

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF STATE

Division of Elections

RULE NO.: 1S-2.046
 RULE TITLE: Initiative Process for Method of Selection for Circuit or County Court Judges

PURPOSE AND EFFECT: The purpose of this rule is to implement the style and requirements for initiative petition forms used to change the method of selection for circuit and county court judges. The rule further provides the procedures for obtaining approval of the initiative petition forms and the requirements for signature verification of the forms. The effect of the rule is to implement the constitutional and statutory provisions that provide a mechanism for Florida voters to change the method of selection for circuit or county court judges.

SUBJECT AREA TO BE ADDRESSED: Method of selection for circuit or county court judges.

SPECIFIC AUTHORITY: 20.10(3), 97.012(1), 105.036 FS.

LAW IMPLEMENTED: Art V, Fla. Const., 101.161, 105.036 FS.

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

DATE AND TIME: December 30, 2008, 1:00 p.m.

PLACE: Room 307, R. A. Gray Building, 500 S. Bronough Street, Tallahassee, Florida 32399-0250

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: Amber Barrett, Division of Elections, Department of State, R. A. Gray Building, 500 S. Bronough Street, Tallahassee, Florida 32399-0250; telephone: (850)245-6224. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Amber Barrett, Division of Elections, Department of State, R. A. Gray Building, 500 S. Bronough Street, Tallahassee, Florida 32399-0250; telephone: (850)245-6224. The text of the proposed rule and forms also can be found at <http://election.dos.state.fl.us/rules/proposed-rules/index.shtml>

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

1S-2.046 Initiative Process for Method of Selection for Circuit or County Court Judges.

(1) Submission of Petition Initiative.

(a) Any proposed initiative to change the method of selection of circuit court judges for placement on the ballot shall be submitted by the sponsoring political committee to the Division of Elections for approval as to format.

(b) Any proposed initiative to change the method of selection of county court judges for placement on the ballot shall be submitted by the sponsoring political committee to the Supervisor of Elections in the affected county for approval as to format.

(c) The submission of the proposed initiative shall be in writing and shall include a copy or a facsimile of the proposed form to be circulated.

(d) No initiative petition form may be circulated for signatures unless first approved by the Division of Elections or the Supervisor of Elections, as applicable.

(2) Requirements and Approval of Petition Form. The Division of Elections or Supervisor of Elections, as applicable, shall review the petition form solely for sufficiency of the format and shall render a decision within seven (7) days following receipt. The Division of Elections or Supervisor of Elections, as applicable, shall not review the petition form for legal sufficiency. The format of the petition form is deemed sufficient only if the petition form corresponds to the following:

(a)1. 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 112 (eff. 12/08), entitled "Circuit Court Judge Selection Initiative Form."

2. The format of an initiative petition submitted for review and approval by a Supervisor of Elections shall be substantially in accordance with Form DS-DE 113 (eff. 12/08), entitled "County Court Judge Selection Initiative Form."

(b) 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. The petition shall be contained on only one-side of the card or paper.

(c) Is clearly and conspicuously entitled at the top of the form "Circuit Court Judge Selection Initiative Form" or "County Court Judge Selection Initiative Form," as applicable.

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

(e) Contains the ballot language in Section 101.161(3), F.S., for circuit or county court judges, as applicable. One form may not be used as a petition to change the method of selection for both circuit and county court judges.

(f) Contains space for only one voter's signature to be located below the applicable ballot language. Petition forms providing for multiple signatures per page will not be approved.

(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 production or distribution of the petition form if different from the name of the sponsoring political committee.

(3) Forms DS-DE 112 and 113 are hereby incorporated by reference and are 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) 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 shall be printed directly on the form.

(5) Assignment of a Serial Number.

(a) The Division of Elections or Supervisor of Elections, as applicable, shall assign a serial number as noted herein to each approved petition form. The serial number assigned must be printed in the lower right hand corner of the petition form.

(b) The serial number assigned by the Division of Elections shall begin with the capital letter "C," followed by the last two digits of the calendar year in which the petition form is approved and by a number in numerical sequence. For example, the first petition form approved by the Division of Elections in 2009 would be assigned the serial number C09-1.

(c) The serial number assigned by a Supervisor of Elections shall begin, except as noted herein, with the first three letters of county's name, followed by the last two digits of the calendar year in which the petition form is approved and by a number in numerical sequence. Instead of the first three letters in the county's name, the following counties will use these letters: Collier – CLR and Martin – MRT. For example, the first petition form approved in 2009 by Palm Beach County would be assigned the serial number PAL09-1 and the first petition form approved in 2010 by Collier County would be assigned the serial number CLR10-1.

(6) Changes. Any change to a previously approved petition form shall be submitted to the Division of Elections or Supervisor of Elections, as applicable, for review. No person or entity other than the sponsoring political committee of the previously approved petition form can submit a change to a previously approved petition form. The Division of Elections or Supervisor 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

ballot language, 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 or Supervisor of Elections, as applicable.

(7) Reproduction. A petition form may be reproduced in newspapers, magazines, and other forms of printed mass media or made available through the internet for download printing, provided the form is reproduced in the same format as approved by the Division of Elections or Supervisor of Elections, as applicable. The petition form may be included within a larger advertisement, provided the form is clearly defined by a solid or broken line border.

(8) 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 for verification of signatures to the Supervisor of Elections and the submission shall be in the county in which the signer is a registered voter. 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 signee 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.

(9) Signature Verification.

(a) The Supervisor of Elections shall promptly verify the signatures on each petition 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 signed the petition form more than two years prior to the date the Supervisor of Elections verified the petition, and

3. Had not ever previously signed a petition form containing the identical initiative.

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

1. The voter's name,

2. The voter's 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.

(10) Limitation on Use of Verified Signatures. Verified signatures used successfully to place a proposed initiative petition 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), 105.036 FS. Law Implemented Art V, Fla. Const., 101.161, 105.036 FS. History—New

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-14.092
 RULE TITLE: Textbook Affordability

PURPOSE AND EFFECT: The purpose of the rule is to implement Section 1004.085, Florida Statutes, relating to textbook affordability and to delineate the Department and institutions' responsibilities as required by the legislation.

SUBJECT AREA TO BE ADDRESSED: This rule will delineate implementation requirements for institutions within the Florida College System as required by Section 1004.085, Florida Statutes, which addresses the concern of textbook affordability in postsecondary education. The rule will also require the Department and institutions within the Florida College System to form a textbook affordability workgroup that will submit a report to the State Board of Education by December 1, 2009 with recommendations for providing textbooks to students otherwise unable to afford them.

SPECIFIC AUTHORITY: 1004.085(3), (4) FS.

LAW IMPLEMENTED: 1004.085 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: Julie Alexander, Division of Community Colleges, (850)245-9523 or Email: julie.alexander@fldoe.org

To request a rule development workshop contact: Lynn Abbott, Office of the Agency Clerk, Department of Education, (850)245-9661 or email lynn.abbott@fldoe.org

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

6A-14.092 Textbook Affordability.

Pursuant to Section 1004.085, Florida Statutes, institutions within the Florida College System shall:

(1) Adopt textbooks no later than 45 days prior to the first day of classes to allow sufficient lead time to bookstores to work with publishers so as to confirm availability of the requested materials and to ensure maximum availability of

used books. Where courses are added after this 45 day deadline, textbooks for such courses shall be adopted as soon as is feasible to ensure sufficient lead time.

(2) Pursuant to Section 1004.085(3), Florida Statutes, for those classes added after the 30 day notification deadline, institutions shall post textbook information on their websites immediately as such information becomes available.

(3) Collect and maintain, before textbook adoption is finalized, written or electronically transmitted certifications from course instructors attesting:

(a) That all textbooks and other instructional items ordered will be used, particularly each individual item sold as part of a bundled package, and

(b) The extent to which a new edition differs significantly and substantively from earlier versions, and the value of changing to a new edition.

(4) Provide assistance as requested by the statewide textbook affordability workgroup established by the Department of Education to recommend policies and strategies that address the availability of required textbooks to students otherwise unable to afford the cost. The workgroup shall consist of nine representatives from institutions within the Florida College System chosen based on variable student enrollment (small and large student populations), geographic location (north, central and south) and economic status of student body (high population receiving need-based financial aid). A report shall be submitted by the workgroup to the State Board of Education by December 1, 2009 that identifies the policies.

Specific Authority 1004.085(3), (4) FS. Law Implemented 1004.085 FS. History—New

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Community Planning

RULE NOS:	RULE TITLES:
9J-5.003	Definitions
9J-5.006	Future Land Use Element
9J-5.010	Housing Element
9J-5.013	Conservation Element
9J-5.019	Transportation Element

PURPOSE AND EFFECT: The purpose and effect are to amend the rule to implement the new requirements established by Chapter 2008-191, Laws of Florida (CS/HB 697).

SUBJECT AREA TO BE ADDRESSED: Chapter 9J-5, F.A.C., is to be amended to establish minimum criteria to be used in reviewing comprehensive plans to determine whether they comply with the new requirements of Chapter 2008-191, Laws of Florida, regarding energy efficient land use patterns accounting for existing and future electric power generation and transmission systems, greenhouse gas reduction strategies, strategies to address reduction in greenhouse gas emissions from the transportation sector, factors that affect energy conservation, depicting energy conservation in the future land

use map series, energy efficiency in the design and construction of new housing, and the use of renewable energy resources.

SPECIFIC AUTHORITY: 163.3177(9) FS.

LAW IMPLEMENTED: 163.3177(6)(a), (b), (d), (f), (j) FS. (only as those sections were amended by Chapter 2008-191, Laws of Florida.)

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

DATE AND TIME: January 9, 2009, 10:00 a.m.

PLACE: Kelley Training Center, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

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: Bobbe Pound, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)922-1696. 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: Walker Banning and Bernard Piawah, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-2356

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

DEPARTMENT OF REVENUE

Miscellaneous Tax

RULE NOS.:	RULE TITLES:
12B-5.130	Refunds
12B-5.150	Public Use Forms

PURPOSE AND EFFECT: Section 206.8745(6), F.S., grants a refund for undyed tax-paid diesel fuel that is consumed by a power take-off unit or engine exhaust for the purpose of unloading bulk cargo by pumping when the power takeoff unit or engine exhaust is mounted on a motor vehicle that has no separate fuel tank. Paragraph (2)(a) of Rule 12B-5.130, F.A.C. (Refunds), implements this statute. Originally, the Department administered Section 206.8745(6), F.S., to only apply to taxpayers that used pneumatic pumps to off-load bulk cargo. Based on a study of pneumatic pumps, the Department adopted paragraph 12B-5.130(2)(a), F.A.C., as a presumption that pneumatic pumps used 10 gallons of fuel to off-load a full load of cargo. Thus, taxpayers were granted a refund on 10 gallons of motor fuel for every full load of cargo that was unloaded. In Pritchett Trucking, Inc. v. Department of Revenue (Case No. 04-3093 CA, 2nd Circuit, July 3, 2008), the court held that

Section 206.8745, F.S., grants refunds for any type of pumping used to unload bulk cargo, regardless whether the means of pumping is by pneumatics, hydraulics, or any other method. Since the 10-gallon presumption in paragraph 12B-5.130(2)(a), F.A.C., was only valid for pneumatic pumps, the Department amended the rule to remove the 10-gallon presumption.

The purpose of this rulemaking is to solicit public information to adopt a new standard that can be used by taxpayers that use any type of pumping to off-load bulk cargo.

SUBJECT AREA TO BE ADDRESSED: The subject area of the workshop is refunds for undyed tax-paid diesel fuel that is consumed by a power take-off unit or engine exhaust for the purpose of unloading bulk cargo by pumping.

SPECIFIC AUTHORITY: 206.14(1), 206.59(1), 206.8745(6), 213.06(1) FS.

LAW IMPLEMENTED: 206.02, 206.021, 206.022, 206.025, 206.026, 206.027, 206.028, 206.05, 206.055, 206.095, 206.404, 206.41(4), (5), 206.43, 206.64, 206.86, 206.8745, 206.877, 206.90, 206.91, 206.92, 206.9931, 206.9943, 206.97 FS.

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

DATE AND TIME: February 5, 2009, 10:00 a.m.

PLACE: Room 118, Carlton Building, 501 S. Calhoun Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Larry Green at (850)922-4830. 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: Ronald Gay, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4732

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

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

PUBLIC SERVICE COMMISSION

RULE NOS.:	RULE TITLES:
25-24.516	Pay Telephone Rate Caps
25-24.630	Rate and Billing Requirements

PURPOSE AND EFFECT: To effectuate re-notice of rulemaking in Docket No. 060476-TL.

SUBJECT AREA TO BE ADDRESSED: Operator service and pay telephone rates.

SPECIFIC AUTHORITY: 350.127(2), 364.3375; 364.3376, 364.03 FS.

LAW IMPLEMENTED: 364.01, 364.03, 364.3375, 364.3376 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: Richard Bellak, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6092

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

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-204.005
 RULE TITLE: Cash Meals and Special Group Meals

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend Rule 33-204.005, F.A.C., to reflect the Department’s switch from a private food service contractor to self-operation.

SUBJECT AREA TO BE ADDRESSED: Food service.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 110.502, 110.504, 944.09 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-204.005 Cash Meals and Special Group Meals.

(1) The cost of meals for employees or volunteers shall be borne by the individual being provided with the meal, except as provided in subsection (2) of this section. Employees or volunteers served meals shall be charged a the predetermined amount as determined by the Secretary designated in the current food services contract.

(2) No change.

Specific Authority 944.09 FS. Law Implemented 110.502, 110.504, 944.09 FS. History–New 1-18-89, Formerly 33-30.005, Amended 5-21-00, 6-26-03, 10-24-04,_____.

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-208.507
 RULE TITLE: Responsibilities of Staff Housing Occupants

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend Rule 33-208.507, F.A.C., to eliminate a discrepancy that prohibits adult occupants from possessing electronic weapons or devices while allowing minors to possess such weapons under adult supervision.

SUBJECT AREA TO BE ADDRESSED: The possession of weapons by staff housing occupants.

SPECIFIC AUTHORITY: 20.315, 944.09(1), 945.025(1) FS.

LAW IMPLEMENTED: 20.315, 944.09(1), 944.10, 945.025(1) FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

- 33-208.507 Responsibilities of Staff Housing Occupants.
- (1) through (3) No change.
- (4) Firearms.
- (a) through (e) No change.
- (f) Occupants of staff housing shall follow the restrictions placed on the possession and use of BB guns ~~or~~ air or gas-operated guns, ~~or electric weapons or devices~~ by minors under 16 in accordance with Section 790.22, F.S.

Specific Authority 20.315, 944.09(1), 945.025(1) FS. Law Implemented 20.315, 944.09(1), 944.10, 945.025(1) FS. History–New 9-1-88, Formerly 33-26.007 33-602.507, Amended 8-16-00, 1-19-03, 3-30-05, 10-29-08,_____.

WATER MANAGEMENT DISTRICTS

Northwest Florida Water Management District

RULE NO.: 40A-2.051
 RULE TITLES: Exemptions
 40A-2.901 Forms

PURPOSE AND EFFECT: The purpose and effect of the proposed rule development is to: reduce the permitting requirements for water users whose withdrawals pose minimal impact to the water resources, minimize non-potable demands

on the potable water supplies, promote use of the lowest quality water suitable for the intended purpose and include statutory permit language.

SUBJECT AREA TO BE ADDRESSED: Permitting of water uses and language in the permit document.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171, 373.216, 373.219, 373.223 FS.

LAW IMPLEMENTED: 373.171, 373.216, 373.219, 373.223 FS.

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

DATE AND TIME: January 14, 2009, 9:00 a.m., ET

PLACE: Northwest Florida Water Management District, 81 Water Management Drive, Governing Board Conference Room, Havana, Florida 32333-4711

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: Larry Wright, Northwest Florida Water Management District, 81 Water Management Drive, Havana, Florida 32333-4711, (850)539-5999, (850)539-2777 (fax). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Terri Peterson, Northwest Florida Water Management District, 152 Water Management Drive, Havana, Florida 32333-4711, (850)539-5999, (850)539-2777 (fax)

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40A-2.051 Exemptions.

(1) through (5) No change.

(6) An Individual Water Use Permit shall not be required for non-public supply shallow wells four (4) inches or smaller in diameter, withdrawing an annual daily average of 15,000 gallons or less of water from the shallow sand aquifer in the portion of Permit Area A found in the counties of Bay, Franklin, Gulf, Okaloosa, and Walton, and which do not penetrate any competent and continuous confining formation.

(7) through (10) No change.

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.171, 373.216, 373.219 FS. History--New 10-1-82, Amended 5-17-83, 3-1-84, 1-5-86, 8-1-89, 5-31-92, 11-2-92, 10-1-95, 7-1-98, 1-1-05, 2-27-06,_____.

40A-2.901 Forms.

(1) The following forms are used in the implementation of this Chapter and are hereby incorporated by reference:

(a) through (d) No change.

(e) Individual Water Use Permit Document, NFWFMD Form No. A2-E, effective _____, ~~October 1, 1995~~.

(f) through (i) No change.

(2) These forms are available at the following District offices:

(a) through (c) No change.

Specific Authority 373.044, 373.171 FS. Law Implemented 373.116, 373.219, 373.229 FS. History--New 10-1-82, Amended 1-5-86, 8-1-89, 5-31-92, 10-1-95, 7-1-98,_____.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:

40D-1.607 Permit Processing Fee

PURPOSE AND EFFECT: The rulemaking is intended to set forth the permit fee for 20 year water use permits that are being proposed in related rulemaking in Chapter 40D-2, F.A.C.

SUBJECT AREA TO BE ADDRESSED: The subject area of the proposed rulemaking is amendments to the District's permit fee schedule to add fees for 20 year permits being proposed in related rulemaking in Chapter 40D-2, F.A.C. The fees will be tiered based on the quantity of water authorized to be used by the water use permittee.

SPECIFIC AUTHORITY: 373.044, 373.103, 373.113, 373.118, 373.171 FS.

LAW IMPLEMENTED: 373.036, 373.0361, 373.042, 373.0421, 373.0831, 373.103, 373.116, 373.117, 373.118, 373.149, 373.171, 373.1963, 373.216, 373.219, 373.223, 373.229, 373.236, 373.239, 373.243 FS.

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

DATE AND TIME: January 13, 2009, 10:00 a.m.

PLACE: Southwest Florida Water Management District Tampa Service Office, Governing Board Room, 7601 Hwy 301 North, Tampa, FL 33637-6759

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Dianne Lee at (352)796-7211 or 1(800)423-1476, extension 4658; TDD only number 1(800)231-6103; Fax number (352)754-6878/SUNCOM 663-6878. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

Edwards, Sr. Administrative Assistant, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651

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

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NOS.:	RULE TITLES:
40D-2.091	Publications Incorporated by Reference
40D-2.301	Conditions for Issuance of Permits
40D-2.321	Duration of Permits

PURPOSE AND EFFECT: The rulemaking is intended to set forth the criteria to be met to obtain a water use permit with a 20 year duration. In addition, the rulemaking is intended to set forth environmental resource permitting requirements for issuance of a water use permit for multi-phase projects that require both a water use permit and an environmental resource permit.

SUBJECT AREA TO BE ADDRESSED: The subject area of the proposed rulemaking is amendments to the District water use permitting rules in Chapter 40D-2, F.A.C., and Part B, Basis of Review For Water Use Permit Applications, of the Water Use Permit Information Manual regarding the standards that must be met to obtain a water use permit with a duration of 20 years. Small General permits will be issued with a 20 year duration. General or Individual permits applicants may request a permit with up to a 20 year permit duration where the applicant demonstrates (1) exceptional implementation of alternative water supplies and water conservation, or (2) assistance in the provision of water to help meet a Minimum Flow or Level that would otherwise not be met, or (3) the provision of a significant quantity of alternative water supply that offsets the withdrawal of ground water, and (4) agreement to comply with conservation and water resource protection standards and associated water use compliance phase-in periods when adopted by rule. The proposed rules also describe required five year compliance reports and the information to be reported for 20 year permits.

SPECIFIC AUTHORITY: 373.044, 373.103, 373.113, 373.118, 373.171 FS.

LAW IMPLEMENTED: 373.036, 373.0361, 373.042, 373.0421, 373.0831, 373.103, 373.116, 373.117, 373.118, 373.149, 373.171, 373.1963, 373.216, 373.219, 373.223, 373.229, 373.236, 373.239, 373.243 FS.

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

DATE AND TIME: January 13, 2009, 10:00 a.m.

PLACE: Southwest Florida Water Management District Tampa Service Office, Governing Board Room, 7601 Hwy 301 North, Tampa, FL 33637-6759

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Dianne Lee at (352)796-7211 or 1(800)423-1476, extension 4658; TDD only number 1(800) 231-6103; Fax number (352)754-6878/SUNCOM 663-6878. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Charlotte Edwards, Sr. Administrative Assistant, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651

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

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NOS.:	RULE TITLES:
58A-5.0131	Definitions
58A-5.014	License Application, Change of Ownership, and Provisional Licenses
58A-5.016	License Requirements
58A-5.0181	Admission Procedures, Appropriateness of Placement and Continued Residency Criteria
58A-5.0182	Resident Care Standards
58A-5.0183	Advance Directives and Do Not Resuscitate Orders (DNRO)
58A-5.019	Staffing Standards
58A-5.0191	Staff Training Requirements and Competency Test
58A-5.025	Resident Contracts
58A-5.029	Limited Mental Health
58A-5.033	Administrative Enforcement

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendments is to add a definition of "department"; provide the address for facilities to obtain forms for licensure applications; include additional licensure requirements; include an additional requirement for determining continued residency and changes to AHCA Form 1823, which is incorporated by reference; include changes to resident care standards as in pertains to third party services; include posting of the work schedule for direct care staff as part of the staffing standards; include changes to staff training requirements, specifically HIV/AIDS, pursuant to Section 381.0035, F.S., and additional limited mental health training; include changes to the resident contract, specifically

notification that the resident must be assessed for admission as well as for continued residency, requiring use of AHCA Form 1823 for the latter determination; include changes to require facilities to ensure that mental health residents receive appropriate services; and deletion of the use of a temporary license under administrative enforcement. The purpose and effect of a new rule is to outline procedures for advance directives and do not resuscitate orders.

SUBJECT AREA TO BE ADDRESSED: New definition of "department"; address for facilities to obtain forms for licensure applications; additional licensure requirements; additional requirement for determining continued residency; changes to AHCA Form 1823, which is incorporated by reference; changes to resident care standards as in pertains to third party services; posting of the work schedule for direct care staff; changes to staff training requirements, specifically HIV/AIDS, and additional limited mental health training; notification that the resident must be assessed for admission as well as for continued residency, requiring use of AHCA Form 1823 for the latter determination; changes to require facilities to ensure that mental health residents receive appropriate services; deletion of the use of a temporary license; and procedures for advance directives and do not resuscitate orders.

SPECIFIC AUTHORITY: 429.07, 429.15, 429.178, 429.23, 429.24, 429.255, 429.26, 429.275, 429.41, 429.42, 429.52 FS.
LAW IMPLEMENTED: 429.02, 429.04, 429.07, 429.075, 429.08, 429.11, 429.12, 429.14, 429.15, 429.17, 429.174, 429.176, 429.178, 429.19, 429.24, 429.255, 429.256, 429.23, 429.26, 429.27, 429.275, 429.28, 429.34, 429.41, 429.42, 429.44, 429.445, 429.47, 429.52 FS.

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

DATE AND TIME: January 7, 2009, 9:00 a.m. – 12:00 noon EST.

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Jim Crochet, Department of Elder Affairs, Office of the General Counsel, 4040 Esplanade Way, Tallahassee, Florida 32399-7000; telephone number: (850)414-2000; Email address: crochethj@elderaffairs.org

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

58A-5.0131 Definitions.

In addition to the terms defined in Section 429.02, F.S., the following definitions are applicable in this rule chapter:

(1) through (10) No change.

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

(11) through (34) renumbered (12) through (35) No change.

~~(35) "Temporary license" means a license issued by Agency for Health Care Administration to an assisted living facility that supersedes and temporarily replaces the current license and remains in place pending the final disposition of a proceeding involving the suspension or revocation of an assisted living facility license.~~

(36) through (37) No change.

Specific Authority 429.23, 429.41 FS. Law Implemented 429.02, 429.07, 429.075, 429.11, 429.14, 429.178, 429.19, 429.255, 429.23, 429.28, 429.41, 429.47, 429.52 FS. History—New 9-30-92, Formerly 10A-5.0131, Amended 10-30-95, 6-2-96, 4-20-98, 10-17-99, 1-9-02, 7-30-06,_____.

58A-5.014 License Application, Change of Ownership, and Provisional Licenses.

(1) LICENSE APPLICATION. An applicant for a standard assisted living facility (ALF) license; or a limited mental health (LMH), extended congregate care (ECC), or limited nursing services (LNS) license may obtain a license application package from the Agency Central Office.

(a) The completed application shall be signed, under oath, by an owner (or corporate officer if the owner is a corporation), the administrator, or an individual designated in writing by an owner or corporate officer, who is at least 18 years old. The complete application ~~must shall~~ include the following:

1. The Assisted Living Facilities (ALF) License Application, AHCA Form 3110-1008, January 2006, and the Assisted Living Facility Licensure Application Addendum, AHCA Form 3110-1016, January 2006, ~~which are incorporated by reference and can be obtained from the Agency Central Office,~~ with all requested information provided as specified in Section 429.11(3), F.S. Both forms are hereby incorporated by reference and available from the Agency Central Office at the address specified in Rule 58A-5.0131, F.A.C.

2. An assets and liabilities statement, or AHCA Form 3180-1003, January 1998, which is incorporated by reference and available from the Agency Central Office at the address specified in Rule 58A-5.0131, F.A.C. The assets and liabilities statement shall include information about the assets available to cover claims against the owner and administrator and to demonstrate that the applicant has the financial ability to operate.

3. A statement of operations, or AHCA Form 3180-1002, July 1995, which is incorporated by reference and available from the Agency Central Office at the address specified in Rule 58A-5.0131, F.A.C. The statement of operations shall include projected revenues, expenses, taxes, extraordinary items, and other credits or charges for the first 12 months of operation.

4. ~~If the proposed facility will be part of a continuing care retirement community, a~~ a copy of the Certificate of Authority to offer continuing care agreements issued pursuant to Chapter 651, F.S., if the proposed facility will be part of a continuing care retirement community. The certificate may be used in lieu of fiscal documentation specified in subparagraphs 2. and 3. of this paragraph.

5. No change.

6. For applicants applying for ~~anticipating~~ a licensed capacity of 14 or fewer residents and the home is located in an area zoned single-family or multi-family, documentation of compliance with the community residential home requirements specified in Chapter 419, F.S., ~~obtained from the Department of Children and Family Services' district community residential home coordinator.~~ If not located in an area zoned single-family or multi-family, one of the following documentations must be submitted to the agency: Local Zoning Form, AHCA Form 3180-1021, September 1996, which is incorporated by reference or a letter from the local zoning authority, signed by the county zoning official, which states that the applicant is in compliance with local zoning ordinances.

a. AHCA Form 3180-1021, Local Zoning Form, September 1996, which is hereby incorporated by reference and available from the Agency Central Office at the address specified in Rule 58A-5.0131, F.A.C.; or

b. A letter from the local zoning authority, signed by the county zoning official, which states that the applicant is in compliance with local zoning ordinances.

7. through 14. No change.

(b) through (e) No change.

(2) CHANGE OF OWNERSHIP (CHOW).

(a) through (e) No change.

(f) During a change of ownership, the owner of record is responsible for ensuring that the needs of all residents are met at all times in accordance with Part ~~III~~ of Chapter ~~42900~~, F.S., and this rule chapter.

(g) No change.

(3) through (4) No change.

Specific Authority 429.07, 429.41 FS. Law Implemented 429.02, 429.04, 429.07, 429.08, 429.11, 429.12, 429.174, 429.27, 429.275, 429.41, 429.44, 429.445, 429.47 FS. History--New 5-14-81, Amended 1-6-82, 5-19-83, 9-17-84, Formerly 10A-5.14, Amended 10-20-86, 6-21-88, 8-15-90, 9-30-92, Formerly 10A-5.014, Amended 10-30-95, 4-20-98, 10-17-99, 7-30-06, _____.

58A-5.016 License Requirements.

(1) through (6) No change.

(7) The facility administer or designee must identify Medicaid waiver residents to the agency and the department for monitoring purposes authorized by state and federal laws.

(8) The facility administer or designee must ensure that residents requiring services from an outside entity as described on AHCA Form 1823 receive those services. The form is incorporated by reference in paragraph 58A-5.0181(2)(b), F.A.C.

(9) In instances when a resident arranges for services as a result of a third party care plan, the facility administrator or designee, when notified by the resident, must ensure that he or she receives those services, unless the resident expressly does not wish the facility's involvement in the delivery of the services.

(10) The facility administer or designee must coordinate with the service provider in an effort to ensure that the service goals are met, with the exception referenced in subsection (9) of this rule.

Specific Authority 429.41 FS. Law Implemented 429.07, 429.11, 429.12, 429.41, 429.44, 429.445 FS. History--New 5-15-81, Amended 1-6-82, 9-17-84, Formerly 10A-5.16, Amended 6-21-88, 9-30-92, Formerly 10A-5.016, Amended 10-30-95, 10-17-99, 7-30-06, _____.

58A-5.0181 Residency Criteria and Admission Procedures, Appropriateness of Placement and Continued Residency Criteria.

(1) No change.

(2) HEALTH ASSESSMENT.

(a) The medical examination report must be completed within 60 days prior to the individual's admission to a facility pursuant to Section 429.26(4), F.S. A medical examination must be completed annually thereafter or after a significant change, as defined in Rule 58A-5.0131, F.A.C. The report must shall address the following:

1. through 8. No change.

(b) Medical examinations completed after the admission of the resident to the facility must be completed within 30 days of the date of admission and must be recorded on the Resident Health Assessment For Assisted Living Facilities (ALF), AHCA Form 1823, 2009 January 2006, which is hereby incorporated by reference. A faxed copy of the completed form is acceptable. A copy of AHCA Form 1823 may be obtained from the Agency Central Office or its website at www.fdhc.state.fl.us/MCHQ/Long_Term_Care/Assisted_living/pdf/AHCA_Form_1823%_Jan_2006_.pdf. (New form date [____2009] Previous versions of this form completed up to six (6) months after 7-30-06 are acceptable.

(c) through (g) No change.

(3) ADMISSION PACKAGE.

(a) The facility shall make available to potential residents a written statement(s) which includes the following information listed below. A copy of the facility resident contract or facility brochure containing all the required information shall meet this requirement:

1. through 10. No change.

11. A statement of the facility policy concerning Do Not Resuscitate Orders pursuant to Section 429.255, F.S., and Advance Directives pursuant to Chapter 765, F.S., and Rule 58A-5.0183, F.A.C.

12. through 14. No change.

(b) Prior to or at the time of admission, the resident, responsible party, guardian, or attorney in fact, if applicable, shall be provided with the following:

1. No change.

2. A copy of the facility statement described in paragraph (a) of this subsection if one has not already been provided;

3. through 4. No change.

(c) No change.

(4) CONTINUED RESIDENCY. Except as follows in paragraphs (a) through (e) of this subsection, cCriteria for continued residency in a facility holding a standard, limited nursing services, or limited mental health license shall be the same as the criteria for admission. A determination of continued residency must be completed at least annually or after a significant change as defined in Rule 58A-5.0131, F.A.C. The facility must make the determination using AHCA Form 1823, which is incorporated by reference in paragraph (2)(b) of this rule. After the effective date of this rule, providers shall have up to 6 months to comply with this requirement,; except as follows:

(a) through (e) No change.

(5) No change.

Specific Authority 429.07, 429.26, 429.41 FS. Law Implemented 429.02, 429.07, 429.075, 429.26, 429.41 FS. History–New 9-17-84, Formerly 10A-5.181, Amended 10-20-86, 6-21-88, 8-15-90, 9-30-92, Formerly 10A-5.0181, Amended 10-30-95, 6-2-96, 10-17-99, 7-30-06, 10-9-06,_____.

58A-5.0182 Resident Care Standards.

An assisted living facility shall provide care and services appropriate to the needs of residents accepted for admission to the facility.

(1) through (6) No change.

(7) THIRD PARTY SERVICES. Nothing in this rule chapter is intended to prohibit a resident or the resident’s representative from independently arranging, contracting, and paying for services provided by a third party of the resident’s choice, including a licensed home health agency or private nurse, or receiving services through an out-patient clinic, provided the resident meets the criteria for continued residency and the resident complies with the facility’s policy relating to the delivery of services in the facility by third parties. The

facility’s policies ~~must~~ may require the third party to coordinate with the facility regarding the resident’s condition and the services being provided pursuant to subsection (8) of Rule 58A-5.016, F.A.C., with the exception referenced in subsections (9) and (10) of that rule. Pursuant to subsection (6) of this rule, the facility shall provide the resident with the facility’s policy regarding the provision of services to residents by non-facility staff.

(8) No change.

(9) No change.

Specific Authority 429.02, 429.41 FS. Law Implemented 429.02, 429.255, 429.256, 429.26, 429.28, 429.41 FS. History–New 9-17-84, Formerly 10A-5.182, Amended 10-20-86, 6-21-88, 8-15-90, 9-30-92, Formerly 10A-5.0182, Amended 10-30-95, 4-20-98, 11-2-98, 10-17-99, 7-30-06, 10-9-06,_____.

58A-5.0183 Advance Directives and Do Not Resuscitate Orders (DNRO).

(1) POLICIES AND PROCEDURES:

Each assisted living facility (ALF) must have written policies and procedures, which delineate its position with respect to state laws and rules relative to advance directives. These policies and procedures shall not condition treatment or admission upon whether or not the individual has executed or waived an advance directive. In the event of conflict between the ALF’s policies and procedures and the resident’s advance directive, provision should be made in accordance with Chapter 765, F.S. The ALF’s policy shall include the following:

(a) Providing each resident, or the resident’s representative, with the following information at the time of admission:

1. A copy of Form SCHS-4-2006, “Health Care Advance Directives – The Patient’s Right to Decide,” effective April 2006, or with a copy of some other substantially similar document which incorporates information regarding advance directives included in Chapter 765, F.S. Form SCHS-4-2006 is hereby incorporated by reference and is available from the Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop 34, Tallahassee, FL 32308, or the agency’s Web site at: http://ahca.myflorida.com/MCHO/Health Facility Regulation/HC Advance Directives/docs/adv_dir.pdf.

2. Written information concerning the ALF’s policies regarding resuscitation and advance directives, including information concerning DH Form 1896, Florida Do Not Resuscitate Order Form, incorporated by reference in Rule 64E-2.031, F.A.C.

(b) The requirement that documentation must be contained in the resident’s record indicating whether or not the resident has executed an advance directive. If an advanced directive has been executed, a copy of that document must be made a part of

the resident's record. If the ALF does not receive a copy of a resident's executed advanced directive, the ALF must document in the resident's record that it has requested a copy.

(2) LICENSE REVOCATION.

An ALF shall be subject to revocation of its license pursuant to Section 408.815, F.S., if, as a condition of treatment or admission, it requires an individual to execute or waive an advance directive, pursuant to Section 765.110, F.S.

(3) DNRO PROCEDURES.

Pursuant to Section 429.255, F.S., an ALF should honor a DNRO as follows:

(a) In the event of cardiopulmonary distress, immediately contact "911."

(b) Cardiopulmonary resuscitation may be withheld or withdrawn from a resident only under the following conditions:

1. A valid DNRO is present; and
2. An individual, pursuant to Section 401.25, F.S., withholds or withdraws cardiopulmonary resuscitation.

(4) LIABILITY.

Pursuant to Section 429.255, F.S., ALF providers shall not be subject to criminal prosecution or civil liability, nor be considered to have engaged in negligent or unprofessional conduct, for following the procedures set forth in subsection (3) of this rule, which involves withholding or withdrawing cardiopulmonary resuscitation pursuant to a Do Not Resuscitate Order and rules adopted by the department. Any ALF provider, who, in good faith, obeys the directives of an existing DNRO, executed pursuant to Section 401.45, F.S., will not be subject to prosecution or civil liability for his or her performance regarding patient care.

Specific Authority 429.255 FS. Law Implemented 429.255 FS. History--New _____.

58A-5.019 Staffing Standards.

(1) through (3) No change.

(4) STAFFING STANDARDS.

(a) Minimum staffing:

1. through 2. No change.

3. In facilities with 8 ~~17~~ or more residents, there shall be at least one staff member awake at all hours of the day and night.

4. through 8. No change.

(b) No change.

(c) The facility shall maintain a written work schedule which reflects the facility's 24-hour staffing pattern for a given time period. The work schedule for direct care staff must be posted in a conspicuous area of the facility where residents gather.

(d) through (f) No change.

Specific Authority 429.41, 429.52, 429.275 FS. Law Implemented 429.02, 429.04, 429.174, 429.176, 429.19, 429.24, 429.255, 429.26, 429.275, 429.41, 429.52 FS. History--New 5-14-81, Amended 1-6-82, 9-17-84, Formerly 10A-5.19, Amended 10-20-86, 6-21-88, 8-15-90, 9-30-92, Formerly 10A-5.019, Amended 10-30-95, 4-20-98, 11-2-98, 10-17-99, 7-30-06, _____.

58A-5.0191 Staff Training Requirements and Competency Test.

(1) through (2) No change.

(3) HUMAN IMMUNODEFICIENCY VIRUS/ ACQUIRED IMMUNE DEFICIENCY SYNDROME (HIV/AIDS). Pursuant to Section 381.0035, F.S., all facility employees, with the exception of employees subject to the requirements of Section 456.033, F.S., must complete biennially, a one-time continuing education course on HIV and AIDS, including the topics prescribed in the Section 381.0035, F.S. New facility staff must obtain the an initial training on HIV/AIDS within 30 days of employment, unless the new staff person previously completed the initial training and has maintained the biennial continuing education requirement. Documentation of compliance must be maintained in accordance with subsection (11) of this rule.

(4) through (7) No change.

(8) LIMITED MENTAL HEALTH TRAINING. Pursuant to Section 429.075, F.S., the administrator, manager, and staff in direct contact with mental health residents in a facility with a limited mental health license must receive a minimum of 6 hours training provided or approved by the Department of Children and Family Services within 6 months of the facility's receiving a limited mental health license or within 6 months of employment in a facility holding a limited mental health license. Staff in "direct contact" means direct care staff and staff whose duties take them into resident living areas and require them to interact with mental health residents on a daily basis. The term does not include maintenance, food service, or administrative staff if such staff have only incidental contact with mental health residents.

(a) Pursuant to Section 429.075, F.S., the administrator, manager and staff, who have direct contact with mental health residents in a licensed limited mental health facility, must receive the following training:

1. A minimum of 6 hours of specialized training in working with individuals with mental health diagnoses.

a. The training must be provided or approved by the Department of Children and Families and must be taken within 6 months of the facility's receiving a limited mental health license or within 6 months of employment in a limited mental health facility.

b. Staff in "direct contact" means direct care staff and staff whose duties take them into resident living areas and require them to interact with mental health residents on a daily basis.

The term does not include maintenance, food service or administrative staff, if such staff have only incidental contact with mental health residents.

2. A minimum of 6 hours of specialized continuing education training annually thereafter from a mental health provider in subjects dealing with mental health issues. Administrators, managers and staff affected by this requirement shall have up to 6 months from the effective date of this rule to meet this requirement.

(b)(a) Administrators, managers and staff receiving this training do not have to repeat the initial this training should they change employers provided they present the employee provides a copy of their the employee's training certificate to the employee's current employer for retention in the facility's personnel files. They must ensure that copies of the continuing education training certificates are retained in their personnel files.

(c)(b) Training received under this subsection may count one for 6 of the 12 hours of continuing education required for administrators and managers under subsection (1) of this rule.

(9) through (11) No change.

Specific Authority 429.178, 429.41, 429.52 FS. Law Implemented 429.07, 429.075, 429.178, 429.41, 429.52 FS. History–New 9-30-92, Formerly 10A-5.0191, Amended 10-30-95, 6-2-96, 4-20-98, 11-2-98, 10-17-99, 7-5-05, 7-30-06, 10-9-06, 7-1-08,_____.

58A-5.025 Resident Contracts.

(1) Pursuant to Section 429.24, F.S., prior to or at the time of admission, each resident or the residents legal representative; shall, prior to or at the time of admission, execute a contract with the facility which contains the following provisions:

(a) through (j) No change.

(k) A provision that residents must be assessed upon admission pursuant to subsection (2) of Rule 58A-5.0181, F.A.C., and periodically thereafter pursuant to subsection (4) of that rule.

(2) through (3) No change.

Specific Authority 429.24, 429.41 FS. Law Implemented 429.24, 429.41 FS. History–New 10-17-99, Amended 7-30-06,_____.

58A-5.029 Limited Mental Health.

(1) through (2) No change.

(3) RESPONSIBILITIES OF FACILITY. In addition to the staffing and care standards of this rule chapter to provide for the welfare of residents in an assisted living facility, a facility holding a limited mental health license must:

(a) through (e) No change.

(f) Ensure that residents assessed to be in need of mental health services, as indicated in their community living support plan, receive those services.

Specific Authority 429.41 FS. Law Implemented 394.4574, 429.02, 429.075, 429.26, 429.41, 409.912 FS. History–New 8-15-90, Amended 9-30-92, Formerly 10A-5.029, Repromulgated 10-30-95, Amended 6-2-96, 11-2-98, 7-30-06,_____.

58A-5.033 Administrative Enforcement.

Facility staff shall cooperate with Agency personnel during surveys, complaint investigations, monitoring visits, implementation of correction plans, license application and renewal procedures and other activities necessary to ensure compliance with Part I of Chapter 429, F.S., and this rule chapter.

(1) through (6) No change.

(7) TEMPORARY LICENSE. Temporary licenses as defined in subsection 58A 5.0131(37), F.A.C., may be issued by the Agency upon the initiation of any proceeding pursuant to Section 429.14(8), F.S.

Specific Authority 429.15, 429.23, 429.41, 429.42 FS. Law Implemented 429.07, 429.08, 429.11, 429.12, 429.14, 429.15, 429.17, 429.19, 429.12, 429.23, 429.27, 429.28, 429.34, 429.41, 429.42 FS. History–New 9-30-92, Formerly 10A-5.033, Amended 10-30-95, 10-17-99, 1-9-02, 7-30-06,_____.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NOS.:	RULE TITLES:
58A-14.002	Definitions
58A-14.003	License Application, Renewal and Conditional Licenses
58A-14.004	License Requirements
58A-14.0061	Admission Procedures, Appropriateness of Placement and Continued Residency Requirements
58A-14.008	Staff Qualifications, Responsibilities and Training

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendments is as follows: include additional definitions; require the provider to produce documentation that he or she resides in the AFCH as a condition of licensure; prohibit a change of ownership of an AFCH; require posting of specific information; include an additional requirement for determining continued residency and changes to AHCA Form 3110-1023 (AFCH-1110), which is incorporated by reference; and rewrite the staffing requirements regarding communicable diseases, including tuberculosis, for more clarity.

SUBJECT AREA TO BE ADDRESSED: Additional definitions of “person” or “persons” and “reside” or “resides;” documentation that an AFCH provider resides in the home; prohibition of a change of ownership for an AFCH; posting of specific information in the AFCH; determination of continued residency and revision of AHCA Form 3110-1023 (AFCH-1110); and clarification of staffing requirements regarding communicable diseases, including tuberculosis.

SPECIFIC AUTHORITY: 429.67, 429.69, 429.71, 429.73, 429.75 FS.

LAW IMPLEMENTED: 429.65, 429.67, 429.71, 429.73, 429.75, 429.83, 429.85 FS.

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

DATE AND TIME: January 7, 2009, 1:00 p.m. – 2:30 p.m.

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT 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: crocethj@elderaffairs.org

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

58A-14.002 Definitions.

The following terms or phrases are defined in Section 429.65, F.S., and are applicable to this rule chapter: activities of daily living (ADLs), adult family-care home (AFCH), agency (AHCA), aging in place, appropriate placement, chemical restraint, department, disabled adult, frail elder, personal services or personal care, provider, relative, relief person, and resident. Additional definitions applicable to this rule chapter are as follows:

(1) through (14) No change.

(15) “Person” or “persons” means solely the licensee or licensees to whom the agency has issued the AFCH license.

(15) through (16) renumbered (16) through (17) No change.

(18) “Reside” or “resides” means the licensee or applicant lives in the adult family-care home as a primary residence. For purposes of this rule chapter, any two of the following documents, which include the adult family-care home address and the name of the licensee or applicant, are to be accepted by the agency as proof that he or she physically lives in the adult family-care home:

(a) Homestead exemption documentation; or

(b) Lease or rental agreement accompanied by a corresponding utility bill and telephone bill; or

(c) Personal identification issued by a state or federal agency.

(17) through (19) renumbered (19) through (21) No change.

Specific Authority 429.67, 429.73 FS. Law Implemented 429.65, 429.67, 429.71, 429.73 FS. History–New 5-14-86, Amended 2-2-95, Formerly 10A-14.002, Amended 9-19-96, 6-6-99,_____.

58A-14.003 License Application, Renewal and Conditional Licenses.

(1) LICENSE APPLICATION.

(a) Any individual desiring to obtain an initial license to operate an adult family care home shall file an Adult Family Care Home License application, AHCA Form 3180-1022, January 2006, which is incorporated by reference and may be obtained from the Assisted Living Unit, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop 30, Tallahassee, Florida 32308-5402, Phone (850)487-2515. The completed application must be signed by the applicant, notarized, and submitted to the Assisted Living Unit at the address cited above. The application shall be accompanied by the following:

1. through 8. No change.

9. Documentation that the provider resides in the adult family-care home pursuant to Section 429.67(2), F.S., and subsection (18) of Rule 58A-14.002, F.A.C.

(b) through (d) No change.

(2) LICENSE RENEWAL.

(a) No change.

(b) In addition to AHCA Form 3180-1022, all applicants for license renewal shall provide the following:

1. through 3. No change.

4. Documentation pursuant to subparagraph (1)(a)9. of this rule.

(c) No change.

(3) through (4) No change.

Specific Authority 429.67, 429.69, 429.71, 429.73 FS. Law Implemented 429.67, 429.69, 429.71, 429.73 FS. History–New 5-14-86, Amended 2-2-95, Formerly 10A-14.003, Amended 9-19-96, 3-25-98, 6-6-99, 1-1-04, 7-30-06,_____.

58A-14.004 License Requirements.

(1) LICENSE TIMEFRAME. Except for conditional licenses, all AFCH licenses shall be effective for 2+ years from the date of issuance.

(2) LICENSE CONDITIONS. A license to operate an AFCH is not transferable and is valid only for the provider named, the capacity stated, and the premises described on the license. A change of ownership is prohibited.

(3) CLOSING AN AFCH. The licensed provider shall give at least 60 days written notice of any intent to voluntarily close a currently licensed AFCH to the AHCA Assisted Living Unit, each residents or resident's representative, and case managers of OSS recipients, of any intent to voluntarily close or sell a currently licensed AFCH.

(4) through (5) No change.

(6) POSTING OF INFORMATION. For the purpose of a resident's ability to lodge complaints, the AFCH licensee or designee must post the addresses and telephone numbers for the following entities in full view in a common area accessible to all residents:

(a) District Long-Term Care Ombudsman Council, (1(888)831-0404);

(b) Advocacy Center for Persons with Disabilities, (1(800)342-0823);

(c) Florida Local Advocacy Council, (1(800)342-0825);

(d) Agency Consumer Hotline (1(888)419-3456); and

(e) Florida Abuse Hotline (1(800)96-ABUSE or 1(800)962-2873).

Specific Authority 429.67, 429.73 FS. Law Implemented 429.67, 429.73, 429.83 FS. History—New 5-14-86, Amended 2-2-95, Formerly 10A-14.004, Amended 9-19-96, 6-6-99, _____.

58A-14.0061 Admission Procedures, and Appropriateness of Placement and Continued Residency Requirements.

(1) No change.

(2) HEALTH ASSESSMENT. ~~Prior to admission to an AFCH, the individual must be examined by a health care provider using AHCA Form 3110-1023 (AFCH-1110) 01/08, Resident Health Assessment for Adult Family-Care Homes (AFCH), January 2008, which is incorporated by reference, and available from the Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop 30, Tallahassee, FL 32308. The form may also be obtained from the agency's Website at: http://ahca.myflorida.com/MCHQ/Long_Term_Care/Assisted_living/afc/Res_Health_Assmnt.pdf.~~

(a) Prior to admission to an AFCH, the individual must be examined by a health care provider using AHCA Form 3110-1023 (AFCH-1110) 01/08, Resident Health Assessment for Adult Family-Care Homes (AFCH), _____ 2009, which is incorporated by reference, and available from the Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop 30, Tallahassee, FL 32308. The form may also be obtained from the agency's Web site at: http://ahca.myflorida.com/MCHQ/Long_Term_Care/Assisted_living/afc/Res_Health_Assmnt.pdf.

(b) Annually thereafter, or after a significant change, as defined in subsection (4) of Rule 58A-14.007, F.A.C., the resident must be examined by a health care provider using the form referenced in paragraph (a) of this subsection. After the effective date of this rule, providers shall have up to 6 months to comply with this requirement.

(3) HOUSE RULES AND COMPLAINT PROCEDURES. ~~Prior to, or at the time of admission a copy of the AFCH house rules, the Resident's Bill of Rights established under Section 429.85, F.S., the name, address, and telephone number of the district long term care ombudsman council and the Florida Abuse Hotline, and the procedure for making complaints to the ombudsman council and the abuse registry must be provided to the resident or the resident's representative.~~

(a) Prior to, or at the time of admission, the facility must provide the resident or his or her representative with the following:

1. A copy of the AFCH house rules;

2. The Resident's Bill of Rights established under Section 429.85, F.S.;

3. The name, address, and telephone number of the district long-term care ombudsman council and the Florida Abuse Hotline, and the procedure for making complaints to the ombudsman council and the abuse registry.

(b) Additionally, the AFCH licensee or designee must make the resident or his or her representative aware of the documents posted pursuant to subsection (6) of Rule 58A-14.004, F.A.C.

(4) through (5) No change.

(6) CONTINUED RESIDENCY.

(a) The criteria for continued residency shall be the same as the criteria for admission, including an examination pursuant to subsection (2) of this rule, with the following exceptions that:

1. through 3. No change.

(b) through (c) No change.

(7) No change.

Specific Authority 429.73 FS. Law Implemented 429.65, 429.73, 429.85 FS. History—New 2-2-95, Formerly 10A-14.0061, Amended 9-19-96, 6-6-99, 1-1-04, 4-29-08, _____.

58A-14.008 Staff Qualifications, Responsibilities and Training.

(1) MINIMUM STAFF REQUIREMENTS.

(a) The provider, all staff, each relief person, and all adult household members must submit a statement from a health care provider that he or she is free from apparent signs and symptoms of communicable diseases, including tuberculosis. The statement must be based on an examination conducted within the last six months prior to employment, that the person is free from apparent signs and symptoms of communicable diseases including tuberculosis. Annually thereafter, the individual must submit documentation from a health care provider stating that he or she is free from apparent signs and symptoms of communicable diseases, including tuberculosis. Freedom from tuberculosis must be documented on an annual basis. An exception is that an individual Persons with a

positive tuberculosis test must submit a physician’s statement that ~~he or she~~ ~~the person~~ does not constitute a risk of communicating tuberculosis.

- (b) through (c) No change.
- (2) through (4) No change.

Specific Authority 429.67, 429.73, 429.75 FS. Law Implemented 429.67, 429.73, 429.75 FS. History--New 2-2-95, Formerly 10A-14.008, Amended 9-19-96, 6-6-99, 1-1-04, 7-30-06_____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NOS.:	RULE TITLES:
59G-13.030	Aged and Disabled Adult Waiver Services
59G-13.031	Aged and Disabled Adult Waiver Services Procedure Codes and Fee Schedule
59G-13.032	Aged and Disabled Adult Waiver Disposable Incontinence Medical Supplies Procedure Codes and Fee Schedule

PURPOSE AND EFFECT: The purpose of the rule amendment to Rule 59G-13.030, F.A.C., is to incorporate by reference the revised Florida Medicaid Aged and Disabled Adult Waiver Services Coverage and Limitations Handbook, January 2009. The revised handbook contains updated policies and procedures for Aged and Disabled Adult Waiver Services and policy for the Aging Out Program. The effect will be to incorporate by reference in rule the Florida Medicaid Aged and Disabled Adult Waiver Services Coverage and Limitations Handbook, January 2009.

The purpose of Rule 59G-13.031, F.A.C., is to incorporate by reference the Aged and Disabled Adult Waiver Services Procedure Codes and Fee Schedule, January 2009. The effect will be to incorporate by reference in rule the Aged and Disabled Adult Waiver Services Procedure Codes and Fee Schedule, January 2009.

The purpose of Rule 59G-13.032, F.A.C., is to incorporate by reference in rule the Aged and Disabled Adult Waiver Disposable Incontinence Medical Supplies Procedure Codes and Fee Schedule, January 2009, and Quality Standards, January 2009. The effect will be to incorporate by reference in rule the Aged and Disabled Adult Waiver Disposable Incontinence Medical Supplies Procedure Codes and Fee Schedule, January 2009, and Quality Standards, January 2009.

SUBJECT AREA TO BE ADDRESSED: Aged and Disabled Adult Waiver Services, the Aged and Disabled Adult Waiver Services Procedure Codes and Fee Schedule, and the Aged and Disabled Adult Waiver Disposable Incontinence Medical Supplies Procedure Codes and Fee Schedule.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906, 409.907, 409.908, 409.912 FS.

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

DATE AND TIME: Tuesday, January 6, 2009, 10:00 a.m.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Carol Schultz, Medicaid Services, 2727 Mahan Drive, Building 3, Mail Stop 20, Tallahassee, Florida 32308-5407, (850)922-7349, schultzc@ahca.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-13.030 Aged and Disabled Adult Waiver Services. ~~The Department of Children and Family Services (DCFS) forms are available from DCFS. The Department of Elder Affairs (DOEA) forms are available from DOEA. The Agency for Health Care Administration (AHCA) forms are available by photocopying the forms in this handbook.~~

(1) No change.

(2) All aged and disabled adult waiver services providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Aged and Disabled Adult Waiver Services Coverage and Limitations Handbook, January 2009 ~~March 2004, updated August 2005~~, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS-1500, Non-Institutional-081 which is incorporated by reference in Rule 59G-4.001 ~~43.001~~, F.A.C. Both handbooks are available from the Medicaid fiscal agent’s Web Portal at <http://mymedicaid-florida.com>. Select Public Information for Providers, then Provider Support, and then Provider Handbooks. Paper copies of the handbook may be obtained by calling the Medicaid fiscal agent at (800)289-7799 and selecting option 7.

(3) The following forms that are included in the Florida Medicaid Aged and Disabled Adult Waiver Services Coverage and Limitations Handbook are incorporated by reference:

(a) Appendix A ~~B~~ contains the Adult Services Client Assessment Screening for Consideration for Community-Based Programs, CF-AA Form 3019 ~~4022~~, PDF 10/2006 ~~08/2004~~, eight ~~four~~ pages. The form is available from the Department of Children and Families website at: <http://www.dcf.state.fl.us/publications/eforms/aa3019.pdf>. Appendix C contains the Florida Department of Children and Family Services and Florida Department of Elder Affairs, CF-MED 3008, Oct. 96, two pages;

(b) Appendix D contains the Notification of Level of Care, DOEA-CARES Form 603 (Revised March 2003), one page. The form is mailed to the provider by the Department of Elder

Affairs, CARES Unit, Appendix E contains the Notice of Hospice Election Waiver, AHCA Form 5000-29, March 2004, one page, and the Cooperative Agreement for a Hospice and Medicaid Waiver Enrolled Recipient, AHCA Form 5000-30, March 2004, two pages.

(c) Appendix E contains the Aged and Disabled Adult Services Waiver Agreement of Expectations, AHCA-Med Serv Form 033, July 2008, two pages. The form is available by photocopying it from the handbook.

(d) Appendix H contains the Request for Approval for Care Plan Services Increase, CF-AA 1116, PDF 05/2004, two pages. The form is available from the Department of Children and Families website at <http://www.dcf.state.fl.us/publications/eforms/aa1116.pdf>.

(e) Appendix I contains the Aged/Disabled Adult Waiver Aging Out Plan of Care, AHCA-Med Serv Form 047, January 2009, five pages. The form is available by photocopying it from the handbook.

(4) The following forms that are included in the Florida Medicaid Aged and Disabled Adult Waiver Services Coverage and Limitations Handbook are incorporated by reference in other Florida Administrative rules.

(a) Appendix ~~A~~ B also contains the Department of Elder Affairs Assessment Instrument, DOEA Form 701B, eight pages, which is incorporated by reference in Rule 58A-1.010, F.A.C. The form is available from DOEA's website at <http://elderaffairs.state.fl.us/english/pdfs/doea701b.pdf>.

(b) Appendix B contains the Medical Certification for Nursing Facility/Home and Community Based Services Form (MCNF/HCBS), AHCA-Med Serv Form 3008, May 2008, two pages. It is incorporated by reference in Rule 59G-4.200, F.A.C. The form is available on the DOEA website at <http://elderaffairs.state.fl.us/english/cares.html>.

(c) Appendix C contains the Informed Consent Form, AHCA-Med Serv Form 2040, May 2008, in English and Spanish, one page, available from the Department of Elder Affairs website at <http://elderaffairs.state.fl.us/english/CARES/3008ppp.html>.

(d) Appendix F contains the Notice of Hospice Election Waiver; AHCA 5000-29, October 2003, one page; the Cooperative Agreement for a Hospice and Medicaid Waiver Enrolled Recipient; AHCA 5000-30, October 2003, one page; and the Attachment to Cooperative Agreement for a Hospice and Medicaid Waiver Enrolled Recipient; AHCA 5000-30A, October 2003, one page. These forms are incorporated by reference in Rule 59G-4.140, F.A.C. The forms are available by photocopying them from the handbook or from the Medicaid fiscal agent's Web Portal at <http://mymedicaid.florida.com>. Click on Public Information for Providers, then on Provider Support, and then on Forms.

