

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Driver Licenses

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PURPOSE AND EFFECT: Is to amend the current rule to create and/or clarify certain definitions, and to reflect the previous revisions to Florida Statutes 316, 320 and 322 and related Federal rules. Revisions include the definition of a commercial driver license skills test, truck tractor, and

semitrailer. The definition of a tank vehicle has been modified in addition to adding a new endorsement for school buses. Information on how to remove the airbrake restriction has been added and the Bus Only (CMV) and CMV < 26,000 lbs GVWR have been deleted. New restrictions have been added: Restriction 6, No Class A passenger vehicles, Restriction 7, No Class B passenger vehicles, Restriction 8, Automatic transmission-CMV. The requirements for a CDL temporary permit have been revised to ensure clarity. The CDL skills test definition has been expanded to include all 3-parts. The issuance procedures for CDLs have been updated plus the number of CDL tests an applicant may attempt, per day, has been noted. Information on the appropriate class of motor vehicle, to test for a CDL, has been expanded, and all references to a Class D license have been removed. Information on the Hazardous Materials Threat Assessment Program, Military Commercial Driver License qualifications and regulations regarding the Third Party Tester Program have been added.

SUBJECT AREA TO BE ADDRESSED: Chapter 15A-7, F.A.C., Commercial Drivers License.

SPECIFIC AUTHORITY: 316.12(4), 322.02(6), 322.53(5) FS.
LAW IMPLEMENTED: 316.302(2)(i), 316.003(71), 322.01(17), (18), (32), (24), 322.05(4), (5), (6), (8), 322.07(3), 322.08(4), 322.12(4), 322.14(1)(b), 322.16, 322.18(2)(e), 322.21(1)(e), (f), 322.51-322.66, 322.53(2), (4), 322.54(2)(c), 322.56, 322.57(2), 322.59, 322.65, 322.121(7), (8), 322.271 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Lee Ann Korst, Chief of Staff, Neil Kirkman Building, B441, Tallahassee, Florida 32399-0500. Please contact me at (850)617-3100

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

15A-7.001 Definitions.

For the purpose of this chapter, the following words, acronyms, and phrases shall have the meanings indicated:

(1) “Alternative Test” means a knowledge test that is given orally by an individual or in which a computer-assisted or taped recorded oral test is presented to the applicant.

(2) “CDL” means commercial driver’s license.

(3) “Commercial Driver’s License” means a license issued to an individual in accordance with the requirement of chapter 322, Florida Statutes, or by another state, pursuant to the Federal Commercial Motor Vehicle Safety Act of 1986 which

authorizes that individual to drive a class of commercial motor vehicles if the holder also has any necessary endorsements to the license.

(4) "Department" means the Department of Highway Safety and Motor Vehicles, Division of Driver Licenses, Tallahassee, Florida 32399-0560.

(5) "GCWR" means gross combination weight rating.

(6) "GVWR" means gross vehicle weight rating.

(7) "Placard" means a sign that is required on the front, rear and both sides of a vehicle that is transporting hazardous materials. The placards show the hazard class of the cargo being transported.

(8) "Skills Test" means the 3-part driving test consisting of the pretrip inspection, basic control and road test as described in the American Association of Motor Vehicle Administrators (AAMVA) 2005 CDL Testing Model, which is hereby adopted by reference a driving test given to assess an applicant's ability to drive all motor vehicles of a specified class.

(9) "Tow Truck Configuration" means a tow truck with another vehicle in tow, where the gross combined weight rating of the combination is 26,000 pounds or more and the vehicle in tow exceeds 10,000 pounds gross vehicle weight rating.

(10) "Truck Tractor" means a motor vehicle which has four or more wheels and is designed and equipped with a fifth wheel for the primary purpose of drawing a semitrailer that is attached or coupled thereto by means of such fifth wheel and which has no provisions for carrying loads independently any motor vehicle designed and used primarily for pulling other vehicles.

(11) "Semitrailer" means any vehicle without motive power designed to be coupled to or drawn by a motor vehicle and constructed so that some part of its weight and that of its load rests upon or is carried by another vehicle.

Specific Authority 322.02(6)(3) FS. Law Implemented 322.01, 322.51-322.66 FS. History--New 4-7-91, Amended _____.

15A-7.002 Purpose.

The purpose of these rules is to establish uniform procedures for the orderly administration of commercial driver's license skills and knowledge tests.

Specific Authority 322.02(6)(3) FS. Law Implemented 322.51-322.66 FS. History--New 4-7-91, Repromulgated _____.

15A-7.0025 Application.

These rules are applicable to all applicants for a Florida commercial driver's license.

Specific Authority 322.02(6)(3) FS. Law Implemented 322.08, 322.51-322.66, 322.53, 322.54 FS. History--New 4-7-91, Repromulgated _____.

15A-7.003 CDL Endorsements.

(1) The endorsements to a commercial driver's license shall be as follows:

(a) T – Double/Triple trailers. Any combination of a truck tractor, semitrailer, and trailer coupled together so as to operate a complete unit, except, triple trailers are not permitted in Florida;

(b) P – Passengers. Passenger vehicle means a motor vehicle designed to transport more than 15 persons, including the driver, or a school bus designed to transport more than 15 persons, including the driver. For vehicles designed to transport more than 15 persons, including the driver; or a school bus designed to transport more than 11 persons, including the driver;

(c) N – Tank Vehicle. Means a commercial motor vehicle with a permanent or temporary attached tank designed to transport liquid or gaseous materials and with a rated capacity of one thousand gallons or more. Tank vehicles, permanently or temporarily attached to the vehicle, shall not include a vehicle with a tank having a rated capacity under 1,000 gallons or tank vehicles that transport materials other than liquid or gaseous material;

(d) H – Hazardous materials. Hazardous material that is required to be placarded in accordance with Title 49 Code of Federal Regulations Part 172, Subpart F;

(e) X – Combination tank vehicles and placarded hazardous materials;

(f) S – School Bus. Means a motor vehicle that is designed to transport more than 15 persons, including the driver, and that is used to transport students to and from a public or private school or in connection with school activities, but does not include a bus operated by a common carrier in the urban transportation of school children. The term "school" includes all preelementary, elementary, secondary, and postsecondary schools. To obtain a school bus endorsement the applicant must pass the school bus endorsement knowledge exam, in addition to other CDL knowledge exams applicable to passenger vehicles, and complete the 3-part skills test in a school bus equivalent to the classification of license that will be issued.

(2) If a driver's towing operations are restricted to emergency "first moves" from the site of a malfunction or traffic crash to the nearest appropriate repair facility, then no CDL endorsement of any kind is required.

(3) If a driver's towing operations include any "subsequent moves" from one repair or disposal facility to another, then endorsements requisite to the vehicles being towed are required. Exception: Tow truck operators need not obtain a passenger endorsement.

(4) No person shall operate upon the highways of this state any commercial motor vehicle which requires a specific endorsement unless such person possesses a valid commercial driver's license with such endorsement.

Specific Authority 322.02(6)(3) FS. Law Implemented 234.091, 316.003(71), ~~316.1936(5)(a),(b)~~, 322.01(17), 322.14(1)(b), 322.121(7), ~~(8)(6)~~, 322.21(1)(e), 322.54(2)(a), (b), (c), (d), (e), 322.55(4), 322.57(1)(c), (f), 322.57(2), 322.57(3)(a) FS., 49 CFR, 383.931-53(a)(9) History--New 4-7-91, Amended _____.

15A-7.004 CDL Restrictions.

(1) Special restrictions imposed on a commercial driver's license shall be as follows:

(a) "Vehicles Without Air Brakes", means no operation of a commercial motor vehicle, which is equipped with air brakes. To remove an airbrake restriction the driver must, at a minimum, successfully complete the airbrake knowledge test, successfully complete the pretrip inspection portion of the standard CDL skills test in an airbrake equipped commercial motor vehicle and demonstrate the ability to safely and effectively operate the vehicle's air brakes by stopping the vehicle so that the front bumper is within two feet of a designated point on the skills testing area.

(b) "CDL Intrastate Only", means a commercial motor vehicle can be operated only in the State of Florida;

(c) "Bus Only (CMV)", ~~means the operation of a commercial motor vehicle bus only.~~

(d) ~~"CMV < 26,000 lbs GVWR", means no operation of a commercial motor vehicle with a gross vehicle weight rating, declared weight or actual weight of 26,000 pounds or more;~~

(e) "No Tractor/Trailers", means no operation of a commercial motor vehicle which is a tractor/~~semitrailer~~ combination as defined in Sections 320.01(5) and 320.01(11), Florida Statutes. To remove the "no tractor/trailers" restriction from a Class A CDL the driver must, at a minimum, pass the pretrip inspection, basic control and road test in a tractor/semitrailer combination.

(f) "No Class A passenger vehicle", means no operation of a commercial motor vehicle classified as a Class A passenger vehicle.

(g) "No Class B passenger vehicle", means no operation of a commercial motor vehicle classified as a Class A or B passenger vehicle.

(h) "Automatic transmission-CMV", means no operation of a commercial motor vehicle that is not equipped with an automatic transmission.

(2) No person possessing a restricted commercial driver's license shall operate upon the highways of this state any commercial motor vehicle to which such restriction is applicable.

Specific Authority ~~322.02(6)(3)~~ FS. Law Implemented ~~322.16(1)(a), (b), 322.54(2)(c), 322.57(2)~~ FS. History--New 4-7-91, Amended _____.

15A-7.005 Temporary CDL Instructional Permit.

(1) If otherwise qualified an individual 18 years of age or older who holds a valid driver's license may be issued a commercial driver's instruction permit. Instructional permits are valid for six months. One six-month extension is permitted. The commercial driver's instruction permit may not be issued for a period to exceed six months and is nonrenewable.

(2) An individual who holds a commercial driver instruction permit may, unless otherwise disqualified, drive a commercial motor vehicle only while accompanied by a driver 21 years of age or older who is holding a CDL valid for the type of vehicle being driven and who is occupying the closest seat to the right of the driver, the holder of a commercial driver's license valid for the type of vehicle driven who is actually occupying the closest seat to the right of the individual for the purpose of giving instructions in driving the commercial motor vehicle.

Specific Authority ~~322.02(6)(3)~~ FS. Law Implemented ~~322.01(32), 322.05(4), 322.07(3)(2), 49 CFR 383.23~~ ~~322-17~~ FS. History--New 4-7-91, Amended _____.

15A-7.006 Application; Operation in Interstate or Foreign Commerce; Certification Required; Medical Required; Exceptions.

(1) Upon making application for a CDL, any applicant who operates or expects to operate a commercial motor vehicle in interstate or foreign commerce or any applicant otherwise subject to 49 Code of Federal Regulations Part 391 of the Federal Motor Carrier Safety Regulations, pursuant to sections 322.08(4) and 322.59, F.S., shall certify that he or she meets the qualification requirements of Part 391.

(2) Upon application for a driver's license, applicants who are subject to 49 Code of Federal Regulations Part 391 of the Federal Motor Carrier Safety Regulations, will present to the department a valid medical examiner's certificate ~~required by Title 49 C.F.R. Part 391~~ issued not more than 2 years immediately preceding licensure.

Specific Authority ~~322.02(6)(3)~~ FS. Law Implemented ~~322.01(24), 322.07(3)(a), 322.08(4), 322.59~~ FS., 49 CFR 391 History--New 4-7-91, Amended _____.

15A-7.007 Application; Intrastate Operation; Certification; Exceptions.

(1) Upon making application for a CDL, any applicant ~~who operates or expects to operate a commercial motor vehicle solely within this state shall certify on a form provided by the department that he or she~~ is not subject to Title 49 Code Federal Regulation Part 391, pursuant to Sections 322.08(4) and 322.59, F.S., shall certify such exemption to the Department. Any applicant making a certification pursuant to this section is not required to present to the department a medical examiners certificate prior to licensure.

(2) Drivers of commercial motor vehicles driving interstate or intrastate, transporting hazardous materials that are required to be placarded in accordance with Title 49 Code of Federal Regulations Part 172, Subpart F must present to the department a valid medical examiner's certificate required by Title 49 C.F.R. Part 391, issued not more than two (2) years immediately preceding licensure.

(3) Commercial driver license applicants who operate or expect to operate a commercial motor vehicle solely in intrastate commerce must meet the minimum visual standards in Rule 15A-1.013, F.A.C., and comply with the provisions of Section 316.302(2)(~~4~~), F.S., before licensing and will have an intrastate restriction applied to the license.

(4) Driver applicants who are deaf will not be issued a commercial driver's license.

Specific Authority ~~322.02(6)(3), 316.12(4)~~ FS. Law Implemented ~~316.302(2)(i)(~~4~~), 322.05(5), (6), (8), 322.08(4), 322.12(3)(4), 322.16, 322.59~~ FS., 49 CFR 391 History–New 4-7-91, Amended.

15A-7.008 Combination Vehicle Tow Truck Testing and Licensing.

(1) For an unrestricted Class "A" license, the driver must pass applicant will take the combination vehicle knowledge exam, in addition to other applicable CDL knowledge exams, and the pretrip inspection, basic control and road test and skills tests in a truck-tractor/semitrailer combination commercial vehicle as defined by Rule 15A-7.001, F.A.C.

(2) For a ~~restricted~~ Class "A" license restricted to "No Tractor-Trailers" with tow truck privileges, the driver must pass applicant will take the combination knowledge exam, in addition to other applicable CDL knowledge exams, and the pretrip, basic control and road test and skills tests in a vehicle that is not a truck-tractor/semitrailer combination as defined by Rule 15A-7.001, F.A.C., but otherwise represents vehicles requiring a class A CDL, including tow truck configurations as defined in subsection 15A-7.001(9), F.A.C. tow truck configuration. License will be restricted to "No Tractor-Trailers". The applicant will pretrip the tow truck and explain how the hitch is checked for safety rather than check those portions of the pretrip which pertains to tractor trailers (i.e., air hoses, fifth wheel landing gear). To remove the "No Tractor-Trailer" restriction, the driver will take a pretrip inspection and a skills test in a tractor-trailer vehicle. See chart below for diverse combinations:

Combination	Class
Tow-Truck Vehicle-in-Tow	LIC-REQ Restrictions
GVWR	04-01-91 (If needed)
a. <26,000# 10,000 # or less	<26,000# "D"*
b. <26,000# >10,000#	<26,000# "D"*
c. <26,000# 10,000 # or less	26,000# or more "C"
d. <26,000# >10,000#	26,000# or more "A" No Tr. Trl's**
e. >26,000# <10,000#	26,000# or more "B"
f. >26,000# >10,000#	26,000# or more "A" No Tr. Trl's**
	*Noncommercial Licenses
	**No Tractor-Trailers

Specific Authority ~~322.02(6)(3)~~ FS. Law Implemented ~~322.12(4), 322.57~~ FS. History–New 4-7-91, Amended.

15A-7.009 Issuance of Commercial Driver's License; Department; Duties.

(1) Check the driving record of the applicant as maintained by the department; and

(2) Electronically check Contact the Commercial Driver License Information System (CDLIS) to determine whether the applicant possesses a valid commercial driver's license issued by any other state, and whether such license or the applicant's privilege to operate commercial motor vehicle has been disqualified.

(3) Electronically check Contact the National Driver Register (NDR) to determine if the applicant has any open driver license suspensions, revocations or cancellations.

Specific Authority ~~322.02(6)(3)~~ FS. Law Implemented ~~322.17, 322.65~~ FS. History–New 4-7-91, Amended.

15A-7.010 Issuance of License; Department Notify Commercial Driver's License Information System.

Prior to the issuance of an original or renewal commercial driver's license or the reissuance of a commercial driver's license with a change of any classification, endorsement, restriction, or name change, the department shall electronically check notify the Commercial Driver License Information System (CDLIS) ~~of the issuance and shall provide the applicant's name, social security number and any other required information to the operator of the system.~~

Specific Authority ~~322.02(6)(3)~~ FS. Law Implemented ~~322.17, 322.65~~ FS., 49 CFR 383.153(b)(2) History–New 4-7-91, Amended.

15A-7.011 Administration of Commercial Driver's License Knowledge Tests.

(1) The department may offer knowledge tests in written, computer-assisted, or alternative formats.

~~(2) The department may offer the commercial driver's license general knowledge bus test to applicants who operate commercial buses or school buses only. Applicants choosing to take the general knowledge bus test, as opposed to the regular general knowledge test, shall have their commercial driver's license restricted to buses only for the class of license for which the applicant is applying.~~

~~(2)(3) Applicants must obtain a minimum score of 80 percent to pass a commercial driver's license knowledge test.~~

~~(4) A time limit may not be applied to;~~

~~(a) Alternative testing methods;~~

~~(b) Commercial driver's license general knowledge tests, except, any testing started shall be stopped at the station's regularly scheduled closing time.~~

~~(3)(5) Applicants who fail to pass the commercial driver's license knowledge test will be permitted to review the questions they missed.~~

~~(4)(6) Applicants are limited to two attempts per day on each type of knowledge exam. There is no limit on the number of times a knowledge test may be taken by an applicant.~~

Specific Authority ~~322.02(6)(3)~~ FS. Law Implemented ~~322.12(4), 322.57~~ FS., 49 CFR 383.121, 49 CFR 391.11(b)(2) History–New 4-7-91, Amended.

15A-7.012 Commercial Driver's License Skills Tests.

(1) The commercial driver's license skills test is a three-part test established by the department to certify the driving skills necessary for operation of a commercial motor vehicle. The test consists of:

- (a) Pretrip inspection; and
- (b) Basic vehicle control skills test; and
- (c) ~~Road test~~ Safe driving skills test.

(2) No change.

(3) A driver applicant is required to take the pretrip inspection, before any other part of the test is taken. An applicant must pass the basic control test before the road test. The following are exempt from this requirement ~~pass the commercial driver's license skills test in the order specified in subsection (1), except:~~

(a) ~~An applicant who qualifies for a waiver of skills tests as defined in Section 322.55, F.S.; or~~

(a)(b) An applicant for a class "C" commercial driver's license that will not be endorsed for school bus operation and that will be restricted to vehicles not equipped with air brakes will not be required to pass the pretrip inspection or the basic control skills test.

(b) An applicant for a class "C" commercial driver's license that will not have an air brake restriction must pass, at a minimum, the tests specified in subsection 15A-7.004(1), F.A.C., for removing CDL air brake restrictions in addition to the CDL road test specified in paragraph 15A-7.012(1)(c), F.A.C.

(4) A skills test applicant shall provide an appropriate vehicle for the skills test.

(a) The vehicle used for the skills test must be unloaded, except tow trucks may have a vehicle in tow and the towed vehicle must be unloaded.

(b) The vehicle used for the skills test must have a valid registration and proof of insurance, unless exempt from providing proof under current law.

(c) The vehicle cannot be laden with placarded hazardous materials.

(d) Motor vehicles provided must have a stationary seat to the right of the driver for use by the examiner who administers the test.

(5) An appointment is required for the CDL skills test.

(6) To achieve a passing score on the skills test, the driver applicant must demonstrate that he/she can successfully perform all of the skills listed in Title 49 Code of Federal Regulations 383.113.

(7) If the driver applicant does not obey traffic laws, commits a dangerous act, or causes a traffic crash during the test, he or she shall automatically fail the test. ~~Once any part of the test is failed, scoring of the test will end immediately.~~

(8) The required tests in this rule shall be conducted in on-street conditions or under a combination of on-street and off-street conditions.

Specific Authority ~~322.02(6)(3)~~ FS. Law Implemented 322.12(4), 322.57 FS., 49 CFR 383.113 History–New 4-7-91, Amended.

15A-7.013 Appropriate Motor Vehicle.

(1) Each applicant for a commercial driver's license shall provide a motor vehicle of a type appropriate to test the applicant's ability to drive motor vehicles that may be driven under the type and class of license for which the applicant will be skills tested.

(2) Class A Commercial Driver's License Skills Test.

(a) For ~~the~~ a Class A commercial driver's license ~~three-part~~ skills test, the applicant shall provide a tractor-trailer combination of vehicles with a GCWR of 26,001 ~~26000~~ or more pounds, provided the GVWR of the trailer being towed is in excess of 10,000 pounds GVWR.

(b) If the applicant provides a combination of vehicles other than tractor-trailer combinations the department shall restrict the applicant to combinations of vehicles other than tractor-trailers.

(c) If the motor vehicle is not a passenger transport combination vehicle (bus) designed to transport 16 or more passengers, including the driver, ~~or a school bus designed to transport 11 or more passengers, including the driver,~~ the department may not endorse the applicant's license for a passenger transport vehicle in that class of vehicle.

(3) Class B Commercial Driver's License Skills Test.

(a) The applicant shall provide any single motor vehicle with GVWR of 26,001 ~~26000~~ or more pounds, or any such vehicle towing a vehicle not in excess of 10,000 pounds GVWR.

(b) If the motor vehicle is not a passenger transport single unit vehicle (bus) designed to transport 16 or more passengers, including the driver ~~or a school bus designed to transport 11 or more passengers, including the driver,~~ the department may not endorse the applicant's license for a passenger endorsement vehicle in that class of vehicle. Note: Federal regulations require all drivers operating a school bus be licensed with a Commercial Driver License having both the passenger endorsement and school bus endorsement.

(4) Class C Commercial Driver's License Skills Test. The department may permit an appropriate noncommercial motor vehicle to be used in the skills testing of an applicant for a commercial driver's license in this class.

(5) Vehicles used for skills testing to obtain a school bus endorsement must be identified as a School Bus on the federal certification plate and be equipped, at a minimum, with a stop arm, emergency exit, front and rear red flashing loading lights, front corner mounted student mirror, right and left exterior rear view mirrors, interior student mirror, and emergency flares or triangle reflectors.

(6) If the vehicle used for testing is equipped with an automatic transmission, the applicant will have an automatic transmission restriction applied to the license.

Specific Authority 322.02(6)(~~3~~) FS. Law Implemented 322.12(4)
322.57 FS. History–New 4-7-91, Amended_____.

15A-7.014 Commercial Driver’s License Document; Requirements; Class; Security Features.

A commercial driver’s license issued by the department shall comply with all of the following:

(1) Requirements set forth in Sections 322.14 and 322.08, F.S.

(2) Upon request of the person to whom the license is issued, a license shall indicate the fact that the person is an anatomical donor.

(3) A commercial driver’s license shall indicate the class of license issued, and the acronym “CDL” shall appear on the face of the license.

(4) The department shall use such security procedures, processes and materials in the preparation, manufacture and issuance of any commercial driver’s license that prohibits as nearly as possible anyone’s ability to alter, counterfeit, duplicate or modify the license without ready detection. The security features used in the production of the licenses shall provide for the rapid authentication of a genuine document.

Specific Authority 322.02(6)(~~3~~) FS. Law Implemented 322.08, 322.14 FS. History–New 4-7-91, Repromulgated_____.

15A-7.015 Commercial Driver’s License for Hardship Purposes Only.

The department will not issue a hardship commercial driver’s license authorizing a person to drive a commercial motor vehicle if the person’s commercial driver’s license is disqualified, suspended, revoked, or canceled.

Specific Authority 322.02(6)(~~3~~) FS. Law Implemented 322.272 FS. History–New 4-7-91, Amended_____.

15A-7.016 Persons Exempt from Requirements of Commercial Driver’s License Program; Noncommercial Driver’s License Endorsement.

(1) The following persons are exempt from the requirement to obtain a commercial driver’s license:

(a) Legitimate farm to market operations by farmers and to those operators of a farm vehicle which is:

1. Controlled and operated by a farmer;
2. Used to transport either agricultural, horticultural or forestry products, farm machinery, farm supplies or both to or from farm or harvest place to the first place of processing or storage or from farm or harvest place directly to market;
3. Not used in the operations of a common or contract motor carrier; and
4. Used within 150 miles of the person’s farm.

(b) Military personnel driving military vehicles. This exemption applies to any active duty military personnel, and members of the reserves and national guard on active duty

including personnel on full time national guard duty, personnel on part-time training and national guard military technicians (civilians who are required to wear military uniforms and are subject to the code of military justice);

(c) Drivers of authorized emergency vehicles as defined in Section 322.01(4), F.S. This exemption applies to drivers who operate emergency or fire equipment which is necessary for the preservation of life or property or the execution of emergency governmental functions performed under emergency conditions and are not subject to normal traffic regulations. These vehicles are equipped with audible and visual signals and are operated by a person in the employ of a volunteer or paid fire organization. Emergency equipment such as a fire truck, hook and ladder truck, foam or water transporter or other vehicles used only in response to emergencies are included;

(d) Drivers of recreational vehicles, as defined in Section 320.01, Florida Statutes. This exemption applies to drivers of recreational vehicles operated solely as a family/personal conveyance for recreational purposes;

(e) Drivers of straight trucks that are exclusively transporting their own tangible personal property which is not for sale.

(2) “Operated by a farmer” in (1) above can include employees or family members of the farmer, as long as the vehicle is controlled by the farmer and conditions 2. through 4. are met, but not employees whose primary purpose of employment is the operation of motor vehicles.

~~(3) A person operating a farm commercial motor vehicle is required to have a valid class D driver’s license which contains the endorsement “F – Farm Commercial Motor Vehicle.” The “F” endorsement is to be issued without additional charge.~~

~~(4) A person operating an authorized emergency commercial motor vehicle is required to have a valid class D driver’s license which contains the endorsement “E” – Emergency Commercial Motor Vehicle.” The “E” endorsement is to be issued without additional charge.~~

Specific Authority 322.02(6)(~~3~~), 322.53(5) FS. Law Implemented 322.01(18), 322.53(2), (4) FS. History–New 4-7-91, Amended_____.

15A-7.017 Hazmat Endorsement Threat Assessment Program.

(1) All applicants for a CDL hazardous materials (Hazmat) endorsements are required to undergo fingerprint-based background checks in accordance with the USA Patriot Act and federal regulations of the Transportation Security Administration, 49 CFR, Part 1572. Department policy and procedures for processing Hazmat applicants procedures conform to 49 CFR Part 1572 in all respects.

(2) Hazmat endorsements and the associated background check results obtained in other states are not transferable to Florida CDLs. All Hazmat applicants including applicants

reciprocating an out of state Hazmat-endorsement CDL are required to pass a new Hazmat knowledge exam and a new background check. Applicants presenting Hazmat endorsed CDLs from other states in conjunction with application for a Florida CDL will receive a 90-day temporary Hazmat endorsement pending completion of this process. Florida CDLs issued to these applicants will display "Hazmat until (date of issuance + 90 days)".

(3) Hazardous materials knowledge test results older than 60 days prior to the date of application may not be used to meet the testing requirement for issuance of a Hazmat endorsement.

(4) In accordance with Section 322.18(2)(e), Florida Statutes, hazmat-endorsement CDLs are valid for a period of 4 years. Hazmat-endorsement CDLs may be renewed up to 12 months in advance of their expiration dates.

(5) In accordance with Section 322.21(1)(f), Florida Statutes, the application fee for a Hazmat endorsement is initially set at \$91. The Hazmat application fee may be adjusted within the statutory maximum of \$100 as may be needed to accommodate changes in fees charged to the Department for this process by the Florida Department of Law Enforcement, the Federal Bureau of Investigation and the Transportation Security Administration. This fee applies in addition to other applicable issuance and endorsement fees established by Section 322.21, Florida Statutes.

Specific Authority 322.02(6) FS. Law Implemented 322.18(2)(e), 322.21(1)(f) FS., 49 CFR Part 1572. History--New _____.

15A-7.018 Military Qualifications for Waiver of Commercial Driver License Skills Test.

In accordance with Federal Motor Carrier Safety Administration Regulation 49 CFR, Section 383.77, applicants seeking waiver of CDL skills testing due to military experience must:

(1) Pass all required written knowledge exams for the CDL class and endorsements they will be issued.

(2) Apply for the CDL qualification waiver while on active duty status or within 90 days of separation of service. The applicant must provide a military active duty identification card or DD-214 (military discharge papers). The skills test waiver process must be completed, and the CDL issued, within 120 days of separation from service.

(3) Certify that for at least 2 years immediately preceding the application, he or she operated a motor vehicle representative of the CDL class and endorsements for which he or she is applying.

(4) To waive the CDL skills test the applicant must present the Certification for Waiver of Skill Test for Military Personnel form, filled out in its entirety, and signed by his or her commanding officer or designee.

Specific Authority 322.02(6) FS. Law Implemented 322.12 FS., 49 CFR Part 383.77. History--New _____.

15A-7.019 Third Party Testing Program.

(1) Commercial Driver License Third Party Administrators and Third Party Testers may be authorized by the Department to conduct driver license tests in accordance with Section 322.56, Florida Statutes.

(2) Commercial Driver License Third Party Administrators and Third Party Testers shall comply with all rules established in this chapter except those that by their nature cannot apply.

(3) Commercial Driver License Third Party Administrators and Third Party Testers shall comply with contractual agreements, instructional manuals, approved testing locations and routes, and similar written documents establishing policies, procedures, and recordkeeping requirements to maintain the integrity of the testing program.

(4) Electronic and written records created by Commercial Driver License Third Party Administrators and Third Party Testers are public records of the State of Florida, and are subject to applicable laws and penalties regarding falsification of such records. Acts that constitute falsification of third party testing records include, but are not limited to:

(a) Entry of information on CDL test score sheets (form HSMV 7183) that falsifies the parts of a test performed, the type of vehicle used, the test applicant's (driver's) performance, the time of a test or any of its parts, the identity of the applicant, or the identity of the person conducting the test;

(b) Entry of information in the Department's electronic test records that falsifies the parts of a test performed, the type of vehicle used, the test applicant's (driver's) performance, the time of a test or any of its parts, the identity of the applicant, or the identity of the person conducting the test. Use of the tester's login name and password to create an electronic test record is deemed an electronic signature affirming that the test was personally conducted and the results were entered by that tester.

(c) Withholding or destruction of information that falsifies the true record of test activity, such as not recording a test given but failed by the applicant.

Specific Authority 322.02(6) FS. Law Implemented 322.56 FS., 49 CFR Part 383.75. 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 BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: 61C-4.010 RULE TITLE: Sanitation and Safety Requirements
 PURPOSE AND EFFECT: The purpose of the proposed rule is to require public food service establishment employees to complete a Hospitality Education Program workshop following a suspected or confirmed food borne illness. Requiring the training will increase awareness of techniques to prevent the spread of food borne illness.
 SUBJECT AREA TO BE ADDRESSED: The proposed rule addresses the Hospitality Education Program training required following specific food borne illness investigations.
 SPECIFIC AUTHORITY: 509.032 FS.
 LAW IMPLEMENTED: 509.032 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Michelle Comingore, Operations Review Specialist, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 N. Monroe St., Tallahassee, FL 32303-1012, telephone: (850)488-1133

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

- 61C-4.010 Sanitation and Safety Requirements.
- (1) through (7) No change.
- (8) Training Required for Suspected or Confirmed Food Borne Illness – When an epidemiology investigation conducted by the Department of Health results in a report of a suspected or confirmed food borne illness at a public food service establishment licensed by the division the public food service establishment’s employees, including all managers, shall complete a Hospitality Education Program training workshop addressing food borne illness prevention techniques. Failure to complete the training within 90 days of the date the division notifies the public food service establishment that the training is required may result in enforcement action, as authorized by Section 509.261, F.S.

Specific Authority 509.032 FS. Law Implemented 509.032, 509.035, 509.221 FS. History–New 1-1-77, Amended 1-6-81, Formerly 10D-13.23, Amended 2-21-91, Formerly 10D-13.023, 7C-4.010, Amended 3-31-94, 9-25-96, 1-1-98, 7-2-98, 12-6-00, 2-27-05_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: 61G4-15.012 RULE TITLE: Certification of Residential Solar Water Heating Specialty Contractors
 PURPOSE AND EFFECT: The Board proposes the amendment to address the certification of residential solar water heating contractors.
 SUBJECT AREA TO BE ADDRESSED: Certification of residential solar water heating specialty contractors.
 SPECIFIC AUTHORITY: 120.53, 455.217(1), 489.113(6), 489.115(4) FS.
 LAW IMPLEMENTED: 120.53, 455.217(1), 489.113(6), 489.115(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: G. W. Harrell, Executive Director, Construction Industry Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors’ Licensing Board

RULE NO.: 61G6-5.002 RULE TITLE: Application for Certification by Examination; Reexamination
 PURPOSE AND EFFECT: The purpose and effect is to create and add a new Application for Certification by Examination form.
 SUBJECT AREA TO BE ADDRESSED: Application for Certification by Examination; Reexamination.
 SPECIFIC AUTHORITY: 489.507(3) FS.
 LAW IMPLEMENTED: 489.511 FS.

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

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

B. Spivey, Executive Director, Electrical Contractors' Licensing Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Division of Health Access and Tobacco

RULE NOS.:	RULE TITLES:
64I-1.001	Definitions
64I-1.002	Services
64I-1.003	Order of Selection
64I-1.004	Scope of Services

PURPOSE AND EFFECT: To develop an order of selection for eligibility to the Brain and Spinal Cord Injury Program (BSCIP) and to define the scope of services provided by the BSCIP.

SUBJECT AREA TO BE ADDRESSED: Order of selection and scope of services.

SPECIFIC AUTHORITY: 381.0011 FS.

LAW IMPLEMENTED: 381.7395, 381.745, 381.76, 381.79 FS.

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

DATES AND TIME: August 29, 2008, 8:30 a.m.; September 30, 2008, 8:30 a.m.; October 27, 2008, 8:30 a.m.

PLACE: Physical location for August 29, 2008: Tampa General Hospital, R-200 Rehab Center, 2 Columbia Drive, Tampa, FL 33606; Physical location for September 30, 2008: Betty Easley Conference Center, 4075 Esplanade Way, Room 152, Tallahassee, FL 32399; Physical location for October 27: Rhode State Building, Conference Room N423 in North Tower, 401 N. W. 2nd Avenue, Miami, FL 33128

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: Suzanne Kelly, Department of Health, 4052 Bald Cypress Way, Tallahassee, FL 32399, (850)245-4110. 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: Suzanne Kelly, Department of Health, 4052 Bald Cypress Way, Tallahassee, FL 32399, (850)245-4110

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

**Section II
Proposed Rules**

DEPARTMENT OF STATE

Division of Elections

RULE NO.:	RULE TITLE:
1S-2.009	Constitutional Amendment by Initiative Petition

PURPOSE AND EFFECT: The amendments to this rule update the procedures governing the content of constitutional amendment initiative petitions.

SUMMARY: The proposed amendments primarily implement changes to procedural requirements for submission of constitutional amendment initiative petition forms and their contents. The revised rule clarifies that the sponsoring political committee must include its address in the political disclaimer portion of the form and that no additional information other than that permitted by the rule may be printed on the petition form. The rule deletes the provision that prohibits the bundling of petitions while being circulated for signature because Section 100.371, F.S., now expressly contains the prohibition. The rule also corrects an incorrect citation to the specific authority for the rule and adds the Florida Constitution as an implementing law source.

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

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

SPECIFIC AUTHORITY: 20.10(3), 97.012(1), 100.371(2), (7), 101.161(2) FS.

LAW IMPLEMENTED: Art XI, Fla. Const., 100.371, 101.161 FS.

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

DATE AND TIME: Monday, September 8, 2008, 2:00 p.m.

PLACE: Room 307, R. A. Gray Building, 500 S. Bronough Street, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Nolah Shotwell, Executive Assistant, Office of General Counsel, Florida Department of State at (850)245-6536; nlshotwell@dos.state.fl.us. If you are hearing

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Gary J. Holland, Assistant General Counsel, Office of General Counsel, Florida Department of State at (850)245-6536; email: gjholland@dos.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

1S-2.009 Constitutional Amendment by Initiative Petition.

(1) Submission of Initiative Petition. Any proposed initiative amendment to the State Constitution to be placed on the ballot shall be submitted by the sponsoring political committee to the Division of Elections for approval as to format prior to circulation of the proposed initiative amendment. Such submission shall be in writing and shall include a copy or a facsimile of the proposed form to be circulated. No initiative petition form for signatures may be circulated unless approved by the Division of Elections.

(2) Requirements and Approval of Initiative Petition Form. The Division shall review the initiative petition form solely for sufficiency of the format and shall render a decision within seven (7) days following receipt. The Division shall not review the petition form for legal sufficiency. The format of the petition form is deemed sufficient only if the petition form:

(a) Is printed on separate cards or individual sheets of paper. The minimum size of such forms shall be 3 inches by 5 inches and the maximum shall be 8 1/2 inches by 11 inches.

(b) Is clearly and conspicuously entitled at the top of the form "Constitutional Amendment Petition Form."

(c) Includes adequate space for the voter's name, residential street address, city, county, voter registration number, date of birth, signature, and date of signature.

(d) Contains the ballot title that shall not exceed 15 words and the ballot summary of the proposed amendment or other public measure that shall not exceed 75 words in length as prescribed in subsection (4).

(e) Conspicuously contains in the following order:

1. The ballot title;
2. The ballot summary;
3. The article and section being created or amended; and
4. The full text of the amendment being proposed. If the text must be printed on both sides of the form, it shall be clearly indicated that the text is continued or begins on the other side.

(f) Contains space for only one voter's signature to be located below the full text of the amendment being proposed. The Division will not approve petition forms providing for multiple signatures per page.

(g) Is marked, in accordance with Section 106.143, F.S., governing political disclaimers, with "paid political advertisement" or contains the abbreviation "pd. pol. adv." and identifies the name and address of the sponsoring political

committee, and the name of the entity paying for the advertisement if different from the name of the sponsoring political committee.

(h) Contains space, in accordance with Section 106.19(3), F.S., for the name and address of a paid petition circulator, in the event the petition form is gathered by a paid petition circulator.

(3) Sample Petition Form. The format of an initiative petition submitted for review and approval by the Division of Elections shall be substantially in accordance with Form DS-DE 19 (effective 10-15-07), entitled "Constitutional Amendment Petition Form." Form DS-DE 19 is hereby incorporated by reference and is available from the Division of Elections, Room 316, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250, (850)245-6500, or by download from the Division of Elections' rules webpage at: <http://election.dos.state.fl.us>.

(4) Word Count. The following provisions apply to determine the word count for a ballot title and summary:

(a) Hyphenated compound words count as two or more words.

(b) An ampersand or a plus or minus sign shall count as one word.

(c) Punctuation such as commas, periods, hyphens, question marks, parentheses, quotation marks or exclamation points does not affect the word count.

(d) Each word joined by a forward or back slash to another word counts separately as a word.

(e) Each part of a date counts as one word. Example: January 1, 2025 shall count as three words.

(f) Each word in a name is individually counted. Example: George Washington shall count as two words.

(g) Each whole number shall count as a word.

(h) Spaces do not affect the word count.

(5) Additional Information or Materials. Other than providing information or a method by which the petition form may be returned by mail to the sponsoring committee, no additional information or materials ~~that support the proposed amendment~~ shall be printed directly on the form.

(6) Assignment of a Serial Number. The Division shall assign a serial number to each approved petition form. The serial number shall begin with the last two digits of the calendar year in which the petition form is approved followed by a number in numerical sequence. For example, the first petition form approved in 2006 is assigned the serial number 06-1. The serial number assigned must be printed in the lower right hand corner of the petition form.

(7) Changes. Any change to a previously approved petition form shall be submitted to the Division of Elections for review. No person or entity other than the sponsoring political committee of the previously approved petition form can submit a change or changes to the previously approved petition form. The Division of Elections must approve any material change to a previously approved petition form. A material change

constitutes a change in the wording of the text of the proposed amendment, the ballot title, or ballot summary, or a change in punctuation or layout, or a change in the name of the sponsoring political committee. A translation into another language does not constitute a material change to an initiative petition form. Any material change submitted for approval to a previously approved initiative petition constitutes a request for approval of a new petition form and shall be assigned a different serial number upon approval by the Division of Elections.

~~(8) Bundling. No initiative petition form circulated for signature may be bundled with or attached to any other petition form.~~

~~(8)(9)~~ Reproduction. Petition forms may be reproduced in newspapers, magazines, and other forms of printed mass media or made available through the internet for download printing, provided such forms are reproduced in the same format as approved by the Division. The petition forms may be included within a larger advertisement, provided the forms are clearly defined by a solid or broken line border.

~~(9)(10)~~ Submission of Signed Petition Forms. All signed petition forms shall be returned to the sponsoring political committee. Only the sponsoring political committee shall submit the signed petition forms to the Supervisors of Elections for verification of signatures in accordance with Rule 1S-2.0091, F.A.C.

~~(10)(11)~~ Effect on Previously Approved Petition Form. Any petition form approved by the Division of Elections prior to the effective date of this rule may continue to be used and circulated for signature gathering unless a material change to the previously approved petition form has been approved by the Division of Elections or until the sponsoring political committee notifies the Division of Elections that the committee is no longer seeking to obtain ballot position, or the registration of the sponsoring political committee has been revoked in accordance with Rule 1S-2.021, F.A.C.

