

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF STATE

Division of Cultural Affairs

RULE NO.: IT-1.001 RULE TITLE: Division of Cultural Affairs

PURPOSE AND EFFECT: This amendment limits each organization applying to the Culture Builds Florida Grant Program to one application per funding cycle and requires that grant applicants be funded in precise order of score, rather than based only on a minimum, and reduce the minimum score from 85 to 80.

SUBJECT AREA TO BE ADDRESSED: Culture Builds Florida application requirements and funding methodology.

RULEMAKING AUTHORITY: 255.043(4), 265.284(5)(d), 265.285(1)(c), 265.286(1), (4), (6), 265.2861(2)(b), (d), 265.2865(6), 265.51, 265.605(1), 265.608, 265.609, 265.701(4), 265.702(8) FS.

LAW IMPLEMENTED: 215.97, 255.043, 265.284, 265.285, 265.286, 265.2861, 265.2865, 265.51-.56, 265.601-.603, 265.605-.606, 265.608, 265.609, 265.701, 265.702, 286.011, 286.012, 286.25 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: April 3, 2009, 11:00 a.m.
 PLACE: Room 307, 3rd Floor, R. A. Gray Building, 500 South Bronough 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: Morgan Lewis, Division of Cultural Affairs, (850)245-6470. If you are 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: Morgan Lewis, Division of Cultural Affairs, (850)245-6470

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

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

RULE NO.: 9B-3.047 RULE TITLE: State Building Code Adopted

PURPOSE AND EFFECT: Implement limited changes to the building code that meet the criteria established by Section 553.73(7), F.S., identified as an update to the electrical code, an administrative amendment relating to interior designers, and correction of a nail diameter that creates conflict within the Code. Additional changes relating to conflict with statute may be considered.

SUBJECT AREA TO BE ADDRESSED: The Florida Building Code.

RULEMAKING AUTHORITY: 553.73(1), 553.73(2), 553.73(7), 553.73(8), 553.901 FS.

LAW IMPLEMENTED: 553.72, 553.73(2), 553.73(3), 553.73(7), 553.73(8), 553.73(9), 553.901 FS.

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

DATE AND TIME: April 7, 2009, 8:30 a.m. or as soon thereafter as the matter comes before the Commission pursuant to its agenda

PLACE: Hilton University of Florida Conference Center, 1714 S. W. 34th Street, Gainesville, Florida 32607

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Mo Madani, Planning Manager, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100; (850)921-2247. If you are 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: Mo Madani, Planning Manager, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100; (850)921-2247

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

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

RULE NO.: 9B-13.0071 RULE TITLE: Cost Effectiveness of Amendments to Energy Code

PURPOSE AND EFFECT: To adopt a rule defining a cost-effectiveness test for proposed increases in energy efficiency within the Florida Energy Efficiency Code for Building Construction. The cost-effectiveness test shall measure cost-effectiveness and shall ensure that energy efficiency increases result in a positive net financial impact.

SUBJECT AREA TO BE ADDRESSED: New energy efficiency requirements for construction.

RULEMAKING AUTHORITY: 553.9061(3) FS.
LAW IMPLEMENTED: 553.9061(3) FS.
A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:
DATE AND TIME: April 7, 2009, 8:30 a.m. or as soon thereafter as the matter comes before the Commission pursuant to its agenda
PLACE: Hilton University of Florida Conference Center, 1714 S.W. 34th Street, Gainesville, Florida 32607

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Mo Madani, Planning Manager, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100; (850)921-2247. If you are 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: Mo Madani, Planning Manager, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100; (850)921-2247

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

DEPARTMENT OF COMMUNITY AFFAIRS
Division of Housing and Community Development

RULE NOS.: RULE TITLES:
9B-62.002 Definitions
9B-62.003 Building Permit Surcharge
 Collection and Remittance

PURPOSE AND EFFECT: To review the provisions of the rule regarding means of calculating the surcharge transmitted to the Operating Trust Fund and exceptions from the surcharge in light of statutory changes since 1995 and the means by which the surcharge is remitted to the Department in light of technological advances.

SUBJECT AREA TO BE ADDRESSED: The building permit surcharge; collection and statutory means of calculation thereof.

RULEMAKING AUTHORITY: 553.721 FS.
LAW IMPLEMENTED: 553.721 FS.
A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:
DATE AND TIME: April 15, 2009, 10:00 a.m.
PLACE: Randall Kelley Training Center, Third Floor, 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: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100; (850)487-1824. If you are 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: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100; (850)487-1824

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

DEPARTMENT OF COMMUNITY AFFAIRS
Division of Housing and Community Development

RULE NOS.: RULE TITLES:
9B-70.001 Building Code Core Education
9B-70.002 Commission Approval and
 Accreditation of Advanced
 Building Code Training Courses

PURPOSE AND EFFECT: To address needed clarifications in the structure of the rule, technical changes, qualifications for accessibility course accreditors, course auditing, and actions by the Commission for failure to comply with the requirements in law and rule.

SUBJECT AREA TO BE ADDRESSED: Integration of Education Program elements with revised Building Code Information System specifically relating to course development, submission, and approval.

RULEMAKING AUTHORITY: 553.841(2) FS.
LAW IMPLEMENTED: 553.841 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:
DATE AND TIME: April 7, 2009, 8:30 a.m. or as soon thereafter as the matter comes before the Commission pursuant to its agenda
PLACE: Hilton University of Florida Conference Center, 1714 S.W. 34th Street, Gainesville, Florida 32607

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida

32399-2100, (850)487-1824. If you are 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: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100; (850)487-1824
 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."

STATE BOARD OF ADMINISTRATION

RULE NOS.:	RULE TITLES:
19-8.029	Insurer Reporting Requirements
19-8.030	Insurer Responsibilities

PURPOSE AND EFFECT: The Florida Hurricane Catastrophe Fund proposes amendments to the following rules: Rule 19-8.029, F.A.C., the Insurer Reporting Requirements, and Rule 19-8.030, F.A.C., Insurer Responsibilities.

SUBJECT AREA TO BE ADDRESSED: An incorporated form, FHCF C-1, Company Contact Information, is being revised to remove the notarization requirement. This change necessitates changes to Rules 19-8.029 and 19-8.030, F.A.C. In addition, language is added to Rule 19-8.029, F.A.C., providing for voluntary commutation earlier than 36 months under certain circumstances.

RULEMAKING AUTHORITY: 215.555 FS.

LAW IMPLEMENTED: 215.555 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: Tracy Allen, Senior FHCF Attorney, State Board of Administration, P. O. Box 13300, Tallahassee, Florida 32317-3300; (850)413-1341, or tracy.allen@sbafla.com

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

**LAND AND WATER ADJUDICATORY COMMISSION
 The Crossings at Fleming Island Community Development District**

RULE NO.:	RULE TITLE:
42H-1.002	Boundary

PURPOSE AND EFFECT: The Petition, as supplemented, was filed by the Crossings at Fleming Island Community Development District with its registered office located at 1279 Kingsley Avenue, Suite 118, Orange Park, Florida 32073. The Petition, as supplemented, proposes to modify the land area presently serviced by the District by amending its boundary to add 20.7 acres to the District located within Clay County, Florida. The District currently covers approximately 2,848 acres of land and after amendment the District will consist of approximately 2,868.7 acres. The District is generally located northwest, southwest and southeast of the intersection of U.S. 17 and C.R. 220 on Fleming Island. There are no parcels within the expansion parcels or the proposed amended boundaries of the District that are to be excluded from the District. Petitioner has obtained written consent to amend the boundaries of the District from the owners of 100% of the real property comprising the expansion parcels. The District intends to provide the following improvements or provide the following facilities or services for the expansion parcels: master surface water management and drainage system; internal roadways; potable water distribution; wastewater collection system; and reclaimed water system.

SUBJECT AREA TO BE ADDRESSED: The Petition, as supplemented, was filed by the Crossings at Fleming Island Community Development District with its registered office located at 1279 Kingsley Avenue, Suite 118, Orange Park, Florida 32073. The Petition, as supplemented, proposes to modify the land area presently serviced by the District by amending its boundary to add 20.7 acres to the District located within Clay County, Florida. The District currently covers approximately 2,848 acres of land and after amendment the District will consist of approximately 2,868.7 acres. The District is generally located northwest, southwest and southeast of the intersection of U.S. 17 and C.R. 220 on Fleming Island. There are no parcels within the expansion parcels or the proposed amended boundaries of the District that are to be excluded from the District. Petitioner has obtained written consent to amend the boundaries of the District from the owners of 100% of the real property comprising the expansion parcels. The District intends to provide the following improvements or provide the following facilities or services for the expansion parcels: master surface water management and drainage system; internal roadways; potable water distribution; wastewater collection system; and reclaimed water system.

RULEMAKING AUTHORITY: 190.005, 190.046 FS.

LAW IMPLEMENTED: 190.004, 190.005, 190.046 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: Thursday, April 9, 2009, 10:00 a.m. – 12:00 Noon

PLACE: Room 2103, The Capitol, 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 two days before the workshop/meeting by contacting: Barbara Leighty, Executive Office of the Governor, The Capitol, Room 1801, Tallahassee, Florida 32399-0001; telephone (850)487-1884. If you are 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: Barbara Leighty, Executive Office of the Governor, The Capitol, Room 1801, Tallahassee, Florida 32399-0001; telephone (850)487-1884

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: 59A-24.006 RULE TITLE: Drug Testing Laboratories

PURPOSE AND EFFECT: The Agency proposes to revise the rule on surveying forensic toxicology laboratories

SUBJECT AREA TO BE ADDRESSED: The proposed changes to this rule would revise the frequency of on-site surveys of forensic toxicology laboratories that perform testing as part of the drug-free workplace program and permit acceptance of accreditation reports in lieu of some surveying.

RULEMAKING AUTHORITY: 112.0455(13)(a) FS.

LAW IMPLEMENTED: 112.0455(12), (13) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Bill McCort, (850)487-0641

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59A-24.006 Drug Testing Laboratories.

(1) through (6) are not changed.

(7) Inspections. The agency or the representatives of the federal Department of Health and Human Services Federal Workplace Drug Testing Program shall conduct announced or unannounced inspections of the laboratory at any reasonable time for the purpose of determining compliance with this rule chapter. The right of entry and inspection shall also be extended to any collection sites under contract with the laboratory. Inspections shall document the overall quality of the laboratory setting for the purpose of licensure to conduct drug free workplace testing. Inspection reports shall also contain any requirements of the laboratory to correct deficiencies noted during the inspections.

(a) Prior to laboratory licensure and at least once ~~twice~~ a year after licensure, an on-site inspection of the laboratory shall be conducted.

(b) In order to be considered for licensure renewal, laboratories certified by the federal Department of Health and Human Services Federal Workplace Drug Testing Programs shall submit an ~~one~~ inspection report of the federal Department of Health and Human Services Federal Workplace Drug Testing Programs in lieu of ~~one of the two~~ required ~~bi~~-annual inspections. This provision does not apply to laboratories applying for initial licensure. In addition, such laboratories certified by the federal Department of Health and Human Services Federal Workplace Drug Testing Programs shall:

1. Maintain a policy to conduct the testing of all specimens authorized under Section 112.0455, F.S., in the same manner as required for those drugs included under the Mandatory Guidelines for Federal Workplace Drug Testing Programs. This policy must be in writing and contained in the laboratory's policy and procedure manual.

2. Submit to the agency all reports of such inspections, post inspection activities and reports including any corrective action taken by the laboratory within 45 days of the receipt of the initial evaluation report in the laboratory.

3. Request in writing that the inspection report be accepted in lieu of an on-site inspection by the agency.

(c) Laboratories that are accredited by a nationally recognized accreditation organization may submit an accreditation report and proof of non-provisional accreditation or reaccreditation for the current year in lieu of the annual on-site inspection.

(8) through (15) No change.

Rulemaking Specific Authority 112.0455(12), (13) FS. History—New 3-15-90, Amended 6-28-91, Formerly 10E-18.006, Amended 5-1-96, 12-5-96, 3-11-98, 3-29-00.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

RULE NOS.:	RULE TITLES:
61B-60.001	Definitions and Scope
61B-60.002	General Provisions; Forms and Fees
61B-60.003	Application for and Renewal of Broker or Salesperson License
61B-60.004	Bond and Irrevocable Letter of Credit
61B-60.005	Principal Place of Business; Broker's Branch Office License Application and Branch Office License Renewal
61B-60.006	Escrow Trust Depository; Closing Transactions
61B-60.008	Standards of Conduct; Penalties

PURPOSE AND EFFECT: This rule amendment incorporates Governor Crist's plain language initiative, clarifies current rules and includes substantive changes, including the following: adds various definitions; addresses principal place of business requirements; revises and incorporates division forms; changes fingerprint processing fees; deletes the fee for the change form; clarifies the application process; provides a new section addressing the renewal process; addresses the audit and inspection of business records by the division; addresses and clarifies the suspension and revocation procedures; and provides new guidelines for determining civil penalties.

SUBJECT AREA TO BE ADDRESSED: This rule amendment addresses the licensing and regulation of yacht and ship brokers and salespersons under Chapter 326, Florida Statutes.

RULEMAKING AUTHORITY: 215.405, 326.003(2), 326.004(1), (5), (13), (15) FS.

LAW IMPLEMENTED: 326.002, 326.003(3), 326.004, 326.005, 326.006 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: April 9, 2009, 9:00 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Sharon A. Malloy, Senior Management Analyst II,

at (850)488-1631. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.:	RULE TITLE:
61G19-5.002	Disciplinary Guidelines

PURPOSE AND EFFECT: The purpose and effect is to raise all fines to maximum of \$5,000 in all disciplinary instances.

SUBJECT AREA TO BE ADDRESSED: Disciplinary Guidelines.

RULEMAKING AUTHORITY: 455.227, 455.2273, 468.606 FS.

LAW IMPLEMENTED: 455.227, 455.2273, 468.607, 468.621, 468.629 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: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G19-5.002 Disciplinary Guidelines.

(1) Purpose. Pursuant to Section 455.2273, F.S., the Board provides within this rule disciplinary guidelines which shall be imposed upon applicants or licensees whom it regulates under Chapter 468, Part XII, F.S. The purpose of this rule is to notify applicants and licensees of the ranges of penalties which will

routinely be imposed unless the Board finds it necessary to deviate from the guidelines for the stated reasons given in Rule 61G19-5.003, F.A.C. The ranges of penalties provided below include the lowest and highest penalty and all penalties falling between. The purposes of the imposition of discipline are to punish the applicants or licensees for violations and to deter them from future violations; to offer opportunities for rehabilitation, when appropriate; and to deter other applicants or licensees from violations.

(2) **Violations and Range of Penalties.** In imposing discipline upon applicants and licensees, in proceedings pursuant to Sections 120.569, 120.57(1) and (2), F.S., the Board shall act in accordance with the following disciplinary guidelines and shall impose a penalty within the range corresponding to the violations set forth below. The verbal identification of offenses is descriptive only; the full language of each statutory provision cited must be consulted in order to determine the conduct included.

VIOLATION

(a) Violating or failing to comply with any provision of this part, Chapter 455 or a valid rule or lawful order of the board or department, or subpoena of the department. (468.621(1)(a), F.S., 455.227(1)(b) and (q), F.S.)

(b) Obtaining certificate through fraud, deceit, or perjury.

(468.621(1)(b), 455.227(1)(h), F.S.)

(c) Knowingly assisting any person to unlawfully practice building code administration, inspecting, or plans examination contrary to the provisions of this part or the building code adopted by the enforcement authority governing that person.

(468.621(1)(c), 455.227(1)(j), F.S.)

(d) Having been convicted of a felony.

(468.621(1)(d), F.S.)

(e) Guilt of or nolo plea entered to a crime directly related to building code administration or inspection.

RECOMMENDED RANGE OF PENALTY

(a)1. Unless otherwise specified in this rule, in the case of an applicant, the usual action of the Board shall be from licensure with an administrative fine and probation to denial; in the case of a licensee, the usual action of the Board shall be to impose a penalty from reprimand to probation and a fine of up to ~~\$5,000~~ 1,500.

(a)2. After the first offense, a minimum of one year's probation to revocation or denial of licensure, and a fine of up to \$5,000 depending on the underlying offense and the magnitude of the violation.

The usual action of the Board shall be to impose a penalty of revocation and a fine of up to ~~\$5,000~~ 1,500.

(c)1. In the case of an applicant, the usual action of the Board shall be from licensure with an administrative fine and probation to denial. In the case of a licensee, the usual action of the Board shall be to impose a penalty from probation to suspension and a fine of up to ~~\$5,000~~ 1,500.

(c)2. After the first offense, the usual action of the Board shall be to impose a penalty from suspension to revocation and a fine of up to \$5,000.

(d)1. In the case of an applicant, the usual action of the Board shall be from licensure with an administrative fine and probation to denial. In the case of a licensee, the usual action of the Board shall be to impose a penalty from suspension to revocation and a fine of up to ~~\$5,000~~ 1,500.

(d)2. For a second offense in the case of an applicant, the usual action of the Board shall be from licensure with an administrative fine and suspension of at least 30 days followed by probation to denial. In the case of a licensee, the usual action of the Board shall be to impose a penalty from suspension followed by probation with conditions to revocation and a fine of up to ~~\$5,000~~ 4,000.

(d)3. After the second offense, the usual action of the Board shall be revocation and a fine of up to \$5,000.

(e)1. In the case of an applicant, the usual action of the Board shall be denial. In the case of a licensee, the usual action of the Board

(468.621(1)(e), 455.227(1)(c), F.S.)

shall be to impose a penalty from suspension to revocation and a fine of up to ~~\$5,000~~ 1,500.

(f) Knowingly making or filing a false report or failing to file a report as required. (468.621(1)(f), 455.227(1)(l), F.S.)

(e)2. After the first offense, the usual action of the Board shall be to impose a penalty of revocation and a fine of up to \$5,000.

(f)1. In the case of an applicant, the usual action of the Board shall be from licensure with an administrative fine and 30-day suspension followed by probation to denial. In the case of a licensee, the usual action of the Board shall be to impose a period of suspension to be followed by probation and a fine of up to ~~\$5,000~~ 1,500.

(f)2. After the first offense, in the case of an applicant, the usual action of the Board shall be denial. In the case of a licensee, the usual action of the Board shall be revocation and a fine of up to \$5,000.

(g) Committing willful misconduct, gross negligence, gross misconduct, repeated negligence, or negligence resulting in a significant danger to life or property. (468.621(1)(g), F.S.)

1. Negligence

1.a. In the case of an applicant, the usual action of the Board shall be from licensure with probation to denial. In the case of a licensee, the usual action of the Board shall be to impose a penalty from probation to suspension and a fine of up to ~~\$5,000~~ 1,500.

1.b. For a second offense in the case of an applicant, the usual action of the Board shall be from probation to denial and an administrative fine. In the case of a licensee, the usual action of the Board shall be to impose a penalty from suspension followed by probation and a fine of up to ~~\$5,000~~ 4,000.

1.c. After the second offense, the usual action of the Board shall be revocation and a fine of up to \$5,000.

2. Gross or repeated negligence, or gross misconduct.

2.a. In the case of an applicant, the usual action of the Board shall be denial. In the case of a licensee, the usual action of the Board shall be to impose a penalty from suspension to revocation and a fine of up to ~~\$5,000~~ 1,500.

2.b. After the first offense, the usual action of the Board shall be revocation and a fine of up to \$5,000.

3. Willful misconduct.

3.a. In the case of an applicant, the usual action of the Board shall be denial. In the case of a licensee, the usual action of the Board

(h) Making misleading, deceptive or fraudulent representations.
(455.227(1)(a), and (m), F.S.)
1. Misleading or deceptive.

2. Fraudulent.

(i) through (m) No change.
(n) Practicing as a building code administrator, plans examiner, or inspector without a valid active certificate.
(468.607, 468.621(1)(a), F.S.)

(o) Having the authority to practice revoked or acted against, including the denial of licensure.
(455.227(1)(f), F.S.)

shall be to impose a penalty of revocation and fine of up to \$5,000 ~~1,500~~.
3.b. After the first offense, the usual action of the Board shall be to impose a penalty of revocation and a fine of up to \$5,000.

1.a. In the case of an applicant, the usual action of the Board shall be licensure with an administrative fine and probation or denial. In the case of a licensee, the usual action of the Board shall be to impose a penalty from reprimand to probation and a fine of up to \$5,000 ~~1,500~~.

1.b. After the first offense, in the case of an applicant, the usual action of the Board shall be denial. In the case of a licensee, the usual penalty shall be suspension to revocation and a fine of up to \$5,000.

2.a. In the case of an applicant, the usual action of the Board shall be denial. In the case of a licensee, the usual action of the Board shall be to impose a penalty from suspension to revocation, a fine of up to \$5,000 ~~1,500~~.

2.b. After the first offense, the usual action of the Board shall be to impose a penalty of revocation and a fine of up to \$5,000.

(n)1. In the case of an applicant, the usual action of the Board shall be licensure with an administrative fine and probation or denial. In the case of a licensee, the usual action by the Board shall be to impose a penalty from reprimand to probation and a fine of up to \$5,000 ~~1,500~~.

(n)2. After the first offense, in the case of an applicant, the usual action of the Board shall be denial. For a licensee, the penalty shall be revocation and a fine of up to \$5,000.

(o)1. Imposition of discipline comparable to the discipline which would have been imposed if the substantive violation had occurred in Florida or suspension or licensure with an administrative fine and probation or denial of the license until the license is unencumbered in the jurisdiction in which disciplinary action was originally taken, and an administrative fine up to \$5,000 ~~ranging from \$250 to \$1,500~~.

(o)2. After the first offense, from imposition of discipline comparable to that which would have been imposed if a second or higher substantive

(p) Failing to report to the department any person who the licensee knows is in violation of Chapter 468, Part XII, Chapter 455, or the rules of the Board or Department.
(455.277(1)(I), F.S.)

(q) Failing to perform any statutory or legal obligations.
(455.227(1)(k), F.S.)

(r) through (u) No change.
(3) through (5) No change.

violation had occurred in Florida to revocation or for an applicant from probation to denial of license and an administrative fine ~~up from \$1,000~~ to \$5,000.

(p)1. In case of an applicant, the usual action of the Board shall be denial or licensure with probation and an administrative fine. In case of the licensee, the usual action of the Board shall be to impose a penalty from reprimand to probation and a fine of up to \$1,500.

(p)2. After the first offense, in the case of an applicant the usual action of the Board shall be denial. In the case of a licensee, the usual action of the Board shall be to impose a penalty from suspension followed by probation to revocation and a fine of up to \$5,000.

(q)1. Unless otherwise specified in this rule, in the case of an applicant, the usual action of the Board shall be from licensure with an administrative fine and probation to denial; in the case of a licensee, the usual action of the board shall be to impose a penalty from reprimand to probation and a fine of up to ~~\$5,000~~ 1,500.

(q)2. After the first offense unless otherwise specified in this rule, the usual action of the Board shall be denial in the case of an applicant; in the case of a licensee, the usual action of the Board shall be to impose a penalty from probation to revocation and a fine of up to \$5,000.

Rulemaking Specific Authority 455.227, 455.2273, 468.606 FS. Law Implemented 455.227, 455.2273, 468.607, 468.621, 468.629 FS. History–New 5-23-94, Amended 8-14-96, 8-3-97, 11-2-00, 4-10-06, 1-10-07,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.: 61G19-6.016
 RULE TITLE: Voluntary Certification Categories
 PURPOSE AND EFFECT: The purpose and effect is to require passage of pertinent exam as other certificate holder categories had to do.
 SUBJECT AREA TO BE ADDRESSED: Voluntary Certification Categories.
 RULEMAKING AUTHORITY: 468.606, 468.609(10) FS.
 LAW IMPLEMENTED: 468.609(10) 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: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G19-6.016 Voluntary Certification Categories.
 The following voluntary certification categories are created.
 (1) through (3) No change.

(4) Modular Inspector. This license is required for inspection of all modular buildings constructed to the Florida Building Code and administered under Chapter 553, Part I, F.S., unless otherwise provided for in Florida Statutes.

(a) Modular Inspector means a person who is authorized to inspect any manufactured (modular) building and systems incorporated therein designed and built to comply with the Florida Building Code pursuant to Part I, Chapter 553, F.S.; In order to obtain this voluntary certification, the Board will require the applicant to pass the standardized modular inspectors’ examination and the applicant must have and has three (3) years experience as an inspector with local government and/or state government or three years experience as an inspector with an independent inspection/plans review agency under contract with a state agency or three (3) years experience as a registered or certified state general, building, or residential contractor or job superintendent, project manager or quality control manager, the latter as provided for in Chapter 9B-1, F.A.C., in a supervisory capacity that included

operational control and direction of building, mechanical, electrical and plumbing personnel or subcontractors on residential or commercial projects.

(b) No change.

(5) Modular Plans Examiner. This license is required for plans reviews of all modular buildings constructed to the Florida Building Code and administered under Chapter 553, Part I, F.S., unless otherwise provided for in Florida Statutes.

(a) Modular Plans Examiner means a person who is authorized to review plans for any manufactured (modular) building and systems incorporated therein designed and built to comply with the Florida Building Code pursuant to Part I, Chapter 553, F.S.; In order to obtain this voluntary certification, the Board will require the applicant to pass the standardized modular plans inspectors’ examination and the applicant must have and has three (3) years experience as a plans examiner with local and/or state government. As an alternative, the applicant must have three (3) years experience as a plans examiner with an independent inspection/plans review agency under contract with a state department or three (3) years experience as a registered or certified state general, building, or residential contractor or job superintendent, project manager or quality control manager, the latter as provided for in Chapter 9B-1, F.A.C., in a supervisory capacity that included operational control and direction of building, mechanical, electrical and plumbing personnel or subcontractors on residential or commercial projects.

(b) No change.

(6) No change.

Rulemaking Specific Authority 468.606, 468.609(10) FS. Law Implemented 468.609(10) FS. History–New 7-5-95, Amended 7-7-96, 8-6-97, 6-25-98, 12-28-00, 2-28-02, 4-7-03, 9-3-03, 3-7-06, 6-13-07, 11-21-07,_____.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Division of Medical Quality Assurance

RULE NO.: 64B-9.002
 RULE TITLE: Physician Survey Procedures
 PURPOSE AND EFFECT: To update the survey questions.
 SUBJECT AREA TO BE ADDRESSED: Physician Survey Procedures.
 RULEMAKING AUTHORITY: 458.3191(4), 459.0081(4) FS.
 LAW IMPLEMENTED: 381.4018, 458.3191, 459.0081 FS.
 A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: April 10, 2009, 10:00 a.m. – 3:00 p.m.
 PLACE: Department of Health, Capital Circle Office Center, Building #4052, Room 301, 4052 Bald Cypress Way, Tallahassee, Florida 32399
 Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least five (5) days before the workshop/meeting by contacting: Jessica Swanson Rivenbark at telephone number (850)245-4444, x-2711 or mailing address, 4052 Bald Cypress Way, Bin #C15, Tallahassee, Florida 32399-1735. If you are 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: Jessica Swanson Rivenbark, 4052 Bald Cypress Way, Bin #C15, Tallahassee, Florida 32399-1735
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE NO.:	RULE TITLE:
64B1-4.0011	Documentation Necessary for Licensure Application

PURPOSE AND EFFECT: The Board proposes the review, the application form and make any necessary changes.
 SUBJECT AREA TO BE ADDRESSED: Documentation necessary for licensure application.
 RULEMAKING AUTHORITY: 457.104 FS.
 LAW IMPLEMENTED: 457.105 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: Kaye Howerton, Executive Director, Board of Acupuncture/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE NO.:	RULE TITLE:
64B1-6.005	Standards for Approval of Continuing Education Credit

PURPOSE AND EFFECT: The Board proposes the rule amendment to set standards for continuing education credit.
 SUBJECT AREA TO BE ADDRESSED: Standards for approval of continuing education credit.
 RULEMAKING AUTHORITY: 456.013(9), 456.033, 457.104, 457.107(3) FS.
 LAW IMPLEMENTED: 456.013(9), 456.033, 457.107(3) FS.
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kaye Howerton, Executive Director, Board of Acupuncture/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE NO.:	RULE TITLE:
64B2-13.004	Continuing Education

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to update language concerning continuing education.
 SUBJECT AREA TO BE ADDRESSED: Continuing Education.
 RULEMAKING AUTHORITY: 456.025(7), 460.408(3) FS.
 LAW IMPLEMENTED: 456.013(6), 456.025(7), 456.036(10), 460.408 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: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3258
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: 64B5-2.0146
 RULE TITLE: Licensure Requirements for Applicants from Non-Accredited Schools or Colleges

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete unnecessary language and to adopt new language setting forth new supplemental dental education requirements for dental licensure applicants that graduated from unaccredited dental schools or from dental schools not approved by the Board.

SUBJECT AREA TO BE ADDRESSED: Licensure requirements for applicants from non-accredited schools or colleges.

RULEMAKING AUTHORITY: 466.004, 466.006(3) FS.

LAW IMPLEMENTED: 456.033(6), 466.006, 466.075 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: 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:

64B5-2.0146 Licensure Requirements for Applicants from Non-Accredited Schools or Colleges.

- (1) No change.
- (2) An applicant who otherwise meets the requirements of Section 466.006(3), F.S., and chooses to apply pursuant to Section 466.006(3)(b), F.S., will be required to:
 - (a) Complete a full-time, matriculated, American Dental Association recognized dental specialty education program accredited by the Commission on Dental Accreditation of the American Dental Association or a Commission on Dental Accreditation of the American Dental Association accredited supplemental general dentistry programs, which provides didactic and clinical education to the level of an accredited D.D.S. or D.M.D. program, either of which have a duration of at least two consecutive resident program offered by an accredited dental school which provides remediation to the level of an accredited D.D.S. or D.M.D. program and which has a duration equivalent to at least 2 academic years at the sponsoring institution.
 - (b) through (c) No change.
 - (3) No change.

Rulemaking Specific Authority 466.004, 466.006(3) FS. Law Implemented ~~456.033(6),~~ 466.006, ~~466.0075~~ FS. History—New 10-15-92, Formerly 21G-2.0146, 61F5-2.0146, Amended 9-24-96, Formerly 59Q-2.0146, Amended 8-19-97, 5-20-01, 6-7-05, 12-26-06, _____.

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

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

PURPOSE AND EFFECT: The Board proposes to review and modify the rule regarding criteria for approved continuing education.

SUBJECT AREA TO BE ADDRESSED: Criteria for approved continuing education.

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

LAW IMPLEMENTED: 456.013, 468.1715, 468.1725 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe Baker, Jr., Executive Director, Board of Nursing Home Administrators/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

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

PURPOSE AND EFFECT: The Board proposes the rule amendment to review and modify portions of the rule regarding Administrator-in-Training quarterly reports.

SUBJECT AREA TO BE ADDRESSED: Administrator-in-Training quarterly reports.

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

LAW IMPLEMENTED: 468.1695(2) FS.

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

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

Baker, Jr., Executive Director, Board of Nursing Home Administrators/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NOS.:	RULE TITLES:
65C-20.008	Application
65C-20.009	Staffing Requirements
65C-20.010	Health and Safety Related Requirements
65C-20.011	Health Records
65C-20.012	Enforcement
65C-20.013	Large Family Child Care Homes (LFCCH)
65C-20.014	Gold Seal Quality Care Program

PURPOSE AND EFFECT: The rule modifications are being made to clarify sections of the rule, reorganize for easier use for the user, and provide additional health and safety language to protect children in care in a child care setting

SUBJECT AREA TO BE ADDRESSED: Proposed changes to Family Day Care Home and Large Family Child Care Standards.

RULEMAKING AUTHORITY: 402.302, 402.313, 402.3131, 402.310 FS.

LAW IMPLEMENTED: 402.302, 402.313, 402.3131, 402.310 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: Department of Children and Family Services, Child Care Program Office-Policy Unit, 1317 Winewood Blvd., Bldg. 6, 3rd Floor, Room #389A, Tallahassee, Florida 32399-0700, or by calling (850)488-4900

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NOS.:	RULE TITLES:
65C-22.001	General Information
65C-22.002	Physical Environment
65C-22.003	Training
65C-22.004	Health Related Requirements

65C-22.005	Food and Nutrition
65C-22.006	Record Keeping
65C-22.007	Evening Child Care
65C-22.008	School Age Child Care
65C-22.009	Gold Seal Quality Care Program
65C-22.010	Enforcement

PURPOSE AND EFFECT: The rule modifications are being made to clarify sections of the rule, reorganize for easier use for the user, and provide additional health and safety language to protect children in care in a child care setting.

SUBJECT AREA TO BE ADDRESSED: Proposed changes to Child Care Standards.

RULEMAKING AUTHORITY: 402.216-.319 FS.

LAW IMPLEMENTED: 402.216-.319 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: Department of Children and Family Services, Child Care Program Office-Policy Unit, 1317 Winewood Blvd., Bldg. 6, 3rd Floor, Room #389A, Tallahassee, Florida 32399-0700 or by calling (850)488-4900

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Consumer Services

RULE NO.:	RULE TITLE:
69J-166.002	Mediation of Commercial Residential Property Insurance Claims

PURPOSE AND EFFECT: The proposed rule will establish a mediation program for resolving disputed commercial residential insurance claims to be administered by the Department. This rule will replace Rule 69J-2.002, F.A.C., which is no longer needed since the number of disputed commercial residential insurance claims being mediated through the outside vendor has significantly diminished.

SUBJECT AREA TO BE ADDRESSED: The establishment of a mediation program to resolve disputed commercial residential property insurance claims.

RULEMAKING AUTHORITY: 624.308(1), 626.9611, 627.7015(4) FS.

LAW IMPLEMENTED: 624.307(1), (2), (4), (5), 626.9541(1)(a), (e), (i), (u), 626.9561, 626.9581(1), 626.9641(1)(g), 627.7015 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: April 6, 2009, 2:00 p.m.

