison number;
 - (c) Date that the grievance or appeal was received;
 - (d) Staff member responsible in the particular area of the problem, the classification team, the appropriate section head, or other institutional staff who is to respond to the informal grievance.

(4)(3) The Department shall maintain the confidentiality of inmate grievance records to the extent permitted under Florida law.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History--New 10-12-89, Amended 12-22-92, 4-10-95, 12-7-97, Formerly 33-29.012, Amended 2-9-05,_____.

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-103.016
 RULE TITLE: Follow Through on Approved Grievances

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend Chapter 33-103, F.A.C., for clarity and to simplify the grievance process for inmates and Department employees. Rule 33-103.016, F.A.C., is amended to include direct grievances.

SUBJECT AREA TO BE ADDRESSED: Inmate grievances.
 SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS., 45 C.F.R. Part 160, 164
 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:

- 33-103.016 Follow Through on Approved Grievances.
 - (1) No change.
 - (2) Appeals and direct grievances to the Office of the Secretary. All grievances which are approved by the Office of the Secretary/Bureau of Inmate Grievance Appeals shall be handled as follows:
 - (a) through (f) No change.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History--New 4-10-95, Amended 12-7-97, Formerly 33-29.0155, Amended 8-1-00, 1-1-01, 8-21-06,_____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NOS.: 59G-4.001
 RULE TITLES: Medicaid Providers Who Bill on the CMS-1500

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the revised Florida Medicaid Provider Reimbursement Handbook, CMS-1500, March 2008. The handbook was revised to include billing

instructions for Home and Community-Based Waiver Services and Targeted Case Management Services. Providers for these services will be required to bill on the CMS-1500 claim form when submitting paper claims. The handbook also contains updated references for the new Medicaid fiscal agent. The effect will be to incorporate by reference in rule the Florida Medicaid Provider Reimbursement Handbook, CMS-1500.

SUBJECT AREA TO BE ADDRESSED: Medicaid Providers Who Bill on the CMS-1500.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.905, 409.906, 409.907, 409.908, 409.912 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 18, 2007, 1:00 p.m.
 PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, Conference Room D, 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, Building 3, Mail Stop 20, Tallahassee, Florida 32308-5407, (850)488-9711, girardk@ahca.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.001 Medicaid Providers Who Bill on the CMS-1500.

(1) All Medicaid providers and their billing agents who submit claims on behalf of an enrolled Medicaid provider who are required by their service specific coverage and limitations handbook or other notification by the Medicaid Program to bill the Florida Medicaid Program on a paper CMS-1500 claim form for reimbursement of services performed on a Medicaid eligible recipient, must be in compliance with the provisions of the Florida Medicaid Provider Reimbursement Handbook, CMS-1500, March 2008, ~~February 2006~~, ~~updated January 2007 and November 2007~~, which is incorporated by reference. The handbook is available from the Medicaid fiscal agent's website at <http://mymedicaid-florida.com> ~~floridamedicaid.aes-inc.com~~. ~~Click on Provider Support, and then on Handbooks~~. Paper copies of the handbook may be obtained by calling Provider Inquiry 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 FS. History--New 10-1-03, Amended 7-2-06, 3-7-07,_____.

AGENCY FOR HEALTH CARE ADMINISTRATION**Medicaid**

RULE NOS.: RULE TITLES:
59G-4.003 Medicaid Providers Who Bill on the
 UB-04

59G-4.150 Inpatient Hospital Services

59G-4.160 Outpatient Hospital Services

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-4.003, F.A.C., is to incorporate by reference the Florida Medicaid Provider Reimbursement Handbook, UB-04, March 2008. The handbook was revised to include billing instructions for Nursing Facilities, Intermediate Care Facilities, and State Mental Hospitals. Providers for these services will be required to bill on the UB-04 claim form when submitting paper claims. The handbook also contains updated references for the new Medicaid fiscal agent. The effect will be to incorporate by reference in rule the Florida Medicaid Provider Reimbursement Handbook, UB-04, March 2008.

The purpose of the amendment to Rule 59G-4.150, F.A.C., is to change the reference to the Florida Medicaid Provider Reimbursement Handbook, UB-92, to the Florida Medicaid Provider Reimbursement Handbook, UB-04. The effect will be to correct the reference to the Florida Medicaid Provider Reimbursement Handbook, UB-04.

The purpose of the amendment to Rule 59G-4.160, F.A.C., is to change the reference to the Florida Medicaid Provider Reimbursement Handbook, UB-92, to the Florida Medicaid Provider Reimbursement Handbook, UB-04. The effect will be to correct the reference to the Florida Medicaid Provider Reimbursement Handbook, UB-04.

SUBJECT AREA TO BE ADDRESSED: Medicaid Providers Who Bill on the UB-04, Inpatient Hospital Services, Outpatient Hospital Services.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.905, 409.906, 409.907, 409.908, 409.9081, 409.912 FS.

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

DATE AND TIME: Monday, December 17, 2007, 2:30 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, Conference Room D, Tallahassee, Florida
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Princilla Jefferson, Medicaid Services, 2727 Mahan Drive, Building 3, Mail Stop 20, Tallahassee, Florida 32308-5407, (850)922-7724, brownp@ahca.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.003 Medicaid Providers Who Bill on the UB-04.

(1) All Medicaid providers and their billing agents who submit claims on behalf of an enrolled Medicaid provider, who are required by their service-specific coverage and limitations handbook or other notification by the Medicaid Program to bill the Florida Medicaid Program on a paper UB-04 claim form for reimbursement of services performed on a Medicaid eligible recipient, must be in compliance with the provisions of the Florida Medicaid Provider Reimbursement Handbook, UB-04, ~~March 2008~~ ~~May 2007~~, which is incorporated by reference. The handbook is available from the Medicaid fiscal agent's website at <http://mymedicaid-florida.com> ~~floridamedicaid.aes-inc.com. Click on Provider Support, and then on Handbooks.~~ Paper copies of the handbook may be obtained by calling the Medicaid fiscal agent 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 FS. History—New 10-2-07, Amended _____.

59G-4.150 Inpatient Hospital Services.

(1) No change.

(2) All hospital providers enrolled in the Medicaid program must comply with the Florida Medicaid Hospital Coverage and Limitations Handbook, incorporated by reference in Rule 59G-4.160, F.A.C., and the Florida Medicaid Provider Reimbursement Handbook, UB-04 92, ~~both~~ incorporated by reference in Rule 59G-4.003 ~~160~~, F.A.C. Both handbooks are available from the fiscal agent's website at <http://mymedicaid-florida.com>. Paper copies of the handbook may be obtained by calling the Medicaid fiscal agent at (800)377-8216 ~~contractor~~.

Specific Authority 409.919 FS. Law Implemented 409.905, 409.908, 409.9081 FS. History—New 1-1-77, Amended 3-30-78, 1-2-79, 2-3-81, 7-28-81, 7-1-83, 3-1-84, 10-31-85, Formerly 10C-7.39, Amended 10-2-86, 2-28-89, 10-17-89, 10-14-90, 5-21-91, 11-14-91, 3-25-92, 5-13-92, 7-12-92, 8-9-93, 12-21-93, Formerly 10C-7.039, Amended 6-13-94, 12-27-94, 2-21-95, 9-11-95, 11-12-95, 2-20-96, 6-9-96, 5-12-99, 1-1-01, _____.

59G-4.160 Outpatient Hospital Services.

(1) No change.

(2) All hospital providers enrolled in the Medicaid program must comply with the provisions of the Florida Medicaid Hospital Services Coverage and Limitations Handbook, June 2005, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, UB-04 92, ~~April 2004, updated August 2005, both~~ incorporated by reference in Rule 59G-4.003, F.A.C. ~~this rule~~. Both handbooks are available from the Medicaid fiscal agent by calling Provider Enrollment at (800)377-8216 or from the fiscal

agent's website at <http://mymedicaid-florida.com>. ~~floridamedicaid.aes-inc.com. Click on Provider Support, and then on Handbooks:~~

~~(3) The following forms that are included in the Florida Medicaid Provider Reimbursement Handbook, UB-92, are incorporated by reference: The UB-92 Claim Form, UB-92 HCFA 1450, one page double-sided; State of Florida, Florida Medicaid Authorization Request, PA01-04/2002, one page; Medically Needy Billing Authorization, DF-ES 2902, June 2003, one page; State of Florida, Sterilization Consent Form, SCF 7/94, one page; State of Florida, Hysterectomy Acknowledgment Form, HAF 07/1999, one page; State of Florida, Exception to Hysterectomy Acknowledgment Requirement, ETA 07/2001, one page; State of Florida, Abortion Certification Form, August 2001, one page. All the forms are available from the Medicaid fiscal agent by calling Provider Inquiry at (800)289-7799 or from its website at <http://floridamedicaid.aes-inc.com>. Click on Provider Support, and then on Medicaid Forms.~~

Specific Authority 409.919 FS. Law Implemented 409.905, 409.908, 409.9081 FS. History—New 1-1-77, Revised 12-7-78, 1-18-82, Amended 7-1-83, 7-16-84, 7-1-85, 10-31-85, Formerly 10C-7.40, Amended 9-16-86, 2-28-89, 5-21-91, 5-13-92, 7-12-92, 1-5-93, 6-30-93, 7-20-93, 12-21-93, Formerly 10C-7.040, Amended 6-13-94, 12-27-94, 2-21-95, 9-11-95, 11-12-95, 2-20-96, 10-27-98, 5-12-99, 10-18-99, 3-22-01, 8-12-01, 2-25-03, 8-14-03, 11-28-04, 8-18-05, 1-10-06, 4-16-06,_____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-4.060
 RULE TITLE: Dental Services

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the Florida Medicaid Provider Reimbursement Handbook, ADA Dental Claim Form, March 2008. The handbook replaces the Florida Medicaid Provider Reimbursement Handbook, Dental 111. Dental providers will be required to bill on the ADA Dental Claim Form when submitting paper claims. The handbook also contains updated references for the new Medicaid fiscal agent. The effect will be to incorporate by reference in rule the Florida Medicaid Provider Reimbursement Handbook, ADA Dental Claim Form.

SUBJECT AREA TO BE ADDRESSED: Dental Services.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906, 409.908, 409.912 FS.

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

DATE AND TIME: Wednesday, December 26, 2007, 1:00 p.m.
 PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, Conference Room D, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Mary Cerasoli, Bureau of Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308, (850)922-7328, cerasolm@ahca.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.060 Dental Services.

(1) No change.

(2) All dental services providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Dental Services Coverage and Limitations Handbook, January 2006, updated January 2007, and the Florida Medicaid Provider Reimbursement Handbook, ADA Dental Claim Form Dental 111, March 2008 ~~October 2003~~, which are incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS-1500, which is incorporated by reference in Rule 59G-4.001, F.A.C. All handbooks are available from the Medicaid fiscal agent's website at <http://mymedicaid-florida.com>. ~~floridamedicaid.aes-inc.com. Click on Provider Support, and then on Handbooks.~~ Paper copies of the handbooks may be obtained by calling the Medicaid fiscal agent at (800)377-8216.

(3) No change.

(4) The following form that is included in the Florida Medicaid Provider Reimbursement Handbook, ADA Dental Claim Form, is incorporated by reference: ADA Dental Claim Form, @2006 American Dental Association, J404.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.908, 409.912 FS. History—New 7-10-80, Amended 2-19-81, 10-27-81, 7-21-83, Formerly 10C-7.523, Amended 9-11-90, 11-3-92, Formerly 10C-7.0523, Amended 6-29-93, Formerly 10P-4.060, Amended 7-19-94, 7-16-96, 3-11-98, 10-13-98, 12-28-98, 6-10-99, 4-23-00, 4-24-01, 7-5-01, 2-20-03, 8-5-03, 1-8-04, 10-12-04, 6-28-05, 7-2-06, 5-21-07,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Land Sales, Condominiums and Mobile Homes

RULE NO.: 61B-24.006
 RULE TITLE: Economic Information

PURPOSE AND EFFECT: This rule amendment deletes references to form numbers appearing on division educational brochures. It also deletes a provision that relieves the developer of certain requirements when the division is unable to provide the developer with copies of educational brochures. Instead, the developer may print copies of the brochures from the division's Internet-site or request copies directly from the division.

SUBJECT AREA TO BE ADDRESSED: This rule addresses educational materials that must be provided to tenants by a developer when a condominium is created by conversion of existing improvements.

SPECIFIC AUTHORITY: 718.501(1)(f), 718.614(2) FS.

LAW IMPLEMENTED: 718.501(1)(e), 718.614(2) 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: December 14, 2007, 2:00 p.m.

PLACE: The Northwood Centre, Suite 16, Conference Room, 1940 North Monroe Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Sharon A. Malloy, Senior Management Analyst II, at (850)488-1631. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sharon A. Malloy, Senior Management Analyst II, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1030. The preliminary draft rule is also available on line at <http://www.state.fl.us/dbpr/lsc/index.shtml>

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NO.: 64E-27.001 **RULE TITLE:** Screening and Case Management

PURPOSE AND EFFECT: Section 381.985, F.S., subsection 5. was passed during the 2006 legislative session and signed into law by Governor Jeb Bush. Section 381.985, F.S., Subsection 5. requires the Surgeon General to promulgate rules in accordance with its provisions. The effect of this rule will be to assume a comprehensive screening program and establish a standard of care for children under 72 months of age who have an elevated blood-lead level or confirmed lead poisoning.

SUBJECT AREA TO BE ADDRESSED: Blood-lead screening guidelines, case management guidelines, and proper standard of care for children under 72 months of age who have an elevated blood-lead level or confirmed lead poisoning.

SPECIFIC AUTHORITY: 381.985, subsection 5. FS.

LAW IMPLEMENTED: 381.985, subsection 5. FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ricky Harrison, Environmental Policy Analyst, Childhood Lead Poisoning Prevention Program, Florida Department of Health, 4052 Bald Cypress Way, Bin A08, Tallahassee, FL 32399. You may contact Ricky Harrison by phone at (850)245-4247

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

DEPARTMENT OF HEALTH

Division of Health Access and Tobacco

RULE NOS.:	RULE TITLES:
64I-6.001	Title
64I-6.002	Program Components

PURPOSE AND EFFECT: Chapter 64I-6, F.A.C., entitled, Comprehensive Statewide Tobacco Education and Use Prevention Program, has been created to implement Section 27, Article X of the State Constitution and Section 381.84, F.S., requiring funding and implementation of a comprehensive statewide tobacco education and use prevention program.

SUBJECT AREA TO BE ADDRESSED: The proposed rules provide for specific program components to be implemented in accordance with the Federal Centers for Disease Control and Prevention Best Practices for Comprehensive Tobacco Control Programs, October 2007.

SPECIFIC AUTHORITY: 381.84(2), (3), (9) FS.

LAW IMPLEMENTED: 381.84 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: December 11, 2007, 2:00 p.m. – 3:45 p.m.

PLACE: Capitol Center Office Complex, 4052 Bald Cypress Way, Room 301, Tallahassee, Florida 32399-1743

Any persons requiring a special accommodation at this meeting because of a disability or physical impairment should contact Carlos Martinez at the Division of Health Access and Tobacco, (850)245-4144, ext. 2473, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please call

the Florida Division of Health Access and Tobacco using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Carlos Martinez; telephone: (850)245-4144, ext. 2473; e-mail: carlos_martinez@doh.state.fl.us

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

Section II Proposed Rules

DEPARTMENT OF LAW ENFORCEMENT

Criminal Justice Standards and Training Commission

RULE NO.:	RULE TITLE:
11B-27.014	Implementation of the Federal Law Enforcement Officers Safety Act of 2004

PURPOSE AND EFFECT: To develop rules for retired law enforcement officers to carry a concealed firearm in Florida under the federal Law Enforcement Officers Safety Act of 2004, as defined in 18 U.S.C.A., §926C.

SUMMARY: This rule implements the Federal Law Enforcement Officers Safety Act of 2004: To require a retiree to demonstrate firearms proficiency on the Commission’s approved course of fire prior to carrying a concealed firearm in Florida, to create requirements for range masters to administer the Commission’s approved course of fire; to list firearms range requirements; and to create the Firearms Proficiency Verification Card form CJSTC-600.

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: 943.03(4), 943.12(1) FS.

LAW IMPLEMENTED: 943.12, 943.132 FS.

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

DATE AND TIME: January 3, 2008, 1:00 p.m.

PLACE: Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by

contacting: Donna Hunt at (850)410-8615. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Donna Hunt, Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, Florida 32308, (850)410-8516

THE FULL TEXT OF THE PROPOSED RULE IS:

11B-27.014 Implementation of the Federal Law Enforcement Officers Safety Act of 2004.

(1) Requirements to demonstrate the firearms proficiency requirements under the Federal Law Enforcement Officers Safety Act of 2004 (18 U.S.C.A. § 926C) in Florida.

(a) To carry a concealed firearm under the Federal Law Enforcement Officers Safety Act of 2004 (“Act”), a qualified retired law enforcement officer (“retiree”), as defined in 18 U.S.C.A. § 926C, shall show that he or she has demonstrated the firearms proficiency required by the Act within the past twelve months of the time he or she possesses a concealed firearm.

(b) The Act provides the following two methods for a retiree to demonstrate firearms proficiency:

1. One method allows the retiree to return to the agency from which he or she retired to meet the agency’s firearms proficiency standards as applied to the agency’s active officers. Under the Act, an agency has the option to offer this alternative.

2. The second method allows the retiree to meet the minimum firearms standards applied to active law enforcement officers by the state of the retiree’s residence.

(c) For retirees who reside in Florida, the option to meet the state’s minimum firearms standards shall be demonstrated using the Commission’s approved minimum firearms proficiency course of fire (“course of fire”), conducted in a manner specified in subsection (2) of this rule section, pursuant to the Law Enforcement Officer Firearms Qualification Standard on form CJSTC-86A, incorporated by reference in subsection 11B-27.00212(14), F.A.C.

(2) Requirements for administering the course of fire are as follows:

(a) The range master conducting the course of fire shall be an active Commission-certified firearms instructor pursuant to subsection 11B-20.0014(2), F.A.C.

(b) The range master shall issue a Commission-approved Firearms Proficiency Verification Card, form CJSTC-600, created on July 9, 2007, hereby incorporated by reference, to each retiree who successfully completes the course of fire as required on form CJSTC-86A.

(c) The range master shall maintain the following documentation that is related to the completion of the course of fire for each retiree who successfully completes the course, and the retained documentation shall be subject to audit during regular business hours upon a two-day written notice by Commission staff:

1. Full name of the retiree completing the course of fire.
2. Address of the retiree completing the course of fire.
3. The Course of Fire Proficiency Score. A passing score is a minimum score of 80%, which is 32 of 40 rounds in the scoring area. The scoring area shall be any hit that is inside or touches the exterior scoring line of the four and five zone of the B-21E target. The B-21E target is commercially available through retailers.
4. Date the course of fire was completed.
5. Location where the course of fire was conducted.
6. The specific number imprinted on the CJSTC-600 form issued to the retiree who completed the course of fire.
7. Type(s) of firearm(s).

(3) Firearms Range Requirements.

(a) The course of fire is authorized to be conducted on any public or private range that meets the shooting distance requirements on form CJSTC-86A.

(b) The owner of a firearms range is not required to administer the course of fire on the owner's firearms range.

(c) The retiree shall be responsible for any fee associated with the course of fire.

(4) Issuance and Maintenance of form CJSTC-600.

(a) A request for form CJSTC-600 shall be made in writing to the Florida Department of Law Enforcement, Criminal Justice Professionalism Program, Post Office Box 1489, Tallahassee, Florida 32302, Attention: Officer Records Section.

1. A Commission-certified firearms instructor is allowed to receive up to 50 each of the CJSTC-600 form with each written request, and the request shall include the firearm instructor's full name, mailing address and physical address if different from the mailing address, telephone number, and the name of the Commission-certified training school, defined as "training school" in subsection 11B-18.003(23), F.A.C., affiliation or criminal justice agency affiliation.

2. A training school is allowed to receive up to 200 each of the CJSTC-600 form with each written request, and the request shall be made on the training school's letterhead signed by the training center director.

3. If a retiree loses form CJSTC-600, a replacement card shall not be reissued. The retiree shall be required to complete the course of fire, again, prior to issuing a new CJSTC-600 form.

(b) A Commission-certified firearms instructor shall only issue a CJSTC-600 form for successful completion of the course of fire. Each CJSTC-600 form shall be issued with a specific number imprinted on the form and the firearms

instructor shall maintain documentation for a period of two years indicating to whom the CJSTC-600 was issued, which shall be subject to audit by Commission staff during regular business hours upon a two-day written notice by Commission staff.

(c) The CJSTC-600 form shall expire one year from the date the retiree completed the course of fire.

(5) Admission to a range to attempt to complete the course of fire shall be under the terms and conditions of the range master, and solely at the range master's discretion. Neither state law nor the Act provide a retiree with a right to demand access to a range or an opportunity to attempt the course of fire.

(6) It is not the responsibility of the Commission, any Commission certified firearms instructor, a training school, or any other entity operating a firearms range, at the time of the firearms qualification, to verify or certify that a retiree meets any of the additional requirements of a "qualified retired law enforcement officer" under the Act. Meeting the Act's qualifications is solely the responsibility of the retiree. The range master is not required to otherwise verify a retiree's status under the Act at the time of the firearms qualification.

Specific Authority 943.03(4), 943.12(1) FS. Law Implemented 943.12, 943.132 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Donna Hunt at (850)410-8516
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Vickie Marsey at (850)410-8660
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 14, 2007
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 21, 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."

DEPARTMENT OF CORRECTIONS

RULE NO.:	RULE TITLE:
33-602.207	Conducting a Business While Incarcerated

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify what constitutes conducting business and how inmates may submit manuscripts for publication without violating this rule.

SUMMARY: The proposed rule prohibits activity in which the inmate engages with the objective of generating revenue or profit, and specifically prohibits publication for compensation and entering into marketing agreements for such purpose.

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

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

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

33-602.207 Conducting a Business While Incarcerated.

(1) No change.

(2) For the purposes of this rule, a business or profession is defined as any activity in which the inmate engages with the objective of generating revenue generating or profit making activity or any activity having the potential to generate revenue or profit for the inmate while incarcerated. Activity so defined is prohibited due to the fact that profit or revenue potential creates the opportunity for fraud and increases inmate interest in participation in business activity, resulting in an increase in the volume of mail and telephone activity. This increased volume places an undue burden on staff to monitor the additional mail and telephone calls to ensure the security and order of the institution and the safety of staff, inmates and the general public. Engaging in a business or profession also includes individual activities with profit or revenue potential, such as ~~one-time~~ submission of a ~~single~~ manuscript for publication when one of the objectives of such publication is will result or has the potential to result in the generation of revenue for the inmate, unless the inmate obtains approval from the warden for the individual transaction. Inmates are prohibited from entering into marketing agreements with literary agents for the marketing of literary works in exchange for a portion of any commissions received. The warden shall base the decision to approve or disapprove the request on whether the transaction presents a threat to the security, order or effective management of the institution, to the rehabilitative objectives of the correctional system, or to the safety of any person. Inmates shall not be permitted to circumvent the purpose of this rule by making repetitive or serial single transaction requests. Such requests shall not be approved by the warden. An inmate who wishes to submit writings for publication shall provide a written statement to mailroom staff verifying that the inmate is not seeking compensation, nor will he accept compensation for the writings.