(e) Appendix G contains the Department of Elder Affairs Care Plan, DOEA Form #203A, Revised July 2001, one page. The form is incorporated by reference in Rule 58A-1.010, F.A.C. It is available from the Department of Elder Affairs lead agencies.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.907, 409.908, 409.912 FS. History--New 6-1-05, Amended 4-17-06, _____.

59G-13.031 Aged and Disabled Adult Waiver Services Procedure Codes and Fee Schedule.

(1) This rule applies to all aged and disabled adult waiver services providers enrolled in the Medicaid program.

(2) All aged and disabled adult waiver services providers enrolled in the Medicaid program must be in compliance with the Aged and Disabled Adult Waiver Services Procedure Codes and Fee Schedule, January 2009, which is incorporated by reference. The Procedure Codes and Fee Schedule is available from the Medicaid fiscal agent's Web Portal at <http://mymedicaid-florida.com>. Click on Public Information for Providers, then on Provider Support, and then on Fee Schedules. Paper copies may be obtained from the Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, M.S. 20, Tallahassee, Florida 32308.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.908 FS. History--New _____.

59G-13.032 Aged and Disabled Adult Waiver Disposable Incontinence Medical Supplies Procedure Codes and Fee Schedule.

(1) This rule applies to all aged and disabled adult waiver services providers enrolled in the Medicaid program.

(2) All aged and disabled adult waiver services providers enrolled in the Medicaid program must be in compliance with the Aged and Disabled Adult Waiver Disposable Incontinence Medical Supplies Procedure Codes and Fee Schedule, January 2009, and Quality Standards, January 2009, which are incorporated by reference. The Aged and Disabled Adult Waiver Disposable Incontinence Medical Supplies Procedure Codes and Fee Schedule and Quality Standards are available from the Medicaid fiscal agent's Web Portal at <http://mymedicaid-florida.com>. Click on Public Information for Providers, then on Provider Support, and then on Fee Schedules. Paper copies may be obtained from the Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, M.S. 20, Tallahassee, Florida 32308.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.908 FS. History--New _____.

DEPARTMENT OF MANAGEMENT SERVICES**Agency for Workforce Innovation**

RULE NO.: 60BB-8.410
 RULE TITLE: Voluntary Prekindergarten Program
 Substitute Instructors

PURPOSE AND EFFECT: The purpose of the proposed rule is to establish the required qualifications of substitute instructors for the Voluntary Prekindergarten (VPK) Program and set forth the circumstances and time limits for which a private prekindergarten provider may assign a substitute instructor in accordance with the new requirements placed upon the Agency through Section 1002.55(3)(e), Florida Statutes, as amended by Chapter 2008-196, Laws of Florida.

SUBJECT AREA TO BE ADDRESSED: The proposed rule will address the required qualifications of substitute instructors in the VPK Program in addition to addressing the circumstances and time limits under which substitute instructors may be appointed.

SPECIFIC AUTHORITY: 1002.55(3)(e), 1002.61(6), 1002.63(7), 1002.79(2) FS.

LAW IMPLEMENTED: 1002.55(3)(e), 1002.61(6), 1002.63(7) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Kristin Harden, Assistant General Counsel, Agency for Workforce Innovation, Office of General Counsel, 107 East Madison Street, MSC #110, Tallahassee, Florida 32399-4128, (850)245-7150

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

60BB-8.410 Voluntary Prekindergarten Program Substitute Instructors.

(1) As used in this rule, the term "credentialed instructor" means a prekindergarten instructor who has the credentials required under Section 1002.55(3)(c), 1002.55(4), or 1002.61(4), F.S.

(2) Qualifications. Voluntary Prekindergarten (VPK) substitute instructors must be of good moral character and be screened using the level 2 screening requirements in Section 435.04, F.S., before employment as a VPK substitute instructor. In addition, a VPK substitute instructor must meet the following requirements:

(a) Has successfully completed one or more of the following before employment as a VPK substitute instructor:

1. In a school year VPK program class:

a. An associate's or higher degree in any field of study;

b. A 40-clock-hour introductory course in child care for child care personnel of a child care facility which is approved by the Department of Children and Family Services under Section 402.305(2)(d)1., F.S.;

c. A 40-clock-hour introductory course in group child care for an operator of a large family child care home which is approved by the Department of Children and Family Services under Section 402.3131(3), F.S.; or

d. A 30-clock-hour introductory course in child care for an operator of a family day care home which is approved by the Department of Children and Family Services under Section 402.313(4), F.S.

2. In a summer VPK program class:

a. An associate's or higher degree in any field of study;

b. A child development associate (CDA) credential issued by the National Credentialing Program of the Council for Professional Recognition; or

c. A credential approved by the Department of Children and Family Services as being equivalent to or greater than the national CDA.

(b) Has met the qualifications of a credentialed instructor.

(3) Circumstances. A VPK provider may assign a substitute instructor when a credentialed instructor is absent from the provider's premises. A substitute instructor may not be assigned when a credentialed instructor remains on the provider's premises in order to offer instruction in a classroom other than the one to which the credentialed instructor is assigned.

(4) Time limitation. Substitute instructors may not be assigned to substitute for an absent credentialed instructor in excess of 30 percent of the program hours. A new credentialed instructor must be assigned to replace the absent instructor in the event the absence of the credentialed instructor will exceed 30 percent of the program hours.

(5) Before the close of business on the day a substitute instructor is assigned, a VPK provider must provide the following information to its coalition:

(a) The name of the substitute instructor;

(b) The VPK class to which the substitute instructor is assigned;

(c) Documentation demonstrating that the substitute instructor has a current level 2 background screening and applicable credentials; and

(d) The estimated number of days the substitute instructor is expected to offer instruction in the VPK classroom.

If a particular substitute instructor is assigned to the same VPK classroom on consecutive business days, a VPK provider is not required to resubmit the information on each of the consecutive business days.

(6) Nothing in this rule shall be considered to supersede employment requirements for instructional personnel in public schools which are more stringent than the requirements of this rule. This exception shall not be construed to permit employment of substitute instructors for time periods greater than those enumerated in this rule.

Specific Authority 1002.55(3)(e), 1002.61(6), 1002.63(7), 1002.79(2) FS. Law Implemented 1002.55(3)(e), 1002.61(6), 1002.63(7) FS. History—New.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: 61G4-16.001
 RULE TITLE: Written Certification Examination Requirements

PURPOSE AND EFFECT: The Board proposes the rule amendment to address the certification exam for solar contractors.

SUBJECT AREA TO BE ADDRESSED: Certification exam for solar contractors.

SPECIFIC AUTHORITY: 455.214, 489.108 FS.

LAW IMPLEMENTED: 455.217, 489.113 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 ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Beaches and Shores

RULE NOS.:	RULE TITLES:
62B-36.001	Purpose
62B-36.002	Definitions
62B-36.003	Policy
62B-36.005	Annual Funding Requests
62B-36.006	Project Ranking Procedure
62B-36.007	Project Cost Sharing
62B-36.009	Project Agreements

PURPOSE AND EFFECT: To amend the existing rule that establishes beach erosion control funding request procedures, project ranking, cost sharing procedures, and project agreement requirements.

SUBJECT AREA TO BE ADDRESSED: The BBCS proposes amendments to the rule in order to implement new inlet management priorities and procedures set forth in Section 161.143, F.S., and make other minor changes to improve program implementation. This rule will also allow for inclusion of recommendations from the Beach Management Working Group.

SPECIFIC AUTHORITY: 161.143 FS.

LAW IMPLEMENTED: 161.088, 161.091, 161.101, 161.161 FS.

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

DATE AND TIME: Wednesday, January 14, 2009, 9:00 a.m. – 1:00 p.m.

PLACE: Department of Environmental Protection, Bureau of Beaches and Coastal Systems, Training Room #307, 505 West Tennessee Street, Bldg. B, Tallahassee, FL 32304

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: Stephanie Gudeman, Department of Environmental Protection, Bureau of Beaches and Coastal Systems, Mail Station #300, 3900 Commonwealth Blvd., Tallahassee, FL 32399-3000, (850)488-7816. 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: Stephanie Gudeman (850)488-7816 or by email at Stephanie.Gudeman@dep.state.fl.us

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

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.:	RULE TITLE:
64B5-1.021	List of Approved Forms; Incorporation

PURPOSE AND EFFECT: The Board proposes the rule amendment to modify and adopt changes to the master application form.

SUBJECT AREA TO BE ADDRESSED: List of approved forms.

SPECIFIC AUTHORITY: 466.004 FS.

LAW IMPLEMENTED: 120.52(15) 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: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-51.001
 RULE TITLE: Manner of Application
 PURPOSE AND EFFECT: The Board proposes the rule development to incorporate updated application form.
 SUBJECT AREA TO BE ADDRESSED: Manner of Application.
 SPECIFIC AUTHORITY: 478.43(1), (4) FS.
 LAW IMPLEMENTED: 478.45 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Allen Hall, Executive Director, Electrolysis Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

FLORIDA INLAND NAVIGATION DISTRICTS

Florida Inland Navigation District

RULE NOS.: 66B-1.004, 66B-1.005, 66B-1.008
 RULE TITLES: Policy, Funds Allocation, Project Eligibility
 PURPOSE AND EFFECT: The purpose of the proposed rule making is to include the following provisions in the program rule: Ensure consistency with the rule and Chapter 374, F.S. consolidate rule references to the necessary permitting requirements prior to project funding; clarify the rule provisions for land acquisition and shoreline stabilization eligibility; add waterfront parks to the eligibility list; and correct the rule language to be consistent with the small-scale derelict vessel program.

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

SUBJECT AREA TO BE ADDRESSED: Cooperative Assistance Program rule sections: Policy, Funds Allocation, and Project Eligibility.

SPECIFIC AUTHORITY: 374.976(2) FS.

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

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

DATE AND TIME: December 30, 2008, 11:00 a.m.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Mark Crosley, Assistant Executive Director, Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, Telephone Number: (561)627-3386

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS

66B-1.004 Policy.

The following constitutes the policy of the District regarding the administration of the program.

(1) Financial Assistance Eligibility: Eligible federal, state and regional agencies may be provided financial assistance, support or cooperation in planning, acquisition, development, construction, reconstruction, extension, improvement, operation or the maintenance of public navigation, local and regional anchorage management, beach renourishment, public recreation, inlet management, environmental education and boating safety projects directly related to the waterways. Eligible projects shall include the acquisition and development of public boat ramps, and launching facilities, land acquisition for additional trailer parking at an existing boat ramp, and public boat docking and mooring facilities, including those in man-made, navigable waterways contiguous to "waterways" as defined in Rule 66B-1.003, F.A.C.

(2) through (10) No change.

(11) Fees: Any public project eligible for District program funds that charges a fee or will charge a fee must demonstrate that the facility will utilize 50% or greater of the collected funds for project maintenance and improvements throughout the anticipated 25-year life of a development project or the design life of other project types, as applicable.

Specific Authority 374.976(2) FS. Law Implemented 120.53(1)(a) FS. History--New 11-11-90, Formerly 16S-1.004, Amended.

66B-1.005 Funds Allocation.

(1) through (4) No change.

(5) Public Navigation: Projects or project elements in the category of public navigation that will qualify for up to seventy-five percent (75%) program funds must provide public navigation channel access to public launching, mooring or docking facilities. In addition, the following shall apply:

(a) Navigation channel dredging: The project sponsor must demonstrate that the source of channel sedimentation has been identified and is in the process of, or has been controlled, or that the frequency and amount of shoaling is such that dredging will provide an improvement to the channel that will last for twenty (20) years or more and therefore is more cost effective than identifying and correcting the cause of shoaling, or that the cost of identifying the source of channel sedimentation exceeds the cost of the dredging project;

(b) Navigation channel lighting and markers must be located on primary or secondary public navigation channels. All other public navigation projects or project elements will only qualify for up to fifty percent (50%) program funding. Dredging that is associated or ancillary to another use (such as a boat ramp, marina or pier) will be prioritized according to the associated use.

Specific Authority 374.976(2) FS. Law Implemented 120.53(1)(a) FS. History—New 11-11-90, Formerly 16S-1.005, Amended _____.

66B-1.008 Project Eligibility.

(1) Eligible Projects: Financial assistance and support through this program shall be used to plan or carry out public navigation and anchorage management, public recreation, environmental education, boating safety, acquisition and development of spoil sites and publicly owned commercial/industrial waterway access directly related to the waterways, acquisition and development of public boat ramps, launching facilities and boat docking and mooring facilities, and inlet management, environmental mitigation and beach renourishment directly related to the waterways.

(a) Program funds may be used for projects such as acquisition planning, development, construction, reconstruction, extension or improvement, ~~operation or maintenance~~ of the following for public use on land and water:

1. Public navigation channel dredging;
2. Public navigation aids and markers;
3. Inlet management projects that are a benefit to public navigation in the District;
4. Public shoreline stabilization directly benefiting the District's waterway channels;
5. Acquisition and development of publicly owned spoil disposal site and public commercial/industrial waterway access;
6. Waterway signs and buoys for safety, regulation or information;

7. Acquisition, dredging, shoreline stabilization and development of public boat ramps and launching facilities;

8. Acquisition, dredging, shoreline stabilization and development of public boat docking and mooring facilities;

9. Derelict Vessel Removal;

10. Waterways related environmental education programs and facilities;

11. Public fishing and viewing piers;

12. Public waterfront parks and boardwalks and associated improvements;

13. Waterways boating safety programs and equipment;

14. Beach renourishment on beaches adversely impacted by navigation inlets, navigation structures, navigation dredging, or a navigation project; and

15. Other waterway related projects.

(b) through (c) No change.

(d) Phasing of Projects: Applications for eligible waterway projects ~~may will~~ be submitted as a phased project where Phase I will include the design, engineering and permitting elements and Phase II will include the construction of the project. A description and cost estimate of the Phase II work will be submitted along with the Phase I application for Board review. ~~Applicants for construction projects that include elements that require state or federal environmental permits will demonstrate that all required environmental permitting and proprietary authorizations will be completed by the District's final TRIM hearing. This demonstration will be by the submission of the required environmental permit(s) or by the submission of a letter from the agency(s) stating that a permit is not required. Should the environmental permitting element of an application for a construction project that includes elements that require state or federal permits or exemptions not be completed by the District's final TRIM hearing, the construction portion of the project will not be considered for funding. The District will not deviate from the funding schedule, whereby funding decisions are completed at the final TRIM hearing, to accommodate any application deficiency.~~

(2) No change.

(3) Permits: The project sponsor is responsible for obtaining and abiding by any and all federal, state and local permits, laws, proprietary authorizations and regulations in the development and operation of the project. Applicants for construction projects that include elements that require state or federal environmental permits or proprietary authorizations will demonstrate that all required environmental permitting and authorizations will be completed by the District's final TRIM hearing. This demonstration will be by submission of the required environmental permit(s) and authorizations, or by submission of a letter from the agency(s) stating that a permit or authorization is not required. Should the environmental permitting element of an application that has construction elements requiring state or federal environmental permits or authorizations not be completed by the District's final TRIM

hearing, the construction portion of the project will not be considered for funding. Whereby funding decisions are completed at the final TRIM hearing, the District will not deviate from the funding schedule to accommodate any application deficiency.

(4) Public Marina Qualifications: All public marina projects funded through this program shall include sewage pumpout facilities for vessels, unless the applicant can demonstrate that inclusion of such a facility is physically, operationally or economically impracticable. All public marina projects funded through this program shall have at least ten percent (10%) of their slips or mooring areas available for transient vessels. Public marina dockage rates shall be within market comparison of the dockage rates of other area marinas. Program funds to public marina projects shall not be utilized for replacement maintenance of the facilities if revenues generated by the facility are not ~~exclusively~~ allocated to the operation, maintenance and improvement of the public marina facility in accordance with subsection 66B-2.004(10), F.A.C. Certification that revenues generated by a marina facility are exclusively allocated to the operation, maintenance and improvement of the public marine facility will be required to be submitted with the application and, if approved, thereafter on an annual basis using form No. FIND 03-01 (effective date 3-3-04), hereby incorporated by reference and available from the District office.

Specific Authority 374.976(2) FS. Law Implemented 120.53(1)(a) FS. History--New 11-11-90, Formerly 16S-1.008, Amended.

FLORIDA INLAND NAVIGATION DISTRICTS

Florida Inland Navigation District

RULE NOS.:	RULE TITLES:
66B-2.004	Policy
66B-2.005	Funds Allocation
66B-2.008	Project Eligibility

PURPOSE AND EFFECT: The purpose of the proposed rule making is to include the following provisions in the program rule: Ensure consistency with the rule and Chapter 374, F.S. consolidate rule references to the necessary permitting requirements prior to project funding; clarify the rule provisions for land acquisition and shoreline stabilization eligibility; add waterfront parks to the eligibility list; and correct the rule language to be consistent with the small-scale derelict vessel program.

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

SUBJECT AREA TO BE ADDRESSED: Waterways Assistance Program rule sections: Policy, Funds Allocation, and Project Eligibility.

SPECIFIC AUTHORITY: 374.976(2) FS.

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

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

DATE AND TIME: December 30, 2008, 11:00 a.m.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Mark Crosley, Assistant Executive Director, Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, Telephone Number: (561)627-3386

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS

66B-2.004 Policy.

The following constitutes the policy of the District regarding the administration of the program:

(1) Financial Assistance Eligibility: Financial assistance, support and cooperation may be provided to eligible governmental agencies for approved projects as follows:

(a) Member counties may be provided financial assistance, support or cooperation in planning, acquisition, development, construction, reconstruction, extension, improvement, operation or the maintenance of public navigation local and regional anchorage management, beach renourishment, public recreation, inlet management, environmental education, ~~law enforcement~~ and boating safety projects directly related to the waterways. ~~Member counties may also be provided financial assistance, support, and cooperation in planning and carrying out beach renourishment and inlet management projects.~~

(b) Eligible local governments may also be provided financial assistance, support and cooperation in planning and carrying out public navigation, local and regional anchorage management, beach renourishment, public recreation, inlet management, environmental education, law enforcement and boating safety projects directly related to the waterways. ~~Eligible local governments may also be provided financial assistance, support and cooperation in planning and carrying out beach renourishment and inlet management projects.~~

(c) Navigation related districts may be provided with financial assistance to pay part of the costs of the planning and acquisition of dredge material management sites if the Board finds that the site is required for the long-range maintenance of the Atlantic Intracoastal Waterway channel. All such sites must meet the development and operational criteria established by the District through a long-range dredge material management plan for that county. Navigation related districts may also be provided with assistance for waterway related access projects, environmental mitigation projects associated with waterway improvement related activities, and inlet management projects if the Board finds that the project benefits public navigation in the Atlantic Intracoastal Waterway. All navigation related

districts shall contribute at least equal matching funds to any District financial assistance provided. Seaports may also be furnished assistance and support in planning and carrying out environmental mitigation projects. All seaport projects shall benefit publicly maintained channels and harbors. Each seaport shall contribute matching funds for funded projects.

(d) Eligible projects shall include the acquisition and development of public boat ramps, and launching facilities, and acquisition for additional trailer parking at an existing boat ramp, and public boat docking and mooring facilities, including those in man-made, navigable waterways contiguous to "waterways" as defined in Rule 66B-2.003, F.A.C.

(2) through (9) No change.

(10) Fees: Any public project eligible for District program funds that charges a fee or will charge a fee must demonstrate that the facility will utilize 50% or greater of the collected funds for project maintenance and improvements throughout the anticipated 25-year life of a development project or the design life of other project types, as applicable.

Specific Authority 374.976(2) FS. Law Implemented 374.976 FS. History—New 11-11-90, Formerly 16S-1.004, Amended.

66B-2.005 Funds Allocation.

(1) through (6) No change.

(7) Public Navigation: Projects or project elements in the category of public navigation that will qualify for up to seventy-five percent (75%) program funds must provide public navigation channel access to public launching, mooring or docking facilities. In addition, the following shall apply:

(a) Navigation channel dredging: The project sponsor must demonstrate that the source of channel sedimentation has been identified and is in the process of, or has been controlled, or that the frequency and amount of shoaling is such that dredging will provide an improvement to the channel that will last for twenty (20) years or more and therefore is more cost effective than identifying and correcting the cause of shoaling, or that the cost of identifying the source of channel sedimentation exceeds the cost of the dredging project.

(b) Navigation channel lighting and markers must be located on primary or secondary public navigation channels. All other public navigation projects or project elements will only qualify for up to fifty percent (50%) program funding. Dredging that is associated or ancillary to another use (such as a boat ramp, marina or pier) will be prioritized according to the associated use.

Specific Authority 374.976(2) FS. Law Implemented 374.976 FS. History—New 11-11-90, Formerly 16S-1.005, Amended.

66B-2.008 Project Eligibility.

(1) Eligible Projects: Financial assistance and support through this program shall be used to plan or carry out public navigation and anchorage management, public recreation, environmental education, boating safety, acquisition and

development of spoil sites and publicly owned commercial/industrial waterway access directly related to the waterways, acquisition and development of public boat ramps, launching facilities and boat docking and mooring facilities, inlet management, environmental mitigation and beach renourishment.

(a) Program funds may be used for projects such as acquisition, planning, development, construction, reconstruction, extension, or improvement, ~~operation or maintenance~~ of the following types of projects for public use on land and water. These project types will be arranged into a priority list each year by vote of the Board. The priority list will be distributed to applicants with the project application.

1. Public navigation channel dredging;
2. Public navigation aids and markers;
3. Inlet management projects that are a benefit to public navigation in the District;
4. Public shoreline stabilization directly benefiting the District's waterway channels;
5. Acquisition and development of publicly owned spoil disposal site and public commercial/industrial waterway access;
6. Waterway signs and buoys for safety, regulation or information;
7. Acquisition dredging, shoreline stabilization and development of public boat ramps and launching facilities;
8. Acquisition dredging, shoreline stabilization and development of public boat docking and mooring facilities;
9. Derelict Vessel Removal;
10. Waterways related environmental education programs and facilities;
11. Public fishing and viewing piers;
12. Public waterfront parks and boardwalks and associated improvements;
13. Waterways boating safety programs and equipment;
14. Beach renourishment on beaches adversely impacted by navigation inlets, navigation structures, navigation dredging, or a navigation project; and
15. Other waterway related projects.

(2) No change.

(a) through (c) No change.

(d) Phasing of Projects: Applications for eligible waterway projects ~~may will~~ be submitted as a phased project where Phase I will include the design, engineering and permitting elements and Phase II will include the construction of the project. A description and cost estimate of the Phase II work will be submitted along with the Phase I application for Board review. ~~Applicants for construction projects that include elements that require state or federal environmental permits will demonstrate that all required environmental permitting and proprietary authorizations will be completed by the District's final TRIM hearing. This demonstration will be by the submission of the~~

~~required environmental permit(s) or by the submission of a letter from the agency(s) stating that a permit is not required. Should the environmental permitting element of an application for a construction project that includes elements that require state or federal permits or exemptions not be completed by the District's final TRIM hearing, the construction portion of the project will not be considered for funding. The District will not deviate from the funding schedule, whereby funding decisions are completed at the final TRIM hearing, to accommodate any application deficiency.~~

(2) No change.

(3) Permits: The project sponsor is responsible for obtaining and abiding by any and all federal, state and local permits, laws, proprietary authorizations and regulations in the development and operation of the project. Applicants for construction projects that include elements that require state or federal environmental permits or proprietary authorizations will demonstrate that all required environmental permitting and authorizations will be completed by the District's final TRIM hearing. This demonstration will be by submission of the required environmental permit(s) and authorizations, or by submission of a letter from the agency(s) stating that a permit or authorization is not required. Should the environmental permitting element of an application that has construction elements requiring state or federal environmental permits or authorizations not be completed by the District's final TRIM hearing, the construction portion of the project will not be considered for funding. Whereby funding decisions are completed at the final TRIM hearing, the District will not deviate from the funding schedule to accommodate any application deficiency.

(4) Public Marina Qualifications: All public marina projects funded through this program shall include sewage pumpout facilities for vessels, unless the applicant can demonstrate that inclusion of such a facility is physically, operationally or economically impracticable. All public marina projects funded through this program shall have at least ten percent (10%) of their slips or mooring areas available for transient vessels. Public marina dockage rates shall be within market comparison of the dockage rates of other area marinas. Program funds to public marina projects shall not be utilized for replacement maintenance of the facilities if revenues generated by the facility are not ~~exclusively~~ allocated to the operation, maintenance and improvement of the public marina facility in accordance with subsection 66B-2.004(10), F.A.C. Certification that revenues generated by a marina facility are exclusively allocated to the operation, maintenance and improvement of the public marine facility will be required to be submitted with the application and, if approved, thereafter on an annual basis using form No. FIND 03-01 (effective date 3-3-04), hereby incorporated by reference and available from the District office.

Specific Authority 374.976(2) FS. Law Implemented 374.976 FS. History—New 11-11-90, Formerly 16S-1.008, Amended.

DEPARTMENT OF FINANCIAL SERVICES

Division of Workers' Compensation

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
69L-24	Workers' Compensation Insurers' Standards and Practices
RULE NOS.:	RULE TITLES:
69L-24.001	Purpose
69L-24.002	Scope
69L-24.003	Definitions
69L-24.004	Monitoring, Examining and Investigating
69L-24.005	Maintaining and Providing Records
69L-24.006	Administrative Penalties and Fines
69L-24.007	Patterns and Practices
69L-24.021	Minimum Performance Standards
69L-24.0211	Monitoring
69L-24.022	Auditing
69L-24.0222	Re-Audit and Certification for Noncompliance
69L-24.0231	Benefits and Administration Trust Fund Penalties Improper Filing Practices
69L-24.024	Medical Penalties
69L-24.0241	Employee Failure to Appear for Independent Medical Examination

PURPOSE AND EFFECT: The purpose and effect of this rule chapter is to establish uniform guidelines under which the Department of Financial Services, Division of Workers' Compensation will monitor, audit and investigate regulated entities to ensure compliance with statutory obligations under Chapter 440, Florida Statutes, including requirements to provide timely payment of workers' compensation benefits to injured workers, to timely pay medical bills to providers, and to timely report workers' compensation data to the Department. Regulated entities include but are not limited to carriers, service companies, third-party administrators, self-serviced self-insured employers or funds, managing general agents, and data submitters that are responsible for adjusting workers' compensation claims or submitting information and data regarding those claims to the Department. The purpose and effect is also to establish uniform guidelines to penalize regulated entities for failure to provide timely payment of workers' compensation benefits to injured workers, for failure to timely pay medical bills to providers, and for failure to timely report workers' compensation information or data to the Department, based on findings made during the process of monitoring, auditing and investigating those regulated entities.

SUBJECT AREA TO BE ADDRESSED: Establishment of guidelines to monitor, audit and investigate regulated entities for compliance with requirements of Chapter 440, Florida Statutes, regarding timely payment of benefits to injured workers, timely payment of medical bills, and timely reporting

of data to the Department, and establish penalty guidelines for assessment of penalties for failure to comply with the statutory requirements.

SPECIFIC AUTHORITY: 440.13(11), 440.185(10), 440.20(6), 440.525(4), 440.591, 440.593(5) FS.

LAW IMPLEMENTED: 440.13(11), 440.185, 440.20(6), (8), 440.525, 440.593 FS.

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

DATE AND TIME: Tuesday, January 6, 2009, 10:00 a.m.

PLACE: 104 J Hartman Bldg., 2012 Capital Circle S.E., Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Robin Ippolito, Bureau Chief, Bureau of Monitoring and Audit, Division of Workers' Compensation, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-4224, (850)413-1775

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting: Robin Ippolito

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT

WORKERS' COMPENSATION INSURERS' STANDARDS AND PRACTICES

69L-24.001 Purpose.

The purpose and intent of this rule chapter is to promote the self execution of the workers' compensation system through monitoring and enforcement of a regulated entity's fulfillment of its statutory obligations to provide timely payment of workers' compensation benefits to injured workers, timely payment of medical bills to providers, and to timely report workers' compensation medical data to the Department. The timely and accurate reporting of medical data is critical in that it enables the Department to provide current information about medical costs to policymakers and stakeholders so they can make qualitative and objective decisions relating to reimbursements to health care providers. Timely and accurate reporting of first reports of injury or illness is critical in that it allows the Department to monitor claims to ensure that regulated entities are fulfilling their statutory and rule obligations regarding the claims. The purpose of this rule chapter is also to establish performance standards and uniform guidelines for administrative fines and penalties assessed upon regulated entities, for violations of Chapter 440 and other applicable Florida Statutes and Department Rules.

Specific Authority 440.13(11), 440.185(10), 440.20(6), 440.525(4), 440.591, 440.593(5) FS. Law Implemented 440.13(11), 440.185, 440.20(6), (8), 440.525, 440.593 FS. History–New _____.

69L-24.002 Scope.

This rule chapter applies to all regulated entities as defined in this rule chapter and applies to all violations discovered through monitoring, examining, or investigating. This rule chapter shall not be construed as creating any substantive violations not otherwise prescribed by statute or rule.

Specific Authority 440.13(11), 440.185(10), 440.20(6), 440.525(4), 440.591, 440.593(5) FS. Law Implemented 440.13(11), 440.185, 440.20(6), 440.525, 440.593 FS. History–New _____.

69L-24.003 Definitions.

The following definitions shall apply in the rule chapter:

(1) "Action" – an event or events leading to the commission of a violation.

(2) "Audit" – a process whereby the practices of regulated entities are examined to verify compliance with Chapter 440 and other applicable Florida Statutes and Administrative Rules. The term "audit" is synonymous with the term "examination".

(3) "Batch" – a group of data records that is created and evaluated by CPS from electronically submitted data received by the Department.

(4) "Centralized Performance System (CPS)" – a system that evaluates payment and filing data submitted to the Department.

(5) "Department" – the Florida Department of Financial Services.

(6) "Department Rules" – any and all rules adopted by the Department of Financial Services in its administration of Chapter 440 that apply to insurers or other regulated entities.

(7) "Division" – the Division of Workers' Compensation within the Florida Department of Financial Services.

(8) "Examination" – a process whereby the practices of regulated entities are examined to verify compliance with Chapter 440 and other applicable Florida Statutes and Department Rules. The term "examination" is synonymous with the term "audit".

(9) "F.A.C." – Florida Administrative Code.

(10) "F.S." – Florida Statutes.

(11) "Form DFS-F2-DWC-1" – Form DFS-F2-DWC-1 (First Report of Injury or Illness), or its electronic equivalent.

(12) "Investigation" – a Department review that is conducted to verify compliance with Chapter 440 and other applicable Florida Statutes and Department Rules.

(13) "Pattern or Practice" – a repeated or customary act(s) of non-compliance with any single provision of Chapter 440 or other applicable Florida Statutes or Department Rules on an individual claim or on multiple claims.

(14) “Regulated Entity” – any carrier as defined in Section 440.02(4), F.S., employer, service company, servicing agent, third-party administrator, self-serviced self-insured employer or fund, submitter of forms or data on behalf of a carrier, or managing general agent that is responsible for handling or adjusting claims, or fulfilling an insurer’s responsibility to transmit workers’ compensation claims data to the Department.

(15) “Violation” – any finding of non-compliance with Chapter 440, F.S., or other applicable Florida Statutes or Department Rules.

Specific Authority 440.13(11), 440.185(10), 440.20(6), 440.525(4), 440.591, 440.593(5) FS. Law Implemented 440.13(11), 440.185, 440.20(6), (8), 440.525, 440.593 FS. History–New _____.

69L-24.004 Monitoring, Examining and Investigating.

(1) The Department shall monitor, examine, or investigate the performance of regulated entities to ensure compliance with Chapter 440, F.S., and other applicable Florida Statutes and Department Rules as often as is deemed necessary.

(a) Monitoring includes, but is not limited to, the ongoing review of data provided to the Department by regulated entities.

(b) Examining or investigating includes, but is not limited to, the review of a regulated entity’s processes and may be based upon:

1. The regulated entity’s performance in prior examinations and/or investigations, or
2. Information obtained through the monitoring process, or
3. Information obtained through other methods utilized by the Department.

(2) Monitoring, examining, or investigating includes, but is not limited to, the review of the following:

(a) Timeliness and accuracy of indemnity and/or medical payments.

(b) Timeliness and accuracy of the filing of medical bill data.

(c) Timeliness and accuracy of the filing of Form DFS-F2-DWC-1.

(d) Timeliness and accuracy of the filing of Form DFS-F2-DWC-4 (Notice of Action/Change), or its electronic equivalent.

(e) Timeliness and accuracy of the filing of Form DFS-F2-DWC-12 (Notice of Denial), or its electronic equivalent.

(f) Timeliness and accuracy of the filing of Form DFS-F2-DWC-13 (Claims Cost Report), or its electronic equivalent.

(g) Timeliness and accuracy of the reporting of workers’ compensation coverage and changes in such coverage.

(h) Denial of claims.

(i) Delay in provision of benefits.

(j) Harassment, coercion or intimidation of any party.

(k) Compliance with Section 440.105(7), F.S., regarding fraud statements.

(l) Timeliness of the response to a Petition for Benefits.

(m) Timeliness of the compliance with a Judge of Compensation Claim’s order.

(n) Timeliness of the compliance with a Department order or directive.

(o) Compliance with CPS batch timeframes.

(p) Claims-handling practices.

(q) Timeliness of medical authorizations.

(r) Mailing of Form DFS-F2-DWC-65 (Important Workers’ Compensation Information for Florida’s Employers) or Form DFS-F2-DWC-66 (Informacion Importante Del Seguro De Indemnizacion Por Accidentes De Trabajo Para Los Empleadores De La Florida) to the employer.

(s) The date that Forms DFS-F2-DWC-60 or 61 (Important Workers’ Compensation Information for Florida’s Workers’ brochure or Informacion Importante De Seguro De Indemnizacion Por Accidentes De Trabajo Para Los Trabajadores De La Florida) were mailed to the injured worker, and

(t) Mailing of the Employee Notification Letter to the injured worker.

(3) Reports resulting from monitoring, examining, or investigating under Chapter 440 and other applicable Florida Statutes and Department Rules, are confidential and exempt from Section 119.07(1), F.S., pursuant to Section 624.319, F.S., until the investigation ceases to be active.

Specific Authority 440.13(11), 440.185(10), 440.20(6), 440.525(4), 440.591, 440.593(5) FS. Law Implemented 440.13(11), 440.185, 440.20(6), 440.525, 440.593(5) FS. History–New _____.

69L-24.005 Maintaining and Providing Records.

(1) Pursuant to Section 440.525(1), F.S., the Department may examine and investigate regulated entities as often as is warranted to ensure that they are fulfilling their obligations under Chapter 440, F.S. The Department shall have the power to conduct onsite inspections of claims records and documentation of a carrier, third-party administrator, servicing agent, or other claims-handling entity, and conduct interviews, both sworn and unsworn, of claims-handling personnel, Carriers, third-party administrators, servicing agents, and other claims-handling entities shall make all claims records, documentation, communication, and correspondence available to Department personnel during regular business hours, pursuant to Section 440.525(3), F.S. All regulated entities shall provide to the Department all information and documentation that is requested for the purposes of monitoring, examining, or investigating the regulated entity’s operations and processes. Such information and documentation, including specific data, shall be made available to the Department within 14 calendar days of any request by the Department unless the Department allows an extension of time.

(2) For examinations or investigations, if the regulated entity maintains hard-copy files, the hard-copy files shall be made available to the Department on or before the date requested by the Department. If the regulated entity maintains electronic files and an examination or investigation is conducted at the regulated entity's offices, a sufficient number of functioning computers shall be made available to the Department for access to the electronic documents and information. Requests for information may include, but is not limited to:

(a) The date of the first receipt of Form DFS-F2-DWC-1,

(b) The date it was known that the injured worker started losing time from work,

(c) The date that Form DFS-F2-DWC-1 was mailed or transmitted to the Department,

(d) The date that Forms DFS-F2-DWC-4 (Notice of Action/Change), DFS-F2-DWC-12 (Notice of Denial), and DFS-F2-DWC-13 (Claims Cost Report), or their electronic equivalents, were mailed or transmitted to the Department,

(e) The date that Form DFS-F2-DWC-1a (Wage Statement), or its electronic equivalent, was mailed or transmitted to the employer or the employee for completion,

(f) The date that Form DFS-F2-DWC-1a (Wage Statement), or its electronic equivalent, or the data needed to fill out the Wage Statement was received,

(g) The date each indemnity payment was mailed to the injured worker, the amount of the payment, and the period of time that was covered in the payment,

(h) The date that Forms DFS-F5-DWC-9 (Health Insurance Claim Form/CMS-1500), DFS-F5-DWC-10 (Statement of Charges for Drugs and Medical Supplies Form and Instructions), DFS-F5-DWC-11 (American Dental Association Dental Claim Form), and DFS-F5-DWC-90 (Hospital Billing Form (UB-04)), or their electronic equivalents, were received from the health care provider,

(i) The date that Forms DFS-F5-DWC-9 (Health Insurance Claim Form/CMS-1500), DFS-F5-DWC-10 (Statement of Charges for Drugs and Medical Supplies Form and Instructions), DFS-F5-DWC-11 (American Dental Association Dental Claim Form), and DFS-F5-DWC-90 (Hospital Billing Form (UB-04)), or their electronic equivalents, were paid, disallowed, or denied,

(j) The date that Forms DFS-F5-DWC-9 (Health Insurance Claim Form/CMS-1500), DFS-F5-DWC-10 (Statement of Charges for Drugs and Medical Supplies Form and Instructions), DFS-F5-DWC-11 (American Dental Association Dental Claim Form), and DFS-F5-DWC-90 (Hospital Billing Form (UB-04)), or their electronic equivalents, were mailed or transmitted to the Department,

(k) The date that Forms DFS-F2-DWC-60 or 61 (Important Workers' Compensation Information for Florida's Workers' brochure or Informacion Importante De Seguro De Indemnizacion Por Accidentes De Trabajo Para Los Trabajadores De La Florida) were mailed to the injured worker,

(l) The date that Form DFS-F2-DWC-65 or 66 (Employer Informational Brochure) was mailed to the employer,

(m) The date that the Employee Notification Letter was mailed to the injured worker,

(n) The date that any written request for medical authorization was received and the date that the medical authorization was granted in response to the written request,

(o) Electronic Data Interchange (EDI) information pursuant to Rule Chapter 69L-56, F.A.C.,

(p) The date that the 120-day notice required under Section 440.20(4), F.S. was mailed,

(q) All diary notes, claim notes, and correspondence,

(3) Failure to provide the requested information and documentation within the required time frame and in the manner prescribed by the Department constitutes a willful violation as described in and penalized under paragraph 69L-24.007(1)(a), F.A.C.

(4) Failure to file all non-filed forms, or their electronic equivalents, and non-reported medical bills discovered during any monitoring, examination, and investigation process within the required time and in the manner prescribed by the Department constitutes a willful violation as described in and penalized under paragraph 69L-24.007(1)(a), F.A.C.

Specific Authority 440.13(11), 440.185(10), 440.20(6), 440.525(4), 440.591, 440.593(5) FS. Law Implemented 440.13(11), 440.185, 440.20(6), (8), 440.525, 440.593 FS. History—New

69L-24.006 Administrative Penalties and Fines.

The Department shall utilize the monitoring, examination, or investigation processes to ensure compliance with Chapter 440 and other applicable Florida Statutes and Department Rules. The Department may assess administrative penalties and fines for violations. Violations within this rule are described in general language. The use of general language shall not be construed to expand or modify the statute. Violations are not necessarily described herein using the language that would be used to formally assert the violation in any specific case.

(1) Indemnity Violations.

(a) Late payments of compensation. In order to ensure carrier compliance under Chapter 440, F.S., the Department shall monitor, examine, and investigate the performance of carriers. The Department shall assess penalties for late payments of compensation that are below a minimum 95 percent timely payment performance standard. The carrier shall pay to the Workers' Compensation Administration Trust Fund a penalty of:

1. Fifty dollars per number of installments of compensation below the 95 percent timely payment performance standard and equal to or greater than a 90 percent timely payment performance standard.

2. One hundred dollars per number of installments of compensation below a 90 percent timely payment performance standard.

(b) Late filing of forms.

1. Employers shall be fined for each Form DFS-F2-DWC-1 which is not filed timely with the carrier or claims-handling entity as follows:

<u>Number of Days Late</u>	<u>Penalty for Untimely Filing</u>
<u>1-7 calendar days late</u>	<u>\$100 per form</u>
<u>8-14 calendar days late</u>	<u>\$200 per form</u>
<u>15-21 calendar days late</u>	<u>\$300 per form</u>
<u>22-28 calendar days late</u>	<u>\$400 per form</u>
<u>Over 28 calendar days late</u>	<u>\$500 per form</u>

2. The Division, through CPS, will calculate the penalties for untimely filing of forms in order starting with the greatest number of days late first. Carriers shall be fined for each Form DFS-F2-DWC-1 which is not filed timely with the Department as follows:

<u>Number of Days Late</u>	<u>Penalty for Untimely Filing</u>
<u>1-7 calendar days late</u>	<u>\$100 per form</u>
<u>8-14 calendar days late</u>	<u>\$200 per form</u>
<u>15-21 calendar days late</u>	<u>\$300 per form</u>
<u>22-28 calendar days late</u>	<u>\$400 per form</u>
<u>Over 28 calendar days late</u>	<u>\$500 per form</u>

3. If a carrier accepts the untimely filing penalties issued through CPS for a specific month and the total amount of untimely filing penalties for that month exceeds \$10,000 as calculated under subparagraph (1)(b)1. and 2. herein, the penalty for each untimely filing not included in the calculation of the penalty up to \$10,000 shall be recalculated and assessed a penalty of \$25.00 per untimely filing for that specific month.

4. Carriers that incur untimely filing penalties issued through CPS in excess of \$10,000 for three or more specific months in a calendar year shall, in addition to penalties assessed under this subparagraph, be assessed a \$20,000 penalty for a willful pattern or practice violation for the failure to timely submit Form DFS-F2-DWC-1 to the Department. In these instances, carriers must conduct quarterly self audits of their Form DFS-F2-DWC-1 filings to the Department documenting compliance by the carrier with the reporting requirements for Form DFS-F2-DWC-1, and submit the results of those audits to the Department documenting compliance with the reporting requirements for Form DFS-F2-DWC-1 for a one year period following the issuance of the pattern or practice violation.

5. Any carrier that has been assessed penalties in excess of \$10,000 for a calendar month in 2008 for untimely filing of Form DFS-F2-DWC-1 will have their penalty amount recalculated in accordance with subparagraph (1)(b)3. herein. If the carrier has already paid penalties to the Department for the untimely filing of Form DFS-F2-DWC-1, the Department shall refund the difference between the penalties paid and those recalculated under subparagraph (1)(b)3. herein to the carrier, unless the carrier owes any outstanding, unpaid penalties to the Department. The outstanding, unpaid penalties must be paid in full prior to any refund being issued by the Department.

(2) Medical Violations.

(a) Carrier Administrative Penalties and Administrative Fines for Untimely Health Care Provider-Payment or Disposition of Medical Bills.

1. The Department shall assess administrative penalties for failure to comply with the payment, adjustment, disallowance, or denial requirements pursuant to Section 440.20(6)(b), F.S. To evaluate the data for timely performance standards for timely payments, adjustments and payments, disallowances or denials, reported on Forms DFS-F5-DWC-9 (Health Insurance Claim Form/CMS-1500), DFS-F5-DWC-10 (Statement of Charges for Drugs and Medical Supplies Form and Instructions), DFS-F5-DWC-11 (American Dental Association Dental Claim Form), and DFS-F5-DWC-90 (Hospital Billing Form (UB-04)), or their electronic equivalents, the Department shall calculate penalties on a monthly basis for each separate form/category type that was received and accepted by the Department within a specific calendar month.

2. Pursuant to Section 440.20(6)(b), F.S., the Department shall calculate and assess administrative fines according to the following guidelines:

a. For medical services provided on or after January 1, 2004, carriers shall pay, disallow, or deny all medical, dental, pharmacy, and hospital bills properly submitted to the carrier in accordance with Department rule no later than 45 calendar days after the carrier's receipt of the bill. The Department shall assess penalties for late payments, disallowances, or denials of medical, dental, pharmacy, and hospital bills that are below a minimum 95 percent minimum performance standard. The carrier shall pay a penalty of:

i. \$25 for each bill below the 95 percent timely performance standard, but meeting a 90 percent timely performance standard.

ii. \$50 for each bill below a 90 percent timely performance standard.

(b) Carrier Administrative Penalties and Fines for Untimely Filing of Medical Bills.

1. Carriers that fail to timely electronically submit medical bills are subject to an administrative fine. The Division, through CPS, will calculate the penalties for untimely filing of

medical bills in order starting with the greatest number of days late first. Carriers shall be fined for each medical bill which is not timely filed with the Department as follows:

Number of Days Late	Penalty for Untimely Filing
1-30 calendar days late	\$5
31-60 calendar days late	\$10
61-90 calendar days late	\$25
91 or greater calendar days late	\$50
Rejected or resubmitted 91 or greater calendar days late*	\$50

* Each medical bill that does not pass the electronic reporting edits shall be rejected by the Department and considered not filed. If the medical bill remains rejected and the carrier does not correctly resubmit the bill within 90 calendar days of the original rejected date, an administrative fine shall be assessed against the carrier in the amount of \$50 for each such medical bill.

2. If a carrier accepts the untimely filing penalties of medical bills issued through CPS for a specific month and the total amount of untimely filing penalties for that month exceeds \$10,000 as calculated under subparagraph (2)(b)1. herein, the penalty for each untimely filing not included in the calculation of the penalty up to \$10,000 shall be recalculated and assessed a penalty of \$5.00 per untimely filing for that specific month.

3. Carriers that incur untimely filing penalties issued through CPS in excess of \$10,000 for three or more specific months in a calendar year shall, in addition to penalties assessed under this subparagraph, be assessed a \$20,000 penalty for a willful pattern or practice violation for the failure to timely submit medical bills to the Department. In these instances, carriers must conduct quarterly self audits of their medical bill filings to the Department documenting compliance by the carrier with the reporting requirements for medical bills, and submit the results of those audits to the Department documenting compliance with the reporting requirements for a one year period following the issuance of the pattern or practice violation.

4. Any carrier that has been assessed penalties in excess of \$10,000 for a calendar month in 2008 for untimely filing of medical bills will have their penalty amount recalculated in accordance with subparagraph (2)(b)2. herein. If the carrier has already paid penalties to the Department for the untimely filing of medical bills, the Department shall refund the difference between the penalties paid and those recalculated under subparagraph (2)(b)2. herein to the carrier, unless the carrier owes any outstanding, unpaid penalties to the Department. The outstanding, unpaid penalties must be paid in full prior to any refund being issued by the Department.

Specific Authority 440.13(11), 440.185(10), 440.20(6), 440.525(4), 440.591, 440.593(5) FS. Law Implemented 440.13(11), 440.185, 440.20(6), (8), 440.525, 440.593 FS. History—New _____.

69L-24.007 Patterns and Practices.

(1) A pattern or practice constitutes a willful violation if the regulated entity that committed the pattern or practice:

(a) Did so intentionally and with knowledge of the act's unlawfulness or with disregard to the unlawfulness of the act; or,

(b) Repeated the same pattern or practice within two (2) years of the date of assessment of a penalty by the Department for a non-willful violation. In the event the assessment of penalty for the previous non-willful violation is challenged pursuant to Chapter 120, Florida Statutes, said two (2) year period begins to run on the date of final agency action through which a penalty is assessed for the previous non-willful violation; or,

(c) Failed to comply with an order of a Judge of Compensation Claims or with an order of the Department.

(2) The penalties assessed under subsection (1) of this rule shall be \$20,000 for a single willful violation and not exceed an aggregate of \$100,000 for all pattern or practice violations arising out of the same action.

(3) The Department may issue a non-willful violation for a pattern or practice of unreasonable claims handling for any monitoring, examining, or investigating review activity listed in subsection 69L-24.004(2), F.A.C., or for any other pattern or practice identified by the Department. For each such non-willful violation, a penalty of \$2,500 shall be assessed against the carrier by the Department, with such fines not exceeding an aggregate of \$10,000 for all pattern or practice violations arising out of the same action. Any penalty imposed under this paragraph for a non-willful violation shall not duplicate a penalty imposed under another provision of Chapter 440, Florida Statutes or Department Rules.

(a) The Department will calculate a regulated entity's performance in order to determine if a non-willful violation will be assessed for a pattern or practice of unreasonable claims handling. If the performance falls below 90% compliance, except as otherwise stated in Chapter 440 and other applicable Florida Statutes and Department Rules, the Department may assess a penalty pursuant to paragraph (3) herein.

Specific Authority 440.13(11), 440.185(10), 440.20(6), 440.525(4), 440.591, 440.593(5) FS. Law Implemented 440.13(11), 440.185, 440.20(6), (8), 440.525, 440.593 FS. History—New _____.

69L-24.021 Minimum Performance Standards.

A ninety percent (90%) rate of compliance is the minimum standard of performance for carriers, self-insurers, employers and servicing agents in each of the following areas: timeliness in which they report and handle claims; promptness of payment of compensation benefits; and payment and disposition of medical bills. The 90% performance rate applies to all applicable carriers, self-insurers, employers, and

~~servicing agents who are subject to the following rules: Chapter 69L-3, F.A.C.; Chapter 69L-7, F.A.C.; or Chapter 38F-8, F.A.C.~~

~~Specific Authority 440.20(8)(c), 440.13(11)(b), 440.591 FS. Law Implemented 440.20, 440.13(11) FS. History—New 8-29-94, Formerly 38F-24.021, 4L-24.021, Repealed _____.~~

~~69L-24.0211 Monitoring.~~

~~(1) The Division shall continually monitor the performance of carriers, self-insurers, employers and servicing agents to ensure compliance with the performance standards prescribed in Rule 69L-24.021, F.A.C., and to assist these entities in improving their overall performance.~~

~~(2) Such monitoring will include the automated carrier performance system indicators as listed below:~~

- ~~(a) Timeliness and accuracy of all indemnity and medical payments;~~
- ~~(b) Timely and accurate reporting of required information;~~
- ~~(c) Volume and nature of employee complaints regarding the workers' compensation injury;~~
- ~~(d) Timeliness and accuracy of reporting coverage and changes in coverage;~~
- ~~(e) Compliance with rehabilitation status reviews and reporting requirements;~~
- ~~(f) Timeliness and accuracy of refunding overpayments;~~
- ~~(g) Effectiveness of utilization review program;~~
- ~~(h) Volume and cost of litigation in processing initial claims;~~
- ~~(i) Effectiveness in returning employees to work;~~
- ~~(j) Employee customer service ratings;~~
- ~~(k) Employer customer service ratings; and~~
- ~~(l) Amount of average medical costs and average total costs per claim.~~

~~In addition to the data in the Automated Carrier Performance System, review will be based on data received on referrals of questionable carrier practices received from other units of the Division, governmental entities, the Department of Financial Services, claimants, and other interested parties.~~

~~Specific Authority 440.20(15)(f), 440.591 FS. Law Implemented 440.20(15) FS. History—New 8-29-94, Amended 5-14-95, Formerly 38F-24.0211, 4L-24.0211, Repealed _____.~~

~~69L-24.022 Auditing.~~

~~(1) The audits by the Division will encompass all indicators covered by the Division's Automated Carrier Performance System as provided in Rule 69L-24.0211, F.A.C. However, carriers, self-insurers or servicing agents shall not be penalized for performance below 90 percent based on the following Automated Carrier Performance System indicators:~~

- ~~(a) Volume and cost of litigation in processing initial claims;~~
- ~~(b) Effectiveness in returning employees to work;~~

- ~~(c) Employee customer service ratings;~~
- ~~(d) Employer customer service ratings;~~
- ~~(e) Amount of average medical costs and average total costs per claim; and~~
- ~~(f) Volume and nature of employee complaints regarding the workers' compensation injury.~~

~~The Division will make recommendations to assist these entities to improve performance in the aforementioned areas for the specific purpose of rendering the Workers' Compensation system more effective and efficient.~~

~~(2) The Automated Carrier Performance System indicators and the other sources identified in this rule shall be reviewed by the Division to determine whether and how often to conduct audits of each carrier, self-insurer or servicing agent's practices. For purposes of this determination, substandard performance on any category outlined in Rule 69L-24.021, F.A.C., shall subject the entity to consideration for audit. No prior notice is required if the Division determines an audit is necessary. However, nothing set forth in these rules shall prohibit the Division from auditing all carriers, self-insurers and servicing agents at least once every three (3) years. Audits conducted under the three (3) year requirement shall cover the preceding three (3) fiscal years of the carrier, self-insurer or servicing agent's operation and must commence within twelve (12) months after the end of the most recent fiscal year being covered by the audit. The audit may cover any period of the entity's operations since the Division's last audit.~~

~~(3) If the Division conducts an on-site audit of any carrier's, self-insurer's or servicing agent's practices, the audit report shall be utilized to recommend changes in such entity's behavior and to ensure its continuing compliance with the minimum performance standards set forth in this rule.~~

~~(4) For purposes of this rule:~~

~~(a) On-Site audits will be conducted at the physical location of the entity being audited. The Division shall issue a written audit report within thirty (30) days after conclusion of an on-site audit conducted pursuant to this rule. This report shall include the Division's recommendations for improving the entity's overall performance in all categories as specified by the Automated Carrier Performance System.~~

~~(b) Desk audits will be conducted at the Division's office based on data reported to the Division. A written audit report shall be issued at any time the entity's performance is below the minimum performance standard.~~

~~(5) All carriers, self-insurers or servicing agents shall provide the Division with all information relevant to each case file and the Automated Carrier Performance System indicators, as needed, to permit a complete review of the entity's operations and processes during an audit. Such information may be furnished through hard copy or through a computerized format, as long as the information is made available to the Division at the time of the audit. In the event the information is kept in a format other than hard copy, such format shall be~~

~~accessible by the Division without unreasonable delay caused by access codes or the programming of access codes for entry into the entity's database by the Division.~~

Specific Authority 440.13(11)(b), 440.20(8)(c), (17), 440.591 FS. Law Implemented 440.13(11), 440.20 FS. History—New 8-29-94, Amended 5-14-95, Formerly 38F-24.022, 4L-24.022, Repealed.

69L-24.0222 Re-Audit and Certification for Noncompliance.

~~(1) Any carrier, self insurer or servicing agent who fails to achieve at least 90 percent compliance on any initial audit shall be audited again within twelve (12) months of the date of the initial audit. During the re-audit, the Division shall examine the entity's performance based on the deficiencies identified in the initial audit report and the specific action proposed for eliminating the deficiencies in the entity's Statement of Objectives. Once the entity has been re-audited and determined not to satisfy the 90 percent compliance rate, that entity shall be subject to the following sanctions:~~

~~(a) If the entity's performance is below 90 percent compliance due to its failure to carry out the specific action proposed, it shall be certified to the Department of Financial Services or this Division, as applicable, under Section 440.20(15)(a), Florida Statutes, in addition to any penalty or fine authorized under Rule 69L-24.0221, F.A.C.~~

~~(b) All carriers, self-insurers, or servicing agents failing to submit a Statement of Objectives and who do not achieve at least 90 percent compliance on re-audit shall be certified to the licensing authority, in addition to any penalty or fine authorized under Rule 69L-24.0221, F.A.C.~~

~~(2) Any carrier, self-insurer or servicing agent whose initial audit indicates a failure to achieve at least 50 percent compliance, shall be certified to the Department of Financial Services or this Division, as applicable, under Section 440.20(15)(a), Florida Statutes.~~

~~(3) Upon conclusion of any on-site audit, the Division's personnel conducting the audit shall review the preliminary findings of such audit with the claims manager or the individual in charge of the office being audited or his designee. Carriers that will be sanctioned under subsection (2) of this rule may request that Division personnel hold, or cause to be held, a workshop which shall include, but not be limited to, the areas of deficiency identified in the audit.~~

~~(4) The Division shall not re-audit a carrier, self-insurer, or servicing agent for failure to achieve 90 percent compliance with the Automated Carrier Performance System indicators set forth in paragraphs 69L-24.0221(1)(a)-(f), F.A.C.~~

Specific Authority 440.13(11)(b), 440.20(15)(f), 440.591 FS. Law Implemented 440.20 FS. History—New 8-29-94, Amended 5-14-95, Formerly 38F-24.0222, 4L-24.0222, Repealed.

69L-24.0231 Benefits and Administration Trust Fund Penalties Improper Filing Practices.