Specific Authority 20.10(3), 97.012(1), 100.371(2)(3), (7), 101.161(2) FS. Law Implemented Art XI, Fla. Const., 100.371, 101.161 FS. History—New 7-2-79, Formerly 1C-7.09, Amended 7-7-86, Formerly 1C-7.009, Amended 3-5-96, 7-31-02, 3-16-06, 10-15-07, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Gary J. Holland, Assistant General Counsel, Office of General Counsel, Florida Department of State at (850)245-6536; email: gjholland@dos.state.fl.us

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Kurt S. Browning, Secretary of State

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 30, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 15, 2008

DEPARTMENT OF STATE

Division of Elections

RULE NO.: 1S-2.0091
 RULE TITLE: Constitutional Amendment Initiative Petition; Submission Deadline; Signature Verification

PURPOSE AND EFFECT: The amendments to this rule primarily are based upon amendments to Section 100.371, Florida Statutes, in Chapter 2008-95, Laws of Florida. The amendments altered the requirements relating to the recording by the supervisors of elections and the determination by the Secretary of State regarding verified signatures on citizen constitutional initiative petition forms.

SUMMARY: The proposed amendments to this rule delete the requirement that verified signatures be recorded in the statewide voter registration system. The revised rule adopts a paper certification system for use by the supervisors of elections in reporting signature verifications to the Secretary of State. The amended rule prescribes that the petition signatures must be verified and reported to the Division of Elections no later than 5:00 p.m. on February 1st of the year in which the general election is held in order for the signatures to be timely filed in determining whether the requisite number of signatures has been obtained for ballot position. Revocation petitions also have to be reported to the Division by the same deadline in order for the revocations to be deducted from the number of verified signatures on the corresponding initiative petition. The revised rule also deletes obsolete language.

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

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

SPECIFIC AUTHORITY: 20.10(3), 97.012(1), 100.371(7) FS. LAW IMPLEMENTED: Art XI, Fla. Const., 100.371 FS.

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

DATE AND TIME: Monday, September 8, 2008, 2:00 p.m.

PLACE: Room 307, R. A. Gray Building, 500 S. Bronough Street, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Nolah Shotwell, Executive Assistant, Office of General Counsel, Florida Department of State at (850)245-6536; nlshotwell@dos.state.fl.us. If you are hearing

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Gary J. Holland, Assistant General Counsel, Office of General Counsel, Florida Department of State at (850)245-6536; email: gjholland@dos.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

1S-2.0091 Constitutional Amendment Initiative Petition; Submission Deadline; Signature Verification.

(1) Submission. Signed initiative petition forms proposing amendments to the Florida Constitution shall be submitted solely by the sponsoring political committee to the Supervisor of Elections in the county in which the petition forms were circulated. It is the responsibility of the sponsoring political committee to ensure that the signed petition form is properly filed with, or if misfiled forwarded to, the Supervisor of Elections of the county in which the signer is a registered voter. In the case of a misfiled petition, the filing date of the petition is the date such petition is filed with the proper county.

(2) Signature Verification.

(a) In accordance with the signature verification fee provisions in Section 99.097(4), F.S., the Supervisor of Elections shall verify the signatures on each initiative petition form within 30 days of receipt of the form to ensure that each person signing the petition form:

1. Was, at the time of signing and verification of the petitions, a registered voter in the county in which the petition is submitted,
2. Had not previously revoked his or her signature on the petition,
3. Had not signed the petition form more than four years prior to the date the Supervisor verified the petition, and
4. Had not ever previously signed a petition form containing the identical initiative.

(b) The Supervisor shall not verify a signature on an initiative petition form unless all of the following information is contained on the petition form:

1. The voter's name,
2. The voter's residential street address (including city and county),
3. The voter's date of birth or voter registration number,
4. The voter's original signature, and
5. The date the voter signed the petition, as recorded by the voter.

(3) Random Sampling Not Permitted. Supervisors of Elections may not use random sampling as a method for verifying signatures on constitutional amendment initiative petitions.

~~(4) Recordation of Verification. No later than 24 hours after verification of signatures on submitted initiative petition forms, the Supervisor of Elections shall directly record into the statewide voter registration system each valid and verified signature. The appropriate supervisor of elections for each respective voter whose signature is verified as valid shall record the date the form was received, the date of the signature, the date the signature was verified, and the assigned serial number for the applicable initiative petition. Upon completion of the verifications as set forth in subsection (2), the Supervisors of Elections shall submit to the Division of Elections a certificate indicating the total number of signatures verified and the distribution by congressional district. In conjunction with each certificate submitted, each Supervisor shall submit a copy of one petition showing the text of the constitutional amendment to which the verified signatures relate. Certificates may be submitted by the Supervisor via facsimile in order to meet the filing deadline, followed by the original certificates sent by mail.~~

~~(5)(a) Filing Deadline. Determination of Constitutionally Requisite Number of Signatures. The Division shall determine from the verified petition signatures recorded in the statewide voter registration system whether the constitutionally requisite number of verified signatures has been obtained with respect to each constitutional amendment for each congressional district and the State as a whole. In order for the initiative petition to be timely filed for appearance on the ballot for the next general election, the constitutionally requisite number of verified signatures must be verified and reported to the Division recorded in the statewide voter registration system no later than 5:00 p.m. on February 1 of the year in which the general election is held.-~~

~~(6)(b) Effect of Revocation Petition. Prior to any determination that the constitutionally requisite number of signatures has been obtained for purposes of placing an amendment by initiative on the ballot, the Division shall determine in accordance with Rule 1S-2.0095, F.A.C., the number of verified petition revocations reported to the Division recorded no later than 5:00 p.m. on February 1 of the same year. The Division shall then deduct that number from the number of verified signatures reported recorded for the underlying applicable constitutional initiative amendment. Upon a determination that the constitutionally requisite number of signatures has been obtained, the Secretary of State shall issue a certificate of ballot position in accordance with Section 100.371, F.S., to the appropriate sponsoring political committee and assign a designating ballot number.~~

~~(e) For any constitutional amendment by initiative that obtained a certification of ballot position prior to the effective date of this rule, a determination shall be made whether the number of verified signatures for petition revocations recorded as of 5:00 p.m. on February 1 of the year in which the next~~

~~general election is held is sufficient to reduce the number of verified signatures for the underlying initiative amendment below the constitutionally required number of signatures obtained for ballot placement. If the number of recorded verified petition revocations is sufficient, then the initiative amendment is removed or stricken from the ballot in accordance with subsection 1S 2.0011(3), F.A.C.~~

~~(7)(5) Limitation on Use of Verified Signatures. Verified signatures used successfully to place a proposed amendment by initiative on the ballot that subsequently fails to be approved by the electors at the general election shall not be used again in support of any future initiative petition.~~

~~Specific Authority 20.10(3), 97.012(1), 100.371(7) FS. Law Implemented Art XI, Fla. Const., 100.371 FS. History—New 1-6-80, Amended 12-20-83, Formerly 1C-7.091, 1C-7.0091, Amended 2-13-90, 3-5-96, 1-5-04, 3-16-06, 10-15-07, _____.~~

NAME OF PERSON ORIGINATING PROPOSED RULE:
Gary J. Holland, Assistant General Counsel, Office of General Counsel, Florida Department of State at (850)245-6536; email: gjholland@dos.state.fl.us

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Kurt S. Browning, Secretary of State

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 30, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 15, 2008

DEPARTMENT OF STATE

Division of Elections

RULE NO.: 1S-2.0095
 RULE TITLE: Constitutional Amendment Initiative Petition Revocation; Petition Approval; Submission Deadline; Signature Verification

PURPOSE AND EFFECT: The amendments to this proposed rule primarily implement the amendments to Section 100.371, Florida Statutes, in Chapter 2008-95, Laws of Florida. The statutory amendments deleted the requirement that verified signatures on petition revocation forms be recorded in the statewide voter registration system; mandated the adoption of petition revocation forms, to include a standard form when no corresponding initiative petition has been submitted and approved; specifically prohibited the bundling of petition forms circulated for signature; and mandated the adoption by rule of petition-revocation forms.

SUMMARY: The proposed amended rule removes the requirement that signature verifications on revocation petitions be recorded in the statewide voter registration system; instead, the rule institutes a paper certification procedure. The rule also adopts and incorporates a standard revocation form to be used when no sponsor of a revocation petition form exists. The rule deletes the provision that prohibits bundling of revocation

petitions as being unnecessary, because Section 100.371, F.S., requires that the manner in which signatures on petition revocation forms are obtained be subject to the same requirements as the corresponding petition form. The statute now expressly provides that petition forms cannot be bundled while being circulated for signature. The rule clarifies that the sponsoring political committee also must include its address in the political disclaimer portion of the revocation form and that no additional information other than that required by the rule may be printed on the petition revocation form. The rule also deletes obsolete language.

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

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

SPECIFIC AUTHORITY: 20.10(3), 97.012(1), 100.371(7) FS. LAW IMPLEMENTED: 100.371, 101.161 FS.

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

DATE AND TIME: Monday, September 8, 2008, 2:00 p.m.
 PLACE: Room 307, R. A. Gray Building, 500 S. Bronough Street, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Nolah Shotwell, Executive Assistant, Office of General Counsel, Florida Department of State at (850)245-6536; nlshotwell@dos.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Gary J. Holland, Assistant General Counsel, Office of General Counsel, Florida Department of State at (850)245-6536; email: gjholland@dos.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

1S-2.0095 Constitutional Amendment Initiative Petition Revocation; Petition Approval; Submission Deadline; Signature Verification.

(1) Submission of Petition Revocation Form. Prior to circulation of a petition revocation form, any person or group sponsoring the revocation effort must register as a political committee pursuant to Chapter 106, F.S., and must obtain approval of the petition revocation form from the Division of Elections. Submissions shall be in writing and shall include a

copy or a facsimile of the proposed form to be circulated. No petition revocation form may be circulated unless approved by the Division of Elections.

(2) Requirements and Approval of Petition Revocation Form. The Division shall review the petition revocation form submitted by the sponsoring political committee solely for sufficiency of the format and shall render a decision within seven (7) days following receipt. The format of the petition revocation form is deemed sufficient only if the form:

(a) Is printed on separate cards or individual sheets of paper. The minimum size of such forms shall be 3 inches by 5 inches and the maximum shall be 8 1/2 inches by 11 inches.

(b) Is clearly and conspicuously entitled at the top of the form "Petition Revocation Form."

(c) Includes adequate space for the voter's name; residential street address, city, and county at the time of signing the initiative petition for which the signature is being revoked; voter registration number; date of birth; signature; and date of signature.

(d) Contains the ballot title and ballot summary of the proposed amendment in the initiative petition for which the signature is being revoked.

(e) Conspicuously contains the full text of the amendment for which the signature is being revoked, as indicated in the initiative petition as approved in Rule 1S-2.009, F.A.C. If the text must be printed on both sides of the form, it shall be clearly indicated that the text is continued or begins on the other side.

(f) Contains space for only one voter's signature, to be located below the full text of the amendment for which the signature is being revoked.

(g) Contains instructions below the signature of the voter that provide:

1. The Supervisor of Elections may not accept the petition revocation form directly from the voter;

2. The voter shall return the form to the political committee sponsoring the revocation petition; and

3. The contact information for the political committee sponsoring the revocation petition, which at a minimum, shall include its name and mailing address.

(h) Is marked, in accordance with Section 106.143, F.S., with the appropriate disclaimer which identifies the name and address of the political committee sponsoring the revocation effort and the name of the entity paying for the petition, if different from the name of the committee sponsoring the revocation effort.

(i) Contains space for the name and address of a paid petition circulator in the event the petition revocation form is gathered by a paid petition circulator.

(3) Format of Petition Revocation Form.

1. The format of the initiative petition revocation form sponsored by a political committee and submitted for review and approval by the Division of Elections shall be substantially

in accordance with Form DS-DE 19R (eff. 8/1/07), entitled "Petition Revocation Form." Form DS-DE 19R is hereby incorporated by reference and is available from the Division of Elections, Room 316, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250; (850)245-6500; or by download from the Division of Elections' webpage at <http://election.dos.state.fl.us>.

2. Any voter desiring to revoke his or her signature on an initiative petition when a political committee has not submitted and obtained approval of a petition-revocation form for the petition, shall use Form DS-DE 19R-SF (eff. 7/1/08), entitled "Petition Revocation Standard Form." Form DS-DE 19R-SF is hereby incorporated by reference and is available from the Division of Elections, Room 316, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250; (850)245-6500; by download from the Division of Elections' webpage at <http://election.dos.state.fl.us>.

(4) Additional Information or Materials. Other than providing information or a method by which the petition revocation form may be returned by mail to the political committee, no additional information or materials ~~that relate to the initiative petition or the petition revocation~~ shall be printed directly on the form.

(5) Assignment of a Serial Number. The Division shall assign a serial number to each approved petition revocation form sponsored by a political committee. The number shall be the serial number of the initiative petition form followed by an "R". For example, the serial number of the petition-revocation form on petition 06-1 would be 06-1R. The serial number assigned must be printed in the lower right hand corner of the petition revocation form.

~~(6) Bundling. No petition revocation form circulated for signature may be bundled with or attached to any other petition form or petition revocation form.~~

~~(6)(7) Reproduction.~~

(a) Petition-Revocation Forms Sponsored by a Political Committee. Blank pPetition-revocation forms sponsored by a political committee may be reproduced in newspapers, magazines, other forms of printed mass media or made available via the Internet for download or printing, provided such forms are reproduced in the same format as approved by the Division. The blank petition revocation form may be included within a larger advertisement, provided the forms are clearly defined by a solid or broken line border.

(b) Form DS-DE 19R-SF. A blank Form DS-DE 19R-SF may be reproduced by downloading from the Internet or photocopying another blank form, provided such form is reproduced in the same format as produced by the Division. Only an employee of the Division of Elections or a Supervisor of Elections' office, the voter who intends to sign the form, or someone at the voter's request may download or provide the voter with a copy of Form DS-DE-19R-SF for submission to a Supervisor of Elections.

~~(7)~~(8) Submission of Signed Petition Revocation Forms. All signed petition revocation forms, except for those properly submitted on Form DS-DE 19R-SF, shall be returned to the political committee sponsoring the revocation effort. Only the political committee sponsoring the revocation effort shall submit the signed petition revocation forms to the Supervisors of Elections for verification of signatures. When there is no sponsoring political committee, a voter shall submit the Form DS-DE 19R-SF directly to the Supervisor of Elections' office in person, through a person acting on the voter's behalf, or by mail, along with the signature verification fee required by Section 99.097(4), F.S. It is the responsibility of the political committee sponsoring the revocation effort to ensure that the signed petition revocation form is properly filed with, or if misfiled forwarded to, the supervisor of elections of the county in which the signee was a registered voter at the time of signing the underlying original initiative petition. In the case of a misfiled petition revocation form, the filing date of the petition revocation form is the date such petition is filed with the proper county.

~~(8)~~(9) Signature Verification.

(a) In accordance with the signature verification fee provisions in Section 99.097(4), F.S., the Supervisor of Elections shall verify the signatures on each petition revocation form within 30 days of receipt of the form and shall confirm that:

1. The underlying original initiative petition on which the signature is being revoked was verified;
2. The date the petition revocation form was signed by the voter is not more than 150 days from the date the underlying original initiative petition was signed; and
3. The voter is a registered voter in Florida at the time of verifying the signature on the petition revocation form.

(b) The Supervisor shall not verify a signature on a petition revocation form unless all of the following information is contained on the petition revocation form:

1. The voter's name;
2. The voter's residential street address (including city and county) that was recorded on the underlying original signature petition on which the voter desires to revoke his or her signature;
3. The voter's date of birth or voter registration number;
4. The voter's original signature; and
5. The date the voter signed the petition revocation form, as recorded by the voter.

~~(9)~~(10) Recordation of Verification. No later than 24 hours after verification of signatures on submitted petition revocation forms, the Supervisor of Elections shall record each valid and verified signature in the statewide voter registration system. The appropriate supervisor of elections for each respective voter whose signature is verified as valid shall record the date

the petition revocation form was received, the date of signature, the date the signature was verified, and the assigned serial number for the applicable revocation petition. Upon completion of the verifications as set forth in subsection (8), the Supervisors of Elections shall submit to the Division of Elections a certificate indicating the number of verified revocations and the distribution by congressional district. In conjunction with each certificate submitted, each Supervisor shall submit a copy of one revocation form to which the verified signatures relate. Certificates may be submitted by the Supervisor via facsimile in order to meet the deadline, followed by the original certificates sent by mail.

~~(10)~~(11) Filing Deadline. In order for a petition revocation form to count against the number of signatures recorded as verified for the underlying original initiative petition for the next general election, the signed petition revocation must be verified and received by Division of Elections entered into the statewide voter registration system no later than 5:00 p.m. of February 1 preceding the next general election in which the initiative amendment is certified for ballot position.

~~(11)~~(12) Availability of Forms. The sponsoring political committee for the petition revocation effort shall provide each supervisor of elections with petition revocation forms for distribution at the main and branch offices of the supervisor of elections.

~~(12)~~(13) Irrevocable Effect of Revocation. A voter may sign only one petition revocation form for the underlying original petition. In accordance with Section 104.185, F.S., when a voter signs a petition revocation form, the voter may not again sign the initiative petition on which the voter is seeking to revoke his or her signature.

~~(14) Applicability. Revocation of a voter's signature on an initiative petition may occur only on or after August 1, 2007 for a petition revocation form filed with the supervisor of elections not more than 150 days from the date the voter signed the underlying original initiative petition.~~

Specific Authority 20.10(3), 97.012(1), 100.371(7), 101.161 FS. Law Implemented 100.371, 101.161 FS. History—New 10-15-07, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Gary J. Holland, Assistant General Counsel, Office of General Counsel, Florida Department of State at (850)245-6536; email: gjholland@dos.state.fl.us

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Kurt S. Browning, Secretary of State
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 30, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 15, 2008

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Water Policy

RULE NOS.:	RULE TITLES:
5M-10.001	Purpose and Applicability
5M-10.002	Definitions
5M-10.003	Land Application Requirements
5M-10.004	Record Keeping

PURPOSE AND EFFECT: The purpose of this proposed rule is to provide requirements for agricultural operations that land-apply animal manure in the Caloosahatchee and St. Lucie River watersheds. Adherence to these requirements will reduce non-point source nutrient-related impacts within these watersheds and will help ensure that discharges from farms using manure as a fertilizer product have minimal individual or cumulative adverse impacts to state water resources.

SUMMARY: This proposed rule establishes requirements for agricultural operations that land-apply animal manure in the Caloosahatchee and St. Lucie River watersheds, including a threshold beyond which producers must develop and implement a Conservation Plan or Nutrient Management Plan that contains specific manure application requirements and limitations. The rule also requires record-keeping provisions.

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

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

SPECIFIC AUTHORITY: 373.4595(4)(a)2., 373.4595(4)(b)2. FS.

LAW IMPLEMENTED: 373.4595(4)(a)2., 373.4595(4)(b)2. FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Bill Bartnick, Environmental Administrator, Office of Agricultural Water Policy, 1203 Governor's Square Blvd., Suite 200, Tallahassee, Florida 32301, (850)617-1700 or fax (850)617-1701

THE FULL TEXT OF THE PROPOSED RULES IS:

5M-10.001 Purpose and Applicability.

The purpose of this rule is to provide requirements for agricultural operations that land-apply animal manure in the Caloosahatchee and St. Lucie River watersheds. Animal feeding operations or concentrated animal feeding operations subject to the permitting requirements in Chapter 62-670, F.A.C., are not affected by this rule.

Specific Authority 373.4595(4)(a)2., 373.4595(4)(b)2. FS. Law Implemented 373.4595(4)(a)2., 373.4595(4)(b)2. FS. History—New _____.

5M-10.002 Definitions.

(1) "Animal Manure" is animal excrement or animal waste and any mixed materials, including bedding, compost, yard waste, or other raw materials.

(2) "Conservation Plan" is a record of the decisions and supporting information for treatment of a unit of land or water consistent with the NRCS Field Office Technical Guide (FOTG) quality criteria for soil, water, air, plants, and animals, and takes into account economic and social considerations. The plan must be consistent with the NRCS National Planning Procedures Handbook, as amended, be approved by NRCS or an authorized technical service provider, and specify the schedule of operations and activities needed to address identified natural resource issues. The National Planning Procedures Handbook, Amendment 4, may be viewed at <http://policy.nrcs.usda.gov>, or obtained from USDA/NRCS, P. O. Box 141510, 2614 N. W. 43rd St., Gainesville, FL 32614-1510.

(3) "Nutrient Management Plan" is a record of the agricultural operation's planned actions developed in accordance with Section IV, Code 590 of United States Department of Agriculture-Natural Resources Conservation Service (NRCS) FOTG. Nutrient Management Plans specify the amount, placement, form, and timing of the application of nutrients, including manure, animal by-products, and soil amendments. The plan must be approved by NRCS or an authorized technical service provider. Code 590, Nutrient Management, may be viewed at <http://www.nrcs.usda.gov/Technical/efotg/>, or obtained from NRCS, P. O. Box 141510, 2614 N. W. 43rd St., Gainesville, FL 32614-1510.

Specific Authority 373.4595(4)(a)2., 373.4595(4)(b)2. FS. Law Implemented 373.4595(4)(a)2., 373.4595(4)(b)2. FS. History—New _____.

5M-10.003 Land Application Requirements.

(1) Agricultural operations that land-apply animal manure within the Caloosahatchee and St. Lucie River watersheds shall:

(a) Apply manure uniformly at a phosphorous-based agronomic rate, as determined by soil or plant tissue test results;

(b) Not apply manure when the soil is saturated or inundated with water;

(c) Not apply manure within 30 feet of any sinkhole, wetland or other surface waters as defined in Section 403.031, F.S.; and

(d) Not apply manure within 100 feet of an existing drinking water well.

(2) In addition to meeting the requirements in subsection (1), agricultural operations that land-apply animal manure at a rate that exceeds one ton per acre per year shall:

(a) Develop and implement a Nutrient Management Plan as defined in Rule 5M-10.002, F.A.C. The Nutrient Management Plan may be developed as part of a Conservation Plan as defined in Rule 5M-10.002, F.A.C. The plan shall be updated at least every five years; and

(b) Not apply manure within 50 feet of any sinkhole, wetland or surface waters as defined in Section 403.031, F.S.

Specific Authority 373.4595(4)(a)2., 373.4595(4)(b)2. FS. Law Implemented 373.4595(4)(a)2., 373.4595(4)(b)2. FS. History—New _____.

5M-10.004 Record Keeping.

All agricultural operations affected by this rule must document the dates of animal-manure applications and the annual application amounts, calculated on a pounds per acre basis for nitrogen and phosphorus, and submit this information annually to the Florida Department of Agriculture and Consumer Services, Office of Agricultural Water Policy, 1203 Governors Square Blvd., Suite 200, Tallahassee, Florida 32301. Producers who are required to have a Conservation Plan or Nutrient Management Plan pursuant to Rule 5M-10.003, F.A.C., must keep these plans onsite. All record-keeping documentation must be maintained for a minimum of five years and is subject to inspection.

Specific Authority 373.4595(4)(a)2., 373.4595(4)(b)2. FS. Law Implemented 373.4595(4)(a)2., 373.4595(4)(b)2. FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Lois T. Pride, Assistant Director, Office of Agricultural Water Policy

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Richard J. Budell, Director, Office of Agricultural Water Policy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 22, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 22, 2008

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF CITRUS

RULE NOS.:	RULE TITLES:
20-9.001	Fresh Form
20-9.002	Processed Form
20-9.004	Fruit Handled by Express and Gift Package Shippers
20-9.005	Requirements to Guarantee Payment of Excise Tax
20-9.006	Late Filing of Returns and Inadequacy of Bond

PURPOSE AND EFFECT: Deferring reporting of early season fruit and payment of taxes until after tax rate is approved by the FCC per statutory change to Section 601.15(3)(e), F.S.

SUMMARY: Deferring reporting of early season fruit and payment of taxes until after tax rate is approved by the FCC.

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: 601.10(1),(7), 601.15(1), (5), (6), (10)(a), 601.155(3), (7) FS.

LAW IMPLEMENTED: 601.15(1), (3), (5), (6), (9), 601.152, 601.154, 601.155(6), (7), (9) FS.

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

DATE AND TIME: September 17, 2008, 10:45 a.m.

PLACE: Florida Department of Citrus, 1115 E Memorial Blvd., Lakeland, FL 33801

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: Bill Jones at (863)499-2499. 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: Alice P Wiggins, License & Regulation Specialist, (863)499-2519 or awiggins@citrus.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

20-9.001 Fresh Form.

(1) Filing excise tax returns: All excise tax returns required to be filed by handlers of citrus entering the primary channel of trade in fresh form shall be filed with the Department of Citrus each week with the first cumulative

report due by November 10. Returns shall state stating the number of standard shipping boxes of 4/5 bushels, or equivalent, of each variety of citrus fruit handled during the preceding period or week. Excise taxes shall be filed on forms furnished by the Department of Citrus (incorporated by reference in Rule 20-100.004, F.A.C.) and shall be due and payable, or the amount guaranteed as hereinafter provided, when the citrus fruit is first handled in the primary channels of trade allowing a deferral for fruit handled prior to November until the November 10 deadline. Payment of taxes shall be remitted with the excise tax return for a period reported unless other payment schedules are prescribed in Chapter 20-9, F.A.C.

(2) No change.

Specific Authority 601.10(1), 601.15(1),(10)(a) FS. Law Implemented 601.15(5),(6) FS. History—Formerly 105-1.15(1), Revised 1-1-75 §(2), Amended 2-1-81, Formerly 20-9.01, Amended 7-21-92, 11-27-01,_____.

20-9.002 Processed Form.

(1) Filing excise tax returns: All excise tax returns required by law to be filed by handlers of citrus fruit sold or delivered for processing in the State shall be filed on forms furnished by the Department of Citrus (incorporated by reference in Rule 20-100.004, F.A.C.), and shall be filed with the Department of Citrus each week with the first cumulative report due by November 10. Returns shall state stating the number of standard packed boxes of 1-3/5 bushels, or equivalent thereof in other containers or in bulk, received during the preceding week. Excise taxes shall be due and payable at the time of delivery of such fruit to the handler, allowing a deferral for fruit handled prior to November until the November 10 deadline.

(2) All persons or entities required to file excise tax returns pursuant to Section 601.155, Florida Statutes, shall file, each week, an excise tax return on forms furnished by the Department of Citrus (incorporated by reference in Rule 20-100.004, F.A.C.).

(a) No change.

(b) Equalizing excise taxes shall be due and payable within 61 days after the first of the taxable privileges is exercised in this state. Taxable privileges exercised during August are due and payable by November 10, after the tax rate has been established in October.

(c) through (d) No change.

(3) through (4) No change.

Specific Authority 601.10(1), 601.15(1), (10)(a), 601.155(3), (7) FS. Law Implemented 601.15(5), (6), 601.155 FS. History—Formerly 105-1.15(2), Revised 1-1-75, § (2), Amended 11-21-77, 8-1-80, § (3), 2-1-81, 8-1-83, Formerly 20-9.02, Amended 7-21-86, 8-30-89, 8-27-91, 7-13-94, 10-22-95, 8-1-97, 8-3-00, 11-27-01, 7-23-03, 7-25-06,_____.

20-9.004 Fruit Handled by Express and Gift Package Shippers.

(1) Filing excise tax returns:

(a) Every shipper of express or gift packages shall file, as directed by the Department of Citrus, weekly returns of all fruit shipped in the preceding week with remittance attached for total excise taxes due, with the first cumulative report due by November 10.

(b) through (c) No change.

(d) The advertising excise taxes shall be due and payable at the time of offering such fruit for shipment allowing a deferral for fruit handled prior to November until the November 10 deadline.

(2) through (3) No change.

Specific Authority 601.10(1), 601.15(1), (10)(a) FS. Law Implemented 601.15(3), (5), (6), 601.152, 601.154 FS. History—Formerly 105-1.15(4), Revised 1-1-75, Formerly 20-9.04, Amended 12-10-95, 4-14-96, 11-27-01,_____.

20-9.005 Requirements to Guarantee Payment of Excise Tax.

To qualify to guarantee to the Department of Citrus payment of any excise tax imposed by law:

(1) No change.

(2) The total amount of such cash bond, surety bond or certificate of deposit shall be in an amount based upon the following formula:

(a) To determine the total estimated tax liability of the handler, multiply the number of boxes or equivalent boxes utilized in the prior season, or estimated utilization during the current season, including the exercised privileges of imported products, whichever is greater, times the total average tax rate from the prior season for fresh form and processed form ~~for the period covered by the bond.~~

(b) through (c) No change.

Specific Authority 601.10(1), 601.15(1), (5), (6), (10)(a) FS. Law Implemented 601.15(1), (5), (6), 601.152, 601.154, 601.155 FS. History—Formerly 105-1.15(5), Revised 1-1-75, Amended 11-21-77, 8-1-80, 2-1-81, 8-1-83, Formerly 20-9.05, Amended 11-27-01,_____.

20-9.006 Late Filing of Returns and Inadequacy of Bond.

All excise taxes levied and imposed on citrus fruit or product shall be paid or the amount thereof guaranteed at the time the fruit is first handled in the primary channel of trade, allowing a deferral for fruit handled prior to November until the November 10 deadline. Payments not made the week following entry into the primary channel of trade become delinquent for payments due after November 10. Payment shall be made in accordance with Rules 20-9.001, 20-9.002, 20-9.003 and 20-9.004, F.A.C.

(1) through (2) No change.

Specific Authority 601.10(1), (7), 601.15(1), (5), (6), (10)(a) FS. Law Implemented 601.15(5), (6), (9), 601.152, 601.154, 601.155(6), (7), (9), 601.27 FS. History—Formerly 105-1.15(6), Revised 1-1-75, Formerly 20-9.06, Amended 12-13-92, 10-17-93, 11-27-01,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Kenneth O. Keck, Executive Director
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Citrus Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 18, 2008
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 3, 2008

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: 40D-1.659
RULE TITLE: Forms and Instructions

PURPOSE AND EFFECT: The District needs accurate water use data from permittees to fulfill its statutory responsibilities and to protect the state’s water resource. This information is crucial in determining permit compliance, calculating conservation credits, estimating water use and for use in water supply planning. District rules require that flow meters required by Water Use Permits be tested for accuracy every 5 years. Currently permittees have their flow meters tested and submit the information in many different formats. To ensure that the testing is properly performed so that the flow meters are accurately tested and results reported, standardized testing and reporting requirements and a standardized test report form have been developed. The proposed rule amendments incorporate the new flow meter accuracy test form.

SUMMARY: The proposed amendments will adopt a flow meter test form to be used to demonstrate meter testing and reporting accuracy as required by Chapter 40D-2, F.A.C., Water Use Permits.

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

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

SPECIFIC AUTHORITY: 373.044, 373.113, 373.149, 373.171, 373.337 FS.

LAW IMPLEMENTED: 373.116, 373.206, 373.207, 373.209, 373.216, 373.219, 373.229, 373.239, 373.306, 373.308, 373.309, 373.313, 373.323, 373.324, 373.413, 373.414, 373.416, 373.419, 373.421, 668.50 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: Ron Cohen, Senior Professional Engineer, Regulation Performance Management Section, Regulation Performance Management Department, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4300

THE FULL TEXT OF THE PROPOSED RULE IS:

40D-1.659 Forms and Instructions.

The following forms and instructions have been approved by the Governing Board and are incorporated by reference into this chapter. Copies of these forms may be obtained from the District.

GROUNDWATER

(1) through (26) No change.

SURFACE WATER

(1) through (15) No change.

OTHER

(1) No change.

(2) FLOW METER ACCURACY VERIFICATION FORM, FORM NO. LEG-R.014.00 (07/08).

Specific Authority 373.044, 373.113, 373.149, 373.171, 373.337 FS. Law Implemented 373.116, 373.206, 373.207, 373.209, 373.216, 373.219, 373.229, 373.239, 373.306, 373.308, 373.309, 373.313, 373.323, 373.324, 373.413, 373.414, 373.416, 373.419, 373.421, 668.50 FS. History—New 12-31-74, Amended 10-24-76, Formerly 16J-0.40, 40D-1.901, 40D-1.1901, Amended 12-22-94, 5-10-95, 10-19-95, 5-26-96, 7-23-96, 2-16-99, 7-12-99, 7-15-99, 12-2-99, 5-31-00, 9-3-00,10-26-00, 6-26-01, 11-4-01, 6-12-02, 8-25-02, 2-26-03, 9-14-03, 9-30-04, 2-1-05, 6-5-05, 10-19-05, 2-6-07, 2-26-07, 9-27-07, 11-11-07, 11-25-07, 1-8-08, 4-7-08, 5-12-08, 5-20-08, 8-19-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Ron Cohen, Senior Professional Engineer, Regulation Performance Management Section, Regulation Performance Management Department, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4300

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governing Board of the Southwest Florida Water Management District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 29, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 13, 2008

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: 40D-2.091
RULE TITLE: Publications Incorporated by Reference

PURPOSE AND EFFECT: The District needs accurate water use data from permittees to fulfill its statutory responsibilities and to protect the state's water resource. This information is crucial in determining permit compliance, calculating

conservation credits, estimating water use and for use in water supply planning. District rules require that flow meters required by Water Use Permits be tested for accuracy every 5 years. Currently permittees have their flow meters tested and submit the information in many different formats. To ensure that the testing is properly performed so that the flow meters are accurately tested and reported, standardized testing and reporting requirements and a standardized test report form have been developed.

SUMMARY: The proposed amendments specify how to satisfy the Water Use Permit flow meter accuracy verification reporting requirements currently contained in Chapter 40D-2, F.A.C., Water Use Permits. In order to demonstrate compliance with flow meter testing and accuracy requirements the amendments require documentation of test equipment operator competency and test equipment calibration, a diagram and picture depicting the configuration and location of the test equipment, flow meter and pump, and use of the Flow Meter Accuracy Verification Form to report the results of the testing. Alternative methods to demonstrate compliance with the meter accuracy requirements are allowed for existing systems that would have to be retrofitted in order to allow for the specified testing. Clarifications are made to the procedure for reporting pumpage when a flow meter is not functioning correctly. In addition, staff has moved some existing language from one chapter of the Basis of Review to another to consolidate related provisions and to clarify the process.

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

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

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

LAW IMPLEMENTED: 373.036, 373.0361, 373.042, 373.0421, 373.0831, 373.116, 373.117, 373.118, 373.149, 373.171, 373.1963, 373.216, 373.219, 373.223, 373.229, 373.239, 373.243 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: Ron Cohen, Senior Professional Engineer, Regulation Performance Management Section, Regulation Performance Management Department, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4300

THE FULL TEXT OF THE PROPOSED RULE IS:

40D-2.091 Publications Incorporated by Reference.

The following publications are hereby incorporated by reference into this Chapter, and are available from the District upon request:

(1) Water Use Permit Information Manual Part B, "Basis of Review (____) (7-20-08)" and Part D, "Requirements for the Estimation of Permanent and Temporal Service Area Populations in the Southern Water Use Caution Area (1/07);"

(2) through (5) No change.

Specific Authority 373.044, 373.113, 373.118, 373.171 FS. Law Implemented 373.036, 373.0361, 373.042, 373.0421, 373.0831, 373.116, 373.117, 373.118, 373.149, 373.171, 373.1963, 373.216, 373.219, 373.223, 373.229, 373.239, 373.243 FS. History--New 10-1-89, Amended 11-15-90, 2-10-93, 3-30-93, 7-29-93, 4-11-94, 7-15-98, 7-28-98, 7-22-99, 12-2-99, 8-3-00, 9-3-00, 4-18-01, 4-14-02, 9-26-02, 1-1-03, 2-1-05, 10-19-05, 1-1-07, 8-23-07, 10-1-07, 10-22-07, 11-25-07, 12-24-07, 2-13-08, 2-18-08, 4-7-08, 5-12-08, 7-20-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ron Cohen, Senior Professional Engineer, Regulation Performance Management Section, Regulation Performance Management Department, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4300

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Southwest Florida Water Management District Governing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 29, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 13, 2008

**WATER USE PERMIT INFORMATION MANUAL
PART B, BASIS OF REVIEW
Chapter**

5.0 MONITORING REQUIREMENTS

The following provisions are added to the end of section 5.1. The paragraphs under the heading "Flow Meters" are primarily replicated from Chapter 6, the section titled "PUMPAGE REPORTING, 5. Flow Meters" except as noted through strikeout/underline. All other paragraphs are new:

Flow Meters

All required flow meters shall adhere to the following requirements and shall be installed and maintained as follows:

1. All meters shall be non-resettable, totalizing flow meters that have a totalizer of sufficient magnitude to retain total gallon data for a minimum of the three highest consecutive months permitted quantities. If other measuring devices or alternative ~~other~~ accounting or reporting methods are proposed, prior to installation, the Permittee shall submit documentation that the other measuring devices or accounting methods meet the accuracy requirement provided below stipulations listed in this condition. If the alternative

accounting method involves a meter belonging to another entity or to an alternative water supply provider, the Permittee shall submit documentation from the owner/supplier that the meter readings conform to these meter requirements. Approval for other measuring devices, or accounting methods must be obtained in writing from the Regulation Department Director.

a. The flow meter(s) or other approved flow-measuring device(s) shall have and maintain an accuracy within five percent of the actual flow as installed.

b. Accuracy testing requirements:

i. For newly metered withdrawal points, the flow meter installation water piping system shall be designed for inline field access for meter accuracy testing.

ii. The meter shall be tested for accuracy on-site, as installed, every five years beginning from the date of its installation for new meters or from the date of initial issuance of ~~the this permit condition containing the metering condition with an accuracy test requirement for existing meters.~~

iii. The testing frequency will be decreased if the Permittee demonstrates to the satisfaction of the District that a longer period of time for testing is warranted.

iv. The test will be accepted by the District only if performed by a person certified on knowledgeable in the test equipment used as described in the section entitled Flow Meter Verification, below.

v. If the actual flow is found to be greater than 5% different from the measured flow, within 30 days the Permittee shall have the meter re-calibrated, repaired, or replaced, whichever is necessary. Documentation of the test and a certificate of re-calibration, if applicable, shall be submitted within 30 days of each test or re-calibration.

2. The meter shall be installed according to the manufacturer's instructions for achieving accurate flow to the specifications above, or it shall be installed in a straight length of pipe where there is at least an upstream length equal to ten (10) times the outside pipe diameter and a downstream length equal to two (2) times the outside pipe diameter. Where there is not at least a length of ten diameters upstream available, flow straightening vanes shall be used in the upstream line. Existing systems that would require retrofitting to achieve the above standards will not be required to retrofit provided it is documented on the Flow Meter Accuracy Verification Form, Form No. LEG-R.014.00 (07/08) that the flow meter is accurately and reliably measuring flow over different flow ranges or for the permanent operating flow.

3. If a metered withdrawal point, AWS inflow line or re-pump withdrawal point is not utilized during a given month, the meter report shall be submitted to the District showing the same meter reading that was submitted the previous month.

4. Broken or malfunctioning meter:

a. If the meter or other flow-measuring device malfunctions or breaks, the Permittee shall:

a. Notify the District within 15 days of discovering the malfunction or breakage;

b. ~~The meter must be~~ Replaced the broken or malfunctioning meter with a repaired or new meter, subject to the same specifications given above, within 30 days of the discovery; and

c. Submit estimates of their pumpage as described below.

e. If the meter is removed from the withdrawal point for any other reason, it shall be replaced with another meter having the same specifications given above, or the meter shall be reinstalled within 30 days of its removal from the withdrawal. In either event, the withdrawal point shall not lack a fully functioning meter shall not be off the withdrawal point for more than 60 consecutive days.

5. While the meter is not functioning correctly off the withdrawal, the Permittee shall document the total amount of time in minutes that the withdrawal point was used for each month and multiply those minutes times the pump capacity (in gallons per minute) for total gallons estimate their use by multiplying the number of hours the withdrawal point was used during that month times the flow capacity of the pump or mainline, whichever is appropriate, or the Permittee may request instructions on how to estimate use from the Permit Data Section. The estimate of the number of gallons used each month during that period shall be submitted on District scanning forms and noted as estimated per instructions on the form noted as an estimate when it is submitted to the District. The reason for the necessity to estimate pumpage shall be reported with the estimate.

6. In the event a new meter is installed to replace a broken meter, the meter # and its installation shall meet the specifications of this Chapter condition. The permittee shall notify the District of the replacement with the first submittal of meter readings from the new meter.

Transferred from Chapter 6 -08

Flow Meter Verification

The following requirements pertain to the required flow meter testing:

1. Operators of meter testing equipment shall hold a valid certificate of competency to operate the type of equipment used. Certification from the test equipment manufacturer, or other recognized training entities will suffice. A copy of this certification shall be provided to the District with the Flow Meter Accuracy Verification Form, Form No. LEG-R.014.00 (07/08).

2. The test equipment shall have been calibrated within the previous twelve months of the submitted test and comply with current National Institute of Standards and Technology (N.I.S.T.) standards. A valid Certificate of Calibration, showing the date of calibration and N.I.S.T. traceability shall be provided to the District with the Flow Meter Accuracy Verification Form.