PLACE: Room 142, Larson Building, 200 East Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Ellen Simon at (850)413-4270 or ellen.simon@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ellen Simon, Chief Counsel, Division of Legal Services, Department of Financial Services, 200 E. Gaines Street, Tallahassee, Florida 32399-0333; (850)413-4270 or ellen.simon@myfloridacfo.com.

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Worker’s Compensation

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 Providig 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: Rule Chapter 69L-24, F.A.C., is being amended to concurrently repeal and replace all existing rules with new rules which have been restructured and renumbered to promote clarity regarding the establishment of 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. The proposed rules provide guidance to regulated entities regarding 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 insurers, 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: Repeal of all existing rules in Rule Chapter 69L-24, F.A.C., and replacement of those rules with new rules which establish guidelines to monitor, audit and investigate regulated entities for compliance with the 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.

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

DATE AND TIME: Wednesday, April 15, 2009, 10:00 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Robin Ippolito, (850)413-1775 or Robin.Ippolito@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE ON THE DEPARTMENT'S DIVISION OF WORKERS' COMPENSATION WEBSITE AT: <http://www.fldfs.com/wc/>. THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

Section II Proposed 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."

STATE BOARD OF ADMINISTRATION

RULE NO.: 19-9.001
RULE TITLE: Investment Policy Statement
PURPOSE AND EFFECT: To adopt the most recent version of the Investment Policy Statement.

SUMMARY: The latest version was approved by the Trustees on December 9, 2008.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will not have an impact on small business. A SERC was prepared in an abundance of caution.

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.

RULEMAKING AUTHORITY: 121.4501(8)(a), 215.52 FS.
LAW IMPLEMENTED: 121.4501(1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), (13), (14), (15) 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: Monday, April 13, 2009, 9:00 a.m. – 11:00 a.m.

PLACE: Hermitage Room, the Hermitage Centre, 1801 Hermitage Blvd., Tallahassee, FL 32308

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

1801 Hermitage Blvd, Tallahassee, FL 32308; tel: (850)413-1491 or cindy.morea@sbafla.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Cindy Gokel, Assistant General Counsel, SBA, 1801 Hermitage Blvd., Tallahassee, FL 32308; tel: (850)413-1199; or cindy.gokel@sbafla.com

THE FULL TEXT OF THE PROPOSED RULE IS:

19-9.001 Investment Policy Statement.

The Florida Retirement System Public Employee Optional Retirement Program Investment Policy Statement, as approved by the Trustees of the State Board of Administration on December 9, 2008 ~~February 1, 2005~~, is hereby adopted and incorporated by reference. The Investment Policy Statement may be obtained by contacting: State Board of Administration, 1801 Hermitage Blvd., Suite 100, Tallahassee, Florida 32308; Attn: Office of Defined Contribution Programs.

Rulemaking Specific Authority 121.4501(8)(a), 215.52 FS. Law Implemented 121.4501(1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), (13), (14), (15) FS. History—New 7-29-01, Amended 7-23-02, 5-10-05, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: John Benton, Senior Investment Policy Officer, SBA

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Trustees of the State Board of Administration

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 10, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 23, 2009

STATE BOARD OF ADMINISTRATION

RULE NOS.:	RULE TITLES:
19-11.003	Distributions from FRS Investment Plan Accounts
19-11.005	FRS Investment Plan Complaint Procedures
19-11.006	Enrollment Procedures for New Hires
19-11.007	Second Election Enrollment Procedures for the FRS Retirement Programs

PURPOSE AND EFFECT: To adopt amended forms, to adopt two definitions.

SUMMARY: To adopt four revised forms and two definitions and provide indications of the definitions' usage.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that these rules will not have an impact on small business. A SERC has been prepared in an abundance of caution.

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.

RULEMAKING AUTHORITY: 121.4501(3)(c)4., (8)(a) FS.

LAW IMPLEMENTED: 120.569, 120.57, 120.573, 121.012(29), (39), 121.051, 121.055, 121.35, 121.4501(2), (3), (4), (5), (6), (8)(b)4., (9)(f)3., (15)(b), 121.591, 121.73, 121.77, 121.78, 215.44(8)(b), 1012.875(3) 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: Monday, April 13, 2009, 9:00 a.m. – 11:00 a.m.

PLACE: Hermitage Room, Hermitage Centre, 1801 Hermitage Blvd., Tallahassee, FL 32308

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Cindy Morea, Office of Defined Contributions, SBA, 1801 Hermitage Blvd., Tallahassee, FL 32308; (850)413-1491; cindy.morea@sbafla.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Cindy Gokel, SBA, 1801 Hermitage Blvd., Tallahassee, FL 32308; (850)413-1199; cindy.gokel@sbafla.com

THE FULL TEXT OF THE PROPOSED RULES IS:

19-11.003 Distributions from FRS Investment Plan Accounts.

(1) through (2) No change.

(3) Distributions available after the member terminates FRS-covered employment.

(a) An FRS Investment Plan member shall not be entitled to a distribution from his account unless he has been terminated from all FRS-covered employment, including temporary, part-time, Other Personal Services (OPS) and any regularly established position with an FRS employer, for three (3) calendar months following the month of termination. Example: If a member terminates on May 15, the three calendar months are June, July, and August. Therefore, the member cannot request a distribution until September. The termination form is called "Employment Termination Form."

Form ETF-2, rev. 01/09 and can be found on the MyFRS website. This form has instructions and a section for employer certification.

(b) Upon the expiration of the three calendar months after termination, the member may request a distribution from the FRS Investment Plan Administrator, by calling the toll free MyFRS Financial Guidance Line at 1(866)446-9377, Option 4.

(c) If a member has terminated employment from all FRS-covered employment for one calendar month and he has reached his normal retirement date, in accordance with Section 121.021(29), F.S., he may request a one-time distribution of up to 10 percent (10%) of his account balance. For example, if a member terminates on May 15, the one calendar month is June. Therefore, the member can request a one-time distribution of up to 10 percent (10%) in July.

(d) A member who transfers to the Pension Plan from the Investment Plan and leaves a balance in the member's Investment Plan account is a member of the Pension Plan and, as such, the member cannot take a distribution of the surplus Investment Plan funds until he begins receiving his Pension Plan benefits.

(4) Distributions to beneficiaries on the death of a member.

(a) If a member dies before his effective date of retirement, the member's spouse at the time of his or her death shall be the member's beneficiary, unless the member has designated a different beneficiary after the member's most recent marriage. If the member did name another beneficiary after his or her most recent marriage, the named beneficiary will receive the member's account balance.

(b) Procedures for beneficiary designations are addressed in Rule 19-11.002, F.A.C.

(c) On the death of a member, the beneficiary must file Form IPDB, "Death Benefit Information and Distribution Claim Form," rev. ~~01-09~~ ~~08-06~~, which is hereby adopted and incorporated by reference, with the FRS Investment Plan Administrator, to receive benefits.

(5) through (7) No change.

Rulemaking Specific Authority 121.4501(8)(a) FS. Law Implemented 121.021(29), (39), 121.4501(20), 121.591, 121.77 FS. History—New 3-9-06, Amended 11-26-07, _____.

19-11.005 FRS Investment Plan Complaint Procedures.

(1) through (2) No change.

(3) Procedures.

(a) Intervention:

1. The Member may send a written Request for Intervention to the SBA for intervention and resolution. The written Request for Intervention shall be sent:

- a. By regular US mail service to:
Investment Plan Complaint Resolution
Office of Defined Contribution Programs
State Board of Administration
P. O. Box 13300
Tallahassee, FL 32317-3300
- b. By e-mail: DefinedContributionPrograms@sbafla.com;

or

- c. By fax: (850)413-1489.

2. The Member shall use “FRS Investment Plan Request for Intervention,” Form SBA-RFI 01/2009 08/2007, which is hereby adopted and incorporated by reference. The form may be obtained by using the toll free number at 1(866)446-9377 and requesting that it be mailed to the Member or by accessing the MyFRS.com website, clicking on Resources, and then clicking on Forms. By using this form, the Member grants permission to the SBA to obtain any personally identifiable information shared with or generated by any services provider to the FRS, including the MyFRS Financial Guidance Program.

3. The Member must provide all information. If all information is not provided, the form shall be returned to the Member so that the missing information can be added.

4. Upon receipt of the complete Request for Intervention, an acknowledgment will be sent by regular US mail or emailed to the Member.

5. The SBA will conduct an investigation and prepare and send to the Member an agency action letter detailing the SBA’s findings; any proposed resolution; and information on the next steps in the dispute resolution process.

(b) Second Step: Hearing Request.

1. If the Member is not satisfied with the proposed resolution as set out in the agency action letter, the Member may file a Petition for Hearing, “FRS Investment Plan Petition for Hearing,” Form SBA-PFH 01/2009 08/2007, which is hereby adopted and incorporated by reference, with the SBA. The Petition for Hearing is routinely attached to the agency action letter and may also be obtained by calling the toll free number at 1(866)446-9377 and requesting that it be sent to the Member or by accessing the MyFRS.com website, and clicking on Resources and then clicking on Forms. The Petition for Hearing must be received within 21 days of the Member’s receipt of the agency action letter or it will be rejected as untimely and the Member will have waived his right to a hearing.

2. The Member shall use “FRS Investment Plan Petition for Hearing,” Form SBA-PFH 01/2009 SBA-PFH 08/2006. By using this form, the Member grants permission to the SBA to obtain any personally identifiable information shared with or generated by any services provider to the FRS, including the MyFRS Financial Guidance Program.

3. Upon receipt of the Petition for Hearing, the SBA has 15 days to respond to the petition, in accordance with Section 120.569(2)(a), F.S.

4. If the hearing request contains a disputed issue of material fact, the SBA shall, within the required 15 days, forward the hearing request to the Division of Administrative Hearings, requesting that an administrative law judge be assigned to conduct the hearing and so notify the Member.

5. If there is no disputed issue of material fact, then the SBA shall assign the matter to a presiding officer, who will send out a “Notice of Proceeding and Initial Order of Instructions” to the Petitioner and to Respondent’s counsel.

6. The balance of the hearing process shall conform to the requirements of Chapter 120, F.S.

Rulemaking Specific 121.4501(8)(a) FS. Law Implemented 120.569, 120.57, 120.573, 121.4501(9)(f)3. FS. History–New 10-21-04, Amended 3-9-06, 11-26-07, _____.

19-11.006 Enrollment Procedures for New Hires.

(1) Purpose. No change.

(2) Definitions.

(a) through (d) No change.

(e) “Electronic Means” shall mean an enrollment on the MyFRS.com website, by telephone or other technology as specified by the SBA in a subsequent amended rule.

(f)(e) “Employee” means an eligible employee as defined in Section 121.4501(2)(d), F.S.

(g)(f) “Employer” means an employer as defined in Section 121.4501(2)(e), F.S. For purposes of the FRS Investment Plan, there are three general categories of employers: state agencies; school districts; and local employers.

(h)(g) “FRS Investment Plan” means the defined contribution retirement program of the Florida Retirement System, established in Parts II and III of Chapter 121, F.S. Although established in Parts II and III, certain parts of Part I of Chapter 121, F.S., also apply to the FRS Investment Plan. The FRS Investment Plan has two parts: the FRS Investment Plan and the FRS Investment Plan Hybrid Option, also known as the FRS Hybrid Option.

(i)(h) “FRS Pension Plan” means the defined benefit retirement program of the Florida Retirement System, established in Part I of Chapter 121, F.S.

(j)(i) “Florida Retirement System Trust Fund” or “FRSTF” shall mean the trust fund holding the assets of the FRS Pension Plan, which is the defined benefit plan of the Florida Retirement System.

(k)(j) “Grace Period” means that procedure described in subsection (6), below, which permits, under certain circumstances, the voiding of a retirement plan election.

(l)(k) “Member” means an employee who elects to join the FRS Investment Plan or the FRS Investment Plan Hybrid Option.

(m)(+) “Public Employee Optional Retirement Program” or “PEORP” means the defined contribution retirement program of the Florida Retirement System established by Section 121.4501, F.S., more commonly known as the FRS Investment Plan.

(n)(+) “SBA” means the State Board of Administration of Florida.

(o)(+) “True-up Amount” means the difference between the ABO calculated by using the member’s actual creditable service and the actual final average compensation as of the member’s effective date in the FRS Investment Plan and the ABO initially transferred.

(3) General Enrollment Procedures.

(a) All newly-hired employees are initially enrolled in the FRS Pension Plan. If a newly-hired employee chooses, within the statutory election period, to enroll in the FRS Investment Plan, or the FRS Investment Plan Hybrid Option, the effective date of enrollment in the FRS Investment Plan or the FRS Investment Plan Hybrid Option is the date of hire of the employee. However, the employer contributions received by an employee prior to effective enrollment in the FRS Investment Plan or the FRS Investment Plan Hybrid Option will be transferred into the employee’s FRS Investment Plan or FRS Investment Plan Hybrid Option account at the rate the employer was required to contribute for that employee. Only after effective enrollment in the FRS Investment Plan or the FRS Investment Plan Hybrid Option will the employee receive the employer contribution at the FRS Investment Plan or FRS Investment Plan Hybrid Option rate appropriate to that employee’s class of membership, as specified in Section 121.4501(4)(a)2.b., (b)2.b., and (c)2.b., F.S.

(b) Eligible newly-hired employees enrolled in the regular, special risk, and special risk administrative support classes may choose to enroll in the FRS Investment Plan by submitting an enrollment form or by electronic means.

(c) Eligible newly-hired employees enrolled in the Elected Officers’ Class or Senior Management Service Class may only enroll in the FRS Investment Plan by submitting an enrollment form.

(d) Eligible newly-hired employees eligible to enroll in the Community College Optional Retirement Program or State University System Optional Retirement Program may only enroll in the FRS Investment Plan by submitting an enrollment form.

(e)(+) Enrollment forms are available in the enrollment package which is sent to an employee’s address of record or by accessing www.MyFRS.com, and clicking on Resources and then on Forms; or by calling toll-free 1(866)446-9377, or for the hearing impaired 1(888)429-2160.

(4) Specific Enrollment Procedures.

(a) through (c) No change.

(d)1. The enrollment by form or electronic means shall be complete and the election shall be final if all the required information is clearly indicated and if the enrollment ~~form~~ is received by the Administrator by 4:00 p.m. Eastern Time. The form shall be transmitted via the U.S. mail.

2. The Administrator shall determine that the employee’s enrollment in the FRS Investment Plan is within the prescribed time period, ~~the form in toto~~ is complete, and the employee’s election is clearly indicated. If the Administrator determines that the enrollment is incomplete, the employee will be required to resubmit a completed enrollment form ~~shall be returned to the employee and resubmitted when complete~~. An incomplete enrollment by form is a form which is missing the name ~~and address and phone numbers~~ of the member, social security numbers, plan selection, signatures, or dates. If the form is incomplete only because the member has made no investment selection, the form will be processed and the member will be defaulted into the FRS Select Moderate Balanced Fund for investing his accumulated benefit obligation and all future contributions. Note that this default selection may be changed by the member at any time once the transfer has been made. An incomplete enrollment by electronic means is one in which the Administrator has no record of receipt and processing of the electronic enrollment.

(e) through (f) No change.

(5) through (9) No change.

Rulemaking Specific 121.4501(3)(c)4., (8)(a) FS. Law Implemented 121.051, 121.055, 121.35, 121.4501(2), (3), (4), (5), (6), (8), (15), 121.73, 121.74, 121.78, 215.44(8)(b), 1012.875(3) FS. History—New 10-21-04, Amended 3-9-06, 10-25-07, 12-8-08,_____.

19-11.007 Second Election Enrollment Procedures for the FRS Retirement Programs.

(1) through (3) No change.

(4) Specific Procedures for the “2nd Election Retirement Plan Enrollment Form.”

(a) All members are required to fill out Section 1 of the form by providing the member’s name and Social Security number and checking only one of three boxes, indicating which choice the member is making. These boxes contain the following information:

1. Change from the FRS Investment Plan or FRS Investment Plan Hybrid Option to the FRS Pension Plan (Please complete Section 4, as described in paragraph (d) below). I understand I am using my existing FRS Investment Plan account balance to “buy” into the FRS Pension Plan. I understand that if my account balance is not sufficient to cover the cost of the “buy in”, I must pay the balance due from my personal funds before being allowed into the FRS Pension Plan. The Division of Retirement is responsible for calculating the buyback amount for those wishing to use their second elections to transfer to the FRS Pension Plan. The actuarial calculation is a forward-looking projection based on the

employee's salary and service and increases as additional creditable service and salary are earned. I understand that I may move my FRS Investment Plan account balance into more conservative, less risky investment options within the FRS Investment Plan in order to potentially reduce the volatility of my account balance prior to liquidation and movement to the FRS Pension Plan. Note that if a member transfers from the Investment Plan to the Pension Plan and leaves a balance in the member's Investment Plan account, the member is a member of the Pension Plan. As such, the member cannot take a distribution of the surplus Investment Plan funds until he begins receiving his Pension Plan benefits.

2. Change from the FRS Pension Plan to the FRS Investment Plan (Please complete Sections 3 and 4, as described in paragraphs (c) and (d), below). I understand I am transferring the present value, if any, of my FRS Pension Plan benefit to the FRS Investment Plan. I understand that I will have future employer contributions deposited in my Investment Plan account.

3. Change from the FRS Pension Plan to the FRS Investment Plan Hybrid Option (Please complete Sections 3 and 4, as described in paragraphs (c) and (d) below). I am retaining any accrued benefit in the FRS Pension Plan with future employer contributions deposited in my FRS Investment Plan Hybrid Option account. I understand that I must have 5 years of Pension Plan service to select this option.

(b) through (k) No change.

(5) Specific Procedures for the "2nd Election EZ Retirement Plan Enrollment Form."

(a) Form ELE-2EZ, "2nd Election EZ Retirement Plan Enrollment Form," Rev. 11-08 ~~7-08~~, is hereby adopted and incorporated by reference.

(6) No change.

Rulemaking Specific Authority 121.4501(8)(a) FS. Law Implemented 121.4501(3), (4), (8)(b)4., (15)(b), (20) FS. History—New 10-21-04, Amended 3-9-06, 10-25-07, 12-8-08, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ron Poppell, Office of Defined Contributions, SBA

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Trustees of the State Board of Administration

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 10, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 23, 2009

STATE BOARD OF ADMINISTRATION

RULE NO.: 19-12.007
 RULE TITLE: Acceptance of Rollovers
 PURPOSE AND EFFECT: To adopt a revised form.
 SUMMARY: To adopt a revised version of the rollover instructions and form

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will not have an impact on small business. A SERC has been prepared in an abundance of caution.

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.

RULEMAKING AUTHORITY: 121.4501(5)(c) FS.

LAW IMPLEMENTED: 121.4501(5)(c), (21) 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: Monday, April 13, 2009, 9:00 a.m. – 11:00 a.m.

PLACE: Hermitage Room, Hermitage Centre, 1801 Hermitage Blvd., Tallahassee, FL 32308

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Cindy Morea, Office of Defined Contributions, SBA, 1801 Hermitage Blvd., Tallahassee, FL 32308; (850)413-1491; cindy.morea@sbafla.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Cindy Gokel, SBA, 1801 Hermitage Blvd., Tallahassee, FL 32308; (850)413-1199; cindy.gokel@sbafla.com

THE FULL TEXT OF THE PROPOSED RULE IS:

19-12.007 Acceptance of Rollovers.

(1) through (4) No change.

(5) Instructions regarding check delivery and other information relating to the processing of rollovers may be obtained by calling the MyFRS Financial Guidance Line which is a toll free line: 1(866)446-9377 or accessing the website at www.MyFRS.com. Participants shall use Form IPRO-1, rev. 11-08 ~~09-05~~, "Employee Rollover Deposit Instructions and Form," which is hereby adopted and incorporated by reference, to effect rollovers described in this rule. Former DROP members shall use Form IP-DROP-RO-1, "DROP Direct Rollover Form for Former DROP Members," rev. 07-05, and current DROP members planning to roll over their DROP accumulation shall use Form IP-DROP-AD-1, "DROP Accumulation Direct Rollover Form for Current DROP Members," rev. 07-05, both of which are adopted and incorporated by reference, to effect rollovers described in this rule.

(6) No change.

Rulemaking Specific Authority 121.4501(5)(c) FS. Law Implemented 121.4501(5)(c), (21) FS. History--New 12-8-02, Amended 10-21-04, 3-9-06, 10-25-07, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Ron Poppell, Office of Defined Contributions
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Trustees of the State Board of Administration
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 10, 2009
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 23, 2009

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

RULE NO.: 40B-3.101
RULE TITLE: Content of Application

PURPOSE AND EFFECT: The purpose of the proposed rule is to update Rule 40B-3.101, Florida Administrative Code, to require proof of real property ownership and tax parcel identification numbers on water well construction permit applications. The effect of the proposed rule amendments will also provide for better identification of wells, and in turn, staff will be able to better assist with public inquiries.

SUMMARY: This proposed rule will require proof of real property ownership and tax parcel identification numbers on water well construction permit applications, thereby ensuring that permits are issued for the correct parcel, and providing better identification of wells in the future.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The District estimates that the proposed rule will result in an average increase of \$18 per application to affected parties. The proposed rule requires proof of real property ownership and tax parcel identification numbers on water well construction permit applications. This new requirement will facilitate the need to acquire data from county property appraiser websites. Many District contractors have internet service, and can acquire this data from their business headquarters. However, there may be some businesses that do not have internet service or access, therefore, the contractor may need to use the public library for internet access. Assuming that the average distance to the county public library is 15 miles, and at a rate of \$0.445 per mile (the rate used by the State of Florida), the District calculates the cost per two-way trip to be \$18.

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.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.308, 373.309, 373.313, 373.326, 373.342, 403.0877 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: Linda Welch, Administrative Assistant, Suwannee River Water Management District, 9225 C.R. 49, Live Oak, Florida 32060; (386)362-1001 or (800)226-1066 (FL only).

THE FULL TEXT OF THE PROPOSED RULE IS:

- 40B-3.101 Content of Application.
 - (1) through (2)(g) No change.
 - (h) The location of the well (to the nearest 1/4 section, and ~~or~~ latitude and longitude to the nearest second), including the county, subdivision name, and a site map to scale depicting landmarks; ~~and~~
 - (i) The contractor’s or owner’s agreement to comply with all District rules;
 - (j) Tax parcel identification number of real property; and
 - (k) Proof of real property ownership.
 - (3) through (5) No change.

Rulemaking Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented ~~17-101.040(12)(a)4, F.A.C.~~; 373.308, 373.309, 373.313, 373.326, 373.342, 403.0877 FS. History--New 7-1-85, Amended 8-15-89, 4-4-91, 6-22-99, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Jon Dinges, Director, Resource Management, Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida 32060, (386)362-1001
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governing Board of the Suwannee River Water Management District
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 10, 2009
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 26, 2008

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

RULE NO.: 40B-3.411
RULE TITLE: Completion Report

PURPOSE AND EFFECT: The purpose of the proposed rule is also to update Rule 40B-3.411, Florida Administrative Code, to require a latitude and longitude for each well on water well completion reports. The effect of the proposed rule amendments will assist staff in ensuring that permits are issued for the correct parcel, and will provide for better identification of wells for public inquiries.

SUMMARY: The proposed rule will also require a latitude and longitude for each well on water well completion reports, thereby enabling staff to better assist the public when inquiries are made.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The District estimates that the proposed rule will result in an average increase of \$124 to affected parties. The proposed rule requires a latitude and longitude for each well on well completion reports. This new requirement will facilitate the need to acquire a Global Positioning System (GPS). Many District contractors have already been provided a GPS by the District, and many cell phones are equipped with GPS tools. The cost of purchasing a GPS suited to meet the needs of this new rule requirement ranges from \$98 to \$150, therefore the District determined the average cost to be \$124.

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

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.308, 373.309, 373.313, 373.326, 373.342 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: Linda Welch, Administrative Assistant, Suwannee River Water Management District, 9225 C.R. 49, Live Oak, Florida 32060; (386)362-1001 or (800)226-1066 (FL only)

THE FULL TEXT OF THE PROPOSED RULE IS:

40B-3.411 Completion Report.

(1) No change.

(2) Upon effective date of this rule, the water well contractor shall provide the latitude and longitude for each well on well completion reports. The format shall be in a manner specified by the District.

~~(3)~~ The water well contractor shall keep or cause to be kept in his employ an accurate log of all construction, repair, or abandonment activities. Such logs shall be available for inspection at the site during all times when work is in progress.

~~(4)~~ If no work is performed or if the well is not completed, a report shall be filed within 30 days of the expiration of the permit stating that no well construction was performed under the permit or outlining the status of the incomplete well.

~~(5)~~ The District shall also require that samples be taken during construction and furnished to the District with the completion report if construction is to be in certain areas of known surface or groundwater contamination. If samples are required, the District shall provide containers and instructions.

Rulemaking Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.308, 373.309, 373.313, 373.326, 373.342 FS. History—New 4-15-81, Amended 1-31-83, 7-1-85, 6-22-99,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jon Dinges, Director, Resource Management, Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida 32060, (386)362-1001

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 10, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 19, 2008

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

RULE NO.: 40B-400.115 **RULE TITLE:** Limiting Conditions

PURPOSE AND EFFECT: The purpose of the proposed rule is to update this section of Chapter 40B-400, Florida Administrative Code (F.A.C.), to amend limiting conditions for environmental resource permits (ERP), in Rule 40B-400.115, F.A.C. The effect of the proposed rule will be to include a new publication incorporated by reference, Florida Stormwater, Erosion and Sedimentation Control Inspectors Manual, and correct terminology to reflect the new publication incorporated by reference. In addition, the proposed rule will amend procedures for notification if historical or archaeological artifacts are discovered on property permitted under an ERP.

SUMMARY: This proposed rule will incorporate a new publication, Florida Stormwater, Erosion and Sedimentation Control Inspectors Manual, and correct terminology to reflect the new publication incorporated by reference. In addition, the proposed rule will amend procedures for notification if historical or archaeological artifacts are discovered on property permitted under an ERP.

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.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.118 FS.

LAW IMPLEMENTED: 373.118, 373.413, 373.416, 373.426 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: Linda Welch, Administrative Assistant, Suwannee River Water Management District, 9225 C.R. 49, Live Oak, Florida 32060; (386)362-1001 or (800)226-1066 (FL only)

THE FULL TEXT OF THE PROPOSED RULE IS:

40B-400.115 Limiting Conditions.

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

(d) Prior to and during construction, the permittee shall implement and maintain all erosion and sediment control measures (best management practices) required to retain sediment on-site and to prevent violations of state water quality standards. All practices must be in accordance with the Florida Stormwater, Erosion and Sedimentation Control Inspectors Manual guidelines and specifications in Chapter 6 of the Florida Land Development Manual: A Guide to Sound Land and Water Management (Florida Department of Environmental Regulation 1988), which is incorporated by reference, unless a project specific erosion and sediment control plan is approved as part of the permit, in which case the practices must be in accordance with the plan. If site specific conditions require additional measures during any phase of construction or operation to prevent erosion or control sediment, beyond those specified in the erosion and sediment control plan, the permittee shall implement additional best management practices as necessary, in accordance with the Florida Stormwater, Erosion and Sedimentation Control Inspectors Manual specifications in chapter 6 of the Florida Land Development Manual: A Guide to Sound Land and Water Management (Florida Department of Environmental Regulation 1988). The permittee shall correct any erosion or shoaling that causes adverse impacts to the water resources.

(e) through (r) No change.

(s) If evidence of the existence of historic resources is discovered or observed at permitted project sites or during permitted activities after a permit is issued, the applicant, owner, contractor, or agent thereof shall notify the District and the Division of Historical Resources, Compliance and Review Section (850)245-6333 within two working days. Examples of such evidence include whole or fragmentary stone tools, shell tools, aboriginal or historic pottery, historic glass, historic bottles, bone tools, historic building foundations, shell mounds, shell middens, or sand mounds. If historical or archaeological artifacts are discovered at any time on the project site, the permittee shall immediately notify the District.

(t) through (2) No change.

(3) The Governing Board hereby adopts by reference "Florida Stormwater, Erosion and Sedimentation Control Inspectors Manual", effective July 2008.

Rulemaking Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.118, 373.413, 373.416, 373.426 FS. History--New 10-3-95, Amended 3-7-02, 5-15-02,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Jon Dinges, Director, Resource Management, Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida 32060, (386)362-1001

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 10, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 19, 2008

DEPARTMENT OF ELDER AFFAIRS

Training Requiring Provider and Curriculum Approvals

RULE NOS.:	RULE TITLES:
58T-1.201	Purpose of Assisted Living Facility (ALF) Core Training Provider and Curriculum Approvals
58T-1.203	ALF Core Training Provider Qualifications
58T-1.205	ALF Minimum Core Training Curriculum Requirements
58T-1.207	ALF Core Training Provider Initial Registration Process
58T-1.209	Process for Maintaining ALF Core Training Provider Registration
58T-1.211	Registered ALF Core Training Provider Responsibilities

PURPOSE AND EFFECT: The purpose of these new rules is to comply with Section 429.52, F.S. The statute requires the department to "adopt or contract with another entity to develop a curriculum, which shall be used as the minimum core training requirements"; requires the department to "adopt rules to establish trainer registration requirements"; and authorizes the department to develop provider qualification criteria in addition to those included in Sections 429.52(10)(a) through (c), F.S.

SUMMARY: The adoption of a curriculum to be used as the minimum core training requirements; trainer registration requirements; provider qualifications in addition to those included in Sections 429.52(10)(a) through (c), F.S.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The proposed rules will have an impact on small business as defined in Section 288.703, F.S. Pursuant to Section 120.54(3)(a)1., F.S., the department's statement of estimated regulatory costs is provided. The amount is determined to be a one-time expense of up to a maximum of \$5,000.

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.

RULEMAKING AUTHORITY: 429.52 FS.

LAW IMPLEMENTED: 429.52 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: April 16, 2009, 9:30 a.m. – 12:30 p.m. EST.

PLACE: Department of Elder Affairs, 4040 Esplanade Way, Conference Room 225 F, 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, Suite 315, 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 RULES IS: Jim Crochet, Department of Elder Affairs, Office of the General Counsel, 4040 Esplanade Way, Suite 315, Tallahassee, Florida 32399-7000; telephone number: (850)414-2000; Email address: crochethj@elderaffairs.org

THE FULL TEXT OF THE PROPOSED RULES IS:

58T-1.201 Purpose of Assisted Living Facility (ALF) Core Training Provider and Curriculum Approvals.

The purpose of Rules 58T-1.203 through 58T-1.211, F.A.C., is to comply with the ALF core training provider and curriculum requirements as specified in Section 429.52, F.S.

Rulemaking Authority 429.52 FS. Law Implemented 429.52 FS. History–New _____.

58T-1.203 ALF Core Training Provider Qualifications.

(1) PRIMARY REQUIREMENTS. In order to register as an assisted living facility core training provider (hereafter referred to as “core training provider,” “training provider,” or “provider”), all applicants must meet the requirements outlined in Section 429.52(9), F.S., which include proof of the following:

(a) Completion of the minimum core training requirements developed by the department pursuant to Section 429.52(8), F.S., and Rule 58T-1.205, F.A.C.;

(b) Successful passage of the competency test; and

(c) Compliance with the minimum of 12 contact hours of continuing education in topics related to assisted living every 2 years pursuant to Section 429.52(4), F.S., and paragraph 58A-5.0191(1)(c), F.A.C.

(2) ADDITIONAL REQUIREMENT. In addition to meeting the 3 primary requirements set forth in subsection (1) of this rule, applicants must meet one of the requirements outlined in Section 429.52(10), F.S., or one of the requirements established in this subsection, which include the following:

(a) A minimum of 5 years of employment with the Agency for Health Care Administration (AHCA), or formerly the Department of Health and Rehabilitative Services, as a surveyor of assisted living facilities; or

(b) A minimum of 5 years of employment in a professional position in the AHCA Assisted Living Unit; or

(c) A minimum of 5 years of employment as an educator or staff trainer for persons working in an ALF or other long-term care (LTC) settings; or

(d) A minimum of 5 years of employment as an assisted living facility core trainer, which was not directly associated with the department; or

(e) A minimum of a 4-year degree from an accredited college or university in areas of healthcare, gerontology, social work, education or human services; and a minimum of 3 years experience as an educator or staff trainer for persons working in an ALF or other LTC settings after core certification.

Rulemaking Authority 429.52 FS. Law Implemented 429.52 FS. History–New _____.

58T-1.205 ALF Minimum Core Training Curriculum Requirements.

(1) CURRICULUM REQUIREMENTS. An approved core training provider must conduct core training using the curriculum outlined in DOEA Form ALFCT-001, Assisted Living Facility Minimum Core Training Curriculum, 2009, which is incorporated by reference in this rule. The curriculum is available from the Department of Elder Affairs, Elder Housing Unit, 4040 Esplanade Way, Tallahassee, Florida 32399-7000 or the department’s Web site at: <http://elderaffairs.state.fl.us/english/forms/ALFCT001>.

(2) MONITORING. The department or its designee (hereafter referred to as “approval authority”) reserves the right to do the following:

(a) Attend and monitor core training courses;

(b) Review provider records and course materials pursuant to this rule; and

(c) Conduct on-site monitoring, follow-up monitoring, and require implementation of a corrective action plan if the provider does not adhere to the approved curriculum.

Rulemaking Authority 429.52 FS. Law Implemented 429.52 FS. History–New _____.

58T-1.207 ALF Core Training Provider Initial Registration Process.

(1) REGISTRATION PROCESS.

(a) Before core training can be conducted, an applicant must meet the training provider qualifications outlined in Section 429.52(9), F.S., and Rule 58T-1.203, F.A.C. Additionally, an applicant must register with, and obtain from, the approval authority a unique provider registration number as set forth in this subsection.