~~(1)(a) Failure to timely file, by electronic or paper submission, legible and complete forms, reports, or documents as required by Chapter 440, F.S., Chapter 69L-3, F.A.C., or other Division rules implementing Chapter 440, F.S., shall subject the party required to file such form, report or document to assessment by the Division of an Administrative fine. For purposes of this rule, a paper form, report or document is timely filed when it is postmarked and mailed prepaid prior to the expiration of the time periods prescribed in this rule, and Chapter 69L-3, F.A.C. For purposes of this rule, if disability is immediate and continuous for 8 or more calendar days after the injury, an electronic equivalent of a First Report of Injury or Illness will be considered timely filed with the Division when it is received by the Division on or before the 21st day after the carrier's knowledge of the injury and is assigned an acknowledgement code of Transaction Accepted (TA). If the first 7 days of disability are nonconsecutive or delayed, the electronic equivalent of a First Report of Injury or Illness will be considered timely filed with the Division when it is received by the Division on or before the 13th day after the carrier's knowledge of the 8th day of disability and is assigned an acknowledgement code of Transaction Accepted (TA). Penalties shall be assessed as follows:~~

~~(b) DWC-1, First Report of Injury or Illness. Employers shall be penalized for each DWC-1 that is not timely filed with the carrier or servicing agent as follows:~~

- ~~1. \$100 for one through seven days of untimely filing;~~
- ~~2. \$200 for eight through 14 days of untimely filing;~~
- ~~3. \$300 for 15 through 21 days of untimely filing;~~
- ~~4. \$400 for 22 through 28 days of untimely filing; or~~
- ~~5. \$500 for over 28 days of untimely filing.~~

~~(c) Carriers shall be penalized for each DWC-1 that is not timely filed with the Division as follows:~~

- ~~1. \$100 for one through seven days of untimely filing;~~
- ~~2. \$200 for eight through 14 days of untimely filing;~~
- ~~3. \$300 for 15 through 21 days of untimely filing;~~
- ~~4. \$400 for 22 through 28 days of untimely filing; or~~
- ~~5. \$500 for over 28 days of untimely filing.~~

~~(d) If the electronic First Report of Injury or Illness is assigned an Application Acknowledgement Code of Transaction Accepted (TA) within 30 days after the Claim Administrator, as defined in Rule 69L-56.002, F.A.C., is first approved and required by the Division to send electronic First Reports of Injury or Illness to the Division pursuant to paragraph 69L-56.300(1)(d), F.A.C., the Insurer, as defined in Rule 69L-56.002, F.A.C., shall not be assessed a filing penalty pursuant to paragraph 69L-24.0231(1)(e), F.A.C., based on the filing requirements established in subsections 69L-56.301(1) and (2), F.A.C. After the completion of the 30 day period referenced above, all electronic First Reports of Injury or Illness must be assigned an Application Acknowledgement~~

Code of Transaction Accepted (TA) by the Division within the required filing timeframes established in subsections 69L-56.301(1) and (2), F.A.C., to be considered timely filed:

(2) ~~Improper Disposition of Medical Bill Penalties. Any penalty imposed on a carrier or self-insured for the improper disposition of medical bills when such disposition is below 90 percent compliance, after 7-1-94, shall be assessed, per quarter, as follows:~~

80% through 89.99%	1/4 percent of the prior year's assessment levied under Section 440.51, F.S., against the entity being fined.
70% through 79.99%	1/2 percent of the prior year's assessment levied under Section 440.51, F.S., against the entity being fined.
60% through 69.99%	3/4 percent of the prior year's assessment levied under Section 440.51, F.S., against the entity being fined.
0% through 59.99%	1 percent of the prior year's assessment levied under Section 440.51, F.S., against the entity being fined.

~~(3)(a) Penalty to the Administration Trust Fund. Any fine imposed on any carrier or servicing agent that is payable to the Administration Trust Fund for untimely payment of compensation benefits which were paid on or after 1-1-94 shall be as follows:~~

~~(b) \$50 for each late payment of compensation which is below 90 percent compliance not to exceed one percent of the prior year's assessment levied under Section 440.51, F.S.;~~

~~(4) Benefit Penalty without an Award. Any penalty payable to the employee for the untimely payment of compensation benefits, on dates of accident on or after 1-1-94, payable without an award, shall be as follows:~~

~~(a) 20 percent on the first of any late installments of compensation not paid within seven days after it becomes due;~~

~~(b) \$5 per subsequent installment of compensation not paid within seven days after it becomes due; and~~

~~(c) For dates of accident prior to 1-1-94, the penalty shall be the greater of 10 percent or \$5 for any installment of compensation not paid within 14 days after it becomes due.~~

~~(5) Benefit Penalty with an Award. Any penalty for the untimely payment of compensation for dates of accident on or after 1-1-94 payable under the terms of an award shall be 20 percent of such unpaid compensation not paid within 37 days after the date the order is mailed to the parties, unless review of the compensation order making such award is taken as provided in Section 440.25, F.S. For dates of accidents prior to 1-1-94, the penalty shall be 20 percent of such unpaid compensation not paid within 60 days after the date the order is mailed to the parties, unless review of the compensation order making such award is taken as provided in Section 440.25, F.S.~~

~~(6) When a servicing agent is under contract with a carrier to fulfill the carrier's administrative responsibilities under this chapter, the payment practices of the servicing agent are~~

~~deemed the payment practices of the carrier, in which case the carrier shall be the responsible party for any penalties assessed under this section:~~

~~Specific Authority 440.13(11)(b), 440.185, 440.591, 440.593(5) FS. Law Implemented 440.13(11)(b), 440.185(9), 440.20(8)(a) FS. History--New 8-29-94, Amended 5-14-95, 6-4-97, 11-28-01, Formerly 38F-24.0231, 4L-24.0231, Amended 1-8-04, 5-8-08, Repealed _____.~~

~~69L-24.024 Medical Penalties.~~

~~(1) Penalty for Willful Refusal to Provide Medical Records or to Discuss Medical Condition. The Division, pursuant to Chapter 69L-7, F.A.C., shall assess a penalty against a health care provider who willfully refuses to provide medical records or to discuss the medical condition of the injured employee, after a reasonable request is made by the Division, employer, carrier or attorney for either of them for such medical records or to discuss the medical condition of the injured employee.~~

~~(2)(a) Failure to Timely Compensate a Certified Expert Medical Advisor. The Division shall assess a penalty which shall not exceed \$500 against any carrier, self-insurer or servicing agent that fails to timely compensate a certified expert medical advisor for services rendered, pursuant to Section 440.13(9), Florida Statutes. In accordance with Section 440.13(9)(f), Florida Statutes, the Division establishes the following penalty schedule, with \$500 being the maximum penalty for each failure to timely compensate such advisor:~~

~~(b) Payment by the carrier, self-insurer or servicing agent to a certified expert medical advisor is deemed timely when such payment is made within 45 calendar days after the date the carrier, self-insurer or servicing agent receives the expert medical advisor's bill for services rendered.~~

~~1. One through five calendar days of untimeliness in payment will result in a penalty of \$200;~~

~~2. Six through ten calendar days of untimeliness in payment will result in a penalty of \$400;~~

~~3. Over 10 calendar days of untimeliness in payment will result in a penalty of \$500.~~

~~(3) Failure of Health Care Provider To Refund Overpayment Within 30 Days After Notification. The Division, pursuant to Chapter 69L-7, F.A.C., shall assess a penalty against any health care provider who fails to refund an overpayment made by the carrier, self-insurer or servicing agent within 30 days after receipt of written notification with substantiation of the overpayment by either the carrier, self-insurer, servicing agent or the Division of Workers' Compensation.~~

~~Specific Authority 440.13(11)(a), 440.20(8)(c), 440.591 FS. Law Implemented 440.13(9)(f), (11) FS. History--New 8-29-94, 5-14-95, Formerly 38F-24.024, 4L-24.024, Repealed _____.~~

69L-24.0241 Employee Failure to Appear for Independent Medical Examination.

~~The carrier may contact the injured employee directly to schedule a reasonable time for an independent medical examination. The carrier has an obligation to confirm, in writing, the date and time of such examination to the injured employee within five days of the date and time the carrier and employee agreed to such examination. The carrier must also notify the injured employee's counsel, if any, of such examination no later than seven days prior to the date such examination is scheduled.~~

~~(1) For purposes of this section, "reasonable time" means a time acceptable to both parties.~~

~~(2) Injured employees are required to appear for all properly scheduled independent medical examinations, unless the injured employee can provide good cause for his absence. For purposes of this section, good cause can be established by showing that an immediate illness, injury, unforeseen event or intervening circumstances prevented the injured employee's appearance. An injured employee who does not properly provide at least 24 hours' notice of cancellation and cannot demonstrate good cause for his/her nonappearance for the independent medical examination shall not be excused from the sanctions of subsections (3) and (4) below.~~

~~(3) An injured employee who fails without good cause, as set forth above, to appear for the scheduled independent medical examination shall reimburse the carrier 50 percent of the cancellation or no show fee. The carrier may withhold no more than 20 percent of each bi-weekly installment amount payable to the injured employee when recouping from the injured employee a cancellation or no show fee that has been paid by the carrier. The carrier shall not recoup more than 50 percent of the actual cancellation or no show fee.~~

~~(4) An injured employee who fails, without good cause as set forth in subsection (2), to appear for the scheduled independent medical examination is barred from recovering compensation for any period during which the injured employee has refused to submit to such examination. Compensation under this paragraph means indemnity benefits.~~

Specific Authority 440.591 FS. Law Implemented 440.13(5)(d) FS. History—New 8-29-94, Amended 5-14-95, Formerly 38F-24.0241, 4L-24.0241, Repealed.

Section II Proposed Rules

DEPARTMENT OF STATE

Division of Library and Information Services

RULE NOS.:	RULE TITLES:
1B-30.001	Rule Numbering and Rule Titles
1B-30.0015	Definitions

1B-30.002

Style and Form for Filing Rules;
Certification Accompanying
Materials

1B-30.003

Publication of Notices in the Florida
Administrative Weekly (FAW)

1B-30.004

Legal Citations and History Notes

1B-30.005

Materials Incorporated by Reference

PURPOSE AND EFFECT: These rules were amended to: (1) clarify previously required agency rulemaking requirements by adding detail and changing the location of some rule sections; (2) to include instructions for electronic filing procedures for "e-rulemaking;" and (3) to include new rulemaking requirements to comply with changes in Chapter 120, Florida Statutes (2008).

SUMMARY: These rules were transferred from Chapter 1S-1 to Chapter 1B-30, F.A.C. References to "Bureau of Administrative Code" were changed to "Administrative Code and Weekly Section."

Rule 1B-30.001: Three agency rule titles were added (69, 70, and 71).

1B-30.0015: The following terms with definitions were added: "General notice," "Proposed Rule," "Promulgate," "Rule Certification Form," "Rule Notice," "Rule Number," "Rule Title," "Rulemaking," "Sub-unit," and "Title Number." The following terms with definitions were deleted: "Change/Change Notice/Modification," "Deliver for Publication," "New Rule," "Strike Through," and "Underline." The following terms with definitions were modified: "Amended Rule," "Law Implemented," "Rule Chapter," and "File for Adoption." The term "Coded Copy" was changed to "Coding."

1B-30.002: Agencies must include a cover letter with each certification packet, designating its contact person for the rule being filed for adoption. Agencies may submit rules on compact discs or DVD's, in addition to the previously required 3.5" diskette. The certification forms used when filing rules under Sections 120.54(3), 120.54(1)(i)5., 120.54(6), and 403.8055, Florida Statutes, were amended to include a provision that agencies have complied with all applicable rulemaking requirements of the Department of State. In addition, a rule of another agency or a federal regulation may only be effective upon or after the date of filing for its adoption."

1B-30.003: This rule was amended to include the instructions for use of the Department of State's electronic rulemaking website: "e-rulemaking." The rule number and first line of each sub-unit of rule text must be indented by 0.25 inch. Detail was added regarding how to code rule text. Several subsections were modified to clarify rulemaking requirements. The Notice of Rule Development provides agencies the option to voluntarily schedule a rule development workshop, without public request. A DEP Notice of Intent to Adopt A Rule in accordance with Section 120.54(1)(i)5., Florida Statutes, was

added. The following was added to the Notice of Change: “The reason for this change (select one) (1) public hearing; (2) written material received on or before the date of the public hearing; or (3) proposed objection by JAPC. The Notice of Proposed Rule requires that agencies submit a SERC if a rule will have an impact on Small Business (as required by the Small Business Regulatory Relief Act located in Section 288.001, and effective July 1, 2008, which also amended Chapter 120, Florida Statutes, in Section 120.54(3)(b)(1). Agencies must also certify that their agency head has approved proposed rules. Forms for notice and disposition of rule waivers or variances were added.

1B-30.004: Additional language was added to specify what information should be included in legal citations and history notes. “Specific Authority” was changed to “Rulemaking Authority” to comply with Chapter 120, Florida Statutes (2008).

1B-30.005: A reference to incorporate a form should include the title, form number, effective date and information regarding how to obtain a copy of the form. An incorporated form must display its title, form number, effective date, and the citation to the rule that incorporates it.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The agency has determined that the amendment of these rules will not have an impact on small business.

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: 120.54(1)(i)6., 120.55(1)(d) FS.

LAW IMPLEMENTED: 120.54(2), (3)(e)4., (6), 120.542(6), (8), 120.55(1)(c), (3), 403.8055 FS.

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

DATE AND TIME: January 12, 2009, 10:00 a.m.

PLACE: R. A. Gray Building, 500 South Bronough Street, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Staci Bienvenu, Office of General Counsel, Department of State, R. A. Gray Bldg., Tallahassee, FL 32399-0250, (850)245-6536

THE FULL TEXT OF THE PROPOSED RULES IS:

(Substantial rewording of Rule 1B-30.001 follows. See Florida Administrative Code for present text.)

1B-30.001 Rule Numbering and Rule Titles System.

(1) A decimal numbering system similar to that used in the Florida Statutes shall be used to designate all rules filed with the Administrative Code and Weekly Section, except emergency rules. Emergency Rules are numbered as specified in subsection (2) of this rule.

(a) The Administrative Code and Weekly Section of the Department of State shall assign each agency, or closely related group of state agencies, a title number. (Example: The title number assigned to the Department of State is 1).

(b) The following title numbers are assigned to the corresponding agencies:

- 1 = Department of State
- 2 = Department of Legal Affairs
- 3 = Department of Banking and Finance (Transferred to Title 69)
- 4 = Department of Insurance (Transferred to Title 69)
- 5 = Department of Agriculture and Consumer Services
- 6 = Department of Education
- 7 = Department of Business Regulation (Transferred to Title 61)
- 8 = Department of Commerce (Repealed by Section 3, Chapter 96-320, Laws of Florida)
- 9 = Department of Community Affairs
- 10 = Department of Health and Rehabilitative Services (Transferred to Titles 58, 59, 64 and 65)
- 11 = Department of Law Enforcement
- 12 = Department of Revenue
- 13 = Department of General Services (Transferred to Title 60)
- 14 = Department of Transportation
- 15 = Department of Highway Safety and Motor Vehicles
- 16 = Department of Natural Resources (Transferred to Titles 40, 49, 62, 66 and 68)
- 17 = Department of Environmental Regulation (Transferred to Title 62)
- 18 = Board of Trustees of the Internal Improvement Trust Fund
- 19 = State Board of Administration
- 20 = Department of Citrus
- 21 = Department of Professional Regulation (Transferred to Titles 59, 61 and 64)
- 22 = Department of Administration (Transferred to Title 60)
- 23 = Parole Commission
- 24 = Pardon Board
- 25 = Public Service Commission
- 26 = Assessment Administration Review Commission
- 27 = Executive Office of the Governor
- 28 = Administration Commission
- 29 = Regional Planning Councils
- 30 = Regional Transportation Authorities
- 31 = Loxahatchee River Environmental Control District
- 32 = State Fair Authority
- 33 = Department of Corrections
- 34 = Commission on Ethics

- 35 = Metropolitan Planning Organizations
- 36 = Englewood Water District
- 37 = Advisory Council on Inter-Governmental Relations
- 38 = Department of Labor and Employment Security (Dissolved pursuant to Chapter 2002-194, Laws of Florida)
- 39 = Game and Fresh Water Fish Commission (Transferred to Title 68)
- 40 = Water Management Districts
- 41 = Commission for the Transportation Disadvantaged
- 42 = Florida Land and Water Adjudicatory Commission
- 43 = Fiscal Accounting Information Board
- 44 = Information Resource Commission
- 45 = Expressway Authorities
- 46 = Marine Fisheries Commission (Transferred to Title 68)
- 47 = High Speed Rail Transportation Commission
- 48 = Florida Keys Aqueduct Authority
- 49 = Regional Utility Authorities
- 50 = Alligator Point Resource Board
- 51 = Hillsborough County Consolidated Taxicab Commission
- 52 = Port of Palm Beach District
- 53 = Department of the Lottery
- 54 = Interlocal Agencies
- 55 = Department of Veterans' Affairs
- 56 = Clean Florida Commission
- 57 = Spaceport Florida Authority
- 58 = Department of Elder Affairs
- 59 = Agency for Health Care Administration
- 60 = Department of Management Services
- 61 = Department of Business and Professional Regulation
- 62 = Department of Environmental Protection
- 63 = Department of Juvenile Justice
- 64 = Department of Health
- 65 = Department of Children and Family Services
- 66 = Navigation Districts
- 67 = Florida Housing Finance Corporation
- 68 = Fish and Wildlife Conservation Commission
- 69 = Department of Financial Services
- 70 = Department of Military Affairs
- 71 = Agency for Enterprise Information Technology

(c) If more than one major activity or division exists within an agency, an uppercase letter shall be added to the title number to distinguish the major activities or divisions. Individual agencies within a group of closely related agencies sharing a title number shall also be designated by an uppercase letter following the title number. Letters added to title numbers are considered a part of the title number. (Example: Department of State adding to title number 1 the letters A, B, etc., so that they read 1A, 1B, etc.).

(d) If a unit of government which has independent rulemaking authority performs a function within a major activity of an agency or is a part of an individual agency which is one of a closely related group of agencies sharing a common

title number, the title number and letter shall be followed by an Arabic numeral which shall be part of the title number. (Example: 6C1, 6C2, etc.)

(e) If more than one function exists within a division, within a major activity of an agency or within an agency included in a group of closely related agencies sharing a title number, a hyphen followed by a separate chapter number shall be used to designate rules applicable to each function. (Example: 1A-1 and 6C1-2).

(f) A decimal point shall follow each chapter number. The digits immediately following the decimal point shall identify rules within a chapter. Each rule shall be numbered with a minimum of three digits after the decimal point. (Example: 1B-30.001).

(g) Following is a description of each component of a rule citation for Rule 1B-30.001: Title Number (1); Division (B); Chapter (30); and the three digit identification number (.001).

(2) The rule number for an emergency rule shall be designated as follows:

(a) Emergency rule numbers shall begin with the title number assigned to an agency as specified in paragraph (1)(b) of this rule. (Example: The title number assigned to the Department of State is 1).

(b) Alphabetical and numerical designations required by paragraphs (1)(c) and (1)(d) of this rule may be added to the title number. These alphabetical and numerical designations become part of the title number. (Example: 1A, 6C1, etc.).

(c) The letters "ER" and the last two digits of the calendar year in which the rule is filed shall immediately follow the title number. (Example: 1AER07 or 6C1ER07).

(d) A hyphen shall separate the last two digits of the calendar year and an additional numerical designation. The additional numerical designation indicates the number of emergency rules promulgated by the agency for that calendar year. (Example: 1AER07-1 and 1AER07-2 or 6C1ER07-6 and 6C1ER07-7).

1. The numerical designation is cumulative, starting with the number one. The numerical designation is determined by calculating the total number of emergency rules adopted by all divisions, major activities, and units of government within an agency assigned to the same title number.

2. The numerical designation restarts on January 1 of each year.

(3) Sub-units of rules are indicated as follows:

(a) Subsections by an Arabic numeral in parentheses.

(b) Paragraphs within a subsection by a lowercase letter in parentheses.

(c) Subparagraphs within a paragraph by an Arabic numeral followed by a decimal point.

(d) Sub-subparagraphs within a paragraph by a lowercase letter followed by a decimal point.

(e) A new sub-unit of rule text shall not be created unless the new sub-unit contains two or more parts. (Example: subsection (1) shall not be added unless there is at least a subsection (2). Similarly, paragraph (a) shall not be added unless there is at least a paragraph (b)).

(4) The rule number and the first line of each sub-unit rule text shall be indented 0.25".

(5) The Administrative Code and Weekly Section may, upon proper notification, change the rule number or any sub-unit of a rule when the change is needed to preserve the overall integrity of the numbering system used in the Florida Administrative Code.

(6) The adopting agency shall submit a rule title for each rule, which shall immediately follow the rule number. The rule title is not part of the substantive language of the rule and may be altered by the Administrative Code and Weekly Section if it does not sufficiently indicate the content of the rule to make it useful for indexing purposes.

(7) Rule numbers and rule titles will be listed at the beginning of each rule chapter when published in the Florida Administrative Code.

(8) A rule section in its entirety, may be transferred, with no changes to the text, to a new location in the Florida Administrative Code and shall be renumbered accordingly by the agency by writing a letter to the Administrative Code and Weekly Section requesting such transfer of a rule section. Transferring a rule in this manner does not require notification in the Florida Administrative Weekly.

(9) An agency shall not reassign numbers of repealed or transferred rules.

Rulemaking Specific Authority 120.55(1)(d)(e) FS. Law Implemented 120.55(1)(c) FS. History—New 5-29-80, Formerly 1-1.01, Amended 10-1-84, 11-14-85, 4-10-90, 6-17-92, 4-1-96, 9-13-98, 6-20-02, Formerly 1S-1.001, Amended _____.

(Substantial rewording of Rule 1B-30.0015 follows. See Florida Administrative Code for Present text.)

1B-30.0015 Definitions.

Definitions as used in Rule Chapter 1B-30, F.A.C.

(1) "Amended Rule" means a rule which is being or has been altered by adding, deleting or rephrasing text currently published in the Florida Administrative Code.

(2) "Coding" is a method by which rule text is underlined to indicate that text is new and stricken through to indicate that text is deleted.

(3) "File for Adoption" means delivery of a signed certification packet to and acceptance by an official in the Administrative Code and Weekly Section who is authorized to file official rulemaking documents.

(4) "General Notice" means any notice published in the Florida Administrative Weekly not defined as a "Rule Notice."

(5) "Law Implemented" means the language of the enabling statute being carried out or interpreted by an agency through rulemaking.

(6) "Proposed Rule" is a rule which is not yet adopted, but is currently undergoing rulemaking.

(7) "Promulgate" is the formal term used to refer to the rulemaking process authorized by Chapter 120, F.S.

(8) "Repealed Rule" is a rule which has been or is currently being revoked or rescinded.

(9) "Rule Certification Form" is the form signed by the person authorized to certify that the agency has complied with the statutory time limitations, that all rulemaking requirements have been met and that there is no administrative determination pending on the rule being filed for adoption.

(10) "Rule Chapter" refers to a number that identifies a major group of similar rules relating to a particular function within a division, within a major activity of an agency or within an agency included in a group of closely related agencies sharing the same title number. For example, "1B-30" is a rule chapter which contains several individual rules of the Department of State, relating to a particular function.

(11) "Rule Notice" refers to a Notice of Rule Development, Notice of Proposed Rulemaking, Notice of Intent to Adopt a Rule, Notice of Change, Notice of Withdrawal or a Notice of Emergency Rules.

(12) "Rule Number" is the entire rule number comprised of the title number, the chapter number, the decimal point and the three digit identification number.

(13) "Rule Title" is the description of the rule which sufficiently indicates its content.

(14) "Rulemaking" means the adoption, amendment or repeal of a rule.

(15) "Rulemaking Authority" means the statutory language that explicitly authorizes or requires an agency to adopt, develop, establish, or otherwise create any statement coming within the definition of the term rule. (Notice: prior to July 1, 2008, this term was "Specific Authority." In the history notes for rules promulgated after the effective date of this rule, the term "Rulemaking Authority" should be used rather than "Specific Authority." History notes for rules promulgated prior to the effective date of this rule, using "Specific Authority," shall remain undisturbed, until and unless such rules are amended.)

(16) "Sub-unit" means a subsection, paragraph, subparagraph or sub-subparagraph of a rule.

(17) "Title Number" is the number assigned to each agency or closely related group of state agencies by the Department of State.

(18) "Transferred Rule" is a rule which has been renumbered and relocated from one rule chapter to another, with no changes in the text of the rule. The history note of the transferred rule includes the former rule number.

Rulemaking Specific Authority 120.55(1)(d)(e) FS. Law Implemented 120.55(1)(c) FS. History–New 9-2-93, Amended 4-1-96, Formerly 1S-1.0015, Amended _____.

(Substantial rewording of Rule 1B-30.002 follows. See Florida Administrative Code for Present text.)

1B-30.002 Style and Form for Filing Rules; Certification Accompanying Materials.

(1) An agency shall file a complete rule certification packet when filing a rule for adoption with the Administrative Code and Weekly Section.

(a) A complete rule certification packet for all rules, except emergency rules, shall consist of the following:

1. A cover letter designating the agency’s contact person for the rule filed for adoption. The letter shall include the contact person’s phone number, physical mailing address and email address.

2. One compact disc, DVD or a 3.5" diskette containing the coded text of the rule(s).

3. One original certified copy of materials incorporated by reference, if applicable. Materials incorporated by reference shall be certified pursuant to the requirements of Rule 1B-30.005, F.A.C.

4. One original and two copies of the following:

a. The signed rule certification form.

b. The coded text of the rule, including the legal citations and history notes.

c. A summary of the rule.

d. A detailed written statement of the facts and circumstances justifying the rule.

e. A summary of any hearings held on the rule. A summary of any hearing held on the rule shall include the time, date and place of the hearing. When no public hearing is held, the summary shall include the following statement: “No timely request for a hearing was received by the agency, and no hearing was held”.

(b) For emergency rules, a complete rule certification packet filed with the Administrative Code and Weekly Section shall consist of the following:

1. A cover letter designating the agency’s contact person for the rule filed for adoption. The letter shall include the contact person’s phone number, physical mailing address and email address.

2. One compact disc, DVD or 3.5" diskette containing the coded text of the rule, if the emergency rule filed by the agency is statutorily permitted to exceed the 90-day effective period specified in Section 120.54(4)(c), F.S. Emergency rules with a maximum effective period of 90 days, as permitted by Section 120.54(4)(c), F.S., are not required to submit a compact disc, DVD or 3.5" diskette containing the coded text of the rule.

3. One original certified copy of materials incorporated by reference, if applicable. Materials incorporated by reference shall be certified pursuant to the requirements of Rule 1B-30.005, F.A.C.

4. One original and two copies of the following:

a. The signed rule certification form.

b. The coded text of the rule, including legal citations and history notes.

c. A statement of the specific facts and reasons for finding an immediate danger to the public health, safety or welfare.

d. A statement of the agency’s reasons for concluding that the procedure used is fair under the circumstances.

(2) All documents, except the cover letter, required by subsection (1) of this rule shall be formatted as follows:

(a) Typed on white, letter-size (8 1/2" x 11") paper, double spaced.

(b) Margins shall be one inch at the top, bottom and on each side of the page.

(c) The font of the text shall be 10 point Times New Roman.

(3) An agency adopting a rule shall file the original and two copies of the rule certification form as specified in paragraphs (3)(a) through (e) of this rule. More than one rule may be listed on a rule certification form so long as the rules are from the same rule chapter. A separate rule certification form shall be filed for each rule chapter affected.

(a) The following rule certification form shall be used in filing new, amended or repealed rules under the provisions of Section 120.54(3), F.S.:

CERTIFICATION OF (NAME OF AGENCY)
ADMINISTRATIVE RULES FILED WITH THE
DEPARTMENT OF STATE

I hereby certify:

[] (1) That all statutory rulemaking requirements of Chapter 120, F.S., and all rulemaking requirements of the Department of State have been complied with; and

[] (2) That there is no administrative determination under Section 120.56(2), F.S., pending on any rule covered by this certification; and

[] (3) All rules covered by this certification are filed within the prescribed time limitations of Section 120.54(3)(e), F.S. They are filed not less than 28 days after the notice required by Section 120.54(3)(a), F.S.; and

[] (a) Are filed not more than 90 days after the notice; or

[] (b) Are filed more than 90 days after the notice, but not more than 60 days after the administrative law judge files the final order with the clerk or until 60 days after subsequent judicial review is complete; or

[] (c) Are filed more than 90 days after the notice, but not less than 21 days nor more than 45 days from the date of publication of the notice of change; or

[] (d) Are filed more than 90 days after the notice, but not less than 14 nor more than 45 days after the adjournment of the final public hearing on the rule; or

[] (e) Are filed more than 90 days after the notice, but within 21 days after the date of receipt of all material authorized to be submitted at the hearing; or

[] (f) Are filed more than 90 days after the notice, but within 21 days after the date the transcript was received by this agency; or

[] (g) Are filed not more than 90 days after the notice, not including days the adoption of the rule was postponed following notification from the Joint Administrative Procedures Committee that an objection to the rule was being considered; or

[] (h) Are filed more than 90 days after the notice, but within 21 days after a good faith written proposal for a lower cost regulatory alternative to a proposed rule is submitted which substantially accomplishes the objectives of the law being implemented; or

[] (i) Are filed more than 90 days after the notice, but within 21 days after a regulatory alternative is offered by the Small Business Regulatory Advisory Committee.

Attached are the original and two copies of each rule covered by this certification. The rules are hereby adopted by the undersigned agency by and upon their filing with the Department of State.

Rule No(s).

(List in Columns)

Under the provision of Section 120.54(3)(e)6., F.S., the rules take effect 20 days from the date filed with the Department of State or a later date as set out below:

Effective: _____

(month) (day) (year)

Signature, Person Authorized to Certify Rules

Title

Number of Pages Certified

(b) The following rule certification form shall be used in filing new, amended or repealed rules under the provisions of Section 120.54(6), F.S., entitled "Adoption of Federal Standards":

CERTIFICATION OF (NAME OF AGENCY)
ADMINISTRATIVE RULES FILED WITH THE
DEPARTMENT OF STATE
PURSUANT TO SECTION 120.54(6),
FLORIDA STATUTES
(ADOPTION OF FEDERAL STANDARDS)

I hereby certify:

[] (1) That the time limitations prescribed by Section 120.54(6), F.S., and all applicable rulemaking requirements of the Department of State have been complied with; and

[] (2) That there is no non-frivolous objection, under Section 120.54(6)(c), F.S., pending on any rule covered by this certification; and

[] (3) All rules covered by this certification are filed not less than 21 days after the notice required by Section 120.54(6)(a), F.S.

Attached are the original and two copies of each rule covered by this certification. The rules are hereby adopted by the undersigned agency by and upon their filing with the Department of State.

Rule No(s).

(List in Columns)

Under the provisions of Section 120.54(6)(b), F.S., the rule(s) take effect upon the date designated below (but not earlier than the date of filing):

Effective: _____

(month) (day) (year)

Signature, Person Authorized to Certify Rules

Title

Number of Pages Certified

(c) The following rule certification form shall be used in filing new, amended or repealed rules under the provisions of Section 120.54(1)(i)5., F.S.:

CERTIFICATION OF (NAME OF AGENCY)
ADMINISTRATIVE RULES FILED WITH THE
DEPARTMENT OF STATE
PURSUANT TO SECTION 120.54(1)(i)5.,
FLORIDA STATUTES

I hereby certify:

[] (1) That all statutory rulemaking requirements of Chapter 120, F.S., and all applicable rulemaking requirements of the Department of State have been complied with; and

[] (2) That there is no administrative determination under Section 120.56(2), F.S., pending on any rule covered by this certification; and

(3) All rules covered by this certification are filed within the prescribed time limitations of Section 120.54(3)(e), F.S. They are filed not less than 28 days after the notice required by Section 120.54(3)(a), F.S.; and

(a) Are filed not more than 90 days after the notice; or
 (b) Are filed more than 90 days after the notice, but not more than 60 days after the administrative law judge files the final order with the clerk or until 60 days after subsequent judicial review is complete; or

(c) Are filed more than 90 days after the notice, but not less than 21 days nor more than 45 days from the date of publication of the notice of change; or

(d) Are filed more than 90 days after the notice, but not less than 14 nor more than 45 days after the adjournment of the final public hearing on the rule; or

(e) Are filed more than 90 days after the notice, but within 21 days after the date of receipt of all material authorized to be submitted at the hearing; or

(f) Are filed more than 90 days after the notice, but within 21 days after the date the transcript was received by this agency; or

(g) Are filed not more than 90 days after the notice, not including days the adoption of the rule was postponed following notification from the Joint Administrative Procedures Committee that an objection to the rule was being considered; or

(h) Are filed more than 90 days after the notice, but within 21 days after a good faith written proposal for a lower cost regulatory alternative to a proposed rule is submitted which substantially accomplishes the objectives of the law being implemented; or

(i) Are filed more than 90 days after the notice, but within 21 days after a regulatory alternative is offered by the Small Business Regulatory Advisory Committee.

(4) All rules covered by this certification are filed within the time limitations of Section 120.54(1)(i)5., F.S., and no objection to the rules in the certification was filed with the Department by a substantially affected person with 14 days after the date of publication of the notice of intent pursuant to Section 120.54(1)(i)5., F.S.

Attached are the original and two copies of each rule covered by this certification. The rules are hereby adopted by the undersigned agency by and upon their filing with the Department of State.

Rule No(s).

(List in Columns)

Under the provision of Section 120.54(1)(i)5., F.S., the rules take effect 20 days from the date filed with the Department of State or a later date as set out below:

Effective: _____
(month) (day) (year)

Signature, Person Authorized to Certify Rules

Title

Number of Pages Certified

(d) The following rule certification form shall be used in filing new, amended or repealed rules under the provisions of Section 403.8055, F.S.:

CERTIFICATION OF DEPARTMENT OF ENVIRONMENTAL PROTECTION ADMINISTRATIVE RULES FILED WITH THE DEPARTMENT OF STATE PURSUANT TO SECTION 403.8055, FLORIDA STATUTES (ADOPTION OF FEDERAL STANDARDS)

I hereby certify:

(1) That the time limitations prescribed by Section 403.8055, F.S., and all applicable rulemaking requirements of the Department of State have been complied with; and

(2) That there is no non-frivolous objection, under Section 403.8055(4), F.S., pending on any rule covered by this certification; and

(3) All rules covered by this certification are filed not less than 21 days after the notice required by Section 403.8055(1), F.S.

Attached are the original and two copies of each rule covered by this certification. The rules are hereby adopted by the undersigned agency by and upon their filing with the Department of State.

Rule No(s).

(List in Columns)

Under the provisions of Section 403.8055(2), F.S., the rule(s) take effect upon the date designated below (but not earlier than the date of filing):

Effective: _____
(month) (day) (year)

Signature, Person Authorized to Certify Rules

Title

Number of Pages Certified

(e) The following rule certification form shall be used in emergency rules under the provisions of Section 120.54(4), F.S.:

CERTIFICATION OF (NAME OF AGENCY)
EMERGENCY RULE FILED WITH THE
DEPARTMENT OF STATE

I hereby certify that an immediate danger to the public health, safety or welfare requires emergency action and that the attached rule is necessitated by the immediate danger. I further certify that the procedures used in the promulgation of this emergency rule were fair under the circumstances and that the rule otherwise complies with Section 120.54(4), F.S. The adoption of this rule was authorized by the head of the agency and this rule is hereby adopted upon its filing with the Department of State.

Rule No(s).

(List in Columns)

Under the provision of Section 120.54(4)(d), F.S., this rule takes effect upon filing unless a later time and date less than 20 days from filing, is set out below:

Effective:

(month) (day) (year)

Signature, Person Authorized to Certify Rules

Title

Number of Pages Certified

(4) An agency adopting a new rule pursuant to Section 120.54(3)(e), F.S., shall file the original and two coded copies of the new rule with the Administrative Code and Weekly Section. The text of the new rule shall be coded by underlining the rule number, rule title, rule text, legal citations and history notes. Each page shall be numbered.

(5) An agency adopting an amendment to an existing rule pursuant to Section 120.54(3)(e), F.S., shall file the original and two coded copies of the amended rule with the Administrative Code and Weekly Section. Each page shall be numbered.

(a) An amended rule shall be coded as specified in subparagraph 1B-30.003(3)(c)2., F.A.C.

(b) Any subsection, paragraph, subparagraph or sub-subparagraph not being amended shall not be included and shall be noted as "No change", unless inclusion is necessary to make the publication of the amended rule complete and meaningful.

(c) If an amendment to a rule substantially rewords the rule, the rule shall be prepared and coded as described in subparagraph 1B-30.003(3)(c)3., F.A.C.

(6) An agency repealing an existing rule pursuant to Section 120.54(3)(e), F.S., shall file the original and two copies of the existing rule with the Administrative Code and Weekly Section. Rules that repeal existing rules shall contain the words, "The following rules are hereby repealed:" followed by the rule number and title of the rule or rules being repealed and the complete text of each repealed rule with a diagonal line drawn through the entire text of the rule. The text of repealed rules shall be provided by making a copy of the rule text as it appears in the Florida Administrative Code. Each page shall be numbered.

(7) An agency adopting an emergency rule pursuant to Section 120.54(4), F.S., shall file the original and two coded copies of the emergency rule with the Administrative Code and Weekly Section. Each page shall be numbered. The text of the emergency rule shall be coded as follows:

(a) An emergency rule creating a new rule shall be coded as described in subsection (4) of this rule.

(b) An emergency rule amending an existing rule shall be coded as described in subparagraph 1B-30.003(3)(c)2., F.A.C. If the amendment substantially rewords the existing rule, coding shall be as described in subparagraph 1B-30.003(3)(b)3., F.A.C.

(c) An emergency rule that repeals an existing rule shall be coded as described in subsection (6) of this rule.

(8)(a) If the effective date of a rule is later than 20 days after being filed, the effective date shall be stated in the rule text immediately following the final text, as set forth in subsection 1B-30.001(2), F.A.C. The effective date shall be preceded by the words, "PROPOSED EFFECTIVE DATE:." The effective date shall also be provided on the rule certification form if the effective date of the rule is later than 20 days after being filed. The effective date of the rule will not be published in the Florida Administrative Code as part of the rule text, but will appear in the history note.

(b) If the effective date of an emergency rule is other than immediately upon filing, the effective date of the emergency rule shall be stated in the rule text immediately following the text, as set forth in subsection 1B-30.001(2), F.A.C. The effective date shall be preceded by the words, "PROPOSED EFFECTIVE DATE:." The effective date shall also be provided on the rule certification form if the effective date of the emergency rule is other than immediately upon filing.

(9) The Administrative Code and Weekly Section shall reject any proposed rule filed for final adoption that does not comply with all statutory rulemaking requirements and/or the requirements of this chapter.

(10) Technical changes, such as non-substantive changes, errors in punctuation, misspellings, corrections of tense, changes of address or telephone number, or similar changes

that do not affect the construction or meaning of the rule, may be accomplished by writing a letter to the Administrative Code and Weekly Section. Such changes do not require notification in the Florida Administrative Weekly.

Rulemaking Specific Authority 120.55(1)(d)(e) FS. Law Implemented 120.54(3)(e)4., (6), 120.55(1)(c)-(d), 403.8055 FS. History--New 5-29-80, Formerly 1-1.02, Amended 12-30-81, 2-9-84, 10-1-84, 11-14-85, 10-19-86, 4-10-90, 6-17-92, 10-1-96, 9-13-98, 8-23-99, 6-20-02, Formerly 1S-1.002, Amended _____.

(Substantial rewording of Rule 1B-30.003 follows. See Florida Administrative Code for Present text.)

1B-30.003 Publication of Notices in the Florida Administrative Weekly (FAW).

(1)(a) The Florida Administrative Weekly (FAW) is published each Friday of the year except those Fridays that are observed as official state holidays designated by Section 110.117, F.S. When Friday is observed as a holiday, publication shall be on the last working day of the week in which the Friday holiday is observed.

(b) All notices to be published in the FAW must be received by the Administrative Code and Weekly Section, before 12:00 Noon Wednesday, the week prior to publication. When Wednesday, Thursday, or Friday of the week of submission is observed as a holiday, the deadline for receiving notices shall be 12:00 Noon on Monday, the week prior to publication.

(2) All notices to be published in the FAW must be submitted electronically through the Department of State's e-rulemaking website: www.flrules.org/agency/login.asp.

(a) Agencies shall contact the Administrative Code and Weekly Section to designate at least one agency administrator. The agency administrator manages the agency's submissions on the e-rulemaking website. The agency administrator's duties include managing the agency's payment profiles, rule notices, general notices, public comments and the designation of rule and chapter numbers. In addition, the agency administrator may assign additional rulemaking roles to agency personnel. The rulemaking roles that may be assigned to agency personnel are as follows:

1. Rule Notice Editors manage the submission of rule notices, general notices and public comment received in response to rule notices. Rule Notice Editors may also designate rule and chapter numbers.

2. General Editors manage general notices and may review rule notices and public comment received in response to rule notices.

3. Notice Reviewers review rule notices, general notices and public comment received in response to rule notices.

4. Comment Managers manage public comment received in response to rule notices.

5. Comment Reviewers review public comment received in response to rule notices.

(b) A billing profile shall be completed on the e-rulemaking website prior to the submission of notices for publication in the FAW.

(3) The following applies to all rule notices submitted for publication in the FAW:

(a) A single rule notice may contain more than one rule if the rules share the same chapter number.

(b) Rule notices shall not contain any markup revision, redlining or automatic numbering.

(c) All rule notices shall be coded as follows:

1. A new rule shall be coded by underlining all text, including spaces and punctuation. (Example: (1) The petitioner shall contact the agency.)

2. An amended rule shall be coded by underlining new text and by striking through deleted text. New text shall appear before deleted text. The space immediately before and immediately after the new text or deleted text shall not be coded. (Example: The petitioner party shall contact the agency head within 30 days.). New text inserted in an amended rule shall not immediately precede remaining text or stricken text. (Example of incorrect coding: The petitionerparty shall contact the agency head.) (Example of correct coding: The petitioner party shall contact the agency.)

a. Newly inserted subsections, paragraphs, subparagraphs or sub-subparagraphs shall be coded in the same manner as the following examples. (Example of incorrect coding: (1~~2~~) or (a) 1.). (Example of correct coding: (1)~~(2)~~ or (a)~~1~~.)

b. A portion of a word shall not be amended without completely striking through existing text and inserting new text unless the amendment changes the capitalization of the word. (Examples of incorrect coding: petitionerparty or administratorion). (Example of correct coding: petitioner party or administrator administration). A change in capitalization is coded by adding the newly inserted letter immediately before the deleted letter. (Example of correct coding: Ppetitioner).

c. Any subsection, paragraph, subparagraph, or sub-subparagraph not being amended shall not be included and shall be noted as "No change", unless inclusion is necessary to make the publication of the amended rule complete and meaningful.

3. If an amendment to a rule is so extensive that coding would hinder, rather than assist the understanding of the amendment, the notice shall only contain the underlined new text. The rule number and the existing rule title, legal citations and history note lines shall not be underlined. Amendments to the rule title, legal citations, or history notes shall be coded to indicate new or deleted text. The following directory line shall be inserted immediately before the rule number and rule title of the substantially reworded rule: "Substantial rewording of Rule _____ follows. See Florida Administrative Code for present text." The present text of the rule shall not be included in the notice.

4. Rule repeals shall be coded by underlining the word "Repealed" in the history note. The full text of the rule is not required to be published in the FAW. Only a reference to the rule number, rule title, legal citations and history notes must be published, provided that the rule summary portion of the notice fully describes the subject matter of the repealed rule text. Partial rule repeals will be treated in the same manner as an amendment.

(4) The following applies to all notices submitted for publication in the FAW:

- (a) Margins shall be set at 1" at the top, bottom and sides.
- (b) Text shall be left justified.
- (c) The font shall be 10 point Times New Roman.
- (d) Indents shall be set at 0.25".

(5) The following templates containing the required format for notices to be published in the FAW may be accessed from the e-rulemaking website: www.flrules.com/agency/login.asp:

(a) Except when the intended action is the repeal of a rule; negotiated rulemaking undertaken pursuant to Section 120.54(2)(d), F.S.; the adoption of an emergency rule pursuant to Section 120.54(4), F.S.; or the adoption of a rule pursuant to Section 120.54(1)(i)5., 120.54(6) or 403.8055, F.S., agencies shall provide notice of the development of proposed rules by publishing a Notice of Rule Development in the FAW. If the text of the rule is included in the notice, the text shall be coded as described in subsection (3) of this rule. The following notice format shall be used, but only one of the rule development workshop alternatives and one of the preliminary text alternatives shall be selected for publication in the FAW:

NOTICE OF RULE DEVELOPMENT

NAME OF AGENCY

Division or Board

RULE NO.: RULE TITLE:

PURPOSE AND EFFECT:

SUBJECT AREA TO BE ADDRESSED:

RULEMAKING AUTHORITY (formerly "Specific Authority"):

LAW IMPLEMENTED:

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

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

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;

DATE AND TIME:

PLACE:

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

(or)

NOT AVAILABLE

(or)

AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

(b) A Notice of Proposed Rule shall be published in the FAW before filing any rule for adoption, except emergency rules adopted pursuant to Section 120.54(4), F.S., or rules adopted pursuant to Section 120.54(1)(i)2., 120.54(6) or 403.8055, F.S. Rule text included in the Notice of Proposed Rule shall be coded as described in subsection (3) of this rule. The following format shall be used for a Notice of Proposed Rule, but only one of the alternatives listed in the hearing portion of the format should be selected for publication in the FAW.

NOTICE OF PROPOSED RULE

NAME OF AGENCY

Division or Board

RULE NO.: RULE TITLE:

PURPOSE AND EFFECT:

SUMMARY:

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will _____ or will not _____ have an impact on small business. A SERC has _____ or has not _____ been prepared by the agency.

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

RULEMAKING AUTHORITY (formerly "Specific Authority"):

LAW IMPLEMENTED:

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 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):

(or)

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

DATE AND TIME:

PLACE:

(or)

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:

THE FULL TEXT OF THE PROPOSED RULE IS: (TEXT OF RULE)

NAME OF PERSON ORIGINATING PROPOSED RULE: NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:

DATE PROPOSED RULE APPROVED BY AGENCY HEAD:

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:

(c) A Notice of Intent to Adopt a Rule shall be published in the FAW before a rule adopted pursuant to Section 120.54(6), F.S., may be filed for adoption. Rule text shall be coded as described in subsection (3) of this rule. The following notice format shall be used:

NOTICE OF INTENT TO ADOPT A RULE
PURSUANT TO SECTION 120.54(6),
FLORIDA STATUTES
(ADOPTION OF FEDERAL STANDARDS)

NAME OF AGENCY

Division or Board

RULE NO.: RULE TITLE:

PURPOSE, EFFECT AND SUMMARY:

RULEMAKING AUTHORITY (formerly "Specific Authority"):

LAW IMPLEMENTED:

THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION 120.54(6), F.S.

WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO: (Name and address of contact person)

SUBSTANTIALLY AFFECTED PERSONS MAY WITHIN 14 DAYS OF THE DATE OF THIS NOTICE, FILE AN OBJECTION TO THIS RULEMAKING WITH THE AGENCY. THE OBJECTION SHALL SPECIFY THE PORTIONS OF THE PROPOSED RULE TO WHICH THE PERSON OBJECTS AND THE SPECIFIC REASONS FOR THE OBJECTION.

THE FULL TEXT OF THE PROPOSED RULE IS:

(d) A Notice of Intent to Adopt a Rule shall be published in the FAW before a rule adopted pursuant to Section 120.54(1)(i)5., F.S., may be filed for adoption. Rule text shall be coded as described in subsection (3) of this rule. The following notice format shall be used:

NOTICE OF INTENT TO ADOPT A RULE
PURSUANT TO SECTION 120.54(1)(i)5.,
FLORIDA STATUTES

NAME OF AGENCY

Division or Board

RULE NO.: RULE TITLE:

PURPOSE, EFFECT AND SUMMARY:

RULEMAKING AUTHORITY (formerly "Specific Authority"):

LAW IMPLEMENTED:

THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION 120.54(1)(i)5., F.S.

WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO: (Name and address of contact person).

SUBSTANTIALLY AFFECTED PERSONS MAY WITHIN 14 DAYS OF THE DATE OF THIS NOTICE, FILE AN OBJECTION TO THIS RULEMAKING WITH THE AGENCY CLERK. THE OBJECTION SHALL SPECIFY THE PORTIONS OF THE PROPOSED RULE TO WHICH THE PERSON OBJECTS AND THE SPECIFIC REASONS FOR THE OBJECTION.

THE FULL TEXT OF THE PROPOSED RULE IS:

(e) A Notice of Intent to Adopt a Rule shall be published in the FAW before a rule adopted pursuant to Section 403.8055, F.S., may be filed for adoption. Rule text shall be coded as described in subsection (3) of this rule. The following notice format shall be used:

NOTICE OF INTENT TO ADOPT A RULE
PURSUANT TO SECTION 403.8055, FLORIDA STATUTES
DEPARTMENT OF ENVIRONMENTAL PROTECTION
NAME OF AGENCY

Division or Board

RULE NO.: RULE TITLE:

PURPOSE, EFFECT AND SUMMARY:

RULEMAKING AUTHORITY (formerly "Specific Authority"):

LAW IMPLEMENTED:

THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION 403.8055, F.S.

WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE TO: (Name and address of contact person)

SUBSTANTIALLY AFFECTED PERSONS MAY WITHIN 14 DAYS OF THE DATE OF THIS NOTICE, FILE AN OBJECTION TO THIS RULEMAKING WITH THE ENVIRONMENTAL REGULATION COMMISSION, ADMINISTRATIVE ASSISTANT, DEP. MS 35, 3900 COMMONWEALTH BLVD., TALLAHASSEE, FL 32399-2000. THE OBJECTION SHALL SPECIFY THE PORTIONS OF THE PROPOSED RULE TO WHICH THE PERSON OBJECTS AND THE SPECIFIC REASONS FOR THE OBJECTION.

THE FULL TEXT OF THE PROPOSED RULE IS:

(f) A Notice of Change pursuant to the requirements of Section 120.54(3)(d)1., F.S., shall be filed when changes are made to proposed rule text. The text of the rule shall be coded as described in subsection (3) of this rule. The following notice format shall be used:

NAME OF AGENCY

Division or Board

RULE NO.: RULE TITLE:

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with Section 120.54(3)(d)1., F.S., published in Vol. _____, No. _____, (date), issue of the Florida Administrative Weekly. The reason for this change (select one) (1) public hearing; (2) written material received on or before the date of the public hearing; or (3) proposed objection by JAPC.

(Text of proposed rule changes)

(g) A Notice of Withdrawal shall be used when withdrawing proposed rules. The following notice format shall be used:

NAME OF AGENCY

Division or Board

RULE NO.: RULE TITLE:

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. _____, No. _____, (date), Florida Administrative Weekly has been withdrawn.

(h) A Notice of Emergency Rule shall be published in the first available issue of the FAW following filing the emergency rule for adoption. Emergency rules shall be coded as specified in subsection (3) of this rule. The following notice format shall be used:

NOTICE OF EMERGENCY RULE

NAME OF AGENCY

Division or Board

RULE NO.: RULE TITLE:

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC, HEALTH, SAFETY OR WELFARE:

REASONS FOR CONCLUDING THAT THE PROCEDURE USED IS FAIR UNDER THE CIRCUMSTANCES:

SUMMARY OF THE RULE:

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS:

THE FULL TEXT OF THE EMERGENCY RULE IS:

(TEXT OF RULE)

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

EFFECTIVE DATE:

(i) The following format shall be used to notice a petition for variance or waiver:

NOTICE OF VARIANCE OR WAIVER

NAME OF AGENCY

NOTICE IS HEREBY GIVEN that on (date), the (name of agency) received a petition for a variance or waiver.

Petitioner's Name:

Rule No.:

Nature of the rule for which variance or waiver is sought:

A copy of the Petition for variance or waiver may be obtained by contacting:

Any interested person or other agency may submit written comments within 14 days after the publication of this notice.

(j) The following format shall be used to notice the disposition of a petition for variance or waiver:

NOTICE OF DISPOSITION OF VARIANCE OR WAIVER

NOTICE IS HEREBY GIVEN that on (date), the (name of agency) has issued an order.

Petitioner's Name:

Date Petition Filed:

Rule No.:

Nature of the rule for which variance or waiver is sought:

Date Petition Published in the Florida Administrative Weekly:

General Basis for Agency Decision:

A copy of the Order may be obtained by contacting:

(k) The following format shall be used for preparing notices of public meetings, hearings, or workshops:

NOTICES OF PUBLIC MEETINGS, HEARINGS, OR WORKSHOPS

The (name of agency) announces a (public meeting, hearing or workshop) to which all persons are invited:

DATE AND TIME:

PLACE:

GENERAL SUBJECT MATTER TO BE CONSIDERED:

A copy of the agenda may be obtained by contacting:

(l) The following format shall be used for notices of petitions for declaratory statements:

NOTICES OF PETITIONS FOR DECLARATORY STATEMENTS

NOTICE IS HEREBY GIVEN THAT (name of agency) _____, has received a petition for a declaratory statement from (name of petitioner). The petition seeks the agency's opinion as to the applicability of (statute, rule or order number) as it applies to the petitioner.

(m) The following format shall be used for notices of dispositions of declaratory statements:

NOTICES OF DISPOSITIONS OF DECLARATORY STATEMENTS

NOTICE IS HEREBY GIVEN THAT (name of agency) has issued an order disposing of the petition for declaratory statement filed by (petitioner's name) on (date of petition). The following is a summary of the agency's disposition of the

petition: (Insert a statement that the petition was denied and the reasons for the denial or that the petition was granted and set out a summary of the substance of the response.)

(1)1. The following format shall be used for notice of the invalidation of a proposed or effective rule:

NOTICE OF THE INVALIDATION OF A PROPOSED OR EFFECTIVE RULE

(name of agency) HEREBY GIVES NOTICE that a hearing officer has determined that (rule no.) is invalid. The time for filing an appeal of this decision expired (date). (If desired insert optional summary of the hearing officer's determination.)

2. If the rule declared invalid is a proposed rule, the rule number inserted in the notice shall be prefixed by the word "proposed."

(6) The department shall reject any notice that does not comply with the requirements specified in this rule.

Rulemaking Specific Authority 120.55(1)(d)(e) FS. Law Implemented 120.54(2), 120.542(6), (8), 120.55(1), (3) FS. History--New 5-29-80, Formerly 1-1.021, Amended 7-12-81, 12-30-81, 7-8-82, 2-9-84, 10-1-84, 11-14-85, 10-19-86, 4-10-90, 6-17-92, 9-2-93, 4-1-96, 10-1-96, 9-13-98, 6-20-02, Formerly 1S-1.003, Amended _____.

1B-30.004 History Notes and Legal Citations and History Notes.

(1) Each proposed rule shall be followed by legal citations and history notes a statement of the specific rulemaking authority authorizing the rule, the law being implemented, and the history note, stated separately.

(2) Legal Citations shall consist of:

(a) The rulemaking authority authorizing the agency to promulgate the rule. (Notice: prior to July 1, 2008, this term was "specific authority." In the history notes for rules promulgated after the effective date of this rule, "Rulemaking Authority" should be used rather than "Specific Authority." History notes for rules promulgated prior to the effective date of this rule, using "Specific Authority" shall remain undisturbed, until and unless such rules are amended.)

(b) Law being Implemented.

(3)(2) History notes shall consist of:

(a) The effective date of each new, amended or repealed rule.

(b) The effective date of each repromulgated rule.

(c) When applicable, a statement that the Joint Administrative Procedures Committee has objected to the rule and the date of the issue of the Florida Administrative Weekly in which the committee published its objection.

(d) Any former rule number(s) that were assigned to the rule.

(4)(3) The rulemaking specific authority, law implemented and history notes shall be corrected or modified by writing a letter to the Bureau of Administrative Code and Weekly Section specifying the changes. Such change does not require notification in the Florida Administrative Weekly.

Rulemaking Specific Authority 120.55(1)(c)(d) FS. Law Implemented 120.54(3), 120.55(1)(c) FS. History--New 5-29-80, Formerly 1-1.03, Amended 10-1-84, 11-14-85, 9-13-98, Formerly 1S-1.004, Amended _____.

1B-30.005 Materials Incorporated Incorporation by Reference.

(1) Any ordinance, standard, specification, guideline, manual, handbook, map, chart, graph, report, form or instructions to forms, or other similar material that meets the definition of rule provided in Section 120.52(15), F.S., and is generally available to affected persons may be incorporated by reference in a rule adopted pursuant to Section 120.54, F.S., and Rule 1B-30.002 1S-1.002, F.A.C., subject to the following conditions:

(2) A reference to material incorporated in a rule must include:

(a) Specific identification of the incorporated material, along with an effective date. Forms and their instructions should be identified by title, the form number, and effective date. In addition, incorporated forms and instructions should clearly display the form title, form number, effective date, and rule number in which it is incorporated within.

(b) A statement that the material is incorporated by reference.

(c) A statement describing how an affected person may obtain a copy of the incorporated material.

(Notice: agencies or units of government not within the Department of State may not indicate the Department of State or the Administrative Code and Weekly Section as the agency responsible for providing copies of incorporated materials.)

(3) A rule may incorporate material by reference, but only in the form that the material exists on the date that the rule is adopted. Any substantive amendments to material incorporated by reference must be promulgated under the rulemaking provisions of Section 120.54, F.S., in order for the amended portions to be valid. Technical changes, those not changing the substance of the material incorporated by reference, may be made in accordance with subsection 1B-30.002(10), F.A.C.

(4) An agency may incorporate another of its own rules by reference. Unlike other incorporated materials, however, such an incorporation will automatically incorporate subsequent amendments of the incorporated rule(s), unless the agency clearly expresses a contrary intent within the rule that incorporates other rule(s). A notice of an amendment of a rule that is incorporated in another rule must explain the effect of its amendment on the rule that incorporates the rule being amended.

(5)(2) The agency incorporating material by reference shall file with the Administrative Code and Weekly Section Department of State a correct and complete copy of the referenced material with an attached certification form which shall describe page, which shall state a description of the referenced material and specify the rule to which the referenced material relates. Materials incorporated by reference may be filed in any printed format and are not required to be published in the Florida Administrative Weekly or Florida Administrative Code. The following form format shall be used for certification of material incorporated by reference ~~referenced material~~:

CERTIFICATION OF MATERIALS INCORPORATED BY REFERENCE

IN RULES FILED WITH THE DEPARTMENT OF STATE Pursuant to Rule ~~1B-30.005~~ ~~4S-1.005~~, Florida Administrative Code, I ~~do~~ hereby certify that the attached are true and correct copies of the following materials incorporated by reference in Rule _____, F.A.C. Under the provisions of Section 120.54(3)(e)6., F.S., the attached materials take effect 20 days from the date filed with the Department of State, or a later date as specified in the rule.