3. The Flow Meter Accuracy Verification Form, Form No. LEG-R.014.00 (07/08) shall be completed and provided to the District for each flow meter tested. This form can be obtained from the District’s website (www.watmatters.org). If the test equipment provides a printout of data that was input, this shall be submitted with the worksheet. The equipment’s water temperature shall be set to 72 degrees for ground water, and for other water sources the measured water temperature shall be used.

4. A diagram showing the precise location on the pipe where the testing equipment was mounted shall be supplied with the form. This diagram shall also show the pump, installed meter, the configuration (with all valves, tees, elbows, and any other possible flow disturbing devices) that exists between the pump and the test location clearly noted with measurements. If flow straightening vanes are utilized, their location(s) shall also be included in the diagram.

5. A picture(s) of the test location, including the pump, installed flow meter, and the measuring device, or for sites where the picture does not include all of the items listed above, a picture of the test site with a notation of distances to these items.

6. A minimum of two separate timed tests shall be performed for each meter. Each timed test shall consist of measuring flow using the test meter and the installed meter for a minimum of four minutes duration. If the two tests do not yield consistent results, additional tests shall be performed for a minimum of eight minutes or longer per test until consistent results are obtained. If the installed meter has a rate of flow, or large multiplier that does not allow for consistent results to be obtained with four- or eight-minute tests, the duration of the test shall be increased as necessary to obtain accurate and consistent results with respect to the type of flow meter installed. The results of two consistent tests shall be averaged, and the result will be considered the test result for the meter being tested. This result shall be expressed as a plus or minus percent (rounded to the nearest one-tenth percent) accuracy of the installed meter relative to the test meter. The percent accuracy indicates the deviation (if any), of the meter being tested from the test meter.

7. Flow meters that fail to meet the District’s accuracy requirements must be repaired or replaced within 30 days. These meters shall be retested after the repair and the results submitted to the District within 30 days of the test.

____-08

Chapter

6.0 PERMIT CONDITIONS

The following change is made to the section titled “Pumpage Reporting”:

PUMPAGE REPORTING

6. Flow Meters

The Permittee shall meter withdrawals from surface waters and/or the ground water resources, and meter readings from each withdrawal facility shall be recorded on a monthly

basis within the last week of the month. The meter reading(s) shall be reported to the Permit Data Section, Regulation Performance Management Records and Data Department on or before the tenth day of the following month. (using District-supplied scanning forms shall be used to submit the meter readings, unless the District has approved another arrangement for submission of this data has been approved in writing by the District.) on or before the tenth day of the following month. If a metered withdrawal is not utilized during a given month, the meter report shall be submitted to the District indicating the same meter reading as was submitted the previous month. The following withdrawals facilities shall be metered as applicable:

a. Standby Permittees with permitted withdrawal facilities those that provide back-up water for another that are on standby status (a standby withdrawal point in the event the another withdrawal point becomes unusable to be used when cannot be used), or where all permitted quantities are on standby for alternative water supplies, shall install meters on District ID No(s). [Specify District ID No(s).], Permittee ID No(s). [Specify Permittee ID No(s).] before using the standby quantities.

b. Standby withdrawal facilities (those that are on standby as backup for alternative water supplies), District ID No(s). [Specify District ID No(s).], Permittee ID No(s). [Specify Permittee District ID No(s).], shall be metered upon permit issuance.

c. Permittees with permitted W withdrawal facilities that are not yet constructed, shall install meters on District ID No(s). [Specify District ID No(s).], Permittee ID No(s). [Specify Permittee ID No(s).] shall be metered within 90 days of completion of construction of the withdrawal facility.

d. Permittees with Existing permitted withdrawal facilities shall continue to be metered, with maintain and operate existing, non-resettable, totalizing flow meter(s) or other flow measuring device(s) as approved by the Regulation Department Director on District ID No(s). [Specify District ID No(s).], Permittee ID No(s). [Specify Permittee ID No(s).].

e. Permittees with previously un-metered existing withdrawal facilities, shall install meters on District ID No(s). [Specify District ID No(s).], Permittee ID No(s). [Specify Permittee ID No(s).] shall be metered upon permit issuance.
1-1-03, Revised 1-1-07, _____.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.:
58A-1.009

RULE TITLE:
Confidentiality and Disclosure of Information

PURPOSE AND EFFECT: The purpose and effect of this proposed rule is to repeal confidentiality and disclosure of information language. These requirements are included under federal and state laws; and the contracts between the department and area agencies on aging (AAAs), the AAAs

with case management agencies, and the case management agencies and service providers. Therefore, the language is repetitive and unnecessary.

SUMMARY: This rule is being repealed, as the information is included under federal and state laws and the various contractual agreements among the parties noted under Purpose and Effect.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: This proposed rule repeal will not have an impact on small business as defined in Section 288.703, F.S.; therefore a statement of estimated regulatory costs has not been prepared.

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

SPECIFIC AUTHORITY: 20.41(2), 410.016(2)(k), 430.08 FS., ch. 91-115, s. 10, Laws of Florida.

LAW IMPLEMENTED: 20.41, 410.016(2)(e), 410.0295, 410.037, 410.302, 410.403, 410.605, 430.05 FS., ch. 91-115, s. 10, Laws of Florida.

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: Jim Crochet, Department of Elder Affairs, Office of the General Counsel, 4040 Esplanade Way, Tallahassee, Florida 32399-7000; Telephone number: (850)414-2000; Email address: crochetj@elderaffairs.org

THE FULL TEXT OF THE PROPOSED RULE IS:

58A-1.009 Confidentiality and Disclosure of Information.

~~(1) Information described in subsection (2) is confidential and exempt from the public records law, Section 119.07(1), F.S. It shall not be disclosed to the public in such a way as to identify the elderly person, unless written consent is provided by the elderly person or his or her guardian.~~

~~(2) Information about functionally impaired elderly or disabled adults, Alzheimer's disease patients, or information on individuals who receive benefits from Departmental programs based on their relationship to eligible persons, where information is received by or through Department files, reports, inspections or in any other way, shall not be disclosed without express written permission from the impaired or disabled adult or the eligible party affected.~~

~~(3) This rule prohibits disclosure of information regarding the client supplied to officers and employees of the Department, to Area Agencies on Aging and their officers and employees, to persons who volunteer their services, and to persons or entities who provide service under contract with the Department, unless otherwise directed as per subsections 58A-1.009(1) and (2), F.A.C.~~

Specific Authority 20.41(2), 410.016(2)(k), 430.08 FS., ch. 91-115, s. 10, Laws of Florida. Law Implemented 20.41, 410.016(2)(e), 410.0295, 410.037, 410.302, 410.403, 410.605, 430.05 FS., ch. 91-115, s. 10, Laws of Florida. History--New 12-23-81, Formerly 10A-11.09, 10A-11.009, Amended 3-28-95, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jim Crochet

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: E. Douglas Beach, Ph.D., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 30, 2008

DEPARTMENT OF ELDER AFFAIRS

Community Care for the Elderly

RULE NO.: 58C-1.004 RULE TITLE: Application Procedures

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to repeal the application process for entities desiring to become lead agencies and core service providers under the Community Care for the Elderly Program.

SUMMARY: This rule is being repealed, as the application process is included in the contractual agreement between an area agency on aging and case management agency, or case management agency and the core service providers. Therefore, the language is repetitive and unnecessary.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: This proposed rule repeal will not have an impact on small business as defined in Section 288.703, F.S.; therefore a statement of estimated regulatory costs has not been 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: 430.08 FS.

LAW IMPLEMENTED: 430.204, 430.205 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: Jim Crochet, Department of Elder Affairs, Office of the General Counsel, 4040 Esplanade Way, Tallahassee, Florida 32399-7000; Telephone number: (850)414-2000; Email address: crochetj@elderaffairs.org

THE FULL TEXT OF THE PROPOSED RULE IS:

58C-1.004 Application Procedures.

~~(1) Prior to advertising for the lead agency, each Area Agency on Aging, shall review the results of the most current aging needs assessment and waiting lists for services in each service area in order to determine the area of the planning and service area most in need of core services and which core services are most needed.~~

~~(2) Existing Community Care for the Elderly lead agencies and core service providers shall submit a service provider application each year in order to be considered for refunding. The Service Provider Application is DOEA Form #218, dated September 1994, available in the Office of the Department Secretary, and herein incorporated by reference.~~

~~(3) Standards for approval of applications.~~

~~(a) Prior to contracting with any lead agency, the Area Agency on Aging administering the program shall assess the applicant's or provider agency's ability to meet lead agency or service provider requirements as contained in Rule 58C-1.005, F.A.C.~~

~~(b) Applications which are properly and completely prepared according to the instructions provided will be approved for contracts subject to the availability of State and local resources in sufficient amounts to assure that cash outlays can be met.~~

~~(c) The contracting agency which funds and administers Community Care for the Elderly shall review all applications and determine which applications are approved for funding. The approved agency must demonstrate sound fiscal management in accordance with generally accepted accounting principles and be capable of providing core services, case management and coordination of services.~~

~~(d) The lead agency and any of its core service providers will provide a minimum of ten percent of the funding necessary to support the program. Cash or in-kind resources may be used to meet this matching requirement.~~

~~(4) Contracting and Financial Management Procedures: Contracts between the department, the Area Agency on Aging, lead agency or core service providers shall follow departmental contracting and financial management procedures.~~

Specific Authority 430.08 FS. Law Implemented 430.204, 430.205 FS. History--New 3-11-81, Formerly 10A-10.04, 10A-10.004, Amended 3-28-95, 10-30-05, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Jim Crochet

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: E. Douglas Beach, Ph.D., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 30, 2008

**AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid**

RULE NO.: 59G-9.070
RULE TITLE: Administrative Sanctions on Providers, Entities, and Persons

PURPOSE AND EFFECT: The purpose of this amendment is to address issues regarding Rule 59G-9.070, F.A.C., the sanction rule, as raised by the Joint Administrative Procedures

Committee (JAPC) in its review and oversight of Florida's rules and rule making process and administrative issues involving consistency and timeframes for certain sanctions.

SUMMARY: The proposed changes clarify the rule, incorporate JAPC's recommendations, increase fines for consistency in one area and shorten the timeframe within which additional sanctions apply in certain scenarios to encourage compliance.

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

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

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.907, 409.913, 409.9131, 409.920, 812.035 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: September 8, 2008, 11:00 a.m. – 12:00 Noon

PLACE: 2727 Mahan Drive, Building 3, Conference Room B, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jo Landa Givens, Office of the Inspector General/Bureau of Medicaid Program Integrity, 2727 Mahan Drive, Mail Stop 6, Tallahassee, Florida 32308; (850)921-1802

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-9.070 Administrative Sanctions on Providers, Entities, and Persons.

(1) PURPOSE: The purpose of this rule is to provide notice of administrative sanctions and disincentives imposed upon a provider, entity, or person for each violation of any Medicaid-related law. The Agency shall have the authority to deviate from the guidelines for the reasons stated within this rule. Notice of administrative sanctions imposed will be by way of written correspondence and shall constitute Agency action pursuant to Chapter 120, F.S. (2007).

(2) DEFINITIONS: The following terms used within this rule shall have the meanings as set forth below:

(a) "Abuse" is as defined in Section 409.913(1)(a), F.S. (2007).

(b) "Agency" is as defined in Section 409.901(2), F.S. (2007).

(c) "Claim" is as defined in Section 409.901(5), F.S., (2007) and shall also include the total monthly payment to a provider for a specific recipient's per diem payments and the

payment of a capitation rate for a Medicaid recipient. ~~For the purposes of this rule, “per diem Payments” means the total monthly payment to the provider for a specific recipient.~~

(d) “Complaint” is as defined in Section 409.913(1)(b), F.S. (2007).

(e) ~~An act shall be deemed “Committed”, as it relates to abuse or neglect of a patient, or of any act prohibited by Section 409.920, F.S., upon receipt by the Agency of reliable information of commission of patient abuse or neglect, or of violation of Section 409.920, F.S.~~

(e)(f) ~~“Comprehensive follow-up reviews” or “Follow-up reviews” shall have the same meaning throughout this rule, and can be used interchangeably. These reviews mean evaluations of providers every 6 months, until the Agency determines that the reviews are no longer required. Such evaluations will result in a determination regarding whether a further compliance audit or other regulatory action is required.~~

(f)(g) ~~“Contemporaneous”, as it relates to a provider’s requirement to maintain records and produce records upon request, means records created at the time the goods or services were provided unless otherwise within the standard and customary timeframe applicable to the provider’s trade or profession; but not longer than any timeframe specified in Medicaid laws or the laws that govern the provider’s profession.~~

(g)(h) ~~“Conviction” is as defined in Section 409.901(7), F.S. (2007).~~

(h)(i) ~~“Corrective action plan” means the process or plan by which the provider will ensure future compliance with state and federal Medicaid laws, the laws that govern the provider’s profession, or the Medicaid provider agreement. A corrective action plan will remain in effect until the Agency determines that it is no longer necessary, but no longer than 3 years. For purposes of this rule, the sanction of a corrective action plan shall take the form of an “acknowledgement statement”, “provider education”, a “self audit”, or a “comprehensive quality assurance program”, all of which are further described in subsection (10) of this rule.~~

(i)(j) ~~An “erroneous” claim is an application for payment from the Medicaid program or its fiscal agent that contains an inaccuracy.~~

(j)(k) ~~“Fine” is a monetary sanction. The amount of a fine shall be as set forth within this rule.~~

(k)(l) ~~A “false” claim is as provided for in the Florida False Claims Act set forth in Chapter 68, F.S. (2007).~~

(l)(m) ~~“Fraud” is as defined in Section 409.913(1)(c), F.S. (2007).~~

(m)(n) ~~“Medical necessity” or “medically necessary” is as defined in Section 409.913(1)(d), F.S. (2007).~~

(n)(o) ~~“Medicaid-related record” is as defined in Section 409.901(19), F.S. (2007).~~

(o)(p) ~~“Overpayment” is as defined in Section 409.913(1)(e), F.S. (2007).~~

(p)(q) ~~“Patient Record” means the file maintained by the provider to document the delivery of goods or services; the file shall be maintained in the standard and customary practice applicable to the provider’s trade or profession; but not in a fashion that is contrary to Medicaid laws or the laws that govern the provider’s profession.~~

(q)(r) ~~“Patient Record Request” means a request by the Agency to a provider, entity, or person for Medicaid-related documentation or information. Such requests are not limited to Agency audits to determine overpayments or violations. Each requesting document constitutes a single Patient Record Request. The Agency is not limited to making one Patient Record Request at a time to a provider, entity, or person. Each request shall be considered separate and distinct for purposes of this rule.~~

(r)(s) ~~“Pattern” is defined as follows:~~

1. As it relates to paragraph (7)(d) of this rule (generally, failing to maintain Medicaid-related records), a pattern is sufficiently established if within a single Agency action:

- a. There are five or more claims within any one patient record for which documentation is not maintained; or
- b. There is more than one patient for which no patient record is maintained.

2. As it relates to paragraph (7)(e) of this rule (generally, failure to comply with the provisions of Medicaid laws, the laws that govern the provider’s profession, or the Medicaid provider agreement), a pattern is sufficiently established if within a single Agency action:

- a. The number of individual claims found to be in violation is greater than 6.25 percent of the total claims that were reviewed to support the Agency action; or
- b. The overpayment determination by the Agency is greater than 6.25 percent of the amount paid for the claims that were reviewed to support the Agency action.

3. As it relates to paragraph (7)(g) of this rule (generally, failing to provide goods or services that are medically necessary), a pattern is sufficiently established if within a single Agency action:

The number of instances found to be in violation is greater than one.

4. As it relates to paragraph (7)(h) of this rule (generally, submitting erroneous claims), a pattern is sufficiently established if within a single Agency action:

- a. The number of individual claims found to be erroneous is greater than 6.25 percent of the total claims that were reviewed to support the Agency action; or

- b. The overpayment determination by the Agency, as a result of the erroneous claims, is greater than 6.25 percent of the amount paid for the total claims that were reviewed to support the Agency action.

(s)(t) "Person" is as defined in Section 409.913(1)(f), F.S. (2007)

(t)(u) "Provider" is as defined in Section 409.901(16), F.S. (2007), and for purposes of this rule, includes all of the provider's locations that have the same base provider number (with separate locator codes).

(u)(v) "Provider Group" is more than one individual provider practicing under the same tax identification number, enrolled in the Medicaid program as a group for billing purposes, and having one or more locations.

(v)(w) "Sanction" shall be any monetary or non-monetary penalty imposed upon a provider, entity, or person (e.g., a provider, entity, or person being suspended from the Medicaid program). A monetary sanction under this rule may be referred to as a "fine." A sanction may also be referred to as a disincentive.

(w)(x) "Single Agency action" means an audit or review that results in notice to the provider of violations of Medicaid laws, the laws that govern the provider's profession, or the Medicaid provider agreement.

(x)(y) "Suspension" is a one-year preclusion from any action that results in a claim for payment to the Medicaid program as a result of furnishing, supervising a person who is furnishing, or causing a person to furnish goods or services.

(y)(z) "Termination" is a twenty-year preclusion from any action that results in a claim for payment to the Medicaid program as a result of furnishing, supervising a person who is furnishing, or causing a person to furnish goods or services.

(z)(aa) "Violation" means any omission or act performed by a provider, entity, or person that is contrary to Medicaid laws, the laws that govern the provider's profession, or the Medicaid provider agreement.

1. For purposes of this rule, each day that an ongoing violation continues and each instance of an act or omission contrary to a Medicaid law, a law that governs the provider's profession, or the Medicaid provider agreement shall be considered a "separate violation".

2. For purposes of determining first, second, third, fourth, fifth, or subsequent violations of this rule:

a. A violation existed even if the matter is resolved by repayment of an overpayment, settlement agreement, or other means.

b. The same violation means a subsequent determination by the Agency, that the person, provider, or entity is in violation of the same provision of state or federal Medicaid laws, the laws that govern the provider's profession, or the Medicaid provider agreement.

(3) VIOLATIONS AND SANCTIONS: The identification of violations given herein is descriptive only. The full language of each statutory provision cited must be consulted in order to determine the conduct included.

(4) FACTORS TO BE USED IN DETERMINING LEVEL OF SANCTION:

(a) Except for the mandatory suspension and termination provision in subsection (6) of this rule, when determining the type, amount, and duration of the sanction to be applied, the Agency shall consider each of the factors set forth in Section 409.913(17), F.S. (2007), as mitigation to the sanction set forth in this rule.

(b) For the first agency action against a provider after July 1, 2005, where a final overpayment is identified and a fine is to be imposed as a result of the violations giving rise to that overpayment, the cumulative amount of the fine shall not exceed thirty-percent of the amount of the overpayment. Where the fine does exceed thirty-percent of the amount of the overpayment, the fine shall be adjusted to thirty-percent of the amount of the overpayment.

(c) For the second agency action against a provider after July 1, 2005, where a final overpayment is identified and a fine is to be imposed as a result of the violations giving rise to that overpayment, the cumulative amount of the fine shall not exceed fifty-percent of the amount of the overpayment. Where the fine does exceed fifty-percent of the amount of the overpayment, the fine shall be adjusted to fifty-percent of the amount of the overpayment.

(d) For all subsequent agency actions against a provider after July 1, 2005, where a final overpayment is identified and a fine is to be imposed as a result of the violations giving rise to that overpayment, the cumulative amount of the fine shall not exceed the amount of the overpayment. Where the fine does exceed the amount of the overpayment, the fine shall be adjusted to the amount of the overpayment.

(e) Sanctions will be imposed ~~only apply~~ at the final agency action.

~~(f) Where the final agency action results in a final overpayment determination that is less than \$5,000, any fine that is to be imposed as a result of the violations giving rise to that overpayment shall be waived.~~

~~1. However, where waiving the fine results in no sanction being imposed, the sanction of a corrective action plan in the form of a provider acknowledgement statement shall be imposed.~~

~~2. Fines that are to be imposed as a result of violations that do not give rise to an overpayment are not waived.~~

(f)(g) Where the Agency has instituted an amnesty program pursuant to Section 409.913(25)(e), F.S. (2007), sanctions will not apply.

(5) APPLICATION TO INDIVIDUALS OR LOCATIONS RATHER THAN TO A PROVIDER GROUP:

(a) Based upon the circumstances present in each individual matter, the Agency shall have the discretion to take action to sanction a particular Medicaid provider, entity, or person working for a Medicaid provider group, or to sanction a specific location, rather than, or in addition to, taking action against an entire Medicaid provider group.

(b) If the Agency chooses to sanction a particular (individual) provider, entity, or person working with a Medicaid provider group or in a particular location, the other members of the Medicaid provider group and the providers in the other locations must fully cooperate in the audit or investigation conducted by the Agency, and the Agency must determine if:

1. The individual provider, entity, or person working with the Medicaid provider group is directly responsible for the violation(s);

2. The Medicaid provider group was unaware of the actions of the individual provider, entity, or person; and

3. The Agency has not previously taken a preliminary or final Agency action against the group provider for the same violation(s) within the past five years from the date of the violation, unless the Agency determines that the individual provider, entity, or person was responsible for the prior violation.

(6) MANDATORY TERMINATION OR SUSPENSION: Whenever a provider has been suspended or terminated from participation in the Medicaid or Medicare program by the federal government or any state ~~or territory~~, the Agency shall immediately suspend (if suspended) or terminate (if terminated), the provider's participation in the Florida Medicaid program for a period no less than that imposed by the federal government or the state ~~or territory~~, and shall not enroll such provider in the Florida Medicaid program while such foreign suspension or termination remains in effect. Additionally, all other remedies provided by law, including all civil remedies, and other sanctions, shall apply. [Section 409.913(14), F.S. (2007)].

(7) SANCTIONS: Except when the Secretary of the Agency determines not to impose a sanction, pursuant to Section 409.913(16)(j), F.S. (2007), sanctions shall be imposed for the following:

(a) The provider's license has not been renewed by the licensing agency in Florida, or has been revoked, suspended, or terminated, by the licensing agency of any state. [Section 409.913(15)(a), F.S. (2007)];

(b) Failure to make available within the timeframe requested by the Agency or other mutually agreed upon timeframe, or to refuse access to Medicaid-related records, ~~sought by any investigator~~. [Section 409.913(15)(b), F.S. (2007)];

(c) Failure to make available or furnish all Medicaid-related records, to be used by the Agency in determining whether Medicaid payments are or were due, and what the appropriate corresponding Medicaid payment amount should be within the timeframe requested by the Agency or other mutually agreed upon timeframe. [Section 409.913(15)(c), F.S. (2007)];

(d) Failure to maintain contemporaneous Medicaid-related records and prior authorization records, if prior authorization is required, that demonstrate both the necessity and appropriateness of the good or service rendered. [Section 409.913(15)(d), F.S. (2007)];

(e) Failure to comply with the provisions of the Medicaid provider publications that have been adopted by reference as rules, Medicaid laws, the requirements and provisions in the provider's Medicaid provider agreement, or the certification found on claim forms or transmittal forms for electronically submitted claims by the provider or authorized representative. [Section 409.913(15)(e), F.S. (2007)];

(f) Furnishing or ordering goods or services that are inappropriate or unnecessary because they are out of compliance with the practice standards governing the provider's profession, are excessive, of inferior quality, or that are found to be harmful to the recipient. [Section 409.913(15)(f), F.S. (2007)];

(g) A pattern of failure to provide goods or services that are medically necessary. [Section 409.913(15)(g), F.S. (2007)];

(h) Submitting, or causing to be submitted, false or a pattern of erroneous Medicaid claims. [Section 409.913(15)(h), F.S. (2007)];

(i) Submitting, or causing to be submitted, a Medicaid provider enrollment application or renewal forms, a request for prior authorization for Medicaid services, a drug exception request, or a Medicaid cost report containing information that is either materially false or materially incorrect. [Section 409.913(15)(i), F.S. (2007)];

(j) Collecting or billing a recipient or a recipient's responsible party for goods or services improperly. [Section 409.913(15)(j), F.S. (2007)];

(k) Including costs in a cost report that are not authorized under the Medicaid state plan or that are authorized but were disallowed during the audit process, even though the provider or authorized representative had previously been advised via an audit exit conference or audit report that the costs were not allowable. However, if the unallowed costs are the subject of an administrative hearing pursuant to Chapter 120, F.S. (2007), sanctions shall not be imposed. Additionally, a provider is only considered to have been previously advised that the costs were not allowable if the provider was advised in writing via an audit exit conference that the cost is not allowed or has been issued an audit report, either of which were provided in the previous five years. [Section 409.913(15)(k), F.S. (2007)];

(l) Being charged, whether by information or indictment, with fraudulent billing practices. [Section 409.913(15)(l), F.S. (2007)];

(m) A finding or determination that a provider, entity, or person is negligent for ordering or prescribing a good or service to a patient, which resulted in the patient's injury or death. [Section 409.913(15)(m), F.S. (2007)];

(n) During a specific audit or review period, failure to demonstrate sufficient quantities of goods, or sufficient time in the case of services, that support the corresponding billings or claims made to the Medicaid program. [Section 409.913(15)(n), F.S. (2007)];

(o) Failure to comply with the notice and reporting requirements of Section 409.907, F.S. (2007) [Section 409.913(15)(o), F.S. (2007)];

(p) A finding or determination that a provider, entity, or person committed patient abuse or neglect, or any act prohibited by Section 409.920, F.S. (2007) [Section 409.913(15)(p), F.S. (2007)];

(q) Failure to comply with any of the terms of a previously agreed-upon repayment schedule. [Section 409.913(15)(q), F.S. (2007)];

(8) **ADDITIONAL VIOLATIONS SUBJECT TO TERMINATION:** In addition to the termination authority, the Agency shall have the authority to concurrently seek civil remedies or impose other sanctions.

(a) The Agency shall impose the sanction of termination for each violation of:

1. Section 409.913(13)(a), F.S. (2007) (generally, a provider is convicted of a criminal offense related to the delivery of any health care goods or services);

2. Section 409.913(13)(b), F.S. (2007) (generally, a provider is convicted of a criminal offense relating to the practice of the provider's profession); or

3. Section 409.913(13)(c), F.S. (2007) (generally, a provider is found by a court, administrative law judge, hearing officer, administrative or regulatory board, or final agency action to have neglected or physically abused a patient).

(b) For non-payment or partial payment where monies are owed to the Agency, and failure to enter into a repayment agreement, in accordance with Section 409.913(25)(c), F.S. (2007) (generally, a provider who has a debt to the Agency, who has not made full payment, and who fails to enter into a repayment schedule), the Agency shall impose the sanction of a \$5,000 fine; and, where the provider remains out of compliance for 30 days, suspension; and, where the provider remains out of compliance for more than 90 ~~180~~ days, termination.

(c) For failure to reimburse an overpayment, in accordance with Section 409.913(30), F.S. (2007) (generally, a provider that fails to repay an overpayment or enter into a repayment agreement within 35 days after the date of a final order), the Agency shall impose the sanction of a \$5,000 fine; and, where the provider remains out of compliance for 30 days, suspension; and, where the provider remains out of compliance for more than 90 ~~180~~ days, termination.

(9) **REPORTING SANCTIONS:** The Agency shall report sanctions in accordance with Section 409.913(24), F.S. (2007)

(10) **GUIDELINES FOR SANCTIONS.**

(a) The Agency's authority to impose sanctions on a provider, entity, or person shall be in addition to the Agency's authority to recover a determined overpayment, other remedies afforded to the Agency by law, appropriate referrals to other agencies, and any other regulatory actions against the provider.

(b) In all instances of violations that are subject to this rule, the Agency shall have the authority to impose liens against provider assets, including, but not limited to, financial assets and real property, not to exceed the amount of fines or recoveries sought, including fees and costs, upon entry of an order determining that such moneys are due or recoverable.

(c) A violation is considered a:

1. **First Violation** – If, within the five years prior to the alleged violation date(s), the provider, entity, or person has not been deemed by the Agency in a prior Agency action to have committed the same violation;

2. **Second Violation** – If, within the five years prior to the alleged violation date(s), the provider, entity, or person has once been deemed by the Agency in a prior Agency action to have committed the same violation.

3. **Third Violation** – If, within the five years prior to the alleged violation date(s), the provider, entity, or person has twice been deemed by the Agency in prior Agency actions to have committed the same violation.

4. **Fourth Violation** – If, within the five years prior to the alleged violation date(s), the provider, entity, or person has three times been deemed by the Agency in prior Agency actions to have committed the same violation.

5. **Fifth Violation** – If, within the five years prior to the alleged violations date(s), the provider, entity, or person has four times been deemed by the Agency in prior Agency actions to have committed the same violation.

6. **Subsequent Violation** – If, within the five years prior to the alleged violation date(s), the provider, entity, or person has, five or more times, been deemed by the Agency in prior Agency actions to have committed the same violation.

(d) Multiple violations shall result in an increase in sanctions such that:

1. In the event the Agency determines in a single Agency action that a provider, entity, or person has committed violations of more than one provision ~~section~~ of this rule, the Agency shall cumulatively apply the sanction guideline associated with each section violated.

2. In the event the Agency determines in a single action that a provider, entity, or person has committed multiple violations of one provision ~~section~~ of this rule, unless the table in paragraph (10)(i) specifies otherwise, the Agency shall cumulatively apply the applicable sanctions for each separate violation of the provision ~~section~~. However, the Agency shall not apply multiple violations to increase the level of violation (e.g., from First Violation to Second Violation).

(e) For purposes of this rule, as used in the table below, a "corrective action plan" shall be a written document, submitted to the Agency, and shall either be an "acknowledgement

statement”, “provider education”, “self audit”, or a “comprehensive quality assurance program”. The Agency will specify the type of corrective action plan required. For purposes of determining timeliness with regard to corrective action plan requirements, days are counted in terms of calendar days.

1. An “acknowledgement statement” shall be a typed document submitted within 15 days of the date of the Agency action that brought rise to this requirement. The document will acknowledge a requirement to adhere to the specific state and federal Medicaid laws, the laws that govern the provider’s profession, or the Medicaid provider agreement that are the subject of the Agency action. The Agency will confirm receipt of the statement and either accept or deny it as complying with this rule. If the acknowledgement statement is not acceptable to the Agency, the provider, entity, or person will be advised regarding the deficiencies. The provider will have 10 days to amend the statement.

2. “Provider Education” shall be successful completion of an educational course or courses that address the areas of non-compliance as determined by the Agency in the Agency action.

a. The provider, entity, or person will identify one or more individuals who are the Medicaid policy compliance individuals for the provider, and must include treating providers involved with the areas of non-compliance as well as billing staff, who must successfully complete the required education.

b. The provider will, within 30 days of the date of the Agency action that brought rise to this requirement, submit for approval the name of the course, contact information, and a brief description of the course intended to meet this requirement.

c. The Agency will confirm receipt of the course information and either accept or deny it as complying with this rule. If the course is denied by the Agency, the provider, entity, or person will be advised regarding the reasons for denial. The provider will have 10 days to submit additional course information.

d. Proof of successful completion of the provider education must be submitted to the Agency within 90 days of the date of the Agency action that brought rise to this requirement.

3. A “self-audit” is an audit of the provider’s claims to Medicaid for a specified period of time (the audit period) performed by the provider.

a. A self-audit is a detailed and comprehensive evaluation of the provider’s claims to Medicaid. The audit may be focused on particular issues or all state and federal Medicaid laws, the laws that govern the provider’s profession, or the Medicaid provider agreement. The Agency will specify the audit period as well as issues to be addressed. A summary of the audit work plan, including the audit methodology, must be submitted to

the Agency within 30 days of the date of the Agency action that brought rise to this requirement. The self-audit must be completed within 90 days of the date of the Agency action that brought rise to this requirement, or such other timeframe as mutually agreed upon by the Agency and the provider. The self-disclosure of violations will not result in additional sanctions imposed pursuant to this rule.

b. The provider is required to submit a detailed listing of paid claims found to be out of compliance with the specified state and federal Medicaid laws, the laws that govern the provider’s profession, or the Medicaid provider agreement. The listing shall include the recipient name, recipient Medicaid ID number, date of service, type of service (e.g., procedure code and procedure name), treating provider, pay-to provider, date the claim was paid, tracking transaction control number (TCN) for the claim as issued by Medicaid’s fiscal agent, description of non-compliance, and any other information that would allow the Agency to verify the claim(s). The provider is also required to submit a detailed description regarding the audit methodology and overpayment calculation. The Agency will evaluate the self-audit and determine whether it is a valid evaluation of the provider’s claims.

c. If the self-audit is accepted by the Agency, the provider shall be deemed to have been overpaid by the determined amount, and shall be required to repay that amount in full, or enter in and adhere to a repayment plan with the Agency, within 30 days of the date of the acceptance of the self-audit.

d. If the self-audit is not accepted, the provider will be advised regarding the reasons for denial. The provider will have 30 days to submit additional information to correct the deficiencies.

4. A “comprehensive quality assurance program” shall monitor the efforts of the provider, entity, or person in their internal efforts to comply with state and federal Medicaid laws, the laws that govern the provider’s profession, and the Medicaid provider agreement.

a. The program shall contain at a minimum the following elements: identification of the physical location where the provider, entity, or person takes any action that may cause a claim to Medicaid to be submitted; contact information regarding the individual or individuals who are responsible for development, maintenance, implementation, and evaluation of the program; a separate process flow diagram that includes a step-by-step written description or flow chart indicating how the program will be developed, maintained, implemented, and evaluated; a complete description and relevant time frames of the process for internally maintaining the program, including a description of how technology, education, and staffing issues will be addressed; a complete description and relevant timeframes of the process for implementing the program; and a complete description of the process for monitoring, evaluating, and improving the program.

b. A process flow diagram regarding the development of the program must be submitted to the Agency within 30 days from the date of the Agency action and must be updated every 30 days until the comprehensive quality assurance program is approved by the Agency. A process flow diagram regarding the maintenance, implementation, and evaluation of the program must be submitted to the Agency within 90 days from the date of the Agency action and must be updated every 30 days until the comprehensive quality assurance program is approved by the Agency.

c. The evaluation process must contain processes for conducting internal compliance audits, which include reporting of the audit findings to specific individuals who have the authority to address the deficiencies, and must include continuous improvement processes. The plan must also include the frequency and duration of such evaluations.

d. The Agency will review the process flow diagram and description of the development of the program and either approve the program or disapprove the program. If the Agency disapproves the program, specific reasons for the disapproval will be included, and the provider, entity, or individual shall have 30 days to submit an amended development plan.

e. Upon approval by the Agency of the development process of the program, the provider, entity, or person shall have 45 days to implement the program. The provider shall provide written notice to the Agency indicating that the program has been implemented.

f. The program must remain in effect for the time period specified in the Agency action and the provider must submit written progress reports to the Agency every 120 days, for the duration of the program.

5. Failure to ~~timely~~ comply with any of the timeframes set forth by the Agency, or to adhere to the corrective action plan in accordance with this ~~paragraph section~~, shall constitute a failure to comply with the provisions of state laws. As such, further sanctions in accordance with this rule are applicable. result in a \$1000 fine per day of non-compliance. If a provider remains out of compliance for 30 days, the provider shall also

~~be suspended from the Medicaid program until the provider is in compliance. If a provider remains out of compliance for 180 days, the provider shall be terminated from the Medicaid program.~~

(f) The Agency's decision to discontinue follow-up reviews does not preclude future audits of any dates of service or issues, and shall not be used by the provider in any action should the Agency later determine overpayments existed.

(g) For purposes of this rule, as used in the table below, a "suspension" shall preclude participation in the Medicaid program for one year from the date of the Agency action. A provider that is suspended shall not resume participation in the Medicaid program until the completion of the one-year term. To resume participation, the provider must submit a written request to the Agency, Bureau of Medicaid Program Integrity, to be reinstated in the Medicaid program. The request must include a copy of the notice of suspension issued by the Agency, and a written acknowledgement regarding whether the violation(s) that brought rise to the suspension has been remedied. The provider may not resume participation in the Medicaid program until they receive written confirmation from the Agency indicating that participation in the Medicaid program has been authorized.

(h) For purposes of this rule, as used in the table below, a "termination" shall preclude participation in the Medicaid program for twenty years from the date of the Agency action. A provider who is terminated shall not resume participation in the Medicaid program until the completion of the twenty-year term. To resume participation, the provider must submit a complete and accurate provider enrollment application, which will be accepted or denied in the standard course of business by the Agency. In addition to the application, the provider must include a copy of the notice of termination issued by the Agency, and a written acknowledgement regarding whether the violation(s) that brought rise to the termination has been remedied.

(i) Sanctions and disincentives shall apply in accordance with this rule, as set forth in the table below:

Violation Type/ Provision Section of Rule	First violation	Second violation	Third violation	Fourth violation	Fifth and Subsequent violations
(7)(a) The provider's Florida license has not been renewed by the licensing agency, or the license from any state has been revoked, suspended, or terminated, by the licensing agency of any state. [Section 409.913(15)(a), F.S. (2007)];	For licensure suspension: suspension from the Medicaid program for the duration of the licensure suspension; however, if the licensure suspension is to exceed one year and for all other violations: termination.	For licensure suspension: suspension from the Medicaid program for the duration of the licensure suspension; however, if the licensure suspension is to exceed one year and for all other violations: termination.	Termination.	Termination.	Termination.
(7)(b) Failure, upon demand, to make available or refuse access to, Medicaid-related records. [Section 409.913(15)(b), F.S. (2007)];	A \$1,000 fine per record request or instance of refused access; if after 30 days, the provider is still in violation, suspension until the records are made available or access is granted; if after <u>90</u> 180 days, the provider is still in violation, termination.	A \$2,500 fine per record request or instance of refused access; if after 30 days, the provider is still in violation, suspension until the records are made available or access is granted; if after <u>90</u> 180 days, the provider is still in violation, termination.	A \$5,000 fine per record request or instance of refused access; if after 30 days, the provider is still in violation, suspension until the records are made available or access is granted; if after <u>90</u> 180 days, the provider is still in violation, termination.	A \$5,000 fine per record request or instance of refused access; if after 30 days, the provider is still in violation, suspension until the records are made available or access is granted; if after <u>90</u> 180 days, the provider is still in violation, termination.	A \$5,000 fine per record request or instance of refused access; if after 30 days, the provider is still in violation, suspension until the records are made available or access is granted; if after <u>90</u> 180 days, the provider is still in violation, termination.
(7)(c) Failure to furnish Medicaid-related records to determine whether payments are or were due, within timeframes established by the Agency. [Section 409.913(15)(c), F.S. (2007)];	A \$1,000 \$500 fine per record request; if after 30 days, the provider is still in violation, suspension until the records are made available; if after <u>90</u> 180 days, the provider is still in violation, termination.	A \$2,500 \$1,000 fine per record request; if after 30 days, the provider is still in violation, suspension until the records are made available; if after <u>90</u> 180 days, the provider is still in violation, termination.	A \$5,000 \$2,500 fine per record request; if after 30 days, the provider is still in violation, suspension until the records are made available; if after <u>90</u> 180 days, the provider is still in violation, termination.	A \$5,000 fine per record request; if after 30 days, the provider is still in violation, suspension until the records are made available; if after <u>90</u> 180 days, the provider is still in violation, termination.	A \$5,000 fine per record request; if after 30 days, the provider is still in violation, suspension until the records are made available; if after <u>90</u> 180 days, the provider is still in violation, termination.