(b) An applicant must complete DOEA Form ALFCT-002, Application for Assisted Living Facility (ALF) Core Training Provider Registration, _____, 2009. The form is hereby incorporated by reference and may be obtained from the Department of Elder Affairs, Elder Housing Unit, 4040 Esplanade Way, Tallahassee, Florida 32399-7000 or the department's Web site at: <http://elderaffairs.state.fl.us/english/forms/DOEAformALFCT002>.

(2) APPROVAL PROCESS.

Within 30 calendar days after receiving a core training provider application, the approval authority must submit written notification approving or denying the application, or requesting supplemental information or clarification.

(a) If the application is approved, the approval authority must include a unique provider registration number in the notice.

(b) If the application is denied, the approval authority must provide the reason or reasons for denial in the notice.

(c) If the application is determined to require supplemental information or clarification, the approval authority must state the supplemental information or clarification that is being requested.

1. If the approval authority does not receive the requested information within 30 calendar days of the request, the application will be deemed incomplete and closed.

2. If the approval authority receives the requested information within 30 calendar days of the request, the approval authority must process the training provider application within 30 calendar days after all required information is received.

Rulemaking Authority 429.52 FS. Law Implemented 429.52 FS. History-- New _____.

58T-1.209 Process for Maintaining ALF Core Training Provider Registration.

(1) MAINTAINING ALF CORE TRAINING PROVIDER REGISTRATION.

(a) After receiving the initial core training provider registration, the approved provider must re-register with the approval authority every 2 years by submitting documentation of his or her compliance with the continuing education requirement as specified in Section 429.52(4), F.S., and this rule.

(b) The provider must submit the documentation to the address referenced on DOEA Form ALFCT-001. It must be submitted no later than 30 calendar days after each two-year

continuing education cycle. The 2-year cycle begins on the date of the initial training provider registration. Documentation must include the following:

1. Title of the training program;
2. Subject matter of the training program;
3. The training program agenda including topics discussed;
4. The core training provider's name and registration number;
5. Date(s) of participation;
6. Number of hours of the training program; and
7. The continuing education training provider's name, signature, credentials, and professional license number, if applicable.

(2) APPROVAL AUTHORITY PROCESS.

(a) Within 30 calendar days after receiving the required continuing education documentation, the approval authority must notify the provider in writing that the continuing education requirement:

1. Has been met; or
2. Has not been met and the reasons why; or
3. Has omissions or additional information is requested.

a. If the approval authority does not receive the omitted or additional information as requested within 30 calendar days of the request, the provider's registration shall be cancelled. The approval authority must provide written notification of its decision, including the reason for the cancellation, no later than 60 calendar days from the date of the original request.

b. If the approval authority receives the omitted or additional information as requested within the 30 calendar day time period, the approval authority must process the core training provider's registration within 30 calendar days after all required information is received. The approval authority must provide written notification to the provider of its decision.

(b) Failure to submit proof of the continuing education requirement as specified in this rule shall result in cancellation of the core training provider's registration. The approval authority must provide written notification of such action no later than 30 calendar days after the information was due.

(c) If the provider's registration is cancelled under paragraphs (a) and (b) of this subsection and the provider subsequently meets the continuing education requirement, he or she may re-apply for registration as specified in Rule 58T-1.207, F.A.C., and include documentation that the continuing education requirement has been met pursuant to this rule.

Rulemaking Authority 429.52 FS. Law Implemented 429.52 FS. History--New _____.

58T-1.211 Registered ALF Core Training Provider Responsibilities.

The following are the responsibilities of a registered core training provider:

(1) USE OF MINIMUM CORE TRAINING CURRICULUM. A registered core training provider is responsible for the following:

(a) Conducting core training using the minimum core training curriculum pursuant to Rule 58T-1.205, F.A.C.; and

(b) Ensuring that all changes in ALF statutes and rules are immediately incorporated into the contents of his or her core training curriculum.

(2) CERTIFICATES. After a trainee successfully completes core training, the approved training provider must issue a certificate to him or her. In addition to the provider's unique registration number, the certificate must include the information referenced in paragraph 58A-5.0191(11)(a), F.A.C. The provider's signature and registration number shall serve as documentation that the trainee has completed the required training.

(3) RECORDS. Approved providers must maintain records of each course taught for a minimum of 5 years. Course records must include the following information:

(a) The title of the training program;

(b) The agenda;

(c) The curriculum and any accompanying documentation and training aids;

(d) The training provider's name and registration number;

(e) The trainees' names, dates of participation and training location; and

(f) Training evaluations and roster signed by trainees.

(4) COMPETENCY EXAM.

(a) Approved training providers must submit the names of trainees completing core training to the testing authority within 10 calendar days after completion of the course. Names must be submitted to the following address: ALF Certification Testing, University of South Florida, 4202 E. Fowler Avenue, DAO199, Tampa, Florida 33620-8360. Names may be alternately submitted via e-mail to ALF@iirp.usf.edu.

(b) The testing authority shall not process any requests for the competency exam, nor sit any individual for the exam, unless proper notice is submitted by an approved training provider pursuant to paragraph (a) of this subsection.

(5) GUEST SPEAKERS. If a core training provider uses guest trainers to teach or participate in specific training modules covered in the minimum core training curriculum referenced in Rule 58T-1.205, F.A.C., the core trainer is responsible to ensure that the guest speaker meets the following minimum conditions:

(a) Has expertise in the specific subject matter; and

(b) Covers all components of the subject matter if he or she provides the module or portion of the module instruction.

Rulemaking Authority 429.52 FS. Law Implemented 429.52 FS. History-- New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Jim Crochet

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 3, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 19, 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 Acupuncture

RULE NO.: RULE TITLE:

64B1-4.001 Acupuncture Program Requirements

PURPOSE AND EFFECT: The Board proposes the rule amendment to update and clarify licensure requirements.

SUMMARY: The rule amendment will update and clarify licensure requirements.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined that small businesses would not be effected by this rule.

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.

RULEMAKING AUTHORITY: 457.102, 457.104, 457.105 FS.

LAW IMPLEMENTED: 456.033, 457.102, 457.105 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: Kaye Howerton, Executive Director, Board of Acupuncture/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B1-4.001 Acupuncture Program Requirements.

In order to be certified to take the licensure examination or to be eligible for licensure by endorsement, the applicant must establish that he/she has met the following minimal requirements.

(1) For students enrolled in a program prior to August 1, 1997, applicants under this section must have completed at least 900 hours of supervised instruction in traditional oriental acupuncture and at least 600 hours of supervised clinical experience, as well as 20 hours of supervised instruction in Florida Statutes and Rules, including Chapters 456 and 457, F.S., and this rule chapter, which can be obtained through an approved continuing education program or in a program offered at an Accreditation Commission for Acupuncture and Oriental Medicine (ACAOM) accredited or candidate oriental medicine school. All applicants under this provision must have started classes no later than February 1, 1998.

~~(2) Applicants who apply for licensure on or after August 1, 2001 must have completed a core curriculum comparable to that of the Accreditation Commission for Acupuncture and Oriental Medicine (ACAOM) master's level program in oriental medicine with a minimum of 2700 hours of supervised instruction:~~

~~(a) 15 hours of supervised instruction in universal precautions and 3 hours of HIV/AIDS that complies with the requirements of Section 456.033, F.S.; and~~

~~(b) 20 hours of supervised instruction in Florida Statutes and Rules, including Chapters 456 and 457, F.S., and this rule chapter.~~

~~(2)(3) All applicants, except those who demonstrate satisfaction and eligibility under the program requirements in subsection 64B1-4.001(1), F.A.C., must establish their successful completion of a core curriculum substantially equivalent to that of the ACAOM 4-year program. Applicants who apply for licensure on or after October 1, 2003 must have graduated from an ACAOM candidate or accredited 4 year master's level program or foreign equivalent in Oriental Medicine with a minimum of 2700 hours of supervised instruction and must have successfully completed:~~

~~(a) 15 hours of supervised instruction in universal precautions; and 3 hours of HIV/AIDS that complies with the requirements of Section 456.033, F.S.; and~~

~~(b) 20 hours of supervised instruction in Florida Statutes and Rules, including Chapters 456 and 457, F.S., and this rule chapter which may be obtained through an approved continuing education program or in a program offered at an ACAOM accredited or candidate oriental medicine school; and. For purposes of the Florida Statutes and Rules and HIV/Aids requirements imposed by this chapter for initial licensure, the term "supervised instruction" shall mean~~

~~instruction in a Board approved continuing education program or in a program offered at an ACAOM accredited oriental medicine school.~~

(c) An 8 hour program that incorporates the safe and beneficial use of laboratory test and imaging findings in the practice of acupuncture and oriental medicine.

(3) Applicants whose educational transcripts and other records come from educational institutions outside the United States, may wish to submit those records to a private U.S. Organization that specializes in interpretation of educational credentials. These organizations do more than just translate the records.

~~(4) For applicants who enroll on or after July 31, 2001, applicants must have completed an eight hour program that incorporates the safe and beneficial use of laboratory test and imaging findings in the practice of acupuncture and oriental medicine.~~

Rulemaking Specific Authority 456.033, 457.102, 457.104, 457.105 FS. Law Implemented ~~456.033, 457.102,~~ 457.105(2)(b) FS. History—New 8-30-84, Formerly 21AA-4.01, Amended 7-20-88, 4-30-89, 9-19-89, 3-18-92, Formerly 21AA-4.001, 61F1-4.001, Amended 3-24-96, Formerly 59M-4.001, Amended 12-31-97, 11-1-99, 6-21-00, 4-3-01, 5-24-04, 10-11-04, 10-24-04,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Acupuncture

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 6, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 5, 2008

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE NO.: 64B1-4.0011 RULE TITLE: Documentation Necessary for Licensure Application

PURPOSE AND EFFECT: The Board proposes the rule amendment to adopt an application for initial licensure and to provide the web address where the application can be downloaded.

SUMMARY: The rule amendment will adopt an application for initial licensure and to provide the web where the application can be downloaded.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined that small businesses would not be affected by this rule.

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.

RULEMAKING AUTHORITY: 457.104, 457.105 FS.

LAW IMPLEMENTED: 457.105 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: Kaye Howerton, Executive Director, Board of Acupuncture/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B1-4.0011 Documentation Necessary for Licensure Application.

(1) A properly completed application shall be submitted on Department of Health Form DH-MQA 1116-07/08, adopted and incorporated herein by reference as this Board's application and available on the web at www.doh.state.fl.us/mqa. To complete the application attach the appropriate fees and supporting documents and submit it to the Board Office.

(1) through (2) renumbered (2) through (3) No change.

Rulemaking Specific Authority 457.104 FS. Law Implemented 457.105 FS. History--New 2-18-98, Amended 10-11-04,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Acupuncture

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 6, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 23, 2009

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE NO.: 64B2-12.014 RULE TITLE: Supervising Physician Application Fee

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to provide for biennial renewal certification.

SUMMARY: Provision for biennial renewal certification will be added to the rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No 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.

RULEMAKING AUTHORITY: 460.405, 460.4165(8) FS.

LAW IMPLEMENTED: 460.4165(8) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B2-12.014 Supervising Physician Application Fee.

(1) No change.

(2) The fee for the biennial renewal certification ~~annual application~~ to supervise a certified chiropractic physician's assistant shall be one hundred dollars (\$100.00).

Rulemaking Specific Authority 460.405, 460.4165(8) FS. Law Implemented 460.4165(8) FS. History--New 10-15-92, Formerly 21D-12.014, 61F2-12.014, 59N-12.014, Amended_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Chiropractic Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 6, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 27, 2009

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE NO.: 64B2-12.0155 RULE TITLE: Fee for Registered Chiropractic Assistants

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to incorporate application forms into the rule and to include additional fees in the rule.

SUMMARY: Application forms will be incorporated into the rule; additional fees will be added to the rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No 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.

RULEMAKING AUTHORITY: 460.405, 460.4166 FS.
LAW IMPLEMENTED: 460.4166 FS.
IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B2-12.0155 Fee for Registered Chiropractic Assistants.

(1) Any person desiring to become a registered chiropractic assistant (RCA) shall make application to the Board on board approved form DH-MQA 1150 (Rev 11/08), Application for Registered Chiropractic Assistant (RCA), which is hereby incorporated by reference, and may be obtained from the Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257, accompanied by the required fees.

(2) The initial registration fee for a registered chiropractic assistant shall be \$25.00.

(3) The biennial registration fee for a registered chiropractic physician shall be \$25.00.

(4) Any modification of the supervising chiropractic physician shall be made by application to the Board on board approved form DH-MQA 1162 (Rev 11/08), Application for Registered Chiropractic Assistant to Modify Supervisor (RCA), which is hereby incorporated by reference, and may be obtained from the Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257, accompanied by the required fees.

(5) The fee to modify the supervising chiropractic physician for a RCA shall be \$25.00.

Rulemaking Specific Authority 460.405, 460.4166 FS. Law Implemented 460.4166 FS. History--New 9-24-96, Formerly 59N-12.0155, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Chiropractic Medicine
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Chiropractic Medicine
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 6, 2009
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 27, 2009

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE NO.: 64B2-12.022
RULE TITLE: Medical Faculty Certificate Fees

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to incorporate the Medical Faculty Certificate application form into the rule.

SUMMARY: The Medical Faculty Certificate application form will be incorporated into the rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No 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.

RULEMAKING AUTHORITY: 456.013(2), 460.405, 460.4062(1), (3) FS.

LAW IMPLEMENTED: 456.013(2), 460.4062(1), (3) FS.
IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B2-12.022 Medical Faculty Certificate Fees.

(1) Any chiropractic physician desiring to obtain a chiropractic medicine faculty certificate shall make application to the Board on board approved form DH-MQA 1146, (Rev 11/08), Application for Chiropractic Medical Faculty Certificate which is hereby incorporated by reference, and may be obtained from the Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257, accompanied by the required fees. forms provided by the Board

~~(2)~~(4) The application fee shall be \$100.00.

~~(3)~~(2) The initial license fee shall be \$100.00.

~~(4)~~(3) The fee for biennial renewal of a medical faculty certificate shall be \$100.00.

Rulemaking Specific Authority 456.013(2), 460.405, 460.4062(1), (3) FS. Law Implemented 456.013(2), 460.4062(1), (3) FS. History--New 12-4-07, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Chiropractic Medicine
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Chiropractic Medicine
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 6, 2009
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 27, 2009

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

RULE NOS.:	RULE TITLES:
64B4-3.001	Application for Licensure as a Clinical Social Worker, Marriage and Family Therapist or Mental Health Counselor
64B4-3.0015	Verification of Supervised Experience for Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling Applicants
64B4-3.007	Provisional Licensure
64B4-3.0085	Intern Registration
64B4-3.009	Limited Licenses
64B4-3.010	Marriage and Family Therapy Dual Licensure

PURPOSE AND EFFECT: The Board proposes the rule amendments and rule promulgations in order to incorporate application forms into the rules and to provide the rule references for the application and licensure fees.

SUMMARY: Application forms will be incorporated into the rules; rule references for the application and licensure fees will be provided.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined the proposed 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.

RULEMAKING AUTHORITY: 456.015, 490.004(5) FS.

LAW IMPLEMENTED: 456.015, 491.005(1)(c), (3)(c), (4)(c), 491.006, 491.0046, 491.0057 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 Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B4-3.001 Application for Licensure as a Clinical Social Worker, Marriage and Family Therapist or Mental Health Counselor Verification of Supervised Experience for Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling Applicants

~~(4) Every applicant for licensure as a clinical social worker, marriage and family therapist or mental health counselor shall submit to the Board a completed application on Form DH-MQA 1174, Application for Licensure (revised 1/09), hereby adopted and incorporated by reference, which can be obtained from the Board's website at www.doh.state.fl.us/mqa/491 verify the required supervised experience with a form entitled Application for Licensure supplied by the Department and completed and signed by the applicant's supervisor. The application shall be accompanied with the application fee and the initial licensure fee.~~

(1) An application for licensure by examination shall be accompanied with the application fee and the initial active status license fee specified in Rule 64B4-4.002, F.A.C.

~~(2) An application for licensure by endorsement shall be accompanied with the application fee specified in Rule 64B4-4.003, F.A.C., and the initial active status license fee specified in Rule 64B4-4.002, F.A.C. Applicants for licensure in Clinical Social Work, Marriage and Family Therapy or Mental Health Counseling who cannot provide verification by the methods above will be reviewed on an individual basis as to the sufficiency of alternative verification.~~

Rulemaking Specific Authority 491.004(5) FS. Law Implemented 491.005(1)(e), (3)(e), (4)(e), 491.006 FS. History-New 7-6-88, Amended 1-28-91, 11-3-92, Formerly 21CC-3.001, 61F4-3.001, Amended 11-13-96, Formerly 59P-3.001, Amended _____.

64B4-3.0015 Verification of Supervised Experience for Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling Applicants.

(1) Every applicant for licensure by examination as a clinical social worker, marriage and family therapist or mental health counselor shall verify the required supervised experience on Form DH-MQA 1181, Supervised Experience Attestation Form (Revised 1/09), which is hereby adopted and incorporated by reference and is available from the Board's website at www.doh.state.fl.us/mqa/491. This form is to be completed and signed by the applicant's supervisor.

(2) Applicants for licensure in Clinical Social Work, Marriage and Family Therapy or Mental Health Counseling who cannot provide verification by the methods above will be reviewed on an individual basis as to the sufficiency of alternative verification.

Rulemaking Authority 491.004(5) FS. Law Implemented 491.005(1)(c), (3)(c), (4)(c) FS. History-New _____.

64B4-3.007 Provisional Licensure.

(1) An applicant for licensure by examination or endorsement who intends to practice in Florida while satisfying coursework or examination requirements for licensure must be provisionally licensed in the profession for which he or she is seeking licensure prior to beginning practice.

(2) An applicant seeking a provisional license must submit a completed application to the Board on Form DH-MQA 1176, Provisional License Application (Revised 1/09), hereby adopted and incorporated by reference, which can be obtained from the Board's website at www.doh.state.fl.us/mqa/491. The application shall be accompanied by the application fee specified in Rule 64B4-4.014, F.A.C., which is non-refundable.

(3) A provisional license shall be valid for a twenty-four (24) month period after the license is issued and may not be renewed or reissued.

Rulemaking Authority 491.004(5) FS. Law Implemented 491.0046 FS. History--New _____.

64B4-3.0085 Intern Registration.

An individual who intends to practice in Florida to satisfy the post-master's experience must register as an intern by submitting a completed application to the Board on Form DH-MQA 1175, Intern Registration Application (Revised 1/09), hereby adopted and incorporated by reference, which can be obtained from the Board's website at www.doh.state.fl.us/mqa/491. The application shall be accompanied by the application fee specified in Rule 64B4-4.015, F.A.C., which is non-refundable.

Rulemaking Authority 491.004(5) FS. Law Implemented 491.0045 FS. History--New _____.

64B4-3.009 Limited Licenses.

(1) No change.

(2) Any person desiring to obtain a limited license shall submit a completed application to the Board on Form DH-MQA 1178, Application for Limited Licensure (Revised 1/09, hereby adopted and incorporated by reference, which can be obtained from the Board's website at www.doh.state.fl.us/mqa/491. The application shall be accompanied by the documents required by Section 456.015(2), F.S., and a fee of \$25 unless the applicant provides a notarized statement from the employer stating that the applicant will not receive monetary compensation for service involving the practice of his profession.

Rulemaking Specific Authority 456.015 FS. Law Implemented 456.015 FS. History--New 11-13-96, Formerly 59P-3.009, Amended _____.

64B4-3.010 Marriage and Family Therapy Dual Licensure.

Any psychologist licensed under chapter 490 or clinical social worker or mental health counselor licensed under this chapter desiring to obtain licensure as a marriage and family therapist shall submit a completed application to the Board on Form DH-MQA 1177, Marriage and Family Therapy Dual Licensure Application (Revised 1/09), hereby adopted and incorporated by reference, which can be obtained from the Board's website at www.doh.state.fl.us/mqa/491. The application shall be accompanied with the application fee and the initial active status license fee specified in Rule 64B4-4.002, F.A.C.

Rulemaking Authority 491.004(5) FS. Law Implemented 491.0057 FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 29, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 13, 2009

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.:	RULE TITLE:
64B8-1.007	List of Approved Forms; Incorporation

PURPOSE AND EFFECT: The proposed rule amendments are intended to address the revised Physician Assistant and Anesthesiologist Assistant application forms for licensure.

SUMMARY: The proposed rule amendments incorporate the revised application forms into the forms rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board has determined that the proposed rule amendments 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.

RULEMAKING AUTHORITY: 120.55(1)(a), (4), 456.013, 456.036(5), 456.048(1), 458.309, 458.311, 458.3124(6), 458.313(4), 458.3145, 458.315(2), 458.320(8), 458.321(2), 458.347(13), 458.3475, 458.351(6) FS.

LAW IMPLEMENTED: 456.013, 456.035, 4456.036, 456.048, 456.073, 458.309, 458.311, 458.3124, 458.313, 458.3145, 458.315, 458.316, 458.317, 458.319, 458.320, 458.321, 458.345, 458.347, 458.3475, 458.348, 458.351, 465.0276 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-1.007 List of Approved Forms; Incorporation.

The following forms used by the Board in its dealings with the public are listed as follows and are hereby adopted and incorporated by reference, and can be obtained from the Board office by writing to the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-1753, or by telephoning (850)245-4131.

(1) through (16) No change.

(17) DH-MQA 1087, entitled "Application for Licensure as an Anesthesiologist Assistant," (1/09) ~~(10/06)~~.

(18) through (21) No change.

(22) DH-MQA 2000, entitled "Application for Licensure as a Physician Assistant," (1/09) ~~(12/06)~~.

(23) through (25) No change.

Rulemaking Specific Authority 456.013, 456.036(5), 456.048(1), 458.309, 458.311, 458.3124(6), 458.313(4), 458.3145, 458.315(2), 458.320(8), 458.321(2), 458.347(13), 458.3475, 458.351(6) FS. Law Implemented 456.013, 456.035, 456.036, 456.048, 456.073, 458.309, 458.311, 458.3124, 458.313, 458.3145, 458.315, 458.316, 458.317, 458.319, 458.320, 458.321, 458.345, 458.347, 458.3475, 458.348, 458.351, 465.0276 FS. History—New 4-17-01, Amended 11-20-01, 8-13-02, 11-10-02, 3-19-03, 6-4-03, 11-17-03, 4-19-04, 1-31-05, 9-29-05, 6-29-06, 12-26-06, 4-2-07, 6-25-08, 1-18-09, 3-17-09, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Council on Physician Assistants and Anesthesiologist Assistant Committee, Board of Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 7, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 20, 2009

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-30.003
RULE TITLE: Physician Assistant Licensure

PURPOSE AND EFFECT: The proposed rule amendment is intended to incorporate the revised application for licensure as a physician assistant in the application rule.

SUMMARY: The proposed rule amendment incorporates the revised application for licensure as a physician assistant in the application rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board has determined that the proposed rule amendments 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.

RULEMAKING AUTHORITY: 456.013, 456.031(2), 456.033(6), 458.309, 458.347 FS.

LAW IMPLEMENTED: 456.013, 456.017, 456.031, 456.033, 458.347 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-30.003 Physician Assistant Licensure.

(1) Requirements for Licensure. All applicants for licensure as physician assistants shall submit an application to the Department ~~on forms approved by the Council and Boards and provided by the Department.~~ The application shall be made on Form DH-MQA 2000 (revised 1/09), hereby adopted and incorporated by reference, and can be obtained from the Board of Medicine's website at <http://www.doh.state.fl.us/mqa/PhysAsst/index.html>. The applicant must meet all of the requirements of Section 458.347(7) or 459.022(7), F.S., and the applicant must submit two personalized and individualized letters of recommendation from physicians. Letters of recommendation must be composed and signed by the applicant's supervising physician, or, for recent graduates, the preceptor physician, and give details of the applicant's clinical skills and ability. Each letter must be addressed to and directed to the Council on Physician Assistants and must have been written no more than six months prior to the filing of the application.

(2) through (5) No change.

Rulemaking Specific Authority 456.013, 456.031(2), 456.033(6), 458.309, 458.347 FS. Law Implemented 456.013, 456.017, 456.031, 456.033, 458.347 FS. History--New 4-28-76, Amended 11-15-78, 10-23-80, 12-4-85, Formerly 21M-17.03, Amended 5-13-87, 11-15-88, 11-15-90, 1-9-92, 5-6-93, Formerly 21M-17.003, Amended 9-21-93, Formerly 61F6-17.003, Amended 9-8-94, 11-30-94, 10-25-95, 3-25-96, Formerly 59R-30.003, Amended 6-7-98, 8-19-99, 5-28-00, 3-3-02, 5-19-03, 10-19-03, 11-17-03, 9-5-05, 12-12-05, 10-30-06, 2-25-07, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Council on Physician Assistants

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 7, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 30, 2009

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-31.003
RULE TITLE: Application for Licensure and Licensure Requirements for Anesthesiologist Assistants

PURPOSE AND EFFECT: The proposed rule amendment is intended to incorporate the revised application form for anesthesiologist assistants.

SUMMARY: The proposed rule amendment incorporates the revised application form for anesthesiologist assistants.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board has determined that the proposed rule amendments 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.

RULEMAKING AUTHORITY: 458.309, 458.3475 FS.

LAW IMPLEMENTED: 456.013(7), 456.031, 456.033, 458.3475 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Larry McPherson, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-31.003 Application for Licensure and Licensure Requirements for Anesthesiologist Assistants.

(1) Application for Licensure.

(a) All persons applying for licensure as an anesthesiologist assistant shall submit an application to the Department on forms approved by Boards and provided by the Department. The application shall be made on Form DH-MQA 1087 (revised 1/09), hereby adopted and incorporated by reference, and can be obtained from the Board of Medicine's website at http://www.doh.state.fl.us/mqa/Anes/aa_applicant.html.

(b) through (c) No change.

(2) through (3) No change.

Rulemaking Specific Authority 458.309, 458.3475 FS. Law Implemented 456.013(7), 456.031, 456.033, 458.3475 FS. History--New 8-2-05, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Anesthesiologist Assistant Committee

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 7, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 30, 2009

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: 64B9-3.014
RULE TITLE: Graduates From Foreign or Non-NCSBN Jurisdictions

PURPOSE AND EFFECT: The purpose and effect is to revise the rule title and to set forth the minimum education requirements applicable to applicants from non-Board approved nursing programs.

SUMMARY: The minimum education requirements applicable to applicants from non-Board approved nursing programs are set forth.

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

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

RULEMAKING AUTHORITY: 464.006 FS.

LAW IMPLEMENTED: 456.013(1), 464.008 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B9-3.014 Graduates From Foreign or Non-NCSBN Jurisdictions Criteria for Credentialing Agencies.

~~In order to be accepted as documentation of the required education, a report must be submitted from a credentialing agency to the Board of Nursing that meets the following criteria:~~

(1) Graduates of foreign nursing programs or nursing programs in jurisdictions which are not members of the National Council of State Boards of Nursing (NCSBN) must submit an evaluation from a credentialing agency approved by the Board.

(2) Approved credentialing agencies must meet the following criteria:

~~(a)(1)~~ The credentialing agency must be a member of a national credentialing organization that sets performance standards for the industry, and must adhere to those standards.

~~(b)(2)~~ The credentialing agency's standards must be monitored by an external committee of credentialing experts and nursing educators.

~~(c)(3)~~ The credentialing agency must demonstrate the ability to accurately analyze academic and licensure credentials in terms of U.S. comparability, with course-by-course analysis for nursing academic records.

~~(d)(4)~~ The credentialing agency must manage the translation of original documents into English.

~~(e)(5)~~ The credentialing agency will inform the Board of Nursing in the event applicant documents are found to be fraudulent.

~~(f)(6)~~ The credentialing agency must have been in the business of evaluating nursing education for a minimum of 10 years.

~~(3)(7)~~ Credentials evaluation report.

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

(4) In order for the applicant to meet the educational requirements of Section 464.008, F.S., the credentials report and transcripts must include all courses set forth in Rules 64B9-2.006 and 64B9-2.015, F.A.C., and must demonstrate, at a minimum, the following hours of theoretical and clinical instruction:

(a) Registered nursing programs:

1. 144 theory hours and 341 clinical hours in medical nursing;

2. 91 theory hours and 294 clinical hours clinical hours in surgical nursing;

3. 32 theory hours and 87 clinical hours in obstetrical nursing;

4. 32 theory hours and 84 clinical hours in pediatric nursing;

5. 30 theory hours and 51 clinical hours in psychiatric/mental health nursing; and

6. 16 theory hours and 18 clinical hours in community/public health nursing.

(b) Practical nursing programs:

1. 131 theory hours and 216 clinical hours in medical nursing;

2. 82 theory hours and 186 clinical hours in surgical nursing;

3. 34 theory hours and 46 hours in obstetrics nursing; and

4. 30 theory hours and 42 clinical hours in pediatrics nursing.

Rulemaking Specific Authority 464.006 FS. Law Implemented 456.013(1), 464.008 FS. History--New 4-19-00, Amended 10-22-07,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Nursing

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 6, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 27, 2009

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: RULE TITLE:

64B15-6.003 Physician Assistant Licensure

PURPOSE AND EFFECT: The proposed rule amendment is intended to incorporate the revised application for licensure as a physician assistant in the application rule.

SUMMARY: The proposed rule amendment incorporates the revised application for licensure as a physician assistant in the application rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board has determined that the proposed rule amendments 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.

RULEMAKING AUTHORITY: 458.347(7), 459.005, 459.022 FS.

LAW IMPLEMENTED: 456.013, 456.031, 456.033, 459.022 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B15-6.003 Physician Assistant Licensure.

(1) Requirements for Licensure. All applicants for licensure as physician assistants shall submit an application to the Department ~~on forms approved by the Council and Boards and provided by the Department. The application shall be made on Form DH-MQA 2000 (revised 1/09), hereby adopted and incorporated by reference, and can be obtained from the Board of Medicine's website at <http://www.doh.state.fl.us/mqa/PhysAsst/index.html>.~~ The applicant must meet all of the requirements of Section 458.347(7) or 459.022(7), F.S., and the applicant must submit two personalized and individualized letters of recommendation from physicians. Letters of recommendation must be composed and signed by the applicant's supervising physician, or, for recent graduates, the preceptor physician, and give details of the applicant's clinical skills and ability. Each letter must be addressed to and directed to the Council on Physician Assistants and must have been written no more than six months prior to the filing of the application.

(2) through (5) No change.

Rulemaking Specific Authority 458.347(7), 459.005, 459.022 FS. Law Implemented ~~429.53(1)(a)~~, 456.013, 456.031, 456.033, 459.022 FS. History—New 10-18-77, Formerly 21R-6.03, Amended 10-28-87, 4-21-88, 4-18-89, 9-26-90, 5-20-91, 10-28-91, 3-16-92, Formerly 21R-6.003, Amended 11-4-93, 3-29-94, Formerly 61F9-6.003, Amended 2-1-95, Formerly 59W-6.003, Amended 6-7-98, 3-10-02, 2-23-04, 10-30-06, 2-25-07, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Council on Physician Assistants

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 7, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 30, 2009

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: 64B15-7.003
 RULE TITLE: Application for Licensure and Licensure Requirements for Anesthesiologist Assistants

PURPOSE AND EFFECT: The proposed rule amendment is intended to incorporate the revised application form for anesthesiologist assistants.

SUMMARY: The proposed rule amendment incorporates the revised application form for anesthesiologist assistants.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board has determined that the proposed rule amendments 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.

RULEMAKING AUTHORITY: 459.023, 459.005 FS.

LAW IMPLEMENTED: 459.023, 456.013(7), 456.031, 456.033 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B15-7.003 Application for Licensure and Licensure Requirements for Anesthesiologist Assistants.

(1) Application for Licensure.

(a) All persons applying for licensure as an anesthesiologist assistant shall submit an application to the Department ~~on forms approved by Boards and provided by the Department. The application shall be made on Form DH-MQA 1087 (revised 1/09), hereby adopted and incorporated by reference, and can be obtained from the Board of Medicine's website at: http://www.doh.state.fl.us/mqa/Anes/aa_applicant.html.~~

(b) through (c) No change.

(2) through (3) No change.

Rulemaking Specific Authority 459.023, 459.005 FS. Law Implemented 459.023, 456.013(7), 456.031, 456.033 FS. History—New 8-2-05, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Anesthesiologist Assistant Committee

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 7, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 30, 2009

DEPARTMENT OF HEALTH

Board of Speech-Language Pathology and Audiology

RULE NO.: RULE TITLE:

64B20-7.004 Citations

PURPOSE AND EFFECT: The purpose and effect is to add violations for which citations may be issued.

SUMMARY: Violations for which citations may be issued are added.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A Statement of Estimated Regulatory Cost was prepared. The proposed changes will impact individual licensees that are issued citations by the department. These licensees may or may not be part of a 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.

RULEMAKING AUTHORITY: 456.073, 456.077 FS.

LAW IMPLEMENTED: 456.077, 468.1295 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: Kaye Howerton, Executive Director, Board of Speech-Language Pathology and Audiology, 4052 Bald Cypress Way, Bin #06, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B20-7.004 Citations.

(1) through (2) No change.

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

(a) Practice on an inactive license or certificate for less than six months. The fine shall be ~~\$125~~ \$0 for each month or fraction thereof of practice within a maximum fine of \$750 for each violation. (See Section 468.1295(1)(h), F.S.)

(b) Falsely certifying compliance with continuing education hours required for renewal of licensure or certification. The fine shall be \$1,000. (See Section 468.1295(1)(d), F.S.)

(c) Failure to submit to the board on an annual basis certification of testing and calibration of equipment. The fine shall be ~~\$1,000~~ 250. (See Section 468.1295(1)(u), F.S.)