(List form number(s) and form title(s), or title of document(s))

Signature, Person Authorized to Certify Rules

Title

Rulemaking Specific Authority 120.54(1)(i)6., 120.55(1)(d)(e) FS. Law Implemented 120.54(1)(i) FS. History--New 5-29-80, Formerly 1-1.04, Amended 9-13-98, Formerly 1S-1.005, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Liz Cloud, Administrative Code and Weekly Section
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Kurt S. Browning, Secretary of State
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 3, 2008
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 26, 2008

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Food Safety

RULE NO.: 5K-4.027 RULE TITLE: Standard of Identity – Honey

PURPOSE AND EFFECT: The purpose of this rule development is to establish a standard of identity for honey that is produced, packed, repacked, distributed and sold in Florida or from Florida. Development of this rule is meant to have the effect on controlling the pervasive, illegal practice of blending

or diluting pure honey with low-cost syrups (i.e., sugar, cane, corn, etc.) thereby committing an economic fraud on both the permanent and transient residents of Florida. Preliminary guidelines have been drafted through a cooperative effort between the Department of Agriculture and Consumer Services and the Florida State Beekeepers Association to implement a needed standard of identity for honey. The rule substantially conforms to standards set forth in the CODEX Standard for Honey. This rule will have an effect on those establishments permitted by the Department of Agriculture and Consumer Services who produce local honey or sell honey from Interstate Commerce.

SUMMARY: This rule will address the creation of a standard of identity for honey, comprehensive prohibitions against the deliberate addition of any food ingredient or food additives other than honey, will set maximum moisture content for honey, set parameters for sugar constituents in honey and establish honey labeling guidelines. This rule will also provide a mechanism for the Department to enforce instances of adulteration and misbranding of honey being offered for sale at retail in Florida.

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

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

SPECIFIC AUTHORITY: 500.09, 570.07(23), 586.10 FS.

LAW IMPLEMENTED: 500.03, 500.04, 500.09, 500.10, 500.11, 570.07, 570.50 FS.

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

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: Paul M. Raynes, Senior Management Analyst II, Division of Food Safety, 3125 Conner Boulevard, Mail Stop C-18, Tallahassee, FL 32399-1650, telephone: (850)245-5539. 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: Paul M. Raynes, Senior Management Analyst II, Division of Food Safety, 3125 Conner Boulevard, Mail Stop C-18, Tallahassee, FL 32399-1650, telephone: (850)245-5539

THE FULL TEXT OF THE PROPOSED RULE IS:

5K-4.027 Standard of Identity – Honey.

(1) This standard applies to all honey produced by honey bees from nectar and covers all styles of honey presentation that are processed and ultimately intended for direct consumption and to all honey packed, processed or intended for sale in bulk containers as honey, that may be repacked for retail sale or for sale or use as an ingredient in other foods.

(2) “Honey” means the natural food product resulting from the harvest of nectar by honeybees and the natural activities of the honeybees in processing nectar. It consists essentially of different sugars, predominantly fructose and glucose as well as other substances such as organic acids, enzymes and solid particles derived from honey collection. The color of honey can vary from nearly colorless to dark brown. The consistency can be fluid, viscous or partially to completely crystallized. The flavor and aroma vary, but are derived from the plant’s origin.

(3) Honey sold as such shall not have added to it any food additives, as defined in Section 500.03(1)(m), F.S., nor shall any other additions be made other than honey. It shall not have begun to ferment or effervesce and no pollen or constituent unique to honey may be removed except where unavoidable in the removal of foreign matter. Chemical or biochemical treatments shall not be used to influence honey crystallization.

(a) Moisture Content – No water may be added to honey in the course of extraction or packing for sale or resale as honey. Honey shall not have a moisture content exceeding 23%.

(b) Sugars Content.

1. The ratio of fructose to glucose shall be greater than 0.9.

2. Fructose and Glucose (Sum of Both) shall not be less than 60g/100g.

(c) Sucrose Content.

1. Honey not listed below shall not be more than 5g/100g.

2. Alfalfa (*Medicago sativa*), Citrus spp., False Acacia (*Robinia pseudoacacia*), French Honeysuckle (*Hedysarum*), Menzies Banksia (*Banksia menziesii*), Red Gum (*Eucalyptus camaldulensis*), Leatherwood (*Eucryphia lucida*), *Eucryphia milligani* – not more than 10g/100g.

3. Lavender (*Lavandula spp*) and Borage (*Borago officinalis*) – not more than 15g/100g.

(4) Name of the Food.

(a) Products conforming to the standard of identity as adopted in this rule shall be designated ‘honey’. Foods containing honey and any flavoring, spice or other added ingredient or if honey is processed in such a way that a modification to honey occurs that materially changes the flavor, color, viscosity or other material characteristics of pure honey, then such foods shall be distinguished in the food name from honey by declaration of the food additive or modification.

(b) Honey may be designated according to floral or plant source if it comes predominately from that particular source and has the organoleptic, physicochemical and microscopic properties corresponding with that origin.

(c) Where honey has been designated according to floral or plant source [as stated in paragraph (4)(b)], then the common name or the botanical name of the floral source shall be used in conjunction with or joined with the word “honey”.

(d) The styles in subparagraphs (4)(e)2. & 3. shall be declared.

(e) Honey may be designated according to the following styles:

1. “Honey” which is honey in liquid or crystalline state or a mixture of the two;

2. “Comb Honey” which is honey stored by bees in the cells of freshly built broodless combs and which is sold in sealed whole combs or sections of such combs;

3. “Cut Comb in Honey”, “Honey with Comb” or “Chunk Honey” which is honey containing one or more pieces of comb honey.

Specific Authority 500.09, 570.07(23), 586.10 FS. Law Implemented 500.03, 500.04, 500.09, 500.10, 500.11, 570.07, 570.50 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dr. Marion F. Aller, Director, Division of Food Safety, Department of Agriculture and Consumer Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Charles H. Bronson, Commissioner, Department of Agriculture and Consumer Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 19, 2008

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**Division of Food Safety**

RULE NO.:

RULE TITLE:

5K-4.028

Adulteration and Misbranding –
Honey

PURPOSE AND EFFECT: The purpose of this rule development is to allow enforcement of a standard of identity for honey that is produced, packed, repacked, distributed and sold in Florida or from Florida. Development of this rule is meant to have the effect on controlling the pervasive, illegal practice of blending or diluting pure honey with low-cost syrups (i.e., sugar, cane, corn, etc.) thereby committing an economic fraud on both the permanent and transient residents of Florida. Preliminary guidelines have been drafted through a cooperative effort between the Department of Agriculture and Consumer Services and the Florida State Beekeepers Association to implement a needed standard of identity for honey. The rule substantially conforms to standards set forth in the CODEX Standard for Honey. This rule will have an effect

on those establishments permitted by the Department of Agriculture and Consumer Services who produce local honey or sell honey from Interstate Commerce.

SUMMARY: This rule will provide a mechanism for the Department to enforce instances of adulteration and misbranding of honey being offered for sale at retail in Florida.
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 500.09, 570.07(23), 586.10 FS.

LAW IMPLEMENTED: 500.02, 500.03, 500.04, 500.09, 500.10, 500.11, 570.07, 570.50 FS.

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

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: Paul M. Raynes, Senior Management Analyst II, Division of Food Safety, 3125 Conner Boulevard, Mail Stop C-18, Tallahassee, FL 32399-1650, telephone: (850)245-5539. 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: Paul M. Raynes, Senior Management Analyst II, Division of Food Safety, 3125 Conner Boulevard, Mail Stop C-18, Tallahassee, FL 32399-1650, telephone: (850)245-5539

THE FULL TEXT OF THE PROPOSED RULE IS:

5K-4.028 Adulteration and Misbranding – Honey.

The following shall be prima facie evidence of adulteration under Sections 500.10(2)(d) and 586.10, F.S., or misbranding under Sections 500.11(1)(g) and 586.10, F.S., of any product sold or offered for sale as honey:

- (1) The product has a maltose content in excess of 10%; or
- (2) The product contains oligosaccharides indicative of invert syrup; or
- (3) The absolute value of Carbon Stable Isotope Ratio Analysis (CSIRA) is not more negative than -20.0 for the product; or
- (4) CSIRA Internal Standard Procedure with a protein value minus honey value is more negative than -1.0 for the product; or
- (5) The product fails to conform to the standard of identity stated in Rule 5K-4.027, F.A.C.

Specific Authority 500.09, 570.07(23), 586.10 FS. Law Implemented 500.02, 500.03, 500.04, 500.09, 500.10, 500.11, 570.07, 570.50 FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dr. Marion F. Aller, Director, Division of Food Safety, Department of Agriculture and Consumer Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Charles H. Bronson, Commissioner, Department of Agriculture and Consumer Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 19, 2008

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

RULE NO.: 33-602.406
RULE TITLE: Third Party Mailing Services

PURPOSE AND EFFECT: The purpose and effect is to repeal Rule 33-602.406, F.A.C.

SUMMARY: Rule 33-602.406, F.A.C., will be repealed, as Rule 33-210.101, F.A.C., is being amended to address these issues.

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

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

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

33-602.406 Third Party Mailing Services.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History–New 3-2-99, Formerly 33-3.030, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
George Sapp, Assistant Secretary of Institutions
NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Walter A McNeil, Secretary
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: December 2, 2008

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

RULE NOS.:	RULE TITLES:
40B-9.011	Policy and Purpose
40B-9.021	Definitions
40B-9.031	Selection of Lands – Five Year Plan
40B-9.041	Acquisition Procedures – Negotiations
40B-9.042	Inholding and Addition Property
40B-9.045	Acquisition Procedures – Condemnation
40B-9.051	Surveys
40B-9.061	Appraisals
40B-9.065	Disclosure of Beneficial Interest
40B-9.071	Use of Trust Fund
40B-9.081	Disposition of Surplus Land
40B-9.111	Funding of the District Lands Management Program
40B-9.121	Conceptual Management Plans for District Lands
40B-9.122	Resource Management Plans for District Lands
40B-9.123	Additional Definitions
40B-9.125	Scope and Applicability
40B-9.126	Access to District Lands
40B-9.131	Public Use of District Lands
40B-9.132	Public Vehicle Use
40B-9.133	Possession and Use of Firearms, Archery Equipment, Trapping Devices and Free-running Hunting Dogs
40B-9.134	Trespass after Notice
40B-9.138	Other Prohibited Activities
40B-9.1381	Prohibited Activities
40B-9.141	Special Use Licenses
40B-9.1411	Special Use Authorizations
40B-9.142	Easements
40B-9.145	Leases
40B-9.151	Closure of District Lands
40B-9.161	Violations
40B-9.320	Conflicting Rules

PURPOSE AND EFFECT: The proposed amendments to Chapter 40B-9 of the Florida Administrative Code (“F.A.C.”) are intended to provide information to landowners and professionals concerning the procedures followed by the Suwannee River Water Management District (“District”) to

evaluate and acquire ownership interests in real property pursuant to Chapter 373, Florida Statutes (“F.S.”), for water resource conservation and related purposes. In addition, the proposed amendments include changes to Chapter 40B-9, F.A.C., designed to inform the public of the regulations authorized by Chapter 373, F.S., and applicable to the public’s use of District-owned lands such as specific uses prohibited and those allowed, and uses that require a special use authorization from the District.

SUMMARY: The proposed amendments to Chapter 40B-9, F.A.C., divide the chapter into two parts – Part I addresses land acquisition and Part II addresses land management. The proposed amendments are a comprehensive revision of Chapter 40B-9, F.A.C., which has not been substantially revised since 1993. Much of the existing language is proposed to be revised or repealed, while the concepts are incorporated into either existing or new sections.

The changes proposed in Part I revise Rule 40B-9.011, F.A.C., to clarify the District’s authority and responsibility to acquire and manage real property interests consistent with Chapter 373, F.S. Many definitions of key terms used in the chapter are added to Rule 40B-9.021, F.A.C., and several existing definitions are revised. The proposed amendments substantially revise Rule 40B-9.041, F.A.C., to codify land acquisition informational requirements, purchase criteria, and procedures that landowners and the District follow during the acquisition process. The acquisition of “in-holding and addition property” by the District, which tends to involve smaller acreages of land, is separately addressed in a new section. Other proposed changes to Part I revise existing language that addresses the District’s eminent domain authority and the process, the required disclosure of beneficial interests under Section 286.23, F.S., and the disposition of surplus District land.

The changes proposed in Part II include new additional definitions of key terms used, a new section describing the scope and applicability of this part, and a new section titled “Access to District Lands.” However, the heart of Part II is the revised section that sets forth the specific activities allowed on District lands and the specific restrictions on those allowed uses, and two new sections that set forth the specific activities prohibited on District lands and those that may be authorized by a District-issued special use authorization. Part II also includes two other new sections – one proposed to govern requests for rights-of-way and the other addresses conflicting rules. Finally, the proposed changes revise existing language concerning long and short term closures of District lands and penalties for violating the use regulations.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: Statement of Estimated Regulatory Costs.

Proposed Amendments to Chapter 40B-9, Florida Administrative Code.

Sections 120.54(3)(b) and 120.541, Florida Statutes.

Purpose of Amendments

The purpose of this proposed rule is to set forth the procedures and regulations regarding land acquisition and land management by the Suwannee River Water Management District (District). Part I of this chapter governs the acquisition of interests in land by the District. Part II of this chapter establishes how District lands may be accessed by the public, the allowed recreational uses on District lands, the manner in which these uses may be exercised, and uses that are prohibited on District lands.

History

Chapter 40B-9, F.A.C., was originally adopted in March 1983. Various sections of the rule were incrementally amended in 1988, 1993 and 1996.

Since 1996, there have been significant substantive changes in Florida law, as well as District policy and procedure, warranting a comprehensive revision of the rule. In addition, certain internal District procedures for land acquisition, which have no impact on the public, are proposed for repeal.

Number and Type of Individuals and Entities Likely Affected
With regard to land acquisition activities in FY 2007/08, the District:

- Received 26 offers of property,
- Entered into ten contracts for the purchase of real property interests, and
- Closed on the purchase of 15 real property interests.

With regard to the management of District lands in FY 2007/08, the District:

- Estimates that it had over 100,000 recreational visitors,
- Issued 194 Special Use Authorizations,
- Granted four easements for ingress and egress,
- Granted four leases, principally to other agencies or local governments, and
- Granted one license for a commercial cattle operation.

The District expects the level of activity to be comparable in the future, while certainly some variation from year to year will occur.

The types of individuals and entities that are likely to be affected by the proposed rule are primarily rural and agricultural land owners, and recreational users of District-owned property.

Estimated Cost to the Agency

The District's costs of implementing and enforcing the rule are not expected to change significantly as a result of the proposed amendments. Minimal cost savings may be realized through the clarification of the land acquisition process and regulations governing the public use of District property.

Estimated Transactional Costs to Individuals and Entities

In general, the transactional costs likely to be incurred by individuals and entities required to comply with the new rule should be negligible. More specifically:

Under paragraphs 40B-9.041(1)(b) and (c), F.A.C., landowners who wish to offer land to the District may have expenditures for researching, copying, and delivering documents.

Under subsection 40B-9.041(3), F.A.C., the costs to a landowner may include travel to meet with District staff, appraisal costs, and legal fees. The estimated cost per offer is \$5,000, or a total of \$130,000 per year based on 26 offers per year.

Under subsection 40B-9.126(2), F.A.C., by requiring visitors to enter only at designated entrances, users may incur an additional cost by not being able to enter the property at the closest point. Assuming an additional travel distance of 2 miles and a mileage rate of \$0.44 per mile, the cost per visit is \$0.88, or \$8,800 for an estimated 10,000 visits.

Under paragraph 40B-9.131(3)(f), F.A.C., equestrians using District land will have the cost of veterinary exams and tests required in order to provide written proof of a negative Coggins test. The annual cost to obtain proof of negative Coggins test is estimated at \$50, or \$250,000 for an estimated 5,000 equine per year.

Under paragraph 40B-9.1381(1)(h), F.A.C., persons wishing to scuba dive on District lands will bear the cost of collecting information and preparing a plan to be submitted the District. Additional cost may be incurred in the preparation of a report on the results of such dives.

Under paragraph 40B-9.1381(1)(r), F.A.C., any person who illegally erects a structure on District land may be liable for costs associated with its removal, and for the restoration of any damage to District property.

Under Rule 40B-9.1411, F.A.C., persons who wish to undertake activities not generally allowed under the rule may incur costs in compiling information needed to apply for a Special Use Authorization ("SUA"). There may be costs associated with conditions placed on the SUA by the District, such as the provision of portable restroom facilities or the provision of an insurance certificate naming the District as an additional insured. If the application is denied by District staff, there may be additional time and travel costs associated with an appeal of the decision to the District Governing Board. The estimated cost per SUA is \$150, or \$29,100 for an estimated 194 SUAs.

Under Rule 40B-9.142, F.A.C., persons requesting an easement across District land must pay costs associated with title examinations to determine a way of necessity, the collection and submission of information to the District, appraisals, surveys, and legal fees. The applicant must also pay the fair market value of the easement to the District. The cost per transaction is estimated at \$1,800, or \$7,200 for an estimated four transactions per year.

Analysis of Impact on Small Business

Under paragraph 40B-9.131(3)(d), F.A.C., those who wish to conduct a commercial activity on District land may incur costs in compiling information for submission to the District.

Additional Useful Information

The majority of the proposed changes to Chapter 40B-9, F.A.C., will not impact individuals and entities, including other governmental agencies, any greater than the existing rule because the substantive changes do not significantly alter the manner in which the District currently conducts its land acquisition and management program under the existing rule and Governing Board policies. The proposed amendments are expected, however, to codify District requirements applicable to the purchase and use of District lands, which should result in a better informed public and consequent costs savings.

Description of Good Faith Written Proposals

No such proposals have been submitted to the District.

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

SPECIFIC AUTHORITY: 373.026, 373.044, 373.056, 373.069, 373.0693, 373.073, 373.079, 373.083, 373.103, 373.113, 373.139, 373.1391, 373.171, 373.59, 373.613 FS.

LAW IMPLEMENTED: 259.01, 259.105, 373.013, 373.089, 373.103, 373.139, 373.1391, 373.1961, 373.59, 373.613 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: January 13, 2009, 9:00 a.m.

PLACE: District Headquarters, 9225 CR 49, Live Oak, Florida
 Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Gwen Lord, Administrative Assistant at (386)362-1001 or gal@srwmd.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Gwen Lord, Administrative Assistant. Any such written request must be sent by U.S. mail to SRWMD, 9225 CR 49, Live Oak, FL 32060

THE FULL TEXT OF THE PROPOSED RULES IS:

WATER MANAGEMENT LANDS ACQUISITION AND MANAGEMENT PROCEDURES

Part I

40B-9.011 Policy and Purpose.

(1) Under subsection 373.139(2), Florida Statutes, the Governing Board is authorized to acquire fee or less than fee title to real property, easements and other interests or rights therein, by purchase, gift, devise, lease, eminent domain, or otherwise for flood control, water storage, water management, conservation and protection of water resources, aquifer

recharge, water resource and water supply development, and preservation of wetlands, streams, and lakes. Part I of this chapter governs the acquisition of these interests in lands by the Suwannee River Water Management District.

(2) Under paragraph 373.1391(1)(a), Florida Statutes, the Governing Board is charged with the responsibility to manage and maintain lands titled to the Suwannee River Water Management to ensure a balance between public access, general public recreational purposes, and restoration and protection of the lands natural state and condition. Part II of this chapter further governs the use of lands titled to the Suwannee River Water Management District. The purpose of this rule is to implement the legislative intent expressed in Section 373.59, Florida Statutes, and therefore, to establish District policies and procedures regarding a five year plan for the selection of land, and provide procedures for the acquisition and management of land, title to which shall vest in the Suwannee River Water Management District. It is also the intent of these rules to provide uniform acquisition procedures in order to effectuate efficient legal methods in accordance with sound business practices.

(3) Lands titled to the District may be conveyed, sold, exchanged, leased, or released by the Governing Board as provided in Sections 373.056, 373.089, 373.093 and 373.096, Florida Statutes.

(4) Consistent with the Legislature's directives, the District's policy is to manage and maintain District lands, to the extent practicable, to ensure a balance between restoration and protection of natural resources and public access and recreation.

(5) To further this policy, the land management and use provisions of Part II of this chapter are based upon the following priorities:

- (a) Water resource conservation and protection;
- (b) Environmental protection, with an emphasis on restoration and preservation of ecosystems; and
- (c) Compatible public recreation.

(6) It is further the policy of the District to make its lands accessible to persons with disabilities to the extent economically feasible and consistent with resource protection.

(7) This chapter is divided into two parts, Part I and Part II. Part I includes Rules 40B-9.011 through 40B-9.121, F.A.C., and pertains to land acquisition. Part II includes Rules 40B-9.123 through 40B-9.320, F.A.C., and pertains to land management.

Specific Authority 373.016, 373.044, ~~373.056, 373.069, 373.0693, 373.073, 373.079, 373.083, 373.103, 373.113, 373.139, 373.171~~ FS. Law Implemented 373.103, 373.139, 373.1391, 373.59 FS. History--New 3-1-83, Amended _____.

40B-9.021 Definitions.

When used in this part, the term herein:

(1) “Acquisition plan” means the work plan adopted by the Governing Board that describes the District’s land acquisition strategies.

(2) “Conservation easement” means a right or interest in real property which is appropriate to retaining land or water areas predominantly in their natural, scenic, open, agricultural, or wooded condition. A conservation easement restricts the underlying fee owner’s use of the property consistent with the purpose of the easement. Conservation easements are perpetual, undivided interests in property that run with the land. District conservation easements are governed by Section 704.03, Florida Statutes.

(3)(4) “Department” means the Florida Department of Environmental Protection or its successor agency or agencies.

(2) “Secretary” means the Secretary of the Florida Department of Environmental Protection.

(4)(3) “District” means the Suwannee River Water Management District, operating under the authority of Chapter 373, Florida Statutes.

(4) “Fund” means the Water Management Lands Trust Fund.

(5) “District lands” means any fee simple interest or other interests in real property titled to the District. “Plan” means the five year plan as adopted by the Governing Board of the Suwannee River Water Management District.

(6) “District lease” means the granting of either an exclusive or non-exclusive use of or interest in District Lands for a specified period of time. “Project” means a parcel or parcels of land in a discrete unit of purchase.

(7) “Funding program” means the program established pursuant to Section 259.105, Florida Statutes, the Florida Forever Act. “Survey” means a certified survey signed by a licensed land surveyor authorized to practice surveying in the State of Florida.

(8) “Governing Board” means the governing board of the Suwannee River Water Management District. “Acquisition” means the reduction of the title to land to be acquired to fee, or in the discretion of the District such other legal interest necessary for water management, water supply and the conservation and protection of water resources.

(9) “Management plan” means the District Land Management Plan adopted by the Governing Board that details the District’s land management activities or other property specific land management plan adopted by the Governing Board. “Lands” means real property acquired by the District pursuant to Chapter 373.59, Florida Statutes.

(10) “Project” means a parcel or parcels of land in a discrete unit of purchase. “Conceptual Management Plan” means the document discussing proposed management and use that is prepared prior to acquisition.

(11) “Public Use Guide” is a District publication approved by the Governing Board that specifies the authorized public uses of District lands and the conditions applicable to those uses. “Resource Management Plan” is the document approved by the Governing Board that specifies management activities and authorized uses of the lands.

(12) “Secretary” means the Secretary of the Florida Department of Environmental Protection or its successor agency or agencies. “Public Use Guide” is the summary document that lists specific public uses for the lands authorized by the Governing Board that can be permitted by the District.

(13) “Surplus lands” means those District-owned parcels that do not and are not expected to contribute significantly to the achievement of the District’s acquisition objectives including the protection or enhancement of water resource benefits and effective and efficient land management.

Specific Authority 373.044, 373.056, 373.069, 373.0693, 373.073, 373.079, 373.083, 373.103, 373.113, 373.139, 373.171, 373.59 FS. Law Implemented 259.01, 373.103, 373.139, 373.59 FS. History–New 3-1-83, Amended 4-1-93, _____.

40B-9.031 Selection of Lands – Five-Year Plan.

(1) The District shall adopt a five year plan designating the areas of land to be acquired which shall be filed annually with the Legislature and the Secretary by January 15. Acquisition and management activity for the preceding fiscal year shall be included in five year plan.

(2) Prior to the adoption, amendment, or modification of the five year plan, the District shall hold one or more public hearings.

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.103, 373.139, 373.59 FS. History–New 3-1-83, Amended 5-26-88, Repealed _____.

40B-9.041 Acquisition Procedures – Negotiations.

(1) Bona fide offers for sale. Upon determination of land requirements, descriptions and maps sufficient to identify the lands to be acquired shall be obtained.

The District’s land acquisition process is initiated when the District receives from an owner of real property a bona fide offer for sale to the District. A bona fide offer is one which includes:

(a) The county property appraiser’s tax parcel identification number;

(b) An aerial map or other documentation upon which the property boundaries are shown or described;

(c) A copy of the deed showing the current owner of record for the property being offered;

(d) The owner’s initial asking price for the property;

(e) Identification of any easements, deed restrictions, mineral interests, or other rights held by persons other than the fee title owner; and

(f) Identification of any existing purchase agreement, option contract, listing agreement, or any other agency arrangement or agreement entered into by the seller relating to the subject property.

(2) Criteria for evaluation of bona fide offers. Ownership information shall be obtained and reviewed in order to determine the title to the land being acquired.

Upon receipt, District staff will evaluate all bona fide offers for sale of real property under the criteria contained within the District's land acquisition plan and provide a recommendation for disposition to the Governing Board.

(3) Following Governing Board approval of a property for state priority funding, the following due diligence must be completed prior to a contract for sale: The District shall obtain at least one written appraisal pursuant to Rule 40B-9.061, F.A.C.

(a) Evidence of good and sufficient fee title to the property in the seller must be provided by the seller to the District.

(b) The property owner must provide access to the District and its agents as needed to obtain an appraisal as required under paragraph 373.139(3)(c), Florida Statutes, and a Phase I environmental site assessment that addresses the federal Environmental Protection Agency standards in CFR Part 312, the state Department of Environmental Protection standards, and any other applicable environmental regulatory agency standards. The appraisal must be performed by a qualified appraiser who is registered, licensed, or certified under Part II, Chapter 475, Florida Statutes. The Phase I environmental site assessment must be performed by a qualified professional engineer, professional geologist or other environmental professional as the District deems appropriate.

(4) Contracts for sale. The District shall attempt to acquire each parcel through voluntary negotiation prior to commencement of proceedings in eminent domain.

The Governing Board must adopt a purchase resolution which authorizes the Executive Director to execute a contract specifying the source of funds for the land to be acquired.

(5) All contracts to purchase shall be reduced to writing and shall be contingent upon approval by the Governing Board.

(6) The District shall attempt to negotiate the acquisition of desired parcels in accordance with the following procedure:

(a) The District shall contact each owner or authorized representative and negotiate the acquisition of the property.

(b) A "Negotiation Report" may be prepared and forwarded to Legal Counsel, which shall summarize such negotiations.

(c) In the event an offer is accepted, the District shall:

1. Arrange for the proper execution and recording of all necessary documents.

~~2. Request Legal Counsel to prepare a resolution requesting the Governing Board to approve the necessary funds pursuant to Chapter 62-402, Florida Administrative Code, if applicable.~~

~~(d) When a negotiated settlement cannot be readily attained, an authorized officer shall send a Memorandum to Legal Counsel which shall include:~~

~~1. A request for resolution to institute eminent domain proceedings.~~

~~2. Identification of parcels by title memorandum number.~~

~~3. Legal interest or estate sought for acquisition.~~

~~(5)(e) Donations of land to District.~~

The District may accept donations or gifts of real property interests ~~land~~. In such event the provisions of this subsection shall be followed, except that the requirement for an appraisals may be waived upon concurrence of both the property landowner and the District.

~~(7) The District shall adhere to the provisions of Chapter 287.055, Florida Statutes, if applicable.~~

Specific Authority 373.044, 373.083, 373.139 373.113, 373.171 FS. Law Implemented 373.013, 373.139, 373.59 FS. History—New 3-1-83, Amended 5-26-88, _____.

40B-9.042 Inholding and Addition Property.

(1) The procedures in this section apply to offers of real property containing 40 acres or less.

(2) The District will consider purchasing parcels less than 40 acres in size if they are contiguous with existing District ownership and either:

(a) Provide additional protection for natural resources, or

(b) Improve the District's ability to manage its lands.

(3) In addition to qualifying under subsection 40B-9.042(2), F.A.C., above, the following conditions must be met:

(a) The fee owner of the property must control at least 50% of the mineral interests unless the outstanding royalty rights or interests are held by the State of Florida or the federal government;

(b) The property may not be subject to any current or future assessments by a homeowners association or other similar entity.

(c) The total asking price must be less than \$100,000.

(4) Upon determining that the offer meets the criteria and conditions in subsections 40B-9.042(2) and (3), F.A.C., above, Staff shall:

(a) Obtain a form or letter appraisal from the District's Land Acquisition Specialist or from an appraiser on the District's approved list; and

(b) Submit an offer at an amount not-to-exceed the appraised fair market value with an option approved by District legal counsel to the landowner.

(5) If the offer is accepted by the landowner, the District will conduct a public hearing at which the proposed purchase will be presented for Governing Board approval.

Specific Authority 373.044, 373.083, 373.139 FS. Law Implemented 373.013, 373.089, 373.139, 373.59 FS. History–New _____.

40B-9.045 Acquisition Procedures – Condemnation.

(1) Eminent domain proceedings may only be used by the District to acquire real property for flood control and water storage or for curing title defects or encumbrances to real property owned by the District or to be acquired by the District from a willing seller. Proceedings in eminent domain shall not be commenced until authorized by the Governing Board.

(2) Eminent domain proceedings brought by the District shall be conducted in accordance with the applicable provisions of Chapters 73 and 74, Florida Statutes, and Section 373.1961, Florida Statutes. The Governing Board may adopt a resolution authorizing the institution of eminent domain proceedings and which shall meet the requirements of Chapter 73, Florida Statutes, and Chapter 74, Florida Statutes, if applicable.

Specific Authority 373.026, 373.044, 373.056, 373.069, 373.0693, 373.073, 373.079, 373.083, 373.139, 373.103, 373.113, 373.171 FS. Law Implemented 373.013, 373.1961, 373.139, 373.59 FS. History–New 3-1-83, Amended _____.

40B-9.051 Surveys.

(1) In order to determine the location, acreage and legal description of land to be acquired, the District shall obtain a survey.

(2) Survey requirements may be waived in whole or in part by the District. In the event the survey requirements are waived in whole or part, the District shall then use the best available data in order to arrive at the boundaries and acreage of the land to be acquired.

(3) All surveys shall meet the minimum technical standard for land surveying in the State of Florida as adopted by the Florida State Board of Land Surveyors.

Specific Authority 373.016, 373.044, 373.056, 373.069, 373.0693, 373.073, 373.079, 373.083, 373.103, 373.113, 373.171 FS. Law Implemented 373.103, 373.139, 373.59 FS. History–New 3-1-83, Repealed _____.

40B-9.061 Appraisals.

(1) All lands to be acquired shall be appraised by at least one real estate appraiser, except as provided in paragraph 40B-9.041(6)(c), F.A.C., of this chapter.

(2) Appraiser shall have no vested or fiduciary interest in the property to be appraised, except for the professional fee.

(3) After a written contract between the District and the appraiser has been executed, the District shall transmit all pertinent data to the appraiser regarding the assignment.

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.103, 373.139, 373.59 FS. History–New 3-1-83, Amended 5-26-88, Repealed _____.

40B-9.065 Disclosure of Beneficial Interest.

In all cases where fee title is not held in a representative capacity the name of the beneficial owner, the requirements of Section 286.23, Florida Statutes, must will be met.

Specific Authority 373.016, 373.044, 373.056, 373.069, 373.0693, 373.073, 373.079, 373.083, 373.139, 373.103, 373.113, 373.171 FS. Law Implemented 286.23, 373.103, 373.139, 373.59 FS. History–New 3-1-83, Amended _____.

40B-9.071 Use of Trust Fund.

(1) For lands acquired by negotiation and purchase, the Governing Board shall request the Department to release the District's share of monies from the Fund by adopting a resolution which shall comply with Chapter 62-402, Florida Administrative Code.

(2) For lands acquired by eminent domain, subsequent to the adoption of a resolution authorizing eminent domain proceedings, the Governing Board shall adopt a resolution pursuant to subsection (1) above, which in addition shall authorize the Executive Director or other staff officer to request monies from the Fund as follows:

(a) A request from the District for the District's share of funds sufficient to pay the owner the amount specified in the final judgment or the stipulation and order.

(b) A request from the District for the District's share of funds sufficient to pay the amount specified in the court's order or the stipulation and order for any costs and fees of the owner, whether incurred in the trial court or an appeal.

(c) A request from the District for reimbursement of all the District's share of costs and fees incurred by the District associated with such acquisition.

(3) The District shall request the Department to release funds specified in subsection (2) above of this section within a sufficient time to allow the District to comply with Section 73.111, Florida Statutes, or Section 74.071, Florida Statutes, and other laws as applicable.

Specific Authority 373.016, 373.044, 373.056, 373.069, 373.0693, 373.073, 373.079, 373.083, 373.103, 373.113, 373.171 FS. Law Implemented 373.103, 373.139, 373.59 FS. History–New 3-1-83, Repealed _____.

40B-9.081 Disposition of Surplus Land.

(1) The District may sell or exchange District lands including those which have been acquired with funds from the Water Management District Trust Fund or in exchange for property which has been so acquired. District lands are considered surplus in accordance with Section 373.089, Florida Statutes, when:

(a) They are not required for District or project purposes pursuant to Section 373.59, Florida Statutes;

~~(b) They have no probable future utility in the land management program of the District; and~~

~~(c) They have been declared surplus by the Governing Board.~~

~~(2) All funds received from the sale of surplus lands acquired with Water Management District Trust funds shall be used to purchase other lands meeting the criteria in Section 373.59, Florida Statutes.~~

~~(3) The District may convey land not required for its purposes to any governmental agency under such terms and conditions as the Governing Board may determine in accordance with Section 373.056, Florida Statutes.~~

~~(4) The District may retain or convey mineral rights on surplus lands in accordance with Section 270.11, Florida Statutes.~~

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 270.11, 373.103, 373.139, 373.59 FS. History—New 3-1-83, Amended 5-26-88,_____.

40B-9.111 Funding of the District Lands Management Program.

~~(1) Under Section 373.59(8), Florida Statutes, the District may use a specified portion of the Fund for management, maintenance and capital improvements for lands acquired pursuant to Chapter 373.59, Florida Statutes.~~

~~(2) Pursuant to Chapter 62-402, Florida Administrative Code, all revenues derived from the use and management of the lands are returned to the Fund or placed in an account to be used as specified in subsection (1).~~

~~(3) The Governing Board shall submit a formal resolution to the Department for funds needed either for reimbursement of expenditures of the District or to meet expected cash needs of the District for the management, maintenance or capital improvements to the lands that will comply with Section 373.59(3), Florida Statutes.~~

~~(4) The District shall allocate a portion of its land management budget for payments in lieu of taxes to qualified counties pursuant to Section 373.59(13), Florida Statutes.~~

Specific Authority 373.016, 373.044, 373.59 FS. Law Implemented 373.1401, 373.59 FS. History—New 4-1-93, Repealed_____.

40B-9.121 Conceptual Management Plans for District Lands.

~~(1) A Conceptual Management Plan (CMP) shall be prepared by the District for all lands prior to acquisition. Floodplain information; sensitive water resource or natural resource areas such as springs, wetlands and significant wildlife habitat; evidence of past abuse of the resource such as trash dumping, illegal hunting, cultural artifact collecting, wildfires; economic resources; continuing interests of the seller; historic public use; availability of similar public use resources; or other resources that are specific to a parcel shall be considered in developing the CMP.~~

~~(2) The CMP will be available for public review and comment at the public hearing for the proposed acquisition. Each public hearing will be noticed and advertised as required by Chapters 373 and 120, Florida Statutes.~~

~~(3) Upon approval of the CMP by the Governing Board and successful acquisition of the parcel, the CMP shall guide management and public use of the land until the CMP is incorporated into a Resource Management Plan (RMP). CMPs shall be available for review by the public during normal working hours at the District headquarters.~~

Specific Authority 373.016, 373.044, 373.59 FS. Law Implemented 373.59 FS. History—New 4-1-93, Repealed_____.

Part II

LAND MANAGEMENT AND USE

40B-9.122 Resource Management Plans for District Lands.

~~(1) The District shall develop or have developed Resource Management Plans (RMP) to guide the maintenance, improvement, restoration and use of the acquired lands by the District, other agencies and the general public.~~

~~(2) The RMP will describe the parcel, including its location, external and internal access, resources embodied in or found on the parcel, and management and public use goals for the parcel. The RMP will be developed utilizing the following information resources as appropriate: surface and groundwater resource data; aerial photography; field inspections; soil data; data available from sources regarding wildlife and habitat endangerment such as the Florida Natural Areas Inventory; and other data resources that are available to the District.~~

~~(3) The RMP will be considered for approval by the Governing Board during a public meeting, noticed pursuant to the requirements of Chapter 120, Florida Statutes. Upon approval of the RMP by the Governing Board, the RMP shall guide management and public use of the land. RMPs are available for review by the public at the District headquarters.~~

Specific Authority 373.016, 373.044, 373.59 FS. Law Implemented 373.59 FS. History—New 4-1-93, Repealed_____.

40B-9.123 Additional Definitions.

When used in Part II of this chapter:

(1) "Access" means a point where the public can enter District lands by foot, horseback or non-motorized vehicles.

(2) "Aircraft" means any vehicle supported for flight in the air by buoyancy or by the dynamic action of air on its surfaces, including powered airplanes, gliders, and helicopters.

(3) "Boating" includes the use of any type of motorized or non-motorized vessel on water.

(4) "Commercial activity" means the sale or leasing, or offering for sale or lease, for profit any merchandise or service associated with the use of District lands including, but not limited to, providing guide services, vehicles or animals on District lands.

(5) “Camping” means to use a vehicle, tent, or other shelter, and/or to arrange bedding with the intent to stay overnight.

(6) “Concession” means the privilege to establish a commercial activity on District land.

(7) “District lands” means real property to which the Governing Board holds fee simple title.

(8) “Entrance” means a designated location or boundary where public motorized vehicle access to District lands is authorized.

(9) “Facility” or “Structure” means any object placed on District lands intended to be permanently attached to the land, or which would be considered a fixture under Florida Law.

(10) “Firearms and similar devices” means shotguns, rifles, muzzle loading guns, pistols, revolvers, air guns, gas guns, blow guns, bows, crossbows, spear guns, or any other device capable of mechanically propelling an arrow, spear, or other projectile.

(11) “Historic property” or “historic resource” means any prehistoric or historic district, site, building, object, or other real or personal property of historical, architectural, or archaeological value, or folklife resources. These properties or resources may include, but are not limited to, monuments, memorials, Indian habitations, ceremonial sites, abandoned settlements, sunken or abandoned ships, engineering works, treasure trove, artifacts, or other objects with intrinsic historic or archaeological value, or any part thereof, relating to history, government, and culture of the state.

(12) “Mobility-impaired person” means a person who is permanently physically disabled by being either paraplegic, hemiplegic, or quadriplegic, permanently dependent upon a wheelchair for ambulation or permanently required to use assisting aids to walk, or having had a complete single-leg amputation above the knee.

(13) “Motorized vehicle” means any vehicle which travels over land on wheels and is partially or completely powered by a motor, as well as animal-drawn carriages and buggies.

(14) “Paintball equipment” means paint balls, paintball guns, refillable gas tanks, paintball gun propellant canisters, paintball targets, and any other device associated with paintball activities.

(15) “Public road” means any road, path, land, or trail designated by name, number or map for public motorized vehicle access.

(16) “Public Use Guide” is a District publication approved by the Governing Board that specifies the authorized public uses of District lands and the conditions applicable to those uses.

(17) “Recreational site” means an improved or unimproved site established to facilitate recreational use by the public.

(18) “Resource-based recreational purpose” means any outdoor activity that depends on natural resources and includes, but is not limited to, fishing, hunting, horseback riding, bicycling, swimming, camping, hiking, boating, diving, wildlife viewing and other passive recreation.

(19) “Seasonal road” means a road open to public motor vehicle use for hunting or other particular uses during a specific time period, or which may be closed due to periodic site conditions.

(20) “Special Use Authorization” means the granting of a privilege to use District lands for a specified purpose and does not confer any property or possessory interest to the holder.

(21) “Survey” means a certified survey signed by a licensed land surveyor authorized to practice surveying in the State of Florida.

Specific Authority 373.044, 373.083, 373.1391 FS. Law Implemented 373.056, 373.096, 373.099, 373.1391, 373.1401 FS. History—New _____.

40B-9.125 Scope and Applicability.

(1) District lands shall be managed and maintained, to the extent practicable, in a manner that ensures a balance between public access, general public recreational purposes, and restoration and protection of their natural state and condition. Part II of this chapter establishes how District lands may be accessed by the public, the allowed recreational uses on District lands, the manner in which these uses may be exercised, and uses that are prohibited on District lands.

(2) District lands are open to the public for lawful resource-based recreational purposes except as otherwise conditioned, restricted or prohibited by this chapter or unless such use is inconsistent with the purposes for which the lands were acquired, as provided in the District land management plan.

(3) Nothing in this chapter shall prevent any other federal, state, or local agency, including but not limited to, the entity contractually responsible for managing District lands, from requiring compliance with its rules, regulations, and/or laws to the extent of such entity’s legal authority.

Specific Authority 373.044, 373.083, 373.1391 FS. Law Implemented 373.056, 373.096, 373.099, 373.1391, 373.1401 FS. History—New _____.

40B-9.126 Access to District Lands.

(1) District lands shall be open to the public during daytime hours only (one and one-half hour before sunrise to one and one-half hour after sunset) unless otherwise posted or authorized.

(2) Public motor vehicle access to District lands is only allowed at designated entrances.

(3) District lands may be accessed from any adjacent waterway or waterbody at any point, unless otherwise posted.

Specific Authority 373.016, 373.044, 373.083, 373.1391 FS, Law Implemented 373.056, 373.096, 373.099, 373.1391, 373.1401 FS, History–New _____.

40B-9.131 Public Use of District Lands.

~~(1) The lands shall be evaluated and the compatible public uses will be documented in the management plans. This evaluation will be based on the sensitivity of the land to degradation, the need for specific public uses, the cost to the District to provide the public use, the ability of the District to reasonably assure public safety and other factors that may be applicable to the specific parcel.~~

~~(1)(2) The District shall publish and make available to the public an informational “Public Use Guide,” which summarizes allowed activities and use restrictions for each District property upon request “Save Our Rivers Lands Public Use Guide”. The Public Use Guide will be considered by the Governing Board at a public meeting advertised in accordance with Chapter 120, Florida Statutes. Copies of the District’s Public Use Guide are available at from the District’s headquarters and on its website: www.srwmf.state.fl.us. Additionally, persons the public may apply for authorization of other public uses of District lands, as specified in Rule Chapter 40B-9.141, Florida Administrative Code, “Special Use Authorizations.” License of other public uses of the lands. These applications will be reviewed by District staff using the criteria listed in subsection 40B-9.131(1), Florida Administrative Code.~~

~~(2)(3) Activities that are not authorized in this section, in the Public Use Guide, posted on the property, or specifically authorized under a Special Use Authorization or otherwise in writing by the District are expressly prohibited and subject to prosecution. The public is advised Compliance with the District’s these rules does not preclude the need to also comply with State law and/or other applicable state and federal rules, prevent the District’s cooperating agencies, such as the Florida Game and Fresh Water Fish Commission, U.S. Department of Interior, Fish and Wildlife Service, Florida Department of Agriculture and Consumer Services and Florida Department of Natural Resources, from requiring compliance with other rules or laws to the fullest extent of their lawful authority.~~

(3) The following activities are allowed subject to any conditions and/or restrictions specified herein:

(a) Bicycling is allowed on all District lands open to the public unless restricted by signage.

(b) Boating for recreation is allowed on all District-owned waterways provided:

1. Boats launched from trailers must use boat ramps.
2. Boats must not be operated in a manner which could harm persons, plants, animals, or other natural resources.

The District may prohibit or restrict boating in specific areas as needed to ensure public safety, resource protection, and protection of District facilities or equipment. These restrictions may include limitations on engine horsepower, speed, or vessel type and shall be specific to a water body. Areas closed to boating and boating restrictions shall be posted by signage.

(c) Camping is only allowed on District lands at approved locations and as permitted by a Special Use Authorization issued by the District under Rule 40B-9.141, Florida Administrative Code.

(d) Commercial activity on District lands may be allowed pursuant to prior written authorization in the form of an agreement or lease with the District. A person proposing any commercial activity on District lands must submit the following minimum information to the District:

1. Name and address of business;
2. Name and address of business owner or person responsible;
3. Type of activity to be conducted;
4. Statement justifying the need for the proposed commercial activity in order to facilitate public access and/or use of District lands for a resource-based recreational purpose;
5. Number of participants;
6. Dates and duration of the proposed activity; and
7. Signed statement committing to abide by all applicable District requirements.

Any proposed commercial activity that will exceed one year in duration, require exclusive use of an area of land, or result in monetary consideration to the District, may only occur under a lease agreement approved by the Governing Board.

The District will review the request for compatibility with the applicable land management plan and notify the applicant in writing. Requests to exclusively use a specific site that will impede the public’s use or for uses that will degrade the property will be denied.

(e) Dogs are allowed on District lands provided they are on a leash or caged at all times unless consistent with authorized uses in state wildlife management areas and federal wildlife refuges or specifically authorized by the District through a Special Use Authorization issued under Rule 40B-9.141, Florida Administrative Code. Other types of domesticated animals, such as cats, are prohibited on District lands.

(f) Equestrian and other saddle animals, including those for use with noncommercial horse-drawn carriages and buggies, are allowed on all District lands on roads open to public motorized vehicles and all equestrian trails except where such use is specifically prohibited by signage. The person responsible for bringing a saddle animal onto District lands must have current, written proof of a negative Coggins test result.

(g) Fishing for recreation is allowed on District lands as authorized by the Florida Fish and Wildlife Conservation Commission, unless otherwise posted.

(h) Group recreational, educational or public service uses are allowed on all District lands open to the public provided a Special Use Authorization is issued by the District under Rule 40B-9.141, Florida Administrative Code.

(i) Hiking and other resource-based recreational purposes, such as photography, nature study, orienteering, are allowed on all District lands open to the public except where specifically prohibited by signage. For the purpose of this subsection, the term "hiking" includes jogging, wildlife viewing, or any other recreational activity where travel is by foot only and does not include another activity described in this chapter.

(j) Hunting for recreation is allowed in Florida wildlife management areas in accordance with applicable wildlife management area rules of the Florida Fish and Wildlife Conservation Commission, in United States national wildlife refuges subject to permit, and on District lands as designated and identified by signage. Public hunting areas on District lands must be approved by the Governing Board at a duly noticed public meeting. The District may allow hunting on lands not designated through a Special Use Authorization issued under Rule 40B-9.141, Florida Administrative Code.

(k) Motorized vehicle use is allowed on District lands on public use and seasonal roads and in other areas designated by signage. The use of motorized vehicles on District lands is subject to the following requirements:

1. All motorized vehicles must be licensed for use on Florida highways.

2. All motorized vehicle operators must be licensed as required by Florida law.

3. All motorized vehicle operators must comply with posted speed limits. If no speed limit is posted, the speed limit is 20 mph.

4. Under Section 316.192, Florida Statutes, driving a motorized vehicle in a willful and wanton disregard for the safety of persons or property is considered reckless driving. Pursuant to Section 316.1925, Florida Statutes, any person who drives a motorized vehicle shall drive in a careful and prudent manner, having regard for the width, grade, curves, corners, traffic and all other attendant circumstances, so as not to endanger the life, limb or property of any person. Failure to drive in such a manner is punishable under Section 316.655, Florida Statutes.

5. Emergency motorized vehicles on District lands are not restricted to roads open to the public or to the 20 mph or other posted speed limits.

(l) Picnicking is allowed on all District lands open to the public, unless otherwise posted.

(m) Research uses are allowed on all District lands provided a Special Use Authorization is issued by the District under Rule 40B-9.141, Florida Administrative Code, and further provided that if the proposed use will close or restrict public access, a contract or lease with the District is required.

(n) Swimming is allowed on District lands only in areas designated by signage.

Specific Authority 373.044, ~~373.59~~, 373.083, 373.1391 FS. Law Implemented 373.056, 373.096, 373.099, 373.1391, 373.1401 FS. History—New 4-1-93, Amended _____.

40B-9.132 Public Vehicle Use.

~~(1) Only conventional motorized vehicles, licensed for use on Florida highways, may be operated on the lands. The use of other motorized vehicles shall require a Special Use License, as specified in Rule 40B-9.141, Florida Administrative Code, from the District. Vehicles shall be operated by licensed operators.~~

~~(2) Motorized vehicles shall be operated by the public only on roads designated as open for public motor vehicles.~~

~~(3) Under Section 316.192, Florida Statutes, driving a vehicle in willful and wanton disregard for the safety of persons or property is reckless driving. Pursuant to Section 316.1925, Florida Statutes, any persons who drive vehicles on the lands shall drive in a careful and prudent manner, having regard for the width, grade, curves, corners, traffic and all other attendant circumstances, so as not to endanger the life, limb or property of any person. Failure to drive in such a manner is punishable under Section 316.655, Florida Statutes.~~

~~(4) Motorized vehicle operators shall comply with posted speed limits on the lands. If no speed limit is posted, then the speed limit is 20 mph.~~

~~(5) Horse drawn carriages and buggies are considered motorized vehicles for the purpose of this rule.~~

~~(6) Bicycles and horses are not considered to be vehicles for the purposes of this rule. Bicycling and horseback riding are permitted only on established roads and trails unless these uses are specifically posted as prohibited.~~

Specific Authority 373.044, 373.59 FS. Law Implemented 373.59 FS. History—New 4-1-93, Repealed _____.

40B-9.133 Possession and Use of Firearms, Archery Equipment, Trapping Devices and Free-Running Hunting Dogs.

~~(1) Hunting, trapping, firearms, archery equipment, trapping devices and the releasing of free-running hunting dogs is prohibited on the lands unless the land is opened as a public hunting area and these uses are authorized in the specific public hunting area regulations.~~

~~(2) Public hunting areas on the lands are administered by the District through agreements for services. If the land is included in a public hunting area, it shall be posted as prescribed by Chapter 810, Florida Statutes. Upon request, the~~

~~District shall provide reasonable information on the location and specific regulations for all public hunting areas on the lands.~~

~~(3) Public hunting areas shall be established only with the approval of the Governing Board. Governing Board approval shall be given at a public meeting which shall be advertised as required by Chapter 120, Florida Statutes. The District shall enter into a management agreement with the entity to be responsible for managing public hunting on the lands. Agreements are considered to be authorizations to remove designated game species. These agreements will be available at the District headquarters for review by the public.~~

~~(4) Under Section 810.09(2)(c), Florida Statutes, possession of a firearm on those lands posted as closed to hunting is a third degree felony, punishable as provided in s. 775.082, s. 775.083 or s. 775.084, Florida Statutes.~~

Specific Authority 373.044, 373.1401, 373.59, 810.09 FS. Law Implemented 373.1401, 373.59, 810.09 FS. History—New 4-1-93, Amended 8-7-96, Repealed _____.

40B-9.134 Trespass After Notice.

~~Under Section 810.09(2)(b), Florida Statutes, any person who defies an order to leave the lands, personally communicated to him by the District or other authorized persons, or who opens or circumvents any fence or closed gate is guilty of a misdemeanor of the first degree punishable as provided in s. 775.082 or 775.083, Florida Statutes.~~

Specific Authority 373.044, 373.59, 810.09 FS. Law Implemented 373.59, 810.09 FS. History—New 4-1-93, Repealed _____.

40B-9.138 Other Prohibited Activities.

The following other activities are prohibited on the lands:

- ~~(1) The possession of alcoholic beverages.~~
- ~~(2) Littering or dumping of refuse.~~
- ~~(3) Vandalism, destruction or removal of posts, cables, chains, fencing, signs, or any other improvements, structures or property of the District.~~
- ~~(4) The removal of trees, animals, plant, soil or mineral matter, or cultural artifacts unless specifically authorized in a legal agreement with the District such as a timber cutting license or a Special Use License, as specified in Rule 40B-9.141, Florida Administrative Code.~~

Specific Authority 373.044, 373.59 FS. Law Implemented 373.59 FS. History—New 4-1-93, Repealed _____.

40B-9.1381 Prohibited Activities.

(1) The following activities are prohibited on District lands to the extent specified herein:

(a) Hunting or trapping animals, and releasing free-running dogs on District lands is prohibited except as provided in paragraph 40B-9.131(3)(h), F.A.C., above.

(b) The possession and/or use of alcoholic beverages on District land is prohibited.

(c) The disposal or discharge of any type of waste outside of designated waste collection facilities on District lands is prohibited.

(d) The disposal of oil, gasoline, or other hazardous substances on District lands is prohibited.

(e) Removing from or altering, destroying, or harming any animal, plant, soil, or mineral on District lands is prohibited, unless associated with:

1. District authorized research efforts;
2. Hunting and fishing activities specifically authorized under Part II of this chapter; or
3. District initiated removals associated with reforestation, control of exotic or nuisance species, timber harvests, or other land management activities.

(f) The introduction or release of any seed, plant or animal on District lands is prohibited unless pursuant to a District approved land management or restoration activity.

(g) Removal, alteration or destruction of historic resources on District lands is prohibited unless specifically authorized by the District through a Special Use Authorization issued under Rule 40B-9.141, Florida Administrative Code.

The District shall consult the Florida Department of State, Division of Historical Resources, prior to authorizing the removal, alteration or destruction of any archaeological or cultural resources on District lands. Any person who discovers historic resources on District lands shall immediately notify the District of such discovery.

(h) Scuba diving or the use of underwater breathing apparatus on District lands is prohibited unless specifically authorized by the District through a Special Use Authorization issued under Rule 40B-9.141, Florida Administrative Code. To receive a Special Use Authorization for scuba diving, in addition to meeting the criteria in Rule 40B-9.141, Florida Administrative Code, the applicant must provide reasonable assurances that the dive is for a scientific or investigative purpose and the person performing the dive is certified for the type of dive to be performed. A person issued a Special Use Authorization to perform a dive from District lands must submit a report upon completion of the dive informing the District of any scientific or historic evidence discovered during the dive.

(i) Taking off or landing aircraft on District lands is prohibited unless specifically authorized by the District through a Special Use Authorization issued under Rule 40B-9.141, Florida Administrative Code, or the result of a *bona fide* emergency.

(j) Use of all-terrain, off-road, or other motorized vehicles not licensed for Florida highway use on District lands is prohibited unless specifically authorized by the District through a Special Use Authorization issued under Rule 40B-9.141, Florida Administrative Code, unless associated with District authorized reforestation, exotic or nuisance

species control, timber harvests, or other land management activities, or approved hunts managed by the Florida Fish and Wildlife Conservation Commission.

(k) The mooring of any boat on District lands for more than 24 consecutive hours is prohibited, unless otherwise indicated by signage.

(l) The destruction, removal or alteration of any District-owned facilities, vehicles or other property is prohibited. District-owned property includes, but is not limited to, water control structures, boardwalks, kiosks and other recreational facilities, scientific study plots, photo points, transect lines, survey markers, buildings, towers, recorders, gauges, signs, gates, fences and monuments.

(m) The use of firearms, archery equipment, animal traps, or other similar devices on District lands is prohibited unless specifically authorized for:

1. Hunting activities as authorized under paragraph 40B-9.131(3)(h), Florida Administrative Code, above;
2. District initiated land management activities; or
3. A use specifically authorized by the District through a Special Use Authorization issued under Rule 40B-9.141, Florida Administrative Code.

The possession of firearms or other similar devices on District lands must comply with Chapter 790, Florida Statutes.

(n) The use of paintball guns, paintball markers, and any other paintball equipment on District lands is prohibited.

(o) The possession or discharge of any fireworks or explosives on District lands is prohibited unless specifically authorized by the District through a Special Use Authorization issued under Rule 40B-9.141, Florida Administrative Code.

(p) Distributing any handbills or circulars, or posting, placing or erecting any bills, notices, paper signs, advertising devices, or informational matter of any kind, excluding District or management agency notices, on District lands is prohibited.

(q) Igniting any fire on District lands is prohibited except for District authorized prescribed burns or fires specifically authorized by the District through a Special Use Authorization issued under Rule 40B-9.141, Florida Administrative Code.

(r) Constructing, erecting or maintaining any facility or any other structure of a permanent or semi-permanent nature on District lands is prohibited unless specifically authorized by the District through a Special Use Authorization issued under Rule 40B-9.141, Florida Administrative Code.

Any unauthorized facility or structure discovered on District lands shall be removed according to the following procedure:

1. Upon discovery of an unauthorized facility or structure, the District will post a notice on such facility or structure for a period of 14 days, informing the owner that such facility or structure is not authorized and that the owner must immediately remove such facility or structure.

2. If the owner of the unauthorized facility or structure fails to remove such facility or structure within 14 days after posting of the District notice, the District will remove such facility or structure from District lands or claim such facility or structure as District property.

The District may seek reimbursement of costs for removal of any unauthorized facility or structure from the owner of such facility or structure.

(s) Any use of District lands not authorized by Part II of this chapter is prohibited.

Specific Authority 373.044, 373.083, 373.1391 FS. Law Implemented 373.056, 373.096, 373.099, 373.1391, 373.1401 FS. History—New _____.

40B-9.141 Special Use Licenses.

(1) The public may apply for Special Use Licenses for public use and access, temporary ingress and egress and other purposes consistent with the Conceptual Management Plan, the approved Resource Management Plan, or other Governing Board approved District policies. If the application is approved, then a Special Use License will be executed between the applicant and District specifying the terms of the authorization. If the application is recommended for denial, a written notice will be sent to the applicant specifying the date and time of the public meeting when the Governing Board will consider the recommendation of a denial. The Governing Board shall then either grant the application with or without restrictions or deny the application and state the reason for denial.