(3) through (6) No change.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History--New 8-10-03, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: George Sapp, Assistant Secretary of Institutions

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Laura E. Bedard, Ph.D., Deputy Secretary

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

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

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NOS.:	RULE TITLES:
58A-2.002	Definitions
58A-2.003	License Requirements
58A-2.005	Administration of the Hospice
58A-2.010	Quality Assurance and Utilization Review (QUAR)/Quality Assessment and Performance Improvement (QAPI) Committee and Plan
58A-2.012	Program Reporting Requirements
58A-2.014	Medical Direction
58A-2.0232	Advance Directives

PURPOSE AND EFFECT: The purpose of the proposed rule amendments is to incorporate additional definitions; changes in licensure requirements; specific definitions regarding reporting requirements; changes to the reporting requirements pursuant to Chapter 2006-155, Section 7, Laws of Florida, including a reporting form incorporated by reference in Rules 58A-2.005 and 58A-2.012, F.A.C; changes in accordance with Chapter 2006-155, Section 7, Laws of Florida, requiring development of outcome measures and adoption of national initiatives such as those developed by the National Hospice and Palliative Care Organization; and additional language, clarification of terms and update of the Health Care Advance Directives form incorporated by reference in Rule 58A-2.0232, F.A.C.

SUMMARY: The proposed rule amendments add definitions; change licensure requirements; specific definitions regarding reporting requirements; changes in reporting requirements including a new reporting form incorporated by reference; development of outcome measures; adoption of national initiatives developed by the National Hospice and Palliative Care Organization; and additional language, clarification of terms, and updating the Health Care Advance Directives form incorporated by reference.

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

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

SPECIFIC AUTHORITY: 400.605, 400.60501 FS.

LAW IMPLEMENTED: 400.602, 400.605, 400.60501, Ch. 765 FS.

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

DATE AND TIME: Thursday, January 3, 2008, 9:30 a.m. – 12:00 p.m. EST.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Jim Crochet, Department of Elder Affairs, 4040 Esplanade Way, Suite 315, Tallahassee, Florida 32399-7000; telephone number: (850)414-2000, SunCom 994-2000; E-mail address: crocethj@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Jim Crochet, Department of Elder Affairs, 4040 Esplanade Way, Suite 315, Tallahassee, Florida 32399-7000; telephone number: (850)414-2000, SunCom 994-2000; E-mail address: crocethj@elderaffairs.org. COPIES OF THE PROPOSED RULE AND FORMS INCORPORATED BY REFERENCE MAY BE OBTAINED FROM THE DEPARTMENT'S WEB SITE AT: <http://elderaffairs.state.fl.us>, under the heading "DOEA Rulemaking" and click on "Hospice."

THE FULL TEXT OF THE PROPOSED RULES IS:

58A-2.002 Definitions.

In addition to definitions contained in Chapter 400, Part IV ~~VI~~, F.S., the following terms shall apply:

(1) Advertising: The delivery, distribution, publication or display of an item, document, or medium initiated by the hospice that is intended to offer, describe, or advertise hospice or hospice-like services to the general public. A type of listing, which is formatted to only include a licensed hospice provider's name, address, and telephone number in the telephone directory, shall not be considered advertising.

(2) Agency: Agency for Health Care Administration.

(3) AHCA: Agency for Health Care Administration.

~~(4)(4) Autonomous: A means~~ a separate and distinct operational entity, which functions under its own administration and bylaws, either within or independently of a parent organization.

~~(2) Branch office means an office or other physical location which is remote from the principal office of the provider, but is not separately licensed, and which shares administration with the principal office which serves as a contact point for patients.~~

(5) Department: Department of Elder Affairs.

~~(6)(3) Employ: means T~~to engage the services of an individual, on either a salary or volunteer basis.

~~(7)(4) Home: means T~~the patient's current primary place of residence, including a private residence, assisted living facility, nursing home, hospice residential unit, or other place of permanent or temporary residence.

~~(8)(5) Home Health Aide: means A~~an individual who provides personal health care services for a patient in the patient's home or place of residence under the supervision of a registered nurse.

~~(9)(6) Licensed Practical Nurse: means A~~an individual licensed pursuant to Chapter 464, F.S., to practice practical nursing.

~~(10)(7) Patient Care Staff: means those P~~persons involved in direct care of the patient, including registered nurses, practical nurses and home health aides, social workers and other mental health professionals, and clergy or pastoral counselors.

~~(11)(8) Patient's Family: The means that~~ person or those persons designated by the patient as having primary responsibility for care, or persons who are closely linked with the patient and are involved in the health and supportive care of the patient.

~~(12)(9) Patient and Family Unit: means T~~the patient and the patient's family.

~~(13)(10) Registered Nurse: means A~~an individual who is licensed pursuant to Chapter 464, F.S., to practice professional nursing.

(14) Satellite Office: An office or other physical location serving as a contact point for patients, which is remote from the provider's principal office, but is not separately licensed, and shares administration with the principal office.

Specific Authority 400.605 FS. Law Implemented ~~400.602, 400.605 Ch. 400, Part VI~~ FS. History—New 5-6-82, Formerly 10A-12.02, 10A-12.002, Amended 4-27-94, Formerly 59A-2.002, Amended 6-5-97, _____.

58A-2.003 License Requirements Required.

(1) The face of the license ~~must shall~~ contain the following information:

(a) The name and address of the provider, including the principal office and all satellite offices;

(b) All freestanding hospice inpatient facilities and residential units;

(c) All counties served by the hospice;

(d) The name of the owner; and

(e) The effective and expiration dates of the license.

(2) The hospice must notify the department and the agency in writing at least sixty (60) days before making a change in name or address of the provider's principal or satellite offices, the name and address of the provider, including the principal office and all branch offices, all hospice residences and inpatient facilities, all counties served by the hospice, the name of the owner, and the effective and expiration dates of the license. The hospice shall notify AHCA and the Department in writing at least sixty (60) days before making a change in name or address of the provider.

(3)(2) If a change of ownership as defined in Section 408.803(5), F.S., is contemplated, the new owner must shall submit, or cause to be submitted, a license application for license and must receive a license prior to commencement of operation of the hospice. The following materials must accompany the license application:

(a) A signed agreement to correct any existing licensure deficiencies;

(b) Documented evidence that the change of ownership has taken place or will take place upon approval of the license; and

(c) A statement that records pertaining to the administrative operation of the provider must be retained and made available for official inspection by the agency.

~~A signed agreement to correct any existing licensure deficiencies shall accompany the license application, together with documentation to evidence that the ownership change has taken place, and a statement that records pertaining to the administrative operation of the provider will be retained and available for official inspection by the AHCA.~~

(4)(3) If a merger of two or more hospice providers is contemplated, the legal and incorporated entity that will be responsible for the operational function of the hospice after the merger must shall notify the agency AHCA prior to the merger. Notification must will include the anticipated date for the merger and the reason for the merger. The agency AHCA shall require the legal entity to submit a license an application for license, including a revised plan for the delivery of hospice care to terminally ill patients and their families who will be affected by the merger.

Specific Authority 400.605 FS. Law Implemented ~~400.602, 400.605~~ Ch. 400, Part VI FS. History--New 5-6-82, Formerly 10A-12.03, 10A-12.002, Amended 4-27-94, Formerly 10A-12.03, 10A-12.003, Amended 4-27-94, Formerly 59A-2.003, Amended 6-5-97, _____.

58A-2.005 Administration of the Hospice.

(1) Governing Body. – The hospice must establish written bylaws for There shall be a governing body established by written bylaws of the hospice with autonomous authority for the conduct of the hospice program. The governing body must and which shall satisfy the following requirements:

(a) Members must of the governing body shall reside or work in the hospice's service area as defined in paragraph 59C-1.0355(2)(k), F.A.C.

(b) No change.

(c) Duties of the governing body must shall include:

1. Adoption in writing, with updates as necessary, of the following documents which must shall be in compliance with provisions of Chapter 400, Part IV VI, F.S., and these rules, with updates as necessary:

a. through c. No change.

d. A comprehensive emergency management plan for all administrative, residential, free-standing inpatient facilities, and hospice services designed to protect the safety of patients and their families and hospice staff; and

e. No change.

2. Promulgation of rules and bylaws which include at least the following:

a. through c. No change.

d. The qualifications, method of selection and terms of office of members and chairpersons of the governing body and committees; and

e. A mechanism for the administrator's appointment by the administrator of the medical director and other professional and ancillary personnel.

(2) Administrative Officer. – The hospice must shall employ an administrator whose duties must shall be outlined enumerated in a written job description, including job qualifications. The administrator must which shall be approved by the governing body, and The job description must be kept in an administrative file.

(a) No change.

(b) The administrator must shall be responsible for maintaining an administrative office facility for the purpose of the operations of the hospice.

(3) Administrative Policies and Practices.

(a) The administrator must shall be responsible for developing, documenting and implementing administrative policies and practices which are consistent with these rules, and the bylaws by-laws, and the plans and decisions adopted by the governing body. These policies and practices must and which ensure the most efficient operation of the hospice program and the safe and adequate care of the patient and family units. These policies and practices must shall include:

1. through 2. No change.

3. A plan for orientation and training of all staff, including volunteers, which must shall ensure that all staff receive this training prior to the delivery of their delivering services of any

~~kind to patients and their families.~~ This plan ~~must shall~~ describe the method of assessing training needs and designing training to meet those needs, and ~~must shall~~ include a curriculum outline with specific objectives.

4. No change.

5. Policies for administering drugs and biologicals in the home which ~~must shall~~ include:

a. through b. No change.

c. All verbal orders for medication or treatments, or changes in medication or treatment ~~must orders shall~~ be taken by a licensed health professional and ~~recorded in the patient's record reduced to writing.~~ Verbal orders must be signed by the physician within thirty (30) calendar days from the date of the order.

d. ~~The use of E~~experimental drugs ~~or any FDA or Chapter 500, F.S., approved drug in a non-approved manner shall not be administered given~~ without the written consent of the patient or the patient's legal representative, surrogate or proxy. The program administering such drugs ~~must shall be~~ fully informed the patient or the patient's legal representative, surrogate or proxy of any risks, and be prepared to invoke remedial action should an adverse reaction occur. A copy of the signed consent must be kept in the patient's record.

6. No change.

7. Policies and procedures approved by the medical director and governing body pertaining to the drug control system in the hospice including which shall include specific policies and procedures for disposal of Class II drugs upon the death of a patient.

8. No change.

9. Policies and procedures for mMaintenance, confidentiality, and retention of clinical records for a minimum five-year period following the patient's death.

10. through 11. No change.

12. Notice to the public that the hospice provides services regardless of ability to pay.

13. through 14. No change.

15. Policies and procedures for cCompletion, retention, and submission of reports and records as required by the ~~d~~Department, ~~the~~ agency, AHCA and other authorized agencies.

16. No change.

(b) Equipment and personnel, under medical supervision, ~~must shall~~ be provided for diagnostic procedures to meet the needs of the hospice inpatient, residential and home-care programs. This ~~must shall~~ include the services of a clinical laboratory and radiological services, which ~~must shall~~ meet all standards of the State of Florida. There must be written agreements or contracts for such services uUnless provided on the premises of the hospice, ~~there shall be written agreements or contracts for such services.~~ The hospice program ~~must shall~~ ensure that the sum of services are available under contract and

~~services provided directly by the hospice shall assure twenty-four (24) hours a day, seven (7) days a week, either through contractual agreement, written agreement, or direct service provision by the hospice availability.~~

(c) No change.

(4) Outcome Measures.

(a) Effective 2009, hospices must annually report the outcome measures outlined in this subsection on DOE Form H-002, State of Florida Department of Elder Affairs Hospice Demographic and Outcome Measures Report, January 2008.

1. The form is hereby incorporated by reference and may be obtained from the following address: Department of Elder Affairs, Planning and Evaluation Unit, 4040 Esplanade Way, Tallahassee, Florida 32399-7000. The form may be also obtained from the department's Web site at: <http://elderaffairs.state.fl.us/english/forms/DOEAformH002.pdf>.

2. The reporting time frame is January 1 through December 31.

3. The report must be submitted to the following e-mail address no later than March 31 of the following year: hospicereport@elderaffairs.org. The report may alternately be submitted to the following address: Department of Elder Affairs, Planning and Evaluation Unit, 4040 Esplanade Way, Tallahassee, FL 32399-7000.

(b) In addition to the outcome measure regarding pain management pursuant to Section 400.60501, F.S., each hospice must conduct the National Hospice and Palliative Care Organization (NHPCO) Patient/Family Satisfaction Survey, or a similar survey, with its patients and families.

1. Each hospice must report results from survey questions that inquire about the following areas of concern:

a. Did the patient receive the right amount of medicine for his or her pain?

b. Based on the care the patient received, would the patient and/or family member/caregiver/legal representative/surrogate/proxy recommend hospice services to others?

2. The acceptable standard for this measure must be an affirmative response on at least fifty (50) percent of the survey responses received by the hospice.

(5) National Initiatives.

(a) In accordance with Section 400.60501, F.S., and as referenced in subsection (4) of this rule, the department adopts the national initiative of utilizing patient/family surveys as a tool to set benchmarks for measuring quality of hospice care in the State of Florida.

(b) The department has also considered the national initiatives that are under evaluation and development by the Centers for Medicare and Medicaid Services (CMS) in consultation with the NHPCO. These initiatives include patient-centered outcome measures, quality assessment and performance improvement (QAPI), and infection control.

Upon adoption of these initiatives by CMS in final regulation, all hospices shall be required to implement the initiatives consistent with this regulation.

(c) Hospices must maintain documentary evidence of their compliance with these national initiatives and demonstrate their operations to the department or the agency during the survey process.

Specific Authority 400.605, 400.60501 FS. Law Implemented 400.605(1)(c), 400.60501 FS. History—New 5-6-82, Formerly 10A-12.05, 10A-12.005, Amended 4-27-94, Formerly 59A-2.005, Amended 6-5-97, 8-6-02, 8-10-03, _____.

58A-2.010 Quality Assurance and Utilization Review (QUAR)/Quality Assessment and Performance Improvement (QAPI) Committee and Plan.

Pursuant to Section 400.610(2), F.S. Each hospice must shall appoint a committee which must shall develop, document and implement a comprehensive quality assurance and utilization review plan pursuant to Section 400.610(2), F.S. The QAUR plan must be in accordance with quality assessment and performance improvement (or QAPI) standards incorporated within the Medicare Conditions for Participation and must shall include goals and objectives, provisions for identifying and resolving problems, methods for evaluating the quality and appropriateness of care, and the effectiveness of actions taken to resolve identified problems. The QAUR plan must shall establish a process for revising policies, procedures and practices when reviews have identified problems. The QAUR committee must shall review the QAUR plan and report findings and recommendations to the governing body annually. Dated and signed minutes of those meetings of the governing body at which QAUR findings and recommendations are presented must shall be kept in an administrative file.

(1) The QAUR committee must shall be composed of individuals who are trained, qualified, supervised and supported by review procedures and written criteria related to treatment outcomes. These review procedures and written criteria must shall be established with involvement from physicians, and shall be evaluated and updated annually by the QAUR committee.

(2) An incident or accident report shall be required in every instance of error in treatment, adverse reaction to treatment or medication, or injury to the patient. All of these incident or accident reports shall be reviewed by the QAUR committee.

(3) The QAUR committee must shall audit patient records, including interdisciplinary care records, on a regular and periodic basis. All records must shall be stored in secured areas to protect patient confidentiality.

(a) Active patient records shall be kept at the main office, a satellite branch office, a hospice residential facility or a hospice inpatient facility.

~~(b) After the patient's death and the end of the bereavement period, the master record may be moved to storage shall be stored in a secure and accessible location after termination of bereavement services or a minimum of one year after the patient's death.~~

(4) The QAUR committee shall assist the administrator in developing, documenting and implementing a formal training and orientation program for individuals conducting utilization review activities.

(5) Activities undertaken by the committee must in the QUAR process shall demonstrate a systematic collection, review, and evaluation of information and must shall result in proposed actions to correct any identified problems. The information used by the QAUR committee must shall include:

(a) through (e) No change.

(f) High-risk, high-volume and problem-prone activities that would have a significant impact on patients, staff or the organization, even if adverse incidents occur infrequently. For example, high-risk activities may include review and evaluation of protocols for containment of communicable diseases, emergency evacuations and continuity of operations; high-volume activities might include collection of information regarding administration of medications; lastly, identifying problem-prone activities might be deterioration or malfunction of equipment, including security of information systems, disposal of contaminated materials or other bio-medical waste; and

(g) Appropriateness of team services and levels of care measured by whether;

1. If the plan of care was directly related to the identified physical and psychosocial needs of the patient and the patient's family;

2. If the services, medications and treatments prescribed were in accordance with the current hospice plan of care; and

3. If the hospice program of care was primarily a home-care program that utilized inpatient hospice care on a short-term or respite basis only.

(6) The QAUR committee shall periodically review the accessibility of hospice services and the quality of those services.

(7) The QAUR committee shall make recommendations to the administrator and the governing body for resolving identified problems and for improving patient and family care.

Specific Authority 400.605 FS. Law Implemented 400.605 FS. History—New 5-6-82, Formerly 10A-12.10, 10A-12.010, Amended 4-27-94, Formerly 59A-2.010, Amended 6-5-97, _____.

58A-2.012 Program Reporting Requirements.

(1) With the exception of the report referenced in subsection (3) of this rule, each hospice shall complete an annual report annually for the period January 1 through

December 31 and shall submit the report to the Department no later than ~~March 31~~ February 28 of the following year. The annual report shall include the following information:

(2) The report shall include the information outlined on DOEA Form H-002, State of Florida Department of Elder Affairs Hospice Demographic and Outcome Measures Report, January 2008, incorporated by reference in Rule 58A-2.005, F.A.C.

(3) The 2008 report due by March 31, 2009 need only include the collection of data from July 1, 2008 through December 31, 2008.

(4) The report must be submitted electronically to the following e-mail address: hospicereport@elderaffairs.org. The report may alternately be submitted to the following address: Department of Elder Affairs, Planning and Evaluation Unit, 4040 Esplanade Way, Tallahassee, FL 32399-7000.

(a) ~~Total number of patients served by the hospice during the reporting period by:~~

- 1. Age:
 - a. 0-18 years of age;
 - b. 19-64 years of age;
 - c. 65 years of age and older;

- 2. Diagnosis:
 - a. Cancer;
 - b. Illness due to Acquired Immune Deficiency Syndrome (AIDS);

- c. Chronic Obstructive Pulmonary Disease (COPD);
- d. End-Stage Renal Disease (ESRD);
- e. Congestive heart failure;
- f. Other;

(b) Percent reimbursement by:

- 1. Medicare.
- 2. Medicaid.
- 3. Third party insurance.
- 4. Sliding fee scale.
- 5. Self pay.
- 6. Uncompensated.

- a. Charitable;
- b. Non billable;
- 7. Other.

(c) Total number of patient days in:

- 1. Private residence.
- 2. Assisted living facility.
- 3. Adult family care home.
- 4. Hospice residential unit.
- 5. Nursing home.
- 6. Inpatient facility:
 - a. Hospital or nursing home.
 - b. Free standing.

(2) A copy of the annual report shall at all times be available to any member of the public.

Specific Authority 400.605 FS. Law Implemented ~~400.605 Ch. 400, Part VI~~ FS. History–New 5-6-82, Formerly 10A-12.12, 10A-12.012, Amended 4-27-94, Formerly 59A-2.012, Amended 6-5-97,_____.

58A-2.014 Medical Direction.

(1) No change.

(2)(a) The medical director or his or her designee, a physician licensed under Chapter 458 or 459, F.S., must shall be a member of the hospice care team and must shall be responsible for the direction and quality of the medical component of the care rendered to the patient by the hospice care team. The patient’s attending physician(s) may remain the primary physician(s) to the patient, depending upon the preferences of the patient and the patient’s family. The patient and the patient’s family may elect to have the hospice medical director assume all or part of the primary medical care functions, or act as a consultant to the patient’s attending physician(s). In either case, the hospice care team must shall maintain ~~liaison and~~ a reporting relationship with the patient’s attending physician(s).

(b) No change.

(3) through (4) No change.

Specific Authority 400.605 FS. Law Implemented 400.605 FS. History–New 5-6-82, Formerly 10A-12.14, 10A-12.014, Amended 4-27-94, Formerly 59A-2.014, Amended 6-5-97,_____.

58A-2.0232 Advance Directives.

(1) The administrator must shall ensure the development, documentation and implementation of policies and procedures which delineate the hospice’s compliance with the state law and rules relative to advance directives. The hospice must shall not base or condition treatment or admission upon whether or not the patient has executed or waived an advance directive. In the event of a conflict between the hospice’s policies and procedures and the patient’s advance directive, resolution must provision shall be made in accordance with Chapter 765, F.S.

(2) The hospice’s policies and procedures must shall include:

(a) At the time of admission ~~to a hospice program,~~ providing each patient, or the patient’s surrogate or proxy, with a copy of Form SCHS-4-2006, “Health Care Advance Directives – The Patient’s Right to Decide,” as prepared by the Agency for Health Care Administration, 2727 Mahan Drive, Tallahassee, FL 32308, effective 4-2006 (April 2006) 4-11-93, ~~which is hereby incorporated by reference,~~ or with a copy of some other substantially similar document which incorporates information regarding advance directives included in is a written description of Chapter 765, F.S., ~~regarding advance directives. The form is hereby incorporated by reference and is available from the Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop 34, Tallahassee, FL 32308, or~~

the agency's Web site at: http://ahca.myflorida.com/MCHQ/Health Facility Regulation/HC Advance Directives/docs/adv_dir.pdf.

(b) through (c) No change.

Specific Authority 765.110, 400.605, ~~400.6095(8)~~ FS. Law Implemented 400.605, ~~400.6095(8)~~, Ch. 765 FS. History—New 1-11-93, Formerly 59A-2.025, Amended 4-27-94, Formerly 58A-2.0232, Amended 6-5-97, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Jim Crochet

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: E. Douglas Beach, Ph.D., Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 16, 2007

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Landscape Architecture

RULE NOS.:	RULE TITLES:
61G10-13.003	Continuing Education Requirements
61G10-13.007	Reactivation of Inactive License

PURPOSE AND EFFECT: The Board proposes to amend the rules for clarification of reactivation of license requirements.

SUMMARY: The requirements for the reactivation of a 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: 455.271(4), (9), (11), 481.306, 481.315 FS.

LAW IMPLEMENTED: 455.271(4), (9), (11), 481.315 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Juanita Chastain, Executive Director, Board of Landscape Architecture, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G10-13.003 Continuing Education Requirements.

(1) The continuing education requirements for reactivating an inactive license are eight ~~twelve (8 +2)~~ instructional hours for each year the license was inactive but ~~in no event~~ shall not exceed ~~sixteen~~ ~~forty-eight (16 +8)~~ instructional hours.

(2) No change.