(d) Failure to maintain and have available for inspection by the Agency certifications for the testing and calibration of any audiometric testing equipment designated by the Board covering the current year. The fine shall be ~~\$500~~ 250. (See Rule 64B20-8.001, F.A.C.; Section 468.1295(1)(k), F.S.)

(e) Failure to identify the type of license under which the practitioner is practicing. The fine shall be ~~\$500~~ 250. (See Section 456.072(1)(t), F.S.)

(4) through (7) No change.

Rulemaking Specific Authority 456.073, 456.077 FS. Law Implemented 456.077, 468.1295 FS. History–New 2-12-92, Amended 8-24-92, 11-9-92, Formerly 21LL-7.004, 61F14-7.004, 59BB-7.004, Amended 8-9-04, 8-28-07,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Speech Language Pathology and Audiology

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Speech Language Pathology and Audiology

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 14, 2008

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

DEPARTMENT OF HEALTH

Dental Laboratories

RULE NO.: RULE TITLE:

64B27-1.003 Continuing Education Requirements

PURPOSE AND EFFECT: To create a rule to implement new 2008 Session legislation relating to dental laboratories and the completion of continuing education biennially.

SUMMARY: This rule specifies courses to be taken by the owner/operator or a designated employee of a dental laboratory to satisfy the requirement of 18 hours biennially, submission of information into the department’s tracking system, and what information should be retained to establish compliance.

SUMMARY: This rule specifies courses to be taken by the owner/operator or a designated employee of a dental laboratory to satisfy the requirement of 18 hours biennially, submission of information into the department’s tracking system, and what information should be retained to establish compliance.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A Statement of Estimated Regulatory Cost was prepared even though the costs to the dental laboratories are not increased by the rule. The statement provides a good faith estimate of the number of individuals and entities likely to be affected, the likely costs per course, and the impact of the rule on mitigating costs.

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

RULEMAKING AUTHORITY: 466.032, 466.038 FS.

LAW IMPLEMENTED: 456.013, 466.032 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, Division of Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B27-1.003 Continuing Education Requirements.

(1) On or after July 1, 2010, each registered dental laboratory owner/operator or a designated employee must complete 18 hours of continuing education (CE) biennially. The owner/operator or agent as listed on the registration has the responsibility to ensure that the CE provider has submitted or the owner has self-submitted course completion information within the CE tracking system in accordance with rule Chapter 64B-5, F.A.C. The records retained by the laboratory to document completion of the required CE shall either include evidence that the owner/operator completed the course hours or that the course hours were completed by a designated employee who worked at the laboratory for at least one full year during the biennium as documented by time cards, pay stubs, or federal W-2 forms.

(2) Organizations, schools, and agencies that meet the criteria set in Section 466.032, Florida Statutes, and in this rule shall apply and will be granted approval to develop and offer continuing education courses in accordance with Rule 64B5-12.017, F.A.C.

(3) As part of the hours required biennially, the owner/operator or designated employee must complete two hours of coursework relating to the prevention of medical errors including root-cause analysis, error reduction and prevention, patient safety, infection control, and/or standards on employee safety required by state or federal laws or regulations.

(4) As part of the hours required biennially, the owner/operator or designated employee must complete a one to three hour course on the laws and rules that govern dental laboratories and dental technicians.

(5) Attendance at lectures, study clubs, college courses, conventions, and research shall be included for fulfillment of the CE requirement if sponsored for dentists or dental technicians by an approved provider or if approved by the executive director for dental laboratories and the Board of Dentistry as meeting the content requirements specified by law. For an up-to-date report on approved providers contact the office regulating dental laboratories at 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399, telephone number (850)245-4474.

(6) As part of the hours required biennially, the owner/operator or designated employee may satisfy up to four hours by the performance of pro bono services to the indigent or to underserved populations or in areas of critical need provided that the prescribing dentist is serving these populations and the patient beneficiary falls within one of these categories.

(7) The CE requirement does not apply to a dental laboratory physically located within the office of a licensed dentist.

Rulemaking Authority 466.032, 466.038 FS. Law Implemented 456.013, 466.032 FS. History--New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Sue Foster

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ana M. Viamonte Ros, M.D. M.P.H.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 6, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 12, 2008

DEPARTMENT OF HEALTH

Board of Respiratory Care

RULE NO.: 64B32-2.001
RULE TITLE: License by Endorsement

PURPOSE AND EFFECT: The Board proposes the rule amendment to add new language to clarify the form name and number for licensure by endorsement for a registered respiratory therapist or certified respiratory therapist.

SUMMARY: The rule amendment will add new language to clarify the form name and number for licensure by endorsement for a registered respiratory therapist or certified respiratory therapist.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined that small businesses would not be effected by this rule.

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.

RULEMAKING AUTHORITY: 468.353(1), 468.358(3) FS.

LAW IMPLEMENTED: 468.358(2), (3), 468.365 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: Allen Hall, Executive Director, Board of Respiratory Care Specialist/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B32-2.001 License by Endorsement.

(1) Applicants for licensure as a Registered Respiratory Therapist or Certified Respiratory Therapist in the state of Florida shall apply on Form DH-MQA 1145, Application by Endorsement, Revised 1/09, incorporated herein as this Board's application form and available on the web at <http://www.doh.state.fl.us/mqa/respiratory/index.html>.

(2)(4) No change.

(3)(2) No change.

Rulemaking Specific Authority 468.353(1), 468.358(3) FS. Law Implemented 468.358(2), (3), 468.365 FS. History—New 4-29-85, Formerly 21M-34.02, 21M-34.002, 61F6-34.002, 59R-71.002, 64B8-71.002, Amended 7-22-02, 8-28-05, 6-12-07, 5-15-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Respiratory Care Specialist
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Respiratory Care Specialist
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 9, 2009
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 26, 2008

DEPARTMENT OF HEALTH

Division of Family Health Services

RULE NOS.:	RULE TITLES:
64F-9.001	Definitions
64F-9.002	Scope of Services
64F-9.003	Direct Client Services Administration
64F-9.004	Epilepsy Services Program Prevention and Education Services
64F-9.005	Epilepsy Services Program Reporting Requirements

PURPOSE AND EFFECT: The Department proposes to amend the existing language in this chapter.

SUMMARY: Each rule was updated to recognize changes in definitions or terminology and modifying the eligibility and enrollment process.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A Statement of Estimated Regulatory Cost was prepared and changes to the rules have no effects on the costs related to the rules.

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.

RULEMAKING AUTHORITY: 385.207(4) FS.

LAW IMPLEMENTED: 385.207 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Melba Hawkins-Littles, 4052 Bald Cypress Way, Bin A-18, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULES IS:

(Substantial rewording of Rule 64F-9.001 follows. See Florida Administrative Code for present text.)

64F-9.001 Definitions.

The following words and phrases shall have the following meanings for the purpose of this rule.

(1) "Epilepsy Services Program (ESP)" means a program that provides direct client services, prevention and education services according to Section 385.207, F.S., to improve access to health care services for Florida's citizens living with epilepsy.

(2) "ESP Client" means a person who is both a resident of Florida and who either:

(a) Is suspected to have a seizure disorder or epilepsy and has applied for direct client services; or

(b) Is an ESP client, enrolled in a prior year, and is receiving continuing case management services as defined above; or

(c) Has a confirmed diagnosis of epilepsy and is receiving direct client services.

(3) "Family" means one or more persons living in one dwelling place who are related by blood, marriage, law or conception. A pregnant woman and her unborn child or children are considered to be two or more family members. A single adult, over 18, living with relatives is considered to be a separate family for income eligibility determination purposes. If the dwelling place includes more than one family or more than one unrelated individual, the poverty guidelines are applied separately to each family or unrelated individual and not the dwelling place as a whole.

(4) "Gross Family Income" means the sum of gross income available to a family at the time of application. Gross family income shall be based on all gross income to be earned, unearned, received or anticipated to be earned or received in the current month. Providers are permitted to request income for up to 12 months prior to the date of application if the income received in the current month is not representative of the family's gross income due to seasonal employment and if it is to the client's benefit to do so. Income shall include the following:

(a) Wages, salary and self-employment income;

(b) Child support received;

(c) Alimony received;

(d) Unemployment compensation;

(e) Worker's compensation;

(f) Veteran's pension;

(g) Social Security;

(h) Pensions or annuities;

(i) Dividends, interest on savings or bonds;

(j) Income from estates or trusts;

(k) Net rental income or royalties;

(l) Net income from self employment;

(m) Contributions; and

(n) Temporary Assistance for Needy Families (TANF)

(5) "Net Income" means gross family income minus Federal Tax Withholdings, Social Security and Medicare deductions.

(6) "Plan of Care (POC)" is an individualized plan relating to the client's needs, goals, and expected outcomes to the services. A POC is created during the intake process and is updated as necessary. The POC is reviewed at least annually to assure the client is on target with the stated goals and objectives.

(7) "Provider" an organization or individual providing services or commodities to the department or its assignee in accordance with the terms of a contract.

(8) "Poverty Guidelines" The guidelines are a simplified version of the federal poverty threshold used for administrative purposes to establish income ranges of the sliding fee scale to determine financial eligibility for medical services. The guidelines are updated annually based on the increase in the Consumer Price Index as shown in the Federal Registrar by the Department of Health and Human Services. The Program Eligibility Annual Income Guidelines as disseminated by the Department of Health are used to determine eligibility for the ESP and Antiepileptic Drug Program and are based on gross income.

(9) "Sliding Fee Scale" means a scale of charges which are less than the full cost of the service that clients shall be charged for ESP services. The fee scale for these services shall progress in increments of the full cost of services for those clients between 100 and 200 percent of the most current poverty guidelines published by the Federal Office of Management and Budget.

Rulemaking Specific Authority 385.207(4) FS. Law Implemented 385.207, 402.166, 402.165, 402.167, 39 FS. History–New 11-1-92, Amended 4-29-96, Formerly 10D-117.003, Amended _____.

(Substantial rewording of Rule 64F-9.002 follows. See Florida Administrative Code for present text)

64F-9.002 Scope of Services Eligibility for ESP Services.

The ESP includes the following programs:

(1) Direct Client Services: A statewide program will be maintained to improve access, provide care and assistance to persons with epilepsy through the delivery of a comprehensive range of services that will have a positive effect on the quality of life. Services include client guidance, eligibility determination, case management, and service referrals.

(2) Prevention and Education: A statewide prevention and education program will be maintained to reduce the stigma associated with epilepsy, increase knowledge and understanding of epilepsy. Services include awareness activities, educational seminars, and presentations to various target groups to promote the early recognition, treatment, and prevention of epilepsy.

Rulemaking Specific Authority 385.207(4) FS. Law Implemented 385.207, 402.33 FS. History–New 11-1-92, Amended 5-5-94, 4-29-96, Formerly 10D-117.006, Amended _____.

(Substantial rewording of Rule 64F-9.003 follows. See Florida Administrative Code for present text)

64F-9.003 Direct Client Services Administration Individual Action Plan (IAP):

(1) Eligibility: An individual is eligible for the ESP – Direct Client Services Program if:

(a) He or she is a Florida resident;

(b) He or she is diagnosed or suspected of having a seizure disorder or epilepsy; and

(c) He or she cooperates in establishing eligibility, including providing the information necessary to complete the Application for Services Form and the Financial Worksheet. The provider determines that the individual has met all eligibility criteria and assesses the eligibility of clients annually. An individual shall be ineligible and not enrolled in the ESP program if he or she does not meet the aforementioned criteria.

(2) Enrollment: If eligible for the ESP program, the provider shall enroll the individual as an ESP client in the program and will complete, distribute and discuss the following forms:

(a) Application for service;

(b) Financial worksheet;

(c) Client Right and Responsibilities;

(d) Grievance Form;

(e) Health Insurance Portability and Accountability Act (HIPAA) forms.

(3) Fee Assessment: There are no fees established for epilepsy case management services. Fees will be assessed for other direct client services, such as, medical services and Anti-Epileptic Drug Program. The fee shall be assessed using the total gross family income, the approved sliding fee schedule, and the financial worksheet. Providers must review proof of income for all adults in the household.

(a) All clients who are enrolled, or become enrolled, in Medicaid and all clients with a gross family income below 100 percent of the most current poverty guidelines published by the Federal Office of Management and Budget (OMB) shall be eligible for medical services provided by the ESP at no charge.

(b) When the gross family income is between 100 and 200 percent of the federal OMB poverty income guidelines the client would be responsible for payment of a portion of the provider's cost of the medical services provided based upon a sliding fee schedule.

(c) When the gross family income is at or above 200 percent of the federal OMB poverty income guidelines the client would be responsible for 100% of the provider's cost of services.

(4) Waiver of Charges:

(a) CHD directors/administrators and their subcontractors have the authority to reduce or waive charges in situations where a person with an income above 100 percent of poverty is unable to pay.

(b) Clients may request a review of their fee charge on the basis that they have severe, unusual, and unavoidable expenses or obligations that substantially reduce their ability to pay and which warrant special consideration.

(c) Clients requesting special consideration must be able to submit receipts, tax records, bills, or certified statements that document their need for special consideration.

(5) Plan of Care (POC): Providers shall complete a Plan of Care (POC) with each ESP client. The POC is developed and implemented at the time of intake and it is reviewed at least annually to assure the client is on target with the stated goals and objectives.

(a) Purpose of the POC: The purpose of the POC is to identify an ESP client's needs, delineate action to meet these needs and serve as the basis for case management.

(b) POC Development: The plan is based upon observations, self declaration, interviews, and progress reports. All client needs must be identified regardless of availability of resources.

(c) POC Goals: Goals will be specific, measurable, attainable, and will be developed in accordance with client's consent.

(d) POC Core: At a minimum, providers will develop core goals for each of the following basic needs:

1. Epilepsy Medical Care and Treatment.
2. Epilepsy Education.
3. Overall Health Needs.
4. Financial Situation.
5. Transportation Needs.

6. Confidentiality: Relatives and friends may be informed of the POC only if the ESP client/legal guardian gives consent.

(6) Disenrollment: The provider may disenroll a client for any of the following reasons below:

(a) The ESP client no longer meets one of the eligibility requirements in Rule 64F-9.003, F.A.C.

(b) The ESP client does not agree and/or comply with the developed POC.

(c) The ESP client does not pay fee(s) for medical service and is unwilling to agree to a payment plan.

(d) The ESP client does not provide or complete information as requested by the provider.

(e) The ESP client is repeatedly belligerent and displays confrontational behavior towards staff.

(f) The ESP client is no longer in need of services.

(g) The ESP client request closure of their case file.

(h) The ESP client has not received services in the past 12 months.

Rulemaking Specific Authority 385.207(4) FS. Law Implemented 385.207, 39, 402.33 FS. History–New 11-1-92, Amended 4-29-96, Formerly 10D-117.006, Amended _____.

(Substantial rewording of Rule 64F-9.004 follows. See Florida Administrative Code for present text)

64F-9.004 Epilepsy Services Program Prevention and Education Services Prevention Program Activities.

Epilepsy Services Program (ESP) will disseminate information through education and awareness activities to promote the early recognition, treatment, prevention and reduce stigma associated with epilepsy. The provider will ensure that epilepsy education awareness and prevention services are provided in all of Florida's 67 counties through a network of statewide providers serving local communities. Persons with epilepsy and their families, professionals and the general public will receive education. There are no eligibility requirements for participation in activities.

Rulemaking Specific Authority 385.207(4) FS. Law Implemented 385.207 FS. History–New 11-1-92, Amended 4-29-96, Formerly 10D-117.011, Amended _____.

(Substantial rewording of Rule 64F-9.005 follows. See Florida Administrative Code for present text)

64F-9.005 Epilepsy Services Program ESP Reporting Requirements.

An annual report of services provided outlining the number of clients served, outcome reached and expenses incurred will be compiled and delivered to the Department of Health within 60 days of the end of the contract year.

Rulemaking Specific Authority 385.207(4) FS. Law Implemented 385.207 FS. History–New 11-1-92, Amended 4-29-96, Formerly 10D-117.014, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Melba Hawkins-Littles

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 6, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 24, 2008

DEPARTMENT OF FINANCIAL SERVICES

Division of Consumer Services

RULE NO.:	RULE TITLE:
69J-2.003	Mediation Procedures for Resolution of Disputed Personal Lines Insurance Claims Arising from the 2004 and 2005 Hurricanes and Tropical Storms

PURPOSE AND EFFECT: Rule 69J-2.003, F.A.C., is being repealed. Since the number of disputed residential insurance claims being mediated through that program has significantly diminished, there is no longer a need for this rule. Rule 69J-166.031, which establishes a mediation program administered by the Department, will replace this rule.

SUMMARY: Rule 69J-2.003, F.A.C., is repealed.

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

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

RULEMAKING AUTHORITY: 624.308, 626.9611, 627.7015(4) FS.

LAW IMPLEMENTED: 624.307(1), (2), (5), 624.317, 624.318, 624.324, 626.859, 626.874, 626.877, 626.9541(1)(a), (e), (u), 626.9561, 626.9641(1)(g), 627.7015 FS.

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

DATE AND TIME: Monday, April 6, 2009, 3:00 p.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Ellen Simon, (850)413-4270 or ellen.simon@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ellen Simon, Chief Counsel, Division of Legal Services, Department of Financial Services, 200 E. Gaines Street, Tallahassee, Florida 32399-0333; (850)413-4270 or ellen.simon@myfloridacfo.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69J-2.003 Mediation Procedures for Resolution of Disputed Personal Lines Insurance Claims Arising from the 2004 and 2005 Hurricanes and Tropical Storms.

Specific Authority 624.308, 626.9611, 627.7015(4) FS. Law Implemented 624.307(1), (2), (5), 624.317, 624.318, 624.324, 626.859, 626.874, 626.877, 626.9541(1)(a), (e), (u), 626.9561, 626.9641(1)(g), 627.7015 FS. History—New 7-26-06, Amended 12-25-08, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ellen Simon, Chief Counsel, Division of Legal Services, Department of Financial Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Alex Sink, Chief Financial Officer, Department of Financial Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 4, 2009

DEPARTMENT OF FINANCIAL SERVICES

Division of Consumer Services

RULE NO.: 69J-166.031
RULE TITLE: Mediation of Residential Property Insurance Claims

PURPOSE AND EFFECT: Mediation of claims for the 2004 and 2005 hurricanes have been governed by Rule 69J-2.003, F.A.C. There are few claims left to be mediated and therefore the need for a special process to mediate those claims is no longer needed. This amendment will modify Rule 69J-166.031, F.A.C. to handle those claims.

SUMMARY: Under the proposed amendment mediations which would have been governed by Rule 69J-2.003, F.A.C. will be processed under Rule 69J-166.031, F.A.C. Insurers must provide notice of the right to mediate within five days of a first-party claim within the scope of the rule being filed.

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.

RULEMAKING AUTHORITY: 624.308(1), 626.9611, 627.7015(4) FS.

LAW IMPLEMENTED: 624.307(1), (2) (4), (5), 626.9541(1)(a), (e), (i), (u), 626.9561, 626.9581(1), 626.9641(1)(g), 627.7015 FS.

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

DATE AND TIME: Monday, April 6, 2009, 3:00 p.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Ellen Simon; (850)413-4270 or Ellen.Simon@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ellen Simon, Chief Counsel, Department of Financial Services 200 East Gaines Street, Tallahassee, Florida 32399; (850)413-4270

THE FULL TEXT OF THE PROPOSED RULE IS:

69J-166.031 Mediation of Residential Property Insurance Claims.

(1) Purpose and Scope. This rule implements Section 627.7015, F.S. The program established under this rule is prompted by the critical need for effective, fair, and timely handling of residential property claims. This program is available to all first-party claimants and insurers prior to commencing the appraisal process set forth in their policies or commencing litigation. The program is also available to litigants referred to the Department from Circuit or County court. For claims which have not ~~previously already~~ been mediated under any Department mediation program Rule 69B-166.030, F.A.C., the mediation procedures described in this rule are available to all residential property claims for property which arise from damage occurring in Dade or Monroe Counties as a result of Hurricane Andrew, as well as the unnamed March 13, 1993, storm wherever the property is located in the State of Florida. This rule does not apply program applies to personal lines claims but not to commercial insurance coverages, or to private passenger motor vehicle insurance coverages, or to disputes relating to liability coverages contained in property insurance policies. This program does not apply to policies issued under the National Flood Insurance Program established under the National Flood Insurance Act of 1968. Commercial residential insurance claims can be mediated pursuant to a separate rule. Before resorting to these procedures, insureds and insurers are encouraged to resolve claims as quickly and fairly as possible.

(2) Definitions. The following definitions shall apply for purposes of this rule:

(a) “Administrator” means the Department or its designee. “Approved”, as used in this rule with regard to approval of a mediator, means to designate based upon successfully meeting of the criteria set forth in Section 44.106, F.S., and the Florida Rules of Certified and Court Appointed Mediators which is incorporated by reference in paragraph (6)(a) of this rule, or Section 627.745(3)(b), F.S. Only approved mediators may mediate disputes under this rule.

(b) “Mediator” means an individual selected by the Department pursuant to paragraph (7)(a) below.

(c)(b) “Claim”.

1. “Claim”, when in quotations, refers to any dispute between the insurer and insured relating to a material issue of fact other than:

a. A dispute as to which the insurer has reported allegations of a reasonable basis to suspect fraud, based on an investigation by the insurer’s special investigative unit, to the Department’s Division of Insurance Fraud; or

b. A dispute where, based upon agreed facts as to the cause of loss, there is no coverage under the policy.

2. Unless the parties agree to mediate a claim involving a lesser amount, a “claim” involves the insured requesting \$500 or more to settle the dispute, or the difference between the positions of the parties is \$500 or more, either of which is notwithstanding of any applicable deductible.

3. A policy must have been in effect at the time of the loss to qualify as a “claim.”

(d)(e) “Complainant” refers to the party requesting mediation.

(e)(d) “Department” means the Department of Financial Services.

(f) “Department office” means a designated office of the Division of Consumer Services, Department of Financial Services.

(g) “Party” or “Parties” means the insured and his or her insurer, including Citizens Property Insurance Corporation, when applicable.

(h)(e) “Respondent” refers to the party not first requesting mediation.

(f) “Service office” means a designated office of the Bureau of Consumer Outreach and Education, Division of Consumer Services, Department of Financial Services.

(3) Computation of Time. In computing any period of time described by this rule, the day of the act or event from which the designated period of time begins to run shall not be included. The last day of the period so computed shall be included, unless it is a Saturday, a Sunday, or a legal holiday. All time periods specified in this rule refer to the number of calendar days, not business days, unless otherwise specified in this rule.

(4) Service Offices. For disposition of mediation conferences, the State of Florida shall be divided among the following designated service offices:

(a) Daytona Beach Service Office shall be composed of the following counties: Flagler, Marion, Putnam, and Volusia.

(b) Fort Lauderdale Service Office shall be composed of Broward county.

(c) Fort Myers Service Office shall be composed of the following counties: Charlotte, Collier, DeSoto, Glades, Hendry, Highlands, and Lee.

(d) Jacksonville Service Office shall be composed of the following counties: Alachua, Baker, Bradford, Clay, Columbia, Dixie, Duval, Gilchrist, Hamilton, Lafayette, Levy, Nassau, St. Johns, Suwannee, and Union.

(e) Miami Service Office shall be composed of Dade and Monroe counties.

(f) Orlando Service Office shall be composed of the following counties: Brevard, Citrus, Lake, Orange, Osecoola, Seminole, and Sumter.

(g) Pensacola Service Office shall be composed of the following counties: Bay, Calhoun, Escambia, Gulf, Holmes, Jackson, Okaloosa, Santa Rosa, Walton, and Washington.

~~(h) Largo Service Office shall be composed of the following counties: Manatee, Pinellas, and Sarasota.~~

~~(i) Tallahassee Bureau of Consumer Assistance Service Office shall be composed of the following counties: Gadsden, Franklin, Jefferson, Leon, Liberty, Madison, Taylor, and Wakulla.~~

~~(j) Tampa Service Office shall be composed of the following counties: Hardee, Hernando, Hillsborough, Pasco, and Polk.~~

~~(k) West Palm Beach Service Office shall be composed of the following counties: Indian River, Martin, Okeechobee, Palm Beach, and St. Lucie.~~

~~(4)(5) Claim Settlement.~~

~~(a) Notification of the right to mediate.~~

~~1.(a) Within five days of the insured filing At the time an insured files a first-party claim which falls within the scope of this rule, the insurer shall notify the insured of their right to participate in this program. An insurer is not required to send a notice of the right to mediate disputed claims when no payment has been made on a claim because the insurer concludes the amount of covered damages is less than the insured's deductible.~~

~~2. The mailing that contains the notice of the right to mediate may include the Department's consumer brochure on mediation but no other materials, forms, or documents may be included. Notification shall be in writing and shall be legible, conspicuous, printed in at least 12-point type, and printed in typeface no smaller than any other text contained in the notice. The first paragraph of the notice shall contain the following statement: "The Chief Financial Officer for the State of Florida has adopted a rule to facilitate the fair and timely handling of residential property insurance claims. The rule gives you the right to attend a mediation conference with your insurer in order to settle any dispute you have with your insurer about your claim. An independent mediator, who has no connection with your insurer, will be in charge of the mediation conference. You can start the mediation process after receipt of this notice by calling the Department of Financial Services at 1(877)693-5236. The parties will have 21 days from the date of the notice to otherwise resolve the dispute before a mediation hearing can be scheduled."~~

~~3. The notice shall also:~~

~~a. Include include detailed instructions on how the insured is to request mediation, including the address, phone number, and fax number for requesting mediation through the Department;~~

~~b. State and indicate that the parties have 21 days from the date of the notice within which to settle the claim before the Department will assign a mediator; otherwise resolve the dispute.~~

~~c. Include The notice shall include the insurer's address and phone number for requesting additional information; and mediation.~~

~~d. State that the Administrator will select the mediator. The notice shall describe the mediator selection process and shall state that if either of the parties so desires the Department will select the mediator.~~

~~e. Refer The notice shall refer to the parties' right to disqualify a mediator for good cause and paraphrase the definition of good cause as set forth in paragraph (7)(e) of this rule.~~

~~f. Indicate The notice shall also indicate that the insured is to notify the mediator 14 days insurer before the mediation conference if the insured will bring representation counsel to the conference, unless the insurer waives the right to the notice of representation counsel. Upon receipt of such notice from the insured, the mediator shall provide notice to the insurer that the insured will be represented at the mediation conference. After the 21 days, a request for mediation by the insured may be made either in writing to the insurer or by telephone call to the insurer. The date of request shall be documented in the insurer's claim file. Every 6 months the insurer shall request from the Department a list of mediators qualified to mediate disputes under this program. For a copy of the current list, the Department may be contacted at its Mediation Section, Bureau of Consumer Assistance, 200 East Gaines Street, Tallahassee, Florida 32399-0322 or at telephone number (850)922-3132.~~

~~(b) Request for Mediation.~~

~~1. By the Insured. An insured may request mediation by contacting the Department at 1(877)693-5236; by faxing a request to the Department at (850)488-6372; or by writing to the Department of Financial Services, Mediation Section, Bureau of Education, Advocacy, and Research, 200 East Gaines Street, Tallahassee, Florida 32399-4212. If an insured requests mediation prior to receipt of the notice of the right to mediation, the insurer shall be notified by the Department of the existence of the dispute 21 days prior to the Administrator processing the insured's request for mediation. If an insurer receives a request for mediation, the insurer shall notify the Mediation Section within 48 hours of receipt of the request by fax or email. The Administrator shall notify the insurer within 72 hours of receipt of requests filed with the Department. The insured shall provide the following information, if known:~~

~~a. Name, address, e-mail address, and daytime telephone number of the insured and location of the property if different from the address given;~~

~~b. The claim and policy number for the insured;~~

~~c. A brief description of the nature of the dispute;~~

~~d. The full name of the insurer and the name, address, e-mail address, and phone number of the contact person for scheduling mediation; and~~

~~e. Information with respect to any other policies of insurance that may provide coverage of the insured property for named perils such as flood or windstorm.~~

2. By an Insurer. An insurer may request mediation by faxing or emailing a written request to the Mediation Section. The insurer shall provide a copy of its written mediation request to the insured at the same time it submits the request to the Department. The written request shall contain the information set forth in subparagraph (4)(b)1. if known. Mediation requests by insurers will be processed by the Administrator in the same manner as mediation requests by insureds.

(c)(b) Upon receiving a request for mediation, and after the expiration of the 21 day resolution period, the Administrator insurer shall randomly select from the Department's list a mediator to conduct the mediation conference. The Administrator insurer shall immediately notify the mediator in writing of his or her selection and indicate the names and addresses of the parties and their known representatives, their phone numbers (if known), the Department's file number, the date of the request for mediation, and that the mediation is to occur within 45 days of the request. The mediator will have three business days from the date of notification by the Administrator to accept or reject the selection. If the mediator rejects the selection or fails to accept the selection within three business days, or if the a mediator is disqualified pursuant to paragraph (7)(e), then the Administrator insurer shall randomly select another mediator. For all mediation requests under this rule, the time limits in this section shall not be applicable for two years following the declaration of a disaster. Failure of an insurer to abide by this procedure and to notify the insured as required above will result in the insurer being referred to the Office of Insurance Regulation for further action shall subject the insurer to revocation, suspension, or fine as set forth in sub-subparagraph (9)(a)2.b. of this rule.

(5)(6) Rejection of Mediation. An insurer may elect to reject mediation in situations where the dispute does not meet the definition of a "claim." If the insurer desires to reject mediation, the insurer shall reference this mediation process and specify in writing to the insured and the administrator the reason(s) for the rejection. The insurer shall also notify the insured of the insured's right to contest the rejection. To contest the rejection, the insured or the insured's representative must write to the Department at its Mediation Section, Bureau of Consumer Assistance, 200 East Gaines Street, Tallahassee, Florida 32399-0322, within 60 days of the date of the insurer's rejection notification. In the insured's letter contesting the rejection, the insured must specifically state the reasons why the rejection is asserted to be improper. The insurer shall also indicate that the insured should include a copy of the insurer's rejection letter with the insured's letter to the Department. The Department shall determine whether the claim shall be mediated. The parties may elect to voluntarily mediate any dispute regardless of whether the cause of loss or policy status

may be in question. In the event that a "claim" falls within the scope of this rule, the insurer shall follow the process set forth in subsection (4)(5)(b) above.

(6) Mediation Costs. Pursuant to Section 627.7015(3), F.S., the insurer shall bear all of the cost of conducting mediation conferences.

(a) The total cost for residential mediation shall be \$350, with \$300 paid as the mediator's fee and \$50 paid as a fee of the Administrator.

(b) For two years following the declaration of a disaster, the amounts allocated to the mediator and the Administrator may be modified by the Department, but in no event will the total cost for mediation exceed those listed in paragraph (6)(a) above.

(c) Fees are payable within 21 days of billing by the Administrator. The Administrator will bill insurers separately for mediator fees and administrator fees for all mediations. The mediator's fee will be payable directly to the mediator by the insurer and the administrative fee paid to the Administrator by the insurer. All administrative fees received by the Department shall be placed in the Insurance Regulatory Trust Fund.

(d) Should a residential mediation conference be cancelled for any reason by the insured or the insurer after it has been scheduled, the mediator shall be paid 50% of the mediator's fee and the Administrator shall be paid the entire administrative fee.

(7) Mediators.

(a) Mediator Approval. The Bureau of Agent and Agency Licensing, Department of Financial Services, shall approve as mediators those persons who meet the qualifications set forth in Section 627.745(3)(b), F.S. Persons wishing to be approved as mediators shall submit their qualifications to the Bureau of Agent and Agency Licensing, Department of Financial Services, 200 East Gaines Street, Tallahassee, FL 32399-0319, on Form DI4-591, "Application for Appointment as a Mediator", which is adopted and incorporated by reference in subsection 69B-211.002(30), F.A.C. For two years following the declaration of a disaster, this program may additionally utilize mediators selected from a panel of circuit court – civil certified mediators approved by the Florida Supreme Court pursuant to the Florida Rules of Certified and Court-Appointed Mediators.

(b) List of Approved Mediators. The Bureau of Agent & Agency Licensing, Department of Financial Services, shall maintain a list of all approved mediators, which list shall include the mediator's name, address, telephone number, ~~social security number~~, a listing of counties in which each mediator is willing to mediate, and date of entry to the list.

(c) Grouping of Assignments. Requests for mediation will, if feasible, be grouped together and assigned to a single mediator. A mediator will be assigned a maximum of four mediation conferences under a single assignment.

(d) Procedure and Conduct. All mediation conferences shall be conducted in accordance with this rule, the Florida Rules for Certified and Court-Appointed Mediators as set forth in Rules 10.020-10.290, Florida Rules of Civil Procedure, as incorporated above, and other consistent rules of conduct as promulgated by the Supreme Court of Florida. Mediators shall have the same responsibilities to the Department as they have to the courts under the Florida Rules for Certified and Court-Appointed Mediators. The Florida Rules for Certified and Court-Appointed Mediators shall be read in a manner consistent with this rule and any conflict between this rule and the Florida Rules for Certified and Court-Appointed Mediators shall be resolved in favor of this rule. The mediator may meet with the parties separately, encourage meaningful communications and negotiations, and otherwise assist the parties to arrive at a settlement. For purposes of this mediation program, mediators shall have the immunity from suit provided to mediators in Section 44.107, F.S. All communications with the mediator shall be confidential. All statements made and documents produced at a settlement conference constitute settlement negotiations in anticipation of litigation. The mediation proceedings are confidential and inadmissible in any subsequent adversarial proceeding.