(2) Any person receiving a denial may request a hearing by filing a written petition with the District within fourteen (14) days of the Governing Board's action. The hearing shall be conducted pursuant to Chapter 120, Florida Statutes.

(3) Members of the public who receive Special Use Licenses shall have the license in their possession while on the lands. Failure to comply with the terms of the license is grounds for revocation and denial of future licenses.

Under Section 810.09, Florida Statutes, any person, who without being authorized or licensed, enters upon or remains in property as to which notice against entering or remaining has been given through communication commits the offense of trespass.

Specific Authority 373.044, 373.59 FS. Law Implemented 373.59 FS. History—New 4-1-93, Repealed _____.

40B-9.1411 Special Use Authorizations.

(1) Persons may apply for Special Use Authorizations for public uses of District lands not specifically authorized in Part II of this chapter, the District's Public Use Guide, and Rule 40B-9.131, F.A.C., provided the impacts from the requested use are consistent with the District's Land Management Plan, and other applicable District policies. If the application is approved, a Special Use Authorization will be issued

specifying the terms of the Authorization. If the application is denied, the applicant may appear before the District's Governing Board at a regularly scheduled meeting.

(2) Persons who receive Special Use Authorizations must have the authorization in their possession at all times while on District lands. Failure to comply with the terms of the authorization is grounds for revocation of the authorization and denial of future authorizations.

(3) To receive a Special Use Authorization, the applicant must provide reasonable assurance that the requested use:

(a) Is natural resource-based;

(b) Will not permanently alter District lands;

(c) Is consistent with the management of the District lands involved;

(d) Will not harm the environmental or historical resources of the District lands;

(e) Will not cause unreasonable expense to the District;

(f) Will not create a substantial risk of liability to the District;

(g) Will not harm any dam, impoundment, works, water control structures, roads, or District owned facilities or equipment;

(h) Will not interfere with District leased, licensed, or authorized uses of the land; and

(i) Will not interfere with any other use allowed by Part II of this chapter.

The District shall impose upon any Special Use Authorization issued pursuant to this Chapter such reasonable conditions as are necessary to assure that the use or activity authorized will meet the criteria set forth in this chapter.

(5) The Governing Board hereby delegates to the Executive Director, Deputy Executive Director and Senior Land Resources Manager, the authority to issue, deny or revoke Special Use Authorizations pursuant to this section.

(6) Any person may apply for a Special Use Authorization according to the following procedure:

(a) Submit an oral or written request addressing the reasonable assurances required by this section to Suwannee River Water Management District Land Acquisition and Management Department at (386)362-1001 or (800)226-1066 (Florida only) or 9225 County Road 49, Live Oak, FL 32060, or complete a pre-approved authorization obtained from a District kiosk on the property.

(b) If the requested use will create a substantial risk of liability to the District, the applicant may mitigate by:

1. Providing proof of liability and property damage insurance naming the District as an additional insured party in an amount sufficient to cover the cost of the liability posed to the District; or

2. Providing waivers or releases of liability sufficient to eliminate the liability posed to the District.

(c) The application shall be reviewed by the Land Acquisition and Management Department for compliance with the criteria listed in this section and a recommendation regarding the application forwarded to the Deputy Executive Director.

(d) If the requested use satisfies all of the criteria set forth in this section, authorized District staff shall issue the Special Use Authorization.

(e) If the requested use does not meet the criteria set forth in this section, authorized District staff shall deny the Special Use Authorization application.

(7) Authorized District staff shall revoke a Special Use Authorization if the person authorized does not obtain all other required federal, state, or local approvals or permits prior to the start of any District authorized use.

Specific Authority 373.044, 373.083, 373.1391 FS. Law Implemented 373.056, 373.096, 373.099, 373.1359, 373.1391, 373.1401 FS. History—New _____.

40B-9.142 Easements.

(1) The granting of a license or easement for ingress and egress or other rights-of-way will be considered only when there exists a way of necessity as defined in Section 704.01 F.S., or it will benefit the general public.

(2) Where there is no associated clear way of necessity, the right requested must not conflict with the purposes for which the District lands were acquired. Prior to consideration, the following information must be submitted to the District:

(a) A map or aerial photograph at a scale of at least 1:24,000 showing the proposed route and, if applicable, an outline of the property to be benefited;

(b) A complete description of the route, including dimensions, and its intended use;

(c) A description of any practical alternative routes; and

(d) A copy of the deed by which the applicant acquired title to the property to be benefited, if applicable, and any evidence of a claim of right. If a right-of-way is granted, it shall be described and conveyed in the most limited form that meets the intended purpose.

(3) Easements may only be granted upon approval and execution by the Governing Board. The conveyance of any easement by the District shall require payment by the applicant of the fair market value as determined by any of the following:

(a) A real estate appraisal performed by a licensed real estate appraiser on the District's approved list or by the District's Staff Appraiser, or the fee value for bare land as documented in an acquisition appraisal and adjusted by an appropriate market index for the period since the District's acquisition; and

(b) Payment of any reasonable administrative, survey, and legal costs.

Specific Authority 373.044, 373.083, 373.1391 FS. Law Implemented 373.056, 373.085, 373.093, 373.099, 373.1391, 373.1401 FS. History–New _____.

40B-9.145 Leases.

(1) The District may grant a lease to use District land only when the purpose of the lease is consistent with the District’s land management plan and in compliance with the requirements of Section 373.093, F.S. The scope of any lease to use District land shall be restricted to the minimum necessary to conduct the proposed activity. The lease shall include such terms and conditions as are considered to be in the best interest of the District.

(2) A person may request to lease District land by contacting the Suwannee River Water Management District, Land Acquisition and Management Department at (386)362-1001 or (800)226-1066 (Florida only) or 9225 County Road 49, Live Oak, FL 32060.

(3) The Governing Board hereby delegates to the Executive Director the authority to enter into leases of District land where:

(a) The use of District land proposed under the lease is specifically included in a Governing Board approved land management plan;

(b) The total estimated lease revenue is less than \$100,000; and

(c) The period of the lease does not exceed five years. Staff may request Governing Board for approval any proposed lease when staff determines that entering into the lease will provide significant public benefit.

(4) When required by Section 373.093, F.S., the District shall publish notice of its intent to grant a lease of District land in a newspaper in the county in which the land is situated.

(5) Any District lease in existence prior to [effective date of rule] shall remain in effect until it expires by its own terms or is cancelled or revoked. Thereafter, the use authorized by the existing District lease shall be subject to this section.

Specific Authority 373.044, 373.083, 373.1391 FS. Law Implemented 373.056, 373.085, 373.096, 373.099, 373.1391, 373.1401 FS. History–New _____.

40B-9.151 Closure of District Lands.

(1) District ~~The~~ lands shall be closed to the public when such action is necessary to protect the water resources, natural resources, and/or historic resources of the land. Such closure is not limited to, but may include those areas that are used for water resource development, water supply development or stormwater management projects, linear facilities, or sustainable agriculture or silviculture.

(2) ~~General~~ ~~P~~ublic use of District ~~the~~ lands is prohibited during ~~events such as~~ flooding, wildfire ~~danger~~, timber harvesting, land management activities such as prescribed burns or construction, and ~~or other events~~ situations that result

~~are~~ in potentially dangerous conditions to the public or necessary to protect the property. The District shall provide notice to the public of such closures.

(3) District lands may be temporarily closed to the public use when necessary to conduct research, studies, or data collection approved or sponsored by the District. Temporary closure of District ~~the~~ lands will be posted at all entrances to the affected lands.

(4) The Governing Board hereby delegates to the Executive Director the authority to close District lands in accordance with this section.

Specific Authority 373.046, 373.044, ~~373.59~~, 373.083, 373.1391 FS. Law Implemented 373.056, 373.096, 373.099, 373.1391, 373.1401 FS. History–New 4-1-93, Amended _____.

40B-9.161 Violations.

(1) Pursuant to ~~Under~~ Section 373.613, Florida Statutes, failure to comply with any ~~the~~ provisions of these rules is a misdemeanor of the second degree, punishable as provided in Section 775.082 or Section 775.083, Florida Statutes.

(2) The penalties ~~specified~~ ~~identified~~ in these rules are ~~in addition to and~~ cumulative ~~to~~ and do not supersede other legal remedies ~~penalties or options~~ available to the District including ~~including~~ civil remedies.

Specific Authority 373.044, 373.613, 373.083, 373.1391 FS. Law Implemented 373.056, 373.096, 373.099, 373.1391, 373.1401 FS. History–New 4-1-93, Amended _____.

40B-9.320 Conflicting Rules.

If an agency has entered into lease agreement with the District regarding specific District lands, the rules of that agency shall apply where in conflict with these rules. If the lease agreement does not address a specific use, or if the agency does not have rules addressing a specific use, then the District’s rules shall apply. In the absence of a lease agreement or specific language in a lease agreement, the District’s rules shall apply.

Specific Authority 373.044, 373.083, 373.1391 FS. Law Implemented 373.056, 373.096, 373.099, 373.1391, 373.1401 FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Charles H. Houder III, Deputy Executive Director

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 13, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: A notice of rule development for the proposed amendments to Chapter 40B-9, F.A.C., was published in the Florida Administrative Weekly on October 10, 2008. A second notice of rule development for the proposed amendments to Chapter 40B-9, F.A.C., was published in the Florida Administrative Weekly on October 31, 2008

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

RULE NO.: RULE TITLE:

61B-22.006 Financial Reporting Requirements

PURPOSE AND EFFECT: These rule amendments implement a change in the condominium law requiring association financial reports to disclose the amount of reserve funding required to fully fund association reserves, and require special assessment disclosure for cash basis financial reports.

SUMMARY: The amendments require financial reports to disclose the amount of annual funding required for reserves.

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: 718.111(13), 718.501(1)(f) FS.

LAW IMPLEMENTED: 718.111(12)(a)11., (13), 718.301(4) FS.

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

DATE AND TIME: January 6, 2009, 2:00 p.m.

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sharon A. Malloy, Senior Management Analyst II, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32311-1030, (850)488-1631

THE FULL TEXT OF THE PROPOSED RULE IS:

61B-22.006 Financial Reporting Requirements.

(1) through (2) No change.

(3) Disclosure requirements. The financial statements required by Sections 718.111(13) and 718.301(4), Florida Statutes, shall contain the following disclosures within the financial statements, notes, or supplementary information:

(a) The following reserve disclosures shall be made regardless of whether reserves have been waived for the fiscal period covered by the financial statements:

1. The beginning balance in each reserve account as of the beginning of the fiscal period covered by the financial statements;

2. The amount of assessments and other additions to each reserve account including authorized transfers from other reserve accounts;

3. The amount expended or removed from each reserve account, including authorized transfers to other reserve accounts;

4. The ending balance in each reserve account as of the end of the fiscal period covered by the financial statements;

5. The amount of annual funding required to fully fund each reserve account, or pool of accounts, over the remaining useful life of the applicable asset or group of assets;

~~6.5-~~ The manner by which reserve items were estimated, the date the estimates were last made, the association's policies for allocating reserve fund interest, and whether reserves have been waived during the period covered by the financial statements; and

~~7.6-~~ If the developer has established converter reserves pursuant to Section 718.618(1), Florida Statutes, each converter reserve account shall be identified and include the disclosures required by this rule.

(b) through (e) No change.

(4) through (5) No change.

(6) Financial reports required by Section 718.111(13)(b), Florida Statutes. The financial report required by Section 718.111(13)(b), Florida Statutes, shall meet the following requirements:

(a) The report shall be prepared using a cash basis method of accounting;

(b) The report shall include the reserve disclosures required by subsection 61B-22.006(3)(a), F.A.C.

(c) The report shall include the special assessment disclosure required by paragraph 61B-22.006(3)(c), F.A.C.

~~(d)(f)~~ If the association maintains limited common elements and the expense is apportioned to those units entitled to the exclusive use of the limited common elements the report shall contain the limited common element disclosures required by paragraph 61B-22.006(3)(d), F.A.C.

~~(e)(h)~~ The financial reports of multicondominium associations shall separately disclose the following items:

1. The receipts and expenditures directly associated with specific condominiums; and

2. The receipts and expenditures of the association that are not directly associated with specific condominiums.

(7) No change.

Specific Authority 718.111(13), 718.501(1)(f) FS. Law Implemented 718.111(12)(a)11., (13), 718.301(4) FS. History--New 7-11-93, Formerly 7D-22.006, Amended 12-20-95, 2-13-97, 12-18-01, 6-24-04,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Michael Cochran, Director, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1030

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Charles W. Drago, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 24, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 10, 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 Dentistry

RULE NO.:	RULE TITLE:
64B5-2.014	Licensure Requirements for Applicants from Accredited Schools or Colleges

PURPOSE AND EFFECT: The Board proposes the rule amendment to add new language to clarify proof of training in cardiopulmonary resuscitation (CPR) and to renumber remaining items.

SUMMARY: The rule amendment will add new language to clarify proof of training in cardiopulmonary resuscitation (CPR) and to renumber remaining items.

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: 466.004 FS.

LAW IMPLEMENTED: 456.033, 466.006, 466.0075, 466.028 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-2.014 Licensure Requirements for Applicants from Accredited Schools or Colleges.

Any person who has graduated, or expects to graduate prior to the examination, or is in their final year of a dental program and has completed all the coursework necessary to prepare the student to perform the clinical and diagnostic procedures required to pass the examinations, from a school or college accredited by the Commission on Accreditation of the American Dental Association or its successor agency or a school or college approved by the board may seek licensure as a dentist or dental hygienist by applying in the following manner:

(1) through (3) No change.

(4) Proof of training in cardiopulmonary resuscitation (CPR) at the basic support level, including one-rescuer and two rescuer CPR for adults, children, and infants; the use of an automatic external defibrillator (AED); and the use of ambu-bags. All such training shall be sufficient for and shall result in current certification or recertification by the American Heart Association, the American Red Cross or an entity with equivalent requirements.

~~(5)~~(4) It is the applicant's responsibility to assure that the application for licensure is complete, including assuring that all required documents are submitted timely.

Specific Authority 466.004 FS. Law Implemented 456.033, 466.006, 466.007, 466.0075, 466.028 FS. History--New 10-8-79, Amended 4-1-80, 4-20-81, 3-16-82, 5-2-84, 9-4-84, Formerly 21G-2.14, Amended 12-31-86, 10-8-87, 11-16-89, 10-18-90, Formerly 21G-2.014, 61F5-2.014, Amended 9-24-96, Formerly 59Q-2.014, Amended 8-20-97, 3-16-06, 12-26-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Dentistry

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 31, 2008

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.:	RULE TITLE:
64B5-2.0144	Licensure Requirements for Dental Hygiene Applicants from Unaccredited Dental Schools or Colleges

PURPOSE AND EFFECT: The Board proposes the rule amendment to add language to clarify requirements for sitting for the Florida Dental Hygiene examination.

SUMMARY: The rule amendment will add language to clarify requirements for sitting for the Florida Dental Hygiene examination.

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: 466.004, 466.007, 466.067 FS.

LAW IMPLEMENTED: 466.007 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-2.0144 Licensure Requirements for Dental Hygiene Applicants from Unaccredited Dental Schools or Colleges. Applicants for licensure as dental hygienists who have graduated from an unaccredited dental school or college shall submit the following:

(1) through (9) No change.

(10)(a) Applicants applying for licensure under Section 466.007(2)(b)2., F.S., whose applications do not indicate they have obtained Dental Hygiene clinical education to the level of the clinical experience required by an American Dental Association (ADA) accredited Dental Hygiene program in the areas set forth in paragraph (11)(b) below, who have failed the initial examination, shall be required to obtain remedial coursework in those designated areas that applicant has not successfully completed that would meet the ADA clinical requirements at an ADA accredited dental or dental hygiene school, before being permitted to re-take the dental hygiene examination. Such additional coursework shall be obtained from a program accredited by the ADA, only after the applicant satisfies and the Board approves the education and testing requirements of subsections (3) through (10) above. Such additional coursework must be obtained by the applicant and approved by the Board prior to the applicant being allowed to sit for the Florida Dental Hygiene examination.

(b) through (c) No change.

Specific Authority 466.004, 466.007, 466.067 FS. Law Implemented 466.007 FS. History—New 1-18-95, Formerly 59Q-2.0144, Amended 8-19-97, 8-20-97, 5-20-01, 12-21-06, 5-8-08, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Dentistry

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 31, 2008

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: RULE TITLE:

64B5-15.002 Application Fees

PURPOSE AND EFFECT: The Board proposes the rule amendment to add language for the cost of the application fee for a Health Access Dental License.

SUMMARY: The rule amendment will add language for the cost of the application fee for a Health Access Dental License.

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

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

SPECIFIC AUTHORITY: 466.004(3) FS.

LAW IMPLEMENTED: 466.006(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-15.002 Application Fees.

The application fee for licensure as a dentist shall be one hundred dollars (\$100.00), and the application fee for licensure as a dental hygienist shall be fifty dollars (\$50.00). The application fee for a Health Access Dental License shall be one hundred dollars (\$100.00).

Specific Authority 466.004(3) FS. Law Implemented 466.006(1), 466.007(1) FS. History—New 4-1-80, Amended 5-9-82, Formerly 21G-15.02, 21G-15.002, 61F5-15.002, 59Q-15.002, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Dentistry

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 11, 2008
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 31, 2008

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: 64B5-15.006
 RULE TITLE: Licensure and Renewal Fees

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete unnecessary language and to add language to clarify the biennial renewal fee.

SUMMARY: The rule amendment will delete unnecessary language and to add language to clarify the biennial renewal fee.

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

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

SPECIFIC AUTHORITY: 456.013, 456.025, 466.013 FS.

LAW IMPLEMENTED: 456.013, 456.025, 466.013 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-15.006 Licensure and Renewal Fees.

(1) The fee for biennial renewal of both a dental license and of a health access dental license shall be \$300.00, ~~and The biennial renewal fee for a dental hygiene license, the renewal fee shall be \$100.00.~~

(2) No change.

Specific Authority 456.013, 456.025, 466.013 FS. Law Implemented 456.013, 456.025, 466.013 FS. History—New 4-1-80, Amended 1-25-82, 10-3-83, Formerly 21G-15.06, Amended 11-16-89, 8-13-92, Formerly 21G-15.006, 61F5-15.006, Amended 5-6-96, Formerly 59Q-15.006, Amended 8-2-01, 6-11-07,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Dentistry

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 31, 2008

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: 64B5-16.001
 RULE TITLE: Definitions of Remediable Tasks and Supervision Levels

PURPOSE AND EFFECT: The Board proposes the rule amendment to add language to define the supervision level for any task delegable to dental hygienists.

SUMMARY: The rule amendment will add language to define the supervision level for any task delegable to dental hygienists.

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: 466.004(4), 466.024(1), (3) FS.

LAW IMPLEMENTED: 466.024, 466.03(1), (12) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-16.001 Definitions of Remediable Tasks and Supervision Levels.

(1) through (7) No change.

(8) Any tasks delegable to dental assistants will be delegable to dental hygienists under the same supervision level, unless otherwise stated in the rules.

Specific Authority 466.004(4), 466.024(1), (3) FS. Law Implemented 466.024, 466.003(11), (12) FS. History—New 4-30-80, Amended 8-20-80, 1-28-81, 3-4-81, 10-8-85, Formerly 21G-16.01, Amended 6-30-86, 12-31-86, 7-5-87, 2-21-88, 1-18-89, Formerly 21G-16.001, Amended 3-30-94, Formerly 61F5-16.001, Amended 4-6-97, Formerly 59Q-16.001, Amended 1-6-99, 10-29-00,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Dentistry

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 31, 2008

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: 64B5-16.002 **RULE TITLE:** Required Training
PURPOSE AND EFFECT: The Board proposes the rule amendment to delete reference to the Dental Assisting National Board, Inc. (DANB) credential.
SUMMARY: The rule amendment will delete reference to the Dental Assisting National Board, Inc. (DANB) credential.
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: 466.004, 466.024 FS.
LAW IMPLEMENTED: 466.023, 466.024 FS.
IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster , Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-16.002 Required Training.

(1) Formal training which is required for the performance of certain remediable tasks consists of a dental hygienist's or dental assistant's successful completion of an expanded duty course or program which meets one of the following requirements:

- (a) through (b) No change.
- (c) ~~A dental assistant who possesses a current Dental Assisting National Board, Inc. (DANB) credential.~~
- (2) through (4) No change.

Specific Authority 466.004, 466.024 FS. Law Implemented 466.023, 466.024 FS. History--New 4-30-80, Amended 8-20-80, 1-28-81, 3-4-81, 4-20-81, Formerly 21G-16.02, Amended 6-30-86, 12-31-86, 7-5-87, 2-21-88, 7-12-88, 1-18-89, 11-16-89, Formerly 21G-16.002, 61F5-16.002, Amended 6-12-97, Formerly 59Q-16.002, Amended 1-29-07,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Dentistry
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Dentistry
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 11, 2008
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 31, 2008

DEPARTMENT OF HEALTH

Board of Hearing Aid Specialists

RULE NO.: 64B6-3.001 **RULE TITLE:** Application for Initial License
PURPOSE AND EFFECT: The Board proposes the rule amendment to adopt and incorporate by reference the application for initial license.
SUMMARY: The proposed changes will adopt and incorporate by reference the application for initial licensure in the rule and indicate a website where the form may be obtained.
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A statement of Estimated Regulatory Cost was prepared. The Board determined the proposed rule will not have an impact on small business.
 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: 484.044 FS.
LAW IMPLEMENTED: 456.013, 484.0447(4), (5), 484.045 FS.
IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Hearing Aid Specialists/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B6-3.001 Application for Initial License.

(1) The Department shall issue a license to each applicant who has completed the appropriate form, paid the initial licensure fee, and whom the Board certifies has met the licensing requirements of Chapter 484, Part II, Florida Statutes, and minimal procedures and equipment requirements of Chapter 64B6-6, F.A.C. The application shall be made on the Board of Hearing Aid Specialists Initial Licensure Form, Form DH-MQA 1156 (revised 10/08), hereby adopted and incorporated by reference, and can be obtained from the Board of Hearing Aid Specialists' website at <http://www.doh.state.fl.us/mqa/HearingAid/>.

(2) No change.

Specific Authority 484.044 FS. Law Implemented 456.013, 484.0447(4), (5), 484.045 FS. History--New 5-14-87, Amended 4-8-90, Formerly 21JJ-3.001, 61G9-3.001, Amended_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Hearing Aid Specialists
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Hearing Aid Specialists

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 14, 2008
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 22, 2008

DEPARTMENT OF HEALTH

Board of Hearing Aid Specialists

RULE NO.: 64B6-7.007
 RULE TITLE: Citations

PURPOSE AND EFFECT: The Board proposes the rule amendment to add language to citations providing for a fine for tendering a dishonored check.

SUMMARY: The proposed changes will add a requirement for licensees who tender a check to the Board or Department that is dishonored by the institution to be issued a fine of \$100.00 and payment of the dishonored check within 30 days.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A statement of Estimated Regulatory Cost was prepared. The Board determined the proposed rule will not have an impact on small business.

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: 456.077, 484.044 FS.

LAW IMPLEMENTED: 456.077 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Hearing Aid Specialists/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B6-7.007 Citations.

(1) through (3) No change.

(4) Tendering a check payable to the Board of Hearing Aid Specialists or to the Department of Health that is dishonored by the institution upon which it is drawn shall result in a fine of \$100.00 and payment of the check within 30 days.

~~(5)~~(4) Citations shall be issued for the first time offense of those violations enumerated in subsection (3). Failure to comply with the citations and remedy the violations within 60 days of the date of the citation shall result in disciplinary action being taken against the licensee.

~~(6)~~(5) If the subject does not dispute the matter in the citation with the department within 30 days after the citation is served, the citation becomes a public final order and does not constitute discipline for a first offense, but does constitute discipline for a second or subsequent offense.

Specific Authority 456.077, 484.044 FS. Law Implemented 456.077 FS. History--New 10-21-91, Formerly 21JJ-7.010, Amended 11-21-94, Formerly 61G9-7.010, Amended 9-24-97, 5-19-05,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Hearing Aid Specialists

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Hearing Aid Specialists

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 14, 2008

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NO.: 65A-1.603
 RULE TITLE: Food Stamp Program Income and Expenses

PURPOSE AND EFFECT: The proposed rule amendment updates the telephone standard and includes wording changes, clarifications and technical changes of a non-substantive nature improving the content of the rule.

SUMMARY: General Food Stamp Program income and expense 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: 414.45 FS.

LAW IMPLEMENTED: 414.31 FS.

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

DATE AND TIME: January 7, 2009, 11:00 a.m.

PLACE: 1317 Winewood Boulevard, Building 3, Room 455, Tallahassee, Florida 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Cindy Keil, ACCESS Florida Program Policy, 1317 Winewood Boulevard, Building 3, Tallahassee, Florida 32399-0700, (850)410-3291

THE FULL TEXT OF THE PROPOSED RULE IS:

65A-1.603 Food Stamp Program Income and Expenses.

(1) Rounding Income and Expenses. With the exception of the benefit reduction, c~~cents~~ resulting from budgetary calculations are ~~will be~~ retained at each level in determining the assistance group's (AG's) food stamp benefits ~~except at~~

calculation of the benefit reduction. The result of calculation of the benefit reduction ~~is will be~~ rounded up to the next whole dollar amount.

(2) Standard Utility Allowance. A standard utility allowance (SUA) of \$198 must be used by Assistance Groups (AGs) who ~~actually incur or, within the certification period next 12 months expect to incur, either heating or cooling expenses costs or both~~ separate and apart from their rent or mortgage and by AGs who receive direct or indirect assistance authorized under the Low Income Home Energy Assistance Act of 1981 ~~payment~~. Actual utility expenses are not allowed. ~~Any When a SUA is budgeted, no other additional utility expenses costs, including the separate telephone standard, are not used~~ expense, will be budgeted. The AGs that must use the SUA include those that:

- (a) Are billed by their landlord for actual usage of cooling and/or heating utilities, or are charged a flat rate for heating and cooling, separate and apart from their rent or mortgage;
- (b) Receive direct or mortgage assistance authorized by the Low Income Home Energy Assistance Act of 1981 (LIHEAP); and
- (c) Share a utility meter and incur a heating cost, a cooling cost or both.
- (d) Assistance Groups who are residents of public housing that are billed only for excess utility expenses are entitled to the full SUA.

(e) If more than one AG shares in paying any of the utility expenses of the dwelling, the full SUA will be allowed for each AG sharing in any of the utility costs. An individual living with others and not sharing in the utility costs of the dwelling is not entitled to the SUA.

(3) Basic Utility Allowance. A basic utility allowance (BUA) of \$173 ~~must will be used by budgeted for~~ AGs who that do not have the ability to incur either heating or cooling expenses, but do incur ~~other utilities expenses~~ such as electricity, fuel, water, sewerage, or garbage pickup, separate and apart from their rent or mortgage. Actual ~~utility~~ expenses are not allowed. ~~If the BUA is budgeted, no other Any additional utility expenses, including the telephone standard, are not used~~ expense, will be budgeted. The use of this BUA is mandatory for all AGs who incur a utility expense other than a telephone, including AGs who:

- (a) Are billed by their landlord for actual usage or are charged a flat rate for utilities; and
- (b) Share a utility meter and pay for utilities.

~~If more than one AG shares in paying any of the utility expenses of the dwelling, the full BUA will be allowed for each AG sharing in the utility costs. An individual living with others and not sharing in the utility expenses of the dwelling is not entitled to share the BUA.~~

(4) Telephone Standard. ~~A telephone standard of \$29 must be used by~~ AGs whose ~~incur only allowable utility expense is for a telephone expense, will be offered a separate standard~~

~~telephone allowance for use in the food stamp budget. Actual telephone expenses are not allowed. Any additional utility expenses, including the SUA or BUA, are not used. If more than one AG shares in payment of the telephone expense and that is the only utility expense of the dwelling, the full telephone standard will be allowed for each AG sharing in the telephone expense. The amount of the standard telephone allowance is \$14.~~

(5) Homeless Shelter Deduction ~~Standard Estimate for the Homeless. A hHomeless shelter deduction of \$143 must be used by homeless AGs who do not receive free shelter throughout the month and individuals who incur or expect to incur shelter expenses unless higher expenses are claimed costs during a month shall have a shelter standard estimate of \$143 included in their food stamp budget, if the individual so desires.~~

Specific Authority 414.45 FS. Law Implemented 414.31 FS. History—New 1-31-94, Formerly 10C-1.603, Amended 1-12-99, 5-25-03, 8-22-05,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Nathan Lewis
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: George H. Sheldon
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 26, 2008
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 17, 2008

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF REVENUE

Miscellaneous Tax

RULE NO.: RULE TITLE:
12B-7.008 Public Use Forms

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 34, No. 41, October 10, 2008 issue of the Florida Administrative Weekly.

In response to written comments received from the Joint Administrative Procedures Committee, dated November 17, 2008, changes to Forms DR-145 and DR-145X will be made as follows:

- (1) The title of Form DR-145X will be changed to read “Oil Product Monthly Amended Tax Return”; and
- (2) The following subheading will be removed from Forms DR-145 and DR-145X: “~~Check here if amending your return.~~”

DEPARTMENT OF REVENUE**Miscellaneous Tax**

RULE NO.: RULE TITLE:
12B-8.003 Tax Statement; Overpayments
 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. 41, October 10, 2008 issue of the Florida Administrative Weekly.

In response to written comments received from the Joint Administrative Procedures Committee, dated November 17, 2008, the instructions for Line 1 – Property/Casualty/Miscellaneous and for Line 2 – Life and Accident and Health of Schedule I – Computation of Insurance Premium Tax, on Page 4 of Form DR-908N, Instructions for Preparing Form DR-908 Florida Insurance Premium Taxes and Fees Return, has been changed as follows:

Line 1. Property/Casualty/Miscellaneous

Enter the Florida direct premiums written (gross premiums minus reinsurance assumed and returned premiums), which are reported on the Florida Business Page from the Florida Annual Statement.

(a) Additional Taxable Premiums – Enter additional taxable premiums. Some examples of additional taxable premiums are: such as finance and service charges; managing general agent fees; and the; gross up of bail bond premiums; etc.

(b) Excluded Premiums – Enter excluded premiums which were included in direct written premiums. This includes any premium that is federally preempted from state taxation. Some examples of excluded premiums that are included in direct written premium are; ~~such as~~ Motor Vehicle Service Agreement premiums and Service Warranty Association premiums under Chapter 634, F.S., that are subject to sales tax; Federal Crop Insurance Corporation premiums and premiums reinsured by the Federal Crop Insurance Corporation that are preempted from state taxation under Section 400.352 of Chapter IV of Title 7 of the Code of Federal Regulations; in accordance with the Federal Crop Insurance Act, 7 U.S.C. ss.1501 et seq.; free premiums (uncollected premiums from policies where insurance coverage was provided without being paid by policyholder – net of subsequent collected amounts); federally preempted federal employee health benefit plan premiums; federally preempted Medicare part D and Medicare Choice Plus premiums; and; Federal flood premiums issued by FEMA, ~~any other premium that is federally preempted from state taxation, etc.~~

Line 2. Life and Accident and Health

Enter the Florida direct premiums written (gross premiums minus reinsurance assumed and returned premiums), which are reported on the Florida Business Page from the Florida Annual Statement.

(a) Additional Taxable Premiums – Enter additional taxable premiums. Some examples of additional taxable premiums are: such as finance charges; and service charges; and managing general agent fees; etc.

(b) Excluded Premiums – Enter excluded premiums which were included in direct written premiums. This includes any premium that is federally preempted from state taxation. Some examples of excluded premiums that are included in direct written premium are; ~~such as~~ federally preempted federal employee health benefit plan premiums; federally preempted Medicare part D premiums; and federally preempted Medicare Choice Plus premiums, ~~any other premium that is federally preempted from state taxation, etc.~~

DEPARTMENT OF REVENUE**Corporate, Estate and Intangible Tax**

RULE NO.: RULE TITLE:
12C-1.051 Forms

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 34, No. 41, October 10, 2008 issue of the Florida Administrative Weekly.

In response to written comments received from the Joint Administrative Procedures Committee, dated November 24, 2008, changes to Forms F-1065N, F-1120A, F-1120, F-1120N, and F-7004, incorporated by reference in Rule 12C-1.051, F.A.C., have been made.

The following changes have been made to Form F-1065N, Instructions for Preparing Form F-1065 Florida Partnership Information Return:

The second paragraph of the instructions for an “Extension of Time to File” on Page 1 has been changed as follows:

You must file Florida Form F-7004 to extend your time to file. A copy of your federal extension alone will not extend the time for filing your Florida return. See Rule 12C-1.0222, F.A.C., for information on the requirements that must be met for your request for an extension of time to be valid.

The instructions for “Attachments and Statements” on Page 1 have been changed as follows:

You may use attachments if the lines on Form F-1065 or on any schedules are not sufficient. They must contain all the required information and follow the format of the schedules on the return. Do not attach a copy of the federal return.

The following changes have been made to Form F-1120A, Florida Corporate Short Form Income Tax Return:

The first paragraph of the instructions under “General Information (*continued*)” on Page 3 has been changed as follows: You must file Florida Form F-7004 to extend your time to file. A copy of your federal extension alone will not extend the time for filing your Florida return. See Rule

12C-1.0222, F.A.C., for information on the requirements that must be met for your request for an extension of time to be valid.

The fourth sentence of the instructions under "Line 4. Florida Exemption" on Page 4 has been changed as follows: Multiply \$5,000 by the number of days in the short tax year divided by 365.

The paragraph in "A." of the instructions under "Information for Filing Form F-7004" on Page 4 has been replaced with the following sentence: An extension for Florida tax purposes may be granted, even though no federal extension was granted. See Rule 12C-1.0222, F.A.C., for information on the requirements that must be met for your request for an extension of time to be valid.

The following change has been made to Form F-1120, Florida Corporate Income/Franchise and Emergency Tax Return:

The paragraph in "A." of the instructions under "Information for Filing Form F-7004" has been changed as follows: An extension for Florida tax purposes may be granted, even though no federal extension was granted. See Rule 12C-1.0222, F.A.C., for information on the requirements that must be met for your request for an extension of time to be valid.

The following changes have been made to Form F-1120N, F-1120 Instructions – Corporate Income/Franchise and Emergency Tax Return for taxable years beginning on or after January 1, 2008:

The first paragraph on Page 3 has been changed as follows: You must file Florida Form F-7004 to extend your time to file. A copy of your federal extension alone will not extend the time for filing your Florida return. See Rule 12C-1.0222, F.A.C., for information on the requirements that must be met for your request for an extension of time to be valid.

The third paragraph for "Line 9 – Florida Exemption" on Page 6 has been changed as follows: If the taxable year is less than 12 months, the \$5,000 exemption must be prorated. Multiply \$5,000 by the number of days in the short tax year divided by 365.

The following change has been made to Form F-1158ZN, Instructions for Form F-1158Z – Enterprise Zone Property Tax Credit:

The second paragraph under "Credit Limitations" has been changed as follows: The business must have at least 5 more full time employees than it had in the preceding year to qualify for the initial credit. This employment requirement must be maintained for each year the credit is claimed.

The following change has been made to Form F-7004, Florida Tentative Income/Franchise and Emergency Excise Tax Return and Application for Extension of Time to File Return:

The paragraph in "A." of the instructions under "Information for Filing Form F-7004" has been changed as follows: An extension for Florida tax purposes may be granted, even though no federal extension was granted. See Rule

12C-1.0222, F.A.C., for information on the requirements that must be met for your request for an extension of time to be 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 NO.:

62-285.400

RULE TITLE:

Adoption of California Motor Vehicle Emissions Standards

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. 35, August 29, 2008 issue of the Florida Administrative Weekly.

The department is making changes to the above-referenced rulemaking due to comments received into the record of the rule adoption hearing. The changes to paragraph 62-285.400(9)(a), F.A.C., clarify the Department's intent to require that manufacturers be subject to the same standards in Florida as in California. The rule is also amended to add new subsection 62-285.400(10), F.A.C., which requires the department to initiate proceedings to repeal the rule if certain actions are taken by the federal government.

62-285.400 Adoption of California Motor Vehicle Emission Standards.

(1) through (8) No change.

(9) Incorporation by Reference.

(a) For purposes of applying the incorporated sections of the CCR, "California" means "Florida," including in the context of "produced and delivered for sale," and "placed in service," ~~and~~ "annual sales," unless otherwise specified in this rule or the application is clearly inappropriate. "California Air Resources Board" and "Executive Officer" mean the California Air Resources Board and its Executive Officer. "California annual sales" and "annual sales" refer to sales in the State of California.

(b) No change.

(10) If the federal government establishes an equivalent or more stringent nationwide standard for reduced vehicle greenhouse gas emissions, compared to this rule, either directly or through fuel efficiency standards, the department shall initiate proceedings to repeal this rule.

Specific Authority 403.061 FS. Law Implemented 403.031, 403.061 FS. History--New _____.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Office of the Secretary

RULE NOS.:	RULE TITLES:
62S-4.001	Definitions
62S-4.004	Application Procedures for Coastal Partnership Initiative Grants

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. 38, September 19, 2008 issue of the Florida Administrative Weekly.

In addition to the text changes below, the 306A Checklist (Form 62S-4.001(12)) has been revised to change provisions for affidavits, attestations, certifications, or sworn statements to statements in the checklist and the examples provided in the Appendices.

62S-4.001: (12) "306A Checklist" means the "Section 306A Guidance and Checklist" Form 62S-4.001(12), which became effective _____ and is hereby adopted and incorporated by reference. NOAA requires submission of the information in the checklist prior to release of funds under Section 306A of the Act for construction projects, invasive species removal, habitat restoration, capital outlay or land acquisition. 306A Checklists may be obtained from the CPI website at <http://www.dep.state.fl.us/cmp/grants/index.htm>, or by contacting FCMP staff at the Department of Environmental Protection, Florida Coastal Management Program, MS 47, 3900 Commonwealth Blvd., Tallahassee, FL 32399-3000.

62S-4.004: (5) Application Form. The Coastal Partnership Initiative Application Form, 62S-4.004(5), effective date _____ (which includes the 306A checklist as incorporated in 62S-4.001(12)), is hereby incorporated by reference and is available from the CPI website at <http://www.dep.state.fl.us/cmp/grants/index.htm>. To request an application form, contact FCMP staff at the Department of Environmental Protection, Florida Coastal Management Program, MS 47, 3900 Commonwealth Blvd., Tallahassee 32399-3000.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Office of the Secretary

RULE NO.:	RULE TITLE:
62S-5.001	Definitions

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. 38, September 19, 2008 issue of the Florida Administrative Weekly.

(8) "306A Checklist" means the ~~January 2003~~ "Section 306A Guidance and Checklist" as incorporated in subsection 62S-4.001(12), F.A.C., required for applicants requesting funds for construction projects, invasive species removal, habitat restoration, capital outlay or land acquisition. NOAA requires submission of the information in the checklist prior to release of funds under Section 306A of the Act.

**Section IV
Emergency Rules**

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF THE LOTTERY

RULE NO.:	RULE TITLE:
53ER08-72	Instant Game Number 779, 7 COME 11™

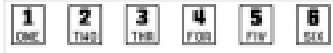
SUMMARY: This emergency rule describes Instant Game Number 779, "7 COME 11™," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value, and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Faith L. Schneider, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

- 53ER08-72 Instant Game Number 779, 7 COME 11™.
- (1) Name of Game. Instant Game Number 779, "7 COME 11™."
- (2) Price. 7 COME 11 lottery tickets sell for \$1.00 per ticket.
- (3) "7 COME 11" lottery tickets shall have a series of numbers in Machine Readable Code (or bar code) on the back of the ticket, along with a Void If Removed Number under the latex area on the ticket. To be a valid winning 7 COME 11 lottery ticket, the ticket must meet the applicable requirements of Rule 53ER08-20, F.A.C.

(4) The play symbols and play symbol captions are as follows:



(5) The prize symbols and prize symbol captions are as follows:



(6) The legends are as follows:

ROLL 1 ROLL 2 ROLL 3 ROLL 4 +

(7) Determination of Prizewinners.

There are four rolls on each 7 COME 11 lottery ticket. A ticket having two numbers within a roll, the total of which is 7 or 11, shall entitle the claimant to the corresponding prize shown for that roll. The prizes are: \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$20.00, \$40.00, \$100 and \$3.000.

(8) The estimated odds of winning, value and number of prizes in Instant Game Number 779 are as follows:

(\$40 x 2) + (\$10 x 2)	\$100	6,000.00	2,640
(\$20 x 3) + \$40	\$100	7,500.00	2,112
(\$40 x 2) + \$20	\$100	8,000.00	1,980
\$100	\$100	8,000.00	1,980
\$3,000	\$3,000	226,285.71	70

(9) The estimated overall odds of winning some prize in Instant Game Number 779 are 1 in 4.96. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(10) For reorders of Instant Game Number 779, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(11) By purchasing a 7 COME 11 lottery ticket the player agrees to comply with and abide by all prize payment rules of the Florida Lottery.

(12) Payment of prizes for 7 COME 11 lottery tickets shall be made in accordance with rules of the Florida Lottery governing payment of prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Specific Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 11-25-08.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.
EFFECTIVE DATE: November 25, 2008

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER08-73
RULE TITLE: Instant Game Number 782, \$250,000 JACKPOT

SUMMARY: This emergency rule describes Instant Game Number 782, “\$250,000 JACKPOT,” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Faith L. Schneider, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

GAME PLAY	WIN	ESTIMATED ODDS OF 1 IN	NUMBER OF WINNERS IN 66 POOLS OF 240,000 TICKETS PER POOL
\$1	\$1	11.54	1,372,800
\$2	\$2	30.00	528,000
\$1 x 2	\$2	25.00	633,600
\$1 x 4	\$4	300.00	52,800
(\$1 x 2) + \$2	\$4	300.00	52,800
\$2 x 2	\$4	150.00	105,600
\$4	\$4	150.00	105,600
(\$1 x 3) + \$2	\$5	300.00	52,800
\$4 + \$1	\$5	600.00	26,400
\$5	\$5	600.00	26,400
(\$2 x 3) + \$4	\$10	300.00	52,800
\$5 + \$4 + \$1	\$10	300.00	52,800
\$10	\$10	300.00	52,800
\$5 x 4	\$20	600.00	26,400
\$10 x 2	\$20	1,200.00	13,200
\$20	\$20	1,200.00	13,200
\$10 x 4	\$40	2,400.00	6,600
(\$10 x 2) + \$20	\$40	4,800.00	3,300
\$20 x 2	\$40	4,800.00	3,300
\$40	\$40	4,800.00	3,300

53ER08-73 Instant Game Number 782, \$250,000 JACKPOT.

(1) Name of Game. Instant Game Number 782, “\$250,000 JACKPOT.”

(2) Price. \$250,000 JACKPOT lottery tickets sell for \$5.00 per ticket.

(3) \$250,000 JACKPOT lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning \$250,000 JACKPOT lottery ticket, the ticket must meet the applicable requirements of Rule 53ER08-20, F.A.C.

(4) The “YOUR NUMBERS” play symbols and play symbol captions are as follows:



(5) The “WINNING NUMBERS” play symbols and play symbol captions are as follows:



(6) The prize symbols and prize symbol captions are as follows:



(7) The “JACKPOT NUMBER” play symbols and play symbol captions are as follows:



(8) The legends are as follows:



(9) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the “YOUR NUMBERS” play area that matches a play symbol and corresponding play symbol caption in the “WINNING NUMBERS” play area shall entitle the claimant to the corresponding prize shown for that symbol. A

ticket having a “ ” symbol and corresponding symbol

caption in the “YOUR NUMBERS” play area shall entitle the claimant to the prize shown for that symbol. A ticket having a play symbol and corresponding play symbol caption in the “YOUR NUMBERS” play area that matches the play symbol and corresponding play symbol caption in the “JACKPOT NUMBER” play area shall entitle the claimant to all twelve prizes shown.

(b) The prizes are: \$2.00, \$5.00, \$10.00, \$20.00, \$40.00, \$50.00, \$100, \$200, \$500, \$1,000, \$10,000 and \$250,000.

(10) The estimated odds of winning, value, and number of prizes in Instant Game Number 782 are as follows:

GAME PLAY	WIN	ESTIMATED ODDS OF 1 IN	NUMBER OF WINNERS IN 86 POOLS OF 120,000 TICKETS PER POOL
\$5	\$5	10.00	1,032,000
\$2 x 5	\$10	30.00	344,000
\$5 x 2	\$10	30.00	344,000
\$10	\$10	30.00	344,000
(\$2 x 5) +	\$20	240.00	43,000
(\$5 x 2)	\$20	240.00	43,000
\$5 x 4	\$20	120.00	86,000
\$10 x 2	\$20	240.00	43,000
\$20	\$20	240.00	43,000
(\$2 x 10) +	\$40	1,000.00	10,320
(\$10 x 2)	\$40	1,000.00	10,320
(JACKPOT)	\$40	1,000.00	10,320
\$5 x 8	\$40	1,000.00	10,320
\$10 x 4	\$40	1,000.00	10,320
\$20 x 2	\$40	1,000.00	10,320
\$40	\$40	1,000.00	10,320
(\$2 x 10) + \$10	\$50	1,200.00	8,600
+ \$20	\$50	1,200.00	8,600
(JACKPOT)	\$50	1,200.00	8,600
\$5 x 10	\$50	1,200.00	8,600
\$10 x 5	\$50	1,200.00	8,600
(\$20 x 2) + \$10	\$50	1,600.00	6,450
\$50	\$50	2,000.00	5,160
(\$5 x 8) + (\$20	\$100	1,200.00	8,600
x 2) + (\$10 x 2)	\$100	1,200.00	8,600
(JACKPOT)	\$100	1,200.00	8,600
\$10 x 10	\$100	1,200.00	8,600
\$20 x 5	\$100	1,500.00	6,880
\$50 x 2	\$100	1,500.00	6,880
\$100	\$100	1,500.00	6,880
(\$40 x 2) +	\$200	8,000.00	1,290
(\$10 x 8) +	\$200	8,000.00	1,290
(\$20 x 2)	\$200	8,000.00	1,290
(JACKPOT)	\$200	8,000.00	1,290
\$20 x 10	\$200	8,000.00	1,290
\$40 x 5	\$200	8,000.00	1,290
\$100 x 2	\$200	12,000.00	860
\$200	\$200	12,000.00	860

(\$40 x 10) +			
(\$50 x 2)	\$500	10,000.00	1,032
(JACKPOT)			
\$50 x 10	\$500	10,000.00	1,032
\$100 x 5	\$500	10,000.00	1,032
(\$200 x 2) +			
\$100	\$500	10,000.00	1,032
\$500	\$500	10,000.00	1,032
(\$50 x 8) +			
(\$200 x 2) +			
(\$100 x 2)	\$1,000	30,000.00	344
(JACKPOT)			
\$100 x 10	\$1,000	30,000.00	344
\$200 x 5	\$1,000	40,000.00	258
\$500 x 2	\$1,000	40,000.00	258
\$1,000	\$1,000	40,000.00	258
(\$500 x 4) +			
(\$1,000 x 8)	\$10,000	120,000.00	86
(JACKPOT)			
\$10,000	\$10,000	120,000.00	86
\$250,000	\$250,000	1,290,000.00	8
	0		

(11) The estimated overall odds of winning some prize in Instant Game Number 782 are 1 in 4.27. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(12) For reorders of Instant Game Number 782, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(13) By purchasing a \$250,000 JACKPOT lottery ticket the player agrees to comply with and abide by all prize payment rules of the Florida Lottery.

(14) Payment of prizes for \$250,000 JACKPOT lottery tickets shall be made in accordance with rules of the Florida Lottery governing payment of prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Specific Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 11-25-08.

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

EFFECTIVE DATE: November 25, 2008

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER08-74
 RULE TITLE: Instant Game Number 781, CROSSWORD

SUMMARY: This emergency rule describes Instant Game Number 781, "CROSSWORD," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value, and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Faith L. Schneider, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER08-74 Instant Game Number 781, CROSSWORD.

(1) Name of Game. Instant Game Number 781, "CROSSWORD."

(2) Price. CROSSWORD lottery tickets sell for \$3.00 per ticket.

(3) "CROSSWORD" lottery tickets shall have a series of numbers in Machine Readable Code (or bar code) on the back of the ticket, along with a Void If Removed Number under the latex area on the ticket. To be a valid winning CROSSWORD lottery ticket, the ticket must meet the applicable requirements of Rule 53ER08-20, F.A.C.

(4) The "YOUR LETTERS" play symbols are as follows:



(5) The "CROSSWORD PUZZLE" play symbols are as follows:



(6) The legend is as follows:

YOUR LETTERS

(7) Determination of Prizewinners.

The holder of a ticket whose letters (Play Symbols) under the caption YOUR LETTERS match the letters (Play Symbols) in the CROSSWORD PUZZLE to form at least two (2) different complete words wins the corresponding prize in the PRIZE LEGEND. A word must contain at least three (3) letters. A word cannot be formed by linking letters diagonally or by reading the letters from the bottom to top. Letters combined to form a word must appear in an unbroken horizontal or vertical

string of letters in the CROSSWORD PUZZLE that is not interrupted by a black space and contains every single letter square between two black spaces. Every letter in the unbroken string must be revealed in YOUR LETTERS and be included to form a word. The possible complete words are shown in the CROSSWORD PUZZLE. Each possible complete word consists of three or more letters and occupies an entire word space. All of the letters in a possible complete word must be matched in order to complete the word. The three letters that appear in the YOUR LETTERS box under the scratch-off coating on the ticket that are smaller in size than the 18 YOUR LETTERS, are not play symbols to be used in playing the game.

(8) The estimated odds of winning, value and number of prizes in Instant Game Number 781 are as follows:

		ESTIMATED	NUMBER OF WINNERS IN 85 POOLS OF 180,000 TICKETS
Reveal 2 or more complete words	WIN	ODDS OF 1 IN	PER POOL
2 Words	\$3	10.00	1,530,000
3 Words	\$6	12.50	1,224,000
4 Words	\$10	25.00	612,000
5 Words	\$20	100.00	153,000
6 Words	\$30	180.00	85,000
7 Words	\$50	250.00	61,200
8 Words	\$100	500.00	30,600
9 Words	\$200	9,000.00	1,700
10 Words	\$1,000	20,000.00	765
11 Words	\$50,000	728,571.43	21

(9) The estimated overall odds of winning some prize in Instant Game Number 781 are 1 in 4.14. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(10) For reorders of Instant Game Number 781, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(11) By purchasing a CROSSWORD lottery ticket the player agrees to comply with and abide by all prize payment rules of the Florida Lottery.

(12) Payment of prizes for CROSSWORD lottery tickets shall be made in accordance with rules of the Florida Lottery governing payment of prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Specific Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 11-25-08.

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

EFFECTIVE DATE: November 25, 2008

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER08-75
 RULE TITLE: Crossword Retailer Bonus Sales Commission

SUMMARY: From December 2, 2008 through December 16, 2008, the Florida Lottery will award retailers a bonus sales commission on each book of tickets sold in their store.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Faith L. Schneider, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER08-75 Crossword Retailer Bonus Sales Commission.

(1) Beginning December 2 through December 16, 2008, the Florida Lottery will pay retailers, for each book of CROSSWORD tickets they settle, an additional sales commission of five percent (5%) per ticket in addition to the regular commission set forth in Rule 53ER05-14, F.A.C.

(2) If a book of Crossword tickets is settled during the incentive period and subsequently unsettled, the retailer's account will be adjusted to reverse the additional five percent (5%) sales commission.

(3) If a book of Crossword tickets is settled during the incentive period and is subsequently reported lost, stolen or damaged, the retailer's account will be adjusted to reverse the additional five percent (5%) sales commission.

(4) Bonus commissions and any adjustments will be reflected on the retailer's weekly settlement report.

(5) The Lottery reserves the right to apply a bonus commission earned against a retailer's outstanding debt to the Lottery and to award the remaining balance of the bonus commission, if any.

(6) Bonus sales commissions will be considered compensation to the retailer for Internal Revenue Service purposes.

(7) Retailers whose Florida Lottery contracts are terminated or inactivated prior to the bonus commission award shall be paid the bonus commission earned provided said termination or inactivation was not due to noncompliance with Chapter 24, Florida Statutes, Chapter 53, F.A.C., or contract terms.

Specific Authority 24.105(9)(i), 24.109(1), 24.112(1) FS. Law Implemented 24.105(9)(i), 24.112(1) FS. History—New 11-25-08.

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

EFFECTIVE DATE: November 25, 2008

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER08-76
 RULE TITLE: Instant Game Number 787, "WILD 7's BINGO"

SUMMARY: This emergency rule relates to the Instant Game Number 787, "WILD 7's BINGO" for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; and the estimated odds of winning, value, and number and size of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Faith L. Schneider, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

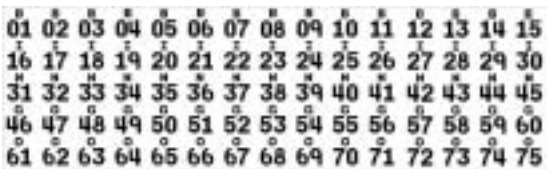
53ER08-76 Instant Game Number 787, "WILD 7's BINGO."

(1) Name of Game. Instant Game Number 787, "WILD 7's BINGO."

(2) Price. WILD 7's BINGO lottery tickets sell for \$2.00 per ticket.

(3) WILD 7's BINGO lottery tickets shall have a series of numbers in Machine Readable Code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning WILD 7's BINGO lottery ticket, the ticket must meet the applicable requirements of Rule 53ER08-20, F.A.C.

(4) The "CALLER'S CARD" play symbols are as follows:



(5) The "PLAYER'S CARDS" play symbols are as follows:



(6) Determination of Prizewinners.

(a) There are four player's cards numbered 1 through 4 and one Caller's Card on each WILD 7's BINGO ticket. A "FREE" space will appear in the center of each player's card. A "FREE" space can substitute as a number in a pattern of which it is a part.

(b) A ticket whose numbers on one of the player's cards match the Caller's Card numbers in one of the following patterns shall entitle the claimant to the prize shown for that pattern on that card:

1. Horizontal line of five numbers (or four numbers and one "FREE" space).
2. Vertical line of five numbers (or four numbers and one "FREE" space).
3. Diagonal line of four numbers and one "FREE" space.
4. Four corners (consisting of four numbers).
5. "X" (consisting of eight numbers and one "FREE" space).

Prizes that appear in the player's cards area are: FREE TICKET, \$3, \$10, \$25, \$50, \$100, \$150, \$200, \$250, \$500, and \$10,000. Prize amounts for a particular pattern are different on each player's card.

(c) A ticket whose numbers on one of the player's cards match the Caller's Card numbers in a "7" pattern (consisting of six numbers and one "FREE" space in the highlighted "7" pattern) shall entitle the claimant to the prize shown for that card as follows:

1. Card 1 - \$7
2. Card 2 - \$77
3. Card 3 - \$777
4. Card 4 - \$7,777

(7) Players may win on one or more player's cards per ticket; however, players may not win more than one prize on each player's card.

(8) A claimant who is entitled to a prize of a "FREE TICKET" shall be entitled to a prize of a ticket or combination of instant tickets with a total value of \$2.00, except as follows. A person who submits by mail a WILD 7's BINGO lottery ticket which entitles the claimant to a prize of a \$2.00 ticket and whose mailing address is outside the state of Florida will receive a check for \$2.00 in lieu of an actual ticket.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 787 are as follows:

GAME PLAY	WIN	ODDS OF 1 IN	NUMBER OF WINNERS IN 63 POOLS OF 120,000 TICKETS PER POOL
LINE - CARD 1	Free Ticket	11.54	655,200
LINE - CARD 2	\$3	12.50	604,800
LINE - CARDS 1 & 2	\$3 + Free Ticket	75.00	100,800

"7" - CARD 1	\$7	18.75	403.200
"7" - CARD 1 +			
LINE - CARD 2	\$10	75.00	100.800
LINE - CARD 3	\$10	150.00	50.400
"7" - CARD 1 +			
LINE - CARD 3	\$17	150.00	50.400
4 CORNERS -			
CARD 1	\$25	150.00	50.400
"7" - CARD 1 +			
LINE - CARDS 2			
& 4	\$35	1,463.41	5,166
LINE - CARD 1,	\$38 + Free		
2, 3 & 4	Ticket	4,800.00	1,575
4 CORNERS -			
CARD 2	\$50	4,800.00	1,575
"7" - CARD 2	\$77	6,000.00	1,260
"X" - CARD 1	\$150	37,800.00	200
4 CORNERS -			
CARDS 1 & 3 +			
LINE-CARD 4	\$150	151,200.00	50
"X"-CARD 1 + 4			
CORNERS -			
CARD 2	\$200	189,000.00	40
4 CORNERS -			
CARDS 1, 2 & 3			
+ LINE-CARD 4	\$200	151,200.00	50
4 CORNERS -			
CARD 4	\$200	189,000.00	40
"X" - CARD 2	\$250	189,000.00	40
"X" - CARD 3	\$500	504,000.00	15
"7" - CARD 3	\$777	504,000.00	15
"7" - CARD 4	\$7,777	1,890,000.00	4
"X" - CARD 4	\$10,000	2,520,000.00	3

(10) The estimated overall odds of winning some prize in Instant Game Number 787 are 1 in 3.73. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 787, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) By purchasing a WILD 7's BINGO lottery ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(13) Payment of prizes for WILD 7's BINGO lottery tickets shall be made in accordance with rules of the Florida Lottery governing procedures for awarding prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Specific Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History--New 11-25-08.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.
EFFECTIVE DATE: November 25, 2008

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER08-77
RULE TITLE: Instant Game Number 780, WINNER TAKE ALL

SUMMARY: This emergency rule describes Instant Game Number 780, "WINNER TAKE ALL," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Faith L. Schneider, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER08-77 Instant Game Number 780, WINNER TAKE ALL.

(1) Name of Game. Instant Game Number 780, "WINNER TAKE ALL."