Specific Authority 481.315(2) FS. Law Implemented 481.315(2) FS. History-New 2-4-80, Formerly 21K-13.03, 21K-13.003, Amended 9-20-01, _____.

61G10-13.007 Reactivation of Inactive License.

(1) An inactive licensee may change to active status at any time, provided the licensee meets all the requirements for active status, ~~pays any additional licensure fees necessary to equal those imposed on an active status licensee and pays the additional reactivation fee specified in Rule 61G10-12.002, F.A.C. Any inactive licensee which is not reactivated within the four (4) year period shall automatically expire. One year prior to the expiration of this four (4) year period, the Department shall give notice to the licensee at the licensee's last address of record.~~

(2) A license which has become inactive for ~~less than two consecutive bienniums~~ may be reactivated upon application to the Department and demonstration of compliance with the following conditions:

(a) Payment of the reactivation fee specified in Rule 61G10-12.002, F.A.C.

(b) Proof of completion of ~~12 classroom hours~~ of continuing education which fulfills the requirements of Rule subsection 61G10-13.003(2), F.A.C., for each year or part of the year the license was inactive. However, a license which has been inactive for less than one (1) year is not required to satisfy this requirement.

~~(3) A licensee whose license has become null and void may reapply for licensure.~~

~~(3)(4)~~ The Department shall not reactivate a license unless the inactive licensee has paid all an inactive application fee, any biennial renewal fees for reactive status not previously paid, and the change of status reactivation of license fee.

~~(4)(5)~~ No change.

Specific Authority 455.271(4), (9), (11), 481.306, 481.315 FS. Law Implemented 455.271(4), (9), (11), 481.315 FS. History-New 3-13-89, Formerly 21K-13.007, Amended 11-19-00, 9-20-01, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Landscape Architecture

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Landscape Architecture
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 26, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 31, 2007

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Board of Massage

RULE NO.: 64B7-25.001
 RULE TITLE: Examination Requirements

PURPOSE AND EFFECT: The Board proposes the rule amendment to add language to clarify the Board approved examinations.

SUMMARY: The rule amendment will add language to clarify the Board approved examinations.

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: 456.0137(7), 456.017(1)(c), 456.034, 480.035(7), 480.041(2), 480.042(1) FS.

LAW IMPLEMENTED: 456.0137(7), 456.017(1)(c), 456.034, 480.035(7), 480.041(2), 480.042(1) 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: Pamela King, Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin # C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B7-25.001 Examination Requirements.

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

(2) The Board approves the National Certification Board for Therapeutic Massage and Bodywork examination and the National Certification Examination for Therapeutic Massage.

Specific Authority 456.013(7), 456.017(1)(c), 456.034, 480.035(7), 480.041(2), 480.042(1) FS. Law Implemented 456.013(7), 456.017(1)(c), 456.034, 480.041, 480.042 FS. History—New 11-27-79, Amended 9-2-80, 10-9-85, Formerly 21L-25.01, Amended 12-22-92, 3-24-93, 5-20-93, Formerly 21L-25.001, Amended 8-12-93, 6-28-94, 8-18-96, Formerly 61G11-25.001, Amended 5-20-98, 7-30-02, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Massage Therapy

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 16, 2007

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NOS.: 64E-2.023
 RULE TITLES: Trauma Center Requirements
 64E-2.024 Process for the Approval of Trauma Centers

64E-2.025 Extension of Application Period

64E-2.026 Certificate of Approval

64E-2.027 Process for Renewal of Trauma Centers

64E-2.028 Site Visits and Approval

64E-2.029 Application by Hospital Denied Approval

PURPOSE AND EFFECT: To revise the Florida Trauma Center Standards – DH Pamphlet 150-9. forms, and applicable rules.

SUMMARY: The proposed revisions to Florida Trauma Center Standards – DH Pamphlet 150-9 are pursuant to the December 2006 revisions to the American College of Surgeons Guidelines. The proposed rule revisions change the date of the Trauma Center Standards – DH Pamphlet 150-9 and forms from December 2004 to December 2007. The date of trauma center compliance of the revised standards is changed from July 1, 2000 to January 1, 2009. A copy of the revisions to DH Pamphlet 150-9 and proposed rules can be found on the following website: <http://www.doh.state.fl.us/demo/Trauma/notices.htm> under “Notices and Upcoming Events.”

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: 395.405 FS.

LAW IMPLEMENTED: 395.401, 395.4015, 395.402, 395.4025, 395.404, 395.4045, 395.405 FS.

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

DATE AND TIME: Monday, December 10, 2007, 2:00 p.m. – 3:00 p.m. EST

PLACE: Department of Health, Division of Emergency Medical Operations, Capital Circle Office Complex, 4025 Esplanade Way, Conference Room 301A, FL 32399-1738; Conference Call Number: (888)808-6959, Conference Code: 2354440

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: susan_mcdevitt@doh.state.fl.us or by 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).

Written Comments may be submitted prior to or on the date of the hearing at the above address, by Email: susan_mcdevitt@doh.state.fl.us or by Fax: (850)488-2512.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Susan McDevitt, Office of Trauma, Department of Health, 4052 Bald Cypress Way, Bin C-18, Tallahassee, Florida 32399-1738, (850)245-4440, ext. 2760

THE FULL TEXT OF THE PROPOSED RULES IS:

64E-2.023 Trauma Center Requirements.

(1) The standards for Level I, Level II and Pediatric trauma centers are published in DH Pamphlet (DHP) 150-9, December ~~2007~~ 2004, which is incorporated by reference and available from the department. Trauma centers must be in full compliance with these standards by January 1, 2009 ~~July 1, 2000~~.

(2) To be a Level I trauma center, a hospital shall be a state licensed general hospital and shall:

(a) Meet and maintain after receiving provisional status and during the 7 year approval period the standards for a Level I trauma center as provided in DHP 150-9, December ~~2007~~ 2004;

(b) through (d) No change.

(3) To be a Level II trauma center, a hospital shall:

(a) Meet and maintain after receiving provisional status and during the 7 year approval period the standards for a Level II trauma center, as provided in DHP 150-9, December ~~2007~~ 2004;

(b) through (d) No change.

(4) To be a pediatric trauma center, a hospital shall:

(a) Meet and maintain after receiving provisional status and during the 7 year approval period the standards for a pediatric trauma center, as provided in DHP 150-9, December ~~2007~~ 2004;

(b) through (d) No change.

(5) The standards published in DHP 150-9, December ~~2007~~ 2004, are subject to revision at any time through rule promulgation. Any hospital that has been granted Provisional trauma center status or has been granted a 7 year Certificate of Approval as a trauma center shall comply with all revisions to the standards published in DHP 150-9, beginning on the date the amended rule becomes effective.

Specific Authority 395.405 FS. Law Implemented 395.401, 395.4015, 395.402, 395.4025, 395.404, 395.4045, 395.405 FS. History—New 8-3-88, Amended 12-10-92, 12-10-95, Formerly 10D-66.108, Amended 8-4-98, 2-20-00, 6-3-02, 6-9-05,_____.

64E-2.024 Process for the Approval of Trauma Centers.

(1) through Table VII – Process for Approval of Trauma Centers No change.

(a) The department shall accept a letter of intent, DH Form 1840, December ~~2007~~ 2004, “Trauma Center Letter of Intent”, which is incorporated by reference and available from the department, postmarked no earlier than September 1 and no later than midnight, October 1, from any acute care general or pediatric hospital. The letter of intent is non-binding, but preserves the hospital’s right to submit an application by the required due date if an available position, as provided in Rule 64E-2.022, F.A.C., exists in the hospital’s TSA. If the hospital does not submit an application by April 1 of the following year, the hospital’s letter of intent is void;

(b) By October 15, the department shall send to those hospitals submitting a letter of intent an application package which will include, as a minimum, instructions for submitting information to the department for selection as a trauma center, DHP 150-9, December ~~2007~~ 2004, Trauma Center Standards, which is incorporated by reference in Rule 64E-2.023, F.A.C., and the requested application(s);

(c) No change.

1. To apply for approval as a Level I Trauma Center, applicants must submit all forms contained in the Level I Trauma Center Application Manual, December ~~2007~~ 2004. The manual and the forms contained therein are incorporated by reference and available from the department. The manual contains the following forms: DH Form 2032, December ~~2007~~ 2004, General Information for Level I Trauma Center Application; DH Form 2032-A, December ~~2007~~ 2004, Level I Trauma Center Approval Standards Summary Chart; DH Form 2032-B, December ~~2007~~ 2004, Application for Level I Trauma Center Approval Letter of Certification; DH Form 2032-C, December ~~2007~~ 2004, Level I Trauma Center Surgical Specialties Certifications; DH Form 2032-D, December ~~2007~~ 2004, Level I Trauma Center Non-Surgical Specialties Certifications; DH Form 2032-E, December ~~2007~~ 2004, Level I Trauma Center General Surgeons Commitment Statement; DH Form 2032-F, December ~~2007~~ 2004, Level I Trauma Center General Surgeons Available for Trauma Surgical Call; DH Form 2032-G, December ~~2007~~ 2004, Level I Trauma Center Neurosurgeons Available for Trauma Surgical Call; DH Form 2032-H, December ~~2007~~ 2004, Level I Trauma Center Neurological, Pediatric Trauma and Neurological, and Neuroradiology Statements; DH Form 2032-I, December ~~2007~~ 2004, Level I Trauma Center Surgical Specialists On Call and Promptly Available; DH Form 2032-J, December ~~2007~~ 2004, Level I Trauma Center Emergency Department Physicians; DH Form 2032-K, December ~~2007~~ 2004, Level I Trauma Center Anesthesiologists Available for Trauma Call; DH Form 2032-L, December ~~2007~~ 2004, Level I Trauma Center

C.R.N.A.s Available for Trauma Call; and DH Form 2032-M, December ~~2007~~ ~~2004~~, Level I Trauma Center Non-Surgical Specialists On Call and Promptly Available.

2. To apply for approval as a Level II Trauma Center, applicants must submit all forms contained in the Level II Trauma Center Application Manual, December ~~2007~~ ~~2004~~. The manual and the forms contained therein are incorporated by reference and available from the department. The manual contains the following forms: DH Form 2043, December ~~2007~~ ~~2004~~, General Information for Level II Trauma Center Application; DH Form 2043-A, December ~~2007~~ ~~2004~~, Level II Trauma Center Approval Standards Summary Chart; DH Form 2043-B, December ~~2007~~ ~~2004~~, Application for Level II Trauma Center Approval Letter of Certification; DH Form 2043-C, December ~~2007~~ ~~2004~~, Level II Trauma Center Surgical Specialties Certifications; DH Form 2043-D, December ~~2007~~ ~~2004~~, Level II Trauma Center Non-Surgical Specialties Certifications; DH Form 2043-E, December ~~2007~~ ~~2004~~, Level II Trauma Center General Surgeons Commitment Statement; DH Form 2043-F, December ~~2007~~ ~~2004~~, Level II Trauma Center General Surgeons Available for Trauma Surgical Call; DH Form 2043-G, December ~~2007~~ ~~2004~~, Level II Trauma Center Neurosurgeons Available for Trauma Surgical Call; DH Form 2043-H, December ~~2007~~ ~~2004~~, Level II Trauma Center Neurological, Pediatric Trauma and Neurological, and Neuroradiology Statements; DH Form 2043-I, December ~~2007~~ ~~2004~~, Level II Trauma Center Surgical Specialists On Call and Promptly Available; DH Form 2043-J, December ~~2007~~ ~~2004~~, Level II Trauma Center Emergency Department Physicians; DH Form 2043-K, December ~~2007~~ ~~2004~~, Level II Trauma Center Anesthesiologists Available for Trauma Call; DH Form 2043-L, December ~~2007~~ ~~2004~~, Level II Trauma Center C.R.N.A.s Available for Trauma Call; and DH Form 2043-M, December ~~2007~~ ~~2004~~, Level II Trauma Center Non-Surgical Specialists On Call and Promptly Available.

3. To apply for approval as a Pediatric Trauma Center, applicants must submit all forms contained in the Pediatric Trauma Center Application Manual, December ~~2007~~ ~~2004~~. The manual and the forms contained therein are incorporated by reference and available from the department. The manual contains the following forms: DH Form 1721, December ~~2007~~ ~~2004~~, General Information for Pediatric Trauma Center Application; DH Form 1721-A, December ~~2007~~ ~~2004~~, Pediatric Trauma Center Approval Standards Summary Chart; DH Form 1721-B, December ~~2007~~ ~~2004~~, Application for Pediatric Trauma Center Letter of Certification; DH Form 1721-C, December ~~2007~~ ~~2004~~, Pediatric Trauma Center Surgical Specialties Certifications; DH Form 1721-D, December ~~2007~~ ~~2004~~, Pediatric Trauma Center Non-Surgical Specialties Certifications; DH Form 1721-E, December ~~2007~~ ~~2004~~, Pediatric Center General Surgeons Commitment Statement; DH Form 1721-F, December ~~2007~~ ~~2004~~, Pediatric Trauma Center General Surgeons Available for Trauma Surgical Call; DH Form 1721-G, December ~~2007~~ ~~2004~~, Pediatric Trauma Center Neurosurgeons Available for Trauma

Surgical Call; DH Form 1721-H, December ~~2007~~ ~~2004~~, Pediatric Trauma Center Neurological, Pediatric Trauma and Neurological, and Neuroradiology Statements; DH Form 1721-I, December ~~2007~~ ~~2004~~, Pediatric Trauma Center Surgical Specialists On Call and Promptly Available; DH Form 1721-J, December ~~2007~~ ~~2004~~, Pediatric Trauma Center Emergency Department Physicians; DH Form 1721-K, December ~~2007~~ ~~2004~~, Pediatric Trauma Center Anesthesiologists Available for Trauma Call; DH Form 1721-L, December ~~2007~~ ~~2004~~, Pediatric Trauma Center C.R.N.A.s Available for Trauma Call; and DH Form 1721-M, December ~~2007~~ ~~2004~~, Pediatric Trauma Center Non-Surgical Specialists On Call and Promptly Available.

(d) After considering the results of the local or regional trauma agency's recommendations, the department shall, by April 15, conduct a provisional review to determine completeness of the application and the hospital's compliance with the standards of critical elements for provisional status. The standards of critical elements for provisional review for Level I and Level II trauma center applications are specified in DHP 150-9, December ~~2007~~ ~~2004~~, as follows:

Level I

STANDARD

I. through XVIII.; No change

XIX. Trauma Research: B₂;

XX. Disaster Planning and Management.

Level II

STANDARD

I. through XVII. Outreach Programs: B, C, and E; No change

XVIII. Quality Management: A through H₂;

XIX. Disaster Planning and Management.

Pediatric

STANDARD

I. Administrative: A, E, and F; through XVIII. Quality Management: A through H; No change

XIX. Trauma Research: B₂;

XX. Disaster Planning and Management.

(e) through (m) No change.

Specific Authority 395.405 FS. Law Implemented 395.1031, 395.401, 395.4015, 395.402, 395.4025, 395.404, 395.4045, 395.405 FS. History—New 8-3-88, Amended 12-10-92, 12-10-95, Formerly 10D-66.109, Amended 8-4-98, 2-20-00, 6-3-02, 6-9-05, _____.

64E-2.025 Extension of Application Period.

(1) No change.

(2) To be considered for an extension, a hospital must submit an application in accordance with the requirements in Rule 64E-2.024, F.A.C., together with a request for extension. The request for extension must contain the following:

(a) The specific date the hospital desires to have the department begin the provisional review of the hospital's application;

(b) A reference to each standard, or specific part of a standard, in DHP 150-9, December 2007 ~~2004~~, Trauma Center Standards, which is incorporated by reference in Rule 64E-2.023, F.A.C., that the hospital is unable to meet;

(c) through (14) No change.

Specific Authority 395.405 FS. Law Implemented 395.401, 395.4015, 395.402, 395.4025, 395.404, 395.4045, 395.405 FS. History—New 12-10-92, Amended 12-10-95, Formerly 10D-66.1095, Amended 8-4-98, 2-20-00, 6-3-02, 6-9-05,_____.

64E-2.026 Certificate of Approval.

Each hospital approved as a trauma center shall be issued a DH Form 2032-Z, December 2007 ~~2004~~, Level I Trauma Center Certificate of Approval, DH Form 2043-Z, December 2007 ~~2004~~, Level II Trauma Center Certificate of Approval, or DH Form 1721-Z, December 2007 ~~2004~~, Pediatric Trauma Center Certificate of Approval, which are incorporated by reference and available from the department. The certificates shall include:

- (1) The date effective and the date of termination;
- (2) The hospital's name; and
- (3) The approved trauma center level.

Specific Authority 395.4025, 395.405 FS. Law Implemented 395.401, 395.4015, 395.402, 395.4025, 395.404, 395.4045, 395.405 FS. History—New 8-3-88, Amended 12-10-92, Formerly 10D-66.110, Amended 2-20-00, 4-15-01, 6-9-05,_____.

64E-2.027 Process for Renewal of Trauma Centers.

(1) At least 14 months prior to the expiration of the trauma center's certification, the department shall send, to each trauma center that is eligible to renew, a blank DH Form 2032R, December 2007 ~~2004~~, Trauma Center Application to Renew, which is incorporated by reference and available from the department, in accordance with the provisions of this section. Within 15 calendar days after receipt, the trauma center choosing to renew its certification shall submit to the department the completed DH Form 2032R, December 2007 ~~2004~~.

(2) All renewing trauma centers shall receive an on-site survey after the department's receipt of the completed DH Form 2032R, December 2007 ~~2004~~. The department shall notify each trauma center of the results of the site survey within 30 working days from completion of the site survey. If the trauma center desires to provide additional information regarding the results of the site survey to the department to be considered, the information must be provided in writing and be received by the department within 30 calendar days of the hospital's receipt of the department's notice. If the trauma center elects not to respond to the department's notice within 30 calendar days, the department shall make the final determination of approval or denial based solely on information collected during the applicant's site survey.

(3) through (4) No change.

Specific Authority 395.4025, 395.405 FS. Law Implemented 395.401, 395.402, 395.4025, 395.404, 395.4045, 395.405 FS. History—New 8-3-88, Amended 12-10-92, 1-23-96, Formerly 10D-66.111, Amended 3-15-98, 2-20-00, 6-9-05,_____.

64E-2.028 Site Visits and Approval.

(1) Each Provisional trauma center shall receive an on-site evaluation to determine whether the hospital is in substantial compliance with standards published in DHP 150-9, December 2007 ~~2004~~, Trauma Center Standards, which is incorporated by reference in Rule 64E-2.023, F.A.C., and to determine the quality of trauma care provided by the hospital.

(2) through (3) No change.

(4) The reviewers shall assess each applicant hospital's compliance with the standards published in DHP 150-9, December 2007 ~~2004~~, by means of direct observation, review of call schedules, and review of patient charts. Reviewers also shall assess the quality of trauma patient care and trauma patient management by reviewing facility trauma mortality data, by reviewing patient charts and by reviewing trauma case summaries and minutes of trauma quality management committee meetings pursuant to Standard XVIII of DHP 150-9, December 2007 ~~2004~~.

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

(c) Patient charts to be reviewed shall be selected by the department from cases meeting the criteria listed in Standard XVIII B.2., published in DHP 150-9, December 2007 ~~2004~~. A minimum of 75 cases shall be selected for review in each facility. If the cases total less than 75, then all cases are subject to review.

(d) through (e) No change.

(6) The reviewers shall rate a Provisional trauma center which they have reviewed as either acceptable, acceptable with corrections, or unacceptable. The rating shall be based on each facility's substantial compliance with the standards published in DHP 150-9, December 2007 ~~2004~~, and upon the performance of each Provisional trauma center in providing acceptable trauma patient care and trauma patient management which resulted in acceptable patient outcomes.

(7) through (12) No change.

Specific Authority 395.4025, 395.405 FS. Law Implemented 395.401, 395.4015, 395.402, 395.4025, 395.404, 395.4045, 395.405 FS. History—New 8-3-88, Amended 12-10-92, 10-2-94, 12-10-95, Formerly 10D-66.112, Amended 8-4-98, 2-20-00, 6-3-02, 6-9-05,_____.

64E-2.029 Application by Hospital Denied Approval.

Any hospital that was not approved as a trauma center based on the application of criteria in Rule 64E-2.028, F.A.C., may submit a completed Letter of Intent DH Form 1840, December 2007 ~~2004~~, postmarked no earlier than September 1 and no later than midnight October 1 of the following year.

Specific Authority 395.4025, 395.405 FS. Law Implemented 395.401, 395.4015, 395.402, 395.4025, 395.404, 395.4045, 395.405 FS. History—New 8-3-88, Amended 12-10-92, 12-10-95, Formerly 10D-66.113, Amended 2-20-00, 6-9-05_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Susan McDevitt, Director, Office of Trauma
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Jennifer Bencie Fairburn, M.D.,
M.S.A., Director, Division of Emergency Medical Operations
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: September 19, 2007
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: August 10, 2007

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: RULE TITLE:
69O-204.101 Disclosures to Viator of
 Disbursement

PURPOSE AND EFFECT: To establish disclosures to viators of reconciliation of funds.

SUMMARY: Disclosures.

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: 626.9925 FS.

LAW IMPLEMENTED: 626.9925 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: January 7, 2008, 9:30 a.m.

PLACE: 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: Bernie Stoffel, Office of Insurance Regulation, E-mail bernie.stoffel@fldfs.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bernie Stoffel, Office of Insurance Regulation, E-mail bernie.stoffel@fldfs.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

VIATICAL SETTLEMENTS

69O-204.101 Disclosures to Viator of Disbursement

(1) Prior to or concurrently with a viator’s execution of a viatical settlement contract, the viatical settlement provider shall provide to the viator, in duplicate, a disclosure statement in legible written form disclosing:

(a) The name of each viatical settlement broker who receives or is to receive compensation and the amount of compensation received by that broker. For the purpose of this section, compensation includes anything of value paid or given by or at the direction of a viatical settlement provider or person acquiring an interest in the life insurance policy to the viatical settlement broker in connection with the viatical settlement contract; and

(b) A complete reconciliation of the gross offer or bid by the viatical settlement provider to the net amount of proceeds or value to be received by the viator. For the purpose of this section, gross offer or bid shall mean the total amount or value offered by the viatical settlement provider for the purchase of one or more life insurance policies, inclusive of commissions, compensation, fees or other expenditures related to the transaction.

(2) The disclosure statement shall be signed and dated by the viator prior to or concurrently with the viator’s execution of a viatical settlement contract with the duplicate copy of the disclosure statement to be retained by the viator.

(3) If a viatical settlement contract has been entered into and the contract is subsequently amended or if there is any change in the viatical settlement provider’s gross offer or bid amount or change in the information provided in the disclosure statement to the viator the viatical settlement provider shall provide, in duplicate, an amended disclosure statement to the viator, containing the information in paragraphs (1)(a) and (b). The amended disclosure statement shall be signed and dated by the viator with the duplicate copy of the amended disclosure statement to be retained by the viator.

(4) Prior to a viatical settlement provider’s execution of a viatical settlement contract, the viatical settlement provider shall obtain the signed and dated disclosure statement and any amended disclosure statement required by this section from each viatical settlement broker receiving compensation or the viator, in transactions where no broker is used.