(e) Complaints; Discipline. At any time a party may move to disqualify a mediator for good cause. Good cause consists of conflict of interest between a party and the mediator, that the mediator is unable to handle the conference competently, or other reasons which would reasonably be expected to impair the conference. Complaints concerning a mediator shall be written and submitted to the Department of Financial Services, Mediation Section, Bureau of Education, Advocacy and Research, Consumer Assistance, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-4212 ~~0322~~. The Department shall review the following grounds for discipline:

1. Alleged instances of dishonest, incompetent, fraudulent, or unethical behavior on the part of a mediator;
2. Instances in which the mediator allegedly failed to promptly and completely respond to requests from the Department and instances in which the actions or failure to act on the part of the mediator violate this rule, including the standards set forth in this subsection or are counter to the intent and purpose of this mediation program or this rule;
3. Administrative action by any other agency or body against the mediator, regardless of whether the agency or body's regulation relates to mediation;
4. The mediator has been found guilty of or pled guilty or nolo contendere to a felony or a crime punishable by imprisonment of 1 year or more under the law of the United States of America or of any state thereof or under the law of any other country, without regard to whether a judgment of conviction has been entered by the court having jurisdiction of such cases.

If the Department determines that any of the above grounds exist, the Department shall institute proceedings in accordance with Chapter 120, F.S., to rescind the approval of the mediator to handle any mediation or arbitration program sponsored by the Department.

(8) Mediation Conference.

(a) Location.

1. The mediation conference shall be held at a reasonable location specified by the mediator within a reasonable proximity of the insured property, unless all parties agree otherwise. In times of declared disaster, the Administrator shall assign the mediation location and notify the mediator of same, if the Administrator determines such action is necessary to facilitate and expedite the mediation process.

2. The Administrator shall ~~Department will~~ make available various conference locations ~~rooms at its various service offices~~ throughout the state for possible use, if the Administrator determines such action is necessary to facilitate and expedite the mediation process.

3. Before scheduling a mediation conference, the mediator may contact the Division of Consumer Services ~~service office administrator~~ to determine the availability of ~~service office~~ facilities to accommodate the mediation conference.

~~4. If no facilities are available at the service office for the particular mediation conference then the service office administrator will designate an alternative location, if available, for the mediation conference.~~

~~4.5.~~ If the parties determine that the assigned conference location is inconvenient or impractical, the parties and mediator may agree to conduct the mediation conference at an alternative location. If the Administrator has assigned a location, the Administrator must also agree to the alternate location.

~~5.6.~~ The mediator will notify the ~~insured, insurer, and the Administrator~~ parties in writing of the exact time, date, and location of the conference. In times of declared disaster, the Administrator shall require additional methods of communication with the insured, if the Administrator determines such action is necessary to facilitate and expedite the mediation process.

(b) Timing and Continuances. The mediation conference shall be held as scheduled by the mediator. Upon application by any party to the mediator for a continuance, the mediator shall, for good cause shown or if neither party objects, grant a continuance and shall notify all parties of the date and place of the rescheduled conference. Good cause includes severe illness, injury, or other emergency which could not be controlled by the party and could not reasonably be remedied by the party prior to the conference by providing a replacement representative or otherwise. ~~Also, Good cause includes the necessity of obtaining additional information, securing the attendance of a necessary professional or the avoidance of significant financial hardship. If the insured demonstrates to~~

the mediator the need for an expedited mediation conference due to an undue hardship, the conference shall be conducted at the earliest date convenient to all of the parties and the mediator. Undue hardship will be demonstrated when holding the conference on a non-expedited basis would interfere with or contradict the treatment of a severe illness or injury, substantially impair a party's ability to assert their position at the conference, result in significant financial hardship, or other reasonably justified grounds.

(c) Attendance.

1. The insured complainant and the insurer respondent shall attend the mediation conference, have full knowledge of the facts of the dispute, and be fully authorized to make an agreement to completely resolve the claim. ~~All corporate parties who are complainants or respondents shall attend the conference in the person of a corporate representative who has full knowledge of the facts of the dispute and is fully authorized to make an agreement to completely resolve the dispute.~~ An insurer will be deemed to have failed to appear if the insurer's representative lacks authority to settle the full value of the claim. The authority to settle the claim includes the ability to disburse the full settlement amount within 10 7 days of the conclusion of the conference. The insurer will produce at the conference a copy of the policy. The insurer will bring the entire claims file to the conference.

2. The mediation conference also may be attended by persons who may assist a party in presenting his claim or defense in the conference, such as contractors, adjusters, engineers, and interpreters. The parties may not have separate counsel in the mediation conference unless requested by the insured or the parties agree otherwise. If the insured elects to have representation an attorney participate in the conference, the insured shall notify the mediator insurer of such participation 14 days before the conference, unless the parties agree otherwise. Upon receipt of such notice from the insured, the mediator shall provide notice to the insurer that the insured will be represented at the mediation conference. A party will be determined to have not negotiated in good faith if they or a person participating on their behalf continuously disrupts or otherwise inhibits the negotiations as determined by the mediator.

(d) Good Faith Negotiation. The participants are to negotiate in good faith to attempt to resolve the dispute, however, there is no requirement that the dispute must be resolved in mediation.

(e) Disposition. Mediators ~~or insurance companies~~ shall report to the Department on the status of property insurance ~~(other than commercial)~~ mediation conferences by submitting Form DFS-I5-1971 ~~DI4 1159~~, "Disposition of Property Insurance Mediation Conference ~~and Company Remittance Form~~" (rev. 10/08 8/94), which is hereby adopted herein and incorporated by reference. If the claim is settled prior to the mediation conference being held, the insurer shall report the

outcome of the issue to the mediator prior to the scheduled hearing and the mediator will submit Form DFS-I5-1971 confirming the settlement. A mediation conference will not be considered complete and the Administrator will not bill the insurer until this form is submitted.

(9) Disbursement of Costs.

(a) The insurer shall pay the mediator's fee and the Administrator's fee ~~which shall not exceed \$225~~. The Department reserves the right to reduce fees based on consumer surveys and cost analysis. All funds due the Department shall be remitted to the Department of Financial Services, Mediation Section, Bureau of Education, Advocacy and Research, 200 East Gaines Street, Tallahassee, Florida 32399-4212, together with a reference to the Department's file number, the claim number, identification of the parties, date of the mediation, and name of the mediator. These funds will be deposited in the Insurance Regulatory Trust Fund to defer Department costs.

1. Completed Mediation Conference. A mediation conference is considered complete once the date of the scheduled mediation has passed and disposition Form DFS-I5-1971 has been received by the Administrator. A mediation conference will not be considered complete and will not be billed if it is rescheduled with the agreement of all parties as specified in paragraph (8)(b) of this rule, or if Form DFS-I5-1971 is not received by the Administrator. If the mediation conference is held, the mediator shall receive the mediator's fee. Upon conclusion of the conference, the insurer shall remit \$25 to the Department at the Department of Financial Services, Mediation Section, Bureau of Consumer Assistance, Tallahassee, Florida 32314-6100, along with reference to the claim number, identification of the parties, date of the mediation, and name of the mediator. These funds will be deposited in the Insurance Regulatory Trust Fund to defer Department costs.

2. Cancellation Due To Absence. Failure of a party to arrive at the mediation conference within 30 minutes of the conference's starting time shall be considered an absence. Payment shall be as follows:

a. If the insured fails to appear at the conference, the conference shall be considered to have been held and the insurer must make payment in accordance with subsection (6) of this rule. If the insured wishes to schedule a new conference after failing to appear, the total cost of mediation for the new conference will be borne by the insured. The new conference shall be rescheduled only upon the insured's payment of the total cost of the mediation at the rate specified in subsection (6) of this rule rescheduled upon the insured's payment of the mediator's fee for the conference scheduled to take the place of the conference at which the insured failed to appear.

b. If the insurer fails to appear at the conference, the insurer shall make payment for the conference in accordance with subsection (6) of this rule. If the insurer fails to appear at

the conference without good cause, the insurer shall pay the insured's actual cash expenses incurred in attending the conference and shall pay a second total cost of mediation the mediator's fee for the rescheduled conference. Good cause here includes severe illness, injury, or other emergency which could not be controlled by the insurer and could not reasonably be remedied by the insurer prior to the conference by providing a replacement representative or otherwise. If an insurer fails to appear at conferences with such frequency as to evidence a general business practice of failure to appear, the Department will report the failure to appear to the Florida Office of Insurance Regulation as a potential violation of Florida law. The Florida Office of Insurance Regulation will take such further action as it deems appropriate ~~the insurer shall be subject to penalty, including revocation, suspension, or fine, for violation of Section 626.9541(1)(i), F.S. Such suspension of an insurer's certificate of authority shall be for a period of 2 years. An administrative fine shall be in the amount of \$2,500 per violation in cases of non-willful violation, and \$20,000 per violation in cases of a knowing and willful violation. The Department will mitigate these penalties based upon the following factors: Solvency of the insurer, best interests of or potential harm to insureds, and willfulness of the violation.~~

(b) Any disputes regarding the amount of disbursement of funds shall be resolved by the Department.

(c) Except as provided in subparagraph (8)(a)3., any expenses associated with the mediation conference, such as travel, telephone, postage, meals, lodging, facilities, and other related expenses, shall be borne by the party, mediator or other person incurring the expense.

(10) Post-Mediation.

(a) At the conclusion of the mediation conference, the mediator will file with the Department the "Disposition of Property Insurance Mediation Conference" Form DFS-15-1971 a mediator's status report indicating whether or not the parties reached a settlement. If the parties reached any settlement, then the mediator shall include a copy of the settlement agreement with Form DFS-15-1971 the status report. In the event a settlement is reached, the insured shall have 3 business days from the date of the written settlement within which he or she may rescind the settlement provided that the insured has not cashed or deposited any check or draft disbursed to him or her for the disputed matters as a result of the conference. If a settlement agreement is reached and not rescinded, it shall act as a release of specific issues that were presented at the conference.

(b) Any additional claims under the policy shall be presented as separate claims. However, the release shall not constitute a final waiver of rights of the insured with respect to claims for damages or expenses if circumstances that are reasonably unforeseen arise resulting in additional costs which would have been covered under the policy but for the release.

~~(c) If the insured decides not to participate in this program of if the parties are unsuccessful at resolving the claim, the insured may choose to proceed under the appraisal process set forth in the insured's insurance policy, or by litigation, or by any other dispute resolution procedure available under Florida law.~~

(11) The Department is authorized to designate an entity or person as its Administrator to carry out any of the Department's duties under this rule.

(12) If a court holds any subsection or portion of a subsection of this rule or the applicability thereof to any person or circumstance invalid, the remainder of the rule shall not be affected thereby.

Rulemaking Specific Authority 624.308(1), 626.9611, 627.7015(4) FS. Law Implemented 624.307(1), ~~(2), (4), (5), 624.418(2)(a), 624.421(1)(a), 624.421(1)(3), 626.9541(1)(a), (e), (i), (u), 626.9561, 626.9581(1), 626.9641(1)(g)~~, 627.7015 FS. History—New 8-18-94, Amended 5-1-96, 4-6-00, Formerly 4J-166.031, 69B-166.031, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Ellen Simon, Chief Counsel, Division of Legal Services,
Department of Financial Services

NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Tammy Teston, Deputy Chief Financial
Officer, Division of Consumer Services, Department of
Financial Services

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: March 9, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: December 24, 2008

FINANCIAL SERVICES COMMISSION

Finance

RULE NO.: 69V-85.006
PURPOSE AND EFFECT: The proposed rule requires the electronic filing of forms and fees through the Office of Financial Regulation's Regulatory Enforcement and Licensing (REAL) System. This rule pertains to persons required to be licensed under Chapter 520, Florida Statutes, relating to Retail Installment Sales.

SUMMARY: The proposed rule requires the electronic filing of forms and fees through the Office of Financial Regulation's Regulatory Enforcement and Licensing (REAL) System. This rule pertains to persons required to be licensed under Chapter 520, Florida Statutes, relating to Retail Installment Sales.

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.

RULEMAKING AUTHORITY: 520.994(5) FS.
LAW IMPLEMENTED: 520.03, 520.32, 520.52, 520.63, 520.999 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: Gregory C. Oaks, Chief, Bureau of Regulatory Review – Finance, Division of Finance, Office of Financial Regulation, 200 East Gaines Street, Tallahassee, FL 32399-0376, phone (850)410-9805, Facsimile (850)410-9914, E-mail: Greg.Oaks@flofr.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69V-85.006 Electronic Filing of Forms and Fees.

(1) For purposes of this rule, “REAL System” means the Office of Financial Regulation’s Regulatory Enforcement and Licensing System, which is accessible through the Office of Financial Regulation’s website at www.flofr.com.

(2) All forms adopted under Rules 69V-85.002 and 69V-85.003, F.A.C., must be filed with the Office of Financial Regulation through the REAL system.

(3) All fees required to be filed with the Office of Financial Regulation under Rule 69V-85.003, F.A.C., must be filed through the REAL System.

(4) Any person may petition for a waiver of the requirement of electronic filing of any form or fee under Rule Chapter 69V-85, F.A.C., by filing a petition under Rule 28-106.301, F.A.C. The petition must demonstrate a technological or financial hardship that entitles the person to file the form or fees in a paper format. The Office of Financial Regulation will provide any person granted a waiver under this subsection a hardcopy version of the applicable form.

Rulemaking Authority 520.994(5) FS. Law Implemented 520.03, 520.32, 520.52, 520.63, 520.999 FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Gregory C. Oaks, Chief, Bureau of Regulatory Review – Finance, Division of Finance, Office of Financial Regulation
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Financial Services Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 10, 2009
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 27, 2009

FINANCIAL SERVICES COMMISSION

Finance

RULE NO.: 69V-160.036
PURPOSE AND EFFECT: The proposed rule requires the electronic filing of forms and fees through the Office of Financial Regulation’s Regulatory Enforcement And Licensing

RULE TITLE: Electronic Filing of Forms and Fees

(REAL) System. This rule pertains to persons required to be licensed under Chapter 516, Florida Statutes, the Florida Consumer Finance Act.

SUMMARY: The proposed rule requires the electronic filing of forms and fees through the Office of Financial Regulation’s Regulatory Enforcement And Licensing (REAL) System. This rule pertains to persons required to be licensed under Chapter 516, Florida Statutes, the Florida Consumer Finance Act.

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.

RULEMAKING AUTHORITY: 516.03 FS.

LAW IMPLEMENTED: 516.03 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Gregory C. Oaks, Chief, Bureau of Regulatory Review – Finance, Division of Finance, Office of Financial Regulation, 200 East Gaines Street, Tallahassee, FL 32399-0376; phone (850)410-9805, Facsimile (850)410-9914, E-mail: Greg.Oaks@flofr.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69V-160.036 Electronic Filing of Forms and Fees.

(1) For purposes of this rule, “REAL System” means the Office of Financial Regulation’s Regulatory Enforcement and Licensing System, which is accessible through the Office of Financial Regulation’s website at www.flofr.com.

(2) All forms adopted under Rule 69V-160.030, F.A.C., must be filed with the Office of Financial Regulation through the REAL system.

(3) All fees required to be filed with the Office of Financial Regulation under Rules 69V-160.030 and 69V-160.031, F.A.C., must be filed through the REAL System.

(4) Any person may petition for a waiver of the requirement of electronic filing of any form or fee under Rule Chapter 69V-160, F.A.C., by filing a petition under Rule 28-106.301, F.A.C. The petition must demonstrate a technological or financial hardship that entitles the person to file the form or fees in a paper format. The Office of Financial Regulation will provide any person granted a waiver under this subsection a hardcopy version of the applicable form.

Rulemaking Authority 516.03 FS. Law Implemented 516.03 FS. History– New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Gregory C. Oaks, Chief, Bureau of Regulatory Review –
 Finance, Division of Finance, Office of Financial Regulation
 NAME OF AGENCY HEAD WHO APPROVED THE
 PROPOSED RULE: Financial Services Commission
 DATE PROPOSED RULE APPROVED BY AGENCY
 HEAD: March 10, 2009
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT
 PUBLISHED IN FAW: February 27, 2009

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. 35, No. 5, February 6, 2009 issue of the Florida Administrative Weekly.

Written comments, dated March 2, 2009, were received by the Department regarding the definition of the term “fuel grade ethanol.” The definition contained in Forms DR-309631N, DR-309632N, DR-309633N, DR-309634N, DR-309635N, DR-309636N, DR-309637N, and DR-309638N has been changed so that, when adopted, the first two sentences of the category “Ethanol Blends” on each form will read:

Ethanol Blends: Ethanol blends are taxable products resulting from a blend of gasoline and ethanol to create a fuel grade ethanol. Fuel grade ethanol is defined as ethanol blended with at least 1.97 percent gasoline to render the product unsuitable for human consumption.

Subsections (21), (23), (25), (27), (29), (31), (33), and (35) of Rule 12B-5.150, F.A.C., have been changed, so that, when adopted, those subsections will read:

- (21) DR-309631N Instructions for Filing Terminal Supplier Fuel Tax Return (R. ~~04/09 01/08~~) 01/08
- (23) DR-309632N Instructions for Filing Wholesaler/Importer Fuel Tax Return (R. ~~04/09 01/08~~) 01/08
- (25) DR-309633N Instructions for Filing Mass Transit System Provider Fuel Tax Return (R. ~~04/09 01/08~~) 01/08
- (27) DR-309634N Instructions for Filing Local Government User of Diesel Fuel Tax Return (R. ~~04/09 01/08~~) 01/08
- (29) DR-309635N Instructions for Filing Blender/Retailer of Alternative Fuel Tax Return (R. ~~04/09 01/08~~) 01/08
- (31) DR-309636N Instructions for Filing Terminal Operator Information Return (R. ~~04/09 01/08~~) 01/08
- (33) DR-309637N Instructions for Filing Petroleum Carrier Information Return (R. ~~04/09 01/08~~) 01/08
- (35) DR-309638N Instructions for Filing Exporter Fuel Tax Return (R. ~~04/09 01/08~~) 01/08

Section III

Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
 6A-6.05271 Standards for the Use of Reasonable Force

NOTICE OF CONTINUATION

Notice is hereby given that the above rule, as noticed in Vol. 35, No. 5, February 6, 2009 Florida Administrative Weekly has been continued from March 17, 2009 to May 19, 2009.

DEPARTMENT OF REVENUE

Miscellaneous Tax

RULE NO.: RULE TITLE:
 12B-5.020 Definitions; Specific Exemptions

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. 35, No. 5, February 6, 2009 issue of the Florida Administrative Weekly.

Written comments, dated March 2, 2009, were received by the Department regarding the definition of the term “fuel grade ethanol.” In response, the definition of “fuel grade ethanol” has been changed, so that, when adopted, paragraph (e) of subsection (1) of Rule 12B-5.020, F.A.C. (Definitions; Specific Exemptions), will read:

(e) “Fuel grade ethanol” means ethanol blended with at least 1.97 percent gasoline to render the product unsuitable for human consumption pursuant to 27 C.F.R. 19.1005 (hereby incorporated by reference).

DEPARTMENT OF REVENUE

Miscellaneous Tax

RULE NO.: RULE TITLE:
 12B-5.150 Public Use Forms

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.”

REGIONAL PLANNING COUNCILS

Southwest Florida Regional Planning Council

RULE NO.: RULE TITLE:
 29I-1.004 Council Membership and
 Appointments, Term of Service,
 Vacancies, Removal from Office
 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. 51, December 19, 2008 issue of the Florida Administrative Weekly.

The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The changes are as follows:

1. Paragraph (1)(e) will be changed to delete the current language as it duplicates language in Section 186.504(3), F.S.; paragraph (1)(f) will be deleted and its current text moved to paragraph (1)(e).

REGIONAL PLANNING COUNCILS

Southwest Florida Regional Planning Council

RULE NO.: RULE TITLE:
 29I-7.004 Costs
 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. 51, December 19, 2008 issue of the Florida Administrative Weekly.

The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The change is as follows:

1. Subsection (1) will be changed to clarify the fee the Council charges for its services. The second sentence will be revised to read: "The SWFRPC shall be compensated for costs incurred for situation assessments, facilitation of additional settlement meeting, mediation, technical assistance, and other staff services." This language is supported by Section 186.505, F.S.

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:
 33-601.101 Incentive Gain Time
 NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 35, No. 7, February 20, 2009 issue of the Florida Administrative Weekly.

In subparagraph (6)(a)(2), the word "months" is corrected to read "month"; and in the History section of the proposed rule, the second 'Formerly' citation should read "33-11.0065" rather than "33-11.065." These corrections do not affect the substance of the Rule.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NOS.: RULE TITLES:
 40C-2.042 General Permit by Rule
 40C-2.101 Publications Incorporated by
 Reference
 40C-2.301 Conditions for Issuance of Permits
 NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 51, December 19, 2008 issue of the Florida Administrative Weekly has been withdrawn.

AGENCY FOR HEALTH CARE ADMINISTRATION

Certificate of Need

RULE NO.: RULE TITLE:
 59C-1.030 Criteria Used in Evaluation of
 Applications
 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. 48, November 26, 2008 issue of the Florida Administrative Weekly.

59C-1.030 Criteria Used in the Evaluation of Applications.

In addition to criteria set forth in Section 408.035, Florida Statutes, the following criteria are used in the review of an application.

(1) ~~General Provisions (Reserved) For a new general hospital as defined in Section 395.002, F.S. and 59A-3.252(1)1. and 3., F.A.C. the criteria for evaluation includes the need for health care facilities and health services being proposed, availability, accessibility, and extent of utilization of existing facilities and services in the service district of the applicant, the extent that access will be enhanced, the extent that competition, quality and cost-effectiveness will be fostered and provision of services to Medicaid patients and the Medically indigent and is as itemized in Section 408.035(2) and 408.037(2), F.S.~~

(2) through (3) No change.

~~Rulemaking Specific Authority 408.15(8), 408.034(3), (6)(5) FS. Law Implemented 408.035 FS. History—New 1-1-77, Amended 11-1-77, 6-5-79, 4-24-80, 2-1-81, 4-1-82, 11-9-82, 2-14-83, 4-7-83, 6-9-83, 6-10-83, 12-12-83, 3-5-84, 5-14-84, 7-16-84, 8-30-84, 10-15-84, 12-25-84, 4-9-85, Formerly 10-5.11, Amended 6-19-86, 11-24-86, 1-25-87, 3-2-87, 3-12-87, 8-11-87, 8-7-88, 8-28-88, 9-12-88, 4-19-89, 10-19-89, 5-30-90, 7-11-90, 8-6-90, 10-10-90, 12-23-90, Formerly 10-5.011(1)(a), (b), Formerly 10-5.030, Amended _____.~~

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

RULE NO.: 59C-1.0355
 RULE TITLE: Hospice Programs
 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. 35, No. 4, January 30, 2009 issue of the Florida Administrative Weekly.

These changes reflect comments from the Joint Administrative Procedures Committee and information received at the February 24, 2009 hearing. The text of the proposed rule will be revised to include the date of publication of data reports that are incorporated by reference and to add Section 408.034(6) to the rulemaking authority.

THE FULL TEXT OF THE PROPOSED RULE IS:**59C-1.0355 Hospice Programs.**

(1) Agency Intent. This rule implements the provisions of subsection 408.034(3), paragraphs 408.036(1)(d) ~~and (e)~~, and subsection 408.043(2), Florida Statutes. It is the intent of the agency to ensure the availability of hospice programs as defined in this rule to all persons requesting and eligible for hospice services, regardless of ability to pay. This rule regulates the establishment of new hospice programs, the construction of freestanding inpatient hospice facilities as defined in this rule, and a change in licensed bed capacity of a freestanding inpatient hospice facility. A separate certificate of need application shall be submitted for each service area defined in this rule.

(2) Definitions.

(a) "Agency." The Agency for Health Care Administration.

(b) "Approved Hospice Program." A hospice program for which the agency has issued an intent to grant a certificate of need, or has issued a certificate of need, and that is not yet licensed as of 3 weeks prior to publication of the fixed need pool.

(c) "Contractual Arrangement." An arrangement for contractual services, as described in subsection 400.6085, Florida Statutes.

(d) "Fixed Need Pool." The fixed need pool defined in subsection 59C-1.002(19)(20), Florida Administrative Code. The agency shall publish a fixed need pool for hospice programs twice a year.

(e) "Freestanding Inpatient Hospice Facility." For purposes of this rule, a facility that houses inpatient beds licensed exclusively to the hospice program but does not house any inpatient beds licensed to a hospital or nursing home.

(f) "Hospice Program." A program described in subsections 400.601(3)(2), 400.602(1)(5), 400.609, and 400.6095(1), Florida Statutes, that provides a continuum of

palliative and supportive care for the terminally ill patient and his family. Hospice services must be available 24 hours a day, 7 days a week, and must be available to all terminally ill persons and their families without regard to age, gender, national origin, sexual orientation, disability, diagnosis, cost of therapy, ability to pay, or life circumstances.

(g) "Inpatient Bed." Inpatient beds located in a freestanding inpatient hospice facility, a hospital, or a nursing home and available for hospice inpatient care.

(h) "Local Health Council." The council referenced in Section 408.033(1), Florida Statutes.

(i) "Planning Horizon." The date by which a proposed new hospice program is expected to be licensed. For purposes of this rule, the planning horizon for applications submitted between January 1 and June 30 is July 1 of the year 1 year subsequent to the year the application is submitted; the planning horizon for applications submitted between July 1 and December 31 is January 1 of the year 2 years subsequent to the year the application is submitted.

(j) "Residential Facility." For purposes of this rule, a facility operated by a licensed hospice program to provide a residence for hospice patients, as defined in Section 400.601(5)(4), F.S. A residential facility is not subject to regulation under this rule. Provided, however, that a proposal to convert such a residence to a freestanding inpatient hospice facility is subject to regulation under this rule.

(k) "Service Area." The geographic area consisting of a specified county or counties, as follows:

1. Service Area 1 consists of Escambia, Okaloosa, Santa Rosa, and Walton Counties.
2. Service Area 2A consists of Bay, Calhoun, Gulf, Holmes, Jackson, and Washington Counties.
3. Service Area 2B consists of Franklin, Gadsden, Jefferson, Leon, Liberty, Madison, Taylor, and Wakulla Counties.
4. Service Area 3A consists of Alachua, Bradford, Columbia, Dixie, Gilchrist, Hamilton, Lafayette, Levy, Putnam, Suwanee, and Union Counties.
5. Service Area 3B consists of Marion County.
6. Service Area 3C consists of Citrus County.
7. Service Area 3D consists of Hernando County.
8. Service Area 3E consists of Lake and Sumter Counties.
9. Service Area 4A consists of Baker, Clay, Duval, Nassau, and St. Johns Counties.
10. Service Area 4B consists of Flagler and Volusia Counties.
11. Service Area 5A consists of Pasco County.
12. Service Area 5B consists of Pinellas County.
13. Service Area 6A consists of Hillsborough County.
14. Service Area 6B consists of Hardee, Highlands, and Polk Counties.
15. Service Area 6C consists of Manatee County.

- 16. Service Area 7A consists of Brevard County.
- 17. Service Area 7B consists of Orange and Osceola Counties.
- 18. Service Area 7C consists of Seminole County.
- 19. Service Area 8A consists of Charlotte and DeSoto Counties.
- 20. Service Area 8B consists of Collier County.
- 21. Service Area 8C consists of Glades, Hendry and Lee Counties.
- 22. Service Area 8D consists of Sarasota County.
- 23. Service Area 9A consists of Indian River County.
- 24. Service Area 9B consists of Martin, Okeechobee, and St. Lucie Counties.
- 25. Service Area 9C consists of Palm Beach County.
- 26. Service Area 10 consists of Broward County.
- 27. Service Area 11 consists of Dade and Monroe Counties.

(1) "Terminally Ill." As defined in subsection 400.601(10)(9), Florida Statutes, terminally ill refers to a medical prognosis that a patient's life expectancy is 1 year or less if the illness runs its normal course.

(3) General Provisions.

(a) Quality of Care. Hospice programs shall comply with the standards for program licensure described in Chapter 400, Part IV VI, Florida Statutes, and Chapter 58A-2 59A-2, Florida Administrative Code. Applicants proposing to establish a new hospice program shall demonstrate how they will meet the standards.

(b) Conformance with Statutory Review Criteria. A certificate of need for the establishment of a new hospice program, construction of a freestanding inpatient hospice facility, or change in licensed bed capacity of a freestanding inpatient hospice facility, shall not be approved unless the applicant meets the applicable review criteria in Sections 408.035 and 408.043(2), F.S., and the standards and need determination criteria set forth in this rule. Applications to establish a new hospice program shall not be approved in the absence of a numeric need indicated by the formula in paragraph (4)(a) of this rule, unless other criteria in this rule and in Sections 408.035 and 408.043(2), F.S., outweigh the lack of a numeric need.

(4) Criteria for Determination of Need for a New Hospice Program.

(a) Numeric Need for a New Hospice Program. Numeric need for an additional hospice program is demonstrated if the projected number of unserved patients who would elect a hospice program is 350 or greater. The net need for a new hospice program in a service area is calculated as follows:

$$(HPH) - (HP) \geq 350$$

where:

(HPH) is the projected number of patients electing a hospice program in the service area during the 12 month period beginning at the planning horizon. (HPH) is the sum of (U65C x P1) + (65C x P2) + (U65NC x P3) + (65NC x P4)

where:

U65C is the projected number of service area resident cancer deaths under age 65, and P1 is the projected proportion of U65C electing a hospice program.

65C is the projected number of service area resident cancer deaths age 65 and over, and P2 is the projected proportion of 65C electing a hospice program.

U65NC is the projected number of service area resident deaths under age 65 from all causes except cancer, and P3 is the projected proportion of U65NC electing a hospice program.

65NC is the projected number of service area resident deaths age 65 and over from all causes except cancer, and P4 is the projected proportion of 65NC electing a hospice program.

The projections of U65C, 65C, U65NC, and 65NC for a service area are calculated as follows:

$$U65C = (u65c/CT) \times PT$$

$$65C = (65c/CT) \times PT$$

$$U65NC = (u65nc/CT) \times PT$$

$$65NC = (65nc/CT) \times PT$$

where:

u65c, 65c, u65nc, and 65nc are the service area's current number of resident cancer deaths under age 65, cancer deaths age 65 and over, deaths under age 65 from all causes except cancer, and deaths age 65 and over from all causes except cancer.

CT is the service area's current total of resident deaths, excluding deaths with age unknown, and is the sum of u65c, 65c, u65nc, and 65nc.

PT is the service area's projected total of resident deaths for the 12-month period beginning at the planning horizon.

"Current" deaths means the number of deaths during the most recent calendar year for which data are available from the Department of Health and Rehabilitative Services' Office of Vital Statistics at least 3 months prior to publication of the fixed need pool.

"Projected" deaths means the number derived by first calculating a 3-year average resident death rate, which is the sum of the service area resident deaths for the three most recent calendar years available from the Department of Health and Rehabilitative Services' Office of Vital Statistics at least 3 months prior to publication of the fixed need pool, divided by the sum of the July 1 estimates of the service area population for the same 3 years. The resulting average death rate is then multiplied by the projected total population for the service area at the mid-point of the 12-month period which begins with the applicable planning horizon. Population estimates for each year will be the most recent population estimates from ~~published by~~ the Office of the Governor at least 3 months prior

to publication of the fixed need pool. The following materials are incorporated by reference within this rule: Department of Health Office of Vital Statistics Florida Vital Statistics Annual Report 2007, Deaths, and the Office of the Governor Florida Population Estimates And Projections by AHCA District 2000 To 2020, released September, 2008. These publications are available on the Agency website at http://ahca.myflorida.com/MCHQ/CON_FA/index.shtml.

The projected values of P1, P2, P3, and P4 are equal to current statewide proportions calculated as follows:

$$P1 = (Hu65c/Tu65c)$$

$$P2 = (H65c/T65c)$$

$$P3 = (Hu65nc/Tu65nc)$$

$$P4 = (H65nc/T65nc)$$

where:

Hu65c, H65c, Hu65nc, and H65nc are the current 12-month statewide total admissions of hospice cancer patients under age 65, hospice cancer patients age 65 and over, hospice patients under age 65 admitted with all other diagnoses, and hospice patients age 65 and over admitted with all other diagnoses. The current totals are derived from reports submitted under subsection (9) of this rule.

Tu65c, T65c, Tu65nc, and T65nc are the current 12-month statewide total resident deaths for the four categories used above.

(HP) is the number of patients admitted to hospice programs serving an area during the most recent 12-month period ending on June 30 or December 31. The number is derived from reports submitted under subsection (9) of this rule.

350 is the targeted minimum 12-month total of patients admitted to a hospice program.

(b) Licensed Hospice Programs. Regardless of numeric need shown under the formula in paragraph (4)(a), the agency shall not normally approve a new hospice program for a service area unless each hospice program serving that area has been licensed and operational for at least 2 years as of 3 weeks prior to publication of the fixed need pool.

(c) Approved Hospice Programs. Regardless of numeric need shown under the formula in paragraph (4)(a), the agency shall not normally approve another hospice program for any service area that has an approved hospice program that is not yet licensed.

(d) Approval Under Special Circumstances. In the absence of numeric need identified in paragraph (4)(a), the applicant must demonstrate that circumstances exist to justify the approval of a new hospice. Evidence submitted by the applicant must document one or more of the following:

1. That a specific terminally ill population is not being served.
2. That a county or counties within the service area of a licensed hospice program are not being served.

3. That there are persons referred to hospice programs who are not being admitted within 48 hours (~~excluding cases where a later admission date has been requested~~). The applicant shall indicate the number of such persons.

(e) Preferences for a New Hospice Program. The agency shall give preference to an applicant meeting one or more of the criteria specified in subparagraphs 1. through 5.:

1. Preference shall be given to an applicant who has a commitment to serve populations with unmet needs.

2. Preference shall be given to an applicant who proposes to provide the inpatient care component of the hospice program through contractual arrangements with existing health care facilities, unless the applicant demonstrates a more cost-efficient alternative.

3. Preference shall be given to an applicant who has a commitment to serve patients who do not have primary caregivers at home; the homeless; and patients with AIDS.