(2) Price. WINNER TAKE ALL lottery tickets sell for \$2.00 per ticket.

(3) WINNER TAKE ALL lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning WINNER TAKE ALL lottery ticket, the ticket must meet the applicable requirements of Rule 53ER08-20, F.A.C.

(4) The "YOUR NUMBERS" play symbols and play symbol captions are as follows:



(5) The "WINNING NUMBERS" play symbols and play symbol captions are as follows:



(6) The prize symbols and prize symbol captions are as follows:



(7) The legends are as follows:

WINNING NUMBERS YOUR NUMBERS

(8) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the "YOUR NUMBERS" play area that matches a play symbol and corresponding play symbol caption in the "WINNING NUMBERS" play area shall entitle the claimant to the corresponding prize shown for that symbol. A

ticket having a "SS" symbol in the "YOUR NUMBERS" play area shall entitle the claimant to the prize shown for that

symbol. A ticket having a "HALL" symbol in the "YOUR NUMBERS" play area shall entitle the claimant to all ten prizes.

(b) The prizes are: \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$20.00, \$40.00, \$100, \$200, \$1,000 and \$25,000.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 780 are as follows:

\$10 x 10	\$100	3,600.00	4,250
\$20 x 5	\$100	3,600.00	4,250
(\$40 x 2) + \$20	\$100	3,600.00	4,250
\$100	\$100	3,600.00	4,250
(\$20 x 10) BAR	\$200	30,000.00	510
\$20 x 10	\$200	30,000.00	510
\$40 x 5	\$200	30,000.00	510
\$100 x 2	\$200	30,000.00	510
\$200	\$200	30,000.00	510
(\$100 x 10) BAR	\$1,000	90,000.00	170
\$100 x 10	\$1,000	90,000.00	170
(\$200 x 2) + (\$100 x 6)	\$1,000	180,000.00	85
\$200 x 5	\$1,000	180,000.00	85
\$1,000	\$1,000	180,000.00	85
\$25,000	\$25,000	765,000.00	20

(10) The estimated overall odds of winning some prize in Instant Game Number 780 are 1 in 4.65. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 780, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) By purchasing a WINNER TAKE ALL lottery ticket the player agrees to comply with and abide by all prize payment rules of the Florida Lottery.

(13) Payment of prizes for WINNER TAKE ALL lottery tickets shall be made in accordance with rules of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Specific Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 11-25-08.

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

EFFECTIVE DATE: November 25, 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."

GAME PLAY	WIN	ESTIMATED ODDS OF 1 IN	NUMBER OF WINNERS IN 85 POOLS OF 180,000 TICKETS PER POOL
\$2	\$2	10.71	1,428,000
\$1 x 4	\$4	50.00	306,000
(\$1 x 2) + \$2	\$4	75.00	204,000
\$2 x 2	\$4	50.00	306,000
\$4	\$4	50.00	306,000
\$1 x 5	\$5	300.00	51,000
(\$2 x 2) + \$1	\$5	300.00	51,000
\$4 + \$1	\$5	300.00	51,000
\$5	\$5	300.00	51,000
(\$1 x 10) BAR	\$10	150.00	102,000
\$5 x 2	\$10	300.00	51,000
\$10	\$10	300.00	51,000
\$1 x 10	\$10	300.00	51,000
\$2 x 5	\$10	300.00	51,000
(\$2 x 10) BAR	\$20	300.00	51,000
(\$5 x 2) + \$10	\$20	600.00	25,500
\$20	\$20	600.00	25,500
(\$4 x 10) BAR	\$40	750.00	20,400
\$5 x 8	\$40	750.00	20,400
\$10 x 4	\$40	750.00	20,400
\$20 x 2	\$40	750.00	20,400
\$40	\$40	750.00	20,400
(\$10 x 10) BAR	\$100	3,600.00	4,250

Section V

Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF TRANSPORTATION

NOTICE IS HEREBY GIVEN THAT on November 24, 2008, the Florida Department of Transportation issued an Order Conditionally Granting Petition for Variance filed by Baker County, seeking a variance from the provisions of Rule 14-94.003, F.A.C. The Petition was received by the Department on February 6, 2008, and considered complete on April 10, 2008. The Department published its notice of receipt of the petition in the February 29, 2008, edition of the Florida Administrative Weekly. Rule 14-94.003, F.A.C., sets forth statewide minimum level of service standards to be used in the planning and operation of the State Highway System. The Department's order, issued in DOT Case No. 08-015, conditionally granted the petition because Baker County satisfied the requirements for a variance and agreed to conditions necessary to achieve the purpose of the underlying statutes. The order provides Baker County a temporary variance to the level of service standard for Interstate 10, conditioned on the implementation of a transportation action plan.

A copy of the Department's order may be obtained from: Clerk of Agency Proceedings, Department of Transportation, 605 Suwannee Street, M.S. 58, Tallahassee, Florida 32399-0458. For additional information, contact: James C. Myers at (850)414-5393.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN THAT on November 3, 2008, the Florida Public Service Commission has issued an order.

DOCKET NO.: 080547-GU – Petition for permanent waiver of requirements of subsections 25-7.084(2) and 25-7.085(4), F.A.C., to fully recognize the accuracy and efficiency benefits of automatic meter readings, by Florida Division of Chesapeake Utilities Corporation.

The petition of the Florida Division of Chesapeake Utilities Corporation was approved by the Commission at its October 14, 2008, Agenda Conference. Order No.: PSC-080730-PAA-GU, issued November 3, 2008, memorializes that decision, and permits the waiver of the above-referenced rules to the extent that they require monthly

meter readings taken from the meter at the customers' premises. Notice of the petition was published in the FAW on September 12, 2008.

A copy of the Order may be obtained by contacting: Office of the Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770 or the Commission's Homepage at <http://www.floridapsc.com>.

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE IS HEREBY GIVEN THAT on November 19, 2008, the Agency For Health Care Administration Health Facility and Agency Licensing, received a petition for Variance from subsection 59A-18.004(4), Florida Administrative Code (F.A.C.).

The Agency for Health Care Administration (the "Agency") received a petition pursuant to Section 120.542 Florida Statutes, from Petitioner, Burke Consulting Corporation d/b/a Granny Nannies of Sarasota. Petitioner operates a nurse registry in Geographic Service Area 8 with an office located in Sarasota County. Petitioner wants to serve patients in an adjacent county, Manatee, located in Geographic Service Area 6 under the existing license issued to the Petitioner which specifies that services be confined to Geographic Service Area 8. The Petition requests a variance from subsections 59A-18.004(4), 59A-18.004(4), F.A.C., implements Section 400.497, Florida Statutes. This rule requires all nurse registries to apply for a geographic service area on their initial license application. Subsection 59A-18.004(4), F.A.C. states:

"All nurse registries must apply for a geographic service area on their initial license application. Nurse registries may apply for a geographic service area which encompasses one or more of the counties within the specific AHCA area boundaries, pursuant to Section 408.032(5), F.S., and Section 400.497(7), F.S., in which the main office is located. However, any agency holding a current nurse registry license from AHCA, as of the effective date of this rule, may continue to serve clients in those counties listed on its current license."

Petitioner is seeking a permanent variance from the rule in order to service an adjacent county from one physical location even though the two counties are in different Geographic Service Areas. The Agency will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m. (Eastern Standard Time).

A copy of the Petition for a Variance may be obtained by contacting: Agency Clerk, Agency for Health Care Administration, 2727 Mahan Dr., Bldg. 3, Mail Stop 3, Tallahassee, Florida 32308. For additional information, please contact Vikram Mohan, Office of the General Counsel, at the above address, or telephone (850)922-5873.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT on November 19, 2008, the Board of Professional Surveyors and Mappers, received a petition for American Congress on Surveying and Mapping, seeking a waiver or variance of Rule 61G17-5.0043, Florida Administrative Code, which requires that continuing education providers must identify in advertisements and on certificates of completion whether the offered continuing education course has been approved for general continuing education credit, laws and rules continuing education credit, minimum technical standards (MTS) continuing education credit, or a combination of MTS and laws and rules continuing education credit.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Richard Morrison, Executive Director, Board of Professional Surveyors and Mappers, 1940 North Monroe Street, Tallahassee, FL 32399-0783. Comments on this petition should be filed with the Board of Professional Surveyors and Mappers 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 of the issuance of an Order regarding the Petition for Variance for Tuong Vi T Lee, D.D.S. The Notice of Petition for Variance was published in Vol. 34, No. 45, of the November 7, 2008, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on September 12, 2008. The Board's Order, filed on November 14, 2008, grants the Petition for Variance or Waiver, finding that Petitioner has complied with the requirements of Section 120.542(2), Florida Statutes. Specifically: Petitioner is otherwise qualified in accordance with Section 466.006, Florida Statutes; Petitioner has demonstrated that strict application of paragraph 64B5-2.013(1)(c), Florida Administrative Code, would create a substantial hardship or violate principles of fairness. Based upon the foregoing, the Board determined that Petitioner is eligible for a waiver or variance of paragraph 64B5-2.013(1)(c), F.A.C.

A copy of the Board's Order may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258.

NOTICE IS HEREBY GIVEN THAT on November 20, 2008, the Board of Medicine, received a petition for waiver or variance filed by Gloria Esperanza Galdamez, M.D., from subsection 64B8-4.009(5), F.A.C., with regard to the

requirement for submission of documentation of medical education directly from Petitioner's medical school. Comments on this petition should be filed with: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Larry McPherson, Jr., Executive Director, Board of Medicine, at the above address, or telephone (850)245-4131.

NOTICE IS HEREBY GIVEN THAT on November 24, 2008, the Board of Medicine, received a petition for waiver or variance filed by Felipe Gustavo Gercovich, M.D., from subsection 64B8-4.009(5), F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner's medical school. Comments on this petition should be filed with: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Larry McPherson, Jr., Executive Director, Board of Medicine, at the above address, or telephone (850)245-4131.

NOTICE IS HEREBY GIVEN THAT on November 24, 2008, the Board of Athletic Training received an emergency petition for permanent waiver filed by Janna K. Peters, with regard to the requirement for successful passage of the Board of Certifications examination. Comments on this petition should be filed with the Board of Athletic Training, 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, Board of Athletic Training, at the above address, or telephone (850)245-4474.

NOTICE IS HEREBY GIVEN THAT on November 18, 2008, the Department of Health, received a petition for Variance from subparagraph 64E-13.004(6)(a)1., Florida Administrative Code, from David Wamsley, CEO K12 Urban Corp., located in Tallahassee, Florida. This rule requires schools to have toilet and handwashing facilities for preschool grades through grade three located within or adjoining their classrooms. Comments on this petition should be filed with: Sam Power, Agency Clerk, Department of Health, Office of General Counsel, 4052 Bald Cypress Way, Bin #A02, Tallahassee, Florida 32399-1703, within 14 days of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Robin Eychaner, Bureau of Community Environmental Health, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1710 or by calling (850)245-4277.

NOTICE IS HEREBY GIVEN THAT on November 25, 2008, the Florida Department of Health, Division of Emergency Medical Operations, Bureau of Emergency Medical Services, received a petition for Waiver from Richard F. Mihalich.

Nature of Rule: For a paramedic whose certificate has been on inactive status for more than 1 year, one of the requirements to activate his or her certificate is to pass the paramedic certification examination. Should the applicant fail the examination, he or she must meet the requirements for initial certification.

Petitioner took the paramedic exam on November 15, 2008 and failed.

Petitioner is requesting a waiver from this rule requirement so that he may retake the exam.

All comments and requests for copies of the petitions must be received in writing by December 26, 2008.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lisa M. Walker, Government Analyst II, Bureau of Emergency Medical Services, 4052 Bald Cypress Way, Bin C18, Tallahassee, Florida 32399-1738, Fax (850)488-9408, email lisa_walker2@doh.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on November 19, 2008, the Florida Department of Health, Division of Emergency Medical Operations, Bureau of Emergency Medical Services, received a petition for Variance from Okaloosa County EMS.

Nature of Rule: Requires each ALS permitted vehicle when available for call to be equipped and maintained as approved by the medical director of the service in the vehicle minimum equipment list. The vehicle minimum equipment list shall include, at a minimum, one each of the items listed in Tables I and II. Table II, Equipment (v) requires electronic waveform capnography capable of real-time monitoring and printing record of the intubated patient (effective 1/1/2008).

Petitioner has had a purchase order in to Physio Control to install the waveform capnography since September 19, 2007. Physio Control has been under an injunction by the FDA that has prevented them from installing the upgrade. Petitioner is awaiting the FDA clearance and is requesting temporary variance from this rule requirement until May 31, 2009.

All comments and requests for copies of the petitions must be received in writing by December 26, 2008.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lisa M. Walker, Government Analyst II, Bureau of Emergency Medical Services, 4052 Bald Cypress Way, Bin C18, Tallahassee, Florida 32399-1738, Fax (850)488-9408, email lisa_walker2@doh.state.fl.us.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE IS HEREBY GIVEN THAT on November 25, 2008, the Department of Children and Families, received a petition for Waiver of subsection 65C-15.017(3), Florida Administrative Code, from Kids Hope United and Margaret Davis, assigned Case No. 08-030W. Subsection 65C-15.017(3), F.A.C., states agency staff responsible for performing casework services shall have a bachelor's or master's degree in social work or related area of study from an accredited college or university.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Faginal Jones at (850)921-8132.

FLORIDA HOUSING FINANCE CORPORATION

NOTICE IS HEREBY GIVEN THAT on November 25, 2008, the Florida Housing Finance Corporation, received a petition for Waiver paragraph 67-48.0075(7)(a)(1), Florida Administrative Code, from Georgia Apartments, LLC., ("Petition"). The Petition is seeking a waiver of the rule in order to modify and delete the automatic forgiveness term for supplemental loans awarded during the 2007 Universal Application Cycle.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sherry Green, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. The Petition has also been posted on Florida Housing's website at www.floridahousing.org. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m. (Eastern Standard Time), on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

Section VI Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

The Florida **Department of State** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, February 4, 2009, 10:00 a.m. (EST)

PLACE: R. A. Gray Building, 500 S. Bronough St., Tallahassee, FL 32399-0250

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Review of state historical marker applications.

A copy of the agenda may be obtained by contacting: Catherine Clark at (850)245-6354.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Catherine Clark at (850)245-6354. 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: Catherine Clark at (850)245-6354.

DEPARTMENT OF EDUCATION

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

DATE AND TIME: December 19, 2008, 10:30 a.m.

PLACE: Via Conference Call In Number: 1(888)808-6959, Conference Code: 4617163

GENERAL SUBJECT MATTER TO BE CONSIDERED: Report of the State College Task Force.

A copy of the agenda may be obtained by contacting: Lynn Abbott, Department of Education, 325 West Gaines Street, Tallahassee, Florida or email lynn.abbott@fldoe.org or from the Department's website at <http://www.fldoe.org>.

For more information, you may contact: Lynn Abbott at lynn.abbott@fldoe.org or (850)245-9661.

The **University of North Florida** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, December 16, 2008, 2:00 p.m. – 3:30 p.m.

PLACE: Frederick Schultz Hall Room 2543, Jacksonville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Art in State Buildings.

The University of North Florida's Art in State Buildings selection committee for the College of Education and Human Services Building will hold an image review meeting on Tuesday, December 16, 2008, 2:00 p.m. – 3:30 p.m. The meeting will be held in the Dean's Conference Room in Frederick Schultz Hall, Room 2543. The purpose of the meeting will be to select finalist to provide artwork for the College of Education and Human Services Building. For additional information, contact: Linda Sciarratta at (904)620-1786.

If you have a disability and require accommodations for these occasions, contact the UNF Disability Resource Center at (904)620-2769 or (904)620-2969 for TDD/TTY five days before the event to enable us to provide you with a reasonable accommodation.

A copy of the agenda may be obtained by contacting: Linda Sciarratta at (904)620-1786.

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: Linda Sciarratta at (904)620-1786. 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).

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

The Florida **Department of Citrus**, Florida Citrus Commission announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 17, 2008, 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will convene for the purpose of standing committee meetings and the regular monthly meeting of the Florida Citrus Commission. The Commission will address issues pertaining to budget items and revisions, contracts, advertising programs, program evaluation measurements, licensing, rulemaking, and other matters addressed during monthly meetings of the Commission.

A copy of the agenda may be obtained by contacting: Linda Gurney 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: Dianne Screws 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: Linda Gurney at (863)499-2500.

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces a prehearing and hearing to which all persons are invited.

PREHEARING

DATE AND TIME: Thursday, January 8, 2009, 9:30 a.m.

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Docket No. 080193-EQ – Petition for approval of renewable energy tariff and standard offer contract, by Florida Power & Light Company.

The purpose of this prehearing conference is: (1) to define and limit, if possible the number of issues; (2) to determine the parties' positions on the issues; (3) to determine what facts, if any, may be stipulated; (4) to dispose of any motions or other matters that may be pending; and (5) to consider any other matters that may aid in the disposition of this case.

HEARING

DATES AND TIME: Thursday, January 22, 2009, 9:30 a.m.; Friday, January 23, 2009 has also been reserved for continuation of the hearing if needed

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Docket No. 080193-EQ – Petition for approval of renewable energy tariff and standard offer contract, by Florida Power & Light Company.

The purpose of the hearing is to permit parties to present testimony and exhibits relative to the petition for approval of renewable tariff and standard offer contract by Florida Power & Light Company, and for such other purposes as the Commission may deem appropriate. All witnesses shall be subject to cross-examination at the conclusion of their testimony on the issues identified by the parties at the prehearing conference held on January 8, 2009.

EMERGENCY CANCELLATION OF PREHEARING/ HEARING CONFERENCE: If a named storm or other disaster requires cancellation of the meeting, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation of the meeting will also be provided on the Commission's website (<http://www.psc.state.fl.us.us/>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199.

A copy of the agenda may be obtained by contacting: N/A

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or at

(850)413-6770. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Florida Public Service Commission, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

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: Friday, December 19, 2008, 8:00 a.m. – 5:00 p.m. (or until business completed)

PLACE: Conference Call, 1(888)808-6959, Conference code 9215144

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Committee business.

A copy of the agenda may be obtained by contacting: Kristin Mullikin.

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: Kristin Mullikin. 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 or email at kristin@volunteerflorida.org.

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: Tuesday, January 7, 2009, 8:00 a.m. – 6:00 p.m.

PLACE: Conference Call, 1(888)808-6959, Conference code 9215144

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the following Committees: Executive, Legislative, Communications, Disability Outreach, Emergency Management, Grants/AmeriCorps, Finance and Audit, and Volunteer Services.

A copy of the agenda may be obtained by contacting: Kristin Mullikin.

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: Kristin Mullikin. 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)921-5172 or kristin@volunteerflorida.org.

The Governor's Commission on Volunteerism and Community Service (Volunteer Florida) announces a public meeting to which all persons are invited.

DATES AND TIME: January 13, 2009, 8:00 a.m. – until Commission business is complete January 14, 2009

PLACE: DoubleTree Hotel Tallahassee, 101 South Adams Street, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Commission Business.

A copy of the agenda may be obtained by contacting: Kristin Mullikin.

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: Kristin Mullikin. 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)921-5172 or kristin@volunteerflorida.org.

REGIONAL PLANNING COUNCILS

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

DATE AND TIME: Monday, December 8, 2008, 8:30 a.m.

PLACE: 631 N. Wymore Road, Maitland, FL 32751

GENERAL SUBJECT MATTER TO BE CONSIDERED: The regular monthly meeting of the ECFRPC Executive Committee will meet to consider the agenda of the upcoming Council Meeting. The SRPP Task Force will meet immediately afterward beginning at 10:00 a.m. to discuss the update of the ECFRPC's Strategic Regional Policy Plan.

A copy of the agenda may be obtained by contacting: Ruth Little.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting: Ruth Little at (407)623-1075 or by email at rlittle@ecfrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DATE AND TIME: Wednesday, December 17, 2008, 10:00 a.m.

PLACE: 631 N. Wymore Road, Maitland, FL 32751

GENERAL SUBJECT MATTER TO BE CONSIDERED: The regular monthly meeting of the East Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: Ruth Little at (407)623-1075 or by email at rlittle@ecfrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting: Ruth Little. 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 Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: December 15, 2008, 9:30 a.m.

PLACE: Highlands County Agri-Civic Center, 4509 George Boulevard, Sebring, FL 33875

GENERAL SUBJECT MATTER TO BE CONSIDERED: An Education, Workforce and Economic Development Task Force Meeting of the Heartland 2060 Regional Visioning Committee. A copy of the agenda may be obtained by contacting: Patricia M. Steed.

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: Patricia M. Steed, Executive Director, 555 East Church Street, Bartow, FL 33830, (863)534-7130, ext. 130.

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

DATE AND TIME: Thursday, December 18, 2008, 9:00 a.m.

PLACE: Southwest Florida Regional Planning Council, 2nd Floor, Meeting Room, 1926 Victoria Avenue, Fort Myers, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The SWFRPC's Legislative Subcommittee will be holding its annual meeting to discuss and update its Legislative Position Statement.

A copy of the agenda may be obtained by contacting: Mr. David Hutchinson, Planning Director at (239)338-2550, ext. #221 or email dhutchinson@swfrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Mrs. Deborah Kooi at (239)338-2550, ext. #210 or email dkooi@swfrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Mrs. Nichole Gwinnett at (239)338-2550, ext. #232 or email ngwinnett@swfrpc.org.

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

DATE AND TIME: Thursday, December 18, 2008, 11:30 a.m.

PLACE: Southwest Florida Regional Planning Council, 1st Floor, Conference Room, 1926 Victoria Avenue, Fort Myers, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The SWFRPC's Lower West Coast Watersheds Subcommittee will be meeting to discuss the water quality and quantity issues throughout Southwest Florida and prepare its final resolution for adoption.

A copy of the agenda may be obtained by contacting: Mr. David Crawford, Senior Planner at (239)338-2550, ext. #226 or email dcrawford@swfrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Mrs. Deborah Kooi at (239)338-2550, ext. 210 or email dkooi@swfrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Mr. James Beever at (239)338-2550, ext. 224 or jbeever@swfrpc.org.

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

DATE AND TIME: Monday, January 5, 2009, 10:30 a.m.

PLACE: 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any Development Order received prior to the meeting; Any proposed Local Government Comprehensive Plan received prior to the meeting; Any adopted Local Government Comprehensive Plan received prior to the meeting; Any Proposed Public Education Facilities Element (PEFE)/Capital Improvements Element (CIE) Amendments received prior to the meeting; Any proposed Local Government Comprehensive Plan Amendment received prior to the meeting; Any Adopted Public Education Facilities Element (PEFE)/Capital Improvements Element (CIE) Amendments received prior to the meeting; 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.

WATER MANAGEMENT DISTRICTS

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

DATE AND TIME: Wednesday, December 10, 2008, 2:00 p.m.

PLACE: SWFWMD Tampa Service Office, 7601 Hwy. 301 N., Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: MODIFIED PHASE III WATER SHORTAGE PUBLIC WORKSHOP: Discussion of irrigation requirements associated with sod renovation. Ad Order 61613.

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

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

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

For more information, you may contact: SWFWMD Executive Department at the address above.

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

DATE AND TIME: Tuesday, December 16, 2008, 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting, Committee Meetings, and Public Hearing: Conduct Committee meetings, Governing Board meeting and public hearing. Ad Order 10689.

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

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

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

For more information, you may contact: SWFWMD Executive Department at the address above.

The **Southwest Florida Water Management District** announces a workshop to which all persons are invited.

DATE AND TIME: January 9, 2009, 10:00 a.m.

PLACE: Southwest Florida Water Management District, Tampa Service Office, Governing Board Room, 7601 U.S. Highway 301, Tampa, FL 33637-6759

GENERAL SUBJECT MATTER TO BE CONSIDERED: Environmental Resource Permitting – Proposed revisions to Chapters 4 and 7 of the ERP Basis of Review regarding Water Quantity Criteria.

A copy of the agenda may be obtained by contacting: Charlotte Edwards, Sr. Administrative Assistant, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Dianne Lee at (352)796-7211 or 1(800)423-1476, extension 4658, TDD only number 1(800)231-6103, Fax number (352)754-6878, Suncom 663-6878. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Clark Hull, Regulation Program Director, Strategic Program Office Department, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4302.

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

DATE AND TIME: Special meeting of the Everglades Technical Oversight Committee (TOC), January 27, 2009, 10:00 a.m.

PLACE: South Florida Water Management District Headquarters, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Special meeting of the Everglades Technical Oversight Committee (TOC) if needed.

A copy of the agenda may be obtained by contacting: (1) District Website (<http://www.sfwmd.gov/org/ema/toc/draftagenda.html>) or (2) by writing to: South Florida Water Management District, Mail Stop 2130, P. O. Box 24680, West Palm Beach, FL 33416-4680.

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

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

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

REGIONAL UTILITY AUTHORITIES

The **Withlacoochee Regional Water Supply Authority** (WRWSA) announces a public meeting to which all persons are invited.

DATE AND TIME: December 17, 2008, 4:30 p.m.

PLACE: City Commission Chambers, City Hall, 151 S. E. Osceola Ave., 2nd Floor, Ocala, Florida 34471

GENERAL SUBJECT MATTER TO BE CONSIDERED: WITHLACOOCHEE REGIONAL WATER SUPPLY AUTHORITY MEETING: Scheduled for Wednesday, December 17, 2008, has been cancelled. The next regularly scheduled meeting will be held Wednesday, January 21, 2009, 4:30 p.m. at the SWFWMD Headquarters, 2379 Broad Street, Brooksville, Florida.

A copy of the agenda may be obtained by contacting: Withlacoochee Regional Water Supply Authority, 1107 Shalimar Drive, Tallahassee, Florida 32312, or www.wrwsa.org under "minutes and notices," "current agenda."

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Jackson Sullivan at (850)385-0220. 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: Jackson Sullivan at (850)385-0220 or (352)796-7211, ext. 4622.

The **Withlacoochee Regional Water Supply Authority** (WRWSA) announces a public meeting to which all persons are invited.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Withlacoochee River Water Supply Authority is required to publish a listing of its regularly scheduled meetings. The following list identifies the Board meetings scheduled for Fiscal Year 2009.

DATE AND TIME: January 21, 2009, 4:30 p.m.

PLACE: SWFWMD Headquarters Governing Board Meeting Room, 2379 Broad Street (U.S. 41 South), Brooksville, Florida 34604-6899

DATE AND TIME: February 18, 2009, 4:30 p.m.

PLACE: Withlacoochee Regional Planning Council Headquarters Conference Room, 1241 S. W. 10th Street (SR 200), Ocala, Florida 34474-0323

DATE AND TIME: March 18, 2009, 4:30 p.m.

PLACE: SWFWMD Headquarters Governing Board Meeting Room, 2379 Broad Street (U.S. 41 South), Brooksville, Florida 34604-6899

DATE AND TIME: April 15, 2009, 4:30 p.m.

PLACE: Withlacoochee Regional Planning Council Headquarters Conference Room, 1241 S. W. 10th Street (SR 200), Ocala, Florida 34474-0323

DATE AND TIME: May 20, 2009, 4:30 p.m.

PLACE: SWFWMD Headquarters Governing Board Meeting Room, 2379 Broad Street (U.S. 41 South), Brooksville, Florida 34604-6899

DATE AND TIME: June 17, 2009, 4:30 p.m.

PLACE: Withlacoochee Regional Planning Council Headquarters Conference Room, 1241 S. W. 10th Street (SR 200), Ocala, Florida 34474-0323

DATE AND TIME: July 15, 2009, 4:30 p.m.

PLACE: SWFWMD Headquarters Governing Board Meeting Room, 2379 Broad Street (U.S. 41 South), Brooksville, Florida 34604-6899

DATE AND TIME: August 19, 2009, 4:30 p.m.

PLACE: Withlacoochee Regional Planning Council Headquarters Conference Room, 1241 S. W. 10th Street (SR 200), Ocala, Florida 34474-0323

DATE AND TIME: September 16, 2009, 4:30 p.m.

PLACE: SWFWMD Headquarters Governing Board Meeting Room, 2379 Broad Street (U.S. 41 South), Brooksville, Florida 34604-6899

DATE AND TIME: October 21, 2009, 4:30 p.m.

PLACE: Withlacoochee Regional Planning Council Headquarters Conference Room, 1241 S. W. 10th Street (SR 200), Ocala, Florida 34474-0323

DATE AND TIME: November 18, 2009, 4:30 p.m.

PLACE: SWFWMD Headquarters Governing Board Meeting Room, 2379 Broad Street (U.S. 41 South), Brooksville, Florida 34604-6899

DATE AND TIME: December 16, 2009, 4:30 p.m.

PLACE: Withlacoochee Regional Planning Council Headquarters Conference Room, 1241 S. W. 10th Street (SR 200), Ocala, Florida 34474-0323

A copy of the agenda may be obtained by contacting: Withlacoochee Regional Water Supply Authority, 1107 Shalimar Drive, Tallahassee, Florida 32312, or www.wrwsa.org under "minutes and notices," "current agenda."

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Jackson Sullivan at (850)385-0220. 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: Jackson Sullivan at (850)385-0220 or (352)796-7211, ext. 4622.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 19, 2008, 2:00 p.m. – 3:00 p.m.

PLACE: Those interested may dial: 1(866)493-0392, and enter Conference Code: 76244290 to participate

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Agency for Health Care Administration will conduct a conference call to discuss the update of HB 5085, section 12,

implementation, related to mandatory assignment to managed care plans in counties with two or more managed care plans in operation.

A copy of the agenda may be obtained by contacting: Josh Davis, by e-mailing him at davisjd@ahca.myflorida.com or by calling (850)410-0757.

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: Josh Davis, at the contact information above. 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: Josh Davis, at the contact information above.

The **Agency for Health Care Administration**, Drug Utilization Review Board and Prescribing Pattern Review Panel announces a public meeting to which all persons are invited.

DATE AND TIME: Saturday, January 24, 2009, 9:30 a.m. – 2:30 p.m.

PLACE: Tampa Airport Marriott, Tampa International Airport, Tampa, Florida 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will consist of: Review and approve drug use criteria and standards for both prospective and retrospective drug use reviews, apply these criteria and standards in the application of the DUR activities, review and report the results of drug use reviews, and recommend and evaluate educational intervention programs.

A copy of the agenda may be obtained by contacting: Mark Gibson at: gibsonm@ahca.myflorida.com.

DEPARTMENT OF MANAGEMENT SERVICES

The **Southwood Shared Resource Center** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, December 22, 2008, 1:30 p.m. – 4:00 p.m. or until Board business is concluded

PLACE: Turlington Building, Room 1703, 325 W. Gaines St., Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular bi-monthly meeting of the SSRC Board of Trustees. Section 282.205, F.S., 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@ssrc.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 by contacting: Rick Mitchell at (850)488-9895, rick.mitchell@ssrc.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@ssrc.myflorida.com.

The Florida **Commission on Human Relations** announces a hearing to which all persons are invited.

DATE AND TIME: Friday, January 9, 2009, 9:00 a.m. (ET)

PLACE: Florida Commission on Human Relations. The phone number to contact is 1(888)808-6959, when prompted enter the VCS Conference Code 1021548, followed by the # key.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will be held to deliberate cases that have come before the Commission for determination.

A copy of the agenda may be obtained by contacting: Denise Crawford, Clerk of the Commission, Florida Commission on Human Relations, 2009 Apalachee Parkway, Suite 100, Tallahassee, Florida 32301, (850)488-7082, ext. 1032.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Denise Crawford, Clerk of the Commission, Florida Commission on Human Relations, 2009 Apalachee Parkway, Suite 100, Tallahassee, Florida 32301, (850)488-7082, ext. 1032. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Denise Crawford, Clerk of the Commission, Florida Commission on Human Relations, 2009 Apalachee Parkway, Suite 100, Tallahassee, Florida 32301, (850)488-7082, ext. 1032.

The **Bureau of Elevator Safety**, H&R announces a public meeting to which all persons are invited.

DATE AND TIME: December 16, 2008, 9:00 a.m. – 1:00 p.m.

PLACE: Bank America Tower, 101 East Kennedy Blvd., Tampa, FL 33602

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Business and Professional Regulation, Bureau of Elevator Safety announces the next meeting of the Elevator Safety Technical Advisory Council to which all persons are invited.

A copy of the agenda may be obtained by contacting: Doug Melvin, Chief, Bureau of Elevator Safety at (850)488-9098 or by email at doug.melvin@dbpr.state.fl.us.

For more information, you may contact: Questions and Comments may be directed Doug Melvin, Chief, Bureau of Elevator Safety at (850)488-9098 or by email at doug.melvin@dbpr.state.fl.us.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Pilotage Rate Review Board** announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 19, 2008, 10:00 a.m.

PLACE: 1(888)808-6959, Conference Code 4878197#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official Board Meeting.

A copy of the agenda may be obtained by contacting: Board Office.

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: Board Office. 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 Probable Cause Panel of the Florida **Real Estate Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, December 15, 2008, 2:00 p.m. or soonest thereafter. Portions of the probable cause proceedings are not open to the public

PLACE: Zora Neale Hurston Building, North Tower, Suite N901, 400 W. Robinson Street, Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases to determine probable cause and to conduct a public meeting to review cases where probable cause was previously found.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Commission members or its counsel.

A copy of the agenda may be obtained by contacting: Deputy Clerk, Florida Real Estate Commission, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772. Only public portions of the agenda are available upon request.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Division of Real Estate, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772, (407)481-5662. 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: Deputy Clerk, Florida Real Estate Commission, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772.

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

DATES AND TIME: Tuesday and Wednesday, December 16-17, 2008, 8:30 a.m.

PLACE: Division of Real Estate, Conference Room N901, North Tower, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of Commission – among topics included, but not limited to, are proposed legislation affecting Chapter 475, Part I, F.S., rule development workshops, Florida Administrative Code 61J2 rule amendments, budget discussions, escrow disbursement requests, recovery fund claims, education issues, petitions for declaratory statement, petitions for rule variance/waiver, and disciplinary actions.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Commission members or its counsel.

A copy of the agenda may be obtained by contacting: Deputy Clerk, Florida Real Estate Commission, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Division of Real Estate, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772, (407)481-5662. 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: Deputy Clerk, Florida Real Estate Commission, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772.

The Florida **Real Estate Commission** announces a workshop to which all persons are invited.

DATE AND TIME: Tuesday, December 16, 2008, 8:30 a.m. or soonest thereafter. Thereafter, an additional hearing may be held if requested within seven days of the date of this notice and not deemed unnecessary

PLACE: Division of Real Estate, Conference Room N901, North Tower, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: To address minor violations of Rule 61J2-14.008, F.A.C.

A copy of the agenda may be obtained by contacting: Deputy Clerk, Division of Real Estate, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Division of Real Estate, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772, (407)481-5662. 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: Deputy Clerk, Division of Real Estate, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772.

The Florida **Real Estate Commission** announces a workshop to which all persons are invited.

DATE AND TIME: Tuesday, December 16, 2008, 8:30 a.m. or soonest thereafter. Thereafter, an additional hearing may be held if requested within seven days of the date of this notice and not deemed unnecessary.

PLACE: Division of Real Estate, Conference Room N901, North Tower, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: To address minor violations of Rule 61J2-14.008, F.A.C.

A copy of the agenda may be obtained by contacting: Deputy Clerk, Division of Real Estate, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Division of Real Estate, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772, (407)481-5662. 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: Deputy Clerk, Division of Real Estate, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772.

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 CANCELLATION – The **Department of Environmental Protection** announces the cancellation of a hearing:

DATES AND TIME: December 17-19, 2008, 1:00 p.m.

PLACE: Kissimmee Utility Authority, Board Room, 1701 West Carroll Street, Kissimmee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:

CANCELLATION OF HEARING: The certification hearing scheduled for December 17 through 19, 2008 and noticed on October 31, 2008, for the FMPA/KUA Cane Island Power Park Unit 4 Project, Power Plant Site Certification Application number PA98-38A2, DOAH Case number 08-1629EPP, DEP Office of General Counsel Case Number 08-0563 has been cancelled.

In accordance with the Florida Electrical Power Plant Siting Act, Section 403.508(6), F.S., on November 24, 2008, all parties to this proceeding stipulated that there are no disputed issues on material fact or law to be raised at the certification hearing and filed a motion requesting that the Administrative Law Judge cancel the certification hearing and relinquish jurisdiction to the Department of Environmental Protection pursuant to Section 403.508(6)(a), F.S. The Administrative Law Judge issued an order granting the request pursuant to Section 403.508(6)(b), F.S. Pursuant to Section 403.509(1), F.S., the Department of Environmental Protection will prepare and issue a Final Order within 40 days of the Judge's Order.

For more information, you may contact: Mr. Michael P. Halpin, Department of Environmental Protection, 2600 Blair Stone Road, M.S. 48, Tallahassee, Florida 32399-2400, (850)245-8002.

The **Department of Environmental Protection** announces a public meeting to which all persons are invited.

DATE AND TIME: December 17, 2008, 1:30 p.m.

PLACE: Florida Department of Environmental Protection, Southwest District Office, 13051 North Telecom Parkway, Temple Terrace, Florida 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED:

This is a public meeting to discuss issues related to the Hillsborough River Fecal Coliform Basin Management Action Plan (BMAP). The primary topic of discussion during this meeting will be the BMAP development process.

A copy of the agenda may be obtained by contacting: Mr. Terry Hansen, Watershed Planning and Coordination Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 3565, Tallahassee, Florida 32399-2400, or by e-mail at terry.hansen@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: Terry Hansen at (850)245-8561. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Environmental Protection** announces a public meeting to which all persons are invited.

DATE AND TIME: December 18, 2008, 10:00 a.m.

PLACE: City of Jacksonville, City Hall, Exam Room 3, Mezzanine Level, 117 W. Duval Street, Jacksonville, Florida 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Lower St. Johns River Tributaries Basin Working Group was formed to provide a forum for stakeholders to provide recommendations to the Department of Environmental Protection regarding development of the Lower St. Johns River Tributaries Basin Management Action Plan (BMAP). The BMAP is the means for implementation of the Lower St. Johns River Tributaries Fecal Coliform Total Maximum Daily Loads (TMDLs). Topics for this meeting include an overview of the BMAP approach, a review of the technical work products developed to-date, and discussion regarding future recommendations by the Basin Working Group.

A copy of the agenda may be obtained by contacting: Mrs. Amy Tracy, 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)245-8506.

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: Mrs. Amy Tracy at (850)245-8506. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Environmental Protection** announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 19, 2008, 10:00 a.m.

PLACE: Teleconference Dial-In Number: 1(888)808-6959, Conference Code 2458556 followed by the # key

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 teleconference will be a technical discussion of how to give local governments credit for total phosphorus load reductions for non-structural BMPs and public education efforts.

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).

DEPARTMENT OF HEALTH

The Florida **Department of Health** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, December 16, 2008, 10:00 a.m. – 11:00 a.m. or conclusion

PLACE: Call in number: 1(888)808-6959, Code: 1792178

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a follow-up conference call for the Governor's Task Force on Autism Spectrum Disorders. The Task Force will discuss the scope and prioritization of issues to be addressed as listed in Executive Order 08-36 for the development of a report of recommendations due to the Governor by March 20, 2009. This meeting is subject to cancellation if the Task Force completes their work during the conference call on Monday, December 8, 2008. Please check <http://www.healthyfloridians.com/autismMeetings.html> before joining the call to see if the meeting has been cancelled.

A copy of the agenda may be obtained by contacting: No formal agenda will be available.

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: Lona Taylor at (850)245-4242 or by email at Lona_Gibson-Taylor@doh.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: www.healthyfloridians.com/autism.html.

The **Department of Health, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling** announces a public meeting to which all persons are invited.

DATES AND TIMES: January 29, 2009, 2:30 p.m.; January 30, 2009, 8:30 a.m.

PLACE: Omni Jacksonville Hotel, 245 Water Street, Jacksonville, FL 32202, (904)355-6664

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official Board Meeting.

A copy of the agenda may be obtained by contacting: Sue Foster, Executive Director, Department of Health, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, BIN #C08, Tallahassee, Florida 32399-3258.

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

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact: Sue Foster at (850)245-4474 at least one week prior to the meeting.

The **Board of Medicine**, Anesthesiologist Assistant Council announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 17, 2008, 12:00 Noon

PLACE: Meet Me Number: 1(888)808-6959, Conference Code: 2454131

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the general business of the Board of Medicine.

A copy of the agenda may be obtained by contacting: Chandra Prine at chandra_prine@doh.state.fl.us or call (850)245-4135. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Chandra Prine at chandra_prine@doh.state.fl.us or call (850)245-4135. 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 **Board of Nursing**, South Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 18, 2008, 10:00 a.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: Board office. 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, Board of Opticianry** announces a public meeting to which all persons are invited.

DATE AND TIME: February 9, 2009, 8:30 a.m.

PLACE: Marriott Tampa Airport, Tampa International Airport, Tampa, FL 33607, (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official Board Meeting.

A copy of the agenda may be obtained by contacting: Sue Foster, Executive Director, Department of Health, Board of Opticianry, 4052 Bald Cypress Way, BIN #C08, Tallahassee, Florida 32399-3258.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she may need to ensure that a verbatim record of the proceeding is made, which records include the testimony and evidence upon which the appeal is to be made. Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster at (850)245-4474 at least one week prior to the meeting date.

The Florida **Department of Health, Division of Environmental Health**, Bureau of Onsite Sewage Programs announces a public meeting to which all persons are invited.

DATE AND TIME: January 5, 2009, 2:00 p.m. (EST)

PLACE: Via Conference Call 1(888)808-6959 Conference Code: 1454070#. If in the Tallahassee area, and want to attend in person: State of Florida, Department of Health, Southwood Complex, 4042 Bald Cypress Way, Room 240P, Tallahassee, FL 32399-1713

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and guide current, proposed, and potential future onsite sewage research projects. Specifically there will be a discussion on the draft progress report required in Specific Appropriation 1682 for the Nitrogen Reduction Strategies Study.

A copy of the agenda may be obtained by contacting: Susan Polangin, Department of Health, Bureau of Onsite Sewage Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, FL 32399-1713, by phone at (850)245-4070, or by e-mail at Susan_Polangin@doh.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Susan Polangin, Department of Health, Bureau of Onsite Sewage Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, FL 32399-1713, by phone at (850)245-4070, or by e-mail at Susan_Polangin@doh.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Susan Polangin, Department of Health, Bureau of Onsite Sewage Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, FL 32399-1713, by phone at (850)245-4070, or by e-mail at Susan_Polangin@doh.state.fl.us.

The **Department of Health** announces the following meetings of the Variance Review and Advisory Committee for Onsite Sewage Treatment and Disposal Systems to examine variance applications received by the 15th of the previous month and to provide input regarding any rule issues requested by the Technical Review and Advisory Panel.

DATE AND TIME: Thursday, January 8, 2009, 10:00 a.m.

PLACE: Volusia County Health Department, Conference Room 516A, 1845 Holsonback Drive, Daytona Beach, Florida
DATE AND TIME: Thursday, February 5, 2009, 10:00 a.m.

PLACE: Lecanto Government Building, Room 166, 3700 West Sovereign Path, Lecanto, Florida

DATE AND TIME: Thursday, March 5, 2009, 10:00 a.m.
 PLACE: Marion County Health Department, Auditorium, 1801 S. E. 32nd Avenue, Ocala, Florida
 DATE AND TIME: Thursday, April 2, 2009, 10:00 a.m.
 PLACE: Volusia County Health Department, Conference Room 516A, 1845 Holsonback Drive, Daytona Beach, Florida
 DATE AND TIME: Thursday, May 7, 2009, 10:00 a.m.
 PLACE: Alachua County Health Department, Conference Room A, 224 Southeast 24th Street, Gainesville, Florida
 DATE AND TIME: Thursday, June 4, 2009, 10:00 a.m.
 PLACE: Orange County Health Department, Building #1, 4th Floor, Auditorium, 832 West Central Boulevard, Orlando, Florida
 DATE AND TIME: Thursday, July 2, 2009, 10:00 a.m.
 PLACE: Citrus County Environmental Health Building, Room C, 3650 West Sovereign Path, Lecanto, Florida
 DATE AND TIME: Thursday, August 6, 2009, 10:00 a.m.
 PLACE: Marion County Health Department, Auditorium, 1801 S. E. 32nd Avenue, Ocala, Florida
 DATE and TIME: Thursday, September 3, 2009, 10:00 a.m.
 PLACE: Volusia County Health Department, Conference Room 516B, 1845 Holsonback Drive, Daytona Beach, Florida
 DATE AND TIME: Thursday, October 1, 2009, 10:00 a.m.
 PLACE: Alachua County Health Department, Conference Room, 224 Southeast 24th Street, Gainesville, Florida
 DATE AND TIME: Thursday, November 5, 2009, 10:00 a.m.
 PLACE: Citrus County Environmental Health Building, Room C, 3650 West Sovereign Path, Lecanto, Florida
 DATE AND TIME: Thursday, December 3, 2009, 10:00 a.m.
 PLACE: Marion County Health Department, Auditorium, 1801 S. E. 32nd Avenue, Ocala, Florida
GENERAL SUBJECT MATTER TO BE CONSIDERED: To examine applications for variance from the requirements of Chapter 64E-6, Florida Administrative Code, entitled "Standards for Onsite Sewage Treatment and Disposal Systems" pursuant to Section 381.0065(3)(d), Florida Statutes, and to provide input on any rule issues requested by the Technical Review and Advisory Panel pursuant to Section 381.0068(2), Florida Statutes.
 A copy of the agenda may be obtained seven days prior to each meeting date by writing: Gerald R. Briggs, Chief, Bureau of Onsite Sewage Programs, Department of Health, 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 meeting by contacting: Shirley Kugler at (850)245-4070.
 Section 286.0105, Florida Statutes, provides that, if a person decides to appeal any decision made by the Department with respect to any matter considered at one of these meetings, they will need a record of the proceedings, and for such purposes,

they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

The **Florida Tobacco Education and Use Prevention Advisory Council** announces a series of meetings of its appointed members to which all interested parties are invited to attend.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meetings will focus on tobacco prevention and control topics of interest to the council and will be held at the Florida Department of Health offices at 4025 Esplanade Way, Room 340 N, Tallahassee, Florida.

DATE AND TIME: Monday, January 12, 2009, 1:00 p.m. – 2:00 p.m.

PLACE: 4025 Esplanade Way, Room 340 N., Tallahassee, Florida

DATE AND TIME: Monday, February 9, 2009, 1:00 p.m. – 2:00 p.m.

PLACE: 4025 Esplanade Way, Room 340 N., Tallahassee, Florida

DATE AND TIME: Monday, March 9, 2009, 1:00 p.m. – 2:00 p.m.

PLACE: 4025 Esplanade Way, Room 340 N., Tallahassee, Florida

DATE AND TIME: Monday, April 13, 2009, 1:00 p.m. – 2:00 p.m.

PLACE: 4025 Esplanade Way, Room 340 N., Tallahassee, Florida

DATE AND TIME: Monday, May 11, 2009, 1:00 p.m. – 2:00 p.m.

PLACE: 4025 Esplanade Way, Room 340 N., Tallahassee, Florida

DATE AND TIME: Monday, June 8, 2009, 1:00 p.m. – 2:00 p.m.

PLACE: 4025 Esplanade Way, Room 340 N., Tallahassee, Florida

DATE AND TIME: Monday, July 13, 2009, 1:00 p.m. – 2:00 p.m.

PLACE: 4025 Esplanade Way, Room 340 N., Tallahassee, Florida

DATES AND TIME: Monday, August 10, 2009, 1:00 p.m. – 2:00 p.m.

PLACE: 4025 Esplanade Way, Room 340 N., Tallahassee, Florida

DATE AND TIME: Monday, September 14, 2009, 1:00 p.m. – 2:00 p.m.

PLACE: 4025 Esplanade Way, Room 340 N., Tallahassee, Florida

DATE AND TIME: Monday, October 12, 2009, 1:00 p.m. – 2:00 p.m.

PLACE: 4025 Esplanade Way, Room 340 N., Tallahassee, Florida

DATE AND TIME: Monday, November 9, 2009, 1:00 p.m. – 2:00 p.m.

PLACE: 4025 Esplanade Way, Room 340 N., Tallahassee, Florida

DATE AND TIME: Monday December 14, 2009, 1:00 p.m. – 2:00 p.m.

PLACE: 4025 Esplanade Way, Room 340 N., Tallahassee, Florida

A copy of the agenda for any of the meetings may be obtained prior to each meeting by contacting: Carlos Martinez, (850)245-4144 or email at carlos_martinez@doh.state.fl.us at the Florida Department of Health.

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).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations is asked to contact: Mr. Carlos Martinez at least 3 days before the meeting at (850)245-4144, ext. 2473 or email carlos_martinez@doh.state.fl.us.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Department of Children and Families**, Circuit 10 announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, December 19, 2008, 9:30 a.m.

PLACE: Department of Children and Families, 1055 U. S. Hwy. 17 N., Bartow, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: 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, DCF 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, DCF 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, DCF at (863)619-4100.

FLORIDA HOUSING FINANCE CORPORATION

NOTICE OF CORRECTION: The person to be contacted regarding a copy of the agenda was listed incorrectly in Vol. 34, No. 48, November 26, 2008, F.A.W.

The **Florida Housing Finance Corporation** announces a public meeting to which all persons are invited.

DATES AND TIMES: Tuesday, December 9, 2008, 9:30 a.m.; Thursday, December 18, 2008, 2:00 p.m.; Thursday, January 8, 2009, 2:00 p.m.

PLACE: Florida Housing Finance Corporation, Rick Seltzer Conference Room, Suite 6000, 227 North Bronough Street, Tallahassee, Florida 32301-1329

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss, evaluate and score the proposals submitted in response to Florida Housing Finance Corporation's Request for Proposals #2008-04 for Rehabilitation of Affordable Rental Housing Developments in Florida Housing's Portfolio.

A copy of the agenda may be obtained by contacting: Sherry Green at (850)488-4197.

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: Sherry Green at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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 FINANCIAL SERVICES

NOTICE OF CANCELLATION – The **Department of Financial Services, Division of State Fire Marshal Fire, Safety Board Meeting** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 3, 2008, 10:00 a.m. is CANCELLED

PLACE: EM Ballroom AB, Hilton San Destin, 4000 San Destin Blvd., South Destin, Florida 32550

GENERAL SUBJECT MATTER TO BE CONSIDERED: THIS SAFETY BOARD MEETING IS CANCELLED.

For more information, you may contact: Donald Rollins, Division of State Fire Marshal, Bureau of Fire Prevention, Regulatory Licensing Section, 200 East Gaines Street, Tallahassee, FL 32399-0342, or by calling him at (850)413-3628.

The **Division of Funeral, Cemetery and Consumer Services** announces a public meeting to which all persons are invited.

DATES AND TIME: December 19, 22, 23, 24, 29, 31, 2008, January 5, 7, 8, 9, 12, 14, 15, 16, 19, 21, 22, 23, 26, 28, 29, 2009, 10:00 a.m.

PLACE: All meetings will be in Tallahassee, Florida. It is anticipated that all meetings will be held at the Alexander Building, 2020 Capital Circle, S. E. Although all the above scheduled meetings will be held in Tallahassee, it may be necessary to move one or more of the meetings to a different location in Tallahassee; any change in the Tallahassee address at which any of the meetings will be held, will be posted under "Announcements" on the website of the Division of Funeral, Cemetery, and Consumer Services (<http://www.myflorida.cfo.com/FuneralCemetery/>), at least 7 days before the affected meeting(s); alternatively, interested persons may call Division employee LaTonya Bryant at (850)413-4083, within 7 days of the meeting to confirm the precise address of the meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the business of the Finance Committee of the Board of Funeral, Cemetery, and Consumer Services, under Chapter 497, Florida Statutes. The agenda of the meetings will consist of consideration of whether and how much fees should be raised under Chapter 497, Florida Statutes, by rule and/or by legislative action, all for the purpose of making a report to the Board of Funeral, Cemetery, and Consumer Services.

A copy of the agenda may be obtained by contacting: LaTonya Bryant at (850)413-4083.

PLEASE NOTE: that one or more of the scheduled meetings may be cancelled; interested persons may contact Ms. Bryant within 7 days of any meeting to ascertain whether the meeting has been cancelled. Notice of cancellation will be posted at least 7 days in advance under "Announcements" on the website of the Division of Funeral, Cemetery, and Consumer Services (<http://www.myfloridacfo.com/FuneralCemetery/>). Interested persons should monitor that website for notices relating to these meetings.

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: LaTonya Bryant at (850)413-4083. 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 Funeral, Cemetery, and Consumer Services** announces a public meeting to which all persons are invited.

DATES AND TIME: January 5, 6, 7, 8, 9, 12, 13, 14, 15, 16, 19, 20, 21, 22, 23, 26, 27, 28, 29, 30, 2009, 10:00 a.m.

PLACE: All meetings will be in Tallahassee, Florida. It is anticipated that all meetings will be held at the Alexander Building, 2020 Capital Circle, S.E. Although all the above scheduled meetings will be held in Tallahassee, it may be necessary to move one or more of the meetings to a different location in Tallahassee; any change in the Tallahassee address at which any of the meetings will be held, will be posted under "Announcements" on the website of the Division of Funeral,

Cemetery, and Consumer Services (<http://www.myflorida.cfo.com/FuneralCemetery/>), at least 7 days before the affected meeting(s); alternatively, interested persons may call Division employee LaTonya Bryant at (850)413-4083 within 7 days of the meeting to confirm the precise address of the meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the business of the Board of Funeral, Cemetery, and Consumer Services under Chapter 497, Florida Statutes, including but not limited to receiving one or more reports from the Board's Finance Committee, and taking Board action on changing fees under Chapter 497, Florida Statutes, as deemed appropriate and/or necessary by the Board.

PLEASE NOTE: that one or more of the scheduled meetings may be cancelled. Notice of cancellation will be posted at least 7 days in advance under "Announcements" on the website of the Division of Funeral, Cemetery, and Consumer Services (<http://www.myfloridacfo.com/FuneralCemetery/>). Interested persons should monitor that website for notices relating to these meetings. Alternatively, interested persons may call: Division employee LaTonya Bryant at (850)413-4083 within 7 days of any meeting to ascertain whether the meeting has been cancelled.

A copy of the agenda may be obtained by contacting: LaTonya Bryant at (850)413-4083. A copy of the agenda for the meetings will be available at least 7 days before the meeting, and may be obtained by writing to: Division of Funeral, Cemetery, and Consumer Services, Attn. LaTonya Bryant, 200 East Gaines Street, Tallahassee, FL 32399-0361.

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: LaTonya Bryant at (850)413-4083. 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.

SOIL AND WATER CONSERVATION DISTRICTS

The **Madison Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: December 15, 2008, 7:30 a.m.

PLACE: Shelby's, U.S. 90 E., across street from USDA-NRCS office, Madison, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Breakfast meeting @ Shelybys', Madison, FL., General Business.

A copy of the agenda may be obtained by contacting: Doris Newman at (850)973-6595.

The **South Dade Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: December 18, 2008, 9:30 a.m.

PLACE: USDA Service Center, 1450 N. Krome Avenue, 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.

A copy of the agenda may be obtained by contacting: Norma H. Wilson at (305)242-1288.

For more information, you may contact: Morgan Levy, Administrator, (305)242-1288.

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.

A copy of the agenda may be obtained by contacting: Kim Bucceri at (239)455-4100.

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.

TRANSPORTATION EXPRESSWAY AUTHORITY MEMBERSHIP OF FLORIDA

The **Transportation Expressway Authority Membership of Florida** (TEAMFL) and Florida Transportation Commission announces a public meeting to which all persons are invited.

DATES AND TIMES: Tuesday, January 13, 2009, 3:00 p.m. – 5:00 p.m.: FOCUS SESSIONS: Toll Operations, Public Involvement, Engineering, Finance; Wednesday, January 14, 2009, 9:00 a.m. – 12:30 p.m.: Annual Joint Meeting With Florida Transportation Commission

PLACE: Ritz-Carlton Orlando-Grande Lakes, 4040 Central Florida Parkway, Orlando, FL 32837

GENERAL SUBJECT MATTER TO BE CONSIDERED: “Florida’s Toll Industry – Working Together for a Better Tomorrow”. Welcoming Remarks: Mike Bauman, Chairman, TEAMFL; Mayor Rich Crotty, Orange County Government; Marcos Marchena, Chairman, Florida Transportation Commission. Speakers include: Greg Cohen, President, American Highway Users Alliance; Jim Ely, Executive Director, Florida’s Turnpike Enterprise; Mike Snyder, Executive Director, Orlando-Orange County Expressway

Authority; Joe Waggoner, Executive Director, Tampa-Hillsborough County Expressway Authority; Javier Rodriguez, Executive Director, Miami Dade Expressway Authority; Paul Wingard, Deputy Director, Lee County Department of Transportation; Mike Blaylock, Executive Director, Jacksonville Transportation Authority; Jennifer Olson, Florida’s Turnpike Enterprise.

A copy of the agenda may be obtained by contacting: Robert Hartnett, President/CEO, TEAMFL, 2121 Camden Road, Suite B, Orlando, FL 32803, (407)896-0035 or Fax: (407)897-7012, Website: www.teamfl.org.

FLORIDA AUTOMOBILE JOINT UNDERWRITING ASSOCIATION

The **Florida Automobile Joint Underwriting Association** announces an FAJUA, Budget Committee Meeting and Board of Governors teleconference to which all persons are invited, FAJUA Budget Committee Teleconference

DATE AND TIME: Friday, December 12, 2008, 2:00 p.m.

PLACE: Conference Call: 1(877)526-3010, Team Number: *6812003*

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discuss 2008-2009 Budget, and any other matters.

FAJUA Board of Governors Teleconference

DATE AND TIME: Friday, December 12, 2008, 3:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discuss Budget Committee Recommendation and current Servicing Provider Agreement, and any other matters.

Additional information may be obtained from: Lisa B. Stoutamire, FAJUA, 1425 Piedmont Drive E. #201A, Tallahassee, FL 32308, (850)681-2003, lstoutamire@fajua.org.