(5) The documentation required in this section shall be maintained by the viatical settlement provider pursuant to the provisions set forth in Subsection 626.9922(2), Florida Statutes and shall be available to the office at any time for copying and inspection upon reasonable notice to the viatical settlement provider.

Specific Authority 624.308(1), 626.9925 FS. Law Implemented 626.9925 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Jovita Ashton, Director, Office of Insurance Regulation
 NAME OF SUPERVISOR OR PERSON WHO APPROVED
 THE PROPOSED RULE: Mary Beth Senkewicz, Deputy
 Commissioner, Office of Insurance Regulation
 DATE PROPOSED RULE APPROVED BY AGENCY
 HEAD: November 14, 2007
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT
 PUBLISHED IN FAW: August 24, 2007

Section III
Notices of Changes, Corrections and
Withdrawals

DEPARTMENT OF COMMUNITY AFFAIRS
Division of Housing and Community Development

RULE NOS.:	RULE TITLES:
9B-72.010	Definitions
9B-72.070	Product Evaluation and Quality Assurance for State Approval
9B-72.080	Product Validation by Approved Validation Entity for State Approval
9B-72.100	Approval of Product Evaluation Entities, Product Validation Entities, Testing Laboratories, Certification Agencies, Quality Assurance Agencies and Accreditation Bodies
9B-72.130	Forms

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 33, No. 22, June 1, 2007 issue of the Florida Administrative Weekly has been withdrawn.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF MANAGEMENT SERVICES
Agency for Workforce Innovation

RULE NO.:	RULE TITLE:
60BB-8.700	Low-Performing Provider; Voluntary Prekindergarten Improvement Plan and Implementation

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 33, No. 26, June 29, 2007 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.:	RULE TITLE:
61D-7.020	Pari-Mutuels

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 33, No. 44, November 2, 2007 issue of the Florida Administrative Weekly.

There was a typographical error in the following new text as published in the November 2, 2007 issue of the FAW.

61D-7.020 Pari-Mutuels.

(1) ~~Win, Place and Show Pari-mutuel~~ wagers may not be sold in ~~not~~ less than \$1 denominations, and may be sold only in \$1 increments, ~~except when a guest track in Florida commingles into the pools of an out-of-state host and the out-of-state host offers a lower incremental minimum. A~~ minimum base bet of at least .10 U.S. dollars (ten cents), and any increment greater, may be sold by a Florida permitholder or commingled into a Florida host permitholder's pools by an out-of-state guest for exotic wagers only.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.:	RULE TITLE:
61G19-6.012	Provisional Certificates

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in the October 12, 2007, issue of the Florida Administrative Code, in Vol. 33, No. 41. When this rule was noticed on October 12, 2007, the word "officials" was inadvertently left out of the text in paragraph (2)(c). The word officials is not new text. Officials has been underlined below to show the completed rule text once the correction has been made.

(2)(c) Three years for building code administrators or building officials.

THE PERSON TO BE CONTACTED REGARDING THE CHANGE IS: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH**Division of Environmental Health**

RULE NOS.:	RULE TITLES:
64E-2.023	Trauma Center Requirements
64E-2.024	Process for the Approval of Trauma Centers
64E-2.025	Extension of Application Period
64E-2.026	Certificate of Approval
64E-2.027	Process for Renewal of Trauma Centers
64E-2.028	Site Visits and Approval
64E-2.029	Application by Hospital Denied Approval

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 33, No. 39, September 28, 2007 issue of the Florida Administrative Weekly.

The date of the Notice of Proposed Rule Development should have read as follows:

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 10, 2007, Vol. 33/32

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.: 53ER07-71
 RULE TITLE: Holiday MILLIONAIRE RAFFLE
 SUMMARY: This emergency rule describes the on-line game "Holiday MILLIONAIRE RAFFLE," for which the Department of the Lottery will sell tickets beginning November 19, 2007.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Faith L. Schneider, Legal Analyst, Department of the Lottery, Capitol Complex, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER07-71 Holiday MILLIONAIRE RAFFLE™.

(1) How to Play Holiday MILLIONAIRE RAFFLE.

(a) Holiday MILLIONAIRE RAFFLE is an on-line number match game.

(b) Each Holiday MILLIONAIRE RAFFLE ticket costs \$20.

(c) Holiday MILLIONAIRE RAFFLE tickets will go on sale Monday, November 19, 2007. Sales of Holiday MILLIONAIRE RAFFLE tickets will cease immediately after the 1,500,000th ticket is sold or at midnight on December 28, 2007, whichever occurs first.

(d) Each Holiday MILLIONAIRE RAFFLE ticket will contain a unique ticket number that will be entered automatically into the Holiday MILLIONAIRE RAFFLE drawing. Holiday MILLIONAIRE RAFFLE tickets will automatically print from the terminal with ticket numbers issued in sequential order from 1 to 1500000 as they are sold around the state. Each Holiday MILLIONAIRE RAFFLE ticket will contain only one ticket number. Players cannot select their own ticket numbers.

(e) Beginning November 19, 2007, every 50th Holiday MILLIONAIRE RAFFLE ticket sold statewide will be an instant cash winner of \$50 until a total of 20,000 instant \$50 prizes are awarded. A holiday tune will play on the terminal and a Cash Prize Coupon with a prize alert symbol will print from the terminal, which can be redeemed instantly for \$50. \$50 Cash Prize Coupons must be claimed by February 27, 2008.

(f) The overall odds of winning a prize in the Holiday MILLIONAIRE RAFFLE game depend upon the number of tickets sold and are 1 in 74.12 if all 1,500,000 tickets are sold.

(g) Holiday MILLIONAIRE RAFFLE tickets cannot be cancelled.

(2) Holiday MILLIONAIRE RAFFLE Drawing and Prizes.

(a) A random computerized drawing from among all Holiday MILLIONAIRE RAFFLE ticket numbers issued during the sales period will be held on December 29, 2007 to select 237 numbers. Prizes will be awarded in the order drawn. The first through twelfth numbers drawn will each win \$1 million cash. The 13th through 37th numbers drawn will each win \$100,000 cash and will be alternates in the order drawn for a \$1 million prize in the event a top prize is not claimed within the 180-day claim period. The 38th through 237th numbers drawn will each win \$10,000 cash.

(b) The Holiday MILLIONAIRE RAFFLE drawing shall be public and witnessed by an accountant employed by an independent certified public accounting firm, as required by Subsection 24.105(10), Florida Statutes.

(c) The results of the drawing will be revealed on December 29, 2007, and will be available after the drawing on the Lottery's website at www.flalottery.com, by phone at 1(850)487-7777, [TDD (850)487-7784] or at a lottery retailer.

(3) How to Claim a Holiday MILLIONAIRE RAFFLE Prize.

(a) Holiday MILLIONAIRE RAFFLE prizes must be claimed by submitting the winning ticket for validation at a Lottery office or retailer within 180 days from the date of the drawing (June 26, 2008) and, if the prize is not paid at that

time, by submitting the winning ticket for payment at a Florida Lottery office, as required by the Lottery's rule governing payment of prizes. Winning *Holiday MILLIONAIRE RAFFLE* tickets will be paid only at a Florida Lottery office. Tickets winning \$1 million must be submitted for payment at Lottery Headquarters. Failure of a prizewinner to claim a *Holiday MILLIONAIRE RAFFLE* prize by submitting the winning ticket for validation and payment in accordance with the Lottery's rule governing payment of prizes shall result in forfeiture of the prize. Information about procedures for filing a claim can be obtained by calling (850)487-7777 [TDD (850)487-7784]. *Holiday MILLIONAIRE RAFFLE* tickets are the only valid receipts to redeem a prize.

(b) A claim filed for a \$100,000 prize shall also be a contingent claim for a \$1 million prize. If a winning *Holiday MILLIONAIRE RAFFLE* ticket bearing any of the first twelve winning numbers is not submitted for validation and payment in accordance with the Lottery's rule governing payment of prizes, the 13th through 37th prizewinners who have submitted their tickets for validation and payment in accordance with the Lottery's rule governing payment of prizes constitute contingent winners for the \$1 million prize and will be used in the order in which they were drawn to select a winner for the \$1 million top prize. The contingent winner will be awarded the cash difference between the \$100,000 prize and the \$1 million prize.

If applicable, the Lottery will attempt to notify, for a period of two weeks, the first contingent winner drawn in the \$100,000 prize category. If the Lottery is unable to contact the first contingent winner, the Lottery will attempt to notify, for a period of two weeks, the second contingent winner drawn. This process will continue until a contingent winner is contacted or the Lottery has exhausted the list of available contingent winners, in which case the \$1 million prize will not be awarded.

(c) Federal withholding taxes will be deducted from all cash payments. Payment of any additional federal, state and/or local taxes will be the responsibility of the winner.

(4) General Information.

(a) Players must be at least 18 years of age. Persons prohibited by Section 24.116, Florida Statutes, from purchasing a Florida Lottery ticket are not eligible to play.

(b) All *Holiday MILLIONAIRE RAFFLE* prizes are subject to the provisions of Chapter 24, Florida Statutes, and rules promulgated thereunder. Prizes will be paid in accordance with the 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), 24.109(1) FS. Law Implemented 24.105(9), 24.115(1) FS. History—New 11-16-07.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: November 16, 2007

DEPARTMENT OF THE LOTTERY

RULE NO.:
53ER07-72

RULE TITLE:
Holiday MILLIONAIRE
*RAFFLE*TM Retailer Incentive
Rules

SUMMARY: The Department of the Lottery will conduct a "Holiday Millionaire Raffle Retailer Incentive" program from November 19, 2007 through December 28, 2007, in which certain retailers will receive bonus commissions during the promotion period.

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:

53ER07-72 *Holiday MILLIONAIRE RAFFLE*TM Retailer Incentive Rules.

(1) *Holiday MILLIONAIRE RAFFLE* is an on-line number match game. *Holiday MILLIONAIRE RAFFLE* tickets will go on sale Monday, November 19, 2007. Sales of *Holiday MILLIONAIRE RAFFLE* tickets will cease immediately after the 1,500,000th ticket is sold or at midnight on December 28, 2007, whichever occurs first.

(2) Each *Holiday MILLIONAIRE RAFFLE* ticket will contain a unique ticket number that will be entered automatically into the *Holiday MILLIONAIRE RAFFLE* drawing. A random computerized drawing from among all *Holiday MILLIONAIRE RAFFLE* ticket numbers issued during the sales period will be held on December 29, 2007. A total of 237 prizes will be awarded. Prizes will be awarded in the order drawn. The first through twelfth numbers drawn will win \$1 million cash. The 13th through 37th numbers drawn will win \$100,000 and will be alternates in the order drawn for a \$1 million prize in the event a top prize is not claimed within the 180-day claim period. The 38th through 237th numbers drawn will win \$10,000.

(3) Beginning November 19, 2007, every 50th *Holiday MILLIONAIRE RAFFLE* ticket sold statewide will be an instant cash winner of \$50 until a total of 20,000 instant \$50 prizes are awarded. Instant cash winners will receive a Cash Prize Coupon that can be redeemed instantly at a Florida Lottery retailer.

(4) Retailers will receive a five-percent cashing commission on every \$50 Cash Prize Coupon they redeem in their store. The cashing commission will be reflected on the

retailer's weekly Settlement Report and will be considered compensation to the retailer for Internal Revenue Service purposes.

(5) A retailer who sells a winning \$1 million Holiday MILLIONAIRE RAFFLE ticket will receive a bonus commission of \$5,000 in addition to the regular five percent sales commission set forth in Rule 53ER05-14, Florida Administrative Code.

(6) Award of a bonus commission is not dependent upon the winning Holiday MILLIONAIRE RAFFLE ticket being claimed by the winner. Retailers who sell winning \$10,000 or \$100,000 Holiday MILLIONAIRE RAFFLE tickets, including those that subsequently become alternate winners of a \$1 million prize, will not be eligible for a bonus commission.

(7) Retailers whose Florida Lottery contracts are terminated or inactivated prior to the bonus commission award shall be paid the bonus commission provided the termination or inactivation was not due to non-compliance with Florida Lottery laws, rules or contract terms.

(8) A bonus commission will be considered compensation to the retailer for Internal Revenue Service purposes. The Florida Lottery reserves the right to apply the bonus commission earned against a retailer's outstanding debt to the Florida Lottery.

Specific Authority 24.105(9), 24.109(1), 24.112(1) FS. Law Implemented 24.105(9), 24.112(1) FS. History--New 11-16-07.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.
EFFECTIVE DATE: November 16, 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."

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN THAT on October 12, 2007, the St. Johns River Water Management District's Governing Board has issued an order.

Granted a variance under Section 120.542, F.S. (SJRWMD FOR #2007-46), to Brevard County (Petitioner). The Petition for Variance was received by SJRWMD on May 10, 2007. Notice of receipt of the petition requesting the variance was published in the F.A.W., Vol. 33, No. 25 on June 22, 2007. No public comment was received. This order provides a temporary variance from subparagraph 40C-41.063(1)(c)1., Florida Administrative Code, and Section 11.1.3 of the Applicant's Handbook: Management and Storage of Surface Waters (February 1, 2005). These rules provide in pertinent part that a surface water management system may not result in an increase in the amount of water being diverted from the Upper St. Johns River Hydrologic Basin to intercoastal receiving waters. Generally, the Order sets forth the basis of the Governing Board's decision to grant the variance as follows: 1) requiring Petitioner to comply with these rules onsite would create a technological hardship, and 2) Petitioner's financial contribution to the C-1 Rediversion Project or an Alternative Rediversion Project will accomplish the purpose of Chapter 373 of the Florida Statutes to prevent harm to the water resources, by facilitating the project's implementation. The C-1 Rediversion Project is a restoration project designed to allow water that would be diverted from the St. Johns River to coastal receiving waters by the Melbourne-Tillman Water Control District canal system to drain once again to the St. Johns River. A copy of the Order may be obtained by contacting: Timothy A. Smith, Senior Assistant General Counsel, at the Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, or by telephone at (386)312-2347.

NOTICE IS HEREBY GIVEN THAT on October 12, 2007, the St. Johns River Water Management District has issued an order.

Granted a variance under Section 120.542, F.S. (SJRWMD FOR# 2007-64), to Brevard County School Board (Petitioner). The Petition for Variance was received by SJRWMD on September 28, 2007. Notice of receipt of the petition requesting the variance was published in the F.A.W., Vol. 33, No. 40 on October 5, 2007. No public comment was received. This order provides a temporary variance from subparagraph 40C-41.063(1)(c)1., Florida Administrative Code, and Section 11.1.3 of the Applicant's Handbook: Management and Storage of Surface Waters (February 1, 2005). These rules provide in pertinent part that a surface water management system may not result in an increase in the amount of water being diverted from the Upper St. Johns River Hydrologic Basin to intercoastal

receiving waters. Generally, the Order sets forth the basis of the Governing Board's decision to grant the variance as follows: 1) requiring Petitioner to comply with these rules onsite would create a technological hardship, and 2) Petitioner's financial contribution to the C-1 Rediversion Project or an Alternative Rediversion Project will accomplish the purpose of Chapter 373 of the Florida Statutes, to prevent harm to the water resources, by facilitating the project's implementation. The C-1 Rediversion Project is a restoration project designed to allow water that would be diverted from the St. Johns River to coastal receiving waters by the Melbourne-Tillman Water Control District canal system to drain once again to the St. Johns River.

A copy of the Order may be obtained by contacting: Timothy A. Smith, Senior Assistant General Counsel, at the Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, or by telephone at (386)312-2347.

NOTICE IS HEREBY GIVEN THAT on October 12, 2007, the St. Johns River Water Management District has issued an order.

Granted a variance under Section 120.542, F.S. (SJRWMD FOR# 2007-67), to the United States Air Force (Petitioner). The Petition for Variance was received by SJRWMD on September 26, 2007. Notice of receipt of the petition requesting the variance was published in the F.A.W., Vol. 33, No. 40 on October 5, 2007. No public comment was received. This order provides a temporary variance from subparagraph 40C-41.063(1)(c)1., Florida Administrative Code, and Section 11.1.3 of the Applicant's Handbook: Management and Storage of Surface Waters (February 1, 2005). These rules provide in pertinent part that a surface water management system may not result in an increase in the amount of water being diverted from the Upper St. Johns River Hydrologic Basin to intercoastal receiving waters. Generally, the Order sets forth the basis of the Governing Board's decision to grant the variance as follows: 1) requiring Petitioner to comply with these rules onsite would create a technological hardship, and 2) Petitioner's financial contribution to the C-1 Rediversion Project or an Alternative Rediversion Project will accomplish the purpose of Chapter 373 of the Florida Statutes to prevent harm to the water resources, by facilitating the project's implementation. The C-1 Rediversion Project is a restoration project designed to allow water that would be diverted from the St. Johns River to coastal receiving waters by the Melbourne-Tillman Water Control District canal system to drain once again to the St. Johns River.

A copy of the Order may be obtained by contacting: Timothy A. Smith, Senior Assistant General Counsel, at the Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, or by telephone at (386)312-2347.

NOTICE IS HEREBY GIVEN THAT on November 15, 2007, the South Florida Water Management District (District), received a petition for Waiver from Collier County Board of County Commissioners, for utilization of Works of Lands of the District known as the CR-951 Canal, Section 11, Township 49 South, Range 26 East, Collier County, for the proposed placement of light poles, conduits and guardrails. The petition seeks relief from subsection(s) 40E-6.011(4), (6), and Rule 40E-6.221, Florida Administrative Code, which governs placement of above-ground permanent and semi-permanent structures (the placement of light poles, conduits and guardrails) within 40 feet of top of the canal bank within the Works or Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juli Triola at (561)682-6268 or email at jtriola@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by end of business on 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1411, West Palm Beach, FL 33406, Attn: Juli Triola, Office of Counsel.

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 VI Notices of Meetings, Workshops and Public Hearings

The following state governmental agencies, boards and commissions announce a public meeting to which all persons are invited:

State Board of Administration
 Financial Services Commission
 Department of Veterans' Affairs
 Department of Highway Safety and Motor Vehicles
 Department of Law Enforcement
 Department of Revenue
 Department of Education

Administration Commission

Florida Land and Water Adjudicatory Commission

Board of Trustees of the Internal Improvement Trust Fund

Department of Environmental Protection

DATE AND TIME: December 18, 2007, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Regular scheduled meeting of the Governor and Cabinet

The State Board of Administration will take action on matters duly presented on its agenda, which may include such matters as Executive Director's reports; approval of fiscal sufficiency of state bond issues; approval of sale of local bonds at an interest rate in excess of statutory interest rate limitation; report on investment performance; designation of banks as depositories for state funds; adoption of rules and regulations; investment of state funds pursuant to Chapter 215, F.S.; and consideration of other matters within its authority pursuant to Chapters 215 and 344, F.S., and Section 16 of Article IX of the Florida Constitution of 1885, as continued by subsection 9(c) of Article XII of the Florida Constitution of 1968. The Division of Bond Finance of the State Board of Administration will take action on matters duly presented on its agenda, which will deal with the issuance of State bonds, arbitrage compliance and related matters.

The Financial Services Commission will take action on matters duly presented on its agenda which may include, but not be limited to, matters relating to rulemaking for all activities concerning insurers and other risk bearing entities, including licensing, rates, policy forms, market conduct, claims, adjusters, issuance of certificates of authority, solvency, viatical settlements, premium financing, and administrative supervision, as provided under the Insurance Code or Chapter 636, F.S., and for all activities relating to the regulation of banks, credit unions, other financial institutions, finance companies, and the securities industry.

The Department of Veterans' Affairs will take action on matters duly presented on its agenda which may include the administration of the Department as well as actions taken to further the Department's mission of providing assistance to veterans and their dependents, pursuant to Section 292.05, F.S. The Department of Highway Safety and Motor Vehicles will take action on matters duly presented on its agenda, which may include such matters as approval of agency policies, taking agency action with regard to administrative procedure matters, and considering other matters within its authority pursuant to Florida Statutes.

The Department of Law Enforcement will take action on matters duly presented on its agenda which may include but not be limited to such matters as transfer of agency funds or positions, formulation of Departmental Rules, administrative

procedure matters, submittal of reports as required, enter into contracts as authorized and to consider other matters within its authority pursuant to Chapters 20, 23, 120 and 943, F.S.

The Department of Revenue will act on matters duly presented on its agenda which may include approval of rules, legislative concept proposals, contracts over \$100,000, Departmental budgets, taking final action on formal and informal hearings under Chapter 120, F.S., and consideration of other matters within its authority.

The Department of Education will finalize agency action on the business of the Florida Department of Education.

The Administration Commission will take action on matters duly presented on its agenda which may include such matters as to create or transfer agency funds or positions, approve Career Service rules, administrative procedure matters, environmental matters arising under Chapter 380, F.S., comprehensive planning issues pursuant to Section 163.3184, F.S., determine sheriffs' budget matters, and consider other matters within its authority pursuant to Chapters 110, 215 and 216, F.S.

The Florida Land and Water Adjudicatory Commission will take action on matters duly presented on its agenda including appeals of local government development orders in areas of critical state concern or of developments of regional impact under Section 380.07, F.S.; and review of water management matters under Chapter 373, F.S. The Commission will also review Department of Environmental Protection's rules and orders which, prior to July 1, 1993, the Governor and Cabinet, sitting as the head of the Department of Natural Resources, had authority to issue or promulgate.

The Board of Trustees of the Internal Improvement Trust Fund will take action on matters duly presented on its agenda which may include such matters as mineral leases or sales, state or sovereign land leases, sales, exchanges, dedications, and easements, Conservation and Recreation Lands (CARL) and other land purchases; land planning matters and other matters within its authority. Additionally, the Board will take action on matters presented by the Marine Fisheries Commission as set forth in Sections 370.025, 370.026 and 370.027, F.S., and matters pertaining to the Office of Greenways Management, the Office responsible for the management of lands which formerly fell within the Cross Florida Barge Canal project corridor.

The Department of Environmental Protection, while not a Cabinet agency, will present for consideration on its agenda those matters required by law to be reviewed by the Governor and Cabinet and those pertaining to the siting of power plants, electric and natural gas transmission lines and hazardous waste facilities; coastal zone management consistency and standards adopted by the Environmental Regulation Commission.

A copy of any of the above agendas (when applicable) may be obtained by contacting each agency.

Accommodations can be made for persons with disabilities provided several days' notification is received. Please notify the Governor's Cabinet Office, (850)488-5152.

The Governor and Cabinet will proceed through each agenda, item by item, in the order given above.

CABINET AIDES BRIEFING: On the Wednesday of the week prior to the above meeting, there will be a meeting of the aides to the Governor and Cabinet Members at 9:00 a.m., Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida. The purpose of this briefing is to review and gather information regarding each agenda to be considered by the Governor and Cabinet.

DEPARTMENT OF EDUCATION

The **State Board of Education** announces a public meeting to which all persons are invited.