<p>(7)(d) Failure to maintain contemporaneous Medicaid-related records. [Section 409.913(15)(d), F.S. (2007)];</p>	<p>A \$100 fine per claim for which supporting documentation is not maintained, not to exceed \$3,000 \$1,500 per agency action. For a pattern: a \$1,000 fine per patient record for which any of the supporting documentation is not maintained, not to exceed \$6,000 \$3,000 per agency action; and submission of a corrective action plan in the form of an acknowledgement statement.</p>	<p>A \$200 fine per claim for which supporting documentation is not maintained, not to exceed \$6,000 \$3,000 per agency action. For a pattern: a \$2,000 fine per patient record for which any of the supporting documentation is not maintained, not to exceed \$12,000 \$6,000 per agency action; and submission of a corrective action plan in the form of provider education.</p>	<p>A \$300 fine per claim for which supporting documentation is not maintained, not to exceed \$9,000 \$4,500 per agency action and suspension. For a pattern: a \$3,000 fine per patient record for which any of the supporting documentation is not maintained, not to exceed \$18,000 \$9,000 per agency action; submission of a corrective action plan in the form of a comprehensive quality assurance program; and suspension.</p>	<p>Termination.</p>	<p>Termination.</p>
<p>(7)(e) Failure to comply with the provisions of Medicaid laws, publications that have been adopted by reference as rules. [Section 409.913(15)(e), F.S. (2007)];</p>	<p>A \$500 fine per provision, not to exceed \$3,000 \$1,500 per agency action. For a pattern: a \$1,000 fine per provision, not to exceed \$6,000 \$3,000 per agency action; and submission of a corrective action plan in the form of an acknowledgement statement.</p>	<p>A \$1,000 fine per provision, not to exceed \$6,000 \$3,000 per agency action. For a pattern: a \$2,000 fine per provision, not to exceed \$12,000 \$6,000 per agency action; and submission of a corrective action plan in the form of provider education.</p>	<p>A \$2,000 fine per provision, not to exceed \$12,000 \$6,000 per agency action; and submission of a corrective action plan in the form of an acknowledgement statement. For a pattern: a \$3,000 fine per provision, not to exceed \$18,000 \$9,000 per agency action; and submission of a corrective action plan in the form of a comprehensive quality assurance program.</p>	<p>A \$3,000 fine per provision, not to exceed \$24,000 \$12,000 per agency action; and submission of a corrective action plan in the form of provider education. For a pattern: a \$4,000 fine per provision, not to exceed \$32,000 \$16,000 per agency action; and suspension.</p>	<p>A \$5,000 fine per provision, not to exceed \$40,000 \$20,000 per agency action; and suspension. For a pattern: termination.</p>

<p>(7)(f) Furnishing or ordering goods or services that are inappropriate, unnecessary or excessive, of inferior quality, or that are harmful. [Section 409.913(15)(f), F.S. (2007)];</p>	<p>For harmful goods or services: a \$5,000 fine for each instance, and suspension. For all others: a \$1,000 fine for each instance and submission of a corrective action plan in the form of provider education.</p>	<p>For harmful goods or services: a \$5,000 fine for each instance, and termination. For all others: a \$2,000 fine for each instance and submission of a corrective action plan in the form of a comprehensive quality assurance program.</p>	<p>For harmful goods or services: a \$5,000 fine for each instance, and termination. For all others: a \$3,000 fine for each instance and suspension.</p>	<p>Termination.</p>	<p>Termination.</p>
<p>(7)(g) A pattern of failure to provide goods or services that are medically necessary. [Section 409.913(15)(g), F.S. (2007)];</p>	<p>A \$5,000 fine and submission of a corrective action plan in the form of provider education.</p>	<p>A \$5,000 fine for each instance; and suspension as well as the submission of a corrective action plan in the form of a comprehensive quality assurance program.</p>	<p>A \$5,000 fine for each instance; and suspension as well as the submission of a corrective action plan in the form of a comprehensive quality assurance program.</p>	<p>Termination.</p>	<p>Termination.</p>
<p>(7)(h) Submitting false or a pattern of erroneous Medicaid claims. [Section 409.913(15)(h), F.S. (2007)];</p>	<p>For false claims: Termination. For a pattern of erroneous claims: a \$2,500 fine and submission of a corrective action plan in the form of a comprehensive quality assurance program.</p>	<p>For false claims: Termination. For a pattern of erroneous claims: A \$5,000 fine and suspension; and upon the conclusion of the suspension, submission of a corrective action plan in the form of a comprehensive quality assurance program.</p>	<p>Termination.</p>	<p>Termination.</p>	<p>Termination.</p>
<p>(7)(i) Submitting certain documents containing information that is either materially false or materially incorrect. [Section 409.913(15)(i), F.S. (2007)];</p>	<p>A \$10,000 fine for each separate violation and suspension.</p>	<p>Termination.</p>	<p>Termination.</p>	<p>Termination.</p>	<p>Termination.</p>
<p>(7)(j) Collecting or billing a recipient improperly. [Section 409.913(15)(j), F.S. (2007)];</p>	<p>A \$1,000 fine for each instance.</p>	<p>A \$2,500 fine for each instance.</p>	<p>A \$5,000 fine for each instance and suspension.</p>	<p>A \$5,000 fine for each instance and suspension.</p>	<p>Termination.</p>

(7)(k) Including unallowable costs after having been advised. [Section 409.913(15)(k), F.S. (2007)];	A \$5,000 fine for each unallowable cost.	A \$5,000 fine for each unallowable cost.	A \$5,000 fine for each unallowable cost.	A \$5,000 fine for each unallowable cost.	A \$5,000 fine for each unallowable cost.
(7)(l) Being charged with fraudulent billing practices. [Section 409.913(15)(l), F.S. (2007)];	Suspension for the duration of the indictment. If the provider is found guilty, termination.	Suspension for the duration of the indictment. If the provider is found guilty, termination.	Suspension for the duration of the indictment. If the provider is found guilty, termination.	Suspension for the duration of the indictment. If the provider is found guilty, termination.	Suspension for the duration of the indictment. If the provider is found guilty, termination.
(7)(m) Negligently ordering or prescribing, which resulted in the patient's injury or death. [Section 409.913(15)(m), F.S. (2007)];	Termination.	Termination.	Termination.	Termination.	Termination.
(7)(n) Failure to demonstrate sufficient quantities of goods or sufficient time. to support the corresponding billings or claims made to the Medicaid program.	A \$5,000 fine.	A \$5,000 fine and submission of a corrective action plan in the form of a comprehensive quality assurance program.	A \$5,000 fine and suspension.	Termination.	Termination.
(7)(o) Failure to comply with the notice and reporting requirements of Section 409.907, F.S. (2007) [Section 409.913(15)(o), F.S. (2007)];	A \$1,000 fine.	A \$2,000 fine.	A \$3,000 fine.	A \$4,000 fine.	A \$5,000 fine.
(7)(p) Committing patient abuse or neglect, or any act prohibited by Section 409.920, F.S. (2007) [Section 409.913 (15)(p), F.S. (2007)];	A \$5,000 fine per instance, and suspension.	Termination.	Termination.	Termination.	Termination.
(7)(q) Failure to comply with an agreed-upon repayment schedule. [Section 409.913(15)(q), F.S. (2007)];	A \$1,000 fine; and, where the provider remains out of compliance for 30 days, suspension; and, where the provider remains out of compliance for more than 90 180 days, termination.	A \$2,000 fine; and, where the provider remains out of compliance for 30 days, suspension; and, where the provider remains out of compliance for more than <u>90</u> 180 days, termination.	A \$3,000 fine and suspension until in compliance; where the provider remains out of compliance for more than <u>90</u> 180 days, termination.	A \$4,000 fine and suspension until in compliance; where the provider remains out of compliance for more than <u>90</u> 180 days, termination.	A \$5,000 fine and suspension until in compliance; where the provider remains out of compliance for more than <u>90</u> 180 days, termination.

Specific Authority 409.919 FS. Law Implemented 409.907, 409.913, 409.9131, 409.920, 812.035 FS. History--New 4-19-05, Amended 4-26-06,_____.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 31, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 13, 2008

NAME OF PERSON ORIGINATING PROPOSED RULE: Jo Landa Givens

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Holly Benson, Secretary

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

RULE NO.: 61G4-12.009
 RULE TITLE: Fees

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete any unnecessary language and to add language to clarify fees as prescribed by the Board.

SUMMARY: The rule amendment will delete any unnecessary language and to add language to clarify fees as prescribed by the Board.

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: 455.213(2), 455.217(2), 455.219(1), 455.271(6), (8), 489.108, 489.118 FS.

LAW IMPLEMENTED: 455.213(2), 455.217(2), 455.219(1), 455.271(6), (7), (8), 489.109 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: G. W. Harrell, Executive Director, Construction Industry Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257

THE FULL TEXT OF THE PROPOSED RULE IS:

61G4-12.009 Fees.

The following fees are prescribed by the Board:

(1) Application for Certification by Examination; Refund.

(a) The application and examination fee for an applicant for certification shall be three hundred thirty-five dollars (\$335) and shall be nonrefundable. Said fee shall cover both the processing of the application for certification and the administration of the examination. The applicant will pay one hundred thirty-five dollars (\$135) directly to the Department, or the Department's examination development vendor upon scheduling of the tests that comprise the examination. The applicant will pay the Department, or the Department's assigned vendor, eighty dollars (\$80) to cover examination administration costs for each test administered. The applicant will pay the Department forty two hundred dollars (\$40) (\$200) to cover examination administration and for processing of the application after they have successfully passed the examination. The contract administration and project management tests are considered one test for fee assessment pursuant to this rule.

(b) For an unsuccessful examinee or approved applicant who failed to appear at the examination, the fee for the next subsequent test, or both tests if necessary, examination shall be one hundred thirty-five dollars (\$135) and paid directly to the Department, or the Department's examination development vendor upon scheduling of the test(s) examination. Eighty dollars (\$80) shall be paid to the Department, or the Department's assigned vendor, for examination administration upon scheduling of each test to be administered. The ~~fees one hundred thirty-five dollar (\$135) fee~~ shall be nonrefundable.

(2 through (14) No change.

Specific Authority 455.213(2), 455.217(2), 455.219(1), 455.271(6), (8), 489.108, 489.118 FS. Law Implemented 119.07(1)(a), 455.213(2), 455.217(2), 455.219(1), 455.271(6), (7), (8), 489.109 FS. History—New 10-1-79, Formerly 21E-12.01, Amended 1-6-80, 12-16-80, 3-15-81, 5-31-81, 11-14-82, 4-3-84, Formerly 21E-12.09, Amended 2-4-87, 1-26-88, 6-21-88, 9-19-88, 4-18-89, 5-23-89, 8-23-89, 5-29-90, 3-20-91, 12-21-92, 1-28-93, 7-14-93, Formerly 21E-12.009, Amended 7-18-94, 6-27-95, 8-29-95, 9-18-96, 2-4-98, 2-10-00, 2-6-03, 2-27-05, 11-8-06, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Construction Industry Licensing Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Construction Industry Licensing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 10, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 14, 2008

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

RULE NO.: 61G4-15.001
 RULE TITLE: Qualification for Certification

PURPOSE AND EFFECT: The Board proposes the rule amendment to address experience verification for certification.

SUMMARY: The rule amendment will address experience verification for certification.

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

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

SPECIFIC AUTHORITY: 489.111 FS.

LAW IMPLEMENTED: 489.111 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: G. W. Harrell, Executive Director, Construction Industry Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257

THE FULL TEXT OF THE PROPOSED RULE IS:

61G4-15.001 Qualification for Certification.

(1)(a) No change.

(b) Applicants shall follow the guidelines set forth in this section when seeking to verify active experience in accordance with paragraph 61G4-15.001(1)(a), F.A.C.

If the applicant's category is: The following licensees can verify the applicant's active experience:

1. General	General contractor
2. Building	General and/or Building contractor
3. Residential	General, Building and/or Residential contractor
4. Plumbing	General, Building, Residential, Plumbing and/or Underground Utility and Excavation contractor
5. Roofing	General, Building, Residential and/or Roofing contractor
6. Class A Air-Conditioning Contractor	General, Building, Residential, Class A air-conditioning contractor and/or Mechanical contractor
7. Class B Air-Conditioning Contractor	General, Building, Residential, Class A air-conditioning, Class B air-conditioning and/or Mechanical contractor
8. Commercial Pool/Spa Contractor	General, Building, Residential, Commercial Pool/Spa contractor
9. Residential Pool/Spa Contractor	General, Building, Residential, Commercial Pool/Spa and/or Residential Pool/Spa contractor
10. Swimming Pool/Spa Servicing Contractor	General, Building, Residential, Commercial Pool/Spa, Residential Pool/Spa and/or Swimming Pool/Spa Servicing contractor
11. Mechanical Contractor	General, Building, Residential, Mechanical Class A air-conditioning and/or Class B air-conditioning contractor
12. Sheet Metal Contractor	General, Building, Residential, Sheet metal, Class A air-conditioning, Class B air-conditioning and/or Mechanical contractor
13. Specialty Structure Contractor	General, Building, Residential and/or Specialty structure contractor
14. Solar Contractor	General, Building, Residential, Solar, Commercial Pool/Spa and/or Residential Pool/Spa contractor
15. Underground Utility and Excavation Contractor	General, Building, Residential, Underground utility and excavation, and/or Plumbing contractor
16. Residential Solar Water Heating Contractor	General, Building, Residential, Residential Solar Water Heating, Plumbing, and/or Mechanical contractor
17. Gypsum Drywall Contractor	General, Building, Residential and/or Gypsum Drywall contractor
18. Gas Line Specialty Contractor	General, Building, Residential, Gas Line Specialty, Underground utility and/or Plumbing contractor
19. Glass and Glazing Specialty Contractor	General, Building, Residential and/or Glass and Glazing contractor
20. Marine Specialty Contractor	General, Building, Residential and/or Marine Specialty contractor

(c) No change.

(2) through (5) No change.

Specific Authority 489.11 FS. Law Implemented 489.111 FS. History—New 1-6-80, Amended 12-16-80, 6-30-82, 4-11-83, Formerly 21E-15.01, Amended 12-11-90, 8-21-91, 4-16-92, Formerly 21E-15.001, Amended 7-18-94, 12-16-01, 2-6-03, 6-23-04, 1-15-07, 6-19-07.

NAME OF PERSON ORIGINATING PROPOSED RULE: Construction Industry Licensing Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Construction Industry Licensing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 10, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 3, 2008

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: 61G4-18.001

RULE TITLE:

Continuing Education Requirements for Certificateholders and Registrants

PURPOSE AND EFFECT: The Board proposes the rule amendment to address the definition of services as related to sanitary sewer collections systems, main water distribution systems, storm collection systems, and utility lines.

SUMMARY: The rule amendment will address the definition of services as related to sanitary sewer collections systems, main water distribution systems, storm collection systems, and utility lines.

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

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: G. W. Harrell, Executive Director, Construction Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257

THE FULL TEXT OF THE PROPOSED RULE IS:

61G4-18.001 Continuing Education Requirements for Certificateholders and Registrants.

(1) Each person who is certified or registered by the Board must, as a condition of each renewal of the certificate or registration, obtain at least 14 classroom or interactive distance learning hours of continuing education in one or more courses from a continuing education provider approved by the Board. Of the required 14 hours of continuing education, up to four (4) hours of credit may be earned by attending a meeting of the Board wherein disciplinary cases are considered. The first complete hour of attendance will satisfy the requirement for continuing education in laws and rules regulating the construction industry, pursuant to paragraph (2)(e), below. At least seven (7) days advance notice of the intent to attend the disciplinary case session must be given to the Board, and the licensee must check in with Board staff prior to the beginning of the disciplinary proceedings. The licensee must sign in and out at breaks and at lunchtime. After the conclusion of the meeting, Board staff will issue a certificate of attendance to the licensee. The licensee must submit documentation of such participation to the Department within five (5) days of the date of issuance of the certificate of attendance. A maximum of four (4) hours will be allowed during a renewal cycle. Credit hours shall be awarded on an hour for hour basis up to a maximum of four hours. Credit hours may not be earned when the licensee attends a disciplinary case session as a party to a disciplinary action.

(2) All registered contractors and certified contractors are required to complete fourteen (14) hours of continuing education each renewal cycle. Of the fourteen (14) hours, one (1) hour shall be required in each of the following topics:

(a) through (e) No change.

(f) Wind mitigation methodologies, if license is held in the following category: General, Building, Residential, Roofing, Speciality Structure, or Glass and Glazing.

The remaining seven hours may include any of the aforementioned subject matter or general topics as defined hereinafter.

(3) through (12) No change.

Specific Authority 455.213(6), 455.2177, 455.2178, 455.2179, 489.108, 489.115 FS. Law Implemented 455.2123, 455.213(6), 455.2177, 455.2178, 455.2179, 455.271(6), 489.115, 489.116 FS. History—New 12-2-93, Amended 5-19-94, 8-16-94, 10-12-94, 1-18-95, 2-4-98, 5-11-99, 7-12-99, 1-23-00, 2-1-00, 12-27-00, 3-25-01, 7-26-04, 9-1-05, 9-27-06, 9-1-07, 11-15-07.

NAME OF PERSON ORIGINATING PROPOSED RULE: Construction Industry Licensing Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Construction Industry Licensing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 10, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 13, 2008

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE NO.: 61G6-7.001
 RULE TITLE: Specialty Electrical Contractors
 PURPOSE AND EFFECT: The purpose and effect is to update the scope of practice of limited energy systems specialty contractors.

SUMMARY: The scope of practice of limited energy systems specialty contractors is updated.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Board determined that the proposed rule will not have an impact on small business. 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: 489.507(3), 489.510, 489.515 FS.

LAW IMPLEMENTED: 489.507(3), 489.510, 489.515, 489.517(5), 489.537 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: Anthony B. Spivey, Executive Director, Electrical Contractors' Licensing Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

61G6-7.001 Specialty Electrical Contractors.

The following types of specialty electrical contractors may apply to be certified under the provisions of Part II, Chapter 489, F.S., and Chapter 61G6-5, F.A.C., above. In order to be admitted to a specialty contractor examination, the person must show 6 years of comprehensive training, technical education, or broad experience on the type of electrical or alarm system work for which certification is desired.

(1) through (3) No change.

(4) Limited Energy Systems Specialty. The scope of certification of a limited energy systems specialty contractor includes the installation, repair, fabrication, erection, alteration, addition to, or design of electrical wiring, fixtures, appliances, thermostats, apparatus, raceways, conduit, and fiber optics (transmission of light over stranded glass) or any part thereof not to exceed ~~98~~ 77 volts, when those items are for the purpose of transmitting data, proprietary video (satellite systems which are not part of a community antenna television,

cable television, or radio distribution system), radio frequency, central vacuum, or electric locks, data distribution networks, home theater systems, surround sound systems, public address systems or telephone systems.

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

Specific Authority 489.511(5) FS. Law Implemented 489.503(14), 489.505(19), 489.511(5) FS. History—New 1-2-80, Amended 7-29-84, 10-14-84, Formerly 21GG-7.01, Amended 2-23-86, 12-24-87, 6-21-89, 3-3-92, Formerly 21GG-7.001, Amended 1-28-96, 12-25-96, 6-11-97, 12-24-97, 7-19-98, 10-7-99, 2-17-00, 4-30-01, 4-30-03, 9-16-07, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Electrical Contractors’ Licensing Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Electrical Contractors’ Licensing Board
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 16, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 18, 2008

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 Nursing

RULE NO.: 64B9-7.001
RULE TITLE: Fees

PURPOSE AND EFFECT: The purpose and effect is to add a fee for application for CNS certification, for renewal of a dual RN/CNS license certificate, for licensees renewing for two years their biennial renewal, for licensees renewing for three years their biennial renewal, to add a delinquency fee, to adjust the fees in several application and licensing categories and to update existing language.

SUMMARY: A fee for application for CNS certification, for renewal of a dual RN/CNS license certificate, for licensees renewing for two years their biennial renewal, for licensees renewing for three years their biennial renewal and a delinquency fee are added, the fees in several application and licensing categories are adjusted and existing language is updated.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Board determined that the proposed rule will not have an impact on small business. No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 456.013(2), 456.017, 456.025, 456.036, 464.006, 464.014(1) FS.

LAW IMPLEMENTED: 119.07(1)(a), 456.013(2), 456.017(1)(c), 456.025, 456.036, 464.008, 464.009, 464.012, 464.013, 464.014 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rick Garcia, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B9-7.001 Fees.

The following fees are prescribed by the Board.

(1) For application to sit for the examination as provided in Section 464.008, F.S.:

(a) For registered nurse and licensed practical nurse ninety dollars (\$90.00) of which ~~\$47~~ ~~\$23~~ is specifically earmarked to pay the fee charged by the Department of Law Enforcement for the criminal background check mandated by Section 464.008(1)(b), F.S.

(b) No change.

(2) For application for licensure without examination by endorsement as provided in Section 464.009, F.S.:

For registered nurse and licensed practical nurse ninety dollars (\$90.00) of which ~~\$47~~ ~~\$23~~ is specifically earmarked to pay the fee charged by the Department of Law Enforcement for the criminal background check mandated by Section 464.008(1)(b), F.S.

(3) through (4) No change.

(5) For application for CNS certification as provided in Section 464.0115, F.S., seventy five dollars (\$75.00).

~~(6)(5)~~ For ARNP registration as a dispensing practitioner pursuant to Section 465.0276, one hundred dollars (\$ 100.00).

~~(7)(6)~~ For renewal of RN or LPN license as provided in Section 464.013, F.S., eighty dollars (\$ 80.00).

~~(8)(7)~~ For renewal of a dual RN/ARNP license certificate, one hundred thirty dollars (\$130.00).

(9) For renewal of a dual RN/CNS license certificate, one hundred fifty five dollars (\$155.00).

~~(10)(8)~~ The Department shall collect a five dollar (\$5.00) fee upon initial licensure or renewal of all LPNs, RNs, and dual RN/ARNP licenses for the Student Loan Trust Fund.

~~(11)(9)~~ For application to change from active to inactive status as provided in Section 464.014, F.S.:

(a) through (b) No change.

(c) For dual RN/ARNP or RN/CNS license certificate seventy-five dollars (\$75.00).

~~(12)(40)~~ For renewal of an inactive license as provided in Section 464.014, F.S.:

(a) through (b) No change.

(c) For dual RN/ARNP or RN/CNS license certificate seventy-five dollars (\$75.00).

~~(13)(11)~~ For reactivation or change of status of an inactive or delinquent license, as provided in Sections 456.036(8) and 464.014, F.S.:

(a) through (b) No change.

(c) For dual RN/ARNP or RN/CNS license certificate seventy-five dollars (\$75.00).

~~(14)(12)~~ A delinquent status licensee shall pay a delinquency fee of fifty-five dollars (\$55.00) when the licensee applies for inactive status or for reactivation.

~~(15)(13)~~ The inactive status biennial renewal fee shall be fifty-five dollars (\$55.00).

~~(16)(14)~~ The continuing education provider application and renewal fees shall each be two hundred fifty dollars (\$250.00).

~~(17)(15)~~ The application fee for approval of a nursing program shall be one thousand dollars (\$1,000.00).

~~(18)(16)~~ The biennial renewal fee for certified nursing assistant shall be fifty ~~twenty~~ dollars (\$50) for licensees renewing for two years and eighty dollars (\$80) for licensees renewing for three years, (\$20) as provided in Section 464.203, F.S. The delinquency fee shall be twenty five dollars (\$25).

~~(19)(17)~~ The initial retired status license fee shall be fifty dollars (\$50.00).

Specific Authority 456.013(2), 456.017, 456.025, 456.036, 464.006, 464.014(1) FS. Law Implemented 119.07(1)(a), 456.013(2), 456.017(1)(c), 456.025, 456.036, 464.008, 464.009, 464.012, 464.013, 464.014 FS. History—New 9-12-79, Amended 3-5-81, 12-28-82, 11-17-83, Formerly 210-15.01, Amended 9-23-86, 2-5-87, 10-21-87, 11-19-89, 3-13-90, 1-1-92, 6-24-93, Formerly 210-15.001, 61F7-7.001, Amended 9-13-94, 11-6-94, 4-12-95, Formerly 59S-7.001, Amended 8-18-98, 11-2-98, 6-20-00, 7-7-02, 9-26-05, 9-4-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Nursing

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Nursing

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 14, 2008

FISH AND WILDLIFE CONSERVATION COMMISSION

RULE NO.: 68-1.003
 RULE TITLE: Florida Fish and Wildlife Conservation Commission Grants Program

PURPOSE AND EFFECT: The purpose and effect of the proposed rule development is to incorporate the Nongame Wildlife, Fish and Wildlife Research Institute, and the Florida State Wildlife grants programs' application forms by reference

for consistency with Chapter 120, F.S. Additionally, we plan on adding the Derelict Vessel Removal Grant Program rule language in full to move it from the current location in Rule 68D-16.029 to Rule 68-1.003, F.A.C., for consistency and ease of location, and subsequently repealing the language in Rule 68D-16.029, F.A.C. Finally, we will be amending the State Wildlife Grant program guidelines that are incorporated by reference. The amendment will update the date of the guidelines referenced in the rule from March 2007 to September 2008.

SUMMARY: The application and budget forms are being incorporated pursuant to new requirements of Chapter 120, FS. The Derelict Vessel Grant Program rule is being moved to this rule to provide consistency with other Commission grant programs. The State Wildlife Grant program guidelines are being changed to reflect the Program's progress and development within the agency. These changes include eliminating the preliminary review option for grant applications, clarifying (but not changing) the partial prohibition of indirect costs used as matching funds to allow them not to exceed more than 15% of the salary request per fiscal year, adding statements relating to unemployment/workers compensation, and clarifying our metadata requirements. Also included in the changes is a provision directing grantees to plan a project timeframe to allow for completion of the draft and final reports without requiring an amendment for additional time, as such could be considered a late deliverable when reviewing future applications.

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: Article IV, Section 9, Fla. Const.; 376.15, 379.106 FS.

LAW IMPLEMENTED: Article IV, Section 9, Fla. Const.; 376.15, 379.106, 823.11 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: Florida's State Wildlife Grants Program: Brian Branciforte, Florida Fish and Wildlife Conservation Commission, 620 S. Meridian Street, Tallahassee, FL 32399, telephone (850)488-3831, email: brian.branciforte@myfwc.com. Derelict Vessel Removal Grant Program: Tim Woody, Florida Fish and Wildlife Conservation Commission, 620 S. Meridian Street, Tallahassee, FL 32399, telephone (850)410-0656, ext. 17173, email tim.woody@myfwc.com. Additionally, a copy of the proposed guideline language can be obtained by contacting Brian Branciforte

THE FULL TEXT OF THE PROPOSED RULE IS:

68-1.003 Florida Fish and Wildlife Conservation Commission Grants Program.

(1) through (4) No change.

(5) Nongame Wildlife Grants Program grants shall meet all additional program requirements set forth in the Florida Nongame Wildlife Grants Program Guidelines (dated March 2007), which are hereby incorporated by reference. The following forms are hereby adopted and incorporated by reference: FWC/NWGP-1, entitled "Florida Nongame Wildlife Grants Program Budget Form," June 2008 FWC/NWGP-2, entitled "Florida Nongame Wildlife Grants Program Application Form," June 2008. The guidelines and forms are available from the Commission at 620 South Meridian Street, Tallahassee, Florida 32399-1600.

(6) No change.

(7) Derelict Vessel Removal Grant Program grants shall meet all requirements set forth in this section of Rule 68D-16.029, F.A.C.

(a) In the event monies are appropriated by the Legislature for the funding of the Derelict Vessel Removal Grant Program for a given fiscal year, the Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement (Division) shall award said grants to local governments based on these criteria.

1. The degree to which the designated derelict vessels pose a threat to public health or safety, the environment, navigation or the aesthetic condition of the general vicinity within the jurisdiction of the grant applicant.

2. The total number of derelict vessels within the jurisdiction of the grant applicant.

3. The degree to which the designated derelict vessels will be used in the construction of permitted artificial reef sites.

4. The projected cost effectiveness of the grant applicant's proposed derelict vessel removal program.

5. The degree of commitment of the grant applicant to maintain coastal waters free of derelict vessels and its record for seeking legal action against those owners who abandon vessels in the waters of the state.

6. The timeliness and completeness of the grant application received from the applicant.

(b) Only derelict vessels as defined in Section 823.11(1), F.S. shall be eligible for removal with grant funds. Derelict vessels must be designated and marked by a law enforcement officer as specified in Section 327.70, F.S. Such designation and marking shall be considered made when the law enforcement officer completes form number FWCDLE 048, Derelict or Abandoned Vessel Report, dated March 2008, incorporated herein by reference. This form may be obtained by contacting the Fish and Wildlife Conservation Commission, Division of Law Enforcement.

(c) Authorized disposal sites for derelict vessels shall be limited to permitted artificial reef sites and permitted landfill locations. Any exceptions must be approved in writing by the Division.

(d) In the event monies are appropriated by the Legislature for the funding of the Derelict Vessel Removal Grant Program for a given fiscal year, the Division shall announce the availability of funding in the Florida Administrative Weekly and on the Web site at <http://myfwc.com/boating/grants/derelict.htm>. A grant applicant shall provide a completed grant application to the Division no more than 60 days from the date the announcement is published. This application shall be submitted on the form FWC/DV-APP (July 2008), entitled "Application for Derelict Vessel Removal Grant," July 2008, incorporated herein by reference, and may be obtained by contacting the Fish and Wildlife Conservation Commission, Division of Law Enforcement, 620 S. Meridian Street, 1M, Tallahassee, Florida 32399-1600. No other form will be accepted.

(e) The Division shall within 30 days after the established submission closing date make the award of said grants pursuant to the criteria set forth in subsection (1) above. Said grants shall be awarded for the removal and disposal of all or part of the vessels designated on a given grant application. In the event the dollar amount of the awarded grant applications is less than the allocated funds or the Division determines that any or all of the submitted applications do not adequately meet the established award criteria, or any of the designated derelict vessels contained within an awarded grant are removed prior to their removal with grants funds, the Division shall solicit additional applications from potential applicants for the balance of the allocated funds not expended pursuant to the grant program.

(f) A grant recipient shall administer the removal and disposal of designated derelict vessels as an independent governmental authority and not as an agent or representative of the Commission. In the event the Division determines that a derelict vessel(s) included in a grant constitutes an immediate hazard to navigation or determines after consultation with the Department of Health that a vessel constitutes an immediate hazard to the public's health and safety, the Division may suspend the grant procedures set forth in this rule and initiate emergency procedures under Section 823.11, F.S.

(g) No grant monies for the removal and disposal of a given derelict vessel shall be paid to the grant recipient until said vessel has been legally removed and such removal and disposal properly documented by the grant recipient. The grant recipient shall submit documentation for the removal and disposal of derelict vessels along with a request for reimbursement to the Division on a monthly basis. Only costs directly associated with the actual removal and disposal of a designated derelict vessel(s) including the removal of pollutants are eligible for reimbursement from the grant program.

(h) All grants made pursuant to this subsection shall be subject to pre-audit and post-audit by the Commission or its representative.

(8) through (9) No change.

(10) Fish and Wildlife Research Institute Grants Program grants shall meet all additional program requirements set forth in the Fish and Wildlife Research Grants Program Guidelines (dated March 2007), which are hereby incorporated by reference. The following forms are hereby adopted and incorporated by reference: FWC/FWRIGP-1, entitled "Florida Fish and Wildlife Research Institute Grants Program Budget Form," June 2008 and FWC/FWRIGP-2, entitled "Florida Fish and Wildlife Research Institute Grants Program Application Form," June 2008. The guidelines and forms are available from the Commission at the Fish and Wildlife Research Institute, 100 Eighth Avenue S.E., Saint Petersburg, Florida 33701-5020.

(11) Florida's State Wildlife Grants Program grants shall meet all additional program requirements set forth in Florida's State Wildlife Grants Program Guidelines (dated September 2008 ~~March 2007~~), which are hereby incorporated by reference. The following forms are hereby adopted and incorporated by reference: FWC/SWG-1, entitled "Florida State Wildlife Grants Program Budget Form," June 2008 and FWC/SWG-2, entitled "Florida State Wildlife Grants Program Application Form," June 2008. The guidelines and forms are available from the Commission at 620 South Meridian Street, Tallahassee, Florida 32399-1600.

(12) Boating Infrastructure Grant Program grants shall meet all additional requirements set forth in the Boating Infrastructure Grant Program Guidelines (dated Jan. 2008), which are hereby incorporated by reference. The following form is hereby adopted and incorporated by reference: FWC/BIGP-APP, Boating Infrastructure Grant Program Grant Application, 07/08. The guidelines and form are available from the Commission at 620 S. Meridian St., 1M, Tallahassee, Florida 32399-1600 or www.myfwc.com/boating/grants/bigp.htm.

Specific Authority 206.606, 327.04, 327.47, 370.023, 376.15 FS. Law Implemented 206.606, 327.47, 328.72, 370.023, 376.15, 823.11 FS. History—New 4-4-04, Amended 3-15-05, Formerly 68A-2.015, Amended 5-22-07, 7-6-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Patricia Harrell, Florida Fish and Wildlife Conservation Commission, 620 S. Meridian Street, Tallahassee, FL 32399, telephone (850)410-0656, Ext. 17122, email: patricia.harrell@myfwc.com

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission sitting as agency head

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 12, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 25, 2008

FISH AND WILDLIFE CONSERVATION COMMISSION

RULE NO.: 68-1.009
 RULE TITLE: Delegations of Authority to the Executive Director

PURPOSE AND EFFECT: The purpose of the proposed rule amendments is to revise then Commission's existing Delegations of Authority rule which delegates authority from the Commission to the Executive Director.

SUMMARY: The proposed rule amendment will revise the delegation rule and the delegations incorporated into the rule.

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

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

SPECIFIC AUTHORITY: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

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

DATES AND TIME: During the Commission's regular meeting, September 17-19, 2008. 8:30 a.m. – 5:00 p.m. each day

PLACE: Hyatt Regency Jacksonville Riverfront, 225 East Coast Line Drive, Jacksonville, 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: 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: James V. Antista, General Counsel, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68-1.009 Delegations of Authority to the Executive Director.

The Delegation of Authority ~~Resolution~~ adopted by the Fish and Wildlife Conservation Commission (FWC) on September 17, 2008 ~~April 14, 2005~~ is incorporated herein by reference. The incorporation of this delegation resolution into rule does not preclude or prohibit the Commission from granting delegating additional delegations of authority to its Executive Director from time-to-time as may be necessary to assure orderly administration of the agency. Any actions to be taken, or decisions to be made, by the Commission pursuant to any

rule of the agency may be exercised by the Executive Director or his or her designee unless such actions or decisions are expressly reserved by the Commission in the rule or are specifically required by law to be made by the Commission in an area not involving the Commission's constitutional authority.

Specific Authority Article IV, Sec. 9, Fla. Const. Law Implemented Art IV, Sec. 9, Fla. Const. History--New 1-8-08, Amended.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: James V. Antista, General Counsel, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Mr. Kenneth D. Haddad, Executive Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 11, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 4, 2008

FISH AND WILDLIFE CONSERVATION COMMISSION

RULE NO.: 68-5.004
RULE TITLE: Amnesty for Persons Relinquishing Non-native Pets

PURPOSE AND EFFECT: The proposed rule establishes an amnesty program for the adoption of nonnative animals to help prevent illegal release of non-native fish and wildlife.

SUMMARY: The rule establishes the formation of an amnesty program for unwanted nonnative pets and allows certified adopters to receive non-native fish and wildlife from unpermitted persons without penalty.

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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

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

DATES AND TIME: During the regular meeting of the Commission, September 17-19, 2008, 8:30 a.m. – 5:00 p.m., each day

PLACE: 1039 Hyatt Regency Jacksonville Riverfront, 225 East Coast Line Drive, Jacksonville, FL 32202

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

THE FULL TEXT OF THE PROPOSED RULE IS:

68-5.004 Amnesty for Persons Relinquishing Non-native Pets.

It is the policy of the Fish and Wildlife Conservation Commission to encourage persons possessing unwanted non-native fish or wildlife as pets to relinquish such pets to qualified adopters as an alternative to releasing them into Florida's environment. In furtherance of this policy, the Commission will sponsor amnesty events for such purpose.

(1) Persons adopting nonnative species through an FWC sponsored amnesty event may accept nonnative fish or wildlife from persons who have not obtained a permit from the Commission for possession of such fish or wildlife.

(2) State and county wildlife control agencies may accept non-native fish and wildlife from persons who have not obtained a permit from the Commission for possession of such fish or wildlife.

(3) Any person relinquishing or adopting non-native fish or wildlife pursuant to this rule is hereby deemed not to be in violation of the permit requirement of subsection 68A-6.0021(2), F.A.C.

Specific Authority Article IV, Section 9, Florida Constitution. Law Implemented Article IV, Section 9, Florida Constitution. History--New

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT

CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Timothy A. Breault, Director, Division of Habitat and Species Conservation

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Mr. Kenneth D. Haddad, Executive Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 11, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 8, 2008

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-1.004
 RULE TITLE: Definitions

PURPOSE AND EFFECT: The purpose of the proposed rule is to define "permanent blind." The effect would be that hunters would understand the proposed changes to Rule 68A-12.002, F.A.C., which would prohibit waterfowl hunting from or within 30 yards of a permanent blind or from anything constructed in violation of Florida statutes on lakes Miccosukee, Iamonia, Carr, and Jackson in Leon and Jefferson Counties. In combination, the intent of these two rule changes would be to reduce territorial conflicts among hunters and construction of unpermitted structures on sovereign submerged lands.

SUMMARY: The rule clarifies a prohibited method of take for waterfowl on selected public lakes in Leon and Jefferson counties.

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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

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

DATES AND TIME: During the regular meeting of the Commission, September 17-19, 2008, 8:30 a.m. – 5:00 p.m. each day

PLACE: Hyatt Regency Jacksonville Riverfront, 225 East Coast Line Drive, Jacksonville, 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: 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: James Antista, General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-1.004 Definitions.

(1) through (57) No change.

(58) Permanent blind – anything that provides shelter, cover, or place of concealment for a person, but does not include any rooted vegetation or a shelter, cover, or place of concealment remaining in place only while the person is present.

(58) through (98) renumbered (59) through (99) No change.

PROPOSED EFFECTIVE DATE: AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH IT IS CONSIDERED.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 8-1-79, Amended 6-15-81, 11-17-81, 6-21-82, 7-1-83, 7-1-84, 7-1-85, Formerly 39-1.04, Amended 6-1-86, 5-10-87, 10-8-87, 3-1-88, 4-13-88, 4-27-89, 4-11-90, 7-1-92, 4-20-93, 3-1-94, 7-1-94, 4-1-96, 11-23-97, 7-1-98, 6-23-99, Formerly 39-1.004, Amended 7-1-00, 5-1-01, 5-1-03, 7-1-04, 5-26-05, 7-1-06, 4-1-07, 7-1-08,_____.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ms. Diane Eggeman, Division Director, Division of Hunting and Game Management

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Mr. Kenneth D. Haddad, Executive Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 11, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 7, 2007

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-9.008 RULE TITLE: Permits for Physically Disabled

PURPOSE AND EFFECT: The purpose of the proposed rule change is to clarify a complete single-leg amputation as above the knee for persons seeking permits for the mobility impaired, provide in rule how a mobility-impaired identification card is obtained and incorporate grammatical corrections and language standardization or clarification. The effect of the proposed rule is to clarify outdated rule language and provide a clear definition of complete single leg amputation.

SUMMARY: The proposed rule changes will clarify that complete single-leg amputations must be above the knee for those persons seeking permits for the mobility-impaired. The proposed change includes non-substantive technical changes such as grammatical corrections, language standardization or clarification of an existing rule.

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

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

SPECIFIC AUTHORITY: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

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

DATES AND TIME: During the regular meeting of the Commission, September 17-19, 2008, 8:30 a.m. – 5:00 p.m., each day

PLACE: Hyatt Regency Jacksonville Riverfront, 225 East Coast Line Drive, Jacksonville, FL 32202

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-9.008 Permits for Physically Disabled.

The executive director or his designee may issue permits, to persons who are permanently physically disabled as described below, for activities which would otherwise be regulated or prohibited by these rules. Such permits shall be conditioned as necessary to protect natural resources and to regulate access in accordance with management plans and policies for the area. Individuals not meeting the criteria for a permit set forth in this rule may request accommodation through the process established by the agency:

(1) through (2) No change.

(3) Alternative mobility permits. Permits to operate an all-terrain vehicle will be issued based upon a determination that the applicant has submitted an original certificate from a licensed physician certifying that the individual is mobility impaired in that he or she is one of the following: paraplegic, hemiplegic, quadriplegic, permanently dependent upon a wheelchair for ambulation, permanently required to use braces or prosthesis on both legs, or complete single-leg amputation above the knee. "All-terrain vehicle" shall be as defined in Rule 68A-1.004, F.A.C., provided that no two-wheeled or two-cycle vehicles will be permitted.

(4) Mobility-impaired quota hunt permits. ~~As specified by subsection 68A 5.005(1), F.A.C., applicants for mobility-impaired hunts shall submit an application on forms furnished by the Commission, only via U.S. mail or by a commercially established messenger or courier service, or by online computer services, to the address specified on the application. In addition to the application forms specified, No~~ no person shall be eligible for issuance of a mobility-impaired quota permit unless the person has obtained a mobility-impaired identification card. A mobility-impaired identification card may be obtained by submitting a completed mobility-impaired eligibility certification application (Form QA-801) to on record with the Commission. Certification as Participants in the mobility-impaired hunt shall be restricted to persons who are paraplegic, hemiplegic, or quadriplegic, permanently dependent upon a wheelchair for ambulation, permanently required to use assisting aids to walk, permanently required to use braces or prosthesis on both legs or who have had complete single-leg amputation above the knee.

PROPOSED EFFECTIVE DATE: As soon after adoption as possible.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 5-10-04, Amended 5-1-05_____.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT

CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Cindy Hoffman, Office of Human Resources, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Mr. Kenneth D. Haddad, Executive Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 6, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 7, 2007

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-12.002 RULE TITLE: General Methods of Taking Game; Prohibitions

PURPOSE AND EFFECT: The purpose of the proposed rule is to prohibit waterfowl hunting from or within 30 yards of a permanent blind or from anything constructed in violation of Florida statutes on lakes Miccosukee, Iamonia, Carr, and Jackson in Leon and Jefferson Counties. The effect would be to reduce territorial conflicts among hunters and construction of unpermitted structures on sovereign submerged lands.

SUMMARY: The rule prohibits a method of take for waterfowl on selected public lakes in Leon and Jefferson counties.