4. In the case of proposals for a hospice service area comprised of three or more counties, preference shall be given to an applicant who has a commitment to establish a physical presence in an underserved county or counties.

5. Preference shall be given to an applicant who proposes to provide services that are not specifically covered by private insurance, Medicaid, or Medicare.

(5) Consistency with Plans. An applicant for a new hospice program shall provide evidence in the application that the proposal is consistent with the needs of the community and other criteria contained in local health council plans and the State Health Plan. The application for a new hospice program shall include letters from health organizations, social services organizations, and other entities within the proposed service area that endorse the applicant's development of a hospice program.

(6) Required Program Description. An applicant for a new hospice program shall provide a detailed program description in its certificate of need application, including:

- (a) Proposed staffing, including use of volunteers.
- (b) Expected sources of patient referrals.
- (c) Projected number of admissions, by payer type, including Medicare, Medicaid, private insurance, self-pay, and indigent care patients for the first 2 years of operation.
- (d) Projected number of admissions, by type of terminal illness, for the first 2 years of operation.
- (e) Projected number of admissions by two age groups, under 65 and 65 or older, for the first 2 years of operation.
- (f) Identification of the services that will be provided directly by hospice staff and volunteers and those that will be provided through contractual arrangements.
- (g) Proposed arrangements for providing inpatient care (e.g., construction of a freestanding inpatient hospice facility; contractual arrangements for dedicated or renovated space in hospitals or nursing homes).

(h) Proposed number of inpatient beds that will be located in a freestanding inpatient hospice facility, in hospitals, and in nursing homes.

(i) Circumstances under which a patient would be admitted to an inpatient bed.

(j) Provisions for serving persons without primary caregivers at home.

(k) Arrangements for the provision of bereavement services.

(l) Proposed community education activities concerning hospice programs.

(m) Fundraising activities.

(7) Construction of a Freestanding Inpatient Hospice Facility. The agency will not normally approve a proposal for construction of a freestanding inpatient hospice facility unless the applicant demonstrates that the freestanding facility will be more cost-efficient than contractual arrangements with existing hospitals or nursing homes in the service area. The application shall include the following:

(a) A description of any advantages that the hospice program will achieve by constructing and operating its own inpatient beds.

(b) Existing contractual arrangements for inpatient care at hospitals and nursing homes; or, in the case of a proposed new hospice program, contacts made with hospitals and nursing homes regarding contractual arrangements for inpatient care.

(c) Anticipated sources of funds for the construction.

~~(8) Change in Licensed Bed Capacity of a Freestanding Inpatient Hospice Facility. A hospice program proposing to change the licensed bed capacity of its freestanding inpatient hospice facility shall indicate in its application:~~

~~(a) The annual occupancy rate for the freestanding inpatient hospice facility beds for the most recent 12-month period preceding the application submission.~~

~~(b) The extent to which the number of contracted beds in hospitals and nursing homes will be modified as a result of the change in licensed capacity of the freestanding inpatient hospice facility.~~

(8)(9) Semi-Annual Utilization Reports. Each hospice program shall report utilization information to the agency or its designee on or before July 20 of each year and January 20 of the following year. The July report shall indicate the number of new patients admitted during the 6-month period composed of the first and second quarters of the current year, the census on the first day of each month included in the report, and the number of patient days of care provided during the reporting period. The January report shall indicate the number of new patients admitted during the 6-month period composed of the third and fourth quarters of the prior year, the census on the first day of each month included in the report, and the number of patient days of care provided during the reporting period. The following detail shall also be provided.

(a) For the number of new patients admitted:

1. The 6-month total of admissions under age 65 and age 65 and over by type of diagnosis (e.g., cancer; AIDS).

2. The number of admissions during each of the 6 months covered by the report, by service area of residence.

(b) For the patient census on April 1 or October 1, as applicable, the number of patients receiving hospice care in:

1. A private home.
2. An adult congregate living facility.
3. A hospice residential unit.
4. A nursing home.
5. A hospital.

~~(9)(10) Grandfathering Provisions.~~ A hospice program licensed as of the effective date of this rule is authorized to continue to serve all counties in the service area where its principal place of business is located. A hospice program whose certificate of need or current license permits hospice services in a county or counties in an adjacent service area may continue to serve those adjacent counties. Any expansion to provide service to other counties in an adjacent service area is subject to regulation under this rule.

~~Rulemaking Specific Authority~~ 408.15(8), 408.034(3), (5), ~~(6)~~ FS. Law Implemented 408.034(3), 408.035, 408.036(1)(~~d~~)(~~e~~), (~~e~~), (~~f~~), 408.043(2), 400.606(4), (5) FS. History—New 4-17-95, Amended 7-30-95, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.: 61G19-7.002
 RULE TITLE: Training Program Providers
 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. 19, May 9, 2008 issue of the Florida Administrative Weekly.

The changes are in response to additional written comments submitted by the staff of the Joint Administrative Procedures Committee with regard to subsection (1) of the proposed rule amendments. When changed, subsection (1) of the rule shall read as follows:

(1) Prospective training program providers shall register with the Board on Board-approved registration form “Training Program and Training Program Provider Application Instructions,” DBPR BCAI 4253-1; “Training Program and Training Program Provider Approval Application,” DBPR BCAI 4254-1; “Attendance Roster,” DBPR 4255-1; and “Course and Program Approval,” DBPR 4256-1, with instructions which are is hereby incorporated by reference, copies of which may be obtained from the Board’s internet website at: www.myflorida.com/dbpr/pro/build/documents/training_program_and_training_program_provider_package_enterable.pdf Board office.

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE NO.: 64B1-7.0015
 RULE TITLE: Continuing Education Requirement

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 33, No. 44, November 2, 2007 issue of the Florida Administrative Weekly.

The change is in response to concerns stated in a letter from the Joint Administrative Procedure Committee dated December 13, 2007:

The rule shall read as:

64B1-7.0015 Continuing Education Requirement.

(1) As a condition of the biennial renewal of a license, each licensee shall complete a minimum of 20 credit hours per biennium of continuing education that meets the requirements of Chapter 457, F.S. Effective March 1, 2002, as a condition of the biennial renewal of a license, each licensee shall complete a minimum of 30 credit hours per biennium of continuing education that meets the requirements of Section 457.107, F.S. Pursuant to Section 456.033(2), F.S., each licensee shall submit confirmation of having completed a 3-hour HIV/AIDS course when submitting fees for the initial biennial renewal. Each biennium, the licensee shall complete a program awarding at least 5 hours of continuing education credit in Biomedical Sciences as set forth in Rule 64B1-6.005, F.A.C. concerning the use of laboratory test findings. ~~Each biennium, the licensee shall complete a program awarding at least 3 hours of continuing education credit concerning the use of imaging findings.~~ Each biennium, the licensee shall complete a program on Chapters 456 and 457, F.S., and Rule Chapter 64B1, F.A.C., consisting of at least 2 hours of study.

(2) through (6) No change.

~~(7) Other provisions of a rule of the Board notwithstanding, effective for the biennium beginning March 1, 2004, and ending February 28, 2006, all non-statutory continuing education licensure renewal requirements imposed by Board rule are suspended. No continuing education credits will be required for renewal of licensure at the February 28,~~

~~2006 renewal date except for the medical errors and HIV/palliative care requirements imposed by Sections 456.013(7) and 456.033, F.S., respectively.~~

Rulemaking Specific Authority 456.013, 457.104, 457.107, 457.108, 457.1085 FS. Law Implemented 456.013, 456.033, 457.107, 457.108, 457.1085, 457.109 FS. History—New 3-18-97, Formerly 59M-7.0015, Amended 4-25-00, 4-3-01, 11-24-02, 5-18-04, 5-30-07,_____.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-52.003
 RULE TITLE: Procedure for Approval of Attendance at Continuing Education Courses

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 35, No. 9, March 6, 2009 issue of the Florida Administrative Weekly.

The correction is as follows:

The Summary of Statement of Estimated Regulatory Cost shall be corrected to read as follows:

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No 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 the statement of estimated costs, or to provide proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Electrolysis Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NOS.: 64B15-14.007
 64B15-14.0076
 RULE TITLES: Standard of Care for Office Surgery Requirement for Osteopathic Physician Office Registration; Inspection or Accreditation

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 34, No. 47, November 21, 2008 issue of the Florida Administrative Weekly.

This correction is pursuant to a request made by the Joint Administrative Procedures Committee for a corrected Purpose and Effect and Summary. The corrections are as follows:

(1) The Purpose and Effect shall be corrected to read as follows:

PURPOSE AND EFFECT: The Board proposes the rule amendments to clarify the office surgery log requirements and the qualifications of the monitors and physicians; to

incorporate the Department of Health requirements for office registration and authorize office re-inspection in certain circumstances.

(2) The Summary shall be corrected to read as follows:

SUMMARY: Office surgery log requirements will be clarified; qualifications of the monitors and physicians will be clarified; the Department of Health requirements for office registration will be incorporated into the rule; and office re-inspection will be authorized in certain circumstances.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3254

**Section IV
Emergency Rules**

**BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND**

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

**Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver**

**BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND**

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

DEPARTMENT OF MANAGEMENT SERVICES

NOTICE IS HEREBY GIVEN THAT on February 20, 2009, the Agency for Workforce Innovation, received a petition for Temporary Waiver of Rule 60BB-8.201, Florida Administrative Code, from Early Learning Coalition of the Big Bend, Inc., 325 John Knox Road, Tallahassee, Florida 32303, Chris Duggan, CEO.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Stephanie Savestanan, Agency for Workforce Innovation, Office of Early Learning, 107 E. Madison Street, MSC 140, Tallahassee, Florida 32399-4120.

NOTICE IS HEREBY GIVEN THAT on February 20, 2009, the Agency for Workforce Innovation, received a petition for Variance from subsection 60BB-4.210(1), Florida Administrative Code, from Early Learning Coalition of the Big Bend Regions, Inc., 325 John Knox, Suite L-201, Tallahassee, FL 32303, Chris Duggan, CEO.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Stephanie Savestanan, Agency for Workforce Innovation, Office of Early Learning, 107 E. Madison Street, MSC 140, Tallahassee, Florida 32399-4120.

NOTICE IS HEREBY GIVEN THAT on March 2, 2009, the Agency for Workforce Innovation, received a petition for Temporary Waiver of Rule 60BB-8.201, Florida Administrative Code, from Early Learning Coalition of Clay, Nassau, Baker and Bradford Counties, 1845 Town Center Boulevard, Suite 150, Orange Park, Florida 32003.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Stephanie Savestanan, Agency for Workforce Innovation, Office of Early Learning, 107 E. Madison Street, MSC 140, Tallahassee, Florida 32399-4120.

NOTICE IS HEREBY GIVEN THAT on March 4, 2009, the Agency for Workforce Innovation, received a petition for Emergency Temporary Waiver of paragraph 60BB-8.201(4)(a), Florida Administrative Code, Early Learning Coalition of Osceola County, 1631 East Vine Street, Suite E., Kissimmee, Florida 34744.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Stephanie Savestanan, Agency for Workforce Innovation, Office of Early Learning, 107 E. Madison Street, MSC 140, Tallahassee, Florida 32399-4120.

NOTICE IS HEREBY GIVEN THAT on February 24, 2009, the Agency for Workforce Innovation, received a petition for Variance from subsection 60BB-4.210(1), Florida Administrative Code, from Early Learning Coalition of Osceola County, 1631 East Vine Street, Suite E, Kissimmee, Florida 34744.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Stephanie Savestanan, Agency for Workforce Innovation, Office of Early Learning, 107 E. Madison Street, MSC 140, Tallahassee, Florida 32399-4120.

NOTICE IS HEREBY GIVEN THAT on February 25, 2009, the Agency for Workforce Innovation, received a petition for Temporary Waiver of Rule 60BB-8.201, Florida Administrative Code, from Early Learning Coalition of St. Lucie County, 804 S. 6th Street, Fort Pierce, Florida 34950.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Stephanie Savestanan, Agency for Workforce Innovation, Office of Early Learning, 107 E. Madison Street, MSC 140, Tallahassee, Florida 32399-4120.

NOTICE IS HEREBY GIVEN THAT on February 25, 2009, the Agency for Workforce Innovation, received a petition for Variance from subsection 60BB-4.210(1), Florida Administrative Code, from Early Learning Coalition of St. Lucie County, 804 S. 6th Street, Fort Pierce, Florida 34950.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Stephanie Savestanan, Agency for Workforce Innovation, Office of Early Learning, 107 E. Madison Street, MSC 140, Tallahassee, Florida 32399-4120.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT on January 23, 2009, the Board of Architecture and Interior Design has issued an order. The Order is regarding the Petition for Waiver or Variance, filed on October 24, 2008, by Miriam Collada-Myers. The Notice of Petition for Waiver or Variance was published in Vol. 34, No. 46, of the November 14, 2008, Florida Administrative Weekly. Petitioner sought a waiver or variance of subsection 61G1-21.001(1), F.A.C., entitled "Continuing Education for Interior Designers," which requires that a Florida licensed interior designer reestablish professional knowledge and competency by completing 20 contact hours of continuing professional education per biennium. The Board considered the instant Petition at a duly-noticed public meeting, held January 8, 2009, in Tallahassee, Florida.

The Board's Order granted the petition finding that Petitioner established that the purpose of the underlying statutes, Section 481.215, Florida Statutes, would be met by granting a variance or waiver from subsection 61G1-21.001(1), F.A.C. The Board further found that Petitioner established that applying the requirements of the aforementioned Rules to her circumstances would violate principles of fairness and impose a substantial hardship.

A copy of the Order may be obtained by contacting: Juanita Chastain, Executive Director, Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0750.

NOTICE IS HEREBY GIVEN THAT on March 2, 2009, the Board of Accountancy, received a petition for Nancy J. Schroeder, seeking a variance or waiver of subparagraph

61H1-33.003(5)(b)1., F.A.C., which requires that professional development courses be credited for continuing professional education purposes in full hours only.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607, (352)333-2505. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on February 24, 2009, the Board of Accountancy, received a petition for Jack A. Snay, seeking a variance or waiver of paragraph 61H1-33.003(1)(b), F.A.C., which requires that a licensee submit an additional 8 hours of Accounting and Auditing subjects for not meeting the deadline for obtaining the required continuing education hours by June 30th of the licensee's reestablishment period.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607, (352)333-2505. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

NOTICE IS HEREBY GIVEN THAT on March 5, 2009, the Department of Environmental Protection, received a petition for a temporary waiver from the North Shore Medical Center, 1100 N. W. 95th St., Miami, Florida, facility ID #139102327 to allow a one year extension of the requirement to upgrade underground storage tank systems with secondary containment. OGC Case number is 09-0431.

A copy of the Petition for Variance or Waiver may be obtained by contacting: John Svec, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS #4525, Tallahassee, Florida 32399-2400, (850)245-8845, e-mail: john.svec@dep.state.fl.us.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT on March 10, 2009, the Board of Pharmacy, received a petition for Arijit Aichbhaumik, R.Ph., on behalf of WellDyne Rx. The petitioner is seeking a variance or waiver of Rule 64B16-28.113, Florida Administrative Code, which requires that a Board of Pharmacy permit shall be issued only to a single entity at a single location.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254, (850)245-4292. Comments on this petition should be filed with the Board of Pharmacy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on March 10, 2009, the Board of Pharmacy, received a petition for Kevin Fearon, R.Ph., on behalf of Millennium Systems, Inc. The petitioner is seeking a variance or waiver of paragraph 64B16-28.606(2)(a), Florida Administrative Code, which requires that all pharmacists participating in remote medication order processing be Florida licensed pharmacists.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254, (850)245-4292. Comments on this petition should be filed with the Board of Pharmacy within 14 days of publication of this notice.

The **Board of Physical Therapy Practice** hereby gives that the petition filed by Connie Cervantes on January 13, 2009, seeking a variance or waiver from paragraph 64B17-3.001(4)(j), F.A.C., has been withdrawn. The Notice of Petition published in Vol. 35, No. 3 of the January 23, 2009, issue of the Florida Administrative Weekly.

The person to be contacted regarding this petition is: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

NOTICE IS HEREBY GIVEN THAT on February 2, 2009, the Board of Physical Therapy Practice has issued an order.

The Order is regarding the Petition for Waiver or Variance, which was filed on October 30, 2008, by Chein Shing Liu-Cudnik. The Notice of Petition for Waiver or Variance was published in Vol. 34, No. 46, of the November 14, 2008, Florida Administrative Weekly. The Petitioner was seeking a waiver or variance of subsection 64B17-3.001(4), F.A.C., entitled "Licensure as a Physical Therapist by Examination," which requires for foreign graduates to have received a determination that the credentials are equivalent to education required for licensure as a physical therapist in the United States as determined by the Foreign Credentialing Commission on Physical Therapy as provided under The Board considered the instant Petition at a duly-noticed meeting, held December 5, 2008, in Tampa, Florida.

The Board's Order, filed on February 2, 2009, granted the petition finding that Petitioner established that the purpose of the underlying statute, Section 486.051, F.S., would be met by

granting a variance or waiver from subsection 64B17-3.001(4), F.A.C. The Board further finds that Petitioner established that applying the requirements of the aforementioned rule to her circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3755.

NOTICE IS HEREBY GIVEN THAT on March 5, 2009, the Board of Psychology, received a petition for David E. Cox, Ph.D., seeking a variance or waiver of paragraph 64B19-11.005(1)(c), F.A.C., which requires that a supervisor be either a Florida licensed psychologist in good standing with the Board, or a doctoral-level psychologist licensed in good standing in another state providing supervision for licensure in that state.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allen Hall, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255. Comments on this petition should be filed with the Board of Psychology within 14 days of publication of this notice.

Section VI Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF LEGAL AFFAIRS

The **Department of Legal Affairs, Council on the Social Status of Black Men and Boys** announces the following telephone conference meetings which all persons are invited to attend.

Council on the Social Status of Black Men and Boys

DATE AND TIME: April 6, 2009, 2:00 p.m. – 4:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 1465889610

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Council shall make a systematic study of the conditions affecting black men and boys, including, but not limited to, homicide rates, arrest and incarceration rate, poverty, violence, drug abuse, death rates, disparate annual income levels, school performance in all grade levels including postsecondary levels, and health issues.

A copy of the meeting agenda may be obtained by visiting: <http://www.cssbmb.com>.

Pursuant to the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Bureau at least 48 hours prior to the meeting by contacting: Bureau of Criminal Justice Programs at (850)414-3300. If you are 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, contact: Bureau of Criminal Justice Programs at (850)414-3300.

DEPARTMENT OF COMMUNITY AFFAIRS

The **Florida Building Commission** announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 30, 2009, 11:30 a.m. – 12:30 p.m.

PLACE: Meetings to be conducted using Communications Media Technology, specifically Conference Call: 1(888)808-6959, Code: 9221867

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Education Program Oversight Committee (POC) meeting to discuss accreditor and course applications submitted for approval and notice for rule development workshop.

A copy of the agenda may be obtained by contacting: Mr. Rick Dixon, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Mr. Rick Dixon, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax (850)414-8436, Website: www.floridabuilding.org.

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

DATES AND TIMES: April 6-8, 2009 8:00 a.m. – Completion
PLACE: Hilton University of Florida Conference Center
Gainesville, 1714 S. W. 34th Street, Gainesville, Florida
32607, (352)371-3600

GENERAL SUBJECT MATTER TO BE CONSIDERED:

April 6, 2009, 9:00 a.m. Meeting of the Accessibility Advisory Council.

Meeting of the Accessibility Advisory Council to consider the following applications for waiver from the accessibility code requirements: FIU School of International and Public Affairs 11210 S. W. 12th Street, Miami; Visual and Performing Arts Teaching Facility, USF 4202 E. Fowler Avenue, Tampa; Palm Beach County Fire Rescue Station No. 32, 4022 Charleston Street, Lake Worth South Florida, Community College Auditorium Renovation, 600 West College Drive, Avon Park; Southside Saddle Club, 2980 Greenbrier Road, Jacksonville; Remington College – Tampa Campus, 6302 E. Martin Luther King, Jr. Blvd., Tampa; Henrosa Hotel, 1435 Collins Avenue, Miami Beach; Jupiter High School, 500 North Military Trail, Jupiter; Royal Palm Beach High School, 10600 Okeechobee Boulevard, Royal Palm Beach; La Prima Casa Montessori, 2733 S. W. 3rd Ave. and 261 S. W. 28 Road, Miami; Orange County Orlando Magic Recreation Center, South Econ Site; Orange County Orlando Magic Recreation Center Golden Rod Site; Orange County Orlando Magic Recreation Center Dr. Phillips Site; Orange County Orlando Magic Recreation Center Meadow Woods Site; Orange County Orlando Magic Recreation Center Silver Star Site.

9:00 a.m. Meeting of the Energy TAC

1:00 p.m. Meeting of the Structural TAC

1:00 p.m. Meeting of the Accessibility Code Workgroup

3:00 p.m. Meeting of the Code Administration TAC

April 7, 2009

8:00 a.m. Meeting of the Budget Committee

9:00 a.m. Meeting of the Plenary Session of the Florida Building Commission

UF Welcome and Invitation to Hurricane Test Laboratory

Review and Approve Agenda

Review and Approve February 3, 2009 Meeting Minutes and Facilitator's Report

Chair's Discussion Issues and Recommendations

Update of the Commission Workplan

Review Annual Commission Effectiveness Assessment Survey Results

Consider Accessibility Waiver Applications

Consider Applications for Product and Entity Approval

Consider Applications for Accreditor and Course Approval

Consideration of Legal Issues and Petitions for Declaratory Statements
 Petition for Investigation of Product Approval DCA08-BC-360 by Powersteel

Declaratory Statements:

First Hearing

DCA08-DEC-207 by Anthony Apfelbeck, Fire Marshall/Building Official, City of Altamonte Springs
 DCA08-DEC-344 by Alvin Scolnik, National Electrical Manufacturer’s Association
 DCA08-DEC-345 by James Reed, Southwest Progressive Enterprises, Inc.
 DCA09-DEC-009; Submitted by Thomas H Ford of Bhamani, Ford
 DCA09-DEC-025 by Brad Wetherholtz, Florida Roofing and Sheet Metal Association
 DCA09-DEC-045 by Brad Wetherholtz, Florida Roofing and Sheet Metal Association
 DCA09-DEC-051; by David Hodges, Fine Tooth Comb Investigations
 DCA09-DEC-053; by James R. Schock City of Jacksonville
 DCA09-DEC-055; by David Hodges, Fine Tooth Comb Investigations
 DCA09-DEC-056; by David Hodges, Fine Tooth Comb Investigations
 DCA09-DEC-062; by Dan Arlington, St. Johns County
 Consideration of Committee Reports and Recommendations: Code Administration TAC Report; Electrical TAC Report; Energy TAC Report; Fire TAC Report; Mechanical TAC Report; Structural TAC Report; Education POC Report; Product Approval/Manufactured Buildings POC Report; Florida Accessibility Code Workgroup Report; Florida Energy Code Workgroup Report; Flood Resistant Standards Workgroup Report; Soffit Systems Workgroup Report.
 Rule Development Workshop on Rule 9B-70.002, F.A.C., Education;
 Rule Development Workshop on Rule 9B-3.047, F.A.C., Florida Building Code/NEC, Interior Designers and Conflicts with Law;
 Rule Development Workshop on Rule 9B-13.0071, F.A.C., Cost Effectiveness of Amendments to Energy Code.

Commission Member Comments and Issues
 General Public Comment
 Review Committee Assignments and Issues for the June 8, 9 and 10, 2009 Commission Meeting
 Summary Review of Meeting Work Products

Second Hearing

DCA08-DEC-194 by Dan Arlington, St. Johns County Building Department
 DCA08-DEC-357 by Fred S. Cardwell, P.E. – Withdrawn

April 8, 2009

8:30 a.m. Meeting of Soffit Workgroup

A copy of the agenda may be obtained by contacting: Mrs. Suzanne Davis, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824, Fax (850)414-8436, or go to the website:www.floridabuilding.org. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824, Fax: (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Mrs. Suzanne Davis, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824, Fax: (850)414-8436, or go to the website: www.floridabuilding.org.

The **Local Emergency Planning Committee** staff announces a public meeting to which all persons are invited.

DATE AND TIME: April 2, 2009, 8:00 a.m. – 9:30 a.m.

PLACE: Betty Easley Conference Center, Southwood Campus, Room 166, 4075 Esplanade Way, Tallahassee, Florida 32399-0950

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss membership categories within the Local Emergency Planning Committee’s.

A copy of the agenda may be obtained by contacting: Division of Emergency Management, State Emergency Response Commission for Hazardous Materials, Capital Circle Office Center, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)413-9970.

Pursuant to the provisions of 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 Emergency Management at (850)413-9970. If you are 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 Subcommittee on Training of the **State Emergency Response Commission (SERC) for Hazardous Materials** announces a public meeting to which all persons are invited.

DATE AND TIME: April 2, 2009, 9:30 a.m.

PLACE: Betty Easley Conference Center, Southwood Campus, Room 166, 4075 Esplanade Way, Tallahassee, Florida 32399-2100

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the activities and goals of the SERC Subcommittee on Training and other hazardous materials training issues.

A copy of the agenda may be obtained by contacting: Division of Emergency Management, State Emergency Response Commission for Hazardous Materials, Capital Circle Office Center, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)413-9970.

Pursuant to the provisions of 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 Emergency Management at (850)413-9970. If you are 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 Local Emergency Planning Committees, Chairpersons and Staff Contacts for the **State Emergency Response Commission (SERC) for Hazardous Materials** announces a public meeting to which all persons are invited.

DATE AND TIME: April 2, 2009, 1:30 a.m.

PLACE: Betty Easley Conference Center, Southwood Campus, Room 166, 4075 Esplanade Way, Tallahassee, Florida 32399-0950

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the activities and goals of the Local Emergency Planning Committees in implementing the Emergency Planning and Community Right-To-Know Act, also known as Title III of the Superfund Amendments and Reauthorization Act of 1986.

A copy of the agenda may be obtained by contacting: Division of Emergency Management, State Emergency Response Commission for Hazardous Materials, Capital Circle Office Center, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)413-9970.

Pursuant to the provisions of 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 Emergency Management at (850)413-9970. If you are 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 **State Emergency Response Commission (SERC)** for Hazardous Materials announces a public meeting to which all persons are invited.

DATE AND TIME: April 3, 2009, 10:00 a.m.

PLACE: Betty Easley Conference Center, Southwood Campus, Room 166, 4075 Esplanade Way, Tallahassee, Florida 32399-0950

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the requirements of the Emergency Planning and Community Right-To-Know Act, also known as Title III of the Superfund Amendments and Reauthorization Act of 1986.

A copy of the agenda may be obtained by contacting: Division of Emergency Management, State Emergency Response Commission for Hazardous Materials, Capital Circle Office Center, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)413-9970.

Pursuant to the provisions of 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 Emergency Management at (850)413-9952. If you are 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."

FLORIDA PAROLE COMMISSION

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

DATES AND TIME: Wednesday, April 8, 2009; April 15, 2009; April 29, 2009, 8:30 a.m.

PLACE: Florida Parole Commission, 2601 Blair Stone Road, Bldg. C, Tallahassee, FL 32399-2450

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery, Control Release and all other Commission business.

A copy of the agenda may be obtained by contacting: Florida Parole Commission at (850)488-1293.

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

PUBLIC SERVICE COMMISSION

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

DATE AND TIME: April 7, 2009, 9:30 a.m.

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

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

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

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

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

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

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

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

DATE AND TIME: April 7, 2009, Immediately following the Commission Conference which commences at 9:30 a.m. in Joseph P. Cresse, Hearing Room 148

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

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

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

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

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

EXECUTIVE OFFICE OF THE GOVERNOR

The **Governor's Office of Policy and Budget** announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 1, 2009, 2:00 p.m. – 3:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 7517473

GENERAL SUBJECT MATTER TO BE CONSIDERED: Complete Count Committee's Education Subcommittee.

- Discuss ideas on how to implement census awareness activities in Florida's schools.
- Discuss a timeline in which the goals will be reached.

A copy of the agenda may be obtained by contacting: Ayla Anderson, Governor's Office of Policy and Budget at (850)487-1880.

For more information, you may contact: Ayla Anderson, Governor's Office of Policy and Budget at (850)487-1880.

The **Governor's Office of Policy and Budget** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, April 3, 2009, 2:00 p.m. – 3:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 7517473

GENERAL SUBJECT MATTER TO BE CONSIDERED: 2010 Statewide Complete Count Committee's Business Subcommittee:

- Identify large employers with a large capacity for outreach to the community and their employees.
- Discuss the development of partnerships with businesses.
- Discuss the possibility of additional partners or trade associates in local communities.

A copy of the agenda may be obtained by contacting: Ayla Anderson, Governor's Office of Policy and Budget at (850)487-1880.

For more information, you may contact: Ayla Anderson, Governor's Office of Policy and Budget at (850)487-1880.

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, April 7, 2009, 8:00 a.m. – until business is completed

PLACE: Conference Call

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee meetings as shown:

- 9:00 a.m. Volunteer Services
- 10:00 a.m. Legislative
- 11:00 a.m. Finance and Audit
- 12:00 Noon Communications
- 2:00 p.m. Grants/AmeriCorps
- 3:00 p.m. Disability Outreach
- 4:00 p.m. Emergency Management
- 5:00 p.m. Executive Committee

A copy of the agenda may be obtained by contacting: Kristin Mullikin at (850)921-5172 or kristin@volunteerflorida.org.

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

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

For more information, you may contact: Kristin Mullikin at (850)921-5172 or kristin@volunteerflorida.org.

The **Governor's Office of Policy and Budget** announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 10, 2009, 2:00 p.m. – 3:00 p.m.

PLACE: Conference Call: 1(888)808-6959. Conference Code: 7517473

GENERAL SUBJECT MATTER TO BE CONSIDERED: 2010 Statewide Complete Count Committee's Media Subcommittee:

- Discuss the idea of liaisons with ad agencies.
- Discuss a communication plan.
- Determine what each media outlet can bring to the Sunshine Census effort.
- Build a media timeline.

A copy of the agenda may be obtained by contacting: Ayla Anderson, Governor's Office of Policy and Budget at (850)487-1880.

For more information, you may contact: Ayla Anderson, Governor's Office of Policy and Budget at (850)487-1880.

REGIONAL PLANNING COUNCILS

The **West Florida Regional Planning Council** and the **Local Emergency Planning Committee** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, March 27, 2009, 9:30 a.m., Training Exercise Planning Committee

PLACE: WFRPC Headquarters, Main Conference Room, 4081 E. Olive Road, Suite A, Pensacola FL 32514

GENERAL SUBJECT MATTER TO BE CONSIDERED: Recommendations for conduct of a Hazardous Materials exercise in spring 2009. Immediately following the Training Exercise Planning teleconference, the Hazardous Materials Users Planning Committee will meet at 10:30 a.m.

A copy of the agenda may be obtained by contacting: Jim Crumlish, District 1 staff at Jim.Crumlish@wfrpc.org or (850)332-7976 or 1(800)226-8914.

Pursuant to the provisions of 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: Jim Crumlish, 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).

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: Jim Crumlish by e-mail (above) or toll-free line (above).

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

DATE AND TIMES: Thursday, April 2, 2009, Planning and Growth Management Policy Committee, 8:30 a.m.; Personnel, Budget and Finance Policy Committee, 9:00 a.m.; Full Board of Directors Meeting, 10:00 a.m.; Legislative Policy Committee, immediately following Board Meeting

PLACE: NEFRC, 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Monthly Meeting.

A copy of the agenda may be obtained by contacting: NEFRC, Angela Giles or Sheron Forde at (904)279-0880.

REGIONAL TRANSPORTATION AUTHORITIES

The **South Florida Regional Transportation Authority** announces a hearing to which all persons are invited.

DATE AND TIME: Friday, March 27, 2009, 9:30 a.m.

PLACE: Board Room of South Florida Regional Transportation Authority, 800 N. W. 33rd Street, Suite 100, Pompano Beach, FL 33064

GENERAL SUBJECT MATTER TO BE CONSIDERED: Notice of Public Hearing and intent to file Section 5307 and Section 5309 Grant Applications with the Federal Transit Administration in the estimated amount of \$42,835,214.

NOTICE IS HEREBY GIVEN THAT at the Board Meeting of March 27, 2009, the Governing Board for the South Florida Regional Transportation Authority (SFRTA) will hold a Public Hearing at 9:30 a.m., to receive public input on the SFRTA's intent to file Section 5307 and Section 5309 Grant Applications with the Federal Transit Administration (FTA) in the amount of \$42,835,214. All interested individuals and/or groups are invited to attend this meeting and will have an opportunity to present their views and comments, or by responding in writing to: South Florida Regional Transportation Authority, 800 N. W. 33rd Street, Suite 100, Pompano Beach, FL 33064. The following represents SFRTA's Program of Projects:

Urbanized Area: Miami, Florida

Federal Transit Administration Apportionment: \$42,835,214

Total Funds Available: \$42,835,214

Designated Recipient: South Florida Regional Transportation Authority

PROGRAM OF PROJECTS

GPS Tracking System 1,600,000

General Engineering Consultants 500,000

Program Support 1,000,000

General Planning, Capital Development and Planning Studies 3,375,000

Preventative Maintenance 10,139,000

Hialeah Yard Layover track 500,000

New Rail Cars 3,000,000

Coach Wraps 850,000

Ticket Vending Machines 3,000,000

In-Board Hot Box Detectors 1,000,000

Dynamic Stabilizer 850,000

Smart Card 445,000

West Palm Beach Intermodal 517,000

Locomotive Acquisition* 8,029,607

Rolling Stock* 8,029,607

TOTAL PROJECT \$42,835,214

FUNDING SOURCES

FTA Capital Assistance \$26,776,000

American Recovery Reinvestment Act of 2009/FTA \$16,059,214*

TOTAL PROJECTS \$42,835,214

Total Request \$42,835,214

These improvements will enhance significantly the service reliability of passenger and freight service in the rail corridor owned by the Florida Department of Transportation.