MOFFITT CANCER CENTER AND RESEARCH INSTITUTE

The **Moffitt Cancer Center and Research Institute** announces a public meeting to which all persons are invited.

DATE AND TIME: December 18, 2008, 9:00 a.m.

PLACE: Stabile Research Building Trustee Board Room, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Joint Finance and Planning Committee of the Board of Directors.

A copy of the agenda may be obtained by contacting: Ms. Sandon Austhof, Moffitt Cancer Center, 12902 Magnolia Drive – MCC-VP, Tampa, FL 33612.

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: Ms. Sandon Austhof, Moffitt Cancer Center, 12902 Magnolia Drive, MCC-VP, Tampa, FL 33612. 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: Ms. Sandon Austhof, Moffitt Cancer Center, 12902 Magnolia Drive, MCC-VP, Tampa, FL 33612.

FLORIDA WORKERS' COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC.

NOTICE OF CHANGE – The **Florida Workers' Compensation Joint Underwriting Association, Inc.**, Investment Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, December 29, 2008, 10:00 a.m. To Be Rescheduled For Monday, January 5, 2009, 10:00 a.m.

PLACE: To participate in the teleconference meetings, please contact: Kathy Coyne at (941)378-7408

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda topics will include the approval of minutes; Review of Policy and Guidelines for the Investment of Assets and Associated Matters; and a compliance review of the current investment portfolio.

A copy of the agenda may be obtained by contacting: Kathy Coyne at (941)378-7408, or from the FWCJUA's website: www.fwcjua.com.

**Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements**

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from William J. and Jane M. Cunningham, Petitioners/Unit Owners, In RE: Ocean Walk Beach Condominium Association, Inc., Docket No. 2008062575. The petition seeks the agency's opinion as to the applicability of as it applies to the petitioner.

Whether Ocean Walk Beach Condominium Association, Inc. must reimburse a unit owner for repairing a leak in an air conditioning supply line and the roller sliders serving the unit under the governing documents.

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 Anne Falkoff, Petitioner/Unit Owner, In RE: Hillsboro Imperial Condominium Association, Inc., Docket No. 2008064128. The petition seeks the agency's opinion as to the applicability of Chapter 718, Florida Statutes as it applies to the petitioner.

Whether Hillsboro Imperial Condominium Association, Inc. can refuse under Chapter 718, Florida Statutes, or any other law or regulation, to issue a deed of conveyance to a unit owner upon conversion from a cooperative to a condominium.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida 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 Albert Frost, Petitioner/Unit Owner, In RE: Tregate East Condominium Association, Inc., Docket No. 2008064223. The petition seeks the agency's opinion as to the applicability of Chapter 718, Florida Statutes, as it applies to the petitioner.

Whether Tregate East Condominium Association, Inc. complied with Sections 718.110(4) and 718.113(5), Florida Statutes, where a unit owner built a patio on the common elements behind the unit.

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 Harvey Wasserman, Petitioner, In RE: Del Mar Association, Inc., Docket No. 2008062585. The petition seeks the agency's opinion as to the applicability of Chapter 718, Florida Statutes, as it applies to the petitioner.

Whether Del Mar Association, Inc. may deny access to privileged association records to a unit owner director under Section 718.111(12)(c), 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 on November 3, 2008, the Board of Architecture and Interior Design has received the petition for declaratory statement from Fred R. Dudley, Esquire, on behalf of Interior Design Associations Foundation of Florida, Inc., Dorothea Ramsey Felder and Christopher B. Scully. The petition seeks the agency's opinion as to the applicability of Sections 481.203(8), 481.223(1), and 481.229(6), Florida Statutes, as it applies to the petitioner.

The petition seeks the Board's interpretation of Sections 481.203(8), 481.223(1), and 481.229(6), Florida Statutes, determining whether any license is required for the sale by the petitioners of "furnishings" as defined herein, whether or not offered for sale at "retail" or offered for sale by "retail establishments," and whether offered or sold for delivery based on a diagram reflecting the placement of the furnishings.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Juanita Chastain, Executive Director, Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0783.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT the Department of Health, Drugs, Devices and Cosmetics Program has declined to rule on the petition for declaratory statement filed by Florida Home Health Equipment and Supplies, Inc., 4700 L.B. McLeod Road, Suite 5, Orlando, Florida 32811 on August 21, 2008. The following is a summary of the agency's declination of the petition:

The Department of Health, Drugs Devices and Cosmetics Program issued a Final Order on November 21, 2008, on a Petition for Declaratory Statement from Florida Home Health Equipment and Supplies, Inc. Petitioner, a Florida licensed home medical equipment provider and licensed oxygen retailer, requested a declaratory statement from the Department concerning an interpretation of Sections 499.012(1)(a) and (2)(b), Florida Statutes, to determine whether the Petitioner engaged in the wholesale distribution of compressed medical gas as defined within the statutes. The Department denied the Petition without issuing an opinion on the merits.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: R.S. Power, Esquire, Agency Clerk, Office of the General Counsel, Department of Health, 4052 Bald Cypress Way, Bin #A-02, Tallahassee, Florida 32399.

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 Terri Hicks on or about October 30, 2008. The petition seeks the agency's opinion as to the applicability of Life Safety Code 2006, NFPA 101, 13.3.5.1 and 12.3.5.2 as it applies to the petitioner.

The Petitioner is seeking an interpretation of Life Safety Code 2006, NFPA 101, 13.3.5.1 – Sprinkler throughout building w/occupant load exceeding 100; and 12.3.5.2 – Sprinkler w/occupancy exceeding 300 at 122 W. Main Street, Leesburg, FL 34748, as it applies to Petitioner's particular set of circumstances.

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, phone (850)413-3604, or (850)413-4238; Fax number (850)922-1235 or (850)488-0697 (please advise if you would like it mailed or faxed to you and please include your phone number on your request in case any question arises), or by e-mailing your request to Lesley.Mendelson@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 of Bid

The University of Florida, Purchasing and Disbursement Services will receive sealed bids for the following: ITB09SVF-134, Aquatic Food Products Bldg. 461 Roof

Replacement, estimated budget: \$266,000, to be opened January 22, 2009, 2:00 p.m., in 101 Elmore Hall, Radio Road, Gainesville, FL. Scope of work: The work includes the replacement of the building's existing roof with a new multi-ply modified bitumen roof system. Also included is the repair or replacement of roof mounted exhaust air units as identified in the contract documents. Mandatory pre-bid meeting will be held January 5, 2009, 9:00 a.m., in the PPD A/E Conference Room, Building 700, Radio Road, Gainesville, FL.

Questions should be directed to: Lisa Pennington, lpenn@ufl.edu or (352)392-1331. For more information visit www.purchasing.ufl.edu.

AMERICANS WITH DISABILITY ACT OF 1991 – If special accommodations are needed in order to attend the Pre-Bid Meeting or the Bid opening, contact Purchasing, purchasing@ufl.edu or (352)392-1331 within three (3) days of the event.

NOTICE TO PROFESSIONAL CONSULTANTS

The University of Central Florida announces that continuing professional services for certain projects are required in the following discipline: Civil Engineering.

The projects will consist of Civil Engineering services for the University of Central Florida main and associated campuses. These services will include coordination with St. John's River Water Management District and working with the University's Facilities Planning on various civil projects.

Projects included in the scope of this agreement will be specific projects for the University of Central Florida main and associated campuses. Campus Service contracts for these projects provide that the consultant will be available on an as-needed basis for the fiscal year, August 1, 2008 – June 30, 2009. The consultant receiving the award will not have an exclusive contract to perform services for these projects. The university may have additional campus service professionals under contract during the same time period.

Firms desiring to provide professional services shall apply by letter specifying the discipline for which they are applying. Proximity of location will be a prime factor in the selection of the firm.

Carefully review the Contract and General Conditions documents. Submitting a proposal for this project constitutes complete agreement with and acceptance of the terms and conditions contained within these documents. These documents can be found on our website at www.fp.ucf.edu with the advertisement.

Attach to each letter of application:

1. The most recent version of the Florida Board of Education "Professional Qualifications Supplement" (PQS) dated 7/03, completed by the applicant. Do not alter the PQS form.

2. A copy of the 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 five (5) 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 materials will not be returned. Late submissions will not be accepted.

The plans and specifications for A/E projects are subject to re-use 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, descriptive project information, and selection criteria may be obtained at website www.fp.ucf.edu (click on advertisements) or by contacting: Ms. Gina Seabrook, University of Central Florida, Orlando, FL 32816-3020, Phone (407)823-2166, Fax (407)823-5141, Email: gseabroo@mail.ucf.edu.

Five (5) bound copies of the required proposal data shall be submitted to: Ms. Gina Seabrook, Facilities Planning, 4000 Central Florida Blvd., Post Office Box 163020, Orlando, FL 32816-3020 by 5:00 p.m. (Local Time), Friday, January 16, 2009. Facsimile (FAX) submittals are not acceptable and will not be considered.

NOTICE TO PROFESSIONAL CONSULTANTS

The University of Central Florida announces that continuing professional services for certain projects are required in the following discipline: Building Envelope, analysis and inspection (roofing, exterior walls, windows, and doors).

The projects will consist of Building Envelope services for the University of Central Florida main and associated campuses. These services will also include developing design and construction standards and working with the University's Facilities Planning and Physical Plant Departments on various projects.

Projects included in the scope of this agreement will be specific projects for the University of Central Florida main and associated campuses. Campus Service contracts for these projects provide that the consultant will be available on an as-needed basis for the fiscal year, August 1, 2008 – June 30, 2009. The consultant receiving the award will not have an

exclusive contract to perform services for these projects. The university may have additional campus service professionals under contract during the same time period.

Firms desiring to provide professional services shall apply by letter specifying the discipline for which they are applying. Proximity of location will be a prime factor in the selection of the firm.

Carefully review the Contract and General Conditions documents. Submitting a proposal for this project constitutes complete agreement with and acceptance of the terms and conditions contained within these documents. These documents can be found on our website at www.fp.ucf.edu with the advertisement.

Attach to each letter of application:

1. The most recent version of the Florida Board of Education "Professional Qualifications Supplement" (PQS) dated 7/03, completed by the applicant. Do not alter the PQS form.
2. A copy of the 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 five (5) 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 materials will not be returned. Late submissions will not be accepted.

The plans and specifications for A/E projects are subject to re-use 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.

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32816-3020 by 5:00 p.m. (Local Time), Friday, January 16, 2009. Facsimile (FAX) submittals are not acceptable and will not be considered.

NOTICE TO CONSTRUCTION MANAGERS

Florida Gulf Coast University Board of Trustees, announces that Construction Management Services will be required for the project listed below:

Project No. BR-1053, Project and Location: Fine Arts Building 2, Florida Gulf Coast University, Ft. Myers, Florida.

In general, the Fine Arts 2 Building will be located near the existing Arts Complex Building within the campus Loop Road. The design of the Fine Arts 2, also known as the Bower School of Music, will be complimentary to the existing Arts Complex Building and use similar finish materials. The total project budget is approximately \$11.6 million and the construction budget is approximately \$7.6 million.

FGCU is seeking Leadership in Energy and Environmental Design (LEED) certification for this building.

The site has been conceptually permitted with both the Corps of Engineers and the South Florida Water Management District. This project will require a modification of an existing construction and operation permit issued by SFWMD.

Selection will be made on the basis of construction manager's qualifications, including experience and ability; past experience with similar projects; bonding capacity; record-keeping/administrative ability, critical path scheduling expertise; cost estimating; cost control ability; quality control capability and qualification of the firm's personnel, staff and consultants.

The Selection Committee may reject all proposals and stop the selection process at any time. The construction manager shall have no ownership, entrepreneurial or financial affiliation with the selected architect/engineer involved with this project.

Firms desiring to provide construction management services for the project shall submit a letter of application and a completed Board of Regents "Construction Manager Qualifications Supplement". Proposals must not exceed 80 pages, including the Construction Manager Qualifications Supplement and letter of application. Pages should be numbered consecutively. Submittals, which do not comply with these requirements or do not include the requested data, will not be considered. No submittal information will be returned.

All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133, F.S., a construction management firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected construction management firm must warrant that it

will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

The Board of Regents Construction Manager Qualifications Supplement forms and the Project Fact Sheet may be obtained by contacting: Mr. Jack Fenwick, Director of Facilities Planning, Florida Gulf Coast University, 10501 FGCU Blvd. South, Ft. Myers, Florida 33965-6565, (239)590-1500, Fax: (239)590-1505.

Five (5) bound copies of the required proposal data shall be submitted to: Mr. Jack Fenwick, Director of Facilities Planning, Florida Gulf Coast University, 10501 FGCU Blvd. South, Fort Myers, Florida 33965-6565.

Submittals must be received in the Facilities Planning Office (Academic Building 5, Room 217) by 2:00 p.m. (Local Time), Monday, January 12, 2009. Facsimile (FAX) submittals are not acceptable and will not be considered.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

NOTICE OF INVITATION TO BID

BID NO. BDC 51-08/09

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Construction is soliciting formal competitive bids for the project listed below:

PROJECT NAME: Bow Channel Historic Bridge Repair

SCOPE OF WORK: The contractor shall provide the necessary labor, supervision, equipment and materials to repair the Bow Channel Historic Bridge, including the superstructure deck.

PROJECT BUDGET: \$510,000.00

PARK LOCATION: Florida Keys Overseas Heritage Trail, Bow Channel Bridge, MM20.2, (Monroe County)

PROJECT MANAGER: Patricia Smith, Office of Greenways and Trails, ADDRESS: 3 La Croix Court, Key Largo, Florida 33037, telephone number: (305)420-8432, Fax Number: (305)872-0558.

MINORITY BUSINESS REQUIREMENT: The Department of Environmental Protection supports diversity in its Procurement Program and requests that all sub-contracting

opportunities afforded by this bid embrace diversity enthusiastically. The award of sub-contracts should reflect the full diversity of the citizens of the State of Florida. The Department will be glad to furnish a list of Minority Owned Firms that could be offered sub-contracting opportunities.

PREQUALIFICATION: When the total Bid including Alternates exceeds \$200,000, each Bidder whose field is governed by Chapter 399, 455, 489, or 633, Florida Statutes, for licensure or certification, must submit the following prequalification data of their eligibility to submit bids 240 hours (10 days) PRIOR TO the Bid Opening date, unless the Bidder has been previously qualified by the Department of Environmental Protection for the current biennium (July 1 – June 30) of odd numbered years in accordance with subsection 60D-5.004(2), F.A.C., as evidenced by a letter from DEP to the Bidder, which letter shall be presented to DEP upon request. If the Department requires clarification or additional information, Bidder shall submit such information by 120 hours (5 days) prior to Bid Opening. Material submitted after those deadlines shall disqualify the Bidder.

INSTRUCTIONS: Any firm desiring plans and bid specifications for this project may obtain a copy by writing the address or calling the telephone number below. Compact Disk (CD) containing the plans and specifications will be available on December 12, 2008 at: the Office of Greenways & Trails, Florida Keys Overseas Heritage Trail, 3 La Croix Court, Key Largo, Florida 33037, Attention: Shelley Welch, Telephone Number: (305)853-3571, Fax Number: (305)853-3574.

ADA REQUIREMENTS: Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact Michael Renard with the Bureau of Design and Construction at (850)488-5372 at least five (5) workdays prior to openings. If you are hearing or speech impaired, please contact the Florida Relay Services by calling 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

BID SUBMITTAL DUE DATE: No later than 4:30 p.m. (ET), Tuesday, January 13, 2009, to the below address: Florida Department of Environmental Protection, Bureau of Design and Construction, 3540 Thomasville Road, Tallahassee, Florida 32309, attention Michael Renard, Construction Projects Administer, Bureau of Design and Construction, (850)488-5372. The Department reserves the right to reject any or all bids.

BID POSTING DATE: No later than 2:00 p.m., Friday, January 23, 2009, unless extended by the Department for good cause.

NOTICE OF RIGHTS: Notice of Intent to Protest the Bid Specifications must be filed with (received by) the Agency Clerk, Lea Crandall, Department of Environmental Protection, Office of General Counsel, MS 35, 3900 Commonwealth

Blvd., Tallahassee FL 32399-3000, (850)245-2242, Fax (850)245-2303, Lea.Crandall@dep.state.fl.us during the 72-hour period after Bid Specifications are posted on the Vendor Bid System. Failure to file a Notice of Intent to Protest or a formal, written Protest in accordance with Rule 28-110, F.A.C., within ten days after the 72-hour period ends, as prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of your right to an administrative hearing on the Bid Specifications under Chapter 120, Florida Statutes. Rules for bid protests can be found in Sections 120.569 and 120.57, F.S., and Chapter 28-110, Florida Administrative Code. A bid protester shall comply with these statutes and rules.

**NOTICE OF INVITATION TO BID
BID NO. BDC 57-08/09**

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Construction is soliciting formal competitive bids from Certified or Registered General or Building contractors for the project listed below:

PROJECT NAME: Jackson Mounds Archaeological State Park – Artifact Storage Facility

SCOPE OF WORK: The contractor shall provide all labor, materials, equipment and supervision to successfully construct a new Artifact Storage Facility including all related infrastructure according to the plans and specifications.

PROJECT BUDGET: \$550,000.00

PARK LOCATION: Lake Jackson Mounds Archaeological State Park, off U.S. 27 2 miles north of I-10, c/o St. Marks Administration, 3600 Indian Mounds Road, Tallahassee, Florida.

PROJECT MANAGER: Mitch Fenton, Bureau of Design and Construction, Alfred B. Maclay Gardens State Park, 3540 Thomasville Road, Tallahassee, Florida 32309, telephone number: (850)488-5372, fax Number: (850)488-3537.

MINORITY BUSINESS REQUIREMENT: The Department of Environmental Protection supports diversity in its Procurement Program and requests that all sub-contracting opportunities afforded by this bid embrace diversity enthusiastically. The award of sub-contracts should reflect the full diversity of the citizens of the State of Florida. The Department will be glad to furnish a list of Minority Owned Firms that could be offered sub-contracting opportunities.

PREQUALIFICATION: When the total Bid including Alternates exceeds \$200,000, each Bidder whose field is governed by Chapter 399, 455, 489, or 633, Florida Statutes, for licensure or certification, must submit the following prequalification data of their eligibility to submit bids 240 hours (10 days) PRIOR TO the Bid Opening date, unless the Bidder has been previously qualified by the Department of Environmental Protection for the current biennium (July 1 – June 30) of odd numbered years in accordance with subsection 60D-5.004(2), F.A.C., as evidenced by a letter from DEP to the

Bidder, which letter shall be presented to DEP upon request. If the Department requires clarification or additional information, Bidder shall submit such information by 120 hours (5 days) prior to Bid Opening. Material submitted after those deadlines shall disqualify the Bidder.

INSTRUCTIONS: Any firm desiring plans and bid specifications for this project may obtain a copy by writing the address or calling the telephone number below. Compact Disk (CD) containing the plans and specifications will be available on Friday, December 12, 2008 at Lake Jackson Mounds Archaeological State Park, c/o St. Marks Administration, 3600 Indian Mounds Road, Tallahassee, Florida 32303, contact Park Manager Barry Burch, phone (850)922-6007.

ADA REQUIREMENTS: Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact Michael Renard with the Bureau of Design and Construction at (850)488-5372 at least five (5) workdays prior to openings. If you are hearing or speech impaired, please contact the Florida Relay Services by calling 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

BID SUBMITTAL DUE DATE: No later than 2:00 p.m. (ET), Tuesday, January 13, 2009, to the below address: Florida Department of Environmental Protection, Bureau of Design and Construction, 3540 Thomasville Road, Tallahassee, Florida 32309, Attention Michael Renard, Construction Projects Administrator, Bureau of Design and Construction, (850)488-5372. The Department reserves the right to reject any or all bids.

BID POSTING DATE: No later than 2:00 p.m. (ET), Friday, January 16, 2009, unless extended by the Department for good cause.

NOTICE OF RIGHTS: Notice of Intent to Protest the Bid Specifications must be filed with (received by) the Agency Clerk, Lea Crandall, Department of Environmental Protection, Office of General Counsel, MS 35, 3900 Commonwealth Blvd., Tallahassee, FL 32399-3000, (850)245-2242, Fax (850)245-2303, Lea.Crandall@dep.state.fl.us during the 72-hour period after Bid Specifications are posted on the Vendor Bid System. Failure to file a Notice of Intent to Protest or a formal, written Protest in accordance with Chapter 28-110, F.A.C., within ten days after the 72-hour period ends, as prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of your right to an administrative hearing on the Bid Specifications under Chapter 120, Florida Statutes. Rules for bid protests can be found in Sections 120.569 and 120.57, F.S., and Chapter 28-110, Florida Administrative Code. A bid protester shall comply with these statutes and rules.

NOTICE OF INVITATION TO BID

BID NO. BDC 58-08/09

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Construction is soliciting formal competitive bids for the project listed below:

PROJECT NAME: Guana River HVAC and Roof Replacement.

SCOPE OF WORK: The contractor shall provide the necessary labor, supervision, equipment and materials to permit, fabricate, and construct new construction and modifications for the Guana-Tolomato-Matanzas National Estuarine Research Reserve's Heating and Air Conditioning System and Roof System at the existing Educational Learning Center. Project consists of the demolition and removal of the existing HVAC system, including ductwork, and the demolition and removal and replacement of the existing standing seam roof with a new roofing system. Work also consists of modifications to interior walls. Contractor shall build to compliance with the 2004 Florida Building Code, Revised.

PARK LOCATION: Guana-Tolomato-Matanzas National Estuarine Research Reserve, 505 Guana River Road, Ponte Vedra Beach, FL 32082 (St. Johns County)

PROJECT MANAGER: Henri Burton, Coastal & Aquatic Managed Areas, Douglas Building, 3900 Commonwealth Blvd. MS 235, Tallahassee, Florida 32399-3000, Telephone Number: (850)245-2105, Fax Number: (850)245-2110, email henri.burton@dep.state.fl.us.

FUNDING is through a Grant from the National Oceanic & Atmospheric Administration and state matching funds. Federal and state construction laws apply.

MINORITY BUSINESS REQUIREMENT: The Department of Environmental Protection supports diversity in its Procurement Program and requests that all sub-contracting opportunities afforded by this bid embrace diversity enthusiastically. The award of sub-contracts should reflect the full diversity of the citizens of the State of Florida. The Department will be glad to furnish a list of Minority Owned Firms that could be offered sub-contracting opportunities.

PREQUALIFICATION: When the total Bid including Alternates exceeds \$200,000, each Bidder whose field is governed by Chapter 399, 455, 489, or 633, Florida Statutes, for licensure or certification, must submit the following prequalification data of their eligibility to submit bids 240 hours (10 days) PRIOR TO the Bid Opening date, unless the Bidder has been previously qualified by the Department of Environmental Protection for the current biennium (July 1-June 30) of odd numbered years in accordance with subsection 60D-5.004(2), F.A.C., as evidenced by a letter from DEP to the Bidder, which letter shall be presented to DEP upon request. If the Department requires clarification or additional information, Bidder shall submit such information by 120 hours (5 days) prior to Bid Opening. Material submitted after those deadlines shall disqualify the Bidder.

INSTRUCTIONS: Any firm desiring plans and bid specifications for this project may obtain a copy by writing the address or calling the telephone number below. Compact Disk (CD) containing the plans and specifications will be available on December 12, 2008 at: Douglas Building, Room 432, 3900 Commonwealth Blvd., MS 235, Tallahassee, FL 32399-3000, Attention: Ken Fish, Administrative Clerk, Telephone: (850)245-2094, Fax Number: (850)245-2110.

ADA REQUIREMENTS: Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact Michael Renard with the Bureau of Design and Construction, (850)488-5372 at least five (5) workdays prior to openings. If you are hearing or speech impaired, please contact the Florida Relay Services by calling 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

BID SUBMITTAL DUE DATE: No later than 4:00 p.m. (ET), Tuesday, January 13, 2009, to the below address: Florida Department of Environmental Protection, Bureau of Design and Construction, 3540 Thomasville Road, Tallahassee, Florida 32309, Attention: Michael Renard, Construction Projects Administer, Bureau of Design and Construction, (850)488-3572. The Department reserves the right to reject any or all bids.

BID POSTING DATE: No later than 2:00 p.m. (ET), Friday, January 16, 2009, unless extended by the Department for good cause.

NOTICE OF RIGHTS: Notice of Intent to Protest the Bid Specifications must be filed with (received by) the Agency Clerk, Lea Crandall, Department of Environmental Protection, Office of General Counsel, MS 35, 3900 Commonwealth Blvd., Tallahassee, FL 32399-3000, (850)245-2242, Fax (850)245-2303, lea.crandall@dep.state.fl.us during the 72-hour period after Bid Specifications are posted on the Vendor Bid System. Failure to file a Notice of Intent to Protest or a formal, written Protest in accordance with Chapter 28-110, F.A.C., within ten days after the 72-hour period ends, as prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of your right to an administrative hearing on the Bid Specifications under Chapter 120, Florida Statutes. Rules for bid protests can be found in Sections 120.569 and 120.57, F.S., and Chapter 28-110, Florida Administrative Code. A bid protester shall comply with these statutes and rules.

NOTICE OF INVITATION TO BID
BID NO. BDC 59-08/09

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Construction is soliciting formal competitive bids from contractors for the project listed below:

PROJECT NAME: Hillsborough River State Park – Stormwater Management and Water Quality Improvements

SCOPE OF WORK: The contractor shall provide all labor, materials, equipment and supervision to supervision to demolish approximately 4.5 acres of existing asphalt parking and vehicle use areas and construct approximately 2 acres of new asphalt, 1 acre of Turf Block (or equal), and 2 acres of reinforced grass parking and vehicle use areas with associated sidewalks, storm water drainage infrastructure and storm water detention facilities.

PROJECT BUDGET: \$600,000.00

PARK LOCATION: Hillsborough River State Park, 6 miles south of Zephyrhills, Florida on U.S. Hwy. 301, Hillsborough County, Florida

PROJECT MANAGER: Tom Napier, Bureau of Design and Construction, Alfred B. Maclay Gardens State Park, 3540 Thomasville Road, Tallahassee, Florida 32309, Telephone Number: (850)488-5372, Fax Number: (850)488-3537.

MINORITY BUSINESS REQUIREMENT: The Department of Environmental Protection supports diversity in its Procurement Program and requests that all sub-contracting opportunities afforded by this bid embrace diversity enthusiastically. The award of sub-contracts should reflect the full diversity of the citizens of the State of Florida. The Department will be glad to furnish a list of Minority Owned Firms that could be offered sub-contracting opportunities.

PREQUALIFICATION: When the total Bid including Alternates exceeds \$200,000, each Bidder whose field is governed by Chapter 399, 455, 489, or 633, Florida Statutes, for licensure or certification, must submit the following prequalification data of their eligibility to submit bids 240 hours (10 days) PRIOR TO the Bid Opening date, unless the Bidder has been previously qualified by the Department of Environmental Protection for the current biennium (July 1 – June 30) of odd numbered years in accordance with subsection 60D-5.004(2), F.A.C., as evidenced by a letter from DEP to the Bidder, which letter shall be presented to DEP upon request. If the Department requires clarification or additional information, Bidder shall submit such information by 120 hours (5 days) prior to Bid Opening. Material submitted after those deadlines shall disqualify the Bidder.

INSTRUCTIONS: Any firm desiring plans and bid specifications for this project may obtain a copy by writing the address or calling the telephone number below. Compact Disk (CD) containing the plans and specifications will be available on Friday, December 12, 2008 at Hillsborough River State Park, 15402 U.S. 301 North, Thonotosassa, Florida 33592, Attention: Kimberlee Tennille, Park Manager, telephone: (813)987-6771, fax: (813)987-6773.

ADA REQUIREMENTS: Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If

accommodations are needed because of disability, please contact Michael Renard with the Bureau of Design and Construction at (850)488-5372 at least five (5) workdays prior to openings. If you are hearing or speech impaired, please contact the Florida Relay Services by calling 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

BID SUBMITTAL DUE DATE: No later than 2:30 p.m. (ET), Tuesday, January 13, 2009 to the below address: Florida Department of Environmental Protection, Bureau of Design and Construction, 3540 Thomasville Road, Tallahassee, Florida 32309, Attention: Michael Renard, Construction Projects Administrator, Bureau of Design and Construction, (850)488-5372. The Department reserves the right to reject any or all bids.

BID POSTING DATE: No later than 2:00 p.m. (ET), Friday, January 16, 2009, unless extended by the Department for good cause.

NOTICE OF RIGHTS: Notice of Intent to Protest the Bid Specifications must be filed with (received by) the Agency Clerk, Lea Crandall, Department of Environmental Protection, Office of General Counsel, MS 35, 3900 Commonwealth Blvd., Tallahassee, FL 32399-3000, (850)245-2242, Fax (850)245-2303, Lea.Crandall@dep.state.fl.us during the 72-hour period after Bid Specifications are posted on the Vendor Bid System. Failure to file a Notice of Intent to Protest or a formal, written Protest in accordance with Chapter 28-110, F.A.C., within ten days after the 72-hour period ends, as prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of your right to an administrative hearing on the Bid Specifications under Chapter 120, Florida Statutes. Rules for bid protests can be found in Sections 120.569 and 120.57, F.S., and Chapter 28-110, Florida Administrative Code. A bid protester shall comply with these statutes and rules.

**NOTICE OF INVITATION TO BID
BID NO. BDC 60-08/09**

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Construction is soliciting formal competitive bids from Certified or Registered General or Building contractors for the project listed below:

PROJECT NAME: St. Lucie Inlet Preserve State Park-Boardwalk repairs

SCOPE OF WORK: The contractor shall provide all labor, materials, equipment and supervision to repair damaged timber piles (97) and replace the deteriorated wood boardwalk members (1,000' linear x 10'), including the installation of new stainless steel bolts and fasteners according to the plans and specifications. The project area is only accessible by water and the contractor will have to supply their own temporary power. All materials must be delivered by boat at the North end of the St. Lucie Inlet Preserve State Park.

PROJECT BUDGET: \$400,000.00

PARK LOCATION: St. Lucie Inlet Preserve State Park, 4810 S. E. Cove Road, Stuart, Florida

PROJECT MANAGER: Stephen Boley, Bureau of Design and Construction, Alfred B. Maclay Gardens State Park, 3540 Thomasville Road, Tallahassee, Florida 32309, Telephone Number: (850)488-5372, Fax Number: (850)488-3537.

MINORITY BUSINESS REQUIREMENT: The Department of Environmental Protection supports diversity in its Procurement Program and requests that all sub-contracting opportunities afforded by this bid embrace diversity enthusiastically. The award of sub-contracts should reflect the full diversity of the citizens of the State of Florida. The Department will be glad to furnish a list of Minority Owned Firms that could be offered sub-contracting opportunities.

PREQUALIFICATION: When the total Bid including Alternates exceeds \$200,000, each Bidder whose field is governed by Chapter 399, 455, 489, or 633, Florida Statutes, for licensure or certification, must submit the following prequalification data of their eligibility to submit bids 240 hours (10 days) PRIOR TO the Bid Opening date, unless the Bidder has been previously qualified by the Department of Environmental Protection for the current biennium (July 1 – June 30) of odd numbered years in accordance with subsection 60D-5.004(2), F.A.C., as evidenced by a letter from DEP to the Bidder, which letter shall be presented to DEP upon request. If the Department requires clarification or additional information, Bidder shall submit such information by 120 hours (5 days) prior to Bid Opening. Material submitted after those deadlines shall disqualify the Bidder.

INSTRUCTIONS: Any firm desiring plans and bid specifications for this project may obtain a copy by writing the address or calling the telephone number below. Compact Disk (CD) containing the plans and specifications will be available on December 12, 2008 at St. Lucie Inlet Preserve State Park, 4810 S. E. Cove Road, Stuart, Florida 34997, Attention: John Griner, Park Manager, Telephone: (772)219-1880, Fax: (772)219-1879.

PRE-BID MEETING: A non-mandatory pre-bid meeting will be held for all prospective bidders at the project site with ferry service on Monday, December 22, 2008 starting at 1:30 p.m. Interested contractors should contact John Griner, Park Manager at (772)219-1880.

ADA REQUIREMENTS: Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact: Michael Renard, Bureau of Design and Construction, (850)488-5372 at least five (5) workdays prior to openings. If you are hearing or speech impaired, please contact the Florida Relay Services by calling 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

BID SUBMITTAL DUE DATE: No later than 2:00 p.m. (ET), Tuesday, January 6, 2009, to the below address: Florida Department of Environmental Protection, Bureau of Design and Construction, 3540 Thomasville Road, Tallahassee, Florida 32309, Attention: Michael Renard, Construction Projects Administrator, Bureau of Design and Construction, (850)488-5372. The Department reserves the right to reject any or all bids.

BID POSTING DATE: No later than 2:00 p.m. (ET), Tuesday, January 9, 2009, unless extended by the Department for good cause.

NOTICE OF RIGHTS: Notice of Intent to Protest the Bid Specifications must be filed with (received by) the Agency Clerk, Lea Crandall, Department of Environmental Protection, Office of General Counsel, MS 35, 3900 Commonwealth Blvd., Tallahassee, FL 32399-3000, (850)245-2242, Fax (850)245-2303, Lea.Crandall@dep.state.fl.us during the 72-hour period after Bid Specifications are posted on the Vendor Bid System. Failure to file a Notice of Intent to Protest or a formal, written Protest in accordance with Chapter 28-110, F.A.C., within ten days after the 72-hour period ends, as prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of your right to an administrative hearing on the Bid Specifications under Chapter 120, Florida Statutes. Rules for bid protests can be found in Sections 120.569 and 120.57, F.S., and Chapter 28-110, Florida Administrative Code. A bid protester shall comply with these statutes and rules.

NOTICE OF INVITATION TO BID

BID NO. BDC 61-08/09

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Construction is soliciting formal competitive bids from Certified or Registered General or Building contractors for the project listed below:

PROJECT NAME: Atlantic Ridge State Park-Park Development

SCOPE OF WORK: The contractor shall provide all labor, materials, equipment and supervision to build a pre-engineered metal three bay shop building and a pre-engineered metal pole barn. Additional work will include providing potable water well, septic system, building demo, and site work.

PROJECT BUDGET: \$325,000.00

PARK LOCATION: Atlantic Ridge State Park, c/o Jonathan Dickinson State Park, 16450 S. E. Federal Highway, Hobe Sound, Florida.

PROJECT MANAGER: Stephen Boley, Bureau of Design and Construction, Alfred B. Maclay Gardens State Park, 3540 Thomasville Road, Tallahassee, Florida 32309, Telephone Number: (850)488-5372, Fax Number: (850)488-3537.

MINORITY BUSINESS REQUIREMENT: The Department of Environmental Protection supports diversity in its Procurement Program and requests that all sub-contracting

opportunities afforded by this bid embrace diversity enthusiastically. The award of sub-contracts should reflect the full diversity of the citizens of the State of Florida. The Department will be glad to furnish a list of Minority Owned Firms that could be offered sub-contracting opportunities.

PREQUALIFICATION: When the total Bid including Alternates exceeds \$200,000, each Bidder whose field is governed by Chapter 399, 455, 489, or 633, Florida Statutes, for licensure or certification, must submit the following prequalification data of their eligibility to submit bids 240 hours (10 days) PRIOR TO the Bid Opening date, unless the Bidder has been previously qualified by the Department of Environmental Protection for the current biennium (July 1 – June 30) of odd numbered years in accordance with subsection 60D-5.004(2), F.A.C., as evidenced by a letter from DEP to the Bidder, which letter shall be presented to DEP upon request. If the Department requires clarification or additional information, Bidder shall submit such information by 120 hours (5 days) prior to Bid Opening. Material submitted after those deadlines shall disqualify the Bidder.

INSTRUCTIONS: Any firm desiring plans and bid specifications for this project may obtain a copy by writing the address or calling the telephone number below. Compact Disk (CD) containing the plans and specifications will be available on December 12, 2008 at Atlantic Ridge State Park c/o Jonathan Dickinson State Park, 16450 S. E. Federal Highway, Hobe Sound, Florida 33455, Attention: Mark Nelson, Park Manager, Telephone: (561)744-9814, Fax: (561)744-7604.

ADA REQUIREMENTS: Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact: Michael Renard, Bureau of Design and Construction, (850)488-5372, at least five (5) workdays prior to openings. If you are hearing or speech impaired, please contact the Florida Relay Services by calling 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

BID SUBMITTAL DUE DATE: No later than 2:30 p.m. (ET), Tuesday, January 6, 2009, to the below address: Florida Department of Environmental Protection, Bureau of Design and Construction, 3540 Thomasville Road, Tallahassee, Florida 32309, Attention: Michael Renard, Construction Projects Administrator, Bureau of Design and Construction, (850)488-5372. The Department reserves the right to reject any or all bids.

BID POSTING DATE: No later than 2:00 p.m. (ET), Tuesday, January 9, 2009, unless extended by the Department for good cause.

NOTICE OF RIGHTS: Notice of Intent to Protest the Bid Specifications must be filed with (received by) the Agency Clerk, Lea Crandall, Department of Environmental Protection, Office of General Counsel, MS 35, 3900 Commonwealth

Blvd., Tallahassee, FL 32399-3000, (850)245-2242, Fax (850)245-2303, Lea.Crandall@dep.state.fl.us during the 72-hour period after Bid Specifications are posted on the Vendor Bid System. Failure to file a Notice of Intent to Protest or a formal, written Protest in accordance with Chapter 28-110, F.A.C., within ten days after the 72-hour period ends, as prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of your right to an administrative hearing on the Bid Specifications under Chapter 120, Florida Statutes. Rules for bid protests can be found in Sections 120.569 and 120.57, F.S., and Chapter 28-110, Florida Administrative Code. A bid protester shall comply with these statutes and rules.

**NOTICE OF INVITATION TO BID
BID NO. BDC 62-08/09**

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Construction is soliciting formal competitive bids from General and Building contractors for the project listed below:

PROJECT NAME: Colt Creek State Park – Park Development

SCOPE OF WORK: The contractor shall provide all labor, materials, equipment and supervision to construct a park entrance drive; Ranger Station with septic field and employee parking area; one (1) Large (18 Table) Picnic Pavilion with Restrooms, septic field, and Visitor Parking Lot; two (2) Small (6 Tables) Picnic Pavilions; a paved 1.20 mile perimeter lakeside bike/pedestrian trail; a floating fishing T-dock; and an initial phase entrance 1.78 mile roadway with multiple culvert locations (fill for the roadway is available on-site).

PROJECT BUDGET: \$1,700,000.00

PARK LOCATION: Colt Creek State Park, 16000 State Road 471, Lakeland, Florida. The project is located entirely in Polk County within Sections 18, 19, and 20 of Township 25S, Range 23E. It is located on the east side of SR 471, north of the intersection of US 98N and SR 471.

PROJECT MANAGER: Steven Gertel, Bureau of Design and Construction, Alfred B. Maclay Gardens State Park, 3540 Thomasville Road, Tallahassee, Florida 32309, Telephone Number: (850)488-5372, ext. 109, Fax Number: (850)488-3537.

MINORITY BUSINESS REQUIREMENT: The Department of Environmental Protection supports diversity in its Procurement Program and requests that all sub-contracting opportunities afforded by this bid embrace diversity enthusiastically. The award of sub-contracts should reflect the full diversity of the citizens of the State of Florida. The Department will be glad to furnish a list of Minority Owned Firms that could be offered sub-contracting opportunities.

PREQUALIFICATION: When the total Bid including Alternates exceeds \$200,000, each Bidder whose field is governed by Chapter 399, 455, 489, or 633, Florida Statutes, for licensure or certification, must submit the following

prequalification data of their eligibility to submit bids 240 hours (10 days) PRIOR TO the Bid Opening date, unless the Bidder has been previously qualified by the Department of Environmental Protection for the current biennium (July 1 – June 30) of odd numbered years in accordance with subsection 60D-5.004(2), F.A.C., as evidenced by a letter from DEP to the Bidder, which letter shall be presented to DEP upon request. If the Department requires clarification or additional information, Bidder shall submit such information by 120 hours (5 days) prior to Bid Opening. Material submitted after those deadlines shall disqualify the Bidder.

INSTRUCTIONS: Any firm desiring plans and bid specifications for this project may obtain a copy by writing the address or calling the telephone number below. Compact Disk (CD) containing the plans and specifications will be available on December 12, 2008 at Colt Creek State Park, 16000 State Road 471, Lakeland, Florida 33809. Attention: Scott Spaulding, Park Manager, Cellular Telephone: (863)661-8196, Office (863)815-6761, Fax (863)815-6759.

ADA REQUIREMENTS: Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact: Michael Renard, Bureau of Design and Construction, (850)488-5372, at least five (5) workdays prior to openings. If you are hearing or speech impaired, please contact the Florida Relay Services by calling 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

BID SUBMITTAL DUE DATE: No later than 3:30 p.m. (ET), Tuesday, January 13, 2009, to the below address: Florida Department of Environmental Protection, Bureau of Design and Construction, 3540 Thomasville Road, Tallahassee, Florida 32309, Attention: Michael Renard, Construction Projects Administrator, Bureau of Design and Construction, (850)488-5372. The Department reserves the right to reject any or all bids.

BID POSTING DATE: No later than 2:00 p.m. (ET), Friday, January 16, 2009, unless extended by the Department for good cause.

NOTICE OF RIGHTS: Notice of Intent to Protest the Bid Specifications must be filed with (received by) the Agency Clerk, Lea Crandall, Department of Environmental Protection, Office of General Counsel, MS 35, 3900 Commonwealth Blvd., Tallahassee, FL 32399-3000, (850)245-2242, Fax (850)245-2303, Lea.Crandall@dep.state.fl.us during the 72-hour period after Bid Specifications are posted on the Vendor Bid System. Failure to file a Notice of Intent to Protest or a formal, written Protest in accordance with Chapter 28-110, F.A.C., within ten days after the 72-hour period ends, as prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of your right to an administrative hearing on the Bid Specifications under Chapter 120, Florida Statutes.

Rules for bid protests can be found in Sections 120.569 and 120.57, F.S., and Chapter 28-110, Florida Administrative Code. A bid protester shall comply with these statutes and rules.

BALFOUR BEATTY CONSTRUCTION, LLC

INVITATION FOR QUALIFIED CONTRACTORS TO SUBMIT SEALED BIDS

Balfour Beatty Construction LLC (BBC) is requesting SEALED BIDS from qualified Contractors for the above referenced project until 2:00 p.m., December 19, 2008, at the address provided below: Sealed bids will be opened publicly immediately following the 2:00 p.m. cut off.

Address: 804 N. W. Jackson Bluff Rd., Mayo, FL 32066

Phone: (386)294-3100

Fax: (386)294-2485

E-Mail: kgray@balfourbeattyus.com

Bid Package will be available @ NGI

Interested parties can obtain plans, specifications, bid package and prequalification forms at the following location starting December 1, 2008.

NGI (Ocala)
304A Southwest Broadway Street
Ocala, FL 34474
(352)622-5039

SEALED BIDS AND PREQUALIFICATION FORMS ARE TO BE SENT TO:

Kevin Gray / Balfour Beatty Construction, 804 N. W. Jackson Bluff Rd., Mayo, FL 32066 for receipt prior to 2:00 p.m., December 19, 2008.

A pre-bid conference will be held at 9:00 a.m., Thursday, December 4, 2008. The location of the pre-bid conference is the Mayo Correctional Annex, Project Construction Trailer Conference Room. 804 N. W. Jackson Bluff Rd., Mayo, FL 32066 (same location bids will be received).

Balfour Beatty Construction does not discriminate on the basis of race, color, religion, age, sex, national origin, marital status, handicap or other reason prohibited by law.

LICENSE CGC 05623.

FLORIDA STATE COURTS THIRD DISTRICT COURT OF APPEAL

Florida State Courts

Third District Court of Appeal – Invitation to Bid # 08-001 Pursuant to Section 287.057, F.S., sealed bids will be received by the Third District Court of Appeal, 2001 S. W. 117th Ave., Miami, Florida 33175-1716 until 3:00 p.m. (Local Time), January 6, 2009, for the selection of a contractor supplying all labor and materials required for the renovation of the lawyers’ lounge bathrooms to Americans With Disability accessibility standards, Project #08-001.

Scope of work and contractor requirements of ITB 08-001 are located at www.3dca.flcourts.org. Addendums must be picked up at the Marshal’s Office. Additional information can be obtained from the Marshal’s Office, (305)229-3200, ext. 3234. All requests and responses shall be written.

AMERICANS WITH DISABILITY ACT of 1991 – Contact the Marshal’s Office if special accommodations are needed in order to attend the pre-proposal conference.

**Section XII
Miscellaneous**

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE OF INTENT TO FIND PUBLIC SCHOOLS INTERLOCAL AGREEMENT CONSISTENT WITH SECTION 163.31777(2) AND (3), FLORIDA STATUTES DCA DOCKET NO. 42-05

The Department gives notice of its intent to find the Public Schools Interlocal Agreement (“Agreement”) executed between the Marion County School Board and the City of Ocala, 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 City of Ocala, Clerk’s Office, 151 S. E. Osceola Avenue, Ocala, Florida 34471.

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 Marion County School Board and the City of Ocala. 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 163.31777(2) AND (3), FLORIDA STATUTES
DCA DOCKET NO. 48-09

The Department gives notice of its intent to find the Public Schools Interlocal Agreement (“Agreement”) executed between the Orange County School Board and the Town of Oakland, 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 Town of Oakland, 230 North Tubb Street, Oakland, Florida 34760.

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 Orange County School Board and the Town of Oakland. 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

SEEKING PROVIDER AGENCY FOR THE
COMMUNITY SERVICES BLOCK GRANT (CSBG)
PROGRAM IN MONROE COUNTY

The Florida Department of Community Affairs (DCA) is seeking a non-profit entity to administer the Community Services Block Grant (CSBG) in Monroe County.

In order to be designated to serve as the eligible entity for Monroe County, an entity must agree to make such changes as necessary to its board membership to have a board of directors that would be in compliance with 42 U.S.C. Sections 9909 and 9910 and Rule 9B-22.011, Florida Administrative Code. Special consideration will be given to any organizations which have demonstrated their capacity and effectiveness in providing a broad range of services designed to eliminate poverty and foster self-sufficiency. Priority will be given to existing CSBG eligible entities in good standing with the Department that are providing related services in Monroe County or in areas contiguous to or within reasonable proximity to Monroe County.

Within 60 days of the date of publication of this notice, organizations interested in becoming the CSBG provider for Monroe County must mail to the Department of Community Affairs and to the Monroe County Commission Chairperson the following:

- A letter stating their interest in becoming the CSBG service provider for Monroe County. The letter must be signed by the chief executive officer of the private nonprofit CSBG eligible entity or private nonprofit organization

and

- A board of directors or governing board resolution stating their willingness to provide services in Monroe County and to amend the organization's bylaws, structure, board membership, and Articles of Incorporation to comply with 42 U.S.C. Sections 9909 and 9910, and Rule 9B-22.011, Florida Administrative Code.

The interested organization must also include with the letter of interest and the resolution a copy of the letter of interest that was mailed to the chairperson of the Monroe County Board of County Commissioners. Mail the entire package to:

Ms. Paula Lemmo
Community Program Manager
Department of Community Affairs
Community Assistance Section
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100

ACTIONS TO BE TAKEN: Once the above information has been received, a publicly noticed hearing on the selection of a proposed service provider will be held in Monroe County by the county government. All interested organizations must obtain an application package from DCA (see Additional Information below) and submit it to the county government and DCA prior to the date of the publicly noticed hearing. If the county government declines to convene the public hearing within a specified period of time, the Department of Community Affairs will do so. All interested organizations that meet the above deadline and requirements will be given the opportunity at the public hearing to present their qualifications. The county commission will have an opportunity to make a recommendation to the Department of Community Affairs regarding the selection of the CSBG provider agency.

Once all organizational and county documents have been received, reviewed, and approved by the Department of Community Affairs, a formal request will be made to the Governor that he designate the selected organization as the CSBG eligible entity for the specified county.

ADDITIONAL INFORMATION: Requests for additional information or questions may be addressed to: Ms. Hilda Frazier, Planning Manager, Florida Department of Community Affairs, Community Assistance Section, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, or by contacting her by telephone at (850)488-7541, by facsimile at (850)488-2488 or by e-mail to hilda.frazier@dca.state.fl.us.

DEPARTMENT OF LAW ENFORCEMENT

Notice of Application for

Federal Funds and Funding Availability

The State of Florida, Department of Law Enforcement (FDLE), Office of Criminal Justice Grants received a supplemental award from the United States Department of

Justice, Bureau of Justice Assistance (BJA), in the amount of \$678,219 in Federal Fiscal Year (FFY) 2008 funds made available under Part E of Title I of the Omnibus Crime Control and Safe Streets Act of 1968, Section 500 as amended.

A copy of the award is available for review by the public at FDLE, Business Support Program, Office of Criminal Justice Grants, Tallahassee, Florida 32308. Interested parties should contact the Office of Criminal Justice Grants at (850)617-1250 to obtain a copy of the award for review.

FDLE plans to hold the supplemental JAG funds and distribute them with the anticipated FFY 2009 JAG award as part of the customary JAG Countywide funding process. FDLE will publish an additional notice when these funds become available. At that time, units of local government will be eligible to receive subgrants from FDLE. "Units of local government" means any city, county, town, township, borough, parish, village, or other general-purpose political subdivision of a State and includes Native American Tribes that perform law enforcement functions as determined by the Secretary of the Interior.

Chapter 11D-9, Florida Administrative Code, governs program administration and funding. Local governments should thoroughly review rule provisions before applying for subgrant funds.

Questions regarding FDLE's application and the funding process should be directed to: Clayton Wilder, Administrator of the Office of Criminal Justice Grants, FDLE at (850)617-1250.

DEPARTMENT OF TRANSPORTATION

The Florida Department of Transportation intends to issue an "Airport Site Approval Order," in accordance with Chapter 330, Florida Statutes, "Regulation of Aircraft, Pilots, and Airports" and Chapter 14-60, Florida Administrative Code, "Airport Licensing, Registration, and Airspace Protection" for the following site:

Bent Willies Airport, a private airport, in Polk County, at Latitude 27° 56' 22.6" and Longitude 081° 25' 55.3", to be owned and operated by Mr. William Slot, 5232 Fieldview Court, Orlando, FL 32819.

A copy of the Airport Site Approval Order, the Airport's application, the applicable rules, and other pertinent information may be obtained by contacting: Mr. William J. Ashbaker, P.E., State Aviation Manager, Florida Department of Transportation, Aviation Office, 605 Suwannee Street, Mail Station 46, Tallahassee, Florida 32399-0450, (850)414-4500, aviation.fdot@dot.state.fl.us, Website: <http://www.dot.state.fl.us/aviation>.

ADMINISTRATIVE HEARING RIGHTS: Any person whose substantial interests will be determined or affected by this Airport Site Approval Order has the right, pursuant to Section 120.57, Florida Statutes, to petition for an administrative

hearing. The petition for an administrative hearing must conform to the requirements of Rule Chapter 28-106, Florida Administrative Code, and must be filed, in writing, within twenty-one days of the publication of this notice, with: Clerk of Agency Proceedings, Office of General Counsel, Florida Department of Transportation, 605 Suwannee Street, Mail Station 58, Room 550, Tallahassee, Florida 32399-0450. Failure to file a petition within the allowed time constitutes a waiver of any right such person has to request a hearing under Chapter 120, Florida Statutes.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Global Power Sports Marketing, intends to allow the establishment of All American Truck, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Summit Huawin Motorcycle Co. Ltd. (POPC) at 12726 172nd Street, McCalpin (Suwanee County), Florida 32062, on or after November 26, 2008.

The name and address of the dealer operator(s) and principal investor(s) of All American Truck, Inc. are dealer operator(s): Joseph Militello, 12726 172nd Street, McCalpin, Florida 32062; principal investor(s): Joseph Militello, 12726 172nd Street, McCalpin, Florida 32062.

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: Carol Crowell, Global Power Sports Marketing, 2231 Dogwood Industrial Circle, Conyers, Georgia 30013.

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 Snyder Computer Systems, Inc. d/b/a Wildfire Motors, intends to allow the establishment of Joseph Ambros d/b/a Ambros Mowers, as a dealership for the sale of motorcycles manufactured by Chongqing Hi-Bird Motorcycle Industry Co. Ltd. (HIBR) at 1402 Clear Lake, Cocoa (Brevard County), Florida 32922, on or after January 5, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Joseph Ambros d/b/a Ambros Mowers are dealer operator(s): Joseph Ambros, 4325 Knoxville Avenue, Cocoa, Florida 32926; principal investor(s): Joseph Ambros, 4325 Knoxville Avenue, Cocoa, Florida 32926.

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 Gardner, Snyder Computer Systems, Inc. d/b/a Wildfire Motors, 11 Technology Way, Steubenville, Ohio 43952.

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 Snyder Computer Systems, Inc. d/b/a Wildfire Motors, intends to allow the establishment of Joseph Ambros d/b/a Ambros Mowers, as a dealership for the sale of

motorcycles manufactured by Chongqing Kaier Motorcycle Manufacture Co. Ltd. (KAIR) at 1402 Clear Lake, Cocoa (Brevard County), Florida 32922, on or after January 5, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Joseph Ambros d/b/a Ambros Mowers are dealer operator(s): Joseph Ambros, 4325 Knoxville Avenue, Cocoa, Florida 32926; principal investor(s): Joseph Ambros, 4325 Knoxville Avenue, Cocoa, Florida 32926.

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.

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A copy of such petition or complaint must also be sent by US Mail to: Ronald Gardner, Snyder Computer Systems, Inc. d/b/a Wildfire Motors, 11 Technology Way, Steubenville, Ohio 43952.

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 Snyder Computer Systems, Inc. d/b/a Wildfire Motors, intends to allow the establishment of Joseph Ambros d/b/a Ambros Mowers, as a dealership for the sale of motorcycles manufactured by Zhejiang Summit Huawin Motorcycle Co. Ltd. (POPC) at 1402 Clear Lake, Cocoa (Brevard County), Florida 32922, on or after January 5, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Joseph Ambros d/b/a Ambros Mowers are dealer operator(s): Joseph Ambros, 4325 Knoxville Avenue, Cocoa, Florida 32926; principal investor(s): Joseph Ambros, 4325 Knoxville Avenue, Cocoa, Florida 32926.

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 US Mail to: Ronald Gardner, Snyder Computer Systems, Inc. d/b/a Wildfire Motors, 11 Technology Way, Steubenville, Ohio 43952.

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 Snyder Computer Systems, Inc. d/b/a Wildfire Motors, intends to allow the establishment of Joseph Ambros d/b/a Ambros Mowers, as a dealership for the sale of motorcycles manufactured by Zhejiang Leike Machinery Co. Ltd. (ZLMI) at 1402 Clear Lake, Cocoa (Brevard County), Florida 32922, on or after January 5, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Joseph Ambros d/b/a Ambros Mowers are dealer operator(s): Joseph Ambros, 4325 Knoxville Avenue, Cocoa, Florida 32926; principal investor(s): Joseph Ambros, 4325 Knoxville Avenue, Cocoa, Florida 32926.

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 US Mail to: Ronald Gardner, Snyder Computer Systems, Inc. d/b/a Wildfire Motors, 11 Technology Way, Steubenville, Ohio 43952.

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 JH Global Services, Inc., intends to allow the establishment of Blue Ribbon Cleaning Company, Inc. d/b/a Blue Ribbon Golf Cars, as a dealership for the sale of Star Neighborhood Electric Vehicles (STAR) at 6650 South Pine Avenue, Ocala (Marion County), Florida 34480, on or after November 21, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Blue Ribbon Cleaning Company, Inc. d/b/a Blue Ribbon Golf Cars are dealer operator(s): Jay Thomas, 6650 South Pine Avenue, Ocala, Florida 34480; principal investor(s): Jay Thomas, 6650 South Pine Avenue, Ocala, Florida 34480 and Elizabeth Castaneda, 6650 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: Jane Zhang, JH Global Services, Inc., 52 Pelham Davis Circle, Greenville, South Carolina 29615.

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 Freightliner Specialty Vehicles, Inc., intends to allow the establishment of Broward Motor Sports of Palm Beach, LLC, as a dealership for the sale of Freightliner Specialty Vehicles (FREI) at 2300 Okeechobee Road, West Palm Beach (Palm Beach County), Florida 33409, on or after December 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Broward Motor Sports of Palm Beach, LLC are dealer operator(s): Sam Nehme, 4760 Sunkist Way, Broward, Florida 33330; principal investor(s): Sam Nehme, 4760 Sunkist Way, Broward, Florida 33330 and Marc Osheroff, 13600 Stirling Road, SW Ranches, Florida 33331.

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: Brian Aneshansley, Freightliner Specialty Vehicles, Inc., 2300 South 13th Street, Clinton, Oklahoma 73601.

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 Global Power Sports Marketing, intends to allow the establishment of The Car Cabanna of Melbourne, Inc., as a dealership for the sale of motorcycles manufactured Shanghai JMSTAR Motorcycle Co. Ltd. (JMST) at 10 East New Haven Avenue, Melbourne (Brevard County), Florida 32901, on or after November 25, 2008.

The name and address of the dealer operator(s) and principal investor(s) of The Car Cabanna of Melbourne, Inc. are dealer operator(s): Don Coffman, 10 East New Haven Avenue, Melbourne, Florida 32901; principal investor(s): Don Coffman, 10 East New Haven Avenue, Melbourne, Florida 32901.

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: Carol Crowell, Global Power Sports Marketing, Post Office Box 629, Conyers, Georgia 30013.

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 Global Power Sports Marketing, intends to allow the establishment of The Car Cabanna of Melbourne, Inc., as a dealership for the sale of motorcycles manufactured Shanghai JMSTAR Motorcycle Co. Ltd. (JMST) at 6490 U.S. Highway 1 South, Rocklodge (Brevard County), Florida 32955, on or after November 25, 2008.