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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

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

DATES AND TIME: During the regular meeting of the Commission, September 17-19, 2008, 8:30 a.m. – 5:00 p.m. each day

PLACE: Hyatt Regency Jacksonville Riverfront, 225 East Coast Line Drive, Jacksonville, Florida 32202

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 5 days before the workshop/meeting by contacting: 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: James Antista, General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-12.002 General Methods of Taking Game; Prohibitions.

(1) through (6) No change.

(7) No person shall:

(a) through (g) No change.

(h) Take ducks, geese, mergansers, or coots while the person is within 30 yards of any permanent blind or anything in violation of either Section 253.77 or 373.430(1)(b) or 403.161(1)(b), F.S. on Lake Miccosukee (Jefferson County), Lake Iamonia (Leon County), Lake Jackson (Leon County), or Carr Lake (Leon County).

(8) through (9) No change.

PROPOSED EFFECTIVE DATE: AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH IT IS CONSIDERED.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 6-4-81, 11-17-81, 6-21-82, 7-1-83, 7-1-84, 7-1-85, Formerly 39-12.02, Amended 6-1-86, 4-11-90, 4-14-92, 4-20-93, 3-1-94, 3-30-95, 4-1-96, 12-28-98, Formerly 39-12.002, Amended 7-1-05, 7-1-06, 7-1-08,_____.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ms. Diane Eggeman, Division Director, Hunting Game and Management

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Mr. Kenneth D. Haddad, Executive Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 11, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 7, 2007

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-25.002
RULE TITLE: General Provisions for Taking, Possession and Sale of Reptiles

PURPOSE AND EFFECT: The purpose of this proposed revised rule is to protect native Florida freshwater turtle populations from over exploitation. Outdated references to other rules were updated.

SUMMARY: The Fish and Wildlife Conservation Commission proposes limiting harvest of freshwater turtles to five per person per day to protect these species from over exploitation.

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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution; 372.121 FS.

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

DATES AND TIME: During the Commission’s regular meeting, September 17-19, 2008, 8:30 a.m. each day

PLACE: Hyatt Regency Jacksonville Riverfront, 225 East Coast Line Drive, Jacksonville, FL 32202

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mr. Tim Breault, Director, Division of Habitat and Species Conservation, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-25.002 General Provisions for Taking Possession and Sale of Reptiles.

(1) No person shall buy, sell, take, possess, transport, or import any American alligator, or any part thereof, or the nests or eggs of any American alligator except under permit from the executive director, as otherwise provided by this Title, or as follows:

(a) Lawfully acquired, unskinned alligator carcasses with CITES tags legally affixed; skinned alligator carcasses with the CITES tag number and, if applicable, harvest tag number recorded on an attached tag; untanned hides with CITES tags legally affixed; and alligator feet, viscera, and skeletal parts may be bought, sold, possessed, transported, and imported without a permit provided that untanned alligator hides may only be bought by persons licensed pursuant to Section 372.66, F.S., and that records of transfers of alligator feet, viscera, and skeletal parts shall be maintained as specified in Rule 68A-25.052, F.A.C.

(b) Persons permitted pursuant to Section 372.921, F.S., and their employees may transport live, lawfully-possessed, untagged alligators to Florida locations for exhibition purposes and persons permitted pursuant to Section 372.921, F.S., may sell, and they and their employees may transport, such alligators to:

1. Other persons permitted pursuant to Section 372.921, F.S.;
2. To persons permitted to receive such alligators; or
3. To persons out of state, provided that all transports/transfers conducted pursuant to subparagraphs 68A-25.002(1)(b)1., 2. and 3., F.A.C., shall be documented on a Captive Alligator and Egg Transportation/Transfer Document (FWC Form 1006AF).

4. All originating exhibitor/seller(s) acting pursuant to this paragraph shall complete and sign the Captive Alligator and Egg Transportation/Transfer Document before the transport, obtain the signature of the recipient on the document, if appropriate, and forward the document to the Commission within 30 days following the date of transport. A copy of the completed document must accompany the alligators during transport.

(2) Notwithstanding other provisions in this Title, untagged, lawfully-acquired, cured, and mounted crocodilian trophies; untagged, tanned crocodilian hides; and manufactured goods wholly or partly composed of crocodilian hide or other parts may be possessed, transported, and imported without a permit, but may only be sold in accordance with the following:

(a) Documentary evidence of the source of acquisition of such crocodilian products held for sale shall be maintained until the products are sold. Such products held for sale and documentary evidence of the source of acquisition shall be subject to inspection by Commission personnel during reasonable hours.

(b) No person shall sell such crocodilian products manufactured from a species declared to be endangered or threatened by the U.S. Fish and Wildlife Service or the Commission.

(c) No person shall sell any crocodilian product manufactured in the form of a stuffed baby crocodilian less than three feet in length as measured from the tip of the snout to the tip of the tail.

(3) Any alligator, crocodile, caiman or similar reptile, or any part thereof, seized or otherwise acquired by the Commission may be sold.

(4) The records of individuals or concerns selling any species of crocodylian will be subject to inspection and such individuals or concerns shall have in their possession invoices or other documentary evidence of the suppliers of such crocodylians. The advertisement or representation of any crocodylian other than American alligator, and meat and parts thereof, as alligator or "gator" and of caimans, and meat and parts thereof, as crocodile is prohibited.

(5) No person shall use, be in possession of or attend any hook, peg or other such device baited in such a manner as to be capable of taking alligators and suspended so that the bait is above water or submerged less than six inches except nuisance-alligator trappers taking nuisance alligators pursuant to Rule 68A-25.003, F.A.C., and except as otherwise provided in Rules 68A-25.032 and 68A-25.042, F.A.C.

(6) No person shall take more than a total of five (5) native Florida freshwater turtles each day unless authorized by permit from the Executive Director as provided in Rule 68A-9.002 and Chapter 68A-27, F.A.C. Freshwater turtles may be taken as prescribed in Rules 68A-23.012 and 68A-23.003, F.A.C., and manually or by baited hooks, bow, dip nets, traps so designed that any freshwater fish taken therein may escape, or by spearing only during daylight hours. The taking of turtles by bucket traps, snares, or shooting with firearms is prohibited. No person shall buy, sell, or possess for sale any alligator snapping turtle (*Macrolemys temminckii*), box turtle (*Terrapene carolina*), Barbour's map turtle (*Graptemys barbouri*), Escambia River map turtle (*Graptemys ernsti*), diamondback terrapin (*Malaclemys terrapin*), river cooter (*Pseudemys concinna*), or loggerhead musk turtle (*Sternotherus minor*), or parts thereof. No person shall possess more than two (2) Barbour's map turtles, two (2) Escambia River map turtles, two (2) diamondback terrapins, two (2) river cooters, two (2) box turtles, two (2) loggerhead musk turtles, or one (1) alligator snapping turtle unless authorized by permit from the Executive Director as provided in Rule ~~68A-5.004~~, 68A-9.002 and Chapter ~~68A-27~~ ~~68A-27.002~~, F.A.C. River cooters may not be taken from 15 April to 31 July.

(7) No softshell turtles (*Apalone* spp.) or their eggs may be taken from the wild during the period 1 May to 31 July.

(8) No person shall possess more than 50 eggs taken from the wild in the aggregate of species of freshwater turtle native to Florida except as authorized by permit from the executive director as provided in Rule ~~68A-5.004~~, 68A-9.002 and Chapter ~~68A-27~~ ~~68A-27.002~~, F.A.C. Eggs of those turtle species enumerated in subsection 68A-25.002(6), F.A.C., are subject to the same possession limits as apply for those turtles. The purchase or sale of turtle eggs taken from the wild is prohibited.

(9) No person shall buy, sell, take or possess any gopher tortoise (*Gopherus polyphemus*), or any part thereof, unless authorized by permit from the executive director as provided in Rule ~~68A-5.004~~, 68A-9.002, and Chapter ~~68A-27~~ ~~68A-27.002~~, F.A.C.

(10) Possession of gopher tortoises may be authorized by permit from the executive director when the owner can demonstrate that such tortoise(s) was (were) legally acquired and possessed before July 1, 1988.

(11) No person shall possess any turtle or tortoise on which paint has been applied to its shell or body parts, provided that water-soluble, non-toxic identifying marking may be used in turtle racing contests.

(12) No person shall buy, sell or possess for sale any Florida pine snake (*Pituophis melanoleucus mugitus*), nor shall any person possess more than one Florida pine snake, except that said restrictions shall not apply to amelanistic ("albino") specimens.

(13) Reptiles may be taken throughout the year in any manner not conflicting with other provisions of these rules.

(14) On or after July 1, 1990, and until January 1, 2008, any person or entity not currently permitted to possess or exhibit venomous reptiles must qualify for a permit by meeting the following criteria:

(a) Submit documentation in accordance with the criteria specified in paragraph 68A-6.0022(5)(c), F.A.C., showing a minimum of one (1) year substantial practical experience in the care, feeding, handling and husbandry of the family of venomous reptiles for which the permit is sought.

(b) Shall not have been convicted of a violation of venomous reptile regulations for three (3) years prior to application for such permit.

(c) Must be at least 18 years old at the time of application.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. FS. History—New 8-1-79, Amended 6-4-81, 6-21-82, 7-1-83, 7-1-84, 7-1-85, Formerly 39-25.02, Amended 6-1-86, 5-10-87, 10-8-87, 4-13-88, 2-14-89, 7-1-89, 7-1-90, 4-14-92, 4-1-96, 9-15-96, 4-12-98, 7-1-99, Formerly 39-25.002, Amended 4-30-00, 3-30-06, 5-18-06, 6-7-07, _____.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mr. Tim Breault, Division of Habitat and Species Conservation
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Mr. Kenneth D. Haddad, Executive Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 11, 2008
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 18, 2008

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 12, 2008
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 25, 2008

FISH AND WILDLIFE CONSERVATION COMMISSION

Vessel Registration and Boating Safety

RULE NO.: 68D-16.029
RULE TITLE: Derelict Vessel Removal Grant Program

PURPOSE AND EFFECT: The purpose is to repeal this rule and incorporate the provisions of the Derelict Vessel Removal Grant Program into subsection 68-1.003(7), F.A.C., Florida Fish and Wildlife Conservation Commission Grants Program. This will provide consistency and ease of location for rules of the agency's grant programs.

SUMMARY: The rule is to be repealed.

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

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

SPECIFIC AUTHORITY: 376.15 FS.

LAW IMPLEMENTED: 206.606, 376.15, 823.11 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: Tim Woody, Grants Specialist, Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, Boating and Waterways Section, 620 South Meridian Street, Room 235, Tallahassee, Florida 32399 or at (850)488-5600 or tim.woody@myfwc.com

THE FULL TEXT OF THE PROPOSED RULE IS:

68D-16.029 Derelict Vessel Removal Grant Program.

Specific Authority 206.606, 376.15 FS. Law Implemented 206.606, 376.15, 823.11 FS. History--New 11-11-85, Formerly 16N-16.29, Amended 5-20-86, Formerly 16N-16.029, 62N-16.029, Amended 7-6-08, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Patricia Harrell, Boating Access Coordinator, Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, Boating and Waterways Section

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission sitting as agency head

**Section III
Notices of Changes, Corrections and
Withdrawals**

DEPARTMENT OF STATE

Division of Elections

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

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 34, No. 24, June 13, 2008 issue of the Florida Administrative Weekly.

The changes are made in response to an Amended Petition for a Determination of Invalidity submitted to the Division of Administrative Hearing on July 18, 2008 (Florida Democratic Party v. Department of State/Division of Elections, Case No. 08-3485RP) which is now closed as of August 4, 2008, due to a settlement. The summary of the substantive changes made to the proposed rule text is as follows:

(1) Subsection (1) is revised to re-insert existing language that states that the standards in the rule apply in a manual recount as provided specifically by Section 102.166, F.S.

(2) Subsection (6) is revised to clarify that except as otherwise provided in subsections (4) and (5) of the proposed rule, an overvote will not count as valid.

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."

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-730.171	Transfer Facilities
62-730.182	Criteria to Determine Whether Changes Constitute a “Substantial Modification” at Certain Existing Hazardous Waste Facilities That Are Otherwise Exempt From Statutory Location Standards
62-730.900	Forms

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 34, No. 31, August 1, 2008 issue of the Florida Administrative Weekly.

The correction will revise the NAME OF THE AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Michael W. Sole, Secretary, Department of Environmental Protection.

THE PERSON TO BE CONTACTED REGARDING THIS NOTICE IS: Julie Rainey at julie.c.rainey@dep.state.fl.us or (850)245-8713 or Department of Environmental Protection, 2600 Blair Stone Road, Mail Station 4560, Tallahassee, Florida 32399-2400.

DEPARTMENT OF JUVENILE JUSTICE

Residential Services

RULE NOS.:	RULE TITLES:
63E-7.010	Residential Case Management Services
63E-7.011	Delinquency Intervention and Treatment Services

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 34, No. 31, August 1, 2008 issue of the Florida Administrative Weekly.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Frank Peterman, Jr., Secretary ~~Darryl Olson, Assistant Secretary for Residential Services~~

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.:	RULE TITLE:
64B9-7.001	Fees

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 14, April 4, 2008 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE NO.:	RULE TITLE:
64B10-16.002	Preceptor

NOTICE OF CHANGE

Notice is hereby given that the following change has been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 34, No. 12, of the March 21, 2008, issue of the Florida Administrative Weekly. The change is in response to concerns of by the Joint Administrative Procedures Committee in letters dated April 15, 2008 and May 8, 2008, regarding the proposed revision to form DOH/NHAO14, Revised 9/2007. The change is as follows:

64B10-16.002(2) shall read as:

(2) Each person desiring to be a preceptor must submit a completed application with the appropriate fees as required by Rule 64B10-12.012, F.A.C. The applicant shall include the states and dates of issuance of all the applicant’s professional licenses, including those as a nursing home administrator.

64B10-16.002(3) shall read as:

(3) Each person desiring to be a preceptor must be a practicing nursing home administrator in any jurisdiction for three of the last five years and must have had no disciplinary action taken against him or her during that time frame.

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

**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 ENVIRONMENTAL PROTECTION

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

**Section V
Petitions and Dispositions Regarding Rule Variance or Waiver**

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN THAT on August 1, 2008, the Department of Community Affairs has issued an order. Granting a Petition for Waiver or Variance.

NAME OF PETITIONER: Town of Horseshoe Beach, Florida.
 DATE PETITION WAS FILED: June 30, 2008.

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: That portion of paragraph 9B-43.005(8)(a), Florida Administrative Code, which requires that any procurement which must be publicly noticed allow at least 12 days for receipt of the bids or proposals. This was a regular request – not temporary or emergency in nature.

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: F.A.W., July 18, 2008, Vol. 34, No. 29.

THE DATE THE SECRETARY APPROVED THE VARIANCE OR WAIVER: July 31, 2008.

THE GENERAL BASIS FOR THE DECISION: The Department concludes that the petitioner’s practices have achieved the underlying statutory purpose for the Rule, and that the procurement was conducted with full and open competition, consistent with the standards of 24 CFR §85.36.

A copy of the Order may be obtained by contacting: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

DEPARTMENT OF LAW ENFORCEMENT

NOTICE IS HEREBY GIVEN THAT on July 30, 2008, the Criminal Justice Standards and Training Commission, received a petition for waiver of subsection 11B-27.002(4), F.A.C., by Daniel Santiago. Petitioner wishes to waive that section of the rule requiring officers to become employed within four years of beginning basic recruit training.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302-1489, (850)410-7687. Comments on the petition may be directed to the above as well.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT on July 15, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

An Emergency Variance for subsection 61C-4.010(6), Florida Administrative Code (F.A.C.) from Jimmy Buffet’s Margaritaville located in Orlando. The above referenced

F.A.C. references the provisions of Chapter 6, 2001 Federal Drug Administration Food Code, which prohibits live animals on the premises of a food establishment. They are requesting a variance to have animals (birds) present outside a food service establishment.

This variance request was approved and is contingent upon the Petitioner ensuring that the birds will have no direct or indirect contact that may contaminate food; clean equipment, utensils, linens, or unwrapped single-service or single-use articles. Approval is also contingent upon the birds being located in and confined to an area where food preparation and storage or warewashing do not occur.

A copy of the Order may be obtained by contacting: Rhonda Steele@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on July 29, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code (F.A.C.) from Sia’s Pizza Place located in North Miami Beach. The above referenced F.A.C. states that all bathrooms shall be of easy and convenient access to both patrons and employees...They are requesting a variance to share bathroom facilities with an adjacent establishment and to be take-out only with no seats.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rhonda.Steele@DBPR.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on July 17, 2008, the Board of Accountancy, received a petition for Stacey Gutierrez, seeking a variance or waiver of subsection 61H1-33.003(6), Florida Administrative Code, which requires that licensees who complete the continuing professional education requirements timely but who are found to be deficient after December 31 of their renewal year must correct the error and pay a \$50.00 fine within 60 days.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607, (352)333-2505. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on July 14, 2008, the Board of Accountancy, received a petition for Manuel Trillo, seeking a variance or waiver of subsection 61H1-33.001(3), Florida Administrative Code, which requires that the scan sheet for the Laws and Rules Examination be postmarked or completed on-line by or on December 31 and not be accepted if it is postmarked or completed on-line after that date.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607, (352)333-2505. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on July 23, 2008, the Board of Accountancy, received a petition for Stanley F. Weiner, seeking a variance or waiver of subsection 61H1-33.001(3), Florida Administrative Code, which requires that the scan sheet for the Laws and Rules Examination be postmarked or completed on-line by or on December 31 and not be accepted if it is postmarked or completed on-line after that date.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607, (352)333-2505. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

The Board of Dentistry hereby gives notice that it has received a petition, filed on August 1, 2008, by Edwin A. Bayo on behalf of Adriana Gabaldon, D.D.S., seeking a waiver or variance of subsection 64B5-2.0146(2), F.A.C., with respect to the requirement that each applicant for a Florida dental license successfully completes supplemental remedial education to the level of a graduating senior; and/or subsection 64B5-7.003(4), F.A.C., with respect to the unacceptability of experience obtained by an individual pursuant to a permit issued under the authority of Rule 64B5-7.003, F.A.C. and Section 466.025, F.S., for the purpose of fulfilling the supplemental education program set forth in Section 466.006(3)(b), F.S.

Comments on this petition should be filed with the: Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

For a copy of the petition, contact: Sue Foster, Executive Director, at the above address or telephone (850)245-4474.

NOTICE IS HEREBY GIVEN THAT on July 30, 2008, the Board of Pharmacy, received a petition for Magdy Fam, seeking a variance or waiver of Rule 64B16-26.2031, Florida

Administrative Code, which requires that no program of work activity will be approved for any applicant until said applicant has been certified by FPGEE Foreign Pharmacy Graduate Examination Commission. Petitioner is also seeking a variance or waiver of paragraph 64B16-26.203(3)(a), Florida Administrative Code, which requires that candidates for licensure by examination reapply if all requirements for licensure are not met within one year of the receipt of the application.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254, (850)245-4292. Comments on the petition should be filed with the Board of Pharmacy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on July 16, 2008, the Board of Pharmacy, received a petition for Sayeda Masruh, seeking a variance or waiver of Rule 64B16-26.2031, Florida Administrative Code, which requires that no program of work activity will be approved for any applicant until said applicant has been certified by FPGEE Foreign Pharmacy Graduate Examination Commission.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254, (850)245-4292. Comments on the petition should be filed with the Board of Pharmacy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on July 30, 2008, the Board of Pharmacy, received a petition for Kanaklata Roy, seeking a variance or waiver of Rule 64B16-26.2031, Florida Administrative Code, which requires that no program of work activity will be approved for any applicant until said applicant has been certified by FPGEE Foreign Pharmacy Graduate Examination Commission.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254, (850)245-4292.

NOTICE IS HEREBY GIVEN THAT on August 5, 2008, the Board of Pharmacy, received a petition for Abdus Salam, seeking a variance or waiver of Rule 64B16-26.2031, Florida Administrative Code, which requires that no program of work activity will be approved for any applicant until said applicant has been certified by FPGEE Foreign Pharmacy Graduate Examination Commission.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee,

Florida 32399-3254, (850)245-4292. Comments on the petition should be filed with the Board of Pharmacy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on July 16, 2008, the Board of Pharmacy, received a petition for Miguel Juan Torres, seeking a variance or waiver of Rule 64B16-26.2031, Florida Administrative Code, which requires that no program of work activity will be approved for any applicant until said applicant has been certified by FPGEE Foreign Pharmacy Graduate Examination Commission.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254, (850)245-4292. Comments on the petition should be filed with the Board of Pharmacy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on July 28, 2008, the Board of Psychology, received a petition for Stacey Brodie-Walker, seeking a variance or waiver of paragraph 64B19-11.005(1)(c), F.A.C., which requires that a supervisor be either a Florida licensed psychologist or a doctoral-level psychologist licensed in good standing in another state, providing supervision in the state in which the supervisor is licensed.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allen Hall, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, (850)245-4373. Comments on this petition should be filed with the Board of Psychology within 14 days of publication of this notice.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN THAT on July 21, 2008, the Department of Financial Services, received a petition for Variance or Waiver submitted by Dwayne D. Whyte, Sr., seeking a temporary waiver or variance from paragraphs 69B-211.042(3)(a), (8)(a), (9)(a), (9)(b), (21)(ww), and subsection 69B-211.041(11), F.A.C., with regard to the restriction on the licensure of persons who have been found guilty of or have pled guilty or nolo contendere to a felony or a crime punishable by imprisonment of one (1) year or more. Comments on this petition should be filed with the Department of Financial Services, 200 East Gaines Street, Suite 612, Tallahassee, Florida 32399-0333, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Beverly L. Hayes, Assistant General Counsel, Department of Financial Services, at the above address, or telephone (850)413-4216.

**Section VI
Notices of Meetings, Workshops and Public Hearings**

DEPARTMENT OF STATE

The **Division of Historical Resources** announces a public meeting to which all persons are invited.

DATE AND TIME: August 28, 2008, 10:00 a.m.

PLACE: R. A. Gray Building, 3rd Floor, Room 307, 500 South Bronough Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The ad hoc Florida Main Street Advisory Committee will meet to consider applications received and formulate recommendations to the Secretary of State for designation of 2008 Florida Main Street Communities.

Up to (3) applicants may be named as “Designated” communities, eligible to receive up to thirty-six (36) months of technical assistance and apply for a one-time ten thousand dollar (\$10,000) grant.

A copy of the agenda may be obtained by contacting: Joan Jefferson, Florida Main Street Coordinator, Department of State, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250, 1(800)847-7278.

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: Joan Jefferson, Florida Main Street Coordinator, Department of State, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250, 1(800)847-7278. 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: Joan Jefferson, Florida Main Street Coordinator, Department of State, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250, 1(800)847-7278.

The **Department of State, Division of Library and Information Services** announces the Florida Library Network Council Meeting.

DATE AND TIME: Tuesday, August 29, 2008, 9:00 a.m. – 4:00 p.m.

PLACE: R. A. Gray Building, Room 307, 500 S. Bronough Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the Florida Virtual Library Plan and to review the Plan's implementation and timeline.

For additional information contact: Judith Ring, State Librarian at (850)245-6603 or Suncom 205-6600.

Any person requiring special accommodations due to a disability or physical impairment should contact the agency at least five days prior to the meeting in order to request any special assistance by calling (850)245-6600 or TDD (850)922-4085.

The **Division of Cultural Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: September 5, 2008, 8:30 a.m. – conclusion

PLACE: The Florida Capitol, 22nd Floor Gallery, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the general business of the Florida Arts Council and attend press conference announcing a statewide art contest. To discuss, review and take action on recommendations for inductee(s) in to the Florida Artists Hall of Fame and any other business which may appropriately come before the Council.

Note: If a quorum of members does not attend, items on the agenda for formal action will be discussed as a workshop by those present, and written minutes will be taken although no formal action will be taken.

A copy of the agenda may be obtained by contacting: The Division of Cultural Affairs' Web site at www.Florida-Arts.org or by contacting Dianne Alborn, Executive Assistant, 500 South Bronough Street, R. A. Gray Building, Tallahassee, Florida 32399-0250, (850)245-6473 or by email at dalbora@dca.state.fl.us.

Should any person wish to appeal any decision made with respect to any matter considered at the above-referenced meeting, he/she may need to ensure verbatim recording of the proceeding in order to provide a record for judicial review. The Division of Cultural Affairs will not record this meeting. Pursuant to the provisions of the Americans with Disabilities Act, persons with disabilities are asked to contact the Division office by the 2nd day of September 2008, if you need an accommodation. Accommodations can be arranged through Morgan Lewis, ADA Coordinator for the Division of Cultural Affairs at (850)245-6356, by Fax (850)245-6497 or by email at mblewis@dca.state.fl.us.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Division of Plant Industry** announces a workshop to which all persons are invited.

DATE AND TIME: Wednesday, August 27, 2008, 1:00 p.m.

PLACE: Doyle Conner Building, Auditorium, 1911 S. W. 34 Street, Gainesville, Florida 32614-7100

GENERAL SUBJECT MATTER TO BE CONSIDERED: Research Funds and Goals.

A copy of the agenda may be obtained by contacting: Cathy DeWeese at (352)372-3505, ext. 114.

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: Darci Hames at (352)372-3505, ext. 196. 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 **Division of Plant Industry** announces a public meeting to which all persons are invited.

DATE AND TIME: August 28, 2008, 10:00 a.m.

PLACE: Cowperthwaite Building, Auditorium, Winter Haven, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Citrus Budwood Protection Program, Citrus Germplasm Introduction Program, NVDMC proposal.

A copy of the agenda may be obtained by contacting: Mike Kesinger at (863)298-7712.

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: Mike Kesinger at (863)298-7712. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF EDUCATION

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

DATES AND TIME: September 10-12, 2008, 9:00 a.m. – 6:00 p.m.

PLACE: Crowne Plaza Hotel, 1601 Belvedere Road, West Palm Beach, Florida 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting/workshop of the Florida Rehabilitation Council.

COMMITTEE MEETINGS: Please note that committees of the Florida Rehabilitation Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meeting may request to be put on mailing list for such notices by writing to Yolanda Manning at the Council's address.

A copy of the agenda may be obtained by contacting: Yolanda Manning, 2002 Old Saint Augustine Road, Building A, Tallahassee, FL 32301-4862, (850)245-3397.

The **Department of Education**, Digital Divide Council announces a public meeting to which all persons are invited.

DATE AND TIME: August 28, 2008, 1:30 p.m. – 3:00 p.m.
PLACE: Ocala/Marion County Government Complex, 315 S. E. 25th Avenue, Ocala, Florida 34471, (352)732-1313
GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Digital Divide Council to elect new officers as appropriate, provide a status of the pilot program and plans for implementation, discussion of data necessary for annual report, and to plan new strategic initiatives.

A copy of the agenda may be obtained by contacting: Kate Kemker at (850)245-9470, kate.kemker@fldoe.org.

DEPARTMENT OF COMMUNITY AFFAIRS

The **Florida Communities Trust** announces a public meeting to which all persons are invited.

DATE AND TIME: August 25, 2008, 2:00 p.m. – 4:00 p.m. – until business is completed, whichever occurs first
PLACE: Sadowski Building, Department of Community Affairs, Kelley Training Room, 3rd Floor, 2555 Shumard Oak Blvd., Tallahassee, FL 32399-2100
GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss proposed Rule Chapters 9K-9 and 9K-10, Florida Administrative Code.

ACTION TO BE TAKEN: Consideration of above-stated business. To obtain minutes from this conference call, contact the Trust at (850)922-2207.

A copy of the agenda may be obtained by contacting: Florida Communities Trust at (850)922-2207.

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: Florida Communities Trust at (850)922-2207. 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 Communities Trust at (850)922-2207.

The **Florida Communities Trust** announces a public meeting to which all persons are invited.

DATE AND TIME: September 4, 2008, 9:00 a.m. and continuing – until business is concluded on that date
PLACE: Tallahassee City Hall, Commission Chambers, 2nd Floor, 300 South Adams Street, Tallahassee, Florida 32301
GENERAL SUBJECT MATTER TO BE CONSIDERED: Rank and select FF8 projects for funding and conduct other business that the Governing Board deems necessary.
ACTION TO BE TAKEN: Consideration of above-stated business.

A copy of the agenda may be obtained by contacting: Florida Communities Trust at (850)922-2207.

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: Florida Communities Trust at (850)922-2207. 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 Communities Trust at (850)922-2207.

DEPARTMENT OF TRANSPORTATION

NOTICE OF CHANGE – **Department of Transportation**, MIAMI-DADE TRANSIT Miami-Dade Transit announces a Public Hearing to which all persons are invited.

NOTE: THIS IS A REVISED NOTICE. The date and time of the public hearing for the Supplemental Environmental Assessment (EA) for proposed Post-Record of Decision (ROD) design modifications to the approved Final Environmental Impact Statement (FEIS) (dated February 22, 2007) for Miami-Dade Transit's North Corridor Metrorail Extension along N. W. 27th Avenue from N. W. 79th Street to N. W. 215th Street (at the Miami-Dade/Broward County Line), published in the F.A.W., Vol. 34, No. 30, July 25, 2008, has changed. The August 21, 2008 hearing has been cancelled and a new date and time will be rescheduled in the near future.

Anyone needing additional information about the project or the public hearing may contact: Michelle Simmons, MDT Public Involvement Manager by e-mail msimmon@miamidade.gov,

by telephone (786)469-5467, or mail Ms. Michelle Simmons, MDT Public Involvement Manager, Miami-Dade Transit, 701 N. W. First Court, Suite 1700, Miami, Florida 33136.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

The **Department of Environmental Protection**, Office of Coastal and Aquatic Managed Areas, acting as staff to the **Board of Trustees of the Internal Improvement Trust Fund** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 11, 2008, 11:30 a.m. – 1:30 p.m.

PLACE: Rookery Bay Reserve Environmental Learning Center, 300 Tower Road, Naples, FL 34113

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose is for the members of the Advisory Committee to discuss the revision of the Rookery Bay National Estuarine Research Reserve Management Plan.

A copy of the agenda may be obtained by contacting: Brenda Varnes at (239)417-6310 or brenda.varnes@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Brenda Varnes at (239)417-6310 or brenda.varnes@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

STATE BOARD OF ADMINISTRATION

The **Florida Prepaid College Board** announces a workshop to which all persons are invited.

DATE AND TIME: Tuesday, September 2, 2008, 1:30 p.m. or soon thereafter – until completion

PLACE: The Hermitage Centre, Hermitage Room, 1801 Hermitage Boulevard, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a workshop to review the Board's enhanced immunization style of investment management, to review the methodology for constructing the customized benchmark, and to review the adequacy and contract pricing analysis.

A copy of the agenda may be obtained by contacting: Thomas J. Wallace, Executive Director, Florida Prepaid College Board, 1801 Hermitage Blvd., Suite 210, Tallahassee, Florida 32308, (850)488-8514.

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 Faxing a request to: Thomas J. Wallace, Executive Director, Florida Prepaid College Board at (850)488-3555. 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 Prepaid College Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 3, 2008, 9:00 a.m. or soon thereafter – until completion

PLACE: The Hermitage Centre, Hermitage Room, 1801 Hermitage Boulevard, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Meeting. The purpose of this meeting is to conduct the regular business of the Florida Prepaid College Board Investment Committee, to which all persons are invited.

A copy of the agenda may be obtained by contacting: Thomas J. Wallace, Executive Director, Florida Prepaid College Board, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, (850)488-8514.

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 Faxing a written request to: Thomas J. Wallace, Executive Director, Florida Prepaid College Board at (850)488-3555, no later than five (5) days prior to the 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 **Florida Prepaid College Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 3, 2008, 11:15 a.m. or soon thereafter – until completion

PLACE: The Hermitage Centre, Hermitage Room, 1801 Hermitage Boulevard, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Meeting. The purpose of this meeting is to conduct the regular business of the Florida Prepaid College Board to which all persons are invited.

A copy of the agenda may be obtained by contacting: Thomas J. Wallace, Executive Director, Florida Prepaid College Board, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, (850)488-8514.

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 Faxing a request to: Thomas J. Wallace, Executive Director, Florida Prepaid College Board at (850)488-3555, no later than five (5) days prior to the 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 **Florida Prepaid College Foundation Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 3, 2008, 1:00 p.m. or soon thereafter – until completion

PLACE: The Hermitage Centre, Hermitage Room, 1801 Hermitage Boulevard, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Meeting. The purpose of this meeting is to conduct the regular business of the Florida Prepaid College Foundation Board to which all persons are invited.

A copy of the agenda may be obtained by contacting: Thomas J. Wallace, Executive Director, Florida Prepaid College Board, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, (850)488-8514.

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 Faxing a request to: Thomas J. Wallace, Executive Director, Florida Prepaid College Board at (850)488-3555. 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 CITRUS

The Florida **Department of Citrus**, Processing Statistics Reporting Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, August 26, 2008, 2:00 p.m.

PLACE: Florida Department of Citrus, 1115 East Memorial Blvd., Lakeland, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to discuss the Post Estimate Fruit Price Report. The Committee will also discuss any other issues that may properly come before the Committee. This meeting will be accessible via telephone conference by calling 1(888)808-6959 and when prompted enter conference code 4992535 followed by #.

A copy of the agenda may be obtained by contacting: Everette Taylor at (863)499-2500.

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: Everette Taylor at (863)499-2500. 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: Everette Taylor at (863)499-2500.

PUBLIC SERVICE COMMISSION

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

DATE AND TIME: September 4, 2008, 9:30 a.m.

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

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

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

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

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

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

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

The Florida **Public Service Commission** announces its Internal Affairs Meeting for September 4, 2008, to which all interested persons are invited.

DATE AND TIME: September 4, 2008, Immediately following the Commission Conference which commences at 9:30 a.m. in Joseph P. Cresse Hearing Room 148.

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

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

A copy of the agenda of the Internal Affairs Meeting may be obtained by contacting: 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/>.

EXECUTIVE OFFICE OF THE GOVERNOR

The **Governor's Commission on Volunteerism and Community Service** (Volunteer Florida) announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, September 8, 2008, 3:30 p.m. – until business is complete

PLACE: Conference Call: 1(888)808-6959, Passcode 921-5144

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Commission business.

A copy of the agenda may be obtained by contacting: Kristin Mullikin at (850)414-0092 or kristin@volunteerflorida.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. 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: Kristin Mullikin at (850)414-0092.

The **Office of Drug Control** announces a public meeting to which all persons are invited.

DATE AND TIME: September 24, 2008, 10:00 a.m. – 2:00 p.m.

PLACE: Conference Room 2103, The Capitol, Tallahassee, FL
GENERAL SUBJECT MATTER TO BE CONSIDERED: Statewide Drug Policy.

A copy of the agenda may be obtained by contacting: Claude Shipley at (850)414-8820.

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: Claude Shipley at (850)414-8820. 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: Claude Shipley at (850)414-8820.

REGIONAL PLANNING COUNCILS

The **Local Emergency Preparedness Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: August 20, 2008, 10:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Northeast Florida Regional Council Local Emergency Preparedness Committee announces the following public meeting to which all persons are invited. Notice is also given that two or more members of Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes may attend and speak at this meeting.

A copy of the agenda may be obtained by contacting: The 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: Debbie Dale 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.

For more information, you may contact: Debbie Dale at (904)279-0880 or ddale@nefrc.org.

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

DATE AND TIME: Thursday, October 9, 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.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: Suzanne Cooper at (727)570-5151, ext. 32. 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: 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, October 13, 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.

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, October 13, 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).

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: 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, October 13, 2008, 11:30 a.m.

PLACE: 4000 Gateway Centre Blvd., Suite 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.

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).

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: 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, October 27, 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.

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).

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: Wren Krahl at (727)570-5151, ext. 22.

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

DATE AND TIME: Monday, September 8, 2008, 10:30 a.m.

PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any Development Order received prior to the meeting; Substantial Deviation to Approved Development Order for Harrison Park (Westerra) Development of Regional Impact, City of Sunrise; Any proposed Local Government Comprehensive Plan received prior to the meeting; Any adopted Local Government Comprehensive Plan received prior to the meeting; Proposed Public Education Facilities Element (PEFE)/Capital Improvements Element (CIE) Amendments for Key Biscayne; Any Proposed Public Education Facilities Element (PEFE)/Capital Improvements Element (CIE) Amendments; Proposed Local Government Comprehensive Plan Amendments for Pompano Beach and Dania Beach; Any proposed Local Government Comprehensive Plan Amendment received prior to the meeting; Any Adopted Public Education Facilities Element (PEFE)/Capital Improvements Element (CIE) Amendments; Any adopted Local Government Comprehensive Plan Amendment received prior to the meeting; Meeting on monthly Council business; Executive Committee meeting at 10:00 a.m. at the above location.

Council related committees may meet periodically before (9:00 a.m.) and following the regularly scheduled Council meetings. Any party desirous of ascertaining schedules of the sub-committees should call the Council Offices at (954)985-4416 (Broward).

A copy of the agenda may be obtained by contacting: (954)985-4416.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting (954)985-4416. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: (954)985-4416.

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

DATE AND TIME: Thursday, August 28, 2008, 10:30 a.m. (ET)

PLACE: Ramada Conference Center, 2900 N. Monroe Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: In addition to its regular business, the agenda will include the review of any local government plan amendments received in a timely manner.

A copy of the agenda may be obtained by contacting: Janice Watson, ARPC, 20776 Central Avenue, East, Blountstown, FL 32424, (850)674-4571.

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

WATER MANAGEMENT DISTRICTS

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

DATE AND TIME: August 28, 2008, 1:00 p.m. (EDT)

PLACE: District Headquarters, 10 miles west of Tallahassee on Highway 90, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting – to consider District business.

OTHER MEETINGS HELD ON AUGUST 28, 2008:

10:45 a.m. – 11:00 a.m. Administration, Budget and Finance Committee

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss Fiscal Year 2008-2009 Tentative Proposed Budget and Consideration of Increase in Level of Procurement Authority Delegated to the Executive Director.

11:00 a.m. – 12:00 Noon District Lands Committee

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss Land Acquisition Matters.

12:00 Noon – 12:30 p.m. Regulations Committee

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the Environmental Resource Permitting Program.

1:15 p.m. Public Hearing on Consideration of Regulatory Matters

1:30 p.m. Public Hearing on Consideration of Land Acquisition Matters

1:45 p.m. Public Hearing on Consideration of Regional Water Supply Plan for Region III, Bay County

A copy of the agenda may be obtained by contacting: Robin Tucker, NWFWMD, 81 Water Management Drive, Havana, FL 32333, (850)539-9999 (also available through the Internet at www.nfwmd.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 72 hours before the workshop/meeting by contacting: Mr. Larry Wright. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DATE AND TIME: Wednesday, August 27, 2008, 1:00 p.m.

PLACE: Minneola City Council Chambers, 800 N. U.S. Highway 27, Minneola, FL 34715

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board action on Consumptive Use Permit. Application Number: 2-069-114010-1

Applicant: Niagara Bottling, LLC

Project Name: Project Falls

Location: Lake County; Section 20, Township 21 South, Range 25 East

Description: The District proposes to allocate 484,000 gallons of ground water per day (on an annual average basis) for commercial/industrial type use to manufacture plastic water bottles and to purify groundwater for bottled drinking water.

Duration: 5 years

Acreage: 17.93

The District has been advised that one or more petitions challenging the proposed issuance of this consumptive use permit application will be filed. In the event a timely petition is filed, this meeting will be cancelled.

A copy of the agenda may be obtained by contacting: Marji Hightower, 4049 Reid Street, Palatka, FL 32177, (386)329-4214, or by visiting the District's website at www.sjrwm.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Marji Hightower at (386)329-4214. 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 **St. Johns River Water Management District** announces a workshop to which all persons are invited.

DATE AND TIME: September 3, 2008, 2:00 p.m. – 4:00 p.m.