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

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of the following: Legislative Priorities for 2008; Amendment to Proposed Rule 6A-1.099822, School Improvement Rating for Alternative Schools; Annual District Action Plans and School Improvement Plans; and Recommendations for Appointment to the Florida Schools of Excellence Commission. In addition, the following Charter School Appeals will be heard: City of Palm Bay (Elementary) vs. School Board of Brevard County, City of Palm Bay (Middle) vs. School Board of Brevard County, and City of Palm Bay (High) vs. School Board of Brevard County. Other items for action include: Approval of Amendment to Proposed Rule 6A-1.09421, High School Competency Test Requirements; Approval of Amendment to Proposed Rule 6A-1.099821, VPK Provider Kindergarten Readiness Rate; Approval of Amendment to Rule 6A-2.0010, Educational Facilities; Approval of Amendment to Proposed Rule 6A-4.0282, Specialization Requirements for the Endorsement in Athletic Coaching; Approval of Amendment to Rule 6A-6.03014, Exceptional Student Education Eligibility for Students Who are Visually Impaired; Approval of Amendment to Rule 6A-6.03020, Specially Designed Instruction for Students Who Are Homebound or Hospitalized; Approval of Amendment to Proposed Rule 6E-2.002, Institutional License; Approval of Amendment to Proposed Rule 6E-4.001, Fees and Expenses; Approval of Review Schedule and Status Report on the Sunshine State Standards; Approval of Report to the Legislature on Duplicative Reporting Requirements in State Law and Federal Law (No Child Left Behind); Approval of Request for Site Designation Approval for the Reddoch Special Purpose Center by Chipola College; Approval of Request for Site Designation Approval for an Allied Health Special Purpose Center by Florida Keys Community College; Approval of Request for Site Designation Approval for Clear

Springs Special Purpose Center by Polk Community College; Approval of Request for Site Designation Approval for West Polk County Special Purpose Center by Polk Community College; and Approval of Request for Site Designation Approval for an Allied Health Special Purpose Center by Tallahassee Community College. Updates will be provided on the following: FCAT Advisory Committee and the Report from Buros Center for Testing; Revised Curriculum Review Process; Florida Schools of Excellence Commission; and updates on various Community College Issues.

A copy of the agenda may be obtained by contacting www.fldoe.org 7 days prior to the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting the Office of Equity and Access at (850)245-9531 (Voice). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Lynn Abbott at (850)245-9661.

The **Education Practices Commission** announces a hearing to which all persons are invited.

Administrator Hearing Panel

DATE AND TIME: December 14, 2007, 9:30 a.m. or as soon thereafter

PLACE: Residence Inn Tallahassee, 600 West Gaines Street, Tallahassee, Florida 32304, (850)329-9080

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Hearing Panel of the Education Practices Commission will consider final agency action in matters dealing with the disciplining of certified educators.

A copy of the agenda may be obtained by contacting: Education Practices Commission, 325 W. Gaines Street, 224 Turlington Building, Tallahassee, Florida 32399-0400.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Kathleen M. Richards. 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: Education Practices Commission, 325 W. Gaines Street, 224 Turlington Building, Tallahassee, Florida 32399-0400.

The **Florida Conflict Resolution Consortium** and the **Committee for a Sustainable Emerald Coast** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 12, 2007, 10:00 a.m. – 2:00 p.m.

PLACE: University of West Florida, Bldg. 22 (University Commons), 11000 University Parkway, Pensacola, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: This will be the final meeting of the Committee for a Sustainable Emerald Coast. The final report, which has been compiled over the last 18 months, will be reviewed for acceptance and preparation for presentation to the Governor.

A copy of the agenda may be obtained by contacting Lisa Fowler at (850)644-7063.

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 Lisa Fowler at (850)644-7063. 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 Trustees of the **Florida School for the Deaf and the Blind** announces a public meeting to which all persons are invited.

DATE AND TIME: Saturday, December 15, 2007, 9:00 a.m.

PLACE: Center for Leadership Development, Moore Hall, FSDB Campus, St. Augustine, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Matters pertaining to the Florida School for the Deaf and the Blind, including a public hearing on Rule 6D-12.002, F.A.C., Campus Security/Police Department.

A copy of the agenda may be obtained by contacting: Elmer L. Dillingham, President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084-2799, or by calling (904)827-2000.

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 Elmer Dillingham at the aforementioned address. 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 **Florida School for the Deaf and the Blind**, President Search Committee commissioned by the Board of Trustees of the Florida School for the Deaf and the Blind announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, December 17, 2007, 1:30 p.m.

PLACE: Center for Leadership and Development, Moore Hall, FSDB Campus, St. Augustine, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Matters pertaining to the search for President of the Florida School for the Deaf and the Blind.

A copy of the agenda may be obtained by contacting: Elmer L. Dillingham, President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084-2799, or by calling (904)827-2000.

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 Elmer Dillingham at the aforementioned address. 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 **Florida Community College at Jacksonville District**, Board of Trustees announces the following meetings to which the public is invited.

STRATEGIC CONVERSATION

DATE AND TIME: December 11, 2007, 12:00 Noon – 2:00 p.m.

PLACE: Betty P. Cook Nassau Center, Room T-117, 76346 William Burgess Blvd., Yulee, FL 32097

GENERAL SUBJECT MATTER TO BE CONSIDERED: Joint meeting with Nassau County School Board.

REGULAR MONTHLY BOARD MEETING

DATE AND TIME: December 11, 2007, 2:00 p.m. – 3:00 p.m.

PLACE: Betty P. Cook Nassau Center, Room T-126, 76346 William Burgess Blvd., Yulee, FL 32097

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting.

DISCUSSION OF COLLEGE OPERATIONAL MATTERS, TIME PERMITTING

DATE AND TIME: December 11, 2007, 3:00 p.m. – 5:00 p.m.

PLACE: Betty P. Cook Nassau Center, Room T-106, 76346 William Burgess Blvd., Yulee, FL 32097

GENERAL SUBJECT MATTER TO BE CONSIDERED: College operational matters.

Copies of the agenda for the regular monthly Board meeting will be available for inspection on and after Tuesday, December 4, 2007, and copies will be provided upon written request and the payment of approved duplicating charges. Any person wishing to address agenda items at the Board of Trustees meeting will be provided an opportunity to do so by appearing before the Board at the meeting. All objections to this notice or the propriety of the scheduled public meeting should be filed in writing with the College President, Florida Community College at Jacksonville, on or before December 11, 2007. All legal issues should be brought to the College's attention and an attempt made to resolve them prior to the public meeting.

Any person wishing to appeal a decision made by the Board with respect to any matter considered at this meeting will need a record of the proceeding for such an appeal and may, therefore, need to ensure that a verbatim record is made. Through the months of December 2007 and January 2008, the Board will hold informal meetings each Thursday from 12:00 noon to 4:00 p.m. at the Donald T. Martin Center for College Services, Room 462, for the purpose of discussing College business as appropriate.

FCCJ does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services and is an equal access/equal opportunity/affirmative action college. If special accommodations are required, please advise human resources 24 hours in advance of the meeting.

DEPARTMENT OF COMMUNITY AFFAIRS

The **Department of Community Affairs** announces a workshop on Rules 9B-43.0031, Definitions; 9B-43.0041, Application and Administrative Requirements; 9B-43.0051, Grant Administration and Project Implementation; 9B-43.0061, Emergency Set-Aside Assistance; 9B-43.0071, Section 108 Loan Guarantee Program, F.A.C., to which all persons are invited.

DATE AND TIME: December 6, 2007, 1:00 p.m. – 5:00 p.m.

PLACE: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, Florida 34474-2798

GENERAL SUBJECT MATTER TO BE CONSIDERED: To seek input, exchange ideas and gather information that can be utilized in the development of a program rule and application for Federal Fiscal Year 2008. At the workgroup meeting, staff from the CDBG program will provide an overview of the program and answer questions. Interested parties are encouraged to attend. This is the second of two (2) rule development workgroup meetings.

A copy of the agenda may be obtained by contacting: Gail Stafford, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, FL, (850)487-3644, e-mail: gail.stafford@dca.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the Department of Community Affairs at (850)487-3644. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Gail Stafford, Department of Community Affairs, 2555 Shumard Oak Boulevard, (850)487-3644, e-mail: gail.stafford@dca.state.fl.us.

The **Florida Building Commission**, "the COMMISSION" announces a public meeting to which all persons are invited.

DATES AND TIME: December 10-12, 2007, 8:00 a.m. – completion

PLACE: Double Tree Hotel, 5780 Major Boulevard, Orlando, Florida 32819, (407)351-1000

GENERAL SUBJECT MATTER TO BE CONSIDERED: December 10, 2007

9:00 a.m. Meeting of the Accessibility Advisory Council to consider the following applications for waiver from the accessibility code requirements: Harvest Village Unit 62, 7552 Navarre Parkway, Suite 62, Navarre; Devereaux House, 1121 Idlewild Drive, Tallahassee; Wendy's International, 205 South Miramar, Indialantic; Sea World Orlando Shamu Theater Seat Addition, 7007 Sea Harbor Drive, Orlando; Riverview High School, 1 Ram Way, Sarasota; Palm Beach County Fire Rescue Station No. 22, 4022 Charleston Street, Lake Worth; Matrix Employee Leasing, Inc., 9016 Philips Highway, Jacksonville; FL-TLHO Office Building Remodel, 1313 Blair Stone Road, Tallahassee; Florida Association of Counties, Inc., 100 South Monroe street, Tallahassee; North Port High School – Addition to Bleachers at Football Field, 6400 West Price Boulevard, North Port; Target Store T-816, 2650 NW Federal Highway, Stuart; 78 Spanish Street Renovation; 78 Spanish Street, St. Augustine; Towncenter 12, 1820 Town Center Boulevard, Fleming Island; Epic Theaters Stadium 16, SR 207 and Rolling Hills Drive, St. Johns County; Epic Theatres Stadium, 13215 Steves Road, Clermont; Epic Theatres Stadium 14, Town Center Phase II, Central Avenue, Flagler County; Gold's Gym Northside, 2695 Capital Circle Northeast, Tallahassee; Pasco County Fire Simulator, 15910 Little Ranch Road, Brooksville; Kempe Office Plaza, 764 Saturn Street, Jupiter; Marriott's Crystal Shores on Marco Island, 800 South Collier Boulevard, Marco Island.

10:00 a.m. Meeting of the Structural Technical Advisory Committee.

10:00 a.m. Meeting of the Mechanical Technical Advisory Committee.

1:00 p.m. Meeting of the Product Approval/Manufactured Buildings Program Oversight Committee.

December 11, 2007

8:00 a.m. Florida Building Commission Accreditor Workshop.

10:00 a.m. Meeting of the Code Administration Technical Advisory Committee.

1:00 p.m. Meeting of the Education Program Oversight Committee.

2:30 p.m. Meeting of the Plenary Session of the Florida Building Commission.
 Review and approval of the Agenda.
 Review and approval of the October 3, 2007 Minutes and Facilitator's Report.
 Chair's Discussion of Issues and Recommendations.
 Review and Update of Commission Workplan.
 Consideration of requests for waiver from accessibility code requirements: Harvest Village Unit 62, 7552 Navarre Parkway, Suite 62, Navarre; Devereaux House, 1121 Idlewild Drive, Tallahassee; Wendy's International, 205 South Miramar, Indialantic; Sea World Orlando Shamu Theater Seat Addition, 7007 Sea Harbor Drive, Orlando; Riverview High School, 1 Ram Way, Sarasota; Palm Beach County Fire Rescue Station No. 22, 4022 Charleston Street, Lake Worth; Matrix Employee Leasing, Inc., 9016 Philips Highway, Jacksonville; FL-TLHO Office Building Remodel, 1313 Blair Stone Road, Tallahassee; Florida Association of Counties, Inc., 100 South Monroe street, Tallahassee; North Port High School – Addition to Bleachers at Football Field, 6400 West Price Boulevard, North Port; Target Store T-816, 2650 N. W. Federal Highway, Stuart; 78 Spanish Street Renovation; 78 Spanish Street, St. Augustine; Towncenter 12, 1820 Town Center Boulevard, Fleming Island; Epic Theaters Stadium 16, SR 207 and Rolling Hills Drive, St. Johns County; Epic Theatres Stadium, 13215 Steves Road, Clermont; Epic Theatres Stadium 14, Town Center Phase II, Central Avenue, Flagler County; Gold's Gym Northside, 2695 Capital Circle Northeast, Tallahassee; Pasco County Fire Simulator, 15910 Little Ranch Road, Brooksville; Kempe Office Plaza, 764 Saturn Street, Jupiter; Marriott's Crystal Shores on Marco Island, 800 South Collier Boulevard, Marco Island.

Consideration of Applications for Product and Entity Approval.

Consideration of Legal Issues and Petitions for Declaratory Statement.

Binding Interpretations: Report(s) Only.

Declaratory Statements:

First Hearing:

DCA07-DEC-179 by Alan Fallik, Interim City Attorney, City of Hollywood, Florida.

DCA07-DEC-182 by Mark S. Speckin, PE, SPX Cooling Technologies

DCA07-DEC-183 by Mark S. Speckin, PE, SPX Cooling Technologies

DCA07-DEC-194 by Gary Swartz, E-Z Taping System, Inc.

DCA07-DEC-252 by James DiPietro, Broward County Board of Rules and Appeals

DCA07-DEC-255 by Joseph R. Hetzel, PE, DASMA

DCA07-DEC-269 by Emil Veksenfeld, PE

Rule Development Workshop on Rule 9B-70, Building Code Training Program.

Second Hearing:

DCA07-DEC-085 by Walter A. Tillit, Jr., PE, TilTeco Inc.

DCA07-DEC-159 by William G. Graney, Jr., PE, KTD Consulting Engineers

DCA07-DEC-172 by Robert Cochell, Gulf Coast Air systems, Inc.

DCA07-DEC-181 by Joseph D. Belcher, JDB Code Services, Inc.

December 12, 2007

8:30 a.m. Meeting of the Plenary Session of the Florida Building Commission continued.
 Consideration of Committee Reports and Recommendations: Code Administration TAC Report; Mechanical TAC Report; Structural TAC Report; Education POC Report; Product Approval/Manufactured Buildings POC Report;
 Update on Florida Energy Commission Recommendations
 Update on Governor's Action Team on Climate and Energy Recommendations.
 Update on Green Buildings Work Group.
 Discussion and Decision on Coastal Code Plus Performance Criteria Recommendations.
 Discussion and Preliminary Decisions on Recommendations to the 2008 Legislature.
 Commission Member Comments and Issues.
 General Public Comment.

Review Committee Assignments and Issues for the January 28-30, 2008 Commission Meeting.

Summary Review of Meeting Work Products.

Adjourn.

December 12, 2007

1:00 p.m. Meeting of the Mitigation Work Group

A copy of the agenda may be obtained by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, or call (850)487-1824, Fax (850)414-8436, or go to the web site at www.floridabuilding.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 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, or call (850)487-1824, Fax (850)414-8436. 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: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, or call (850)487-1824, Fax (850)414-8436, or go to the web site at www.floridabuilding.org.

DEPARTMENT OF TRANSPORTATION

The Florida **Department of Transportation** announces a hearing to which all persons are invited.

DATE AND TIME: December 10, 2007, 5:30 p.m., Public Information Review Period; 6:00 p.m., FDOT Public Hearing

PLACE: Florida Department of Transportation, District Five Office Building, 719 South Woodland Boulevard, Cypress A Conference Room (First Floor), DeLand, FL 32710

GENERAL SUBJECT MATTER TO BE CONSIDERED: This Public Hearing is for the Florida Department of Transportation, District Five, Tentative Five Year Work Program for Fiscal Years 2008/2009 through 2012/2013. This Public Hearing will include information for Brevard, Flagler, Lake, Marion, Orange, Osceola, Seminole, Sumter and Volusia Counties. The Department’s Public Hearing is being conducted

pursuant to Section 339.135(4)(c), Florida Statutes, as amended. The purpose of this Public Hearing is to consider the Department’s Tentative Five Year Work Program and consider making any changes to the Program. This hearing also will include consideration of proposed projects for the Florida’s Turnpike Enterprise in the District Five area.

Written comments from all interested parties will be accepted by the Department at the Public Hearing and within ten (10) days after the Public Hearing. Comments should be addressed to: Mrs. Noranne Downs, District Secretary, Florida Department of Transportation, 719 South Woodland Boulevard, DeLand, Florida 32720.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free or charge) should contact: Mary Schoelzel, 719 South Woodland Boulevard, DeLand, Florida 32720, (386)943-5398, at least ten (10) days prior to the public hearing date.

Brief presentations of the Department’s Tentative Five Year Work Program will also be given at the Metropolitan Planning Organization Board Meetings and will also be available through various local TV stations. Please check the website at www.D5WPPH.com for the availability in your area.

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: Mary Schoelzel, 719 South Woodland Boulevard, DeLand, Florida 32720, (386)943-5398. 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: Mary Schoelzel, 719 South Woodland Boulevard, DeLand, Florida 32720, (386)943-5398.

NOTICE OF CHANGE – The Florida **Department of Transportation**, District Seven announces a hearing to which all persons are invited.

THE DISTRICT SEVEN WORK PROGRAM PUBLIC HEARINGS HAVE BEEN RESCHEDULED.

DATE AND TIME: Monday, December 10, 2007, 6:00 p.m. – 8:00 p.m. (Previously scheduled for: Tuesday, December 4, 2007, 5:00 p.m. – 7:00 p.m.)

PLACE: West Pasco County Government Center, BOCC Chambers, 7530 Little Road, New Port Richey, Florida 34654

DATE AND TIME: Thursday, December 13, 2007, 5:00 p.m. – 7:00 p.m. (Previously scheduled for: Thursday, December 6, 2007, 5:00 p.m. – 7:00 p.m.)

PLACE: Tampa Bay Regional Planning Council, 4000 Gateway Centre Blvd., Pinellas Park, Florida 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: You are invited to attend and participate in the Five Year Tentative Work Program Public Hearings for Fiscal Years July 1, 2008 through June 30, 2013. The Tentative Work Program covers the next five years of preliminary engineering, right-of-way acquisition, construction, and public transportation projects for Citrus, Hernando, Hillsborough, Pasco, and Pinellas Counties and includes Florida Turnpike Enterprise projects in these counties.

The department will receive verbal and written comments from organizations and the general public at the hearings. All comments must be postmarked by December 24, 2007, to become part of the official public hearing record. Written comments may also be mailed to: Donald J. Skelton, P.E., District Secretary, Florida Department of Transportation, 11201 N. McKinley Drive, MS 7-100, Tampa, Florida 33612-6456.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact Ms. Lee Royal, Community Liaison Administrator at (813)975-6427 or 1(800)226-7220, at least seven (7) days prior to the hearing(s). A copy of the agenda may be obtained by contacting Ms. Royal at one of the numbers listed above.

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."

FLORIDA PAROLE COMMISSION

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 12, 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, Bldg. C, 2601 Blair Stone Road, 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, Bldg. C, 2601 Blair Stone Road, 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, Bldg. C, 2601 Blair Stone Road, Tallahassee, Florida 32399-2450.

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces a workshop to which all persons are invited.

DATE AND TIME: December 13, 2007, 9:30 a.m.

PLACE: Betty Easley Conference Center, Room 140, 4075 Esplanade Way, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Docket #070300-EI. The purpose of this workshop is to discuss the Storm Hardening Plan that was filed with the Commission by Florida Public Utility Company pursuant to Rule 25-6.0342, Florida Administrative Code. The objective of this workshop is to allow parties, interested persons, and staff to identify disputed issues and potential areas for stipulation.

If you wish to comment but cannot attend the workshop, please file written workshop comments with the Office of Commission Clerk, 4075 Esplanade Way, Tallahassee, Florida 32399-0850. All comments should be filed on or before December 11, 2007 and should specifically reference Electric Storm Hardening Plan Workshop, Docket No. 070300-EI.

A copy of the agenda may be obtained by contacting the Office of 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 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 Keino Young at (850)413-6226.

The Florida **Public Service Commission** announces its' Internal Affairs Meeting to which all interested persons are invited.

DATE AND TIME: *December 17, 2007, 9:30 a.m.

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Conference Room 140, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and make decisions on matters which affect the operation of the Commission.

A copy of the agenda of the Internal Affairs Meeting may be obtained by contacting: Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation at this conference should contact the Office of Commission Clerk no later than 48 hours prior to the conference at (850)413-6770 or via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD) Florida Relay Service. Assistive Listening Devices are available at the Office of Commission Clerk, Betty Easley Conference Center, Room 110.

*In the event of a change or cancellation, notice will be published at the earliest practicable time on the Commission's website at <http://www.psc.state.fl.us/agendas/internalaffairs/>.

The Florida **Public Service Commission** announces its' regularly scheduled conference to which all interested persons are invited.

DATE AND TIME: December 18, 2007, 9:30 a.m.

PLACE: Betty Easley Conference Center, Joseph P. Cresse Hearing Room 148, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider those matters ready for decision.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350, 364, 366, and 367, F.S.

Persons who may be affected by Commission action on certain items on the conference agenda may be allowed to address the Commission, either informally or by oral argument, when those items are taken up for discussion at the conference, pursuant to Rules 25-22.0021 and 25-22.0022, F.A.C.

A copy of the agenda may be obtained by any person who requests a copy and pays the reasonable cost of the copy (\$1.00, see Copying Charges for Commission Records), by contacting the Office of Commission Clerk at (850)413-6770 or writing to: Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. The agenda and recommendations are also accessible on the PSC Website, at <http://www.florida.psc.com> at no charge.

Persons deciding to appeal any decisions made by the Commission with respect to any matter considered at this conference will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which appeal is based.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation at this conference should contact the Office of Commission Clerk no later than 48 hours prior to the conference at (850)413-6770 or via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD) Florida

Relay Service. Assistive Listening Devices are available at the Office of Commission Clerk, Betty Easley Conference Center, Room 110.

REGIONAL PLANNING COUNCILS

The **Northeast Florida Regional Council**, Planning and Growth Management Policy Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 6, 2007, 8:30 a.m.

PLACE: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, Florida, 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss pending planning and growth management issues.

Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

A copy of the agenda may be obtained by contacting: Angela Giles, Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, Florida 32216.

The **Northeast Florida Regional Council** announces a public meeting to which all persons are invited.

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

PLACE: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, Florida 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly Meeting.

Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

A copy of the agenda may be obtained by contacting: Angela Giles, Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, Florida 32216.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting Angela Giles at (904)279-0880. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Northeast Florida Regional Council**, Legislative Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 6, 2007, immediately following the Full Board meeting

PLACE: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, Florida 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss legislative issues.

Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

A copy of the agenda may be obtained by contacting: Angela Giles, Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, Florida 32216.

The **Withlacoochee Regional Planning Council**, Board of Directors announces a public meeting to which all persons are invited.

DATE AND TIMES: Thursday, December 13, 2007, Nominating Committee Meeting, 5:30 p.m.; Open House, 6:00 p.m.; Annual Meeting, 7:00 p.m.

PLACE: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34471-0323

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Council including election of Council Officers for 2008.

A copy of the agenda may be obtained by contacting: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34471-0323.

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 **East Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIMES: Wednesday, December 5, 2007, 10:00 – 12:00 Noon; Smart Growth Alliance meeting, 12:30 p.m.

PLACE: ECFRPC Offices, 631 N. Wymore Road, Suite 100, Maitland, FL 32751

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Regular Meeting of the East Central Florida Regional Planning Council and the Smart Growth Alliance meeting.