Those wishing to review or obtain a copy of any materials pertaining to this public hearing may contact: Carla D. McKeever at (954)788-7953. All written comments will be entered into the official records of the public hearing. Persons wishing to address the Board are requested to complete an "Appearance Card" and will be limited to three (3) minutes.

Unless amended, this notice will serve as the final Program of Projects for Fiscal Year 2009 for the South Florida Regional Transportation Authority.

A copy of the agenda may be obtained by contacting: Carla D. McKeever at (954)788-7953.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Executive Office, 800 N. W. 33 St., Pompano Beach, FL 33064. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **South Florida Regional Transportation Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, March 27, 2009, 1:30 p.m.

PLACE: Board Room, South Florida Regional Transportation Authority, Administration Building, 800 N. W. 33rd Street, Suite 100, Pompano Beach, Florida 33064

GENERAL SUBJECT MATTER TO BE CONSIDERED: Operations Technical Committee meeting.

A copy of the agenda may be obtained by contacting: SFRTA Operations Office at (954)788-7945.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Executive Office, 800 N. W. 33rd Street, Suite 100, Pompano Beach, Florida 33064. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **South Florida Regional Transportation Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 9, 2009, 11:00 a.m.

PLACE: Board Room of SFRTA's Administrative Offices, 800 N. W. 33rd Street, Pompano Beach, FL 33064

GENERAL SUBJECT MATTER TO BE CONSIDERED: Citizen's Advisory Committee meeting.

A copy of the agenda may be obtained by contacting: SFRTA Executive Office at (954)788-7915.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Executive Office, 800 N. W. 33rd Street, Suite 100, Pompano Beach, Florida 33064. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

WATER MANAGEMENT DISTRICTS

The **St. Johns River Water Management District**, Projects and Land Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, April 13, 2009, 4:00 p.m., Projects and Land Committee Business Meeting

PLACE: District Headquarters, Room 162, Executive Building, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Projects and Land Committee will discuss agenda items, followed by committee recommendations to be approved by the full Governing Board.

NOTE: In the event a quorum of the Committee is not available for the business meeting at the date, time and place set forth above, the Committee shall meet on Tuesday, April 14, 2009, 8:00 a.m. at: District Headquarters, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177. One or more Governing Board members may attend and participate in the meetings by means of communications media technology.

A copy of the agenda may be obtained by contacting: Heather Barnes, 4049 Reid Street, Palatka, FL 32177, (386)329-4347, or by visiting the District's website: www.sjrwmd.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: District Clerk at (386)329-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **St. Johns River Water Management District**, Projects and Land Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, April 13, 2009, 4:00 p.m., Projects and Land Committee Business Meeting

PLACE: District Headquarters, Room 162, Executive Building, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Projects and Land Committee will discuss agenda items, followed by committee recommendations to be approved by the full Governing Board.

NOTE: In the event a quorum of the Committee is not available for the business meeting at the date, time and place set forth above, the Committee shall meet on Tuesday, April 14, 2009, 8:00 a.m. at District Headquarters, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177. One or more Governing Board members may attend and participate in the meetings by means of communications media technology.

A copy of the agenda may be obtained by contacting: Heather Barnes, 4049 Reid Street, Palatka, FL 32177, (386)329-4347, or by visiting the District's website: www.sjrwmd.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: District Clerk at (386)329-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

DATE AND TIMES: Tuesday, April 14, 2009

- 8:15 a.m. Chair's Meeting
- 8:45 a.m. Finance, Administration and Audit Committee
- 10:00 a.m. Regulatory Committee
- 1:00 p.m. Governing Board Meeting and Public Hearing on Land Acquisition

PLACE: District Headquarters, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion and consideration of District business including regulatory and non-regulatory matters. Staff may recommend approval of external amendments which affect the adopted budget.

NOTE: One or more Governing Board members may attend and participate in the meetings by means of communications media technology.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention: Marji Hightower, 4049 Reid Street, Palatka, FL 32177, (386)329-4214, or by visiting the District's website: www.sjrwmd.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: District Clerk at (386)329-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DATE AND TIME: Tuesday, March 31, 2009, 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Committee Meetings, Board Meeting, and Public Hearing: Conduct Committee meetings, Governing Board meeting and public hearing. Ad Order 35945.

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: Friday, April 3, 2009, 8:00 a.m.

PLACE: Hyatt Regency Sarasota, 1000 Boulevard of the Arts, Sarasota, FL 34236

GENERAL SUBJECT MATTER TO BE CONSIDERED: Peace River/Manasota Regional Water Supply Authority – Regional Water Conservation Policy Summit: Discussion of conservation initiatives. Ad Order 35945.

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.

NOTICE OF CHANGE – The **Southwest Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, April 3, 2009, 1:30 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Peace River Basin Board meeting (change in time and location): Consideration of Basin business including the amendment of the Peace River Basin fiscal year (FY) 2009 budget to include \$231,844 in unanticipated revenue from the State's Water Management Lands Trust Fund (WMLTF) to implement projects in the District's Surface Water Improvement and Management (SWIM) Program. This would include the Coral Creek Habitat Restoration project for \$200,000; Biennial Seagrass Mapping of Tampa Bay, Sarasota Bay and Charlotte Harbor project for \$17,500; and Charlotte Harbor Water Quality Monitoring project for \$14,344. The proposed amendment will result in a \$231,844 increase in the FY2009 budget of the Peace River Basin to reflect the additional revenue from the WMLTF, with no impact on Basin ad valorem taxes. Ad Order 35945.

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

DATES AND TIMES: Peer Review of the Technical Document to Support Water Reservations for the Kissimmee River and Chain of Lakes, Tuesday, March 31, 2009, 8:30 a.m. – 5:00 p.m.; Wednesday, April 1, 2009, 8:30 a.m. – 10:30 a.m.

PLACE: Osceola County Extension Office, Osceola Heritage Park, 1921 Kissimmee Valley Lane, Kissimmee, FL 34744-6107

GENERAL SUBJECT MATTER TO BE CONSIDERED: South Florida Water Management District's Water Supply Department hosts an independent peer review of the adequacy of technical information to support water reservations for the Kissimmee River and Chain of Lakes.

A copy of the agenda may be obtained by contacting: Jason Godin, Water Supply Department, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, ext. 2992 or (561)682-2992, email: jgodin@sfwmd.gov or available online under the Kissimmee River and Chain of Lakes section of the Natural System Technical Document Peer Review web conference board available at: <http://webboard.sfwmd.gov/default.asp?boardid=NSTDPR>.

Pursuant to the provisions of 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.

The **Water Resources Advisory Commission**, Issues Workshop, River of Grass Project Planning Phase 1 announces a public meeting to which all persons are invited.

DATES AND TIME: March 31, 2009; April 1, 2009, 10:00 a.m. – 4:00 p.m.

PLACE: Royal Palm Beach Cultural Center, 151 Civic Center Way, Royal Palm Beach, FL 33411

GENERAL SUBJECT MATTER TO BE CONSIDERED: All interested parties are invited to participate in a planning workshop for use in configuration of the River of Grass Restoration Plan. The public is advised that it is possible that one or more members of the Governing Board of the South Florida Water Management District may attend and participate in this meeting.

A copy of the agenda may be obtained by contacting: Joni Warner at (561)242-5520, ext. 4221.

Pursuant to the provisions of 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's Clerk Office, Jacki McGorty at (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Water Resources Advisory Commission (WRAC)** announces a public meeting to which all persons are invited.

DATE AND TIME: April 2, 2009, 9:00 a.m. – 4:00 p.m.

PLACE: Hilton Palm Beach Airport, Meeting Room A, 150 Australian Ave, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Public Meeting of the Water Resources Advisory Commission (WRAC) regarding water resources protection, water supply and flood protection issues. The public is advised that it is possible that one or more members of the Governing Board of the South Florida Water Management District may attend and participate in this meeting.

A copy of the agenda may be obtained by contacting: Rick Smith at (561)682-6517 or at our website: <http://my.sfwmd.gov/wrac>.

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

contacting: District's Clerk Office, Jacki McGorty at (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DATE AND TIME: Lake Belt Mitigation Committee, April 17, 2009, 9:00 a.m.

PLACE: SFWMD, Building B-1, 3rd Floor, 3B, Bridge Conference Room, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Lake Belt Mitigation Committee (LBMC), created pursuant to Section 373.41492, Florida Statutes, to discuss a variety of Lake Belt issues.

A copy of the agenda may be obtained by contacting: Susan Brown at (561)682-2743, <http://www.sfwmd.gov/org/pld/proj/lakebelt/mitigcom.html>. Teleconference information: Local SFWMD: (561)682-6700, Nationwide Toll Free: 1(866)433-6299, Meeting ID #: 9927.

Pursuant to the provisions of 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.

COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

The Florida **Commission for the Transportation Disadvantaged** announces a public meeting to which all persons are invited.

DATES AND TIME: Wednesday and Thursday, April 1-2, 2009, 8:00 a.m. – completion

PLACE: Please call: (850)410-5703 for location information

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will be holding interviews for the Executive Director of the Commission for the Transportation Disadvantaged.

A copy of the agenda may be obtained by contacting: Nikki Smith, 605 Suwannee Street, MS-49, Tallahassee, FL 32399, (850)410-5700.

Pursuant to the provisions of 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: Nikki Smith, 605 Suwannee Street, MS-49, Tallahassee, FL 32399, (850)410-5700. If you are 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: Nikki Smith, 605 Suwannee Street, MS-49, Tallahassee, FL 32399, (850)410-5700.

The Florida **Commission for the Transportation Disadvantaged** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 2, 2009, 1:30 p.m. – completion

PLACE: Commission Business Office, 2740 Centerview Drive, Suite 1A, Tallahassee, FL 32301, (850)410-5700

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Shirley Conroy Subcommittee will meet to review the Shirley Conroy Rural Area Capital Assistance Grant applications received and make recommendations to the Commission for the Transportation Disadvantaged for funding and to discuss other committee business.

A copy of the agenda may be obtained by contacting: Sheri Powers, 605 Suwannee Street, MS-49, Tallahassee, FL 32399, (850)410-5700.

Pursuant to the provisions of 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: Sheri Powers, 605 Suwannee Street, MS-49, Tallahassee, FL 32399, (850)410-5700. If you are 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: Sheri Powers, 605 Suwannee Street, MS-49, Tallahassee, FL 32399, (850)410-5700.

REGIONAL UTILITY AUTHORITIES

The **Peace River Manasota Regional Water Supply Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: April 1, 2009, 9:30 a.m.

PLACE: DeSoto County Administration Building, 201 East Oak Street, Arcadia, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors will convene to conduct regular business of the Authority.

A copy of the agenda may be obtained by contacting: Peace River Manasota Regional Water Supply Authority, 6311 Atrium Drive, Suite 100, Bradenton, Florida 34202.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: (941)316-1776. If you are 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 **Peace River Manasota Regional Water Supply Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: April 3, 2009, 8:00 a.m.

PLACE: Hyatt Regency Sarasota, 1000 Boulevard of the Arts, Sarasota, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Peace River Manasota Regional Water Supply Authority will host a Regional Water Conservation Policy Summit of the local governments in the four-county region of Charlotte, DeSoto, Manatee and Sarasota counties to initiate regional conservation efforts. Authority Board members, local government elected officials and members of the Southwest Florida Water Management District's Governing Board and Basin Boards may be in attendance.

A copy of the agenda may be obtained by contacting: (941)316-1776.

Pursuant to the provisions of 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: (941)316-1776. If you are 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: (941)316-1776.

DEPARTMENT OF ELDER AFFAIRS

The **Long-Term Care Ombudsman Program** announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 30, 2009, 10:00 a.m. – 11:00 a.m. (EST)

PLACE: Conference Call: 1(888)808-6959, Conference Code: 4142163; PIN#: 3742 (This code should be used by the conference call leader only.)

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Long-Term Care Ombudsman Program, Training Committee issues.

A copy of the agenda may be obtained by contacting: Betty Cambolor at (727)518-3913.

Pursuant to the provisions of 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: Betty Cambolor at (727)518-3913. If you are 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: Betty Cambolor at (727)518-3913, email: cambolorbj@elderaffairs.org.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: April 17, 2009, 10:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Health Information Exchange Coordinating Committee and State Electronic Prescribing Advisory Panel will meet to review the provisions of the American Recovery and Reinvestment Act related to health information technology and discuss strategies to promote health information exchange in Florida including electronic prescribing.

A copy of the agenda may be obtained by contacting: Carolyn H. Turner, Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, Mail Stop #16, Tallahassee, FL 32308-5403. The agenda will be posted at: <http://www.fhin.net/FHIN/workgroups/HIECC.shtml> and <http://www.fhin.net/eprescribe/ePrescribeWG/meetings.shtml> seven (7) days prior to the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Carolyn H. Turner, at (850)922-5861. If you are 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: Brenda Phinney at (850)921-2431.

The **Agency for Health Care Administration**, on behalf of the **Florida Health Choices Corporation Board** announces a public meeting to which all persons are invited.

DATE AND TIME: April 3, 2009, 1:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: This will be an organizational meeting for the Florida Health Choices Corporation.

A copy of the agenda may be obtained by contacting: Elizabeth Tull or Carol Barr Platt, Bureau of Managed Health Care at (850)487-0640.

For more information, you may contact: Elizabeth Tull or Carol Barr Platt, Bureau of Managed Health Care at (850)487-0640.

The **Agency for Health Care Administration**, on behalf of the **Florida Health Choices Corporation Board** announces a public meeting to which all persons are invited.

DATE AND TIME: April 3, 2009, 1:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: This will be an organizational meeting for the Florida Health Choices Corporation.

A copy of the agenda may be obtained by contacting: Elizabeth Tull or Carol Barr Platt, Bureau of Managed Health Care at (850)487-0640.

For more information, you may contact: Elizabeth Tull or Carol Barr Platt, Bureau of Managed Health Care at (850)487-0640.

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, May 2, 2009, 8:00 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 **Department of Management Services** announces a hearing to which all persons are invited.

DATE AND TIME: March 27, 2009, 10:00 a.m.

PLACE: Department of Management Services, 4050 Esplanade Way, Room 101, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: [Rule 60L-32.007, F.A.C.](#), Selected Exempt Service Extraordinary Payment Plan. To receive comments from the public on the rule which was noticed in the November 14th issue of the Florida Administrative Weekly. The proposed rule sets forth the requirements and procedures for Selected Exempt Service Extraordinary Payment Plans.

A copy of the agenda may be obtained by contacting: Mr. Phil Spooner, Workforce Design and Compensation Manager, 4050 Esplanade Way, Suite 235, Tallahassee, Florida 32399-0950.

Pursuant to the provisions of 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: Mr. Phil Spooner at phil.spooner@dms.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Commission on Human Relations** announces a hearing to which all persons are invited.

DATE AND TIME: Thursday, April 9, 2009, 9:00 a.m.

PLACE: Conference Call: 1(888)808-6959, when prompted enter the VCS Conference Code 1021548. Florida Commission on Human Relations, 2009 Apalachee Parkway, Suite 200, Tallahassee, Florida 32301.

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 200, Tallahassee, Florida 32301, (850)488-7082, ext. 1032.

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

For more information, you may contact: Denise Crawford, Clerk of the Commission, Florida Commission on Human Relations, 2009 Apalachee Parkway, Suite 200, Tallahassee, Florida 32301, (850)488-7082, ext. 1032.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Board of Architecture and Interior Design** announces a public meeting to which all persons are invited.

DATE AND TIME: March 27, 2009, 9:00 a.m.

PLACE: Boca Raton Community Center, Silver Palm West Room, 150 Crawford Blvd., Boca Raton, Florida 33432

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Board of Architecture and Interior Design announces the following meetings, to which all persons are invited to attend.

DATE AND TIME: March 27, 2009, 9:00 a.m.

PLACE: Boca Raton Community Center, 150 Crawford Blvd., Silver Palm West Room, Boca Raton, Florida 33432

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting, portions may be closed to the public.

The following cases are open to the public:

Gonzalo Jean-Paul Alcantara, Case No. 2008-019795

Miami Architect Design, Inc.

Beachside Design Group, Case No. 2008-012807

Dale P. Schmultz

Bienvenido Benach, Case No. 2008-037688

Principal Planning Partners, Inc.

Roy Brown, Case No. 2008-045067

Carl's Furniture, Inc., Case No. 2008-043989

Robert Dragin

Collins Interiors, LLC, Case No. 2007-049577

Barbara Gardner

Corporate Construction, Case No. 2008-044219

Chad Hitchcock

Country Club Designers, Inc., Case No. 2008-060949

Gayle Barr

Cristy's Interior Design, Inc., Case No. 2008-048800

Cristina Remesar

DCC Design Group Co., Inc., Case No. 2008-060907

Steven Kauffman

Mary Franks, Case No. 2008-062891

Mary Franks Interiors

Interiors by Decorating Den, LLC, Case No. 2008-057035

James B. Deerin

Interiors by the Sea, Inc., Case No. 2008-062836

Linda Snyder

Karen Lynn Interiors, Inc., Case No. 2008-039032

Karen Lynn Poulos

Kemble Interiors, Case No. 2008-021001

Mimi M. McMakin

Kirkland Interiors, Case No. 2008-027143

JK Design Group, LLC

Lott's Furniture, Case No. 2008-060444

Jack E. Lott
 Medical Design Group, Inc., Case No. 2008-065629
 Ben G. McLauchlin
 Metropolis Design, Inc., Case No. 2008-055254
 Jose L. Olazabal
 Miami Architect Designs, Case No. 2008-036428
 Angel D. Gamboa
 Roy Moreo, Case No. 2008-047506
 Noble Construction & Development, Inc., Case No. 2008-037678
 Andre E. Freyre
 Office Furniture & Design Concepts, Case No. 2008-035286
 Glenn D. Steil
 William M. Ranieri, Case No. 2008-041688
 Restaurant Equipment World LLC 2, Case No. 2008-01383
 Pierce Sales Co.
 Jerry E. Pierce
 Santamaria Designs, Case No. 2008-044040
 Pilar Reyes Santamaria
 Rich Smith, Case No. 2008-018620
 Lighthouse Development
 Stroop Design & Construction, Inc., Case No. 2007-037357
 Edward C. Stroop
 Suz-Annz Downunder, Case No. 2008-054819
 Suzanne Whitaker
 Wolfe-Rizor Interiors, Case No. 2008-043960
 Harriet Wolfe

To obtain a copy of the agenda, further information, or submit written or other physical evidence, contact in writing to: Smith, Thompson, Shaw & Manausa, P.A., 3520 Thomasville Road, Fourth Floor, Tallahassee, Florida 32309.

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 will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Smith, Thompson, Shaw & Manausa, P.A., (850)402-1570 at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by contacting: David K. Minacci, Smith, Thompson, Shaw & Manausa, PA, 3520 Thomasville Road, Fourth Floor, Tallahassee, FL 32309.

Pursuant to the provisions of 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: David K. Minacci, Smith, Thompson, Shaw & Manausa, PA, 3520 Thomasville Road, Fourth Floor, Tallahassee, FL 32309. If you are 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: David K. Minacci, Smith, Thompson, Shaw & Manausa, PA, 3520 Thomasville Road, Fourth Floor, Tallahassee, FL 32309.

The Board of Architecture and Interior Design announces a telephone conference call to which all persons are invited.

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

PLACE: Conference Call: 1(888)808-6959, Conference Code: 4879597

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0751.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0751. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0751.

The Board of Architecture and Interior Design announces a public meeting to which all persons are invited.

DATES AND TIME: May 7-8, 2009, 9:00 a.m.

PLACE: Hampton Inn & Suites – Amelia Island, 19 South Second Street, Fernandina Beach, FL 32034, (904)491-4911

GENERAL SUBJECT MATTER TO BE CONSIDERED: May 7, 2009 – General Business including disciplinary cases, if time allows to be followed by General Business discussion items – architecture profession, interior design profession, rules, and reports.

May 8, 2009 – General Business discussion items – architect profession, interior design profession, rules, reports, and application reviews.

A copy of the agenda may be obtained by contacting: Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0751.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, FL 32399-0751. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, FL 32399-0751.

The Department of Business and Professional Regulation, Board of Employee Leasing Companies announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 15, 2009, 10:00 a.m. or soon thereafter

PLACE: The Ritz-Carlton, Sarasota, 1111 Ritz-Carlton Drive, Sarasota, Florida 34236, (941)309-2050

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting of the Board.

A copy of the agenda may be obtained by contacting: Department of Business and Professional Regulation, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767, or by calling the office at (850)487-1395.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: the board office at (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

The Department of Business and Professional Regulation, Board of Employee Leasing Companies announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, May 20, 2009, 10:00 a.m. or soon thereafter

PLACE: Conference Call: 1(888)808-6959, Conference Code: 9226020

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business of the Board.

A copy of the agenda may be obtained by contacting: Department of Business and Professional Regulation, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767, or by calling their office at (850)487-1395.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: the board office at (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

The Department of Business and Professional Regulation, Board of Employee Leasing Companies announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 17, 2009, 10:00 a.m. or soon thereafter

PLACE: The Four Seasons Resort Palm Beach, 2800 South Ocean Boulevard, Palm Beach, Florida 33480, (561)582-2800

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting of the Board.

A copy of the agenda may be obtained by contacting: Department of Business and Professional Regulation, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767, or by calling the office at (850)487-1395.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: the board office at (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

The **Department of Business and Professional Regulation, Board of Employee Leasing Companies** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, July 15, 2009, 10:00 a.m. or soon thereafter

PLACE: Conference Call: 1(888)808-6959, Conference Code: 9226020

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business of the Board.

A copy of the agenda may be obtained by contacting: Department of Business and Professional Regulation, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767, (850)487-1395.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: the board office at (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

The **Department of Business and Professional Regulation, Board of Employee Leasing Companies** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, August 19, 2009, 10:00 a.m. or soon thereafter

PLACE: Conference Call: 1(888)808-6959, Conference Code: 9226020

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business of the Board.

A copy of the agenda may be obtained by contacting: Department of Business and Professional Regulation, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767, (850)487-1395.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: the board office at (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

The **Board of Landscape Architecture** announces a public meeting to which all persons are invited.

DATE AND TIME: April 24, 2009, 9:00 a.m.

PLACE: Gaylord Palms, 6000 W. Osceola Parkway, Kissimmee, FL 34746, (407)586-0000

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board and Business meeting.

A copy of the agenda may be obtained by contacting: Board of Landscape Architecture, 1940 North Monroe Street, Tallahassee, FL 32399, (850)922-7154.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Board of Landscape Architecture, 1940 North Monroe Street, Tallahassee, FL 32399, (850)922-7154. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board of Landscape Architecture, 1940 North Monroe Street, Tallahassee, FL 32399, (850)922-7154.

The Florida **Board of Professional Engineers**, Board Operations Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, March 27, 2009, 11:00 a.m.

PLACE: 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303. Conference Call: 1(866)895-8146, Passcode: 30295716

GENERAL SUBJECT MATTER TO BE CONSIDERED:
General business of the committee.

A copy of the agenda may be obtained by contacting: Wendy Gregory at wgregory@fbpe.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 48 hours before the workshop/meeting by contacting: Wendy Gregory at wgregory@fbpe.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: Wendy Gregory at wgregory@fbpe.org.

The **Building Code Administrators and Inspectors Board** announces a workshop to which all persons are invited.

DATE AND TIME: April 9, 2009, 9:00 a.m.

PLACE: Hyatt Regency, 225 E. Coastline Drive, Jacksonville, Florida 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Building Code Administrators and Inspectors Board hereby gives notice that a public workshop for the purposes of rule development to consider tightening up technical skills under Rule 61G19-9.001, F.A.C.

A copy of the agenda may be obtained by contacting: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750.

The **Building Code Administrators and Inspectors Board** announces a workshop to which all persons are invited.

DATE AND TIME: Thursday, April 9, 2009, 9:00 a.m.

PLACE: Hyatt Regency, 225 E. Coastline Drive, Jacksonville, Florida 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: Rule Development on Rule 61G19-6.0035, F.A.C., and a continuation of workshop on disciplinary matters under rules in Chapter 61G19-5, F.A.C.

A copy of the agenda may be obtained by contacting: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Florida Real Estate Appraisal Board** announces a public meeting to which all persons are invited.

DATES AND TIME: Monday and Tuesday, March 30-31, 2009, 8:30 a.m. or soon thereafter

PLACE: Division of Real Estate, Conference Room N901, North Tower, 400 W. Robinson St., Orlando, Florida 32801-1757

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of the Appraisal Board: Topics include, but not limited to, proposed legislation affecting Chapter 475, Part II, F.S., rule development workshops, Chapter 61J1, F.A.C., rule amendments, disciplinary actions, and general subject matter.

A copy of the agenda may be obtained by contacting: Florida Real Estate Appraisal Board, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1757.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least five (5) days before the workshop/meeting by contacting: Division of Real Estate, 400 W. Robinson St., 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 Appraisal Board, 400 W. Robinson Street, Suite N901, Orlando, FL 32801-1757.

The Probable Cause Panel of the **Florida Real Estate Appraisal Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday April 1, 2009, 9:00 a.m., or soon thereafter (Portions of the probable cause proceedings are not open to the public)

PLACE: The Division of Real Estate, Room N901, North Tower, 400 West Robinson Street, Orlando, Florida 32801-1757

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. Portions of the probable cause proceedings are not open to the public. All or part of this meeting may be conducted by teleconference in order to permit maximum participation of the Board members or its counsel.

A copy of the agenda may be obtained by contacting: Deputy Clerk, Division of Real Estate, 400 W. Robinson St., Suite N801, Orlando, Florida 32801-1757. 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 five (5) days before the workshop/meeting by contacting: Division of Real Estate at (407)481-5632. If you are 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 St., Suite N801, Orlando, Florida 32801-1757.

The **Florida Real Estate Commission** announces a workshop to which all persons are invited.

DATE AND TIME: April 21, 2009, 8:30 a.m.

PLACE: Division of Real Estate, Commission Meeting Room, N901, North Tower, 400 West Robinson Street, Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: [Rule 61J2-24.001, F.A.C.](#), Disciplinary Guidelines. The proposed rule change affects the provisions relating to licenses issued by error of the Commission.

A copy of the agenda may be obtained by contacting: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801.

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

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** announces a public meeting to which all persons are invited.

DATE AND TIME: April 2, 2009, 9:00 a.m. – 11:00 a.m.

PLACE: Florida Department of Environmental Protection – Central District Office, Conference Rooms A&B, Suite 232, 3319 Maguire Blvd., Orlando, FL 32803

GENERAL SUBJECT MATTER TO BE CONSIDERED: Final verified and delist lists of impaired waters for water bodies and water segments within the Middle St. Johns River basin. The lists are available on the Department's TMDL website (<http://www.dep.state.fl.us/water/tmdl>) and will be provided upon request to interested parties by mail or via e-mail distribution. The Department will accept written comments on the lists for a period of 30 days, ending April 20, 2009. Any and all written comments should be directed to Ms. Julie Espy, Watershed Assessment Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS #3555, Tallahassee, Florida 32399-2400, e-mail: julie.espy@dep.state.fl.us.

A copy of the agenda may be obtained by contacting: Ms. Pat Waters, Watershed Assessment Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS #3555, Tallahassee, Florida 32399-2400, e-mail: patricia.waters@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: Ms. Pat Waters at (850)245-8449. If you are 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: April 2, 2009, 11:00 a.m. – 1:00 p.m.

PLACE: Florida Department of Environmental Protection – Central District Office, Conference Rooms A&B, Suite 232, 3319 Maguire Blvd., Orlando, FL 32803

GENERAL SUBJECT MATTER TO BE CONSIDERED: Final verified and delist lists of impaired waters for water bodies and water segments within the Lower St. Johns River basin. The lists are available on the Department's TMDL website (<http://www.dep.state.fl.us/water/tmdl>) and will be provided upon request to interested parties by mail or via e-mail distribution. The Department will accept written comments on the lists for a period of 30 days, ending April 20, 2009.

Any and all written comments should be directed to: Ms. Julie Espy, Watershed Assessment Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS #3555, Tallahassee, Florida 32399-2400, e-mail: julie.espy@dep.state.fl.us.

A copy of the agenda may be obtained by contacting: Ms. Pat Waters, Watershed Assessment Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS #3555, Tallahassee, Florida 32399-2400, e-mail: patricia.waters@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: Ms. Pat Waters at (850)245-8449. If you are 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: April 2, 2009, 2:30 p.m.

PLACE: Florida Department of Environmental Protection – Central District, Conference Room A&B, Suite 232, 3319 Maguire Blvd., Orlando, FL 32803

GENERAL SUBJECT MATTER TO BE CONSIDERED: Final verified and delist lists of impaired waters for water bodies and water segments within the St. Lucie-Loxahatchee basin. The lists are available on the Department's TMDL website (<http://www.dep.state.fl.us/water/tmdl>) and will be provided upon request to interested parties by mail or via e-mail distribution.

The Department will accept written comments on the lists for a period of 30 days, ending April 20, 2009. Any and all written comments should be directed to: Ms. Julie Espy, Watershed Assessment Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS #3555, Tallahassee, Florida 32399-2400, e-mail: julie.espy@dep.state.fl.us.

A copy of the agenda may be obtained by contacting: Ms. Pat Waters, Watershed Assessment Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS #3555, Tallahassee, Florida 32399-2400, e-mail: patricia.waters@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: Ms. Pat Waters at (850)245-8449. If you are 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 **Acquisition and Restoration Council (ARC)**, as defined in Section 259.035, Florida Statutes announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, April 3, 2009, 9:00 a.m. (Only)

PLACE: Marjorie Stoneman Douglas Building, Conference Rooms A&B, 3900 Commonwealth Boulevard, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Purpose: The previously noticed meeting of the Acquisition and Restoration Council (ARC) for the purpose of conducting business will proceed as scheduled and public testimony will be heard on the above date. The public hearing for April 2, 2009 has been cancelled.

A copy of the agenda may be obtained by contacting: Teresia Whalen, Office of Environmental Services at (850)245-2784 or on the web at www.floridaforever.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: Teresia Whalen, Office of Environmental Services at (850)245-2784 or teresia.whalen@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Teresia Whalen, Office of Environmental Services at (850)245-2784 or teresia.whalen@dep.state.fl.us.

The **Department of Environmental Protection** announces a public meeting to which all persons are invited.

DATE AND TIME: April 8, 2009, 9:00 a.m.

PLACE: Florida Department of Environmental Protection, Conference Room 609, 2600 Blair Stone Road, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Final verified lists of impaired waters for water bodies and water segments for all Group 2 basins. The meeting will address the basins on the following schedule: St.

Lucie-Loxahatchee, Charlotte Harbor, Tampa Bay Tributaries, Middle St. Johns River, Lower, St. Johns River and Apalachicola-Chipola. The verified lists are available on the Department's TMDL website (<http://www.dep.state.fl.us/water/tmdl>) and will be provided upon request to interested parties by mail or via e-mail distribution. The Department will accept written comments on the verified lists for a period of 30 days, ending April 20, 2009.

Any and all written comments should be directed to: Ms. Julie Espy, Watershed Assessment Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS #3555, Tallahassee, Florida 32399-2400, e-mail: julie.espy@dep.state.fl.us. A copy of the agenda may be obtained by contacting: Ms. Pat Waters, Watershed Assessment Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 3555, Tallahassee, Florida 32399-2400, e-mail: patricia.waters@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: Ms. Pat Waters at (850)245-8449. If you are 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, Office of Coastal and Aquatic Managed Areas** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, April 13, 2009, 10:00 a.m. – 12:00 Noon or until Council business is concluded

PLACE: Conference Call: 1(888)808-6959, Conference Code: 4513843

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Oceans and Coastal Council will meet to further its duties under the Oceans and Coastal Resources Act.

A copy of the agenda may be obtained by contacting: Becky Prado at rebecca.prado@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Becky Prado at rebecca.prado@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Environmental Protection** announces a public meeting to which all persons are invited.

DATE AND TIME: April 14, 2009, 9:00 a.m. – 12:00 Noon

PLACE: Twin Lakes Park, Conference Room, Bldg. B, 6700 Clark Road, Sarasota, FL 34241

GENERAL SUBJECT MATTER TO BE CONSIDERED: Final verified and delist lists of impaired waters for water bodies and water segments within the Tampa Bay Tributaries basin. The lists are available on the Department's TMDL website (<http://www.dep.state.fl.us/water/tmdl>) and will be provided upon request to interested parties by mail or via e-mail distribution. The Department will accept written comments on the verified and delist lists for a period of 30 days, ending April 20, 2009.

Any and all written comments should be directed to: Ms. Julie Espy, Watershed Assessment Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, M.S. 3555, Tallahassee, Florida 32399-2400, e-mail: julie.espy@dep.state.fl.us.

A copy of the agenda may be obtained by contacting: Ms. Pat Waters, Watershed Assessment Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS #3555, Tallahassee, Florida 32399-2400, e-mail: patricia.waters@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: Ms. Pat Waters at (850)245-8449. If you are 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: April 14, 2009, 1:30 p.m.

PLACE: Twin Lakes Park, Conference Room, Bldg. B, 6700 Clark Road, Sarasota, FL 34241

GENERAL SUBJECT MATTER TO BE CONSIDERED: Final verified and delist lists of impaired waters for water bodies and water segments within the Charlotte Harbor basin.

The lists are available on the Department's TMDL website (<http://www.dep.state.fl.us/water/tmdl>) and will be provided upon request to interested parties by mail or via e-mail distribution. The Department will accept written comments on the verified and delist lists for a period of 30 days, ending April 20, 2009. Any and all written comments should be directed to: Ms. Julie Espy, Watershed Assessment Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS #3555, Tallahassee, Florida 32399-2400, e-mail: julie.espy@dep.state.fl.us.