PLACE: Port Orange Regional Library, 1005 City Center Circle, Port Orange, FL, (386)322-5152

GENERAL SUBJECT MATTER TO BE CONSIDERED: Amendments to the drainage basin and regional watershed figures (Figure 12.2.8-1 and Appendix M) in the Applicant's Handbook: Management and Storage of Surface Waters, which are relevant to the review of applications for environmental resource permits (ERP) and mitigation bank permits. The Notice of Proposed Rule was published in the Florida Administrative Weekly on July 18, 2008, Vol. 34, No. 29, pps 3705-3709. The District will consider and receive comments on possible revisions to the currently proposed basin/watershed boundary amendments in the following five areas:

1. Southern Flagler County at basins/watersheds 16 (Crescent Lake) and 17 (Halifax River) – moving the boundary between 16 and 17 further to the west in the vicinity of the Plantation Subdivision, Strickland property, and Hull Cypress Swamp area owned by Plum Creek, all located within: Township 13 South, Range 30 East, Sections 25-26; Township 13 South, Range 31 East, Sections 4, 5, 8, 9, 15, 16, 21, 22, 27-33; Township 14 South, Range 30 East, Sections 1, 11-14, 24; and Township 14 South, Range 30 East, Section 1, 11-14, 24; and Township 14 South, Range 31 East, Sections 5-8;
2. Duval County at basins/watersheds 4 (Northern St. Johns River and Northern Coastal) and 6 (Tolomato River and Intracoastal Nested) – moving the boundary between 4 and 6 further to the west in the vicinity of Peach Drive and Beach Boulevard in Township 2 South, Range 27 East, Sections 24, 25, and 36;

3. St. Johns County at basins/watersheds 5 (Sixmile and Julington Creeks Nested) and 9 (Pellicer Creek and Matanzas River) – moving the boundary between 5 and 9 back closer to the existing boundary line in the vicinity of State Road 16 between I-95 and US1 in Township 6 South, Range 29 East, Sections 28, 29, 32, 33, 34, and 70; and Township 7 South, Range 29 East, Sections 3, 4, 5, 8, 9, 10, 15, 37, 40, and 53;
4. Brevard County at basins/watersheds 20 (Southern St. Johns River) and 21 (North Indian River Lagoon) – moving the boundary between 20 and 21 back closer to its existing boundary line in the vicinity of Fiske Drive in Rockledge area;
5. Brevard County at basins/watersheds 20 (Southern St. Johns River) and 22 (Central Indian River Lagoon) – moving the boundary between 20 and 22 back closer to the existing boundary line in the vicinity of Eau Gallie Boulevard and Sarno Road.
6. Other revisions to boundaries of those basins/watersheds described in the previously referenced Notice of Proposed Rule.

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: Sandy Bertram, Asst. District Clerk at (386)329-4127. 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: Norma K. Messer, Rules Coordinator, Office of General Counsel, St. Johns River Water Management District 4049 Reid Street, Palatka, Florida 32177-1429, (386)329-4459, email address nmesser@sjrwmd.com.

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

DATE AND TIME: Monday, August 25, 2008, 3:30 p.m.

PLACE: Springs Coast Environmental Education Center, 9170 Cortez Boulevard, Weeki Wachee, Florida 34607

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of task force business for the Hernando County Task Force of the Citrus/Hernando Waterways Restoration Council. Hernando County residents are encouraged to attend and provide suggestions for restoration projects to enhance fish and wildlife habitat.

A copy of the agenda may be obtained by contacting: Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34604, (352)796-7211 or 1(800)423-1476 (Florida only), extension 4227.

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: (352)796-7211 or 1(800)423-1476 (Florida only), extension 4226; TDD: 1(800)231-6103 (Florida only); Fax: (352)797-5806. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DATE AND TIME: Tuesday, August 26, 2008, 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: GOVERNING BOARD COMMITTEE MEETINGS, BOARD MEETING AND PUBLIC HEARING: Conduct Committee meetings, Governing Board meeting and public hearing. Ad Order 2285.

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, 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: SWFWMD Executive Department at the address above.

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

DATE AND TIME: Thursday, August 28, 2008, 9:00 a.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 Green Industry 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: 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: Teri Hudson at the above address or phone number.

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

DATE AND TIME: Thursday, August 28, 2008, 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 Agricultural 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: 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: Teri Hudson at the above address or phone number.

The **Big Cypress Basin** announces a public meeting to which all persons are invited.

DATE AND TIME: August 27, 2008, 9:00 a.m.

PLACE: Big Cypress Basin Service Center, 2640 Golden Gate Pkwy., Suite 205, Naples, Florida 34105

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct regular Basin Board business, including a Budget Workshop and the adoption of the FY 2009 Basin Budget.

A copy of the agenda may be obtained by contacting: Kathleen M. Tetrault at (239)263-7615.

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: Kathleen M. Tetrault at (239)263-7615. 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: Kathleen M. Tetrault at (239)263-7615.

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

WRAC Lake Okeechobee Committee Meeting

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

PLACE: SFWMD, Lower West Coast Service Center, 2301 MacGregor Blvd., Ft. Myers, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review Northern Everglades Plan, River Watershed Protection Plans.

A copy of the agenda may be obtained by contacting: Rick Smith at (561)682-6517 or Sandra Gomez at (561)682-2047.

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: District Clerk's Office at (561)682-2087.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration**, Statewide Advocacy Council announces a public meeting to which all persons are invited.

DATES AND TIME: August 20, 2008; September 17, 2008; October 15, 2008; November 19, 2008; December 17, 2008, 4:00 p.m.

PLACE: 400 West Robinson Street, South Tower, First Floor, Conference Rooms, Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Local Advocacy Council (FLAC) announces meetings for all Service Area 7 (Seminole, Osceola, and Orange

counties) Multi-Program council members, including the Chair, Vice-Chair, administrative office staff. Parts of the meetings are open to the public.

A copy of the agenda may be obtained by contacting: Bryan Morgan at 1(800)342-0825.

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: Bryan Morgan at (407)245-0965. 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: Bryan.Morgan@myflorida.gov.

The **Agency for Health Care Administration**, Statewide Advocacy Council announces a public meeting to which all persons are invited.

DATES AND TIME: September 23, 2008; October 28, 2008; November 25, 2008; December 23, 2008, 9:00 a.m.

PLACE: 337 N. U.S. Highway 1, Fort Pierce, FL 34950

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Local Advocacy Council (FLAC) announces meetings for all Service Area 11 (Okeechobee, Indian River, St. Lucie and Martin counties) Multi-Program council members, including the Chair, Vice-Chair, administrative office staff. Parts of the meetings are open to the public.

A copy of the agenda may be obtained by contacting: Bryan Morgan at (407)245-0965.

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: Bryan Morgan at (407)245-0965. 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: Bryan.Morgan@myflorida.gov.

The **Agency for Health Care Administration**, Statewide Advocacy Council announces a public meeting to which all persons are invited.

DATES AND TIME: September 25, 2008; October 23, 2008, 3:00 p.m.

PLACE: 4720 Old Highway 37, Lakeland, FL 33813

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Local Advocacy Council (FLAC) announces meetings for all Service Area 8 (Polk, Hardee and Highlands counties) Multi-Program council members, including the Chair, Vice-Chair, administrative office staff. Parts of the meetings are open to the public.

A copy of the agenda may be obtained by contacting: Bryan Morgan at 1(800)342-0825.

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: Bryan Morgan at (407)245-0965. 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: Bryan.Morgan@myflorida.gov.

The **Agency for Health Care Administration**, Statewide Advocacy Council announces a public meeting to which all persons are invited.

DATES AND TIME: October 9, 2008; November 13, 2008, 10:30 a.m.

PLACE: 1603 Gulf Atlantic Highway, Room 2075, Wildwood, FL 34785

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Local Advocacy Council (FLAC) announces meetings for all Service Area 7 (Seminole, Osceola, and Orange counties) Multi-Program council members, including the Chair, Vice-Chair, administrative office staff. Parts of the meetings are open to the public.

A copy of the agenda may be obtained by contacting: Bryan Morgan at 1(800)342-0825.

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: Bryan Morgan at (407)245-0965. 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: Bryan.Morgan@myflorida.gov.

The **Agency for Health Care Administration**, Statewide Advocacy Council announces a public meeting to which all persons are invited.

DATES AND TIME: October 10, 2008; November 14, 2008, 10:00 a.m.

PLACE: 1845 Cogswell Street, Rockledge, FL 32955

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Local Advocacy Council (FLAC) announces meetings for all Service Area 7 (Brevard county) Multi-Program council members, including the Chair, Vice-Chair, administrative office staff. Parts of the meetings are open to the public.

A copy of the agenda may be obtained by contacting: Bryan Morgan at 1(800)342-0825.

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: Bryan Morgan at (407)245-0965. 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: Bryan.Morgan@myflorida.gov.

DEPARTMENT OF MANAGEMENT SERVICES

The **Southwood Shared Resource Center (SSRC)** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, August 25, 2008, 1:30 p.m.

PLACE: Betty Easley Center, Room 152, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The recently signed Senate Bill 1892 establishes the Southwood Shared Resource Center, formerly the Shared Resource Center, to enhance communication among state agencies and identify statewide enterprise information technology solutions.

A copy of the agenda may be obtained by contacting: Rick Mitchell at (850)488-9895, rick.mitchell@dms.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Rick Mitchell at (850)488-9895, rick.mitchell@dms.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Rick Mitchell at (850)488-9895, rick.mitchell@dms.myflorida.com.

The **Florida Black Business Investment Board** announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 28, 2008, 10:00 a.m.

PLACE: Telephone conference call

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the Board's operations, identify areas for future board priorities, receive reports from its committees/task force, review/approve related issues and other business as needed, and approve actions taken by the Chairman and/or President under delegated authority.

A copy of the agenda may be obtained by contacting: The FBBIB, Inc., 2019 Centre Pointe Blvd., Ste. 101, Tallahassee, FL 32308, (850)878-0826.

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 FBBIB, Inc., 2019 Centre Pointe Blvd., Ste. 101, Tallahassee, FL 32308, (850)878-0826.

The **Department of Management Services** announces a meeting of the Joint Task Force on State Agency Law Enforcement Communications announces a public meeting to which all persons are invited.

DATE AND TIME: September 3, 2008, 9:30 a.m. – 11:30 a.m.

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Room 166, Tallahassee, Florida 32399. The Conference Call Number is (850)245-5717.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting to discuss issues to the maintenance, sustainment and enhancements of the State Law Enforcement Radio System.

A copy of the agenda may be obtained by contacting: Linda McGriff at (850)922-7435 or e-mail: linda.mcgriff@dms.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 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).

The **Agency for Workforce Innovation, Office of Early Learning** announces a public meeting to which all persons are invited.

DATE AND TIME: September 12, 2008, 10:00 a.m. – 3:00 p.m.

PLACE: Marriott Orlando Airport, Orlando Florida. For reservations, please contact the hotel at 1(800)228-9290 or 1(800)380-6751 and state that you are part of the Agency for Workforce Innovation Meeting block in order to get the \$129.00 per night room rate.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct Council business.

A copy of the agenda may be obtained by contacting: Lisa Billups at (850)921-3413 or lisa.billups@flaawi.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Board of Architecture and Interior Design** announces a telephone conference call to which all persons are invited.

DATE AND TIME: September 2, 2008, 2:00 p.m.

PLACE: Telephone Conference Call: 1(888)808-6959, Conference Code 9218690

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: Florida Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0751.

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: Florida Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0751. 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 Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0751.

The **Construction Industry Licensing Board** announces a public meeting to which all persons are invited.

DATE AND TIMES: August 26, 2008, 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 32399, (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 agenda may be obtained by contacting: Jeff Kelly, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202, or by phone at (850)488-0062.

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: Jeff Kelly, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202, (850)488-0062. 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 **Construction Industry Licensing Board** announces a public meeting to which all persons are invited.

DATE AND TIME: August 26, 2008, 2:00 p.m. or soon thereafter

PLACE: Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399, (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 agenda may be obtained by contacting: Jeff Kelly, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202, (850)488-0062.

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: Jeff Kelly, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202, (850)488-0062. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **Board of Professional Geologists** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, August 28, 2008, 10:00 a.m.

PLACE: The Call In number 1(888)808-6959, Conference Code: 9226020

GENERAL SUBJECT MATTER TO BE CONSIDERED: Application Review and general board business.

A copy of the agenda may be obtained by contacting: Richard Morrison, Executive Director, 1940 North Monroe Street, Tallahassee, FL 32399.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Richard Morrison, Executive Director, 1940 North Monroe Street, Tallahassee, FL 32399. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Richard Morrison, Executive Director, 1940 North Monroe Street, Tallahassee, FL 32399.

The **Board of Professional Surveyors and Mappers** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, August 27, 2008, 10:00 a.m.

PLACE: The Call in number is: 1(888)808-6959, Conference Code: 9226020

GENERAL SUBJECT MATTER TO BE CONSIDERED: Application Review and other board business.

A copy of the agenda may be obtained by contacting: Richard Morrison, Executive Director, Board of Professional Surveyors and Mappers, 1940 North Monroe Street, Tallahassee, FL 32399.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Richard Morrison, Executive Director, Board of Professional Surveyors and Mappers, 1940 North Monroe Street, Tallahassee, FL 32399. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Richard Morrison, Executive Director, Board of Professional Surveyors and Mappers, 1940 North Monroe Street, Tallahassee, FL 32399.

The **Board of Accountancy** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, September 15, 2008, 9:00 a.m. – until completion of business

PLACE: Teleconference Call 1(888)808-6959, Conference Code 9299108

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will meet to consider enforcement proceedings including consideration of investigation officers' reports and other general business. This is a public meeting.

A copy of the agenda may be obtained by contacting: June Carroll, Administrative Assistant II, 240 N. W. 76th Drive, Suite A, Gainesville, Florida 32607.

A copy of the agenda may be obtained by contacting: June Carroll.

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: June Carroll. 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 ENVIRONMENTAL PROTECTION

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

NOTICE OF CHANGE – The **Department of Environmental Protection** announces a public meeting to which all persons are invited.

DATES AND TIME: Tuesday, August 26, 2008; Wednesday, August 27, 2008, 8:30 a.m. – close of business

PLACE: Florida Department of Environmental Protection, Douglas Building, Conference Rooms A & B, 3900 Commonwealth Blvd., Tallahassee, FL 32303

DATE AND TIME: Thursday, August 28, 2008, 8:30 a.m. – close of business

PLACE: Florida Department of Revenue, Building L, Conference Room 101, 5050 W. Tennessee St., Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: A reconciliation meeting will be held to review the draft metadata standard for Aerial Remote Sensing, Oceans Observing, Laboratory Analytical, Geospatial, Common, Groundwater, Biological Measurement and Field Sampling scientific disciplines. This meeting was previously noticed in the August 8, 2008, F.A.W. Changes have been made to the meeting locations.

A copy of the agenda may be obtained by contacting: Becky Panebianco at (850)245-2094, Becky.Panebianco@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Becky Panebianco at (850)245-2094, Becky.Panebianco@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Department of Environmental Protection, Division of Recreation and Parks** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, August 26, 2008, 7:00 p.m.

PLACE: Visitor Center at Gamble Plantation Historic State Park, 3708 Patten Avenue, Ellenton, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presentation and discussion of the proposed management plan for Beker, which consists of the South Fork parcel (Beker A) and the Wingate Creek parcel (Beker B). A copy of the management plan will be available at the park for review. An electronic version of the plan is available upon request by emailing: Ms. BryAnne White at BryAnne.White@dep.state.fl.us.

A copy of the agenda may be obtained by contacting: Curt Wolbert, Park Manger (941)741-3028 or email William.Wolbert@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Curt Wolbert, Park Manger at (941)741-3028 or email William.Wolbert@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Curt Wolbert, Park Manger at (941)741-3028 or email William.Wolbert@dep.state.fl.us.

The Florida **Department of Environmental Protection, Division of Recreation and Parks** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 27, 2008, 9:00 a.m.

PLACE: Visitor Center at Gamble Plantation Historic State Park, 3708 Patten Avenue, Ellenton, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presentation and discussion of the proposed management plan for Beker, which consists of the South Fork parcel (Beker A) and the Wingate Creek parcel (Beker B) with the Advisory Group.

A copy of the agenda may be obtained by contacting: Curt Wolbert, Park Manger at (941)741-3028 or email William.Wolbert@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Curt Wolbert, Park Manger at (941)741-3028 or email William.Wolbert@dep.state.fl.us. If you are hearing or

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

For more information, you may contact: Curt Wolbert, Park Manger at (941)741-3028 or email William.Wolbert@dep.state.fl.us.

The **Department of Environmental Protection** announces a public meeting to which all persons are invited.

DATE AND TIME: August 28, 2008, 9:00 a.m.

PLACE: Leesburg Cultural Arts Building, 201 E Dixie Avenue, Leesburg, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Upper Ocklawaha River Basin TMDL Working Group was formed to provide a forum for stakeholders to discuss issues related to the Upper Ocklawaha River Basin TMDLs, including development, allocation, and implementation of the TMDLs. The focus of the meeting will be a discussion of how to provide pollutant load reductions for non-structural BMPs and education efforts along with a project tracking and reporting tutorial. Additionally, the Basin Working Group will discuss how to implement low impact development projects in the basin.

A copy of the agenda may be obtained by contacting: Ms. Mary Paulic, Department of Environmental Protection, 2600 Blair Stone Road, Watershed Planning and Coordination Section, MS 3565, Tallahassee, Florida 32399-2400 or by calling her at (850)245-8560.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ms. Mary Paulic at (850)245-8560. 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 **Environmental Regulation Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: August 28, 2008, 9:00 a.m.

PLACE: Department of Environmental Protection, 3900 Commonwealth Blvd., Conference Room A, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: A regularly scheduled meeting of the Environmental Regulation Commission will be held for the purpose of rule adoptions and briefings.

A copy of the agenda may be obtained by contacting: Nancy Mould at (850)245-2211, or by going to the DEP website at the following address: www.dep.state.fl.us/legal/ERC. The agenda will be available ten 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 5 days before the workshop/meeting by contacting: Nancy Mould at (850)245-2211. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

The **Dental Lab Probable Cause Panel** announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 27, 2008, 2:00 p.m.

PLACE: 1(888)808-6959, Conference Code 2453454

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review reconsideration cases.

A copy of the agenda may be obtained by contacting: contact Sarah Walls at (850)245-4474, at least five calendar days prior to the meeting. If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she may need to ensure that a verbatim record of the proceedings is made, which records include the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Sarah Walls, (850)245-4474, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired, can contact Ms. Walls using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

NOTICE OF CHANGE – The Florida **Board of Nursing**, South Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 21, 2008, 5:00 p.m.

PLACE: Department of Health, Tallahassee at Meet Me Number 1(888)808-6959, Code 2458182

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

A copy of the agenda may be obtained by contacting: Rick Garcia, Executive Director, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3257.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: the Board at (850)245-4125. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **Department of Health** announces a public meeting to which all persons are invited.

DATE AND TIME: August 27, 2008, 9:00 a.m.

PLACE: Marriott Orlando Airport, 7499 Augusta National Drive, Orlando, FL 32822, Local Telephone (407)859-0552

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Technical Review and Advisory Panel will discuss issues relating to onsite sewage treatment and disposal systems and the Wekiva Study Area which may require changes to Chapter 64E-6, Florida Administrative Code. The panel may also discuss research proposals as requested by the Research review and Advisory Committee.

A copy of the agenda may be obtained by contacting: Shirley Kugler, Department of Health, Bureau of Onsite Sewage Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1713.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 14 days before the workshop/meeting by contacting: Shirley Kugler, Department of Health, Bureau of Onsite Sewage Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1713. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Gerald Briggs, Department of Health, Bureau of Onsite Sewage Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1713.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Department of Children and Family Services**, Circuit 10 announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, August 22, 2008, 9:30 a.m.

PLACE: Department of Children and Family Services, 1055 U.S. Hwy. 17, North, Bartow, FL 33830

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Chapter 39 Local Planning Team of the Office of Adoption and Child Protection.

A copy of the agenda may be obtained by contacting: Diane Dvorak, Department of Children and Family Services, at (863)619-4100.

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: Diane Dvorak, Department of Children and Family Services at (863)619-4100. 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: Diane Dvorak, Department of Children and Family Services at (863)619-4100.

The **Council on Homelessness** announces conference call meetings of its Data Collection Committee to which all interested parties are invited to participate.

Committee: Data Collection

DATES AND TIME: Monday, August 25, 2008; September 8, 2008, 1:00 p.m. (Eastern Time)

PLACE: Conference Call 1(888)808-6959, Code 9229760

GENERAL SUBJECT MATTER TO BE CONSIDERED: These conference calls will address the preparation for the 2009 point-in-time counts undertaken by the local homeless coalitions.

A copy of the agenda for any of the conference calls may be obtained by contacting: Tom Pierce, Office on Homelessness, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700, (850)922-4691 or email Tom_Pierce @ dcf.state.fl.us.

Pursuant to Section 286.26, Florida Statutes, any disabled person wishing to access these meetings who may be in need of special assistance should contact the Office on Homelessness, (850)922-4691, at least 48 hours in advance of the meeting.

The **Department of Children and Family Services** announces a public meeting to which all persons are invited.

DATE AND TIME: August 25, 2008, 10:00 a.m. – 12:00 Noon

PLACE: Rohde – State Building Office, 401 N. W. 2nd Avenue, Suite N-1011, Miami, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The feasibility of incorporating mental health services into a managing entity model in the Southern Region (Miami-Dade and Monroe) Counties.

A copy of the agenda may be obtained by contacting: Yvrose Jerome at (305)377-5029.

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: Yvrose Jerome. 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: Yvrose Jerome at (305)377-5029.

FISH AND WILDLIFE CONSERVATION COMMISSION

The Florida **Fish and Wildlife Conservation Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: August 25, 2008, 6:00 p.m. – 8:00 p.m.

PLACE: Center for Marine Studies, 9505 Ocean Shore Blvd., St. Augustine, FL 32080-8610

DATE AND TIME: August 26, 2008, 6:00 p.m. – 8:00 p.m.

PLACE: Brevard County Government Complex, The Brevard Room, 518 S. Palm Ave., Titusville, Florida 32780-7690

DATE AND TIME: August 27, 2008, 6:00 p.m. – 8:00 p.m.

PLACE: Apalachicola National Estuarine Research Reserve, 261 7th Street, Apalachicola, Florida 32320

DATE AND TIME: August 27, 2008, 6:00 p.m. – 8:00 p.m.

PLACE: Joseph P. D'Alessandro Office Complex, 2295 Victoria Ave., Ft. Myers, Florida 33901

DATE AND TIME: August 28, 2008, 6:00 p.m. – 8:00 p.m.

PLACE: City Council Chambers, 123 N. W. Highway 19, Crystal River, Florida 34428

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of these workshops is to examine options for amending the blue crab rule (Chapter 68B-45, F.A.C.) to create a closed season to allow removal of lost and abandoned traps. The primary option being considered involves three regional closures across the state for a period of up to ten days.

A copy of the agenda may be obtained by contacting: Mark Robson, 2590 Executive Center Circle, East, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting the ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Mark Robson, 2590 Executive Center Circle, East, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

FINANCIAL SERVICES COMMISSION

The **Financial Services Commission, Office of Insurance Regulation** announces a public meeting to which all persons are invited.

DATE AND TIME: August 22, 2008, 1:00 p.m. – 5:00 p.m.

PLACE: Room 412, Knott Building, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is the first meeting of the Developmental Disabilities Compact Workgroup and the Developmental Disabilities Advisory Workgroup. Pursuant to the "Window of Opportunity Act," Section 624.916, F.S., the Office of Insurance Regulation (the Office) has been charged with convening a workgroup by August 31, 2008, to develop and execute a compact relating to insurance coverage and access to services for persons with developmental disabilities. The Office is also charged with convening a consumer advisory workgroup to provide a forum for comment on the negotiated compact. Relevant forms, documents and updates will be posted to <http://www.flor.com/Autism.aspx>.

A copy of the agenda may be obtained by contacting: Amy Hardee at autism@flor.com.

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

For more information, you may contact: Amy Hardee at autism@flor.com or connect to <http://www.flor.com/Autism.aspx>.

The **Financial Services Commission, Office of Insurance Regulation** announces a hearing to which all persons are invited.

DATE AND TIME: August 28, 2008, 1:00 p.m. – 5:00 p.m.

PLACE: Room 309, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This informational hearing is being held to discuss and receive public comment on the business arrangements variously called Stranger Owned Life Insurance, Stranger Oriented Life Insurance, Stranger Originated Life Insurance and Speculator Initiated Life Insurance (STOLI, SOLI, SPIN LIFE or SILI).

Members of the public are invited to make comments at the meeting.

A copy of the agenda may be obtained by contacting: the Office of Insurance Regulation's website at <http://www.flor.com/UpcomingEvents.aspx>.

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

For more information, you may contact: Amy Hardee at amy.hardee@flor.com.

SOIL AND WATER CONSERVATION DISTRICTS

The **Levy Soil & Water Conservation District** announces a public meeting to which all persons are invited.

DATES AND TIME: August 5, 2008; September 2, 2008; October 7, 2008; November 4, 2008; December 2, 2008; January 6, 2009; February 3, 2009; March 3, 2009; April 7, 2009; May 5, 2009, 6:30 p.m.

PLACE: all meetings at USDA Service Center, Bronson, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:

I. Call To Order; II. Adoption of Minutes; III. Correspondence; IV. Budget Report; V. Staff Report; VI. Partner Report; VII. New Business; VIII. Old Business; IX. Public Comments; X. Adjourn

A copy of the agenda may be obtained by contacting: Darlene Smith at (352)486-2672, x 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 7 days before the workshop/meeting by contacting: Darlene Smith at (352)486-2672, x 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).

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: (352)486-2672, x 3.

The **Dixie Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATES AND TIME: August 12, 2008; September 9, 2008; October 14, 2008; November 11, 2008; December 9, 2008; January 13, 2009; February 10, 2009; March 10, 2009; April 14, 2009; May 12, 2009, 6:30 p.m.

PLACE: December 9, 2008: Dixie County Public Library; all other meetings at Cypress Inn Restaurant, Cross City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: 1/14 Proposal to provide Irrigation evaluation service, all other meetings have the following agenda:

I. Call To order; II. Adoption of Minutes; III. Correspondence; IV. Budget Report; V. Staff Report; VI. Partner Report; VII. Old Business; VIII. New Business; IX. Public Comments; X. Adjourn

A copy of the agenda may be obtained by contacting: Darlene Smith at (352)486-2672, 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 7 days before the workshop/meeting by contacting: Darlene Smith at (352)486-2672, 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).

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: (352)486-2672, ext. 3.

The **Madison Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, August 18, 2008, 8:15 a.m.

PLACE: USDA-NRCS Service Center, 1416 U.S. 90 E, Madison, FL 32340

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: Doris Newman at (850)973-6595.

The **Gilchrist Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATES AND TIME: August 19, 2008; September 16, 2008; October 16, 2008; November 18, 2008; December 16, 2008, January 20, 2009; February 17, 2009; March 17, 2009; April 21, 2009; May 19, 2009, 7:00 p.m.

PLACE: December 16, 2008: Bell FFA Building; all other meetings at Akins Restaurant, Bell, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda as follows:

I. Call To Order; II. Adoption of Minutes; III. Correspondence; IV. Budget Report; V. Staff Report; VI. Partner Report; VII. Old Business; VIII. New Business; IX. Public Comments; X. Adjourn

A copy of the agenda may be obtained by contacting: Darlene Smith at (352)486-2672, 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 7 days before the workshop/meeting by contacting: Darlene Smith at (352)486-2672, 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).

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: (352)486-2672, ext. 3.

The **Collier Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: 3rd Thursday of each month, 8:30 a.m.

PLACE: 14700 Immokalee Rd., Naples, FL 34120

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly Business Meeting.

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

The **South Dade Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: August 21, 2008, 9:30 a.m.

PLACE: USDA Florida City Service Center, Conference Room, Suite 102, 1450 N. Krome Ave., Florida City, FL 33034

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular agenda items for presentation to Board of Supervisors: Nursery BMP Lab Report, MIL Reports, District Projects, NRCS-SDSWCD Conservation Agreement Opportunity.

A copy of the agenda may be obtained by contacting: Wendy Lobos.

For more information, you may contact: Morgan Levy, Administrator at (305)242-1288.

SUNSHINE STATE ONE CALL OF FLORIDA, INC.

The **Sunshine State One Call of Florida, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: August 15, 2008, 10:00 a.m. – 12:00 Noon

PLACE: Teleconference 1(866)213-2185, Participant Code 332328

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Executive Committee Meeting is to set the agenda for the September 18-19, 2008 Sunshine State One-Call of Florida Committee and Board of Directors meetings.

FIRST FLORIDA GOVERNMENTAL FINANCING COMMISSION

The **First Florida Governmental Financing Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 20, 2008, 12:00 Noon

PLACE: Office of the Finance Director, City of Sarasota, 1565 First Street, Sarasota, FL 34236

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Auditor Selection Committee.

A copy of the agenda may be obtained by contacting: Richard C. Dowdy, Executive Director at (850)878-1874, ffgfc@embarqmail.com.

TAMPA BAY ESTUARY PROGRAM

The **Tampa Bay Estuary Program** announces a public meeting to which all persons are invited.

DATE AND TIMES: August 22, 2008, Management Board: 9:00 a.m.; Policy Board: 1:00 p.m.

PLACE: Tampa Bay Regional Planning Council, 4000 Gateway Centre Boulevard, Pinellas Park, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Actions will be taken to adopt the FY 08-09 program-wide budget, extend the Tampa Bay Regional Planning Council contract agreement, and adopt regional fertilizer guidelines.

A copy of the agenda may be obtained by contacting: ron@tbep.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting. 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: ron@tbep.org.

FLORIDA BIRTH-RELATED NEUROLOGICAL INJURY COMPENSATION ASSOCIATION

The Board of Directors of the **Florida Birth-Related Neurological Injury Compensation Association** announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 22, 2008, 11:30 a.m.

PLACE: Conference Call

GENERAL SUBJECT MATTER TO BE CONSIDERED: General.

A copy of the agenda may be obtained by contacting our office. For more information, you may contact: our office at (850)488-8191.

FLORIDA SURPLUS ASSET FUND TRUST

The **Florida Surplus Asset Fund Trust** announces a public meeting to which all persons are invited.

DATE AND TIME: August 27, 2008, 12:00 Noon

PLACE: Fishkind & Associates, 12051 Corporate Blvd., Orlando, FL 32817

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Trustees of the Florida Surplus Asset Fund Trust to consider the following matters:

- a. Review and approve minutes of April 30, 2008.
- b. Board of Trustees to review insurance policies.
- c. Board of Trustees to approve the investment policy.
- d. Board of Trustees to approve the 2Q 2008 financial statements.
- e. Staff Report:
 - i. Economic environment and portfolio structure.
 - ii. Marketing plans and activity.
 - iii. Website operations.
- f. Other business that the Board chooses to discuss.

A copy of the agenda may be obtained by contacting: Diane Cooper at dcooper@flsafe.org or (407)482-2327.

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: Judy Minter at (407)382-3256. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

FLORIDA LOCAL GOVERNMENT FINANCE COMMISSION

The **Florida Local Government Finance Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, August 29, 2008, 10:30 a.m.

PLACE: 2502 Rocky Point Drive, Suite 1060, Tampa, Florida 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting of the Commission will be for the purposes of reviewing the statewide pooled commercial paper loan program for Florida governmental entities. The Commission is an unincorporated, nonprofit association whose members are comprised of Brevard County, Florida, Charlotte County, Florida, Collier County, Florida, Lee County, Florida, Osceola County, Florida and Sarasota County, Florida.

A copy of the agenda may be obtained by contacting: Elizabeth Newberry, Florida Local Government Finance Commission, 100 South Monroe Street, Tallahassee, Florida 32301.

FLORIDA PORTS COUNCIL

The **Florida Ports Financing Commission (FPFC)** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 3, 2008, 1:00 p.m. – 3:00 p.m.

PLACE: Governor’s Inn – Tallahassee Room, 209 S. Adams Street, Tallahassee, FL 32301, (850)681-6855

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business.

A copy of the agenda may be obtained by contacting: Toy Keller at the Florida Ports Council, (850)222-8028.

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: Toy Keller at (850)222-8028. 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: Toy Keller at (850)222-8028.

FLORIDA AUTOMOBILE JOINT UNDERWRITING ASSOCIATION

The **Florida Automobile Joint Underwriting Association** announces the following meetings to which all persons are invited.

FAJUA Budget Committee Meeting

DATE AND TIME: Monday, September 15, 2008, 3:00 p.m.

PLACE: Conrad Miami, 1395 Brickell Avenue, Miami, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss proposed FY2008-2009 budget, make recommendations to the Board, and to consider other matters that may come before the committee.

Board of Governors Meeting

DATE AND TIME: Tuesday, September 16, 2008, 8:30 a.m.

PLACE: Conrad Miami, 1395 Brickell Avenue, Miami, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive reports of the general manager, committees, and counsel; to consider and take actions based on those reports; and consider any other matters that may come before the Board.

Additional information may be obtained from: Lisa Stoutamire, 1425 Piedmont Drive, East, #201A, Tallahassee, FL, (850)681-2003, lstoutamire@fajua.org.

FLORIDA MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION

The **Florida Medical Malpractice Joint Underwriting Association** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, September 16, 2008, 2:00 p.m.

PLACE: Saddlebrook Resort, Tampa, FL 33543

GENERAL SUBJECT MATTER TO BE CONSIDERED: The RFA Selection Committee will receive and consider issues involving the Prospective Deficiency Fund, The Alvin E. Smith Grant program, and such other business properly brought before the Committee.

A copy of the agenda may be obtained by contacting: FMMJUA, 1836 Hermitage Blvd., Suite 201, Tallahassee, FL 32308.

The **Florida Medical Malpractice Joint Underwriting Association** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, September 16, 2008, 4:00 p.m.

PLACE: Saddlebrook Resort, Tampa, FL 33543

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Claims & Underwriting Committee meeting will receive and consider reports from the Association’s General Counsel, General Manager, Servicing Carrier, and such other business properly brought before the Committee.

A copy of the agenda may be obtained by contacting: FMMJUA, 1836 Hermitage Blvd., Suite 201, Tallahassee, FL 32308.

The **Florida Medical Malpractice Joint Underwriting Association** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 17, 2008, 9:00 a.m.

PLACE: Saddlebrook Resort, Tampa, FL 33543

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Governors will receive and consider quarterly reports from the Association’s Investment Counsel, General Counsel, Servicing Carrier, Claims Committee, RFA Selection Committee, General Manager, and such other business properly brought before the Board.

A copy of the agenda may be obtained by contacting: FMMJUA, 1836 Hermitage Blvd., Suite 201, Tallahassee, FL 32308.

ENTERPRISE FLORIDA

The **Enterprise Florida, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, August 19, 2008, 1:00 p.m. – 3:00 p.m.

PLACE: Marriott Sawgrass, 1000 PGA Tour Boulevard, Ponte Vedra Beach, FL 32082, (904)285-7777

GENERAL SUBJECT MATTER TO BE CONSIDERED: MEETING: ENTERPRISE FLORIDA, INC. RURAL ISSUES WORKING GROUP. This meeting will discuss on-going issues, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Ellen Stalnakar, (407)625-1924.

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: Ellen Stalnakar, (407)625-1924. 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).

Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has received the petition for declaratory statement from Dan Arlington, on behalf of St. Johns County Building Department, on July 9, 2008, regarding whether Section 1609.4.3, Florida Building Code, Building Volume, (2007) and Section 301.2.1.4, Florida Building Code, Residential Volume, (2007) when they become effective, will require a twenty percent increase to be applied to the entire continuous uplift load path and a twenty percent increase in the load capacity of the roof trusses in certain wind exposure categories. It has been assigned the number DCA08-DEC-194.

A copy of the request may be obtained by writing to: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has received the petition for declaratory statement from Neil M. Melick, on behalf of the City of West Palm Beach, Construction Services Department, on July 17, 2008. Petitioner seeks clarification of whether Section 301.13, Florida Building Code, Mechanical Volume (2004 as amended) requires all mechanical appliances, including package units, condensing units, and fans that are exposed to wind, be designed and installed to withstand wind pressures in accordance with section 1609 of the Florida Building Code, Building Volume, (2004 as amended) and whether it is the responsibility of appliance manufacturers to design to these standards and provide documentation thereof. It has been assigned the number DCA08-DEC-205.

A copy of the request may be obtained by writing to: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has received the petition for declaratory statement from Vincent C. Vaulman, Regional Manager, on behalf of Madsen, Kneppers & Associates, Inc., on July 28, 2008. Petitioner seeks clarification on the application of the alteration levels set forth in Sections 303, 304, and 305, Florida Building Code, Existing Building Volume (2004 as amended) to the repair of a hotel in Ormond Beach, Florida that sustained hurricane damage in 2004. It has been assigned the number DCA08-DEC-216.

A copy of the request may be obtained by writing to: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT the Department of Business and Professional Regulation has received the petition for declaratory statement from Jerry's Famous Deli, Inc. The petition seeks the agency's opinion as to the applicability of Section 561.20(2)(a), Florida Statutes; Rules 61A-3.0141 and 61A-3.055, Florida Administrative Code, as it applies to the petitioner.

The Petitioner requests a declaratory statement concerning whether its business model violates Florida Beverage Law codified as Section 561.20(2)(a), Florida Statutes, and related administrative regulations, including Rules 61A-3.0141 and 61A-3.055, Florida Administrative Code, and whether it is therefore prohibited from transferring and holding a series 4-COP State of Florida alcoholic beverage license.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Cecilia Jefferson, Chief Attorney, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Peter Cavanagh, a Unit Owner in Brittany Condominium Association, Inc. and Kings Point Community Association, Inc., Docket No. 2008042753. The petition seeks the agency's opinion as to the applicability of Chapter 718, Florida Statutes, as it applies to the petitioner.

Whether Kings Point Community Association, Inc. is a master condominium association under Section 718.103(2), Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, 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 Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Indian Lake Estates, Inc., Docket No. 2008043021. The petition seeks the agency's opinion as to the applicability of Chapter 720, Florida Statutes, as it applies to the petitioner.

Whether Indian Lake Estates, Inc. is a homeowners' association as defined in Section 720.301(9), Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, 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 Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT the Board of Nursing has received the petition for declaratory statement from Ellen Schultz, R.N. The petition seeks the agency's opinion as to the applicability of Section 464.003(3)(a), F.S. and paragraph 64B9-8.005(2)(n), F.A.C., as it applies to the petitioner.

Specifically, the Petitioner requests that the Board issue a Declaratory Statement determining under the provisions of the Nurse Practice Act, specifically Section 464.003(3)(a), F.S. and paragraph 64B9-8.005(2)(n), F.A.C., whether it is within the scope of practice of a Florida Registered Nurse working in a County Health Department to assess the victim of an animal bite and to administer HIRG according to the manufacturer's instructions by infiltrating HRIG directly into the bite wound from an animal that could potentially have rabies. This petition will be considered by the Board at its meeting on October, 2008.

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 Clu D. Wright, Petitioner, a Fire Official with Clay County Fire Rescue, on or about July 23, 2008. The petition seeks the agency's opinion as to the applicability of Section 633.021(8)(19), F.S., and NFPA 24, 1.1.1, 1.1.2, 1.2, 3.3.11, 10.1.5 as it applies to the petitioner.

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, (850)413-4238, Fax (850)922-1235 or (850)488-0697 (please advise if you would like it mailed or faxed to you and please include your phone number on your request in case any question arises), or by e-mailing your request to Lesley.Mendelson@myfloridacfo.com.

**Section VIII
Notices of Petitions and Dispositions
Regarding the Validity of Rules**

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

**Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges**

NONE

**Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee**

NONE

**Section XI
Notices Regarding Bids, Proposals and
Purchasing**

DEPARTMENT OF EDUCATION

NOTICE TO PROFESSIONAL CONSULTANTS

University of South Florida Polytechnic announces that Professional Services in the discipline of Architecture will be required for the project listed below:

PROJECT NUMBER: 555

PROJECT AND LOCATION: USF Polytechnic – Phase I Facility, University of South Florida Polytechnic, Lakeland, Florida.

PROJECT DESCRIPTION:

The interdisciplinary USF Polytechnic – Phase I Facility will primarily provide large multi-user interdisciplinary shared core facilities. The plan includes two 100-seat classrooms and multiple smaller classrooms to support student enrollment needs in upcoming years. These classrooms will be scheduled by USF Polytechnic to meet growth in technology. Teaching laboratories for the disciplines of engineering, sciences, arts, business and information technology will provide space for interdisciplinary laboratory courses, as well as more traditional upper and lower division courses as needed. Multiple commons spaces for faculty and support staff is also included in the project. The space in this facility is designated to promote interdisciplinary research and teaching.

Polytechnic ideals are strongly oriented toward interdisciplinary, collaborative relationships – between faculty members, support staff, student support, and others. The

concept of a commons is strongly evocative of these interactions; the co-location and interweaving of faculty members across disciplines, for example, encourages and facilitates the dynamic exchange of ideas so critical for interdisciplinary efforts. The close physical proximity of faculty, staff and students creates a collection of “critical masses,” providing constant opportunities for productive interaction.

The USF Polytechnic – Phase I project includes approximately 60,000 NASF of space funded by State PECO funding, and an option for approximately 30,000 – 50,000 NASF of additional space proposed to be funded through private/public FECGP funding.

This multi-story facility will accommodate upper and lower division interdisciplinary teaching and research needs of the USF Polytechnic. The facility is planned to include research labs (approximately 1,250 NASF); teaching labs (approximately 27,500 NASF); classrooms (approximately 5,000 NASF); office space (approximately 29,000 NASF); instructional media (approximately 7,300 NASF); study space (approximately 12,000 NASF); support and student space (approximately 7,300 NASF); with an additional shell space (approximately 20,000 NASF) if funding permits.

The Phase I Facility is only the first construction of a multi-phased Master Plan which creates an integrated, fully-engaged university campus environment at a highly visible location on Interstate 4 midway along the 80 miles between the Tampa Bay and Orlando megalopolis areas. In addition to serving the needs of its tri-county service area, this university is intended to be a destination campus with a vibrant residential and campus life component. Given this location, the USF Polytechnic seeks an iconic design for this facility.