The name and address of the dealer operator(s) and principal investor(s) of The Car Cabanna of Melbourne, Inc. are dealer operator(s): Don Coffman, 6490 U.S. Highway 1 South, Rocklodge, Florida 32955; principal investor(s): Don Coffman, 6490 U.S. Highway 1 South, Rocklodge, Florida 32955.

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.

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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 Global Power Sports Marketing, intends to allow the establishment of The Car Cabanna of Melbourne, Inc., as a dealership for the sale of motorcycles manufactured Zhejiang Summit Huawin Motorcycle Co. Ltd. (POPC) at 6490 U.S. Highway 1 South, Rocklodge (Brevard County), Florida 32955, on or after November 25, 2008.

The name and address of the dealer operator(s) and principal investor(s) of The Car Cabanna of Melbourne, Inc. are dealer operator(s): Don Coffman, 6490 US Highway 1 South, Rocklodge, Florida 32955; principal investor(s): Don Coffman, 6490 U.S. Highway 1 South, Rocklodge, Florida 32955.

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.

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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 Global Power Sports Marketing, intends to allow the establishment of The Car Cabanna of Melbourne, Inc., as a dealership for the sale of motorcycles manufactured Zhejiang Summit Huawin Motorcycle Co. Ltd. (POPC) at 10 East New Haven Avenue, Melbourne, (Brevard County), Florida 32901, on or after November 25, 2008.

The name and address of the dealer operator(s) and principal investor(s) of The Car Cabanna of Melbourne, Inc. are dealer operator(s): Don Coffman, 10 East New Haven Avenue, Melbourne, Florida 32901; principal investor(s): Don Coffman, 10 East New Haven Avenue, Melbourne, Florida 32901.

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.

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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 Snyder Computer Systems, Inc. d/b/a Wildfire Motors, intends to allow the establishment of Caudill Supply, Inc., as a dealership for the sale of motorcycles manufactured

by Zhejiang Jiajue Apollo Vehicle Manufacture Co. Ltd. (JIAJ) at 5571 Los Santos Way, Jacksonville (Duval County), Florida 32211, on or after January 2, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Caudill Supply, Inc. are dealer operator(s): Quince E. Caudill, 5336 Clifton Road, Jacksonville, Florida 32211 and Iris A. Caudill, 5336 Clifton Road, Jacksonville, Florida 32211; principal investor(s): Quince E. Caudill, 5336 Clifton Road, Jacksonville, Florida 32211 and Iris A. Caudill, 5336 Clifton Road, Jacksonville, Florida 32211.

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.

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A copy of such petition or complaint must also be sent by U.S. Mail to: Ronald Gardner, Snyder Computer Systems, Inc. d/b/a Wildfire Motors, 11 Technology Way, Steubenville, Ohio 43952.

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 Snyder Computer Systems, Inc. d/b/a Wildfire Motors, intends to allow the establishment of Caudill Supply, Inc., as a dealership for the sale of motorcycles manufactured by Kinroad Xintian Motorcycle Manufacture Co. Ltd. (KNRO) at 5571 Los Santos Way, Jacksonville (Duval County), Florida 32211, on or after January 2, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Caudill Supply, Inc. are dealer operator(s): Quince E. Caudill, 5336 Clifton Road, Jacksonville, Florida 32211 and Iris A. Caudill, 5336 Clifton Road, Jacksonville, Florida 32211; principal investor(s):

Quince E. Caudill, 5336 Clifton Road, Jacksonville, Florida 32211 and Iris A. Caudill, 5336 Clifton Road, Jacksonville, Florida 32211.

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.

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A copy of such petition or complaint must also be sent by U.S. Mail to: Ronald Gardner, Snyder Computer Systems, Inc. d/b/a Wildfire Motors, 11 Technology Way, Steubenville, Ohio 43952.

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 Snyder Computer Systems, Inc. d/b/a Wildfire Motors, intends to allow the establishment of Caudill Supply, Inc., as a dealership for the sale of motorcycles manufactured by Taixing Sandi Motorcycle Co. Ltd. (SNDI) at 5571 Los Santos Way, Jacksonville (Duval County), Florida 32211, on or after January 2, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Caudill Supply, Inc. are dealer operator(s): Quince E. Caudill, 5336 Clifton Road, Jacksonville, Florida 32211 and Iris A. Caudill, 5336 Clifton Road, Jacksonville, Florida 32211; principal investor(s): Quince E. Caudill, 5336 Clifton Road, Jacksonville, Florida 32211 and Iris A. Caudill, 5336 Clifton Road, Jacksonville, Florida 32211.

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.

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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 Yuan Cheng International Group, Inc. d/b/a New Star Technology, intends to allow the establishment of Eco Moto Management Co., LLC d/b/a Eco Motorsports & Scooters, as a dealership for the sale of motorcycles manufactured by Shanghai Shenke Motorcycle Co. Ltd. (SHEN) at 725 South Ronald Regan Boulevard, Suite 100, Longwood (Seminole County), Florida 32750, on or after December 2, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Eco Moto Management Co., LLC d/b/a Eco Motorsports & Scooters are dealer operator(s): Elliot Blackwelder, 725 South Ronald Regan Boulevard, Suite 100, Longwood, Florida 32750; principal investor(s): Elliot Blackwelder, 725 South Ronald Regan Boulevard, Suite 100, Longwood, Florida 32750.

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: John Cheng, President, Yuan Cheng International Group, Inc. d/b/a New Star Technology, 10830 Ada Avenue, Montclair, California 91763.

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 Rotagilla Enterprises, LLC, intends to allow the establishment of Rotagilla Enterprises, LLC d/b/a EZ-PZ Scooters & More, as a dealership for the sale of motorcycles manufactured by Shanghai Shenke Motorcycle Co. Ltd. (SHEN) at 1501 Capital Circle Northwest, Tallahassee, (Leon County), Florida 32303, on or after November 26, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Rotagilla Enterprises, LLC d/b/a EZ-PZ Scooters & More are dealer operator(s): David L. Pons, Post Office Box 180004, Tallahassee, Florida 32318; principal investor(s): David L. Pons, Post Office Box 180004, Tallahassee, Florida 32318.

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: David L. Pons, Rotagilla Enterprises, LLC, Post Office Box 180004, Tallahassee, Florida 32318.

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 Johnny Pag Motorcycles, intends to allow the establishment of Family Powersports, LLC, as a dealership for the sale of Johnny Pag motorcycles (PAGS) at 7200 Ridge Road, #108, Port Richey (Pasco County), Florida 34668, on or after December 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Family Powersports, LLC are dealer operator(s): Louis J. Mazzaresse, 7012 Pin Cherry, Port Richey, Florida 34668 and Janet Trotter, 7012 Pin Cherry, Port Richey, Florida 34668; principal investor(s): Louis J. Mazzaresse, 7012 Pin Cherry, Port Richey, Florida 34668 and Janet Trotter, 7012 Pin Cherry, Port Richey, Florida 34668.

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: JR Pag, CEO, Johnny Pag Motorcycles, 1851 McGaw, Irvine, California 92614.

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 Isuzu Commercial Truck of America, Inc., intends to allow the establishment of Orlando Freightliner, Inc. d/b/a Isuzu Truck of Ocala, as a dealership for the sale of Isuzu medium duty trucks (ISU) at 3950 West Highway 326, Ocala (Marion County), Florida 34482, on or after January 12, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Orlando Freightliner, Inc. d/b/a Isuzu Truck of Ocala are dealer operator(s): John A. Taggart, 3950

West Highway 326, Ocala, Florida 34482; principal investor(s): John A. Taggart, 2455 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: Gary Fong, Isuzu Commercial Truck of America, Inc., 13340 183rd Street, Cerritos, California 90702-6007.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Snyder Computer Systems, Inc. d/b/a Wildfire Motors, intends to allow the establishment of WBG Enterprises, LLC. d/b/a It-s, as a dealership for the sale of motorcycles manufactured by Zhejiang Jiajue Apollo Vehicle Manufacture Co. Ltd. (JIAJ) at 27800 Old 41 Road, Bonita Springs (Lee County), Florida 34135, on or after January 5, 2008.

The name and address of the dealer operator(s) and principal investor(s) of WBG Enterprises, LLC. d/b/a It-s are dealer operator(s): Robert A. Bachman, 27119 Oakwood Drive, Bonita Springs, Florida 34134; Jeremy A. Bachman, 27328 Pinecrest Lane, Bonita Springs, Florida 34135; principal investor(s): Robert A. Bachman, 27119 Oakwood Drive, Bonita Springs, Florida 34134; Jeremy A. Bachman, 27328 Pinecrest Lane, Bonita Springs, Florida 34135.

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 Gardner, Snyder Computer Systems, Inc. d/b/a Wildfire Motors, 11 Technology Way, Steubenville, Ohio 43952.

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 Snyder Computer Systems, Inc. d/b/a Wildfire Motors, intends to allow the establishment of WBG Enterprises, LLC. d/b/a It-s, as a dealership for the sale of motorcycles manufactured by Kinroad Xintian Motorcycle Manufacture Co. Ltd. (KNRO) at 27800 Old 41 Road, Bonita Springs (Lee County), Florida 34135, on or after January 5, 2008.

The name and address of the dealer operator(s) and principal investor(s) of WBG Enterprises, LLC. d/b/a It-s are dealer operator(s): Robert A. Bachman, 27119 Oakwood Drive, Bonita Springs, Florida 34134; Jeremy A. Bachman, 27328 Pinecrest Lane, Bonita Springs, Florida 34135; principal investor(s): Robert A. Bachman, 27119 Oakwood Drive, Bonita Springs, Florida 34134; Jeremy A. Bachman, 27328 Pinecrest Lane, Bonita Springs, Florida 34135.

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 Gardner, Snyder Computer Systems, Inc. d/b/a Wildfire Motors, 11 Technology Way, Steubenville, Ohio 43952.

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 Snyder Computer Systems, Inc. d/b/a Wildfire Motors, intends to allow the establishment of WBG Enterprises, LLC. d/b/a It-s, as a dealership for the sale of motorcycles manufactured by Taixing Sandi Motorcycle Co. Ltd. (SNDI) at 27800 Old 41 Road, Bonita Springs (Lee County), Florida 34135, on or after January 5, 2008.

The name and address of the dealer operator(s) and principal investor(s) of WBG Enterprises, LLC. d/b/a It-s are dealer operator(s): Robert A. Bachman, 27119 Oakwood Drive, Bonita Springs, Florida 34134; Jeremy A. Bachman, 27328 Pinecrest Lane, Bonita Springs, Florida 34135; principal investor(s): Robert A. Bachman, 27119 Oakwood Drive, Bonita Springs, Florida 34134; Jeremy A. Bachman, 27328 Pinecrest Lane, Bonita Springs, Florida 34135.

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 Gardner, Snyder Computer Systems, Inc. d/b/a Wildfire Motors, 11 Technology Way, Steubenville, Ohio 43952.

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 Kitai Powersports, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Qianjiang Motorcycle Co. Ltd. (ZHQM) at 228 3rd Street North, Jacksonville Beach (Duval County), Florida 32250, on or after December 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Kitai Powersports, Inc. are dealer operator(s): Rustin Murray, 400 North Pimlico Street, St. Augustine, Florida 32092; principal investor(s): Claudio Biltoc, 143 Belmont Drive, St. Johns, Florida 32259 and Pete Biltoc, 7033 Beach Boulevard, Jacksonville, Florida 32216.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Zhong Zhuang, 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 Yuan Cheng International Group, Inc. d/b/a New Star Technology, intends to allow the establishment of Eco Moto Management Co., LLC d/b/a Eco Motorsports & Scooters, as a dealership for the sale of motorcycles

manufactured by Zhejiang Xingyue Vehicle Co. Ltd. (ZXYV) at 725 South Ronald Regan Boulevard, Suite 100, Longwood (Seminole County), Florida 32750, on or after November 24, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Eco Moto Management Co., LLC d/b/a Eco Motorsports & Scooters are dealer operator(s): Elliot Blackwelder, 725 South Ronald Regan Boulevard, Suite 100, Longwood, Florida 32750; principal investor(s): Elliot Blackwelder, 725 South Ronald Regan Boulevard, Suite 100, Longwood, Florida 32750.

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: John Cheng, President, Yuan Cheng International Group, Inc. d/b/a New Star Technology, 10830 Ada Avenue, Montclair, California 91763.

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 Rhino Motorcycles, Inc., intends to allow the establishment of Mega Power Sports Corp., as a dealership for the sale of motorcycles manufactured by Jiangmen Qipai Motorcycle Co. Ltd. (QIPA) at 921 West International Speedway, Daytona Beach (Volusia County), Florida 32114, on or after November 18, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Mega Power Sports Corp. are dealer operator(s): David Levison, 921 West International Speedway, Daytona Beach, Florida 32114; principal investor(s): David Levison, 921 West International Speedway, Daytona Beach, Florida 32114.

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: Alex Chividian, Rhino Motorcycles, Inc., 229 North Central Avenue, Suite #304, Glendale, California 91205.

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 Whizzer USA, Inc., intends to allow the establishment of Moto-Max, LLC, as a dealership for the sale of Whizzer motorbikes (WHZR) at 2415C Northeast Jacksonville Road, Ocala (Marion County), Florida 34470, on or after November 20, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Moto-Max, LLC are dealer operator(s): Raymond J. DeConna, 2415C Northeast Jacksonville Road, Ocala, Florida 34470; principal investor(s): Raymond J. DeConna, 2415C Northeast Jacksonville Road, Ocala, Florida 34470.

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: Debra D. La Lone, Whizzer USA, Inc., 1400 Vantage Drive, 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 Tank Sports, Inc., intends to allow the establishment of Country Comfort, Inc. d/b/a Lakeland Motorcycle & ATV, as a dealership for the sale of KTMMEX motorcycles (KTMM) at 3705 U.S. Highway 98, Suite 1, Lakeland (Polk County), Florida 33813, on or after December 2, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Country Comfort, Inc. d/b/a Lakeland Motorcycle & ATV are dealer operator(s): Mike Highsmith, 3705 U.S. Highway 98, Suite 1, Lakeland, Florida 33813; principal investor(s): Mike Highsmith, 3705 U.S. Highway 98, Suite 1, Lakeland, Florida 33813.

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: Jim Li, Tank Sports, Inc., 10925 Schmidt Road, El Monte, California 91733.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that SunL Group, Inc., intends to allow the establishment of Ride Green, Inc., as a dealership for the sale of motorcycles manufactured Astronautical Bashan Motorcycle Manufacture Co. Ltd. (BASH) at 7217 East Colonial Drive, Suite 112, Orlando (Orange County), Florida 32807, on or after November 19, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Ride Green, Inc. are dealer operator(s): Chauncey Solinger, 7217 East Colonial Drive, Suite 112, Orlando, Florida 32807; principal investor(s): Chauncey Solinger, 7217 East Colonial Drive, Suite 112, Orlando, Florida 32807.

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: Mei Zhou, President, SunL Group, Inc., 8551 Esters Boulevard, Irving, Texas 75063.

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 SunL Group, Inc., intends to allow the establishment of Ride Green, Inc., as a dealership for the sale of motorcycles manufactured Taizhou Chuanl Motorcycle Manufacturing Co. Ltd. (CHUA) at 7217 East Colonial Drive, Suite 112, Orlando (Orange County), Florida 32807, on or after November 19, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Ride Green, Inc. are dealer operator(s): Chauncey Solinger, 7217 East Colonial Drive, Suite 112, Orlando, Florida 32807; principal investor(s): Chauncey Solinger, 7217 East Colonial Drive, Suite 112, Orlando, Florida 32807.

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: Mei Zhou, President, SunL Group, Inc., 8551 Esters Boulevard, Irving, Texas 75063.

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 SunL Group, Inc., intends to allow the establishment of Ride Green, Inc., as a dealership for the sale of motorcycles manufactured Shanghai JMSTAR Motorcycle Co. Ltd. (JMST) at 7217 East Colonial Drive, Suite 112, Orlando (Orange County), Florida 32807, on or after November 19, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Ride Green, Inc. are dealer operator(s): Chauncey Solinger, 7217 East Colonial Drive, Suite 112, Orlando, Florida 32807; principal investor(s): Chauncey Solinger, 7217 East Colonial Drive, Suite 112, Orlando, Florida 32807.

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: Mei Zhou, President, SunL Group, Inc., 8551 Esters Boulevard, Irving, Texas 75063.

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 SunL Group, Inc., intends to allow the establishment of Ride Green, Inc., as a dealership for the sale of motorcycles manufactured Zhejiang Kangdi Vehicles Co. Ltd. (KANG) at 7217 East Colonial Drive, Suite 112, Orlando (Orange County), Florida 32807, on or after November 19, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Ride Green, Inc. are dealer operator(s): Chauncey Solinger, 7217 East Colonial Drive, Suite 112, Orlando, Florida 32807; principal investor(s): Chauncey Solinger, 7217 East Colonial Drive, Suite 112, Orlando, Florida 32807.

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: Mei Zhou, President, SunL Group, Inc., 8551 Esters Boulevard, Irving, Texas 75063.

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 SunL Group, Inc., intends to allow the establishment of Ride Green, Inc., as a dealership for the sale of motorcycles manufactured Shanghai Meitian Motorcycle Co. Ltd. (MEIT) at 7217 East Colonial Drive, Suite 112, Orlando (Orange County), Florida 32807, on or after November 19, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Ride Green, Inc. are dealer operator(s): Chauncey Solinger, 7217 East Colonial Drive, Suite 112, Orlando, Florida 32807; principal investor(s): Chauncey Solinger, 7217 East Colonial Drive, Suite 112, Orlando, Florida 32807.

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: Mei Zhou, President, SunL Group, Inc., 8551 Esters Boulevard, Irving, Texas 75063.

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 SunL Group, Inc., intends to allow the establishment of Ride Green, Inc., as a dealership for the sale of motorcycles manufactured Zhejiang Mengdeli Electric Co. Ltd. (MENG) at 7217 East Colonial Drive, Suite 112, Orlando (Orange County), Florida 32807, on or after November 19, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Ride Green, Inc. are dealer operator(s): Chauncey Solinger, 7217 East Colonial Drive, Suite 112, Orlando, Florida 32807; principal investor(s): Chauncey Solinger, 7217 East Colonial Drive, Suite 112, Orlando, Florida 32807.

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: Mei Zhou, President, SunL Group, Inc., 8551 Esters Boulevard, Irving, Texas 75063.

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 SunL Group, Inc., intends to allow the establishment of Ride Green, Inc., as a dealership for the sale of motorcycles manufactured China Qingqi Group Co. Ltd. (QING) at 7217 East Colonial Drive, Suite 112, Orlando (Orange County), Florida 32807, on or after November 19, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Ride Green, Inc. are dealer operator(s): Chauncey Solinger, 7217 East Colonial Drive, Suite 112, Orlando, Florida 32807; principal investor(s): Chauncey Solinger, 7217 East Colonial Drive, Suite 112, Orlando, Florida 32807.

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: Mei Zhou, President, SunL Group, Inc., 8551 Esters Boulevard, Irving, Texas 75063.

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 SunL Group, Inc., intends to allow the establishment of Ride Green, Inc., as a dealership for the sale of motorcycles manufactured Shanghai Shenke Motorcycle Co. Ltd. (SHEN) at 7217 East Colonial Drive, Suite 112, Orlando (Orange County), Florida 32807, on or after November 19, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Ride Green, Inc. are dealer operator(s): Chauncey Solinger, 7217 East Colonial Drive, Suite 112, Orlando, Florida 32807; principal investor(s): Chauncey Solinger, 7217 East Colonial Drive, Suite 112, Orlando, Florida 32807.

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: Mei Zhou, President, SunL Group, Inc., 8551 Esters Boulevard, Irving, Texas 75063.

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 Moto Dealer Import, LLC., intends to allow the establishment of Scooter Depot, LLC, as a dealership for the sale of motorcycles manufactured by Zhejiang Summit Huawin Motorcycle Co. Ltd. (POPC) at 250 East Lake Mary Boulevard, Sanford (Seminole County), Florida 32773-7112, on or after November 10, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Scooter Depot, LLC. are dealer operator(s): Alan Norris, 250 East Lake Mary Boulevard, Sanford, Florida 32773-7112; principal investor(s): Alan Norris, 250 East Lake Mary Boulevard, Sanford, Florida 32773-7112.

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 Lin, President, Moto Dealer Import, LLC., 4998-B South Royal Atlanta Drive, Tucker, Georgia 30084.

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 BMS Motorsports, Inc., intends to allow the establishment of Southeast Scooters, Inc., as a dealership for the sale of motorcycles manufactured by Taizhou Zhongneng

Motorcycle Co. Ltd. (ZHNG) at 1401 Flightline Boulevard, Suite 3, Deland (Volusia County), Florida 32724, on or after October 28, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Southeast Scooters, Inc. are dealer operator(s): Tom McNaughton, 1401 Flightline Boulevard, Suite 3, Deland, Florida 32724; principal investor(s): Tom McNaughton, 1401 Flightline Boulevard, Suite 3, Deland, Florida 32724.

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: Patrick Kim, President, BMS Motorsports, Inc., 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 BMS Motorsports, Inc., intends to allow the establishment of Southeast Scooters, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Xingyue Vehicle Co. Ltd. (ZXYV) at 1401 Flightline Boulevard, Suite 3, Deland (Volusia County), Florida 32724, on or after October 28, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Southeast Scooters, Inc. are dealer operator(s): Tom McNaughton, 1401 Flightline Boulevard, Suite 3, Deland, Florida 32724; principal investor(s): Tom McNaughton, 1401 Flightline Boulevard, Suite 3, Deland, Florida 32724.

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: Patrick Kim, President, BMS Motorsports, Inc., 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.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

AGENCY FOR HEALTH CARE ADMINISTRATION

EXEMPTIONS

The Agency for Health Care Administration authorized or withdrew the following exemptions pursuant to Section 408.036(3), Florida Statutes:

- | | | |
|--|-------------|-----------------------|
| County: Charlotte | District: 8 | |
| ID # E0600015 | Decision: W | Issue Date: 9/17/2008 |
| Facility/Project: Peace River Regional Medical Center | | |
| Applicant: Port Charlotte HMA, Inc. | | |
| Project Description: Provide adult emergency PCI in a hospital without an approved adult open heart surgery program. | | |
| Proposed Project Cost: \$0.00 | | |
| County: Lake | District: 3 | |
| ID # E0600016 | Decision: W | Issue Date: 4/24/2008 |
| Facility/Project: South Lake Hospital | | |
| Applicant: South Lake Hospital, Inc. | | |
| Project Description: Provide adult emergency PCI in a hospital without an approved adult open heart surgery program. | | |
| Proposed Project Cost: \$0.00 | | |
| County: Clay | District: 4 | |
| ID # E0800002 | Decision: A | Issue Date: 9/10/2008 |
| Facility/Project: Orange Park Medical Center | | |
| Applicant: Orange Park Medical Center, Inc. | | |

Project Description: Emergency Percutaneous Coronary Intervention without an Open Heart Surgery Program.
 Proposed Project Cost: \$0.00
 County: Volusia District: 4
 ID # E0800005 Decision: A Issue Date: 10/8/2008
 Facility/Project: Bert Fish Medical Center
 Applicant: Bert Fish Medical Center, Inc.
 Project Description: Provide adult emergency PCI in a hospital w/out an adult OHS program.
 Proposed Project Cost: \$192,224.00
 County: St. Lucie District: 9
 ID # E0800006 Decision: A Issue Date: 10/22/2008
 Facility/Project: Port St. Lucie Hospital
 Applicant: Oglethorpe of Port St. Lucie, LLC
 Project Description: Add 30 adult inpatient psychiatric beds
 Proposed Project Cost: \$1,500,000.00
 County: Duval District: 4
 ID # E0800007 Decision: A Issue Date: 11/25/2008
 Facility/Project: Brooks Rehabilitation Hospital
 Applicant: Genesis Rehabilitation Hospital, Inc.
 Project Description: Add 14 comprehensive medical rehabilitation beds
 Proposed Project Cost: \$398,520.00

NA Fixed Need Pool, hospice program, Service Area 7B, HCR Manor Care Services of Florida II, Inc., (PRH) same as applicant

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

The Department of Environmental Protection (Department) gives notice of its intent to grant a variance (0076455-010-EV-VR) to Mosaic Fertilizer, LLC (Mosaic) Ft. Meade Mine, Post Office Box 2000, Mulberry, Florida 33860-1100, under Section 403.201(1)(a), Florida Statutes, (F.S.), from the provisions of subsection 62-302.530(31), Florida Administrative Code (F.A.C.), which provides minimum standards for dissolved oxygen levels in surface waters. This variance will apply to dissolved oxygen levels in the hypolimnion (the deepest layer) in the man-made lake proposed in Environmental Resource Permit application No. 0076455-009.

On January 15, 2008, Mosaic applied for an Environmental Resource Permit to mine 339 acres within a 589.6 acre project site at the Fort Meade Mine in Polk County, Florida. The proposed project will result in a man-made lake of approximately 278 acres. The man-made lake will not exceed 35 feet + 1 foot below normal water elevation (NWL). On January 15, 2008, Mosaic Ft. Meade Mine submitted a petition for a variance from the provisions of subsection 62-302.530(31), F.A.C., which provide minimum standards for dissolved oxygen levels in surface waters. The variance will be permanent.

The dissolved oxygen levels in the hypolimnion of the man-made lake are expected to drop below the mandatory minimum of 5.0 mg/L at times. The low dissolved oxygen levels in the hypolimnion of the man-made lake, is not expected to result in any on-site or off-site impacts. Oxygen levels in the upper layers of the man-made lake are expected to meet the requirements of Rule 62-302.530, F.A.C., and be adequate to support healthy fish populations. Once reclamation is completed, this man-made lake will be connected to reclaimed and/or preserved wetlands and streams. Water exiting the man-made lake is expected to meet the requirements for dissolved oxygen and other water quality criteria of Rule 62-302.530, F.A.C. There is no practicable means known or available to achieve the required dissolved oxygen levels within the man-made lake. Therefore, the Department intends to grant a variance pursuant to Section 403.201(1)(a), F.S., for dissolved oxygen within the hypolimnion in the proposed man-made lake.

NOTICE OF LITIGATION

The Agency for Health Care Administration has received the following petitions for administrative hearings as of the close of business on November 14, 2008, concerning certificate of need decisions. No decision has been made as to the sufficiency of these petitions. A brief description of these projects is listed below. Resolution of these requests for hearings by way of a grant or denial of their certificate of need at issue will determine the substantial interest of persons. Those persons whose substantial interest may be determined by these proceedings including settlements, grants, and denials are advised to govern themselves accordingly and may wish to exercise rights including intervention. See Chapter 120, F.S., as well as Section 408.039, F.S. and Rule 59C-1.012, F.A.C. In deference to rights of substantially affected persons, AHCA will not settle or otherwise reach a final resolution of these matters for a period of 30 days from the date of the publication.

CON#	INITIAL	DECISION,	PROJECT,	CTY,
	APPLICANT, PARTY REQUEST HEARING (PRH)			
NA	Fixed Need Pool, hospice program, Service Area 6B, Hospice of Lake & Sumter, Inc. d/b/a Cornerstone Hospice, (PRH) same as applicant			
NA	Fixed Need Pool, hospice program, Service Area 6B, Hope Hospice and Community Services, Inc., (PRH) same as applicant			

Under this intent to grant, this variance is hereby granted subject to the applicant's compliance with any requirement in this intent to publish notice of this intent in a newspaper of general circulation and to provide proof of such publication in accordance with Section 50.051, F.S. This action is final and effective on the date filed with the Clerk of the Department unless a sufficient petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., as provided below. If a sufficient petition for an administrative hearing is timely filed, this intent to issue automatically becomes only proposed agency action on the application, subject to the result of the administrative review process. Therefore, on the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. When proof of publication is provided, if required by this intent, and if a sufficient petition is not timely filed, the variance will be issued as a ministerial action. Because an administrative hearing may result in the reversal or substantial modification of this action, the applicant is advised not to commence construction or other activities until the deadlines noted below for filing a petition for an administrative hearing or request for an extension of time have expired and until the variance has been executed and delivered. Mediation is not available.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received by the clerk) in the: Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Under subsection 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the: Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

If a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Intervention will be permitted only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

In accordance with Section 403.201, F.S., petitions for an administrative hearing by the applicant must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) the name and address of each agency affected and each agency's file or identification number, if known; (b) the name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination; (c) a statement of when and how the petitioner received notice of the agency decision; (d) a statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) a concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action; (f) a statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and (g) a statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C. Under Sections 120.569(2)(c) and (d), F.S., a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This intent to issue a variance constitutes an order of the Department. Subject to the provisions of Section 120.68(7)(a), F.S., which may require a remand for an administrative hearing, the applicant has the right to seek judicial review of

the order under Section 120.68, F.S., by the filing of a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure, Clerk of the Department, Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the order is filed with the Clerk of the Department.

The Department of Environmental Protection (Department) gives notice of its intent to grant a variance (File No. 0076455-011-EV-VR) to Mosaic Fertilizer, LLC (Mosaic) Ft. Meade Mine, Post Office Box 2000, Mulberry, Florida 33860-1100, under Sections 378.212, Florida Statutes, (F.S.), from the provisions of paragraph 62C-16.0051(6)(a), Florida Administrative Code (F.A.C), which provides that at least 25% of the high-water surface area of each water body other than streams shall consist of an annual zone of water fluctuation to encourage emergent and transition zone vegetation. This variance will apply to the design of the man-made lake proposed in Environmental Resource Permit No. 0076455-009.

On January 15, 2008, Mosaic applied for an Environmental Resource Permit to mine 339 acres at the Fort Meade Polk County Mine within an area previously disturbed by mining operations. The proposed project known as the S-1 CSA will result in a man-made lake approximately 278 acres that will not exceed 35 feet \pm 1 foot below normal water elevation (NWL), with 13.3% of the edge reclaimed as littoral zone. On January 15, 2008, Mosaic Ft. Meade Mine submitted a petition for a variance, under Section 378.212, F.S., from the provisions of paragraph 62C-16.0051(6)(a), F.A.C. The variance will be permanent.

To encourage the development of new technology that will improve the quality of restored lands, the Department intends to grant a variance pursuant to Section 378.212, F.S., from the provisions of paragraph 62C-16.0051(6)(a), F.A.C. The technique that Mosaic is proposing is to design and construct the reclaimed lake at the Fort Meade Polk/Hardee County Mine so that the littoral zone vegetation is concentrated in several broad, shallow areas including the inlets and outlet of the man-made lake. The location of the littoral zone vegetation component in several broad, shallow shelves including the inlets and outlet of the man-made lake is not expected to result in any on-site or off-site impacts. Except for this variance, the man-made lake is expected to meet the requirements of Rule 62C-16.0051, F.A.C., and be adequate to support healthy fish populations.

Under this intent to grant, this variance is hereby granted subject to the applicant's compliance with any requirement in this intent to publish notice of this intent in a newspaper of general circulation and to provide proof of such publication in accordance with Section 50.051, F.S. This action is final and

effective on the date filed with the Clerk of the Department unless a sufficient petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., as provided below. If a sufficient petition for an administrative hearing is timely filed, this intent to grant automatically becomes only proposed agency action on the application, subject to the result of the administrative review process. Therefore, on the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. When proof of publication is provided, if required by this intent, and if a sufficient petition is not timely filed, the variance will be issued as a ministerial action. Because an administrative hearing may result in the reversal or substantial modification of this action, the applicant is advised not to commence construction or other activities until the deadlines noted below for filing a petition for an administrative hearing or request for an extension of time have expired and until the variance has been executed and delivered. Mediation is not available.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received by the clerk) in: Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Under subsection 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

If a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Intervention will be permitted only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

In accordance with Section 378.212(3), F.S., petitions for an administrative hearing by the applicant must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of

receipt of the written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) the name and address of each agency affected and each agency's file or identification number, if known; (b) the name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination; (c) a statement of when and how the petitioner received notice of the agency decision; (d) a statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) a concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action; (f) a statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and (g) a statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C. Under Sections 120.569(2)(c) and (d), F.S., a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This intent to grant a variance constitutes an order of the Department. Subject to the provisions of Section 120.68(7)(a), F.S., which may require a remand for an administrative hearing, the applicant has the right to seek judicial review of the order under Section 120.68, F.S., by the filing of a notice of appeal under Rule 9.110 of the: Florida Rules of Appellate Procedure with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable

filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the order is filed with the Clerk of the Department.

The Department of Environmental Protection (Department) gives notice of its intent to grant four separate and distinct variances under Section 403.201, Florida Statutes (F.S.), to the Avis Budget Group, Inc., whose corporate address is 6 Sylvan Way, Parsippany, New Jersey 07054. The four rental car facilities in Miami-Dade County, located at 2330 N. W. 37th Avenue, Miami (OGC File No. 08-2321), 2318 Collins Avenue, South Miami Beach (OGC File No. 08-2323), 6101 N. W. 74th Avenue, Miami (OGC File No. 08-2327), and 3901 N. W. 28th Street, Miami (OGC File No 08-2328), have requested and the Department intends to grant four separate and distinct variances from compliance with the requirement for continued operation and maintenance of the facility's Stage II vapor recovery system required under Rule 62-252.400, Florida Administrative Code (F.A.C.). The Avis Budget Group, Inc. Rental Car Fueling facilities maintain 100% of their motor vehicle fleet equipped with onboard refueling vapor recovery (ORVR) systems. The design recovery of a vehicle's ORVR system is 95% efficient which is equivalent to the Stage II vapor recovery system's required efficiency under Rule 62-252.400, F.A.C. The Department's files on these matters are available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department's Division of Air Resource Management, Office of Policy Analysis and Program Management, 111 S. Magnolia Drive, Suite 23, Tallahassee, Florida 32301, (850)921-9556.

A person whose substantial interests are affected by the Department's actions may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S., on any of the above referenced variance requests. The petition must contain the information set forth below and must be filed (received by the clerk) in the Department's Office of General Counsel at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. The petition must identify the individual intent to grant variance which is being petitioned.

Mediation under Section 120.573, F.S., is not available.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice.

Petitions by the applicant or any of the parties listed below must be filed within twenty-one (21) days of receipt of this written notice. Petitions by other persons must be filed within twenty-one (21) days of publication of the notice or receipt of the written notice, whichever occurs first. The petitioner shall mail a copy of the petition to the applicant at the Avis Budget Group's corporate address indicated above at the time of filing.

The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests or will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and (g) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C. Under Sections 120.569(2)(c) and (d), F.S., a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

The Department of Environmental Protection (Department) gives notice of its intent to grant two separate and distinct variances under Section 403.201, Florida Statutes (F.S.), to the Avis Budget Group, Inc., whose corporate address is 6 Sylvan Way, Parsippany, New Jersey 07054. The two rental car facilities in Broward County, located at 2371 S. W. 36th Street, Fort Lauderdale (OGC File No. 08-2325) and 6301 N. Powerline Road, Fort Lauderdale (OGC File No 08-2329), have requested and the Department intends to grant two separate and distinct variances from compliance with the requirement for continued operation and maintenance of the facility's Stage II vapor recovery system required under Rule 62-252.400, Florida Administrative Code (F.A.C.). The Avis

Budget Group, Inc. Rental Car Fueling facilities maintain 100% of their motor vehicle fleet equipped with onboard refueling vapor recovery (ORVR) systems. The design recovery of a vehicle's ORVR system is 95% efficient which is equivalent to the Stage II vapor recovery system's required efficiency under Rule 62-252.400, F.A.C. The Department's files on these matters are available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department's Division of Air Resource Management, Office of Policy Analysis and Program Management, 111 S. Magnolia Drive, Suite 23, Tallahassee, Florida 32301, (850)921-9556.

A person whose substantial interests are affected by the Department's actions may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S., on any of the above referenced variance requests. The petition must contain the information set forth below and must be filed (received by the clerk) in the Department's Office of General Counsel at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. The petition must identify the individual intent to grant variance which is being petitioned.

Mediation under Section 120.573, F.S., is not available.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice.

Petitions by the applicant or any of the parties listed below must be filed within twenty-one (21) days of receipt of this written notice. Petitions by other persons must be filed within twenty-one (21) days of publication of the notice or receipt of the written notice, whichever occurs first. The petitioner shall mail a copy of the petition to the applicant at the Avis Budget Group's corporate address indicated above at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests or will be affected by the agency determination; (c) A statement of

when and how the petitioner received notice of the agency decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and (g) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C. Under Sections 120.569(2)(c) and (d), F.S., a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

The Department of Environmental Protection (Department) gives notice of its intent to grant three separate and distinct variances under Section 403.201, Florida Statutes (F.S.), to the Avis Budget Group, Inc., whose corporate address is 6 Sylvan Way, Parsippany, New Jersey 07054. The three rental car facilities in Palm Beach County, located at 2500 Belvedere Road, West Palm Beach (OGC File No. 08-2326), 1 N. W. Yamato Way, Boca Raton (OGC File No. 08-2324) and Palm Beach International Airport, West Palm Beach (OGC File No 08-2320), have requested and the Department intends to grant three separate and distinct variances from compliance with the requirement for continued operation and maintenance of the facility's Stage II vapor recovery system required under Rule 62-252.400, Florida Administrative Code (F.A.C.). The Avis Budget Group, Inc. Rental Car Fueling facilities maintain 100% of their motor vehicle fleet equipped with onboard refueling vapor recovery (ORVR) systems. The design recovery of a vehicle's ORVR system is 95% efficient which is equivalent to the Stage II vapor recovery system's required efficiency under Rule 62-252.400, F.A.C. The Department's files on these matters are available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department's Division of Air Resource Management, Office of Policy Analysis and Program Management, 111 S. Magnolia Drive, Suite 23, Tallahassee, Florida 32301, (850)921-9556.

A person whose substantial interests are affected by the Department's actions may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S., on any of the above referenced variance requests. The petition must contain the information set forth below and must be filed (received by the clerk) in the Department's Office of General

Counsel at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. The petition must identify the individual intent to grant variance which is being petitioned.

Mediation under Section 120.573, F.S., is not available.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice.

Petitions by the applicant or any of the parties listed below must be filed within twenty-one (21) days of receipt of this written notice. Petitions by other persons must be filed within twenty-one (21) days of publication of the notice or receipt of the written notice, whichever occurs first. The petitioner shall mail a copy of the petition to the applicant at the Avis Budget Group's corporate address indicated above at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests or will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and (g) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C. Under Sections 120.569(2)(c) and (d), F.S., a petition for

administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

**NOTICE OF RECEIPT OF APPLICATIONS FOR PERMIT
COVERAGE UNDER THE GENERIC PERMIT FOR
STORMWATER DISCHARGE FROM PHASE II
MUNICIPAL SEPARATE STORM SEWER SYSTEMS**

The Department announces the receipt of the applications listed below for permit coverage under the Generic Permit for Discharge of Stormwater from Phase II Municipal Separate Storm Sewer Systems (MS4). The applications are being processed and are available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Science Applications International Corporation (SAIC), 2343 Hansen Lane, Tallahassee, Florida 32301, phone number (850)523-1449. Any comments related to the noticed applications or objections to the use of the Generic Permit by any of the noticed applicants must be received by the Department within 14 days from the date of this notice.

Phase II MS4 applications received October 31st – November 6, 2008

1. City of Satellite Beach – FLR04E072
2. City of Deland – FLR04E078
3. City of Florida City – FLR04E088
4. City of St. Augustine – FLR04E101

Comments may be mailed to the following address:

Steven Kelly
NPDES Stormwater Program
2600 Blair Stone Road, MS #2500
Tallahassee, Florida 32399-2400

FLORIDA STATE CLEARINGHOUSE

The state is coordinating reviews of federal activities and federally funded projects as required by Section 403.061(40), F.S. A list of projects, comments deadlines and the address for providing comments are available at http://www.dep.state.fl.us/secretary/oip/state_clearinghouse/. For information, call (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

DEPARTMENT OF HEALTH

On November 25, 2008, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon, issued an Order of Emergency Restriction Order with regard to the license of Faith A. Swift, L.M.T. license

number MA 22802. This Emergency Restriction Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On November 24, 2008, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon, issued an Order of Emergency Restriction Order with regard to the license of Bernie L. Vanzant, M.D. license number ME 12476. This Emergency Restriction Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On November 25, 2008, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon, issued an Order of Emergency Restriction Order with regard to the license of Dorie A. Bennett, R.N. license number RN 9185002. This Emergency Restriction Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On November 24, 2008, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon, issued an Order of Emergency Suspension Order with regard to the license of Judith Clark, R.N. license number RN 755452. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On November 24, 2008, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon, issued an Order of Emergency Suspension Order with regard to the license of Robert Harvey White, R.N. license number RN 9176317. 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.

FINANCIAL SERVICES COMMISSION

NOTICE OF FILINGS

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received a request by a credit union to expand its field of membership. Specific information regarding the expansion can be found at <http://www.fldfs.com/ofr/banking/cufm.asp>. 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., January 2, 2009):

Name and Address of Applicant: West Coast Federal Employees Credit Union, Post Office Box 17185, Sarasota, Florida 34276

Expansion Includes: Association/Organization Groups

Received: November 20, 2008

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN November 24, 2008
 and November 26, 2008

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Forestry

5I-2.003	11/26/08	12/16/08	34/31	
5I-2.004	11/26/08	12/16/08	34/31	
5I-2.006	11/26/08	12/16/08	34/31	34/42

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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Division of Food Safety

5K-1.003	11/24/08	12/14/08	34/39	
5K-1.0051	11/24/08	12/14/08	34/39	
5K-1.019	11/24/08	12/14/08	34/39	
5K-1.020	11/24/08	12/14/08	34/39	
5K-1.021	11/24/08	12/14/08	34/39	

PUBLIC SERVICE COMMISSION

25-30.455	11/26/08	12/16/08	34/43	
25-30.456	11/26/08	12/16/08	34/43	
25-30.457	11/26/08	12/16/08	34/43	

Section XIV
List of Rules Affected

This "List of Rules Affected" is a cumulative list of all rules which have been proposed but not filed for adoption. Beginning with the February 2, 1996 issue, the list will be published monthly for the period covering the last eight weeks.

- w - Signifies Withdrawal of Proposed Rule(s)
- c - Rule Challenge Filed
- v - Rule Declared Valid
- x - Rule Declared Invalid
- d - Rule Challenge Dismissed
- dw - Dismissed Upon Withdrawal

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
1B-30.001	34/50		
1B-30.0015	34/50		
1B-30.002	34/50		
1B-30.003	34/50		
1B-30.004	34/50		
1B-30.005	34/50		
1S-5.026	34/30		34/46

LEGAL AFFAIRS

2A-8.005	34/22		
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BANKING AND FINANCE

3E-48.005	28/42		
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INSURANCE

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
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STATE

1A-31	34/49c		
1A-31.0012	34/39		
1A-31.0015	34/39		
1A-31.0022	34/39		
1A-31.0027	34/39		
1A-31.0032	34/39		
1A-31.0035	34/39		
1A-31.0042	34/39		
1A-31.0045	34/39		
1A-31.0052	34/39		
1A-31.0055	34/39		
1A-31.0062	34/39		
1A-31.0065	34/39		
1A-31.0072	34/39		
1A-31.0082	34/39		
1A-31.0092	34/39		
1A-31.010	34/39		
1A-31.011	34/39		
1A-31.020	34/39		
1A-31.025	34/39		
1A-31.030	34/39		
1A-31.035	34/39		
1A-31.040	34/39		
1A-31.045	34/39		
1A-31.050	34/39		
1A-31.055	34/39		
1A-31.060	34/39		
1A-31.065	34/39		
1A-31.070	34/39		
1A-31.075	34/39		
1A-31.080	34/39		
1A-31.085	34/39		
1A-31.090	34/39		
1B-24.001	34/46		
1B-24.003	34/46		

4-138.047	28/41		
4-154.525	29/16	29/25	
4-211.031	27/44		
4-228.055	26/35		
4A-62.001	29/44	29/46	
4A-62.002	29/44	29/46	

AGRICULTURE AND CONSUMER SERVICES

5B-58.001	27/29		
5E-4.003	34/32		34/47
5E-4.0041	34/32		34/47
5E-14.105	34/32		34/47
5E-14.106	33/7		
5E-14.117	33/7		
	34/14		
5E-14.142	34/29	34/46	
5E-14.1421	34/14		
5FER08-1			34/40
5FER08-2			34/41
5FER08-3			34/41
5F-11.001	34/27	34/27	
5F-11.022	34/6	34/27	
5F-11.026	34/6	34/27	
5F-11.029	34/27	34/27	
5F-11.047	34/6	34/27	
5F-11.080	34/6	34/27	
5F-11.081	34/6	34/27	
5F-11.082	34/6	34/27	
5F-11.083	34/6	34/27	
5F-11.084	34/6	34/27	
5F-11.085	34/6	34/27	
5F-11.086	34/6	34/27	
5F-11.087	34/6	34/27	
5F-11.088	34/6		
5I-2.003	34/31		34/50
5I-2.004	34/31		34/50
5I-2.006	34/31	34/42	34/50
5I-4.002	32/49		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
5I-4.006	32/49			6A-6.03314	34/21		
5I-7.001	34/32		34/44	6A-6.03315	34/44		
5I-7.002	34/32	34/38	34/44	6A-6.0333	34/21		
5I-7.003	34/32		34/44	6A-6.0334	34/21		
5I-7.004	34/32	34/38	34/44	6A-6.03411	34/21		
5I-7.005	34/32		34/44	6A-6.0651	34/38		34/47
5I-7.006	34/32		34/44	6A-6.0960	34/38		34/47
5I-7.007	34/32	34/38	34/44	6A-6.0981	34/38		34/47
5I-7.008	34/32		34/44	6A-7.080	34/38		34/47
5I-7.009	34/32		34/44	6A-10.006	34/38		34/47
5I-7.010	34/32		34/44	6A-10.007	34/38		34/47
5I-7.011	34/32	34/38	34/44	6A-10.0342	34/38		
5I-7.012	34/32	34/38	34/44	6A-10.070	34/38		34/47
5I-7.013	34/32		34/44	6B-4.010	33/10		
5I-7.014	34/32	34/38	34/44	6L-1.001	28/12		
5K-1.003	34/39		34/50	6L-1.002	28/12		
5K-1.0051	34/39		34/50	6L-1.004	28/12		
5K-1.019	34/39		34/50	6L-1.005	28/12		
5K-1.020	34/39		34/50	6L-1.006	28/12		
5K-1.021	34/39		34/50	6L-1.007	28/12		
5K-4.020	34/35		34/43	6L-1.008	28/12		
5K-4.027	34/50			6L-1.009	28/12		
5K-4.028	34/50			6L-1.010	28/12		
5M-10.001	34/33	34/48		6L-1.011	28/12		
5M-10.002	34/33	34/48		6L-1.012	28/12		
5M-10.003	34/33	34/48		6L-1.013	28/12		
5M-10.004	34/33	34/48		6M-7.0055	30/26		

EDUCATION

COMMUNITY AFFAIRS

6A-1.0014	34/37		34/47	9B-3.047	34/46		
6A-1.04511	34/38		34/47	9B-13.0041	34/15	34/31	
6A-1.057	34/38		34/47			34/46	
6A-1.06421	33/45			9B-13.0061	34/15		
6A-1.079	34/38		34/47	9B-65.020	34/27	34/39	34/48
6A-1.09401	34/45			9B-65.021	34/27	34/39	34/48
6A-1.0942	34/38		34/47	9B-65.022	34/27	34/39	34/48
6A-1.094221	34/29	34/34		9B-65.023	34/27	34/39	34/48
6A-1.09441	34/44			9B-65.024	34/27	34/39	34/48
6A-1.0995	34/45	34/47		9B-65.025	34/27	34/39	34/48
6A-1.09981	34/38	34/41	34/47	9B-70.002	34/46		
6A-1.099821	34/44			9J-5	32/32c		
6A-3.0171	34/38		34/47	9J-5.026	34/42		
6A-4.004	34/38		34/47	9J-11.009	34/47		
6A-4.0083	34/38		34/47	9J-11.023	34/42		
6A-4.0251	32/3	32/5		9J-36.001	34/47		
6A-6.0131	34/38		34/47	9J-36.002	34/47		
6A-6.0132	34/38		34/47	9K-9.001	34/36		34/47
6A-6.024	34/38		34/47	9K-9.002	34/36		34/47
6A-6.03011	34/38			9K-9.003	34/36	34/41	34/47
6A-6.03018	34/38			9K-9.004	34/36		34/47
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6A-6.0331	34/21			9K-9.007	34/36		34/47
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9K-9.012	34/36		34/47	14-86.004	34/18	34/47	
9K-10.001	34/36		34/47	14-86.005	34/18	34/47	
9K-10.002	34/36		34/47	14-86.006	34/18	34/47	
9K-10.003	34/36		34/47	14-86.007	34/10	34/47	
9K-10.004	34/36		34/47	14-86.008	34/18		34/47w
9K-10.005	34/36		34/47	14-91.007	33/42		34/44w
9K-10.006	34/36		34/47	HIGHWAY SAFETY AND MOTOR VEHICLES			
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9K-10.008	34/36		34/47	15A-7.002	34/41		
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9K-10.010	34/36		34/47	15A-7.003	34/41		
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12B-7.008	34/41	34/50		15A-7.019	34/41		
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12B-7.031	34/41			15B-2.016	34/41		
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12C-1.051	34/41	34/50		15C-16.002	34/18	34/30	34/48
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19B-16.006	34/41			25-56.064	32/32c		
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40E-0.109	34/45			53ER08-69			34/45
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40E-2.091	34/45			53ER08-72			34/50
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40E-20.091	34/45			53ER08-75			34/50
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57-6.004	34/42			59G-4.251	34/41		
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57-7.003	34/42			59G-5.020	34/41		
57-7.004	34/42			59G-6.010	34/43		
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57-20.001	34/42			59G-6.030	34/40	34/46	
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57-20.003	34/42			59G-7.003	34/41		
57-20.004	34/42			59G-7.004	34/41		
57-20.005	34/42			59G-7.0211	34/41		
57-20.006	34/42			59G-7.023	34/41		
57-30.001	34/42			59G-7.032	34/41		
57-40.001	34/42			59G-7.0322	34/41		
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57-40.003	34/42			59G-7.0332	34/41		
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59C-1.010	34/48				34/15c		34/45d
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59C-1.013	34/48			59G-13.084	34/15c		34/45d
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59V-560.201	34/39				34/12c		
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59V-560.403	34/39			61A-1.01016	34/41c		34/45d
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59V-560.606	34/39			61A-1.01018	34/3		
59V-560.702	34/39				34/12c		
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59V-560.801	34/39				34/41c		
59V-560.804	34/39			61A-1.01023	34/41c		34/45d
59V-560.805	34/39			61A-1.01024	34/3		
59V-560.902	34/39				34/12c		
59V-560.903	34/39			61A-1.0103	34/3		
59V-560.904	34/39				34/12c		
59V-560.905	34/39			61A-1.0104	34/3		
59V-560.906	34/39				34/12c		
59V-560.908	34/39			61A-1.0105	34/3	34/36	
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59W-600.006	34/39			61A-1.0106	34/3		
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				61A-1.0108	34/3	34/36	
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60L-35.007	34/2	34/2			34/41c		
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64E-5.1205	34/48				34/28c		34/49d
64E-5.1206	34/48				34/45c		
64E-5.1207	34/48			65A-4.213	25/32		
64E-5.1601	34/49			65A-4.216	25/32		
64E-5.1602	34/49			65A-4.220	34/37	34/48	
64E-5.1603	34/49				34/45c		
64E-5.1604	34/49			65A-15.005	32/9		
64E-6.005	34/45c		34/45d	65A-15.0095	26/4		
64E-6.015	34/45c		34/45d	65A-15.062	32/9		
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64E-9.002	34/43			65C-5.001	32/29	32/37	
64E-9.003	34/43			65C-5.002	32/29	32/37	
64E-9.0035	34/43			65C-5.003	32/29	32/37	
64E-9.004	34/43			65C-5.004	32/29	32/37	
64E-9.005	34/43			65C-5.005	32/29	32/37	
64E-9.006	34/43			65C-5.006	32/29	32/37	
64E-9.007	34/43			65C-5.007	32/29	32/37	
64E-9.008	34/43			65C-5.008	32/29	32/37	
64E-9.009	34/43			65C-5.009	32/29	32/37	
64E-9.010	34/43			65C-5.010	32/29	32/37	
64E-9.011	34/43			65C-5.011	32/29	32/37	
64E-9.013	34/43			65C-16.001	34/23	34/35	34/48
64E-9.015	34/43			65C-16.002	34/23	34/35	34/48
64E-9.016	34/43			65C-16.003	34/23	34/41	34/48
64E-9.017	34/43			65C-16.004	34/23	34/41	34/48
64E-9.018	34/43			65C-16.005	34/23	34/35	34/48
64E-11.002	34/46					34/41	
64E-11.013	34/46			65C-16.007	34/23	34/35	34/48
64E-16.012	34/41			65C-16.008	32/4		
64F-12.018	34/32		34/45w		34/23	34/35	34/48
	34/47			65C-16.009	34/23		34/48
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64J-2.007	34/49			65C-16.011	34/23		34/48
64J-2.008	34/49			65C-16.012	34/23	34/35	34/48
64J-2.009	34/49			65C-16.013	34/23	34/35	34/48
64J-3.001	34/43					34/41	
64J-3.002	34/43			65C-16.014	34/23		34/48
64V-1.011	34/30		34/44	65C-16.015	34/23	34/35	34/48
64V-1.015	34/30		34/44	65C-16.016	34/23		34/48
				65C-16.017	34/23	34/35	34/48
						34/41	34/48
				65C-16.018	34/23	34/35	34/48
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				65C-24.002	34/46		
65A-1.205	33/22c						

CHILDREN AND FAMILY SERVICES

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69J-2.003	34/15	34/38		69O-175.003	31/26		
69J-7.004	34/8			69O-186.003	33/25		
69J-7.005	34/8		34/49	69O-186.005	33/25		
69J-7.006	34/25	34/44		69O-186.013	32/40		
69K-17.0035	34/43				33/8c		
69L-3.0046	34/48			69O-197.006	34/44		
69L-3.025	34/48			69O-203.210	34/24		34/43
69L-6.009	34/37	34/44		69O-204.010	34/39		
69L-7.020	34/42			69O-204.020	33/50	34/10	
69L-7.602	31/23					34/15	
69L-7.602(5)(q)	32/45c				34/39		
69L-10.006	34/48			69O-204.030	33/50	34/10	
69L-10.012	34/48					34/15	
69L-10.015	34/48				34/39		
69L-10.016	34/48			69O-204.040	33/50	34/10	
69L-10.017	34/48					34/15	
69L-10.019	34/48				34/39		
69L-56.530	31/3			69O-204.050	33/50		
69M-1	29/52c				34/39		
69N-121.066	34/22			69O-204.060	33/50		
69O-1	31/37c			69O-204.070	33/50	34/10	
	31/37c					34/15	
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	33/26			69U-100.101	34/34		34/48
69O-125.006	33/26			69U-100.102	34/34		34/48
69O-137.001	34/43			69U-100.103	34/34		34/48
69O-138.001	34/43			69U-100.104	34/34		34/48
69O-138.005	34/40			69U-100.105	34/34		34/48
69O-139.019	33/10			69U-100.106	34/34	34/42	34/48
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		34/29		69VER08-2			34/34
69O-149.041	34/25	34/36		69VER08-3			34/34
69O-149.0415	34/49c			69V-40.002	34/39		
69O-149.205	34/25		34/43	69V-40.025	34/45		
69O-149.206	34/25		34/43	69V-40.031	34/39		
69O-149.207	34/25		34/43		34/45		
69O-157.302	34/43			69V-40.0311	34/39		34/48
69O-157.303	34/43			69V-40.051	34/39		
69O-157.304	34/43			69V-40.0511	34/39		34/48
69O-163.0075	34/46			69V-40.100	34/39		
69O-163.009	34/46				34/45		
69O-163.011	34/46			69V-40.200	34/39		
69O-164.040	34/40	34/49			34/45		
69O-170.006	31/32c			69V-40.201	34/39		34/48
69O-170.0144	34/35	34/42	34/49	69V-40.220	34/39		
69O-170.020	32/5	32/12			34/45		
69O-171.003	32/8	33/10		69V-40.242	34/45		
		33/14		69V-560.101	34/39	34/48	
		33/35		69V-560.1012	34/39	34/48	
	32/23c			69V-560.1013	34/39	34/48	
69O-171.009	32/8	32/32		69V-560.102	34/39	34/48	
		33/20		69V-560.103	34/39	34/48	
	32/23c			69V-560.104	34/39	34/48	
69O-175.001	31/2c			69V-560.105	34/39	34/48	

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69V-560.108	34/39	34/48		69V-560.706	34/39	34/48	
69V-560.201	34/39	34/48		69V-560.707	34/39	34/48	
69V-560.302	34/39	34/48		69V-560.801	34/39	34/48	
69V-560.401	34/39	34/48		69V-560.804	34/39	34/48	
69V-560.402	34/39	34/48		69V-560.805	34/39	34/48	
69V-560.403	34/39	34/48		69V-560.902	34/39	34/48	
69V-560.501	34/39	34/48		69V-560.903	34/39	34/48	
69V-560.504	34/39	34/48		69V-560.904	34/39	34/48	
69V-560.505	34/39	34/48		69V-560.905	34/39	34/48	
69V-560.601	34/39	34/48		69V-560.906	34/39	34/48	
69V-560.602	34/39	34/48		69V-560.908	34/39	34/48	
69V-560.606	34/39	34/48		69V-560.913	34/39	34/48	
69V-560.608	34/39	34/48		69W-600.002	34/39		
69V-560.609	34/39	34/48		69W-600.006	34/39		
69V-560.610	34/39	34/48		69W-600.013	34/39		
69V-560.701	34/39	34/48		69W-600.0131	34/39		
69V-560.702	34/39	34/48		69W-600.0133	34/39	34/46	
69V-560.703	34/39	34/48					
69V-560.704	34/39	34/48					