A copy of the agenda may be obtained by contacting: Ruth Little, Administrative Assistant, East Central Florida Regional Planning Council, 631 North Wymore Road, Suite 100, Maitland, Florida 32751 or by visiting www.ecfrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting Ruth Little, (407)623-1075 or rlittle@ecfrpc.org. If

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

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact Ruth Little.

The **Tampa Bay Regional Planning Council**, Agency on Bay Management announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, January 10, 2008, 9:00 a.m.

PLACE: 4000 Gateway Centre Blvd., #100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Agency on Bay Management.

A copy of the agenda may be obtained by contacting www.tbprc.org.

For more information, you may contact Suzanne Cooper at (727)570-5151, ext. 32.

The **Tampa Bay Regional Planning Council**, Executive/Budget Committee announces a public meeting to which all persons are invited.

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

PLACE: 4000 Gateway Centre Blvd., #100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Executive/Budget Committee.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting Wren Krahl at (727)570-5151, ext. 22. 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 Wren Krahl at (727)570-5151, ext. 22.

The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, January 14, 2008, 10:00 a.m.

PLACE: 4000 Gateway Centre Blvd., #100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Tampa Bay Regional Planning Council.

A copy of the agenda may be obtained by contacting www.tbrpc.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 3 days before the workshop/meeting by contacting Wren Krahl at (727)570-5151, ext. 22. 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 Wren Krahl at (727)570-5151, ext. 22.

The **Tampa Bay Regional Planning Council**, Legislative Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, January 14, 2008, 11:30 a.m.

PLACE: 4000 Gateway Centre Blvd., #100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the TBRPC Legislative Committee.

A copy of the agenda may be obtained by contacting Wren Krahl at (727)570-5151, ext. 22.

For more information, you may contact Wren Krahl at (727)570-5151, ext. 22.

The **Tampa Bay Regional Planning Council**, Clearinghouse Review Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, January 28, 2008, 9:30 a.m.

PLACE: 4000 Gateway Centre Blvd., #100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Clearinghouse Review Committee.

A copy of the agenda may be obtained by contacting www.tbrpc.org.

For more information, you may contact: Wren Krahl at (727)570-5151, ext. 22.

WATER MANAGEMENT DISTRICTS

The **Suwannee River Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: December 11, 2007, 9:00 a.m.

PLACE: District Headquarters, 9225 CR 49, Live Oak, FL 32060

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Meeting – to consider District business, and conduct public hearings on regulatory and land acquisition matters.

Public hearing in accordance with Section 373.59, F.S., concerning the proposed acquisition of the Lake Alto LLC/Lake Alto Addition, 120 acres +/-, Alachua County, with Funds from the Florida Forever Trust Fund and amending the 2008 Florida Forever Work Plan; also the proposed acquisition of the Sheppard/Manatee Springs Addition Conservation Easement, 120 acres +/-, Levy County with Funds from the Florida Forever Trust Fund.

A copy of the agenda may be obtained by contacting Lisa Cheshire.

For more information, you may contact: Lisa Cheshire, (386)362-1001 or 1(800)226-1066 (Florida only).

The **Southwest Florida Water Management District** (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, December 10, 2007, 9:00 a.m.

PLACE: SWFWMD Tampa Service Office, 7601 Highway 301 North, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: HILLSBOROUGH RIVER BASIN BOARD MEETING: Consider Basin business. Ad Order 32201.

A copy of the agenda may be obtained by contacting: SWFWMD Executive Department, 2379 Broad Street, Brooksville, Florida 34604, 1(800)423-1476 (Florida) or Frances Sesler at (352)796-7211, extension 4608.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting the General Services Department at 1(800)423-1476 (Florida) or (352)796-7211, extension 4527, TDD only 1(800)231-6103. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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 SWFWMD Executive Department at the address above.

The **Southwest Florida Water Management District**, Environmental Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: December 10, 2007, 1:30 p.m.

PLACE: Tampa Service Office, 7601 Highway 301 North, Tampa, FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a regularly scheduled meeting of the Environmental Advisory Committee to discuss committee business and issues.

A copy of the agenda may be obtained by contacting: SWFWMD, 2379 Broad Street, Brooksville, FL 34604-6899 or 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4402.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting the General Services Department at 1(800)423-1476, ext. 4527, TDD only 1(800)231-6103. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Adrienne Hirsch at the above address and phone number.

The **Southwest Florida Water Management District** (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 12, 2007, 9:00 a.m.

PLACE: SWFWMD Sarasota Service Office, 6750 Fruitville Road, Sarasota, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: MANASOTA BASIN BOARD MEETING: Consider Basin business. Ad Order 32201.

A copy of the agenda may be obtained by contacting: SWFWMD Executive Department, 2379 Broad Street, Brooksville, Florida 34604, 1(800)423-1476 (Florida) or Frances Sesler at (352)796-7211, extension 4608.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting the General Services Department at 1(800)423-1476 (Florida) or (352)796-7211, extension 4527, TDD only 1(800)231-6103. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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 SWFWMD Executive Department at the address above.

The **Southwest Florida Water Management District** (SWFWMD) announces a public meeting to which all persons are invited.

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

PLACE: District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: WITHLACOOCHEE RIVER BASIN BOARD MEETING: Consider Basin business. Ad Order 32201.

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

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Southwest Florida Water Management District** (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 13, 2007, 1:00 p.m.

PLACE: District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: COASTAL RIVERS BASIN BOARD MEETING: Consider Basin business. Ad Order 32201.

A copy of the agenda may be obtained by contacting: SWFWMD Executive Department, 2379 Broad Street, Brooksville, Florida 34604, 1(800)423-1476 (Florida) or Frances Sesler at (352)796-7211, extension 4608.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting the General Services Department at 1(800)423-1476 (Florida) or (352)796-7211, extension 4527, TDD only 1(800)231-6103. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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 SWFWMD Executive Department at the address above.

The **Southwest Florida Water Management District** (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, December 14, 2007, 9:30 a.m.

PLACE: SWFWMD Bartow Service Office, 170 Century Boulevard, Bartow, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: PEACE RIVER BASIN BOARD MEETING: Consider Basin business. Ad Order 32201.

A copy of the agenda may be obtained by contacting: SWFWMD Executive Department, 2379 Broad Street, Brooksville, Florida 34604, 1(800)423-1476 (Florida) or Frances Sesler at (352)796-7211, extension 4608.

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: General Services Department at 1(800)423-1476 (Florida) or (352)796-7211, extension 4527, TDD only 1(800)231-6103. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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 SWFWMD Executive Department at the address above.

The **South Florida Water Management District** announces a public meeting to which all persons are invited.

Audit and Finance Committee Meeting

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

PLACE: SFWMD Headquarters, Building B-1, 3301 Gun Club Road, West Palm Beach, Florida 33406

Workshop

DATE AND TIME: December 12, 2007, 9:00 a.m.

PLACE: SFWMD Headquarters, Building B-1, 3301 Gun Club Road, West Palm Beach, Florida 33406

Joint Meeting with Palm Beach County, Board of County Commissioners

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

PLACE: Palm Beach County Convention Center, Meeting Rooms 2A, B, C, 650 Okeechobee Blvd., West Palm Beach, FL 33401

Business Meeting

DATE AND TIME: December 13, 2007, 1:00 p.m.

PLACE: Palm Beach County Convention Center, Meeting Rooms 2A, B, C, 650 Okeechobee Blvd., West Palm Beach, FL 33401

All or part of these meetings may be conducted as a teleconference in order to permit maximum participation by Governing Board members. The Governing Board may take official action at the meeting on any item appearing on the agenda and on any item that is added to the agenda as a result

of a change to the agenda approved by the presiding officer of the meeting pursuant to Section 120.525, Florida Statutes. Governing Board action may be taken at the Governing Board Workshop or Meeting. If Workshop items are not discussed on December 12, 2007, the items may be discussed on December 13, 2007.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board to discuss and consider District business, including regulatory and non-regulatory matters and may include an amendment to the District's Fiscal Year 2008 budget to revise revenues and expenditures.

A copy of the agenda may be obtained by contacting: Jacki McGorty at (561)682-2087 or https://my.sfwmd.gov/portal/page?_pageid=2574,13014318&_dad=portal&_schema=PORTAL.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting the District Clerk's Office at (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact the District Clerk's Office at (561)682-2087.

The **South Florida Water Management District** announces a private closed door attorney-client session.

DATE AND TIME: December 12, 2007, 9:00 a.m. – completed

PLACE: South Florida Water Management District Headquarters, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406

DATE AND TIME: December 13, 2007, 9:00 a.m. – completed

PLACE: Palm Beach County Convention Center, Rooms A, B, C, 650 Okeechobee Blvd., West Palm Beach, Florida 33401

GENERAL SUBJECT MATTER TO BE CONSIDERED: Closed door attorney-client session pursuant to Section 286.011(8)(2005), F.S., to discuss strategy related to litigation expenditures in Natural Resources Defense Council, Inc., et al. v. Van Antwerp, et al., United States District Court, Southern District of Florida, Case No. 07-80444-CIV-Middlebrooks. The subject matter shall be confined to the pending litigation. (All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members).

ATTENDEES: Governing Board Members E. Buermann, M. Collins, C. Dauray, S. Estenoz, N. Gutierrez, M. Meeker, P. Rooney, H. Thornton; Executive Director C. Wehle; District attorneys S. Wood, S. Echemendia, S. Nall, K. Rizzardi, C. Kowalsky, J. Nutt. Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation.

A copy of the agenda may be obtained by contacting: District Clerk's Office at (561)682-2087 or www.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 **South Florida Water Management District** announces a private closed door attorney-client session.

DATE AND TIME: December 12, 2007, 9:00 a.m. – completed

PLACE: South Florida Water Management District Headquarters, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406

DATE AND TIME: December 13, 2007, 9:00 a.m. – completed

PLACE: Palm Beach County Convention Center, Rooms A, B, C, 650 Okeechobee Blvd., West Palm Beach, Florida 33401

GENERAL SUBJECT MATTER TO BE CONSIDERED: Closed door attorney-client session pursuant to Section 286.011(8)(2006), Florida Statutes, to discuss strategy related to litigation expenditures in Friends of the Everglades, Inc. and Fishermen Against Destruction of the Environment, Inc. v. South Florida Water Management District, et al., United States District Court, Southern District of Florida, Case No. 02-80309-CV-Altonaga/Turnoff; Miccosukee Tribe of Indians of Florida v. South Florida Water Management District, et al., United States District Court, Southern District of Florida, Case No. 98-6056-CIV-Lenard/Klein; and Friends of the Everglades v. South Florida Water Management District, United States District Court, Southern District of Florida, Case No. 98-6057-CIV-Lenard/Klein. The subject matter shall be

confined to the pending litigation. (All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members).

ATTENDEES: Governing Board Members E. Buermann, M. Collins, C. Dauray, S. Estenoz, N. Gutierrez, M. Meeker, P. Rooney, H. Thornton; Executive Director C. Wehle; District attorneys S. Wood, S. Echemendia, S. Nall, K. Rizzardi, C. Kowalsky, R. Panse, J. Nutt. Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation.

A copy of the agenda may be obtained by contacting the District Clerk's Office at (561)682-2087 or www.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 **South Florida Water Management District** announces a private closed door attorney-client session.

DATE AND TIME: December 12, 2007, 9:00 a.m. – completed

PLACE: South Florida Water Management District Headquarters, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406

DATE AND TIME: December 13, 2007, 9:00 a.m. – completed

PLACE: Palm Beach County Convention Center, Rooms A, B, C, 650 Okeechobee Blvd., West Palm Beach, Florida 33401

GENERAL SUBJECT MATTER TO BE CONSIDERED: Closed door attorney-client session pursuant to Section 286.011(8)(2006), Florida Statutes, to discuss strategy related to litigation expenditures in United States of America v. South Florida Water Management District, et al., United States District Court, Southern District of Florida, Case No. 88-1886-CIV-Moreno. The subject matter shall be confined to the pending litigation. (All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members).

ATTENDEES: Governing Board Members E. Buermann, M. Collins, C. Dauray, N. Gutierrez, M. Meeker, P. Rooney, H. Thornton; Executive Director C. Wehle; District attorneys S. Wood, S. Echemendia, S. Nall, K. Burns, K. Rizzardi, C. Kowalsky, R. Panse.

Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation.

A copy of the agenda may be obtained by contacting the District Clerk's Office at (561)682-2087 or www.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 **South Florida Water Management District** announces a private closed door attorney-client session.

DATE AND TIME: December 12, 2007, 9:00 a.m. – completed

PLACE: South Florida Water Management District Headquarters, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406

DATE AND TIME: December 13, 2007, 9:00 a.m. – completed

PLACE: Palm Beach County Convention Center, Rooms A, B, C, 650 Okeechobee Blvd., West Palm Beach, Florida 33401

GENERAL SUBJECT MATTER TO BE CONSIDERED: Closed door attorney-client session pursuant to Section 286.011(8)(2006), Florida Statutes, to discuss strategy related to litigation expenditures in Teitelbaum, et al., v. South Florida Water Management District, Eleventh Judicial Circuit, Miami-Dade County, Florida, Case No. 04-21282 CA 15. The subject matter shall be confined to the pending litigation. (All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members).

ATTENDEES: Governing Board Members E. Buermann, M. Collins, C. Dauray, S. Estenoz, N. Gutierrez, M. Meeker, P. Rooney, H. Thornton, M. Wade; Executive Director C. Wehle; District attorneys S. Wood, S. Echemendia, S. Nall, K. Burns, K. Rizzardi, C. Kowalsky, R. Panse, E. Artau, P. Nettleton.

Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation.

A copy of the agenda may be obtained by contacting the District Clerk's Office at (561)682-2087 or www.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 **South Florida Water Management District** announces a public meeting to which all persons are invited.

Quarterly meeting of the Everglades Technical Oversight Committee (TOC)

DATE AND TIME: December 18, 2007, 10:00 a.m.

PLACE: South Florida Water Management District Headquarters, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting of the Everglades Technical Oversight Committee (TOC).

A copy of the agenda may be obtained by contacting: (1) District Website http://www.sfwmd.gov/org/ema/toc/draft_agenda.html or (2) by writing to the South Florida Water Management District, Mail Stop 2130, P. O. Box 24680, West Palm Beach, FL 33416-4680.

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 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.

REGIONAL UTILITY AUTHORITIES

The **Tampa Bay Water** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, December 17, 2007, 9:00 a.m.

PLACE: 2575 Enterprise Road, Clearwater, Florida 33763

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Board of Directors.

A copy of the agenda may be obtained by contacting: Tampa Bay Water at (727)796-2355 or can be accessed on the Web at www.tampabaywater.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 3 days before the workshop/meeting by contacting: Holly Wells at (727)796-2355. 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 Records Department at (727)796-2355.

The **Peace River Manasota Regional Water Supply Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: December 5, 2007, 9:30 a.m.

PLACE: Manatee County Administrative Center, 1112 Manatee Avenue West, Bradenton, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors will convene to conduct regular business of the Authority.

A copy of the agenda may be obtained by contacting: Peace River Manasota Regional Water Supply Authority, 6311 Atrium Drive, Suite 100, Bradenton, Florida 34202.

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 the Peace River Manasota Regional Water Supply

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

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

DEPARTMENT OF ELDER AFFAIRS

The **Department of Elder Affairs**, Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 13, 2007, 2:00 p.m. – 5:00 p.m. (EST)

PLACE: Hillsborough County Center, 601 East Kennedy Boulevard, 22nd Floor, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a follow-up to the strategic planning meeting for the advisory council that took place on September 6, 2007. The council will receive the final report and outline the direction of the council in terms of their statutory obligations and the mission of the department.

A copy of the agenda may be obtained by contacting: W. John Matthews III, Department of Elder Affairs, 4040 Esplanade Way, Suite 315K, Tallahassee, FL 32399-7000, (850)414-2085, Suncom 994-2085, E-mail address: matthewsw@elderaffairs.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 72 hours before the workshop/meeting by contacting: W. John Matthews III, Department of Elder Affairs, 4040 Esplanade Way, Suite 315K, Tallahassee, FL 32399-7000, (850)414-2085, Suncom 994-2085, e-mail: matthewsw@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: W. John Matthews III, Department of Elder Affairs, 4040 Esplanade Way, Suite 315K, Tallahassee, FL 32399-7000, (850)414-2085, Suncom 994-2085, e-mail: matthewsw@elderaffairs.org.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces Technical and Operational Issues meetings. These issues are related to Reform Health Plans.

DATES AND TIME: December 27, 2007; January 3, 2008; January 17, 2008; January 31, 2008; February 14, 2008; February 28, 2008; March 13, 2008; March 27, 2008; April 10, 2008; April 24, 2008; May 8, 2008; May 22, 2008; June 5, 2008; June 19, 2008, 9:30 a.m. – 11:00 a.m.

PLACE: Agency for Healthcare Administration, Conference Room C, 2727 Mahan Drive, Tallahassee, FL 32308. Dial In Number: 1(888)808-6959, Conference Code: 9210737. Those not able to attend in person may call the conference phone number (listed above).

Anyone needing further information, or special accommodations under the Americans with Disabilities Act of 1990, should write to the address given below or call (850)487-2355. Special Accommodations requests under the Americans with Disabilities Act should be made at least seven days prior to the public meeting.

A copy of the agenda may be obtained by writing: Briant Mertz, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #50, Tallahassee, FL 32308 or calling (850)487-2355.

DEPARTMENT OF MANAGEMENT SERVICES

The **Governor’s Commission on Disabilities** announces two Standing Committee meetings via telephone conference call to which all persons are invited.

DATE AND TIMES: December 11, 2007, Employment Committee, 9:30 a.m. – 11:30 a.m.; Transportation Committee, 1:30 p.m. – 3:30 p.m.

PLACE: The Dial-in Number for both meetings is 1(888)808-6959, Conference Code 9214170#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Each committee will meet to fulfill the mandate of Executive Order 07-148.

A copy of the agenda may be obtained by contacting: Stacia Woolverton at 1(877)232-4968, toll free (VOICE/TTY).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting Stacia Woolverton at 1(877)232-4968 toll free (VOICE/TTY). 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 **Governor’s Commission on Disabilities’ Education Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: December 12, 2007, 9:00 a.m. – 12:00 Noon

PLACE: The Department of Education, 1360 Conference Room, 325 W. Gaines Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will meet to fulfill the mandate of Executive Order 07-148.

A copy of the agenda may be obtained by contacting Stacia Woolverton at 1(877)232-4968 toll free (VOICE/TTY).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: Stacia Woolverton at 1(877)232-4968, toll free (VOICE/TTY). 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 **Governor’s Commission on Disabilities’ Independent Living Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: December 17, 2007, 1:00 p.m. – 5:00 p.m.

PLACE: The Agency for Persons with Disabilities, Room 301, 4030 Esplanade Way, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will meet to fulfill the mandate of Executive Order 07-148.

A copy of the agenda may be obtained by contacting Stacia Woolverton at 1(877)232-4968, toll free (VOICE/TTY).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: Stacia Woolverton at 1(877)232-4968, toll free (VOICE/TTY). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Commission on Human Relations** announces a hearing to which all persons are invited.

DATE AND TIME: Wednesday, December 12, 2007, 9:00 a.m.

PLACE: Florida Commission on Human Relations. The phone number to contact is 1(888)808-6959, when prompted enter the VCS Conference Code 1021548, followed by the # key.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will be held to deliberate cases that have come before the Commission for determination.

A copy of the agenda may be obtained by contacting: Denise Crawford, Clerk of the Commission, Florida Commission on Human Relations, 2009 Apalachee Parkway, Suite 100, Tallahassee, Florida 32301, (850)488-7082, ext. 1032.

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. 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: Denise Crawford, Clerk of the Commission, Florida Commission on Human Relations, 2009 Apalachee Parkway, Suite 100, Tallahassee, Florida 32301, (850)488-7082, ext. 1032.

The Florida **Commission on Human Relations** announces a public meeting to which all persons are invited.

DATE AND TIME: December 18, 2007, 8:00 a.m.

PLACE: Hyatt Regency Grand Cypress Resort at Orlando, One Grand Cypress Boulevard, Orlando, FL 32836

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will be held to discuss the daily functions and activities of the Commission.

A copy of the agenda may be obtained by contacting: Mrs. Casey Snipes, Executive Assistant, Florida Commission on Human Relations, 2009 Apalachee Parkway, Suite 100, Oakland Building, Tallahassee, FL 32301.

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: Mrs. Casey Snipes, Executive Assistant, Florida Commission on Human Relations, 2009 Apalachee Parkway, Suite 100, Oakland Building, Tallahassee, FL 32301. 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: Mrs. Casey Snipes, Executive Assistant, Florida Commission on Human Relations, 2009 Apalachee Parkway, Suite 100, Oakland Building, Tallahassee, FL 32301.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Community Association Managers** announces a workshop to which all persons are invited.

DATE AND TIME: December 6, 2007, 9:00 a.m.

PLACE: Telephone Conference number is 1(888)808-6959, Conference Code 4879597

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Council will be discussing their proposed amendment to Sections 468.431-.438, Part VIII, Florida Statutes.

A copy of the agenda may be obtained by contacting: Renese Jones at (850)922-5012 or via Fax (850)922-2918.

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: Renese Jones at (850)922-5012 or via Fax (850)922-2918. 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: Renese Jones at (850)922-5012 or via Fax (850)922-2918.

The Probable Cause Panel of the **Construction Industry Licensing Board** announces a meeting.

DATE AND TIMES: December 4, 2007, 9:00 a.m. and 10:00 a.m. or soon thereafter

PLACE: Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32309, (850)488-0062

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review complaints in which a determination of the existence of probable cause has already been made.

A copy of the PUBLIC portion of the agenda may be obtained by writing to: April Hammonds, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 60, Tallahassee, Florida 32399-2202, or by phone at (850)488-0062.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Construction Prosecution Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required. The Construction Prosecution Section may be contacted at the address and phone number listed above.

The **Department of Business and Professional Regulation, Board of Employee Leasing Companies** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 19, 2007, 10:00 a.m. or soon thereafter

PLACE: The Peabody Orlando, 9801 International Drive, Orlando, Florida 32819, 1(800)732-2639

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business of the Board.

A copy of the agenda may be obtained by contacting: Department of Business and Professional Regulation, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767 or by calling the office at (850)487-1395.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 days before the workshop/meeting by contacting the board office at (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

The **Department of Business and Professional Regulation, Board of Employee Leasing Companies** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, January 16, 2008, 10:00 a.m. or soon thereafter

PLACE: Via Telephone Conference Call. To connect, dial 1(888)808-6959, Conference Code: 9226020

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business of the Board.

A copy of the agenda may be obtained by contacting: Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767 or by calling (850)487-1395.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: the board office at (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

The **Florida Mobile Home Relocation Corporation** announces a meeting of its Board of Directors. The board will consider mobile home applications for abandonment and relocation compensation due to evictions as a result of a change in land use.

DATE AND TIME: Wednesday, December 19, 2007, 9:30 a.m.