The construction budget is estimated to be approximately \$65,700,000 including Master Planning, site development, and hurricane hardening. Project development, including professional services, is contingent upon availability of funds. If additional funding is realized, the USF Polytechnic has the option to incorporate additional scope/funding under this contract including completion of shell space. The construction delivery method is anticipated to be Construction Management.

The selected firm should provide planning, design, construction documents, construction administration and post-occupancy services for the project in coordination with the 2005 USF (Polytechnic) Lakeland Campus 10 Year Master Plan and USF standards for design and construction. USF Polytechnic is seeking to secure the services of a consultant team with extensive experience in innovative facility design. All disciplines required for the design of the facility should be provided for this project under the contract with the selected firm, including architecture, engineering, interior design and any specialty consultants. Consultant services for design expertise unique to the innovative needs of a polytechnic

interdisciplinary teaching and research environment may be provided by specialty design consultants with a preference for inclusion of signature architects. Firm submittals should include descriptions of experience and knowledge of Sustainable Design and Hurricane Hardening. The design and construction administration services provided by the selected team shall facilitate the facility needs, and accomplish those needs within the mandatory project schedule in order to meet occupancy requirements for this project. The selected firm will be required to provide computer drawings according to the standards of the University of South Florida, including computer record drawings reflecting as-built conditions to facilitate the University's space management program. Blanket professional liability insurance will be required for this project in the amount of \$3,000,000, and will be provided as a part of Basic Services. It is the University's responsibility to negotiate a fair, competitive, and reasonable compensation per Section 287.055, F.S. A fair, competitive and reasonable compensation shall be evaluated based upon the following information: (1) Compensation on similar projects; (2) other compensation reference data; and (3) after approval of the ranking, proposals requested from the short-listed firms based upon a scope of services document to be provided at the time of negotiations. Selection of finalists for interview will be made on the basis of professional qualifications of the proposed design team, including experience and ability to meet the project requirements and the goals and objectives of USF Polytechnic's Strategic Plan; past experience; award-winning design ability, especially in developing iconic and/or signature facilities; volume of work; and distance from project. The distance factor for this project will provide a maximum of one point difference in scoring for location between in-state and out-of-state applicants. As part of the University of South Florida's Strategic Plan, the university made a commitment to foster a diverse community distinguished by a shared purpose, collaboration, open and timely communication, mutual respect, trust, and inclusiveness. The University of South Florida is an equal opportunity institution, and, as such, strongly encourages the lawful use of certified Minority and Women-owned Business Enterprises ("MBEs") in the provision of design and construction-related services by providing a fair and equal opportunity to compete for, or for participation in, design and/or construction-related services. The plans and specifications for the University of South Florida projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant should warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$25,000 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

INSTRUCTIONS:

Firms desiring to apply to provide professional services shall submit one (1) original submittal and eight (8) bound copies consisting of the information as required in the "Submittal Requirements" of the Project Fact Sheet including a letter of interest, a completed "USF Professional Qualifications Supplement (PQS)" dated August 2008 for the USF Polytechnic – Phase I Facility and any required or additional information within the proposal limits. Applications on any other form will not be considered. Submittals are part of the public record. All applicants should be properly registered at the time of contract engagement to practice its profession in the State of Florida. If the applicant is a corporation, it should be chartered by the Florida Department of State to operate in Florida. Applications which do not comply with the above instructions may be disqualified. Application materials will not be returned.

The "Professional Qualifications Supplement (PQS)" for the USF Polytechnic – Phase I Facility, dated August 2008, and "Project Fact Sheet", which includes project information and selection criteria, may be obtained by contacting: Claire Johnson, Executive Administrative Specialist, Campus Facilities and Educational Outreach, University of South Florida Polytechnic, via e-mail at johnsonc@poly.usf.edu, by mail at 3433 Winter Lake Road, Lakeland, Florida 33803, or by phone at (863)667-7056. Interested firms are invited and encouraged to attend a Pre-Submittal Meeting at 1pm Eastern Time, on Tuesday, September 9, 2008 at the University of South Florida Polytechnic – Room LTB 1124/1124A to review the scope and requirements of this project. The LTB 1124/1124A is located on campus at 3433 Winter Lake Road, Lakeland, Florida 33803.

Two site visits are planned on the day of the Pre-Submittal Meeting (Tuesday, September 9, 2008). One is scheduled for 9:30 a.m. (EST) and another at 3:00 p.m. (EST). The site (property) is restricted and no trespassing is allowed. Therefore, all interested individuals should meet at USF Polytechnic, 3433 Winter Lake Road, Lakeland, Florida 33803, LTB Building, Room 2117, where transportation will be provided to the site for each of the scheduled site visits. Please arrive in enough time for the 9:30 a.m. departure or the 3:00 p.m. departure. It is imperative that notification of your interest to visit the site be advised no later than September 5, 2008 by 5:00 p.m. (EST) by contacting Claire Johnson, via e-mail at johnsonc@poly.usf.edu. Email request must include the preferred site visit time as well as the number of participants from your organization.

Requests for meetings by individual firms will not be granted once the Florida Administrative Weekly advertisement is published. No communication shall take place between the applicants and the members of the Selection Committee or employees of the University of South Florida except as provided at the Pre-Submittal Meeting, the Pre-Interview

Meeting and the request for the PQS, Fact Sheet and the RSVP for site visit. Requests for any project information should be submitted in writing to the above e-mail address. The Selection Committee may reject all proposals and stop the selection process at any time. One (1) original and eight (8) copies of the requested submittal data, bound in the order listed in the "Submittal Requirements" of the Project Fact Sheet shall be addressed to:

Alice M. Murray Ed.D
Associate Vice President
Campus Facilities and Educational Outreach
University of South Florida Polytechnic
3433 Winter Lake Road
LTB 2116
Lakeland, FL 33803

Applications that do not comply with the above instructions may be disqualified. Submittals are to be received by USF Polytechnic, 3433 Winter Lake Road, LTB Room 2120, Lakeland, Florida 33803 by 2:00 p.m. (Eastern Time), Friday, September 19, 2008. Facsimile (FAX) or electronic submittals are not acceptable and will not be considered.

DM New Electrical Panels and Mini A/Cs, FM 080327

Florida International University, Purchasing Services Department will receive sealed bids for the following: ITB89-006, DM New Electrical Panels and Mini A/Cs, FM 080327, to be opened October 2, 2008 2:00 p.m., in Purchasing Services, 11200 S. W. 8 Street, CSC1123, Miami, Florida 33199. Scope of Work: New Electric panels, transformers, disconnect switches and 2 new mini-split A/C units (Rooms 279 and 391A). All applicants must be licensed to practice as "General Contractor" in the State of Florida at the time of application. Mandatory Pre-Bid Meeting will be held August 27, 2008, 10:30 a.m., in Campus Support Complex, Room CSC1123, 11200 Southwest 8 Street. Bid Documents are available in Purchasing Services, University Park, CSC 414, 11200 S. W. 8 Street, Miami, FL, (305)348-2161, website: finance.fiu.edu/purchasing

AMERICANS WITH DISABILITY ACT OF 1990 – If special accommodations are needed in order to attend the pre-bid meeting or bid opening, contact Purchasing at (305)348-2161 or purchasing@fiu.edu within three (3) days of the event.

DM Exterior Lighting Upgrades, FM 080328

Florida International University, Purchasing Services Department will receive sealed bids for the following: ITB89-005, DM Exterior Lighting Upgrades, FM 080328, to be opened October 2, 2008, 2:00 p.m., in Purchasing Services, 11200 S. W. 8 Street, CSC1123, Miami, Florida 33199. Scope of Work: Removal and replacement of the existing exterior lighting at the Deuxieme Maison (DM) Building on University Park Campus as per the project specifications. All applicants

must be licensed to practice as Electrical Contractor or General Contractor in the State of Florida at the time of application. Mandatory Pre-Bid Meeting will be held August 27, 2008, 2:00 p.m., in Campus Support Complex, Room CSC1123, 11200 Southwest 8 Street. Bid Documents are available in Purchasing Services, University Park CSC 414, 11200 S. W. 8 Street, Miami, FL, (305)348-2161, website: finance.fiu.edu/purchasing.

AMERICANS WITH DISABILITY ACT OF 1990 – If special accommodations are needed in order to attend the pre-bid meeting or bid opening, contact Purchasing at (305)348-2161 or purchasing@fiu.edu within three (3) days of the event.

NOTICE TO PROFESSIONAL CONSULTANTS

The Florida International University Board of Trustees, announces that Professional Services in the discipline of architecture will be required for the project listed below:

Project and Location: Continuing Services Contract, Florida International University, all sites, Miami, Florida.

The selected firm will provide full architectural and consulting engineering services inclusive of design, construction documents, and administration for specific projects for renovations, alterations, and additions that have a basic construction budget estimated to be \$1,000,000 or less, or studies for which the fee for professional services is \$100,000 or less.

This will be a multiple award contract for an initial period of one-year with Owner's option to renew the contract, at its sole discretion, for additional one-year periods, however, in no event to exceed a total of five successive years. Four (4) contracts will be awarded to four (4) different firms. Continuing Services Contracts provide that the consultant will be available on an as-needed basis for the Fiscal Year, July 1 – June 30.

INSTRUCTIONS:

Firms desiring to apply for consideration shall submit a letter of application.

The letter of application should have attached:

1. A completed (former Board of Regents) "Professional Qualifications Supplement (SUSPQS)," dated September 1999 with FIU revisions dated 2/22/2008. Applications on any other form will not be considered. It is the intent of FIU to encourage participation by qualified Minority Business Enterprises however, State of Florida MBE Certification is not a factor in the selection process. Disregard paragraph 4 on page 2 of the instructions.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be properly chartered by the Florida Department of State to operate in Florida.

Submit six (6) copies of the above requested data bound in the order listed above. Applications that do not comply with the above instructions will not be considered. Application material will not be returned. The University reserves the right to suspend or discontinue the selection process at any time and to return or reject any or all submissions of qualifications without obligation to the respondent.

The plans and specifications for A/E are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualifications Supplement forms and the Project Fact Sheet may be obtained from the web-site <http://facilities.fiu.edu> (Applicant firms may find project under Selection Process Information). Requests for meetings by individual firms will not be granted. Once the firm acquires the required forms, questions may be directed to Real Estate Development and Planning at (305)348-4090 or via email tocecilia@fm.fiu.edu.

Submit qualifications to: Selection Committee, Florida International University, Real Estate Development and Planning, Campus Support Complex, Room #236, University Park, Miami, Florida 33199, by 2:00 p.m. (Local Time), on September 12, 2008. Late submittals shall be disqualified. Facsimile (FAX) submittals are not acceptable and will not be considered.

Notice of Bid/Request for Proposal
Chiller Plant Service Agreement

MANDATORY PRE-BID MEETING: MANDATORY pre-bid conference will be held August 19, 2008, 10:00 a.m., in Campus Support Complex Building, Purchasing Services, Room CSC410, University Park Campus, 11200 S. W. 8 Street, Miami FL. Additional information may be provided and questions will be accepted. Bidders are required to attend in order to be eligible to submit a bid. All questions about meeting location should be directed to Ms. Doreatha Belton, Purchasing Services at (305)348-2161 or beltond@fiu.edu or burchd@fiu.edu. Bidders are required to attend in order to be eligible to submit a bid.

Bid Documents may be obtained in Purchasing Services, University Park CSC 414, 11200 S. W. 8 St., Miami, FL. Please call Ms. Doreatha Belton at (305)348-2161 or email beltond@fiu.edu or burchd@fiu.edu prior to your arrival.

It is FIU policy to remove vendors from the Bid List after failing to respond to three (3) consecutive invitations to bid. If you do not wish to bid on a project, kindly return the invitation with a notation of "No Bid," and company name.

SCOPE OF WORK: The work includes the full service maintenance, including all service, preventive maintenance and repair of the (HVAC) Chiller equipment. Where chillers are indicated, this shall be taken to consist of the entire system including, but not limited to: all pumps, motors, starters, compressors, condensers, control panels and associated chiller electrical/electronic components, all valves (including isolation valves), and sensors located within the various plants, at the various locations.

PUBLIC ANNOUNCEMENT
OF A/E SELECTION RESULTS

The Florida School for the Deaf and the Blind announces its intention to negotiate, in accordance with the Consultants Competitive Negotiation Act, for the following:

PROJECT NAME: Bloxham Hall Renovation for Architectural Services

1. JSA Architects
2. Ebert Norman Brady Architects
3. Akel Logan Shafer Architects

DEPARTMENT OF TRANSPORTATION

Ponce de Leon Fuel Facility

Bids will be received on the following Florida Department of Transportation Fixed Capital Outlay work until: 2:00 p.m. on 09/11/2008 at District Three Headquarters Florida Department of Transportation, 1074 Hwy. 90 and publicly opened on 09/11/2008 at 2:00 p.m. in Room 230.

PROJECT NAME & LOCATION: FINANCIAL ITEM NUMBER – 22314345202 – Ponce de Leon Operations Center Refueling Facility in Holmes County – The work performed under this contract includes construction including complete mechanical, plumbing and electrical systems of new refueling station building as indicated on the construction drawings. The location of this project is at the Ponce de Leon Operations Center in Holmes County. Contract No. E3H01 – 150 Days. Approved budget for this project is \$475,000.00. (There is a \$40.00 charge for the plans and specifications for this project.)

Note: A Mandatory Pre-Bid Conference has been scheduled for this project. Location: Florida Department of Transportation, Ponce de Leon Conference Room Section AB of the Ponce de Leon Operations Center, 1723 Sunrise Circle, Ponce de Leon, Florida 32455. Date and Time: September 2, 2008, 9:00 a.m. Attendance at the Mandatory Pre-Bid Conference is required to bid on this project.

Proposal Forms will not be issued after 2:00 p.m., on 09/10/2008. Unless otherwise notified, the Bid Tabulations will be posted in the Procurement Services Office, in the

Administration Building, Florida Department of Transportation, 1074 Highway 90, Chipley, Florida 32428, on 10/02/2008. By calling the Procurement Services Office, Florida Department of Transportation, (850)638-0250, during each posting period, information concerning the posted projects can be obtained. To request a complete version of this advertisement or for ordering information, please contact: Amanda Barefield, District Contracts Specialist at (850)415-9364, Amanda.Barefield@dot.state.fl.us. To obtain further information about this project please visit our website at www.dot.state.fl.us/contractsadministrationdistrict3.

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

PRESENTATIONS/INTERVIEWS – CM008
 CONSTRUCTION MANAGEMENT SERVICES For
 OKEECHOBEE CORRECTIONAL INSTITUTION
 Annex and Work Camp

The Department of Corrections has completed its evaluation of submittals, received in response to the above referenced project and will be conducting Presentations/Interviews with the top ranked firms.

The following are the three top rated firms, in order of ranking:

1. Balfour Beatty Construction, LLC
2. Moss & Associates
3. Peter Brown Construction, Inc.

Presentations/Interviews will be held in Room B356, 2601 Blair Stone Road, Tallahassee, Florida, Wednesday, August 20, 2008.

Presentation times are as follows:

Wednesday, August 20, 2008

- | | |
|-----------------------------------|---|
| 1. Balfour Beatty Construction | 9:00 a.m. – 10:00 a.m.
(Local time) EDT |
| 2. Peter Brown Construction, Inc. | 10:30 a.m. – 11:30 a.m.
(Local time) EDT |
| 3. Moss & Associates | 1:30 p.m. – 2:30 p.m.
(Local time) EDT |

Persons planning to attend, not affiliated with the shortlisted firms, should contact Julyn Hussey at (850)410-4049, or Sandra Rogers at (850)922-8855, no later than Tuesday, August 19th by 12:00 Noon. If attending, be prepared to sign in at the security desk, surrender your driver's license, and receive a visitor's identification badge. Upon arrival, request the security desk official contact Sandra Rogers or Julyn Hussey and you will be escorted to the room.

There will be No Admittance after a Presentation/Interview has begun.

Be advised no interaction with the presenting firms or the committee members will be allowed.

Although this is a publicly noticed meeting, the public is not invited to and may not participate in any discussions held.

DEPARTMENT OF MANAGMENT SERVICES

BIDS FOR FIRE SPRINKLER CONTRACTORS
 PROPOSALS ARE REQUESTED FROM QUALIFIED FIRE SPRINKLER CONTRACTORS BY THE DEPARTMENT OF MANAGEMENT SERVICES.

PROJECT NUMBER: MSFM-27009003

PROJECT NAME: Dry Pipe Sprinkler Repairs, Capitol Building Parking Garage

PROJECT LOCATION: Tallahassee, Florida

MANDATORY PRE-BID MEETING: September 4, 2008, 10:00 a.m.

BID OPENING: September 16, 2008, 2:00 p.m.

ESTIMATED CONSTRUCTION BUDGET: \$750,000.00

The award will be made in accordance with Section 255.29, F.S., and the procedures and criteria of the Departments Division of Real Estate Development and Management. For details please visit the Department's website listed below and click on "Search Advertisements – Division of Real Estate Development and Management." http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

NOTICE TO PROFESSIONAL CONSULTANTS
 PUBLIC ANNOUNCEMENT FOR PROFESSIONAL SERVICES FOR ARCHITECTURE – ENGINEERING

The State of Florida, Department of Health, Division of Administration, Bureau of General Services, Office of Design and Construction announces that professional services are required for the project listed below. Applications are to be sent to Mr. Steve Tenace, Senior Architect, Florida Department of Health, Office of Design and Construction, 4052 Bald Cypress Way, Bin B-06, Tallahassee, Florida 32399-1734, Phone (850)245-4444, ext. 3165

PROJECT NUMBER: 70027200

PROJECT NAME: Hernando (Springhill) County Health Department – New Facility

SERVICES TO BE PROVIDED: Architectural/Engineering Services

ESTIMATED CONSTRUCTION BUDGET: \$11,500,000.

RESPONSE DUE DATE: By 4:00 p.m., Friday, September 5, 2008 (Local Time)

INSTRUCTIONS: Submit three (3) bound copies with a Table of Contents and tabbed sections of the following:

1. Letter of interest.
2. A modified copy of Department of Management Services Professional Qualifications Supplement current edition of the Professional Qualifications Supplement (PQS)]. A copy can be obtained from the Department of Health by calling (850)245-4066. All forms provided are mandatory for qualification and must be completed. Substitutions and attachments are not acceptable.
3. A copy of the firm's Florida Professional License renewal. (Proper registration at the time of application is required.)
4. (CORPORATIONS ONLY) Current Corporate Certification providing evidence of validation date and the designation of professional or professionals qualifying the corporation to practice Architecture and/or Engineering.
5. Completed new GSA Standard Form 330.
 - In Section F, list only projects designed, under construction, and/or completed within the past five (5) years.
6. A stamped self-addressed envelope if you desire notice of selection results.

Applicants are urged to limit their submittal content to fifty (50) pages, excluding front and back covers and all section dividers. However, this is not a mandatory requirement.

All proposal information submitted becomes the property of the Department of Health, will be placed on file, and not returned. Applications that do not comply with the instructions set forth above and/or do not include the qualification data required will be considered improper and disqualified. Proposals submitted by qualified firms shall be evaluated in accordance with Chapter 60D-2, Florida Administrative Code and Section 287.055, Florida Statutes.

SHORTLIST SELECTION PROCESS: From the proposals received, the Department shall shortlist a minimum of three (3) firms.

The selected firm or firms will be required to be registered with MyFloridaMarketPlace before a contract can be executed. However, they will be exempt from the one percent fee.

EARLY LEARNING COALITION OF DUVAL

REQUEST FOR PROPOSAL – FY 2008 – 2009
 #RFP-ELCD-IT-08-09

Information Technology Services

The Early Learning Coalition of Duval (the "Coalition"), a Florida not-for-profit corporation is seeking Information Technology Services. In order to select a vendor to deliver these services, the Coalition requests a proposal for services based on the specifications listed below.

Upon receipt of all the proposals, the Coalition will review and make a decision based on experience, technical abilities, cost and other factors which would be appropriate for a review of quote for Information Technology Services.

Evaluation Criteria:

- Experience – 50 points
- Cost – 25 points
- Technical abilities (staff qualification) – 20 points
- Proposal Presentation – 5 points

The selected vendor will be required to enter into an agreement with the Coalition for the services listed below:

Information Technology Services will entail the following (not an all-inclusive list):

- Implement and Maintain network by monitoring and updating the following items:
 - Upgrade firmware on Firewalls
 - Monitor firewall logs
 - Report unauthorized access attempts to proper authorities
 - Maintain network connectivity
 - Apply software patches and security hot fixes to all servers and PCs
 - Test all software / hardware after installation of updates
 - Configure network access for PCs
 - Maintain databases
 - Update antivirus / anti-malware software
 - Monitor antivirus threats
 - Manage spam filtering services
 - Manage secure off-site backup of crucial files and databases
 - Set up network printers / scanners / copiers
 - Troubleshoot computer / network / printer related errors
 - Remove malware from PCs
 - Replace and/or upgrade equipment as needed
 - Move IT related equipment during workspace / office transfers
 - Configure software to interface with Industry-Specific Databases
 - Design and plan upgrades to network and software packages
 - Implement new technologies to better office productivity
 - Provide secure remote access
 - Maintain Business Continuity / Disaster recovery plans and test

Other Information:

Number of Staff at ELC of Duval: 40

Number of Computers: approx. 40

Number of Printers: 15 personal printers and 4 network printers (approx.)

Servers: 2

Contract Period: The contract is for a period of 3 years.

More information about the organization can be found on our web site www.elcofduval.org

ALL QUESTIONS MUST BE SENT IN WRITING VIA EMAIL.

Early Learning Coalition of Duval
 Angel Carro, Fiscal Manager
 6850 Belfort Oaks Place, Suite 102
 Jacksonville, FL 32216
 acarro@elcofduval.org

RESPONSE FORMAT

All responses to request for proposals must be in writing and should be sent via email and as hard copies (one original and three copies) to:

Early Learning Coalition of Duval
 Angel Carro, Fiscal Manager
 6850 Belfort Oaks Place, Suite 102
 Jacksonville, FL 32216
 acarro@elcofduval.org

- I. Company Name
- II. Contact Person
 - A. Name
 - B. Title
 - C. Address
 - D. Telephone, Fax, E-Mail
- III. Company Incorporation date and taxpayer identification number
- IV. Prior Relevant Experience
- V. General plan for provision of services
- VI. Estimated cost for provision of services
- VII. All requested attachments

APPLICATION TIMETABLE / IMPORTANT DATES

ACTIVITY	DATE	TIME	ADDRESS
Request for Proposals Advertised	No later than August 15, 2008	N/A	Notice of RFP posted on the ELC of Duval website, 1 local newspaper, and Florida Administrative Weekly.
Notice of Intent to Submit Application to be received	No later than August 15, 2008	5:00 p.m.	Early Learning Coalition of Duval Attn.: Angel Carro, Fiscal Manager 6850 Belfort Oaks Place, Suite 102, Jacksonville, FL 32216 Email: acarro@elcofduval.org
All written inquiries to be received.	August 22, 2008	5:00 p.m.	
Coalition's response to inquiries	September 5, 2008	5:00 p.m.	Responses to Inquiries via email
Sealed Applications must be Received	September 12, 2008	12:00 p.m.	Early Learning Coalition of Duval, Attn.: Angel Carro, Fiscal Manager 6850 Belfort Oaks Place, Suite 102, Jacksonville,

Initial opening of Applications	September 19, 2008	9:00 a.m.	FL 32216 Early Learning Coalition of Duval, Attn.: Angel Carro, Fiscal Manager 6850 Belfort Oaks Place, Suite 102, Jacksonville, FL 32216
Meeting of the Evaluation Committee	September 26, 2008	TBA	Early Learning Coalition of Duval, Attn.: Angel Carro, Fiscal Manager 6850 Belfort Oaks Place, Suite 102, Jacksonville, FL 32216
Contract Award Communication	Week of September 29, 2008	N/A	Contract Award Communication via email
Effective Date of Contract	October 6, 2008	N/A	N/A

- These dates subject to change based on the need of additional information or evaluation.

THE COMPLETE REQUEST FOR PROPOSAL CAN BE FOUND ON ELC OF DUVAL'S WEB SITE – www.elcofduval.org.

TECHNOLOGICAL RESEARCH AND DEVELOPMENT AUTHORITY

Request for Qualifications: Insurance Agent Group Health and Benefits Consultant Services

NOTICE IS HEREBY GIVEN THAT the TRDA will accept information from interested parties for the following: Request for Qualifications: Insurance Agent-Group Health and Benefits Consultant Services. Responses must comply and be submitted in accordance with the RFP specifications which may be viewed by going to www.trda.org/rfp. TRDA retains the right to reject any and all submittals.

NOTICE IS HEREBY GIVEN THAT the TRDA will accept information from interested parties for the following two Requests for Proposals: "Information Technology (IT) Services", "Insurance Agent Consultant Services". Responses must comply and be submitted in accordance with the RFP specifications which may be viewed by going to http://www.trda.org/contact_us/rfps.asp. TRDA retains the right to reject any and all submittals.

H. LEE MOFFITT CANCER CENTER AND RESEARCH AUTHORITY

Construction Bids Section 1004.43, F.S.

The H. Lee Moffitt Cancer Research Institute, Inc. and its subsidiaries operate pursuant to Section 1004.43, F.S. Moffitt and its' subsidiaries have facilities on the campus of the University of South Florida in Tampa, Florida. Architectural, engineering and design firms interested in working on projects

for Moffitt may provide letters of interest to: H. Lee Moffitt Cancer Research Institute, Inc., Attention: Facilities Department, 12902 Magnolia Drive, SRB-FAC, Tampa, Florida 33612-9497.

FLORIDA DEVELOPMENTAL DISABILITIES COUNCIL, INC.

Request for Proposals # RFP 2008-CC-7300

The Florida Developmental Disabilities Council, Inc. (FDDC) announces the availability of a Request for Proposals (RFP). Copies of the RFP can be downloaded for the FDDC website (www.fddc.org) or copies may be requested by writing: FDDC at 124 Marriott Drive, Suite 203, Tallahassee, Florida 32301, or calling (850)488-4180, 1(800)580-7801 (Toll Free), 1(888)488-8633 (TDD). To register to receive electronic mail (email) notices of future RFPs, please visit our website (www.fddc.org) and click on the "RFPs" button near the top of the page, then click on the "sign up" button and follow the directions.

The Florida Developmental Disabilities Council, Inc. (FDDC) is pleased to announce that this request for proposals (RFP #2008-CC-7300) is released in order to seek public relations and media services on a fee-for-service basis to support activities and initiatives of the Council. FDDC has set aside federal funds for a period not to exceed one (1) year for fiscal support of this RFP. Interested parties should obtain a copy of RFP #2008-CC-7300 for specific information related to funding amounts.

The deadline for submitting written questions and letters of intent (Letters of Intent are not mandatory) for this RFP is August 29, 2008, by 4:00 p.m. (EDT). In order for your proposal to be considered, your letter of intent must be received by the above referenced deadline. Letters of Intent will only be accepted by fax, mail, or hand delivery. Letters of Intent by email will not be accepted. All answers to written questions will be posted on the FDDC website during the week of September 1, 2008. The deadline for submitting proposals for this RFP to FDDC is September 26, 2008 by 2:00 p.m. (EDT).

VISIT FLORIDA

VISIT FLORIDA is seeking qualified vendors who can provide products for the four Official Florida Welcome Centers.

Qualified vendors are asked to provide quotes on the cost of providing 100% Florida citrus juice, juice dispensers, and juice cups to the welcome centers located on I-10, I-75, I-95 and U.S. Highway 231. These welcome centers provide over two million visitors with Florida orange and grapefruit juice as part of a longstanding and very successful promotional collaboration with between the Florida Department of Citrus and VISIT FLORIDA.

We are asking all interested vendors to provide quotes based on these specifications by September 1, 2008. Please send your quotes to my attention at:

David Dodd

VISIT FLORIDA

2540 W. Executive Center, Suite 200

Tallahassee, Florida 32301

Please give me a call at (850)205-3817 if you have any questions.

TECHNICAL SPECIFICATIONS

When replying, please provide quotes for the complete package as stated and specified herein (juice, dispensers, and cups). Please note: Prices should include the cost of delivery of all products and the use and maintenance of dispensers.

VISIT FLORIDA will not accept any partial quotes submitted without prices in each category. This quote covers any and all of the Official Florida Welcome Centers as well as any new center(s) that may become operational during the ensuing time period.

Quotes are to be based on institutional-sized containers of Not-From-Concentrate (NFC). Quotes must comply with all the specifications, terms, and conditions stated herein. VISIT FLORIDA estimates the number of gallons of juice to be purchased to be in excess of 90,000 gallons (75,000 Orange Juice & 15,000 gallons of Grapefruit Juice) through June 2012. This number is provided as a tool to aid in preparation of the quotes and should not be construed as the actual amount to be purchased. The final amount may be more or less than the estimated 90,000 gallons.

1. DISPENSERS:

The quote for the juice dispensers must be for a sufficient number of dispensers to be furnished and installed at the delivery points specified. The vendor is required to keep the dispensers in excellent working order at all times. (Repair or replacement of any machines should be completed within twenty-four (24) hours of notification by welcome center staff of a malfunctioning machine.) It is estimated approximately 14 juice dispensers will be needed for all locations.

2. CUPS:

Vendors must furnish, supply, and deliver rolled rim, four (4) ounce practical-fill wax-treated cups, imprinted per the attached sample. All imprinting shall be a (4) four-color graphic design with the lettering that wraps around the cup itself. The design and lettering is the property of the Florida Department of Citrus, which is provided to VISIT FLORIDA for use at the Official Florida Welcome Centers. Camera ready artwork will be provided for the production of these cups.

3. JUICE:

All juice must be 100% All-Florida product. Juice must be properly identified on the outside of the packaging as 100% All-Florida product.

NFC ORANGE JUICE (Pasteurized Single Strength):

Physical and chemical Specifications:

	Higher Quality	Good Quality
Min. Brix.	11.5	11.0
Min. Ratio	14.1	12.5
Max Ratio	19.5	19.5
Min. Color	37	36
Min. Flavor	37	36
Min. Defects	19	18
Min. Score	93	90
Max. Bottom Pulp	12%	12%
Floating Pulp	0-6 grams	0-6 grams
Min. Oil	0.010%	0.010%
Max Oil	0.020%	0.025%

Contains: No Off-Flavor Notes
Typical Orange Flavor and Aroma

Microbiological Specifications:
Colony Forming Units (CFU) Less than 100/ml juice
(On Orange Serum Agar)

Packaging:
Should follow previous specification with the added specification that package should be of a size to hold a volume of juice no greater than the volume of the dispenser.

Storage:
Juice should be stored at temperatures as near as possible to 32 F (0 C) but never higher than 40 F (4 C).

Shipping
This product will be shipped and maintained at between 30 and 35 degrees Fahrenheit, only in trucks or compartments of ships in order to maintain the product's physical and chemical attributes. All methods of transportation will be clean, dry and free from conditions that could result in contamination of the product.

An official USDA inspection sheet covering the concentrate will be supplied to the buyer upon request.

NFC GRAPEFRUIT JUICE (Pasteurized Single Strength):

Physical and chemical Specifications:

	Higher Quality	Good Quality
Min. Brix.	9.5	9.0
Min. Ratio	10.5	9.0
Max Ratio	11.0	11.0
Max. Naringin (Davis) ppm	450	550
Max. Limonin (HPLC) ppm	3.5	4.5
Max. Recoverable Oils	0.015%	0.015%
Total Centrifuge solids	10%	10%
Min. Defects	19	18
Min. color	18	18
Min. Flavor	58	56
Min. Score	95	92

Contains: No Off-Flavor Notes

Typical Grapefruit Flavor and Aroma

Microbiological Specifications:
Colony Forming Units (CFU) Less than 100/ml juice
(On Orange Serum Agar)

Packaging:
Should follow previous specification with the added specification that package should be of a size to hold a volume of juice no greater than the volume of the dispenser.

Storage:
Juice should be stored at temperatures as near as possible to 32 F (0 C) but never higher than 40 F (4 C).

Maintenance:
Scheduled routine maintenance by the vendor should be done quarterly throughout the year on all of the citrus juice vending machines at the four highway Welcome Centers.

Shipping
This product will be shipped and maintained at between 30 and 35 degrees Fahrenheit, only in trucks or compartments of ships in order to maintain the product's physical and chemical attributes. All methods of transportation will be clean, dry and free from conditions that could result in contamination of the product.

An official USDA inspection sheet covering the concentrate will be supplied to the buyer upon request.

- DELIVERY:
Delivery of the juice, cups, and dispensers shall be F.O.B., destination to the Official Florida Welcome Centers as listed below. All deliveries should be "Inside Deliveries". Deliveries to the welcome centers are to be made on a schedule that is mutually agreed upon by both parties. The vendor is responsible for providing VISIT FLORIDA with an adequate supply of juice, cups, and dispensers at all times.

Please use the attached Quote Sheet and submit quotes to:

VISIT FLORIDA
Attention: David Dodd
2540 W. Executive Circle
Tallahassee, Florida 32301
Phone: (850)488-5607
ddodd@visitflorida.org

OFFICIAL FLORIDA WELCOME CENTER ADDRESSES

Florida Welcome Center (I-10)
Shipping address:
501 I-10
16 miles west of Pensacola on I-10 East
Pensacola, Florida 32526

Brenda Loveland, Manager
(850)944-0442 (Phone)
(850)944-3675 (Fax)

Florida Welcome Center (U.S. 231)
Shipping address:
5885 Highway 231
Campbellton, Florida 32426

Paulette Anderson, Manager
(850)263-3510 (Phone/Fax)

The Joseph O. Striska Florida Welcome Center at (I-75)
Shipping address:
1247 I-75
4 miles north of Jennings on I-75 South
Jennings, Florida 32053

Dot Robinson, Manager
(386)938-2981 (Phone)
(386)938-1292 (Fax)

Florida Welcome Center (I-95)
Shipping address:
2597 I-95
7 miles north of Yulee on I-95 South
Yulee, Florida 32097

Joyce Davis, Manager
(904)225-9182 (Phone)
(904)225-0064 (Fax)

QUOTE PRICE SHEET

100% All Florida Juices:

- A. Orange Juice:
 - Number of containers per case:
 - Yield per case:
 - Size of container:
 - Net quote per case:
 - Cost per 3 ounce serving:
- B. Grapefruit Juice:
 - Number of containers per case:
 - Yield per case:
 - Size of container:
 - Net quote per case:
 - Cost per 3 ounce serving:

The dispenser, maintenance of the dispenser, transportation costs and cup costs should be absorbed in the above costs. VISIT FLORIDA will only be billed for the citrus juice purchased. The costs should be inclusive and remain stable on a yearly basis. Contract will be for a three year period.

**Section XII
Miscellaneous**

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

“Local Projects”

The Florida Department of Agriculture and Consumer Services is accepting applications for state funding of grants and aid to local communities for the construction and/or renovation of agricultural education and promotional facilities pursuant to Section 288.1175, Florida Statutes. The applicant must be a unit of local government as defined in Section 18.369, F.S., or a fair association as defined in Section 616.001(9), F.S. Applications for certification as an agriculture and promotion facility to be evaluated for inclusion in the Department’s budget must be received by the Department no later that October 1, 2008. To obtain an application, please contact: Mr. Craig Christ at (850)921-1992, or e-mail him at christc@doacs.state.fl.us.

DEPARTMENT OF COMMUNITY AFFAIRS

**NOTICE OF INTENT TO FIND PUBLIC SCHOOLS
INTERLOCAL AGREEMENT CONSISTENT WITH
SECTION 163.31777(2), FLORIDA STATUTES
DCA DOCKET NO. 41-01**

The Department gives notice of its intent to find the Public Schools Interlocal Agreement (“Agreement”) executed between the Manatee County School Board and each of the following local governments: Manatee County, Bradenton, Holmes Beach, Palmetto and Longboat Key pursuant to Section 163.31777, F.S., to be consistent with the minimum requirements of Sections 163.31777(2) and (3), F.S.

The Agreement is available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the Manatee County Planning Department, 1112 Manatee Avenue West, Fourth Floor, Bradenton, Florida 34206.

Any affected person, as defined in Section 163.31777(3)(b), F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Agreement is consistent with the minimum requirements of Section 163.31777(2), F.S. The petition must be filed within twenty-one (21) days after publication of this notice in the Florida Administrative Weekly, and must include all of the information and contents described in Uniform Rule 28-106.201, F.A.C. The petition must be filed with the: Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and a copy mailed or delivered to Manatee County School Board, Manatee County. Failure to timely file a petition shall constitute a waiver of any right to request an

administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C. A petition for leave to intervene shall be filed at the: Division of Administrative Hearings, Department of Management Services, 1230 Apalachee Parkway, Tallahassee, Florida 32399-1550. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

If a formal or informal proceeding is commenced as described above, any party to that proceeding may suggest mediation under Section 120.573, F.S. Mediation is not available as of right, and will not occur unless all parties agree to participate in the mediation. Choosing mediation does not affect the right to an administrative hearing.

-s-Mike McDaniel, Chief
Office of Comprehensive Planning
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

NOTICE OF INTENT TO FIND PUBLIC SCHOOLS
INTERLOCAL AGREEMENT CONSISTENT WITH
SECTION 163.3177(2) AND (3), FLORIDA STATUTES
DCA DOCKET NO. 54-01

The Department gives notice of its intent to find the Public Schools Interlocal Agreement (“Agreement”) entered into by Putnam County, Crescent City, Palatka, Interlachen, Pompano Park, Welaka and the Putnam County School Board, pursuant to Section 163.31777, F.S., to be consistent with the minimum requirements of Sections 163.31777(2) and (3), F.S.

The Agreement is available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the Putnam County, Planning & Development Services, 515 Reid Street, Bldg. 1D, Palatka, Florida 32178.

Any affected person, as defined in Section 163.31777(3)(b), F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Agreement is consistent with the minimum requirements of Section 163.31777(2) and (3), F.S. The petition must be filed within twenty-one (21) days after publication of this notice in the Florida Administrative Weekly, and must include all of the information and contents described

in Uniform Rule 28-106.201, F.A.C. The petition must be filed with the Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and a copy mailed or delivered to Putnam County, Crescent Center, Palatka, Interlachen, Pompano Park, Welaka and the Putnam County School Board. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C. A petition for leave to intervene shall be filed at the Division of Administrative Hearings, Department of Management Services, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

If a formal or informal proceeding is commenced as described above, any party to that proceeding may suggest mediation under Section 120.573, F.S. Mediation is not available as of right, and will not occur unless all parties agree to participate in the mediation. Choosing mediation does not affect the right to an administrative hearing.

-s-Mike McDaniel, Chief
Office of Comprehensive Planning
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

NOTICE IS HEREBY GIVEN THAT the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to Section 380.06(4)(a), Florida Statutes.

FILE NO.: BLIM-07-2008-001
DATE RECEIVED: July 28, 2008
DEVELOPMENT NAME: SPRING LAKE GULF VIEW
DEVELOPER/AGENT: Rhon Ernest-Jones
DEVELOPMENT TYPE: 28-24.023, F.A.C.
LOCAL GOVERNMENT: Highlands County

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Kosto's Corp. d/b/a Scooters USA, intends to allow the establishment of Powerful Diesel Corp. d/b/a All Scooters Plus, as a dealership for the sale of motorcycles manufactured by Shanghai Shenke Motorcycle Co. (SHEN) at 1322 East Altamonte Drive, Altamonte Springs (Seminole County), Florida 32701, on or after July 29, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Powerful Diesel Corp. d/b/a All Scooters Plus are dealer operator(s): Margo Marin, 1322 East Altamonte Drive, Altamonte Springs, Florida 32701; principal investor(s): Margo Marin, 1322 East Altamonte Drive, Altamonte Springs, Florida 32701.

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: Yamil Khawain, President, Kosto's Corp. d/b/a Scooters USA, 6800 Northwest 84th Avenue, Miami, Florida 33166.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that JMSTAR Powersports, Inc., intends to allow the establishment of American Car Outlet, LLC, as a dealership for the sale of motorcycles manufactured by Shanghai Honling

Motorcycle Corp. (HONL) at 19001 Northwest 2nd Avenue A, Miami Gardens (Dade County), Florida 33169, on or after August 4, 2008.

The name and address of the dealer operator(s) and principal investor(s) of American Car Outlet, LLC are dealer operator(s): Alejandro Sanchez, 19001 Northwest 2nd Avenue A, Miami Gardens, Florida 33169; principal investor(s): Alejandro Sanchez, 19001 Northwest 2nd Avenue A, Miami Gardens, Florida 33169.

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: Yenong Xie, President, JMSTAR Powersports, Inc., 1479 Sunset Way, Weston, Florida 33327.