PLACE: The meeting will be held by teleconference

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of the Florida Mobile Home Relocation Corporation. Review of mobile home owner applications for compensation for relocation and/or abandonment due to change in land use, and such other business as may come before the board. A schedule for the next meeting will be determined.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting Janet Garrett at 1(888)862-7010.

Additional information, including the call-in number, may be obtained by contacting: Janet Garrett, Executive Director, FMHRC, P. O. Box 14125 Tallahassee, FL 32317-4125, 1(888)862-7010.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

The **Board of Hearing Aid Specialists** announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 12, 2007, 4:00 p.m.

PLACE: (850)245-4474 to inquire about call-in number

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Sue Foster, Executive Director, Department of Health, Board of Hearing Aid Specialists, 4052 Bald Cypress Way, BIN #C08, Tallahassee, FL 32399-3258.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster, (850)245-4474 at least one week prior to meeting date.

The Florida **Department of Health, Division of Health Access and Tobacco** announces a meeting of the Tobacco Education and Use Prevention Advisory Council to which all persons are invited.

DATE AND TIME: December 11, 2007, 9:00 a.m. – 4:00 p.m.

PLACE: 4052 Bald Cypress Way, Room 301, Capital Circle Office Center, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the second meeting of an Advisory Council required by Section 381.84, Florida Statutes. The council meets four times per year to provide advice to the Department of Health relating to the Comprehensive Tobacco Education and Use Prevention Program. The meeting will provide updates for the council about media, tobacco cessation, and community program contracts which have been awarded since the last meeting. In addition, there will be breakouts to discuss action items for the council members in the coming year.

Please call Carlos Martinez at (850)245-4144, ext. 2473 for more information.

Any persons requiring a special accommodation at this meeting because of a disability or physical impairment should contact Carlos Martinez at the Division of Health Access and Tobacco, (850)245-4144, ext. 2473, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please call the Florida Division of Health Access and Tobacco using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Shared Services Alliance of Okeechobee and the Treasure Coast** of the **Department of Children and Family Services**, Circuit 19 announces the following public meeting to which all persons are invited.

ALLIANCE MEETING

DATE AND TIME: December 14, 2007, 8:30 a.m. – 10:30 a.m.

PLACE: St. Lucie County Children's Services Council, 546 N. W. University Blvd., Suite 201, Port St. Lucie, FL 34986

For more information, please contact: Linda Poston, Administrative Assistant II, 337 North U.S. Hwy. 1, Room 327C, Fort Pierce, Florida 34950, (772)467-4177.

SPECIAL ACCOMMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact, Linda Poston, (772)467-4177, at least five days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Substance Abuse and Mental Health Programs of the **Department of Children and Family Services** are conducting a public meeting.

DATE AND TIME: December 13, 2007, 10:00 a.m. – 1:00 p.m.

PLACE: 400 W. Robinson St., Conference Room C, South Tower, Hurston Building, Orlando, FL. Please contact John Bryant at (850)413-6779 if you need special assistance to attend this meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to accept public and stakeholder comments on the role and function of managing entities. Managing entities are viewed as a promising method of purchasing a comprehensive system of substance abuse treatment services within the Department's circuits and regions. The stakeholder and public comment portion of the meeting will be preceded by a presentation outlining the Department's rationale for contracting with managing entities and the role, functions, and activities expected to be performed by the managing entities. Section 394.9082, F.S., defines a managing entity as "an entity that manages the delivery of behavioral health services."

FISH AND WILDLIFE CONSERVATION COMMISSION

The Florida Fish and Wildlife Conservation Commission announces workshops to which all persons are invited.

DATE AND TIME: December 11, 2007, 1:00 p.m. – 3:00 p.m.

PLACE: Florida Fish and Wildlife Conservation Commission, South Regional Office, 8535 Northlake Boulevard, West Palm Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the workshop is to discuss changes to Rule 68-1.003, F.A.C., concerning the policies and guidelines for the grant programs within the Boating and Waterways Section including the Florida Boating Improvement Program, the Boating Infrastructure Grant Program, and the Derelict Vessel Removal Grants program.

DATE AND TIME: December 12, 2007, 10:00 a.m. – 12:00 Noon

PLACE: Florida Fish and Wildlife Conservation Commission, Southwest Regional Office, 3900 Drane Field Road, Lakeland, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the workshop is to discuss changes to Rule 68-1.003, F.A.C., concerning the policies and guidelines for the grant programs within the Boating and Waterways Section including the Florida Boating Improvement Program, the Boating Infrastructure Grant Program, the Derelict Vessel Removal Grants program, and the Boating Safety and Education program.

DATE AND TIME: December 13, 2007, 1:00 p.m. – 3:00 p.m.

PLACE: Florida Fish and Wildlife Conservation Commission, Farris Bryant Building, Room G52, 620 South Meridian Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the workshop is to discuss changes to Rule 68-1.003, F.A.C., concerning the policies and guidelines for the grant programs within the Boating and Waterways Section including the Florida Boating Improvement Program, the Boating Infrastructure Grant Program, the Derelict Vessel Removal Grants program, and the Boating Safety and Education program.

A copy of the agenda and the proposed changes to the policies and guidelines may be obtained at MyFWC.com/boating.com or by contacting: Susanna Stephens, Florida Boating Improvement Program Coordinator, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)488-5600.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these workshops is asked to advise the FWC at least five calendar days before the meeting by contacting the ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the FWC by calling (850)488-9542.

The Florida **Fish and Wildlife Conservation Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: December 14, 2007, 11:00 a.m. – 12:00 Noon

PLACE: Fish and Wildlife Conservation Commission, Farris Bryant Building, Room 272, 620 South Meridian Street, Tallahassee, Florida 32399-1600

GENERAL SUBJECT MATTER TO BE CONSIDERED: Evaluations for the FY 07-08 Florida Manatee Avoidance Technology Program.

A copy of the agenda may be obtained by contacting: Stuart Cumberbatch, Wildlife Research Section, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, Grants Coordinator, (850)488-3831.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting the ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FLORIDA CENTER FOR NURSING

The **Florida Center for Nursing** announces a telephone conference call to which all persons are invited.

DATES AND TIMES: Thursday, November 29, 2007, 9:00 a.m. – 11:00 a.m.; Monday, December 3, 2007, 10:00 a.m. – 12:00 Noon

PLACE: 12424 Research Parkway, Suite 220, Orlando, FL 32816

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Center for Nursing Board of Directors Conference Call Meeting.

A copy of the agenda may be obtained by contacting Cathy Lewis at (407)823-0980.

SOIL AND WATER CONSERVATION DISTRICTS

The **Clay Soil and Water Conservation Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, December 3, 2007, 1:00 p.m.

PLACE: Clay County Extension Office, 2463 State Road 16 West, Green Cove Springs, FL 32043

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting.

A copy of the agenda may be obtained by contacting: Savannah Pipkins, P. O. Box 278, Green Cove Springs, FL 32043.

The **Glades Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: December 4, 2007, 1:00 p.m.

PLACE: Doyle Conner Agriculture Building, 900 U.S. Hwy. 27, S. W., Moore Haven, Florida 33471

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Meeting.

A copy of the agenda may be obtained by contacting the Glades Soil and Water Conservation District.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Barbara Tillis. 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 Glades SWCD at (863)674-4160/4161.

The **Broward Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: December 5, 2007, 5:00 p.m.

PLACE: 6191 Orange Drive, Suite 6181-P, Davie, Florida 33314

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a regular meeting of the Board of Supervisors, Broward Soil and Water Conservation District. Topics to be discussed include, but is not limited to, Watershed Improvement District, Chapter 582, F.S., and Beach Revegetation.

A copy of the agenda may be obtained by contacting: russell.setti@browardswcd.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: russell.setti@browardswcd.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: russell.setti@browardswcd.org.

The **Palm Beach Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: December 11, 2007, 8:00 a.m.

PLACE: USDA Service Center, 750 S. Military Trail, Suite H, West Palm Beach, FL 33415

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business. Regular public meeting.

A copy of the agenda may be obtained by contacting Laura at (561)683-2285, ext.3.

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 Omelio at (561)683-2285, ext. 3. 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 Omelio or Laura at (561)683-2285, ext. 3.

FLORIDA TAXATION AND BUDGET REFORM COMMISSION

The **Florida Taxation and Budget Reform Commission** announces a hearing to which all persons are invited.

DATE AND TIME: Wednesday, December 5, 2007, 4:00 p.m. – 7:00 p.m. (CT)

PLACE: Okaloosa-Walton College, Mattie Kelly Fine & Performing Arts Center, 100 College Boulevard, Niceville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The TBRC will be holding a public hearing.

For more information, you may contact: Kathy Torian at (850)921-8905 or visit our website at www.floridatbrc.org.

CITIZENS PROPERTY INSURANCE CORPORATION

The **Citizens Property Insurance Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 6, 2007, 9:00 a.m. (EDT)

PLACE: Hilton University of Florida Conference Center, 1714 S. W. 34th, Gainesville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board of Governors Meeting. Items of discussion include, but are not limited to, Finance and the Investment Committee and Actuarial and Underwriting Committee Reports.

A copy of the agenda may be obtained by contacting Barbara Walker.

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

For more information, you may contact Barbara Walker at 1(800)807-7647, extension 3744.

HARDEE COUNTY ECONOMIC DEVELOPMENT AUTHORITY

The **Hardee County Economic Development Authority** (Independent Board) announces a meeting to which all interested persons are invited to participate.

DATE AND TIME: Tuesday, December 11, 2007, 8:30 a.m.

PLACE: County Commission Chambers, 412 West Orange Street, Room 102, Wauchula, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular business meeting.

For more information call the County Manager's office at (863)773-9430.

This is a Disabled-Accessible facility. Any disabled person needing to make special arrangements should contact the County Commissioner's office at least forty-eight (48) hours prior to the public meeting.

This notice is published in compliance with Section 286.0105, Florida Statutes.

Interested parties may appear at the public meeting and be heard. If a person decides to appeal any decision made by the members, with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings,

and that, for such purpose, he may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

FLORIDA WORKERS' COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC.

The **FWCJUA** announces an Annual Membership meeting and a Board of Governors meeting to which all interested parties are invited to attend. announces a public meeting to which all persons are invited.

DATE AND TIME: December 11, 2007, 8:30 a.m.

PLACE: FWCJUA Office, 6003 Honore Avenue, Suite 204, Sarasota, FL 34238 (Please enter through suite 203)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda topics may include 2006 overview with Q&A; approval of minutes, SB 1894 and HB 7169 impact; ethics and sunshine matters; election of vice chair and officers; recognition of service of prior Chair; 2008 meeting schedule; plan of operation, to include bylaws, a proposed "constitution," and Operations Manual revisions; Audit, Executive Compensation, Operations, Producer Appeals, Reinsurance, and Rates & Forms Committee reports and recommendations regarding Audit Committee Charter and checklist; 2006 Market Conduct Exam; audit procedures to include auditor appointment procedure; code of conduct; conflict of interest policy; procurement procedures; financial audit report for the period ending June 30, 2007; federal tax exemption filing update; 2008 reinsurance program options; agency/producer request for reinstatement of privileges to submit business to the FWCJUA; 2008 Business Plan and Forecast preliminary outline; legal services; service provider selection process; service provider audit report; disaster recovery matters; document management; document retention; selection of actuary; 2008 executive compensation; and staff reports on operations and financials.

A copy of the agenda may be obtained by contacting: contacting Kathy Coyne at (941)378-7408 or from the FWCJUA's website, www.fwcjua.com.

FLORIDA LEAGUE OF CITIES

The **Florida Municipal Insurance Trust** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, December 14, 2007, 9:30 a.m.

PLACE: The Alexander Suites, 5225 Collins Avenue, Miami Beach, Florida, (305)341-6500

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business meeting of the Board of Trustees.

A copy of the agenda may be obtained by contacting: Linda Bridges, Florida League of Cities, Inc., Tallahassee, Florida (850)222-9684.

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.

Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF MANAGEMENT SERVICES

NOTICE IS HEREBY GIVEN THAT the Department of Management Services has received the petition for declaratory statement from Ronald Futch. The petition seeks the agency's opinion as to the applicability of Section 121.085(2), Florida Statutes as it applies to the petitioner.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Geoffrey M. Christian, Esq., Department of Management Services, Office of General Counsel, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950.

NOTICE IS HEREBY GIVEN THAT the Department of Management Services has received the petition for declaratory statement from Michael Hensler. The petition seeks the agency's opinion as to the applicability of Section 121.085(2), Florida Statutes, as it applies to the petitioner.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Geoffrey M. Christian, Esq., Department of Management Services, Office of General Counsel, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Michael J. Schlesinger, Esq., Petitioner, In Re: The Deauville Hotel, A Resort Condominium. Petition for Declaratory Statement

docket number: 2007061086. The petition seeks the agency’s opinion as to the applicability of Rule 61B-17.006, Florida Administrative Code, as it applies to the petitioner.

Whether, under Rule 61B-17.006, Florida Administrative Code, a developer of a nonresidential hotel condominium must give potential purchasers an amendment to the declaration that it recorded in the public records.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Senen E. Jimenez, Petitioner, In Re: Aventura Beach Club Petition for Declaratory Statement, Docket Number 2007060677. The petition seeks the agency’s opinion as to the applicability of Section 718.404(2), Florida Statutes as it applies to the petitioner.

Whether Section 718.404(2), Florida Statutes, applies to the January 2008 election of directors for Aventura Beach Club Condominium Association, Inc., a mixed use condominium.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, Division of State Fire Marshal has received the petition for declaratory statement from Eagle Aviation, LLC. The petition seeks the agency’s opinion as to the applicability of Florida Building Code – Section 311 (Storage

Group S), Florida Building Code – Chapter 5 (General Building Heights and Areas), Florida Building Code – Chapter 7 (Fire – Resistance – Rated Construction), NFPA 101 – Chapter 8 (Features of Fire Protection), NFPA 101 – Chapter 42 (Storage Occupancies), NFPA 409 Chapter 3 (Definitions), NFPA 409 – Chapter 4 (Aircraft Hangar Groups), NFPA 409 – Chapter 8 (Group III Aircraft Hangars), as it applies to the petitioner.

Petitioner believes that their interpretation of NFPA 409 is correct and is substantiated by a previous Declaratory Statement by the State Fire Marshal in Case No. 43365-01-SP. The local Authority having jurisdiction’s interpretation would require fire sprinklers even though not required by code.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (850)413-3604, or (850)413-4238, Fax number (850)922-1235 or (850)488-0697 (please advise if you would like it mailed or faxed to you and please include your phone number on your request in case any question arises), or by e-mailing your request to Lesley.Mendelson@fldfs.com.

FINANCIAL SERVICES COMMISSION

NOTICE IS HEREBY GIVEN THAT the Office of Insurance Regulation has received the petition for declaratory statement from NMHC Group Solutions Insurance, Inc. The petition seeks the agency’s opinion as to the applicability of Sections 624.02 and 624.031(1), F.S., as it applies to the petitioner.

The petition seeks an answer to the question of whether Medicare Part D Program is regulated as insurance or as self insurance.

A copy of the Petition for Declaratory Statement may be obtained by contacting at John Iriye at john.iriye@fldfs.com. Please refer all comments to John Iriye at john.iriye@fldfs.com.

**Section VIII
Notices of Petitions and Dispositions
Regarding the Validity of Rules**

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges

NONE

Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF EDUCATION

Notice of Bid/Request for Proposal

The University of Florida, Purchasing and Disbursement Services will receive sealed bids for the following: ITB08SV-247, W/O 979253, Replace Oil Switches, RP-1, estimated budget: \$600,000, to be opened January 3, 2008, at 2:00 p.m., in 101 Elmore Hall, Radio Road, Gainesville, FL. Scope of work: Replace existing switches with new SF6 switches. Mandatory Pre-Bid Meeting will be held December 6, 2007, at 11:00 a.m., in the PPD A/E Conference Room, Building 700, Radio Road, Gainesville, FL. Specifications and Plans are available in Purchasing and Disbursement Services, Elmore Hall, Radio Road, Gainesville, FL 32611.

Questions should be directed to: Karen Olitsky, Purchasing and Disbursement Services, kolitsk@ufl.edu or (352)392-1331. For more information visit www.purchasing.ufl.edu. AMERICANS WITH DISABILITY ACT OF 1991 – If special accommodations are needed in order to attend the Pre-Bid Meeting or the Bid opening, contact Purchasing, purchasing@ufl.edu or (352)392-1331, within three (3) days of the event.

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

Notice of Bid/Request for Proposal
NOTICE TO PROFESSIONAL CONSULTANTS FOR
PROFESSIONAL ARCHITECTURAL/ENGINEERING
SERVICES/RFQ AE030

The State of Florida, Department of Corrections, Bureau of Procurement and Supply, announces that Professional Services are required from Architectural/Engineering firms for the project listed below. Applications from qualified firms are to be sent to the attention of: Julyn Hussey, Bureau of Procurement and Supply, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500, (850)410-4049. The selected firm may be required to perform its services on an accelerated schedule.

INSTRUCTIONS

Any firm desiring to provide professional services for this project shall apply for consideration with a letter of application, indicating within the body of the letter, your firm's specific abilities respective to the particular project's requirements, office location(s) from which the firm will be doing the work and attach current copies of the following:

1. A copy of the Department of Corrections' current "Professional Qualifications Supplement" (PQS) (dated September 2004) with current data. The PQS is posted as a related document for printing on the Vendor Bid System under this solicitation at the following website address: http://vbs.dms.state.fl.us/vbs/search.criteria_form.
2. A reproduction of the firm's current Florida State Board License with the appropriate board governing the discipline offered. If the firm is a corporation, it must be properly chartered with the Department of State to operate in Florida. Include a copy of the charter and current certification that all fees and filings are current.
3. Attach a current copy of the SF330 for the office(s) that will be performing the work. This form may be found at the following website address: <http://www.gsa.gov>.
4. Evidence of professional liability insurance in the amount of at least \$1,000,000.
5. Describe scope of work to be assigned to any sub-consultant and include a SF330 for each sub-consultant.
6. Names, specific qualifications and professional memberships of person(s) to be assigned to this project and their respective roles (do not include resumes).
7. Names, addresses and phone numbers of at least five (5) other agencies for whom similar services have been performed within the last five (5) years and the date, project name, brief project description, firm's project manager and specific services provided in each case.

8. If desired by the firm, additional examples of similar projects completed by persons to be assigned to this project, references (none from current or former Department of Corrections personnel) and any other supporting information.

Submit one original letter of interest and five (5) copies of the required data. The required data shall be submitted in the order listed above. Faxed copies will not be accepted. Applications that do not comply with the instructions set forth above may be considered improper and be disqualified. The plans and specifications developed by the firm awarded this project are subject to reuse in accordance with the requirements of Section 287.055, Florida Statutes, ("Consultants' Competitive Negotiation Act").

The awarded firm shall not knowingly engage in this project, on a full time, part time or other basis during the period of this Contract, any current or former employee of the Department where such employment conflicts with Section 112.3185, Florida Statutes.

Respondents will be ranked by a Competitive Selection Committee based on the information received in response to this Request For Qualifications (RFQ). Interviews of all ranked respondents may or may not be required, at the direction of the Committee. If interviews are required they will be held during the week beginning February 4, 2008, ending February 8, 2008. Under the authority delegated to the Secretary of the Department of Corrections by Section 287.055, F.S., sitting as the head of the Department of Corrections, Professional Services Contracts will be awarded to one firm following the recommendations of the Competitive Selection Committee and in accord with the statutory negotiation procedures. All firms responding to this RFQ will be notified by a single posting, after approval by the Secretary, through the following website address: http://vbs.dms.state.fl.us/vbs/search.criteria_form. It is the firm's responsibility to check the website for updated information.

Response Date: January 7, 2008 by 4:00 p.m. Eastern Standard Time (EST) Late submittals will not be opened or considered.

PROJECT: Provide Professional Architectural/Engineering Services to adapt prototypical work camp plans for the work camp at Santa Rosa Correctional Institution. Scope of work includes Design, Environmental Permitting, Bidding Services and Construction Administration of the associated Sitework and Utilities, and expansion of the existing utilities required to service the work camp. Work may entail some architectural support, to assist the Department in adapting building designs to site conditions and may include providing contract administration services. Partial funding is available for the initial site design. Additional funding, contingent upon Legislative appropriation of funds, will be required to complete the design, permitting and construction.

Experience: Candidate firms need to provide information regarding their experience and expertise in design of site work and utilities for correctional institutions, expansions of sewer plants and all associated environmental permitting.

PROJECT LOCATION: Santa Rosa Correctional Institution, 5850 East Milton Road, Milton, Florida is the project site for purposes of the selection process.

PROJECT NUMBER: FL-55

ESTIMATED CONSTRUCTION COST: \$5,400,000.00

PROJECT ADMINISTRATOR: Jerry Hatcher, Construction Projects Consultant, (850)413-7858

Notice of Bid/Request for Proposal

NOTICE TO PROFESSIONAL CONSULTANTS FOR PROFESSIONAL ARCHITECTURAL/ENGINEERING SERVICES/RFQ AE033

The State of Florida, Department of Corrections, Bureau of Procurement and Supply, announces that Professional Services are required from Architectural/Engineering firms for the project listed below. Applications from qualified firms are to be sent to the attention of: Julyn Hussey, Bureau of Procurement and Supply, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500, (850)410-4049. The selected firm may be required to perform its services on an accelerated schedule.

INSTRUCTIONS

Any firm desiring to provide professional services for this project shall apply for consideration with a letter of application, indicating within the body of the letter, your firm's specific abilities respective to the particular project's requirements, office location(s) from which the firm will be doing the work and attach current copies of the following:

1. A copy of the Department of Corrections' current "Professional Qualifications Supplement" (PQS) (dated September 2004) with current data. The PQS is posted as a related document for printing on the Vendor Bid System under this solicitation at the following website address: http://vbs.dms.state.fl.us/vbs/search.criteria_form.
2. A reproduction of the firm's current Florida State Board License with the appropriate board governing the discipline offered. If the firm is a corporation, it must be properly chartered with the Department of State to operate in Florida. Include a copy of the charter and current certification that all fees and filings are current.
3. Attach a current copy of the SF330 for the office(s) that will be performing the work. This form may be found at the following website address: <http://www.gsa.gov>.
4. Evidence of professional liability insurance in the amount of at least \$1,000,000.
5. Describe scope of work to be assigned to any sub-consultant and include a SF330 for each sub-consultant.

6. Names, specific qualifications and professional memberships of person(s) to be assigned to this project and their respective roles (do not include resumes).
7. Names, addresses and phone numbers of at least five (5) other agencies for whom similar services have been performed within the last five (5) years and the date, project name, brief project description, firm's project manager and specific services provided in each case.
8. If desired by the firm, additional examples of similar projects completed by persons to be assigned to this project, references (none from current or former Department of Corrections personnel) and any other supporting information.

Submit one original letter of interest and five (5) copies of the required data. The required data shall be submitted in the order listed above. Faxed copies will not be accepted. Applications that do not comply with the instructions set forth above may be considered improper and be disqualified. The plans and specifications developed by the firm awarded this project are subject to reuse in accordance with the requirements of Section 287.055, Florida Statutes, ("Consultants' Competitive Negotiation Act").