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 STR Motorsports, Inc., intends to allow the establishment of Barracuda Motorsports, Inc. d/b/a Barracuda Kawasaki, as a dealership for the sale of KYMCO motorcycles (KYO) at 202 Jonquil Avenue, Fort Walton Beach (Okaloosa County), Florida 32548, on or after July 28, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Barracuda Motorsports, Inc. d/b/a Barracuda Kawasaki are dealer operator(s): Carlo E. Forte, Jr., 3350 la Condesa Street, Gulf Breeze, Florida 32563; principal investor(s): Carlo E. Forte, Jr., 3350 la Condesa Street, Gulf Breeze, Florida 32563.

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, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Bruce S. Ramsey, STR Motorsports, Inc., 5 Stan Perkins Road, Spartanburg, South Carolina 29307.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that X-Power Motorsports, intends to allow the establishment of Walsh Auto Body, Inc. d/b/a Car Depot of Melbourne, as a dealership for the sale of motorcycles manufactured by Jiangsu Linhai Power Machinery Group (LINH) at 855 South Wickham Road, West Melbourne (Brevard County), Florida 32904, on or after July 30, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Walsh Auto Body, Inc. d/b/a Car Depot of Melbourne are dealer operator(s): Johnnie Walsh, 3913 North Harbor City Boulevard, West Melbourne, Florida 32935; principal investor(s): Johnnie Walsh, 3913 North Harbor City Boulevard, West Melbourne, Florida 32935.

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: Ronald Ho, President, X-Power Motorsports, 225 Horizon Drive, Suwanee, Georgia 30024.

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 JMSTAR Powersports, Inc., intends to allow the establishment of Ciao Moto Corp., as a dealership for the sale of motorcycles manufactured by Kaitong Motorcycle Manufacture Co. Ltd. (KAIT) at 14291 Southwest 120th Street, Suite 108, Miami (Dade County), Florida 33186, on or after August 4, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Ciao Moto Corp. are dealer operator(s): Alejandro Meza, 14291 Southwest 120th Street, Suite 108, Miami, Florida 33186; principal investor(s): Alejandro Meza, 14291 Southwest 120th Street, Suite 108, Miami, Florida 33186.

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: Yenong Xie, President, JMSTAR Powersports, Inc., 1479 Sunset Way, Weston, Florida 33327.

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 JMSTAR Powersports, Inc., intends to allow the establishment of Ciao Moto Corp., as a dealership for the sale of motorcycles manufactured by Zhejiang Xingyue Vehicle Co. Ltd. (ZXYV) at 14291 Southwest 120th Street, Suite 108, Miami (Dade County), Florida 33186, on or after August 4, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Ciao Moto Corp. are dealer operator(s): Alejandro Meza, 14291 Southwest 120th Street, Suite 108, Miami, Florida 33186; principal investor(s): Alejandro Meza, 14291 Southwest 120th Street, Suite 108, Miami, Florida 33186.

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: Yenong Xie, President, JMSTAR Powersports, Inc., 1479 Sunset Way, Weston, Florida 33327.

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 JMSTAR Powersports, Inc., intends to allow the establishment of Douglas Adkins Motorsports, Inc., as a dealership for the sale of motorcycles manufactured by Shanghai Honling Motorcycle Corp. (HONL) at 21657 South Dixie Highway, Miami (Dade County), Florida 33170, on or after August 4, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Douglas Adkins Motorsports, Inc. are dealer operator(s): Douglas Adkins, 21657 South Dixie

Highway, Miami, Florida 33170; principal investor(s): Douglas Adkins, 21657 South Dixie Highway, Miami, Florida 33170.

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: Yenong Xie, President, JMSTAR Powersports, Inc., 1479 Sunset Way, Weston, Florida 33327.

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 JMSTAR Powersports, Inc., intends to allow the establishment of Douglas Adkins Motorsports, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Xingyue Vehicle Co. Ltd. (ZXYV) at 21657 South Dixie Highway, Miami (Dade County), Florida 33170, on or after August 4, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Douglas Adkins Motorsports, Inc. are dealer operator(s): Douglas Adkins, 21657 South Dixie Highway, Miami, Florida 33170; principal investor(s): Douglas Adkins, 21657 South Dixie Highway, Miami, Florida 33170.

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: Yenong Xie, President, JMSTAR Powersports, Inc., 1479 Sunset Way, Weston, Florida 33327.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Tank Sports, Inc., intends to allow the establishment of David Cattafi d/b/a Direct Capital Motors, as a dealership for the sale of KTMEX motorcycles (KTM) at 4107 South Orlando Drive, Suite C, Sanford (Seminole County), Florida 32773, on or after August 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of David Cattafi d/b/a Direct Capital Motors are dealer operator(s): David Cattafi, 4107 South Orlando Drive, Suite C, Sanford, Florida 32773; principal investor(s): David Cattafi, 4107 South Orlando Drive, Suite C, Sanford, Florida 32773.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Mike Turber, Tank Sports, Inc., 10925 Schmidt Road, El Monte, California 91733.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

NOTICE OF WITHDRAWAL

Notice is hereby given that the publication of ECO Motor Sports & Scooters, LLC, as a new point for Taizhou Zhongneng Motorcycle Co. Ltd. (ZHNG) motorcycle franchise dealership in Seminole County by Lance Powersports, Inc., published in Vol. 34, No. 30, pp 3886, Florida Administrative Weekly on July 25, 2008, has been withdrawn.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Piaggio Group Americas, Inc., intends to allow the establishment of Ernie Haire Ford, Inc. d/b/a Big Dog Motorcycles, as a dealership for the sale of Piaggio (PIAG) motorcycles at 9528 North Florida Avenue, Tampa (Hillsborough County), Florida 33612, on or after July 18, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Ernie Haire Ford, Inc. d/b/a Big Dog Motorcycles are dealer operator(s): Ernie Haire, 9528 North Florida Avenue, Tampa, Florida 33612; principal investor(s): Ernie Haire, 9528 North Florida Avenue, Tampa, Florida 33612.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Angellina Fraser-Lubin, Piaggio Group Americas, Inc., 140 East 45th Street, 17th Floor, New York, New York 10017.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of 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 Ernie Haire Ford, Inc. d/b/a Big Dog Motorcycles, as a dealership for the sale of Vespa (VESP) motorcycles at 9528 North Florida Avenue, Tampa (Hillsborough County), Florida 33612, on or after July 18, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Ernie Haire Ford, Inc. d/b/a Big Dog Motorcycles are dealer operator(s): Ernie Haire, 9528 North Florida Avenue, Tampa, Florida 33612; principal investor(s): Ernie Haire, 9528 North Florida Avenue, Tampa, Florida 33612.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Angellina Fraser-Lubin, Piaggio Group Americas, Inc., 140 East 45th Street, 17th Floor, New York, New York 10017.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Zongshen, Inc., intends to allow the establishment of TGT Companies, Inc. d/b/a Extreme Motor Sales, as a dealership for the sale of motorcycles manufactured by Zongshen Industrial Group (ZONG) at 1918 South Orange Blossom Trail, Apopka (Orange County), Florida 32703, on or after September 15, 2008.

The name and address of the dealer operator(s) and principal investor(s) of TGT Companies, Inc. d/b/a Extreme Motor Sales are dealer operator(s): Tina Wilson, 1918 South Orange Blossom Trail, Apopka, Florida 32703; principal investor(s): Tina Wilson, 1918 South Orange Blossom Trail, Apopka, Florida 32703.

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: Rose Perez, Zongshen, Inc., 3511 Northwest 113th Court, Miami, Florida 33178.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that United Motors of America, Inc., intends to allow the establishment of Ferrara's Garage, Inc., as a dealership for the sale of motorcycles manufactured by United Motors of America, Inc. (UNMO) at 670 South Wickham Road, West Melbourne (Brevard County), Florida 32904, on or after August 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Ferrara's Garage, Inc. are dealer operator(s): Anthony L. Ferrara, 4525 Deerwood Trail, Melbourne, Florida 32934; principal investor(s): Anthony L. Ferrara, 4525 Deerwood Trail, Melbourne, Florida 32934.

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: Melissa Bell, United Motors of America, Inc., 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 United Motors of America, Inc., intends to allow the establishment of Ferrara's Garage, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Taizhou Wangye Power Co. Ltd. (ZHEJ) at 670 South Wickham Road, West Melbourne (Brevard County), Florida 32904, on or after August 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Ferrara's Garage, Inc. are dealer operator(s): Anthony L. Ferrara, 4525 Deerwood Trail, Melbourne, Florida 32934; principal investor(s): Anthony L. Ferrara, 4525 Deerwood Trail, Melbourne, Florida 32934.

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: Melissa Bell, United Motors of America, Inc., 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 Tank Sports, Inc., intends to allow the establishment of Virginia Lane d/b/a Ginny Lane, as a dealership for the sale of KTMEX motorcycles (KTMM) at 16044 Highway 301 North, Dade City (Pasco County), Florida 33523, on or after August 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Virginia Lane d/b/a Ginny Lane are dealer operator(s): Virginia Lane, 16044 Highway 301 North, Dade City, Florida 33523; principal investor(s): Virginia Lane, 16044 Highway 301 North, Dade City, Florida 33523.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Mike Turber, Tank Sports, Inc., 10925 Schmidt Road, El Monte, California 91733.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Peace Industry Group, Inc., intends to allow the establishment of Gulf Coast Auto Wholesale, Inc., as a dealership for the sale of motorcycles manufactured by Astronautical Bashan Motorcycle Manufacture Co. Ltd. (BASH) at 2195 Byron Butler Parkway, Perry (Taylor County), Florida 32348, on or after August 15, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Gulf Coast Auto Wholesale, Inc. are dealer operator(s): Tim Marshall, 1103 Eglin Parkway, Shalimar, Florida 32579; principal investor(s): Tim Marshall, 1103 Eglin Parkway, Shalimar, Florida 32579.

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, 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: Lily Ji, Peace Industry Group, Inc., 6600 B. Jimmy Carter Boulevard, Norcross, Georgia 30071.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Peace Industry Group, Inc., intends to allow the establishment of Gulf Coast Auto Wholesale, Inc., as a dealership for the sale of motorcycles manufactured by Astronautical Bashan Motorcycle Manufacture Co. Ltd. (BASH) at 1103 Eglin Parkway, Shalimar (Okaloosa County), Florida 32579, on or after August 15, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Gulf Coast Auto Wholesale, Inc. are dealer operator(s): Tim Marshall, 1103 Eglin Parkway, Shalimar, Florida 32579; principal investor(s): Tim Marshall, 1103 Eglin Parkway, Shalimar, Florida 32579.

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, 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: Lily Ji, Peace Industry Group, Inc., 6600 B. Jimmy Carter Boulevard, Norcross, Georgia 30071.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that BMS Motorsports, Inc., intends to allow the establishment of Fast Trixx Powersports, Inc., as a dealership for the sale of motorcycles manufactured by Taizhou Zhongneng Motorcycle Co. Ltd. (ZHNG) at 2386 Allen Road, Tallahassee (Leon County), Florida 32312, on or after July 30, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Fast Trixx Powersports, Inc. are dealer operator(s): Daniel Maddox, 2386 Allen Road, Tallahassee, Florida 32312; principal investor(s): Daniel Maddox, 2386 Allen Road, Tallahassee, Florida 32312.

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, 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: Patrick Kim, President, BMS Motor Sports, 1201 Jellick Avenue, City of Industry, California 91748.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Keeway America, LLC, intends to allow the establishment of Ferrara's Garage, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Qianjiang Motorcycle Co. Ltd. (ZHQM) at 670 South Wickham Road, West Melbourne (Brevard County), Florida 32904, on or after July 15, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Ferrara's Garage, Inc. are dealer operator(s): Anthony Ferrara, 670 South Wickham Road, West Melbourne, Florida 32904; principal investor(s): Anthony Ferrara, 670 South Wickham Road, West Melbourne, Florida 32904.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, 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: Zhong Zhuang, President, Keeway America, LLC, 2912 Skyway Circle North, Irving, Texas 75038.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Kinroad, LP, intends to allow the establishment of Fisher Auction Service, Inc., as a dealership for the sale of motorcycles manufactured by Kinroad Xintian Motorcycle Manufacturing Co. Ltd. (KNRO) at 2032 Hibiscus Drive, Edgewater (Volusia County), Florida 32141, on or after July 29, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Fisher Auction Service, Inc. are dealer operator(s): Ray Fisher, 2032 Hibiscus Drive, Edgewater, Florida 32141; principal investor(s): Ray Fisher, 402 North Ridgewood Avenue, Edgewater, Florida 32132.

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: Michael Yuen, Vice President, Kinroad, LP, 1135 West Trinity Mills, Suite 100, Carrollton, Texas 75006.

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 Carter Brothers Manufacturing Co., Inc., intends to allow the establishment of Jab Corp. d/b/a Motor Scooters N More, as a dealership for the sale of motorcycles manufactured by Sanyang Industry Co. Ltd. (SANY) at 188 North Federal Highway, Deerfield Beach (Broward County), Florida 33441, on or after July 29, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Jab Corp. d/b/a Motor Scooters N More are dealer operator(s): John Cao, 18 Royal Palm Way, Boca Raton, Florida 33432; principal investor(s): John Cao, 18 Royal Palm Way, Boca Raton, Florida 33432.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Jack Mullinax, Carter Brothers Manufacturing Co., Inc., 1871 Highway 231, Brundidge, Alabama 36010.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Kosto's Corp. d/b/a Scooters USA, intends to allow the establishment of Jealse Scooters, Inc., as a dealership for the sale of motorcycles manufactured by Shanghai Shenke Motorcycle Co. (SHEN) at 512 East Osceola Parkway, Kissimmee (Osceola County), Florida 34744, on or after July 29, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Jealse Scooters, Inc. are dealer operator(s): Favio Alzate, 512 East Osceola Parkway, Kissimmee, Florida 34744; principal investor(s): Favio Alzate, 512 East Osceola Parkway, Kissimmee, Florida 34744.

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, 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: Yamil Khawain, President, Kosto's Corp. d/b/a Scooters USA, 6800 Northwest 84th Avenue, Miami, Florida 33166.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that STR Motorsports, Inc., intends to allow the establishment of John Kiley's Cycleworld, Inc., as a dealership for the sale of KYMCO motorcycles (KYO) at 8500 Pensacola Boulevard, Pensacola (Escambia County), Florida 32534, on or after July 28, 2008.

The name and address of the dealer operator(s) and principal investor(s) of John Kiley's Cycleworld, Inc. are dealer operator(s): John Kiley, 4345 Jebnek Drive, Milton, Florida 32583; principal investor(s): John Kiley, 4345 Jebnek Drive, Milton, Florida 32583.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Bruce S. Ramsey, STR Motorsports, Inc., 5 Stan Perkins Road, Spartanburg, South Carolina 29307.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that CF Moto Powersports, Inc., intends to allow the establishment of Mega Powersports, as a dealership for the sale of motorcycles manufactured by Chunfeng Holding Group Co. Ltd. (CFHG) at 1710 South Woodland Boulevard, Deland (Volusia County), Florida 32720, on or after August 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Mega Powersports are dealer operator(s): Dave Levison, 1710 South Woodland Boulevard, Deland, Florida 32720; principal investor(s): Dave Levison, 1710 South Woodland Boulevard, Deland, Florida 32720.

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: Ivan Escalante, CF Moto Powersports, Inc., 3555 Holly Lane North, #30, Plymouth, Minnesota 55447.

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 CF Moto Powersports, Inc., intends to allow the establishment of Mopeds and More, Inc., as a dealership for the sale of motorcycles manufactured by Chunfeng Holding Group Co. Ltd. (CFHG) at 6191 South Pine Avenue, Ocala (Marion County), Florida 34480, on or after August 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Mopeds and More, Inc. are dealer operator(s): Brian Martin, 6191 South Pine Avenue, Ocala, Florida 34480; principal investor(s): Brian Martin, 6191 South Pine Avenue, Ocala, Florida 34480.

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: Ivan Escalante, CF Moto Powersports, Inc., 3555 Holly Lane North, #30, Plymouth, Minnesota 55447.

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 Lambretta International, LLC, intends to allow the establishment of New Earth Scooters, LLC, as a dealership for the sale of motorcycles manufactured by HeChee Industrial Co. Ltd. (HERH) at 825 Southeast Monterey Road, Suite 1, Stuart (Martin County), Florida 34994, on or after July 29, 2008.

The name and address of the dealer operator(s) and principal investor(s) of New Earth Scooters, LLC are dealer operator(s): Bob Szladek, 825 Monterey Road, Stuart, Florida 34994; principal investor(s): Robert Long, 47 Westgate Drive, Sparta, New Jersey 07871 and Luz Alicea, 47 Westgate Drive, Sparta, New Jersey 07871.

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, 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: Caroline Khurana, Lambretta International, LLC, 14339 Lake City Way Northeast, Seattle, Washington 98125.

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 LS Motor Sports, LLC, intends to allow the establishment of The Orlando Scooter Shop, LLC, as a dealership for the sale of motorcycles manufactured by Chunfeng Holding Group Co. Ltd. (CFHG) at 1710 West Fairbanks Avenue, Winter Park (Orange County), Florida 32789, on or after July 28, 2008.

The name and address of the dealer operator(s) and principal investor(s) of The Orlando Scooter Shop, LLC are dealer operator(s): Pierre LePoureau, 1710 West Fairbanks Avenue, Winter Park, Florida 32789; principal investor(s): Pierre LePoureau, 1710 West Fairbanks Avenue, Winter Park, Florida 32789.

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: Terry Nesbitt, General Manager, LS Motor Sports, LLC, 10215 South Sam Houston Parkway West, Suite 100, Houston, Texas 77071.

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 LS Motor Sports, LLC, intends to allow the establishment of The Orlando Scooter Shop, LLC, as a dealership for the sale of motorcycles manufactured by Jiangsu Linhai Power Machinery Group (LINH) at 1710 West Fairbanks Avenue, Winter Park (Orange County), Florida 32789, on or after July 28, 2008.

The name and address of the dealer operator(s) and principal investor(s) of The Orlando Scooter Shop, LLC are dealer operator(s): Pierre LePoureau, 1710 West Fairbanks Avenue, Winter Park, Florida 32789; principal investor(s): Pierre LePoureau, 1710 West Fairbanks Avenue, Winter Park, Florida 32789.

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: Terry Nesbitt, General Manager, LS Motor Sports, LLC, 10215 South Sam Houston Parkway, West, Suite 100, Houston, Texas 77071.

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 LS Motor Sports, LLC, intends to allow the establishment of The Orlando Scooter Shop, LLC, as a dealership for the sale of motorcycles manufactured by Qianjiang Motorcycle Group Corporation (QINJ) at 1710 West Fairbanks Avenue, Winter Park (Orange County), Florida 32789, on or after July 28, 2008.

The name and address of the dealer operator(s) and principal investor(s) of The Orlando Scooter Shop, LLC are dealer operator(s): Pierre LePoureau, 1710 West Fairbanks Avenue, Winter Park, Florida 32789; principal investor(s): Pierre LePoureau, 1710 West Fairbanks Avenue, Winter Park, Florida 32789.

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: Terry Nesbitt, General Manager, LS Motor Sports, LLC, 10215 South Sam Houston Parkway West, Suite 100, Houston, Texas 77071.

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 Kinroad, LP, intends to allow the establishment of World Ventures Corp. d/b/a Scooterdomain.com, as a dealership for the sale of motorcycles manufactured by Kinroad Xintian Motorcycle Manufacturing Co. Ltd. (KNRO) at 13031 Southwest 123 Avenue, Unit 1, Miami (Dade County), Florida 33186, on or after July 23, 2008.

The name and address of the dealer operator(s) and principal investor(s) of World Ventures Corp. d/b/a Scooterdomain.com are dealer operator(s): Gabriel Azunce, 13031 Southwest 123 Avenue, Unit 1, Miami, Florida 33186; principal investor(s): Gabriel Azunce, 13031 Southwest 123 Avenue, Unit 1, Miami, Florida 33186.

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: Michael Yuen, Vice President, Kinroad, LP, 1135 West Trinity Mills, Suite 100, Carrollton, Texas 75006.

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 United Motors of America, Inc., intends to allow the establishment of South County Motorcycles, Inc., as a dealership for the sale of motorcycles manufactured by United Motors of America, Inc. (UNMO) at 811 U.S. 41 Bypass, Venice (Sarasota County), Florida 34285, on or after July 25, 2008.

The name and address of the dealer operator(s) and principal investor(s) of South County Motorcycles, Inc. are dealer operator(s): Stephen L. Ponleit, 2541 Carmichael, Venice, Florida 32293; principal investor(s): Stephen L. Ponleit, 2541 Carmichael, Venice, Florida 32293.

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: Melissa Bell, United Motors of America, Inc., 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 United Motors of America, Inc., intends to allow the establishment of South County Motorcycles, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Taizhou Wangye Power Co. Ltd. (ZHEJ) at 811 U.S. 41 Bypass, Venice (Sarasota County), Florida 34285, on or after August 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of South County Motorcycles, Inc. are dealer operator(s): Stephen L. Ponleit, 2541 Carmichael, Venice, Florida 32293; principal investor(s): Stephen L. Ponleit, 2541 Carmichael, Venice, Florida 32293.

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: Melissa Bell, United Motors of America, Inc., 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 Cruise Car, Inc., intends to allow the establishment of Truck Junction, Inc., as a dealership for the sale of low speed vehicles manufactured by Suzhou Eagle Electric Vehicle Manufacturing Company (EEVM) at 4791 Clark Road, Sarasota (Sarasota County), Florida 34233, on or after July 15, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Truck Junction, Inc. are dealer operator(s): Duane Adams, 4791 Clark Road, Sarasota, Florida 34233; principal investor(s): Duane Adams, 4791 Clark Road, Sarasota, Florida 34233.

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: William Kics, Cruise Car, Inc., 1932 Whitfield Park Loop, Sarasota, Florida 34243.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Kosto's Corp. d/b/a Scooters USA, intends to allow the establishment of USA Wholesale Scooters, Inc., as a dealership for the sale of motorcycles manufactured by Shanghai Shenke Motorcycle Co. (SHEN) at 2902 East Sunrise Boulevard, Fort Lauderdale (Broward County), Florida 33304, on or after July 29, 2008.

The name and address of the dealer operator(s) and principal investor(s) of USA Wholesale Scooters, Inc. are dealer operator(s): Noel Farbman, 2902 East Sunrise Boulevard, Fort Lauderdale, Florida 33304; principal investor(s): Noel Farbman, 2902 East Sunrise Boulevard, Fort Lauderdale, Florida 33304.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Yamil Khawain, President, Kosto's Corp. d/b/a Scooters USA, 6800 Northwest 84th Avenue, Miami, Florida 33166.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that JMSTAR Powersports, Inc., intends to allow the establishment of US World Motors, Inc., as a dealership for the sale of motorcycles manufactured by Shanghai Honling Motorcycle Corp. (HONL) at 17351 Southwest 290th Street, Homestead (Dade County), Florida 33030, on or after August 5, 2008.

The name and address of the dealer operator(s) and principal investor(s) of US World Motors, Inc. are dealer operator(s): Argelio Cruz, 17351 Southwest 290th Street, Homestead, Florida 33030; principal investor(s): Argelio Cruz, 17351 Southwest 290th Street, Homestead, Florida 33030.

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: Yenong Xie, President, JMSTAR Powersports, Inc., 1479 Sunset Way, Weston, Florida 33327.

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 JMSTAR Powersports, Inc., intends to allow the establishment of US World Motors, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Xingyue Vehicle Co. Ltd. (ZXYV) at 17351 Southwest 290th Street, Homestead (Dade County), Florida 33030, on or after August 5, 2008.

The name and address of the dealer operator(s) and principal investor(s) of US World Motors, Inc. are dealer operator(s): Argelio Cruz, 17351 Southwest 290th Street, Homestead, Florida 33030; principal investor(s): Argelio Cruz, 17351 Southwest 290th Street, Homestead, Florida 33030.

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: Yenong Xie, President, JMSTAR Powersports, Inc., 1479 Sunset Way, Weston, Florida 33327.

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 BMS Motorsports, Inc., intends to allow the establishment of Victory Motors Corp. of Panama City, as a dealership for the sale of motorcycles manufactured by Taizhou Zhongneng Motorcycle Co. Ltd. (ZHNG) at 4736 Highway 90, Marianna (Jackson County), Florida 32446, on or after August 5, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Victory Motors Corp. of Panama City are dealer operator(s): Sherry Kemp, 4736 Highway 90, Marianna, Florida 32446; principal investor(s): Sherry Kemp, 4736 Highway 90, Marianna, Florida 32446.

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, 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: Patrick Kim, President, BMS Motor Sports, 1201 Jellick Avenue, City of Industry, California 91748.

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 BMS Motorsports, Inc., intends to allow the establishment of Victory Motors Corp. of Panama City, as a dealership for the sale of motorcycles manufactured by Zhejiang Xingyue Vehicle Co. Ltd. (ZXYV) at 4736 Highway 90, Marianna (Jackson County), Florida 32446, on or after August 5, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Victory Motors Corp. of Panama City are dealer operator(s): Sherry Kemp, 4736 Highway 90, Marianna, Florida 32446; principal investor(s): Sherry Kemp, 4736 Highway 90, Marianna, Florida 32446.

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, 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: Patrick Kim, President, BMS Motor Sports, 1201 Jellick Avenue, City of Industry, California 91748.

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 JMSTAR Powersports, Inc., intends to allow the establishment of Victory of South Florida, Inc., as a dealership for the sale of motorcycles manufactured by Shanghai Honling Motorcycle Corp. (HONL) at 840 South Andrews Avenue, Pompano Beach (Broward County), Florida 33069, on or after August 4, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Victory of South Florida, Inc. are dealer operator(s): Walt Jakobowski, 840 South Andrews Avenue, Pompano Beach, Florida 33069; principal investor(s): Alejandro Sanchez, 840 South Andrews Avenue, Pompano Beach, Florida 33069.

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: Yenong Xie, President, JMSTAR Powersports, Inc., 1479 Sunset Way, Weston, Florida 33327.

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 Argo Scooters, LLC, intends to allow the establishment of Wala 2 Corporation d/b/a Scooterjax, as a dealership for the sale of motorcycles manufactured by Shanghai Meitian Motorcycle Co. Ltd. (MEIT) at 1636 Hendrick Avenue, Jacksonville Beach (Duval County), Florida 32207, on or after August 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Wala 2 Corporation d/b/a Scooterjax are dealer operator(s): Thomas R. Bolc, 935 North Grandview Avenue, Daytona Beach, Florida 32118; principal investor(s): Thomas R. Bolc, 935 North Grandview Avenue, Daytona Beach, Florida 32118.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Florence Kolvites, Argo Scooters, LLC, 409 Littlefield Avenue, South San Francisco, California 94080.

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 Argo Scooters, LLC, intends to allow the establishment of Wala 2 Corporation d/b/a Vespa Jacksonville, as a dealership for the sale of motorcycles manufactured by Shanghai Meitian Motorcycle Co. Ltd. (MEIT) at 1128 North 3rd Street, Jacksonville Beach (Duval County), Florida 32250, on or after August 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Wala 2 Corporation d/b/a Vespa Jacksonville are dealer operator(s): Thomas R. Bolc, 935 North Grandview Avenue, Daytona Beach, Florida 32118; principal investor(s): Thomas R. Bolc, 935 North Grandview Avenue, Daytona Beach, Florida 32118.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Florence Kolvites, Argo Scooters, LLC, 409 Littlefield Avenue, South San Francisco, California 94080.

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."

FLORIDA LAND AND WATER ADJUDICATORY COMMISSION

NOTICE OF RECEIPT OF PETITION FLEMING ISLAND PLANTATION COMMUNITY DEVELOPMENT DISTRICT

On April 29, 2008, the Florida Land and Water Adjudicatory Commission ("FLWAC" or "Commission") received a petition to amend the boundaries of the Fleming Island Plantation Community Development District (the "District"). The Commission will follow the requirements of Chapter 42-1, Florida Administrative Code (F.A.C.), as amended, and Chapter 190, Florida Statutes (F.S.), as amended, in ruling on this petition.

SUMMARY OF CONTENTS OF PETITION: The petition, filed by the Fleming Island Plantation Community Development District, requests the Commission amend the boundaries of the district. The District currently covers approximately 1,580 acres of land located in Clay County, Florida. The petition proposes to delete approximately 17 acres from the District. After contraction, the District will encompass a total of approximately 1,563 acres. A general location map is contained as Exhibit 1 to the petition depicting the existing District and the location of the parcels to be removed from the District. The Petitioner has obtained written consent to amend the boundary of the District from the owners of 100% of the real property located within the contraction parcels. The owners of land within the contraction parcels are the Clay County School Board, Centex Homes, and New Grace Church, Inc. The favorable action of the District Board of Supervisors constitutes consent for all other lands pursuant to Section 190.046(1)(e), F.S.

SUMMARY OF ESTIMATED REGULATORY COSTS: The statement of estimated regulatory costs (SERC) supports the petition to amend the boundaries of the District. The complete text of the SERC is contained as Exhibit 8 to the petition. The requirements for a SERC are found in Section 120.541(2), F.S. A SERC must contain (a) a good faith estimate of the number of individuals and entities likely to be required to comply with the rule, together with a description of the types of individuals likely to be affected by the rule; (b) a good faith estimate of the costs to the agency, and to any other state and local government entities, of implementing and enforcing the proposed rule, and any anticipated effect on state or local revenues; (c) a good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local governmental entities, required to comply with the requirements of the rule; (d) an analysis of the impact on small businesses as defined by Section 288.703, F.S., and an analysis of the impact on small counties and small cities as defined by Section 120.52, F.S.; (e)

any additional information that the agency determines may be useful; and (f) any good faith written proposal submitted under section (a) and either a statement adopting the alternative or a statement rejecting the alternative in favor of the proposed rule. Addressing section (a), the District, the State of Florida and its residents, Clay County and its residents, current property owners of lands within the boundaries of the proposed District and future property owners are the principal entities that are likely to be required to comply with the rule. Under section (b), FLWAC and the State of Florida will incur administrative costs. Clay County may incur costs resulting from the initial review and on-going costs resulting from the on-going administration of the District. There is a \$15,000 filing fee paid to Clay County to offset any costs it may incur. Adoption of the proposed rule to amend the boundaries of the District will not have any negative impact on State and local revenues. Addressing section (c), the District may levy non-ad valorem special assessments on properties within its boundaries to finance infrastructure that the District funds and to defray the costs of operating and maintaining the infrastructure and associated community facilities. The District may issue notes, bonds, or other indebtedness to fund its improvement program. Prospective future land owners would be required to pay off such indebtedness over time in the form of non-ad valorem special assessments or other rates, fees or charges. The District may also impose an annual levy for the operation and maintenance of the District. Under section (d), approval of the petition to amend the boundaries of the District will have no impact or a positive impact on small businesses. The petition to amend the boundaries of the District will not have an impact on small counties as Clay County is not a small county as defined by section 120.52, F.S. Under section (e), no written proposal, statement adopting an alternative or statement of the reasons for rejecting an alternative has been submitted.

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

DATE AND TIME: Thursday, August 28, 2008, 6:00 p.m.

PLACE: Splash Park
1510 Calming Water Drive
Orange Park, Florida 32003

Any person requiring a special accommodation to participate in the hearing because of a disability should contact: Cheryl Stuart or Jason Walters, Hopping Green & Sams, 123 South Calhoun Street, Tallahassee, Florida 32301, (850)222-7500, at least two (2) business days in advance in order to provide sufficient opportunity to make appropriate arrangements.

Copies of the petition may be obtained by contacting: Cheryl Stuart or Jason Walters, Hopping Green & Sams, 123 South Calhoun Street, Tallahassee, Florida 32301, (850)222-7500, at

least two (2) business days in advance in order to provide sufficient opportunity to make appropriate arrangements, or Barbara Leighty, Executive Office of the Governor, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, (850)487-1884.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

FLORIDA CATEGORICAL EXCLUSION NOTIFICATION
The Florida Department of Environmental Protection has determined that the City of North Lauderdale's project will not adversely affect the environment. The project may qualify for a Drinking Water State Revolving Fund loan composed of federal funds and state funds.

A full copy of the Florida Categorical Exclusion Notification can be obtained by writing to: Venkata Panchakarla, Department of Environmental Protection, Bureau of Water Facilities Funding, 2600 Blair Stone Road, MS # 3505, Tallahassee, Florida 32399-2400 or venkata.panchakarla@dep.state.fl.us or by calling (850)245-8366.

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://approd.dep.state.fl.us/clearinghouse/>. For information, call (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

NOTICE OF PUBLIC OPPORTUNITY TO COMMENT ON GEOLOGICAL AND GEOPHYSICAL PERMIT APPLICATION FOR FEDERAL WATERS OF THE EASTERN GULF OF MEXICO OFFSHORE FLORIDA

Interested persons are hereby given notice that a U.S. Department of the Interior, Minerals Management Service, Geological and Geophysical Permit Application submitted by Coastal Planning & Engineering, to collect data in federal waters off Florida to identify sand for beach restoration, was received by the State of Florida. Proposed activities include bathymetry, seismic, sidescan sonar, and magnetometer surveys offshore Manatee County.

The permit application is available for inspection at the Florida Department of Environmental Protection (FDEP), Office of Intergovernmental Programs, Room 953 DA, Douglas Building, 3900 Commonwealth Boulevard, MS 47,

Tallahassee, Florida 32399-3000, (850)245-2163. Written comments regarding this activity and its consistency with the Florida Coastal Management Program should be submitted to FDEP, at the address listed above, by August 26, 2008. Contact: Shana Kinsey or Debby Tucker at (850)245-2163, email: Shane.Kinsey@dep.state.fl.us or Debby.Tucker@dep.state.fl.us.

This public notice fulfills the requirements of 15 CFR 930.

DEPARTMENT OF HEALTH

On July 30, 2008, 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 Krzysztof Ambroziak, L.M.T., license number MA 40940. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On July 30, 2008, 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 Kristina J. Netherland, L.M.H.C., license number MH 7273. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On July 30, 2008, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with the regard to the license of William Dana Holton, P.A., license number PA 1538. 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.

Request for Public Comments on Florida’s WIC Program
 The WIC Program (the Special Supplemental Nutrition Program for Women, Infants, and Children) is soliciting comments and suggestions about its program and how service delivery can be improved to better meet the clients’ needs. WIC is federally funded by the United States Department of Agriculture, and serves low- and moderate-income pregnant, breastfeeding, and postpartum women; infants; and children up to age 5. The program provides a combination of nutritious foods, nutrition education, breastfeeding support, and referrals for health care. WIC is available in all 67 counties in Florida. If you have any comments or suggestions, please direct them to Cheryl Miller, Department of Health, WIC and Nutrition Services, Bin #A-16, 4052 Bald Cypress Way, Tallahassee, FL 32399-1726, or by Fax: (850)922-3936. Your feedback is essential and is appreciated before August 22, 2008. In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability. To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call 1(800)795-3272 (Voice) or (202)720-6382 (TTY). USDA is an equal opportunity provider and employer.

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., September 5, 2008):

APPLICATION TO MERGE

Constituent Institutions: Sabal Trust Company, St. Petersburg, Florida, and Citizens First Trust Company LLC, The Villages, Florida
 Resulting Institution: Sabal Trust Company
 With Title: Sabal Trust Company
 Received: July 31, 2008

APPLICATION AND PLAN FOR THE PURCHASE OF CERTAIN ASSETS AND ASSUMPTION OF CERTAIN LIABILITIES

Acquiring Entity: Florida Citizens Bank, 3919 West Newberry Road, Gainesville, Florida
 Selling Entity: Ocala National Bank, Ocala, Florida (a branch located in Ocala, Florida)
 Received: August 5, 2008

FLORIDA LOCAL GOVERNMENT FINANCE COMMISSION

NOTICE OF PUBLIC HEARING

YOU ARE HEREBY NOTIFIED THAT on the 28th day of August, 2008, at 9:00 a.m. (or as soon thereafter as the same may be heard), a public hearing (the “Hearing”) will be held at the offices of Nabors, Giblin & Nickerson, P.A., 2502 Rocky Point Drive, Suite 1060, Tampa, Florida 33607, with respect to the issuance by the Florida Local Government Finance Commission (the “Issuer”) of its Florida Local Government Finance Commission Pooled Commercial Paper Notes, Series B (the “Notes”) on the proposed issuance by the Manatee County Port Authority (the “Port Authority”) Revenue Note, Draw No. A-3-2 in the principal amount of not exceeding \$10,000,000 and the loan of the proceeds thereof (the “Port Loan”) to the Authority. The Hearing will be conducted by Counsel to the Issuer.

The Port Authority now owns, operates and maintains a navigable port of entry known as the “Port Manatee” including storage, dockage and terminal facilities, an administrative building, warehouses, docks, jetties, quaywalls, slips, roadways and parkways and other facilities, by means of which general import and export, storage and passenger cruise line businesses are conducted (herein collectively, the “Port Facilities”). The Port Facilities are located in the northwestern portion of the County at Port Manatee whose headquarters are located at 300 Regal Cruise Way, Suite 1, Palmetto, Florida 34221, on approximately 1,150 acres of land being bounded on the East by CSX railroad tracks, on the West by the Gulf of Mexico, on the South by State owned land, and on the North by the Hillsborough County line. The Port Authority owns all improvements to the Port Facilities to be refinanced with the Notes.

The proceeds of the Notes in the amount of \$10,000,000 will be loaned to the Port Authority and applied to refinance an existing Loan of the Port Authority, the proceeds of which were used to finance a portion of the cost of any of the following capital improvements:

Intermodal Transit Warehouse. Construct an intermodal transit warehouse of approximately 145,000 square feet to be located east of Berth 9 and north of South Dock Street at Port Manatee.

Channel and Harbor Dredging. Dredging the Port Manatee basin or harbor and the Port Manatee approach channel from the eastward end of the basin or harbor westward to the intersection of the approach channel with Tampa harbor channel, dredging a vessel turning basin and adjacent to the approach channel, and the construction and enlargement of the dredged or excavated material disposal facilities at Port Manatee in cooperation with the U.S. Army Corps of Engineers.

The Notes do not constitute a general indebtedness or obligation of the Issuer within the meaning of any constitutional or statutory provision or limitation, but shall be generally payable from and secured by the loan repayments made by the Port Authority to the Issuer pursuant to the Port Loan. The Port Loan is payable from and secured by revenues of the Port Authority and will also be secured by a covenant of the County to budget and appropriate non-ad valorem revenues whenever the other sources are insufficient or unavailable. The Port Loan will not be or constitute an indebtedness of the Port Authority, the County, the State of Florida or any political subdivision thereof within the meaning of any constitutional, statutory or other limitation of indebtedness.

The aforementioned meeting shall be a public meeting and all persons who may be interested will be given an opportunity to be heard concerning the same. Written comments may also be submitted to: John Yonkosky, Chairman, Florida Local

Government Finance Commission, c/o Collier County Office of Management and Budget, 3301 E. Tamiami Trail, Naples, Florida 34112, and Steven E. Miller, Esq., Nabors, Giblin & Nickerson, P.A., 2502 Rocky Point Drive, Suite 1060, Tampa, Florida 33607, prior to the hearing.

ALL PERSONS FOR OR AGAINST SAID PROPOSAL CAN BE HEARD AT SAID TIME AND PLACE. IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE ISSUER WITH RESPECT TO SUCH HEARING OR MEETING, (S)HE WILL NEED TO ENSURE THAT A VERBATIM RECORD OF SUCH HEARING OR MEETING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact Steven E. Miller, Nabors, Giblin & Nickerson, P.A., 2502 Rocky Point Drive, Suite 1060, Tampa, Florida 33607, phone (813)281-2222, no later than seven days prior to the proceeding at the address given in this notice.

FLORIDA LOCAL GOVERNMENT
FINANCE COMMISSION

/s/ John Yonkosky
Chairman

WORKFORCE FLORIDA, INC.

Notice for Review and Comment WIA Plan Modification. Information can be found on the Workforce Florida web site at: http://www.workforceflorida.com/news/docs/DirectServices_7-31-08.pdf.

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN July 28, 2008
 and August 1, 2008

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

40D-1.659	7/30/08	8/19/08	34/25	
40D-3.021	7/30/08	8/19/08	34/25	
40D-3.037	7/30/08	8/19/08	34/25	
40D-3.038	7/30/08	8/19/08	34/25	
40D-3.101	7/30/08	8/19/08	34/25	
40D-3.301	7/30/08	8/19/08	34/25	
40D-3.411	7/30/08	8/19/08	34/25	
40D-3.531	7/30/08	8/19/08	34/25	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Surveyors and Mappers

61G17-6.003	7/29/08	8/18/08	34/23	
61G17-6.004	7/29/08	8/18/08	34/23	

Florida Real Estate Commission

61J2-1.011	7/29/08	8/18/08	34/25	
61J2-2.029	7/29/08	8/18/08	34/25	
61J2-3.010	7/29/08	8/18/08	34/25	

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

64B17-5.001	7/29/08	8/18/08	34/26	
64B17-8.002	7/29/08	8/18/08	34/26	