The awarded firm shall not knowingly engage in this project, on a full time, part time or other basis during the period of this Contract, any current or former employee of the Department where such employment conflicts with Section 112.3185, Florida Statutes.

Respondents will be ranked by a Competitive Selection Committee based on the information received in response to this Request For Qualifications (RFQ). Interviews of all ranked respondents may or may not be required, at the direction of the Committee. If interviews are required they will be held during the week beginning February 4, 2008, ending February 8, 2008. Under the authority delegated to the Secretary of the Department of Corrections by Florida Statute 287.055, sitting as the head of the Department of Corrections, Professional Services Contracts will be awarded to one firm following the recommendations of the Competitive Selection Committee and in accord with the statutory negotiation procedures. All firms responding to this RFQ will be notified by a single posting, after approval by the Secretary, through the following website address: http://vbs.dms.state.fl.us/vbs/search.criteria_form. It is the firm's responsibility to check the website for updated information.

Response Date: January 7, 2008 by 4:00 p.m. Eastern Standard Time (EST) Late submittals will not be opened or considered.

PROJECT: Provide Professional Architectural/Engineering Services for the sitework and utilities design and environmental permitting for a prototypical institution and a specialized mental health facility in Gainesville. Scope of work includes Design, Environmental Permitting and Construction Administration of the associated Sitework and Utilities. Work may entail some architectural support, to assist the Department in adapting prototype building designs to site conditions and

design of new buildings for Gainesville CI II; repairs/renovations/additions to buildings at the existing Gainesville CI and providing contract administration services. Partial funding is available for the initial site design at each project. Completion of the design phase and construction will require additional funding, over a number of years and is contingent upon Legislative appropriation of funds.

EXPERIENCE: Candidate firms need to provide information regarding their experience and expertise in design of site work and utilities for large correctional institutions and all associated environmental permitting.

PROJECT LOCATION: Gainesville Correctional Institution, 2845 N. E. 39th Avenue, Gainesville, Florida is the project site for purposes of the selection process.

PROJECT NUMBER: FL-70 (ST)

ESTIMATED CONSTRUCTION COST: \$22,000,000.00

PROJECT ADMINISTRATOR: Brant Chaisson, Senior Architect, (850)410-4210

ADVERTISEMENT FOR BIDS

PROPOSALS ARE REQUESTED FROM QUALIFIED GENERAL CONTRACTORS BY THE STATE OF FLORIDA, DEPARTMENT OF CORRECTIONS, FOR THE CONSTRUCTION OF:

PROJECT NO: EK-34(WWR)

PROJECT NAME & LOCATION: Central Florida Reception Center (CFRC) – Wastewater Grinder/Pumping Improvements
FOR: STATE OF FLORIDA, DEPARTMENT OF CORRECTIONS

PERFORMANCE BOND AND LABOR AND MATERIAL PAYMENT BOND: If the construction contract award amount is \$100,000 (one hundred thousand dollars) or less, a Performance Bond and a Labor and Material Payment Bond are not required.

PUBLIC ENTITY CRIME INFORMATION STATEMENT: A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity; may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity; and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, F.S., for Category Two, for a period of 36 months from the date of being placed on the convicted vendor list.

PREQUALIFICATION: Each bidder, whose field is governed by Chapters 399, 489, and 633 of the Florida Statutes for licensure or certification, must submit prequalification data of their eligibility to submit proposals five (5) calendar days prior to the bid opening date. If not previously qualified by the Department for the current biennium (July 1 through June 30)

of odd numbered years, or you are unsure, please contract Ms. Sandra Rogers, (850)922-8855 for prequalification instructions. After the bid opening the low bidder must qualify in accordance with Rule 60D-5.004, F.A.C. A copy of the rule requirements is included in the "Instruction to Bidders" under Article B-2 "Bidder Qualification Requirements and Procedures".

Sealed bids will be received, publicly opened, and read aloud on:

DATE AND TIME: January 8, 2008, 2:00 p.m. Local time (Eastern Daylight Time)

PLACE: Hartman & Associates, Inc., 4415 Metro Parkway, Suite 320, Fort Myers, Florida 33916

Any person with a qualified disability requiring special accommodations at the pre-bid conference, and/or bid/proposal opening, shall contact the person listed below at least (5) working days prior to the event. If you are hearing or speech impaired, please contact this office by using Florida Relay Services by dialing 1(800)955-8771 (TDD).

PROPOSAL: Bids must be submitted in full in accordance with the requirements of the Drawings, Specifications, Bidding Conditions and Contractual Conditions, which may be examined and obtained from the:

ARCHITECT-ENGINEER: Hartman & Associates, Inc., 4415 Metro Parkway, Suite 320, Fort Myers, Florida 33916

TELEPHONE: (239)277-5155

Drawings and specifications may be purchased for \$75.00 per set from the Architect/Engineer.

PRE-BID CONFERENCE: There will be no pre-bid conference for this project. However, Contractors are encouraged to visit the site on December 11, 2007 at 10:00 a.m. to inspect the site and familiarize themselves with the project conditions. Contractors shall contact Mr. Hank Bruce, Maintenance Supervisor at (407)207-7400, no later than December 7, 2007, to obtain clearance to visit the site, which is located at the Central Florida Reception Center, 7000 H. C. Kelley Road, Orlando, FL 32831-2518.

CONTRACT AWARD: Bid Tabulation and Notice of Award Recommendation will be sent to all bidders by Facsimile (FAX), Return Receipt Required. If no protest is filed per Article B-20 of the Instructions to Bidders, "Bid Protests, Points of Entry", the contract will be awarded by the Secretary, Department of Corrections. Right is reserved to reject any or all bids

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 44-07/08

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: Camp Helen State Park – Historic Building Rehabilitation

SCOPE OF WORK: The contractor shall provide all labor, materials, equipment and supervision to obtain necessary permits and perform the historic buildings rehabilitation of the four (4) Cottages, Recreation Hall, Garage, Stable and Cat House. The scope of work for the Recreation Hall includes new accessible restrooms and fixtures, new utility service, and new drive and accessible parking. Also included in the scope of work are retaining wall repairs for an existing foot bridge. All work shall be according to plans and specifications.

PARK LOCATION: Camp Helen State Park, on U.S. Hwy. 98 W. of Panama City Beach. Address: 23937 Panama City Beach Parkway, Panama City Beach, Florida 32413

PROJECT MANAGER: Rachel Adams, Bureau of Design and Construction, Alfred B. Maclay Gardens State Park, 3540 Thomasville Road, Tallahassee, Florida 32309, 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 bid is governed by Chapters 399, 489, and 633 of the Florida Statutes for licensure or certification must submit prequalification data of their eligibility prior to the bid closing date.

INSTRUCTIONS: Any firm desiring plans and bid specifications for this project may obtain a copy by writing the address or calling the telephone number below. Plans and specifications will be available on November 30, 2007 at: Camp Helen State Park, 23937 Panama City Beach Parkway, Panama City Beach, Florida 32413

Attention: Daniel Blanner, Telephone Number: (850)233-5059.

ADA REQUIREMENTS: Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact Michael Renard with the Bureau of Design and Construction, (850)488-5372, at least five (5) workdays prior

to openings. If you are hearing or speech impaired, please contact the Florida Relay Services by calling 1(800)955-8771, (TDD) or 1(800)955-8770 (Voice).

BID SUBMITTAL DUE DATE: No later than 3:30 p.m., Tuesday, January 8, 2008, to the below address: Florida Department of Environmental Protection Bureau of Design and Construction, 3540 Thomasville Road, Tallahassee, Florida 32309, Attention Michael Renard, Construction Projects Administrator, Bureau of Design and Construction, (850)488-3572. The Department reserves the right to reject any or all bids.

BID POSTING DATE: No later than 2:00 p.m., Friday, January 11, 2008, unless extended by the Department for good cause.

**Section XII
Miscellaneous**

DEPARTMENT OF COMMUNITY AFFAIRS

STATE OF FLORIDA

In re: MONROE COUNTY LAND
DEVELOPMENT REGULATIONS
ADOPTED BY MONROE COUNTY
ORDINANCE NO. 039-2007

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 September 13, 2007, the Department received for review Monroe County Ordinance No. 039-2007 ("Ord. 039-2007"), adopted by Monroe County on August 15, 2007.
3. The purpose of the Ordinance is to amend Section 9.5.-247(1) of the Monroe County Code: Commercial Fishing Special District – 12 (CFSD-12 Located on Big Pine Island) to clarify that there is no requirement for commercial fisherman to reside in CFSD-12 in order to engage in commercial fishing.

CONCLUSIONS OF LAW

4. 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).
5. 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.
6. "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. 039-2007 are land development regulations.
7. 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.
8. Ord. 039-2007 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.
9. Ord. 039-2007 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 039-2007 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.

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 15th day of November, 2007.

Paula Ford, Agency Clerk

By U.S. Mail:
Honorable Mario Di Gennaro
Mayor of Monroe County
Florida Keys Marathon Airport
9400 Overseas Highway, Suite 210
Key West, Florida 33050

Danny L. Kolhage
Clerk to the Board of County Commissioners
500 Whitehead Street
Key West, Florida 33040

Andrew Trivette, Director
Planning and Environmental Resources
2798 Overseas Highway, Suite 400
Marathon, Florida 33050

STATE OF FLORIDA

In re: MONROE COUNTY LAND DEVELOPMENT REGULATIONS ADOPTED BY MONROE COUNTY ORDINANCE NO. 040-2007

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 September 13, 2007, the Department received for review Monroe County Ordinance No. 040-2007 ("Ord. 040-2007"), adopted by Monroe County on August 18, 2007.
3. The purpose of the Ordinance is to amend the Monroe County Code to delete Section 9.5.-66, Conditional Use Permits and Bulk Regulations and Section 9.5-282 Residential Dwelling Permits and Bulk Regulations; and amend Section 9.5-523 to include Administrative Waivers; clarifying procedures, standards to establish Notification Procedures for the Approval of Administrative Waivers. Ordinance No. 040-2007 consolidates and clarifies the process for waivers and variances to the bulk regulations associated with conditional use permits

CONCLUSIONS OF LAW

- 4. 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).
5. 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.
6. "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. 040-2007 are land development regulations.
7. 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.

- 8. Ord. 040-2007 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.
9. Ord. 040-2007 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 040-2007 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.

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 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.

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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 15th day of November, 2007.

Paula Ford, Agency Clerk

By U.S. Mail:
Honorable Mario Di Gennaro
Mayor of Monroe County
Florida Keys Marathon Airport
9400 Overseas Highway, Suite 210
Key West, Florida 33050

Danny L. Kolhage
Clerk to the Board of County Commissioners
500 Whitehead Street
Key West, Florida 33040

Andrew Trivette
Director
Planning and Environmental Resources
2798 Overseas Highway, Suite 400
Marathon, Florida 33050

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Vento North America, LLC, intends to allow the establishment of Morland Marine International, Inc., as a dealership for the sale of Jialing (JIAL) motorcycles at 3907 14th Street West, Bradenton (Manatee County), Florida 34205, on or after December 7, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Morland Marine International, Inc. are dealer operator(s): Brian T. Quartermain, 3907 14th Street West, Bradenton, Florida 34205; principal investor(s): Brian T. Quartermain, 3907 14th Street West, Bradenton, Florida 34205.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Alma Gonzalez, Vento 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 Morland Marine International, Inc., as a dealership for the sale of motorcycles manufactured by Qianjiang Motorcycles Group Corp. (QINJ) at 3907 14th Street West, Bradenton (Manatee County), Florida 34205, on or after December 7, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Morland Marine International, Inc. are dealer operator(s): Brian T. Quartermain, 3907 14th Street West, Bradenton, Florida 34205; principal investor(s): Brian T. Quartermain, 3907 14th Street West, Bradenton, Florida 34205.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Alma Gonzalez, Vento 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 Thunder Mountain Custom Cycles, Inc., intends to allow the establishment of Orlando Harley Davidson, Inc. d/b/a Orlando Harley Davidson, as a dealership for the sale of motorcycles manufactured by Thunder Mountain Custom Motorcycles at 3770 37th Street, Orlando (Orange County), Florida 32805, on or after November 12, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Orlando Harley Davidson, Inc. d/b/a Orlando Harley Davidson are dealer operator(s): Steve Deli, 3770 37th Street, Orlando, Florida 32805; principal investor(s): Steven F. Deli, 322 East Central Boulevard, Apartment 2201, Orlando, Florida 32801 and Michael Bozic, 1 Trimont Lane #1000A, Pittsburgh, Pennsylvania 15211.

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: Colleen Breneman, Thunder Mountain Custom Motorcycles, 760 Southeast Frontage Road, Fort Collins, Colorado 80524.

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 United Motors of America, intends to allow the establishment of S & T Motors, Inc. d/b/a Citrus Cycle Center, as a dealership for the sale of motorcycles manufactured by United Motors of America (UNMO) at 1581 West Gulf to Lake Highway, Lecanto (Citrus County), Florida 34461, on or after November 14, 2007.

The name and address of the dealer operator(s) and principal investor(s) of S & T Motors, Inc. d/b/a Citrus Cycle Center are dealer operator(s): Timothy Banden, 4732 North Celosia Terrace, Beverly Hills, Florida 34465; principal investor(s): Timothy Banden, 4732 North Celosia Terrace, Beverly Hills, Florida 34465.

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: Alexander Sabbagh, United Motors of America, 8801 Northwest 23rd Street, Miami, Florida 33172.

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 Piaggio Group Americas, Inc., intends to allow the establishment of Twisted Throttle, LLC d/b/a Aprilia of

Orlando, as a dealership for the sale of Aprilia motorcycles (APRI) at 10501 South Orange Avenue #114, Orlando (Orange County), Florida 32824, on or after November 14, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Twisted Throttle, LLC d/b/a Aprilia of Orlando are dealer operator(s): Jamal Haddad, 10501 South Orange Avenue #114, Orlando, Florida 32824; principal investor(s): Jamal Haddad, 10501 South Orange Avenue #114, 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 Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Angellina Fraser-Lubin, Piaggio Group Americas, Inc., 140 East 45th Street, 17th Floor, New York, New York 10017.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

**BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND**

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

LAND AND WATER CONSERVATION PROGRAM

The Department of Environmental Protection will accept Fiscal Year 2007-2008 grant applications for the Land and Water Conservation Program (LWCF) as follows:

APPLICATION SUBMISSION PERIOD: February 4-15, 2008 (applications will be available November 26, 2007)

Applications must be postmarked before or on the last date of the program application period.

ELIGIBLE APPLICANTS: All county governments and incorporated municipalities of the State of Florida and other legally constituted local governmental entities with the legal responsibility for the provision of outdoor recreational sites and facilities for the use and benefit of the public.

MAXIMUM GRANT REQUEST: The maximum grant request may not exceed \$200,000.00. An applicant's requested grant funds may be revised by the Department due to the availability of program funds. This submission is contingent upon the approval of federal allotments.

APPLICATION INFORMATION: FRDAP application packets may be obtained from the Department of Environmental Protection, Division of Recreation and Parks, Office of Information and Recreation Services, Mail Station #585, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000; phone: (850)245-2501, Suncom: 205-2501, Fax: (850)245-3038, Suncom: 205-3038

EMAIL: Leylani.Velez@dep.state.fl.us

WEB SITE: <http://www.dep.state.fl.us/parks/oirs>

PROGRAM DESCRIPTION: LWCF is a competitive grant program which provides financial assistance to local governmental entities for development or acquisition of land for public outdoor recreational purposes.

Pursuant to the Americans With Disabilities Act, any person requiring special accommodations to participate in this meeting/workshop/hearing is asked to advise the agency at least 5 days before the meeting/workshop/hearing by calling the Bureau of Personnel Services at (850)245-2511, or by calling 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice) via the Florida Relay Service.

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.

DEPARTMENT OF HEALTH

On November 16, 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 Phyllis L. Marciniak, C.N.A., A/K/A Phyllis Martiniak, license number CNA 133498. 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 November 16, 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 Robyn J. Watts, C.N.A., license number CNA 107902. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

FLORIDA HOUSING FINANCE CORPORATION

The Florida Housing Finance Corporation (Florida Housing) announces a funding cycle (Cycle XX) for the State Apartment Incentive Loan (SAIL) Program, pursuant to Section 420.5087, Florida Statutes, and Chapter 67-48, Florida Administrative Code (F.A.C.).

In accordance with Section 420.5087(3), Florida Statutes, for the six-month period beginning with the publication of this NOFA, program funds shall also be reserved by designated tenant group category at the percentages determined by using the most recent statewide low-income rental housing market studies available.

A minimum of 10% of SAIL program funds shall be distributed for New Construction or Substantial Rehabilitation of Commercial Fishing Worker/Farmworker housing.

Florida Housing currently anticipates making approximately \$5,000,000 from the Cycle XX allocation available for this purpose. These funds will be awarded through a competitive Request for Proposal process.

All proposals must be submitted to Florida Housing Finance Corporation, City Centre Building, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, in accordance with the provisions specified in the RFP. For

more information on the timing of this RFP process contact Derek Helms at (850)488-4197. If you are hearing or speech impaired, please contact Florida Housing using the Dual Party Relay System at 1(800)955-8770 and 1(800)955-8771.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN THAT on November 13, 2007, the Department of Financial Services, Division of Workers' Compensation issued an Order.

The Order is regarding the Petition for Variance From or Waiver of Rule 69L-6.025, F.A.C., filed on August 13, 2007, by Petitioner, Keene's Nursery, Inc. The Notice of Petition was published in Section V, Vol. 33, No. 36 of the September 7, 2007, F.A.W. Petitioner sought a waiver from or variance of Rule 69L-6.025, F.A.C., entitled, "Conditional Release of Stop-Work Order and Periodic Payment Agreement". The above-referenced Rule establishes guidelines and criteria for conditional releases from stop-work orders. Petitioner requested the variance or waiver so that it may pay monthly installments over ten (10) years without the initial 10% down payment.

On November 13, 2007, the Department denied the Petition, finding that Petitioner failed to establish that the purpose of the underlying statute, Section 440.107(7), Florida Statutes, would be achieved by the granting of the variance or waiver. The Department further found that Petitioner failed to demonstrate that application of Rule 69L-6.025, F.A.C. would create a substantial hardship or violate principles of fairness.

A copy of the Order may be obtained by contacting: Andrew Sabolic, Assistant Division Director, Division of Workers' Compensation, 200 E. Gaines Street, Tallahassee, Florida 32399-4228, or by telephone at (850)413-1600.

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., December 21, 2007):

APPLICATION FOR A NEW FINANCIAL INSTITUTION
 Applicant and Proposed Location: MidFlorida Bank, 9495 South Highway 17-92, Maitland, Seminole County, Florida 32751

Correspondent: William B. Gossett, 7100 South Highway 17-92, Fern Park, Florida 32730

Received: November 14, 2007

APPLICATION TO MERGE

Constituent Institutions: The Bank of Inverness, Inverness, Florida, Crystal River Bank, Crystal River, Florida, Homosassa Springs Bank, Homosassa Springs, Florida, and The Hernando County Bank, Brooksville, Florida

Resulting Institution: The Bank of Inverness

Received: November 15, 2007

APPLICATION FOR A NEW FINANCIAL INSTITUTION
 Applicant and Proposed Location: Reunion Bank of Florida, 1892 East Burleigh Boulevard, Tavares, Lake County, Florida 32778-4308

Correspondent: John P. Greeley, Esquire, 255 South Orange Avenue, Suite 800, Orlando, Florida 32801

Received: November 16, 2007

APPLICATION AND PLAN FOR THE PURCHASE OF CERTAIN ASSETS AND ASSUMPTION OF CERTAIN LIABILITIES

Acquiring Entity: The Bank of Inverness, 320 U.S. Highway 41 South, Inverness, Florida

Selling Entity: Dunnellon State Bank, Dunnellon, Florida

Received: November 16, 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: University Credit Union, Post Office Box 248133, Coral Gables, Florida 33124

Expansion Includes: Geographic Area

Received: November 15, 2007

FLORIDA MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION

Florida Medical Malpractice JUA Offers The Dr. Alvin E. Smith Safety of Health Care Services Grant Program

The Florida Medical Malpractice Joint Underwriting Association (FMMJUA) announces the availability of up to \$2 million in grants for partnerships to improve the safety of health care services. The application deadline is January 11, 2008; the FMMJUA Board of Governors will make the final decisions April 30.

The FMMJUA intends to commit up to \$2 million in funds to finance an unspecified number of grants. The projects should focus on one or more of the following elements related to health care safety: 1) Identifying and Evaluating Effective Patient Safety Practices, and 2) Teaching, Disseminating, and Implementing Effective Patient Safety Practices; and 3) Maintaining Vigilance by Continuous Monitoring and Evaluation of Threats to Patient Safety.

The goal of the FMMJUA request for applications (RFA) is to have the FMMJUA partner with other agencies or institutions in the state of Florida to improve the safety of health care by implementing practices that eliminate or reduce the risk of medical errors, hazards or harmful action. The FMMJUA application materials assert that "The number of patients in the United States and in the state of Florida harmed by the delivery of health care services is unacceptably high."

This is a new grant program offered by the FMMJUA. Applications can be made for projects of up to 36 months in duration. To learn more about the RFA please visit the FMMJUA Web site, www.fmmjua.com. To learn more about the Florida medical malpractice industry you may view the Office of Insurance Regulation's annual report.

About the Florida Medical Malpractice Joint Underwriting Association.

The Florida Medical Malpractice Joint Underwriting Association (FMMJUA) is a state sanctioned insurance plan for medical malpractice coverage, and provides professional liability insurance coverage for health care providers that cannot find coverage in the open market. The FMMJUA's professional liability policies offer coverage for individual physicians, surgeons, dentists, nurses, physician partnerships or corporations, hospitals, medical facilities and other health care providers operating in Florida. The Florida Legislature created the FMMJUA under Section 627.351(4), Florida Statutes.

Contact: General Manager of the FMMJUA, Preston E. Cowie
Email: FMMJUA@ELECTRO-NET.COM

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN November 13, 2007
 and November 16, 2007

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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STATE BOARD OF ADMINISTRATION

Florida Prepaid Postsecondary Education Expense Board

19B-16.003	11/14/07	12/4/07	33/41	
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PUBLIC SERVICE COMMISSION

25-4.0665	11/16/07	12/6/07	33/41	
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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

61J1-2.001	11/14/07	12/4/07	33/40	
61J1-4.001	11/16/07	12/6/07	33/27	33/42
61J1-4.003	11/16/07	12/6/07	33/27	33/42

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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Florida Real Estate Commission

61J2-1.011	11/16/07	12/6/07	33/42	
61J2-14.008	11/16/07	12/6/07	33/42	HEALTH

Board of Chiropractic

64B2-11.004	11/14/07	12/4/07	33/40	
64B2-12.012	11/14/07	12/4/07	33/40	
64B2-13.007	11/14/07	12/4/07	33/40	

Board of Clinical Laboratory Personnel

64B3-5.004	11/15/07	12/5/07	33/39	
64B3-12.002	11/16/07	12/6/07	33/10	33/43

Division of Family Health Services

64F-1.0015	11/16/07	12/6/07	33/41	
64F-17.001	11/16/07	12/6/07	33/40	