A copy of the agenda may be obtained by contacting: Ms. Pat Waters, Watershed Assessment Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS #3555, Tallahassee, Florida 32399-2400, e-mail: patricia.waters@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: Ms. Pat Waters at (850)245-8449. If you are 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 **Correctional Medical Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: March 27, 2009, 10:00 a.m. – 12:00 Noon
 PLACE: Conference Call: 1(888)808-6959, Conference Code: 5391969. 4030 Esplanade Way; Building 4030, Room 280N, Tallahassee, FL 32399-2732.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Continued discussion of correctional health care budget and personnel issues.

A copy of the agenda may be obtained by contacting: Correctional Medical Authority at (850)245-4557.

Pursuant to the provisions of 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: Correctional Medical Authority at (850)245-4557. If you are 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: Correctional Medical Authority at (850)245-4557.

The Florida **Department of Health** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 1, 2009, 1:00 p.m. – 5:00 p.m. or conclusion

PLACE: The Florida State University Foundation Boardroom, 2010 Levy Avenue, Building B, Suite 300, Tallahassee, FL 32310

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the fifth meeting of the Governor’s Task Force on Autism Spectrum Disorders. The Task Force will discuss the scope and prioritization of autism 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.

A copy of the agenda may be obtained by contacting: www.healthyfloridians.com/autism.html or by calling Lona Taylor at (850)245-4242.

Pursuant to the provisions of 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: Lona Taylor at (850)245-4242, 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).

For more information, you may contact: www.healthyfloridians.com/autism.html.

The Florida **Board of Nursing**, South Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 26, 2009, 10:00 a.m.

PLACE: Department of Health, Tallahassee at Meet Me Number: 1(888)808-6959, Conference Code: 2458182

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

A copy of the agenda may be obtained by contacting: Rick Garcia, Executive Director, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3257.

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

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

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

DATES AND TIMES: Monday-Tuesday, March 30-31, 2009; Wednesday-Friday, April 1-3, 2009

Monday, 8:30 a.m.	Council on Certified Nursing Assistants (CNA) meets
Tuesday, 8:30 a.m.	Credentials Committee
Tuesday, 8:30 a.m.	Education Committee
Tuesday	Practice Committee Meeting immediately following Credentials and Education Committee adjournment
Tuesday	Advanced Practice Committee Meeting immediately follows Practice Committee Meeting adjournment
Tuesday	Legislative Committee Meeting immediately following Advanced Practice Committee Meeting adjournment

Tuesday Special Education Committee Meeting immediately follows Legislative Committee Meeting adjournment

Wednesday, 8:30 a.m. Council on Certified Nursing Assistants (CNA) discipline cases will be taken up by the Florida Board of Nursing

Wednesday Practice Committee Meeting immediately following CNA discipline meeting adjournment

Wednesday Advanced Practice Committee Meeting immediately follows Practice Committee Meeting adjournment

Wednesday Legislative Committee Meeting immediately following Advanced Practice Committee Meeting adjournment

Wednesday Special Education Committee Meeting immediately follows Legislative Committee Meeting adjournment

Thursday, 8:30 a.m. Credentials Committee

Thursday, 8:30 a.m. Education Committee

Thursday, 1:00 p.m. Full Board meeting

Friday, 8:30 a.m. Full Board meeting

PLACE: Hilton Ft. Lauderdale Airport, 1870 Griffin Road, Dania Beach, FL 33004, (954)920-3300

Teleconference Locations: Florida Department of Health, 4042 Bald Cypress Way, Room 110R, Tallahassee, FL 32399, (850)245-4125

Florida Department of Health, Orlando Field Office, 400 W. Robinson Street, Suite S-827, Orlando, FL 32801, (407)245-0978

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Board, Council and Committees.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact: Board of Nursing, (850)245-4125, at least 48 hours prior to the meeting. If you are a hearing or speech impaired, please contact the Board office using the Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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.

A copy of the meeting agenda may be obtained by visiting our website: http://www.doh.state.fl.us/mqa/nursing/nur_meeting.html.

Any person needing additional information or interested in submitting written or other physical evidence may write or call: Executive Director, Florida Board of Nursing, 4052 Bald

Cypress Way, Bin #C02, Tallahassee, FL 32399-3252, (850)245-4125. Written evidence must be submitted by 5:00 p.m., March 27, 2009.

A copy of the agenda may be obtained by contacting: Board of Nursing website:

http://www.doh.state.fl.us/mqa/nursing/nur_meeting.html.

The **Board of Nursing** announces a workshop to which all persons are invited.

DATE AND TIME: April 1, 2009, immediately following consideration of CNA disciplinary cases

PLACE: Hilton Ft. Lauderdale Airport, 1870 Griffin Road, Dania Beach, Florida 33004

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Nursing hereby gives notice that a public workshop for the purposes of rule development under Rule 64B9-8.005, F.A.C.

A copy of the agenda may be obtained by contacting: Rick Garcia, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting: Rick Garcia, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259. If you are 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 Garcia, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259.

The **Board of Opticianry** announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 31, 2009, 9:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 2453454

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business meeting.

A copy of the agenda may be obtained by contacting: Sue Foster, Executive Director, Department of Health, Board of 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, (850)245-4474 at least one week prior to the meeting date.

The **Board of Pharmacy**, Rules Committee announces a public meeting to which all persons are invited.

DATE AND TIME: April 14, 2009, 10:00 a.m.

PLACE: Marriott Tampa Airport, Tampa International Airport, Tampa, FL 33607, (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will meet to approve minutes from previous meeting; review Rules Clean-Up Project, Chapter 64B16-25, F.A.C., suggested changes, and Rule 64B16-26.351, F.A.C., Standard for Approval of Registered Pharmacy Technician Training Programs; and General Committee business.

A copy of the agenda may be obtained by contacting: Board of Pharmacy, 4052 Bald Cypress Way, Bin C-04, Tallahassee, FL 32399-3254, (850)245-4292. The agenda will also be available one week prior to the meeting date at www.doh.state.fl.us/mqa/pharmacy.

NAVIGATION DISTRICTS

The **West Coast Inland Navigation District** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, March 30, 2009, 2:30 p.m.

PLACE: Venice City Hall, 401 W. Venice Avenue, Venice, FL 34285

GENERAL SUBJECT MATTER TO BE CONSIDERED: Rule 66A-2.003, Policy, F.A.C. To conduct the regular business of the Navigation District.

A copy of the agenda may be obtained by contacting: WCIND, P. O. Box 1845, Venice, FL 34284.

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.

FISH AND WILDLIFE CONSERVATION COMMISSION

The Florida **Fish and Wildlife Conservation Commission (FWC)**, **Division of Law Enforcement** announces public workshops regarding possible amendments to the Boating Safety Rule in Palm Beach County (Rule 68D-24.017 F.A.C.). The public is invited and encouraged to attend and provide their input on this issue. A copy of the Palm Beach Vessel Traffic Study (VTS) can be found at http://myfwc.com/RECREATION/boat_waterways_index.htm

DATE AND TIME: Tuesday, April 14, 2009, 6:00 p.m. – 8:30 p.m.

PLACE: Town of Jupiter Community Center, Rooms B and C, 200 Military Trail, Jupiter, FL, (561)741-2314

DATE AND TIME: Wednesday, April 14, 2009, 6:00 p.m. – 8:30 p.m.

PLACE: City of Boca Raton, Administration Building, Main Auditorium, 6500 Congress Avenue, Boca Raton, FL 33487, (561)416-3374

The Palm Beach County VTS Consensus Group:

DATE AND TIME: April 14, 2009, 4:30 p.m. – 5:30 p.m.

PLACE: Town of Jupiter Community Center, Rooms B and C, 200 Military Trail, Jupiter, FL, (561)741-2314. The meeting is open to the public, seating is limited.

DIRECTIONS: City of Boca Raton – SR 808 (Glades Road) east to Boca Grove Boulevard, merge onto I-95 North via the ramp to West Palm Beach, travel to exit 48B and merge onto N. W. 51st St. (Yamato Road) head west to Congress Avenue, turn right and 6500 Congress Avenue will be on your right.

Town of Jupiter, Community Center – From I-95 or Florida's Turnpike South take Indiantown Road (SR 708) east to Military Trail, turn south and building will be on your left.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The proposed changes to rules within this chapter are to: (1) correct and update locations of boating safety zones along the Florida Intracoastal Waterway (ICW) in Palm Beach County, based upon our findings of the Palm Beach County Vessel Traffic Study; (2) improve clarity and consistency of language and definitions; (3) remove or revise obsolete locations of zones; and (4) respond to requests for revisions received from stakeholders and governmental entities.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the respective location at least five (5) calendar days before the meeting by contacting: ADA Coordinator, see numbers listed above. If you are hearing or speech impaired, please contact the agency by calling the numbers listed above.

DEPARTMENT OF FINANCIAL SERVICES

The **Fire and Emergency Incident Information System Technical Advisory Panel** announces a public meeting to which all persons are invited.

DATE AND TIME: April 14, 2009, 1:00 p.m.

PLACE: Atrium Building, 3rd Floor Conference Room, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting.

A copy of the agenda may be obtained by contacting: MaryAnn.Benson@myfloridacfo.com.

The **Firefighters Employment, Standards and Training Council** announces a public meeting to which all persons are invited.

DATE AND TIME: April 14, 2009, 2:00 p.m.

PLACE: Atrium Building, 3rd Floor Conference Room, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting.

A copy of the agenda may be obtained by contacting: MaryAnn.Benson@myfloridacfo.com.

DEPARTMENT OF MILITARY AFFAIRS

The **Department of Military Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: Saturday, March 28, 2009, 1:30 p.m.

PLACE: Adjutant General’s Conference Room, St. Francis Barracks, 82 Marine Street, St. Augustine, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Armory Board Meeting.

The Armory Board will consider action on contracts, leases, agreements and other business relative to real property and facility management issues under its control.

If a person decides to appeal any decision made by the Armory Board with respect to any matter considered at this meeting, that person may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. In accordance with Section 286.0105, F.S.

A copy of the agenda or more information please contact: Sondra Vaughn at (904)823-0201.

GOVERNOR’S COMMISSION ON DISABILITIES

The **Governor’s Commission on Disabilities**, Transportation Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, March 24, 2009, 9:00 a.m. – 12:00 Noon

PLACE: 4030 Esplanade Way, Suite 301, Tallahassee, Florida 32399. Conference Call: 1(888)808-6959, Conference Code: 6101108#.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee is meeting to fulfill the mandate of Executive Order 08-193.

A copy of the agenda may be obtained by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY)

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

The **Governor’s Commission on Disabilities**, Employment Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, March 24, 2009, 2:00 p.m. – 5:00 p.m.

PLACE: 4030 Esplanade Way, Suite 301, Tallahassee, Florida 32399. Conference Call: 1(888)808-6959, Conference Code: 6101108#.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee is meeting to fulfill the mandate of Executive Order 08-193.

A copy of the agenda may be obtained by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Governor’s Commission on Disabilities**, Health Care Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, March 25, 2009, 9:00 a.m. – 12:00 Noon

PLACE: 4030 Esplanade Way, Suite 301, Tallahassee, Florida 32399. Conference Call: 1(888)808-6959, Conference Code: 6101108#.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee is meeting to fulfill the mandate of Executive Order 08-193.

A copy of the agenda may be obtained by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.myflorida.com. If you are hearing or

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

The **Governor's Commission on Disabilities**, Civil Rights Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, March 25, 2009, 2:00 p.m. – 5:00 p.m.

PLACE: 4030 Esplanade Way, Suite 301, Tallahassee, Florida 32399. Conference Call: 1(888)808-6959, Conference Code: 6101108#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee is meeting to fulfill the mandate of Executive Order 08-193.

A copy of the agenda may be obtained by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Governor's Commission on Disabilities**, Education Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, March 26, 2009, 9:00 a.m. – 12:00 Noon

PLACE: 4030 Esplanade Way, Suite 301, Tallahassee, Florida 32399. Conference Call: 1(888)808-6959, Conference Code: 6101108#.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee is meeting to fulfill the mandate of Executive Order 08-193.

A copy of the agenda may be obtained by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Governor's Commission on Disabilities**, Independent Living Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, March 26, 2009, 2:00 p.m. – 5:00 p.m.

PLACE: 4030 Esplanade Way, Suite 301, Tallahassee, Florida 32399. Conference Call: 1(888)808-6959, Conference Code: 6101108#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee is meeting to fulfill the mandate of Executive Order 08-193.

A copy of the agenda may be obtained by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

CENTER FOR INDEPENDENT LIVING IN CENTRAL FLORIDA, INC.

The **Center for Independent Living in Central Florida, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, March 24, 2009, 5:30 p.m.

PLACE: Center for Independent Living in Central Florida, Inc., 720 North Denning Drive, Winter Park, FL 32789

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Meeting.

A copy of the agenda may be obtained by contacting: Luana Kutz at (407)623-1070 or lkutz@cilorlando.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Luana Kutz at (407)623-1070 or lkutz@cilorlando.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Luana Kutz at (407)623-1070 or lkutz@cilorlando.org.

FLORIDA ALLIANCE FOR ASSISTIVE SERVICES AND TECHNOLOGY, INC.

The **Florida Alliance for Assistive Services and Technology, Inc.** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday March 25, 2009, 9:00 a.m. – 2:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 2373773

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors will meet to conduct such business as specified on the agenda.

If you have any questions, please contact: FFAST, Inc., 325 John Knox Road, Bldg. 400, Ste. 402, Tallahassee, FL 32303, 1(888)788-9216.

If you would like to present information to the Board of Directors, or if you require reasonable accommodations due to a disability, please contact FFAST, Inc. at the above address at least 14 working days in advance of the meeting.

A copy of the agenda may be obtained by contacting: FFAST, Inc., 325 John Knox Road, Bldg. 400, Ste. 402, Tallahassee, FL 32303, 1(888)788-9216.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 14 days before the workshop/meeting by contacting: FFAST, Inc., 325 John Knox Road, Bldg. 400, Ste. 402, Tallahassee, FL 32303, 1(888)788-9216. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FLORIDA LEAGUE OF CITIES

The **Florida Municipal Construction Insurance Trust** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, March 26, 2009, 4:00 p.m.

PLACE: Amelia Island Plantation, 6800 First Coast Hwy., Amelia Island, FL, (904)261-6161

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business meeting of the Board of Trustees.

A copy of the agenda may be obtained by contacting: Linda Bridges, Florida League of Cities, Inc., Tallahassee, FL, (850)222-9684.

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

The **Florida Municipal Insurance Trust** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, March 27, 2009, 8:30 a.m.

PLACE: Amelia Island Plantation, 6800 First Coast Hwy., Amelia Island, FL, (904)261-6161

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business meeting of the Board of Trustees.

A copy of the agenda may be obtained by contacting: Linda Bridges, Florida League of Cities, Inc., Tallahassee, FL, (850)222-9684.

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

SMALL BUSINESS REGULATORY ADVISORY COUNCIL

The State of Florida, **Small Business Regulatory Advisory Council** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, March 27, 2009, 9:00 a.m. (Eastern Time)

PLACE: Conference Call: 1(888)808-6959, Conference Code: 4737801

GENERAL SUBJECT MATTER TO BE CONSIDERED: Please visit <http://floridasbrac.org/> for the meeting agenda, meeting packet, and other related information.

A copy of the agenda may be obtained by contacting: Jennifer Crews at (850)473-7817, email: jennifer.crews@floridasbrac.org.

FLORIDA BIRTH-RELATED NEUROLOGICAL INJURY COMPENSATION ASSOCIATION

The **Florida Birth-Related Neurological Injury Compensation Association** (NICA) Board of Directors announces a public meeting to which all persons are invited.

DATE AND TIME: March 27, 2009, 11:15 a.m.

PLACE: Conference Call

GENERAL SUBJECT MATTER TO BE CONSIDERED: Finalizing recommendation regarding fixed income manager search.

For more information, you may contact: (850)488-8191.

FLORIDA INSURANCE GUARANTY ASSOCIATION

The Finance and Audit Committee of the **Florida Insurance Guaranty Association** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, March 30, 2009, 4:30 p.m.

PLACE: Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will meet regarding general business.

A copy of the agenda may be obtained by contacting: Cathy Irvin at irvin@agfgroup.org or (850)386-9200.

Pursuant to the provisions of 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: Cathy Irvin at cirvin@agfgroup.org or (850)386-9200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FLORIDA HIGH SPEED RAIL AUTHORITY

The **Florida High Speed Rail Authority** announces a workshop to which all persons are invited.

DATE AND TIME: Wednesday, April 1, 2009, 2:00 p.m. – 5:00 p.m.

PLACE: Florida Department of Transportation, Auditorium, 605 Suwannee Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The workshop is being held to provide an opportunity for open discussion regarding the development of the Authority's plan to participate in the newly established federal funding program for high speed rail. Topics of discussion will include the Authority's existing DBOM&F procurement process, the requirements for the reevaluation of the Final Environmental Impact Statement (FEIS) for the Orlando-Tampa project and the requirements for development of the Authority's expressions of interest under the newly created federal funding program.

A copy of the agenda may be obtained by contacting: Lee Chira, Chairman, Florida High Speed Rail Authority, 800 North Highland Avenue, Orlando, Florida 32803, (407)297-1600, E-mail: lchira@lcadevelopment.com.

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

The **Florida High Speed Rail Authority** announces an Authority Board public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 2, 2009, 8:30 a.m. – 11:30 a.m.

PLACE: Florida Department of Transportation, Auditorium, 605 Suwannee Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting will focus on the review of recent federal legislation and activities relating to High Speed Rail and will develop a plan of action for the Authority to participate in newly created federal programs.

A copy of the agenda may be obtained by contacting: Lee Chira, Chairman, Florida High Speed Rail Authority, 800 North Highland Avenue, Orlando, Florida 32803, (407)297-1600, E-mail: lchira@lcadevelopment.com.

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

COUNCIL OF COMMUNITY COLLEGE PRESIDENTS

The **Florida Community Colleges' Council of Presidents** announces a public meeting to which all persons are invited.

DATE AND TIME: April 2, 2009, 8:00 a.m.

PLACE: TCC Capitol Center, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues pertaining to Florida's public community colleges.

A copy of the agenda may be obtained by contacting: Tina Ingramm at tinghamm@facc.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 days before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

CITIZENS PROPERTY INSURANCE CORPORATION

The Audit Committee of **Citizens Property Insurance Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 2, 2009, 2:30 p.m.

PLACE: Sheraton Fort Lauderdale Airport Hotel, Fort Lauderdale, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Items of discussion includes, but is not limited to, the 2009 Audit Plan. Special Accommodations: in accordance with the Americans with Disabilities Act, People with disabilities or physical impairments who require assistance to participate in this meeting are requested to contact Betty Veal at least five days prior to the meeting.

A copy of the agenda may be obtained by contacting: Betty Veal at (904)407-0440.

CITIZENS PROPERTY INSURANCE CORPORATION

The **Citizens Property Insurance Corporation**, Board of Governors announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, April 3, 2009, 9:00 a.m. (EDT)

PLACE: Sheraton Fort Lauderdale Airport Hotel, Ft. Lauderdale, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Items of discussion include, but are not limited to, financial statements and committee updates.

A copy of the agenda may be obtained by contacting: www.citizensfla.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Barbara Walker at 1(800)807-7647, extension 3744. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Barbara Walker.

FLORIDA SUBSTANCE ABUSE AND MENTAL HEALTH CORPORATION

The Florida Substance Abuse and Mental Health Corporation announces a public meeting to which all persons are invited.

DATE AND TIME: April 3, 2009, 2:30 p.m. – 4:30 p.m.

PLACE: Webinar

GENERAL SUBJECT MATTER TO BE CONSIDERED: Policy Council for the Criminal Justice, Mental Health and Substance Abuse Reinvestment Grant and the 23 grantee counties to review the findings of the first annual report. This meeting will also include a presentation grantee on site visits that the Corporation is presently conducting. For instructions on accessing the Webinar check our website: www.samhcorp.org.

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

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

For more information, you may contact: linda@samhcorp.org or (850)410-1575.

FLORIDA AUTOMOBILE JOINT UNDERWRITING ASSOCIATION

The Florida Automobile Joint Underwriting Association announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, April 7, 2009, 10:00 a.m.

PLACE: Teleconference

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss changes to the private passenger policy and related endorsements.

A copy of the agenda may be obtained by contacting: Lisa Stoutamire, 1425 Piedmont Drive, East, #201A, Tallahassee, FL, (850)681-2003, lstoutamire@fajua.org.

For more information, you may contact: Lisa Stoutamire, 1425 Piedmont Drive, East, #201A, Tallahassee, FL, (850)681-2003, lstoutamire@fajua.org.

The Florida Automobile Joint Underwriting Association announces the following meetings to which all persons are invited:

FAJUA Finance Committee Meeting

DATE AND TIME: Monday, April 13, 2009, 3:00 p.m.

PLACE: Conrad Miami, 1395 Brickell Avenue, Miami, Florida
GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and discuss matters relating to FAJUA Financial Reporting and any other matters that may come before the committee.

Annual Meeting of Members

DATE AND TIME: Tuesday, April 14, 2009, 8:30 a.m.

PLACE: Conrad Miami, 1395 Brickell Avenue, Miami, Florida
GENERAL SUBJECT MATTER TO BE CONSIDERED: To approve Annual Meeting minutes of April 22, 2008; receive Association's annual report; and consider any other matters that may come before the Members.

Board of Governors Meeting

DATE AND TIME: Tuesday, April 14, 2009, to begin immediately following the Annual Meeting

PLACE: Conrad Miami, 1395 Brickell Avenue, Miami, Florida
GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive reports of the general manager, committees, and counsel; to consider and take actions based on those reports; and consider any other matters that may come before the Board.

Additional information may be obtained from: Lisa Stoutamire, 1425 Piedmont Drive, East, #201A, Tallahassee, FL, (850)681-2003, lstoutamire@fajua.org.

ORANGE COUNTY RESEARCH AND DEVELOPMENT AUTHORITY

The Orange County Research and Development Authority announces a public meeting to which all persons are invited.

DATE AND TIME: April 9, 2009, 8:00 a.m.

PLACE: Central Florida Research Park, 12424 Research Parkway, Suite 100, Orlando, FL 32826

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Joe Wallace at (407)282-3944.

Section VII

Notices of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has received the petition for declaratory statement from the City of Jacksonville, Department of Planning and Development, DCA09-DEC-053. The petition seeks the agency's opinion as to the applicability of section 105.15, Florida Building Code, Building Volume (2007, 2009 Supplement), as it applies to the petitioner.

The Petitioner asks whether section 105.15, Florida Building Code, Building Volume (2007, 2009 Supplement) requires windborne debris protection to be installed throughout the residence when an alteration and addition costing \$750,000 is performed on a house that was appraised at \$844,000 prior to alteration and addition, and the house was originally constructed under the 2001 Florida Building Code and is located within the windborne debris region.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, 2555 Shumard Oak Blvd., Tallahassee, FL 32399.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has received the petition for declaratory statement from Fine Tooth Comb Investigations, Inc., DCA09-DEC-055. The petition seeks the agency's opinion as to the applicability of Section 553.791, Florida Statutes, and section 105.14, Florida Building Code, Building Volume (2007), as it applies to the petitioner.

The Petitioner asks if, when a building official allows a licensed architect or engineer to provide plan review and/or inspection services under seal pursuant to section 105.14, Florida Building Code, Building Volume (2007), the architect or engineer is subject to the private provider provisions of Section 553.791, Florida Statutes, for construction lien purposes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Blvd., Tallahassee, FL 32399.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has received the petition for declaratory statement from Fine Tooth Comb Investigations, Inc., DCA09-DEC-056. The petition seeks the agency's opinion as to the applicability of Section 553.791, Florida Statutes and section 106.6, Florida Building Code, Building Volume (2007), as it applies to the petitioner.

The Petitioner asks if a licensed architect or engineer who provides plan review and/or inspection services under seal, pursuant to section 106.6, Florida Building Code, Building Volume (2007), is subject to the private provider provisions of Section 553.791, Florida Statutes, for construction lien purposes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Blvd., Tallahassee, FL 32399.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has received the petition for declaratory statement from St. Johns County, Florida, Building Department, DCA09-DEC-062. The petition seeks the agency's opinion as to the applicability of section 105.15, Florida Building Code, Building Volume (2007, 2009 Supplement), as it applies to the petitioner.

The Petitioner asks whether section 105.15, Florida Building Code, Building Volume (2007, 2009 Supplement) applies only to site-built single family residential structures, or all buildings located within windborne debris region, and whether it requires opening protections for buildings built before July 1, 2007 using partially enclosed engineering as an alternative to opening protections.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Blvd., Tallahassee, FL 32399.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has received the petition for declaratory statement from Bhamani, Ford & Associates, Inc., DCA09-DEC-009. The petition seeks the agency's opinion as to the applicability of 402.1, 402.2, and 402.3, Florida Building Code, Mechanical Volume, 2004 (as amended) as it applies to the petitioner.

The Petitioner asks for clarification as to the ventilation requirements under sections 402.1, 402.2, and 402.3, Florida Building Code, Mechanical Volume (as amended) for a project containing retail space and 1250 square foot warehouse.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Blvd., Tallahassee, FL 32399.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has received the petition for declaratory statement from Fine Tooth Comb Investigations, Inc., DCA09-DEC-051. The petition seeks the agency's opinion as to the applicability of Section 713.135(6), Florida Statutes, and section 106.6, Florida Building Code, Building Volume (2007) as it applies to the petitioner.

The Petition asks whether Section 713.135(6), Florida Statutes, and section 106.6, Florida Building Code, Building Volume (2007) allow a licensed contractor to grant authority to an unlicensed person, via a power of attorney or agency letter, to sign a building permit application on the licensed contractor's behalf.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Blvd., Tallahassee, FL 32399.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has received the petition for declaratory statement from Florida Roofing Sheet Metal & Air Conditioning Contractors Association, Inc., DCA09-DEC-025. The petition seeks the agency's opinion as to the applicability of sections 611.7.1.1 and 611.7.1.2, Florida Building Code, Existing Building Volume, 2007 (as amended), as it applies to the petitioner.

The Petitioner asks for clarification as to the nail diameter requirements of sections 611.7.1.1 and 611.7.1.2, Florida Building Code, Existing Building Volume, 2007 (as amended) when re-nailing the roof deck in a single family home.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Blvd., Tallahassee, FL 32399.

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 Brickell Bay Club Condominium Association, Inc., Petitioner, In Re: Brickell Bay Club Condominium Association, Inc., on March 4, 2009. The petition seeks the agency's opinion as to the applicability of Section 718.112(2)(d)1., Florida Statutes (2008), as it applies to the petitioner.

Whether Brickell Bay Club Condominium Association, Inc. must vote to reaffirm a bylaw amendment establishing 2-year staggered terms passed by a majority of unit owners other than the developer in 1989 under Section 718.112(2)(d)1., Florida Statutes (2008).

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 32399-1031.

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 Gary Ziomek, Petitioner, In Re: The Jupiter Beachcomber Condominium Association, Inc., Docket No. 2009009205. The petition seeks the agency's opinion as to the applicability of Section 718.112(2)(d)1., Florida Statutes (2008), as it applies to the petitioner.

Whether a unit owner, who was convicted of a felony and whose civil rights were restored in March 2007, is eligible to be a candidate for election to the Jupiter Beachcomber Condominium Association, Inc. board of directors in 2009 under Section 718.112(2)(d)1., Florida Statutes (2008).

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 declined to rule on the petition for declaratory statement filed by David H. Rogel, Attorney for the Sea Isle Condominium Association, Inc., Docket No. 2008066956 on December 5, 2008. The following is a summary of the agency's declination of the petition:

The Division declined to issue an order because the Division may not address issues that have already taken place.

A copy of the Order Declining 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 32399-1031.

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 Jeanne Tiedeman, Petitioner, In Re: Tymber Skan on the Lake Owners Association, Section Three, Inc., Docket No. 2009011717 on February 27, 2009. The petition seeks the agency’s opinion as to the applicability of Section 718.103(2), Florida Statutes, subject to regulation under Condominium Act, Chapter 718, Florida Statutes as it applies to the petitioner.

Whether Tymber Skan on the Lake Owners Association, Section Three, Inc. is a condominium association as defined by Section 718.103(2), Florida Statutes, subject to regulation under Condominium Act, Chapter 718, 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 32399-1031.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT the Department of Health has issued an order disposing of the petition for declaratory statement filed by Warren R. Ross, Esq., on behalf of Carl and Diane Baker on December 11, 2008. The following is a summary of the agency’s disposition of the petition:

Petitioners contend that they are entitled to an exemption from the requirements that they have a third party maintenance entity inspect and maintain their system, and seek a determination from the Department that they are exempt from the requirements as set forth in the Petition and all related statutes. The exemption in Section 381.0065(4), Florida Statutes, however, applies only to the contractor registration requirements established in Part III of Chapter 489, Florida Statutes, and the rules promulgated thereunder. This statutory

exemption has allowed homeowners to maintain and repair the onsite sewage treatment and disposal system that serves their own, owner-occupied single family residence. The exemption does not relieve homeowners from other requirements imposed by law. Accordingly, upon a showing to the Department that Petitioners meet non-registration requirements imposed by law, in particular the provisions of paragraphs (4)(a)-(c), of Rule 64E-6.012, Florida Administrative Code, Petitioners may, in lieu of entering into a maintenance agreement with an approved maintenance entity, maintain and repair the onsite sewage treatment and disposal system serving their owner-occupied single-family residence located in Punta Gorda, Florida. Among other conditions, the non-registration requirements also include an annual inspection of Petitioners’ aerobic treatment unit by the Department.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin #A02, Tallahassee, Florida 32399-1703.

Please refer all comments to: Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin #A02, Tallahassee, Florida 32399-1703.

**Section VIII
Notices of Petitions and Dispositions
Regarding the Validity of Rules**

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

**Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges**

NONE

**Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee**

NONE

**Section XI
Notices Regarding Bids, Proposals and
Purchasing**

DEPARTMENT OF EDUCATION

NOTICE TO ARCHITECTS

Architect – USF Continuing Service Provider

Florida Administrative Weekly Vol. 33, No. 14, April 6, 2007

NOTICE TO PROFESSIONAL CONSULTANTS

The University of South Florida announces that continuing professional services are required for the following discipline: Architecture (Up to 2) (Sarasota-Manatee Campus with ability to include other campuses as required).

PROJECT DESCRIPTION:

Projects included in the scope of this Agreement will be specific projects for renovations, alterations, new construction and additions that have a basic construction budget estimated to be \$1,000,000 or less, or studies for which the fee for professional services is \$100,000 or less. Continuing Service contracts for these projects provide that the consultant will be available on an as-needed basis for an initial contract period of one (1) year with an Owner’s option to renew for one (1) additional year at a time up to a total of two (2) additional years. This selection is based upon Architectural services only. Engineering services (mechanical, electrical, structural and civil) required for specific projects shall be provided as part of basic services through the selected Architect(s) based upon project need. Use of USF continuing service engineers by the selected Architect(s) shall be encouraged. The consultant(s) receiving the award may not have an exclusive contract to perform services for these projects. The University may have additional continuing service professionals under contract during the same time period. Blanket professional liability insurance shall be required for the contract. Services required to be provided under the Continuing Services Contracts include the development of record drawings by the Continuing Service Consultant for projects designed by that consultant to reflect as-built conditions to facilitate the University’s space management program.

INSTRUCTIONS:

Firms desiring to provide professional services shall submit one (1) original submittal and five (5) bound copies consisting of the information as required in the “SUBMITTAL

REQUIREMENTS” of the Project Fact Sheet including a letter of interest, a completed “USF Professional Qualifications Supplement” dated March, 2007, and any required or additional information within the proposal limits. Submittals must not exceed 40 pages, including the Professional Qualifications Supplement, letter of interest, attachments and additional information. Pages must be numbered consecutively. Submittals that do not comply with these requirements or do not include the requested information may not be considered. Submittals are part of the public record and no submittal material will be returned. Applications submitted in any other format may not be considered. 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. The plans and specifications for University of South Florida projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$25,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

PROJECT SELECTION CRITERIA:

Selection of finalists for interview will be made on the basis of professional qualifications, including, experience and ability, to meet the project requirements and goals and objectives of the University’s Strategic Plan, design ability, past performance, workload, volume of USF work (regardless of the contract entity at the University or funding source), and location. As part of the University of South Florida’s Strategic Plan, USF made a commitment to foster a diverse community distinguished by a shared purpose, collaboration, open and timely communication, mutual respect, trust, and inclusiveness. The University of South Florida is an equal opportunity institution, and, as such, strongly encourages the lawful use of certified Minority and Women-owned Business Enterprises (“MBEs”) in the provision of design and construction-related services by providing a fair and equal opportunity to compete for, or for participation in, design and/or construction-related services. MBE participation information by the Architect for this contract shall be provided by the Architect in response to a request from the University’s Supplier Diversity Manager’s office. The “USF Professional Qualifications Supplement dated March 2007” and Project Fact Sheet which includes project information may be obtained by contacting: Beverly Pinder, Contracts Administrator, University of South Florida, Facilities Planning and Management, 8350 North Tamiami Trail, B128E, Sarasota, Florida 34243-2049, (941)359-4518, Fax (941)359-4494,

e-mail: bpinder@sar.usf.edu. All interested firms are invited and encouraged to attend a Pre-Submittal Meeting to be held at 9:00 a.m. (Eastern Time), on Wednesday, April 1, 2009, at the: University of South Florida, Sarasota-Manatee Campus, Facilities Planning and Management, Selby Auditorium, 8350 North Tamiami Trail, Sarasota, Florida 34243-2049, to review the scope and requirements of this project. Requests for meetings by individual firms will not be granted. It shall be noted that no verbal communication shall take place between the applicants and the employees of the University of South Florida except as provided at the Pre-Submittal Meeting, the Pre-Interview Meeting and the request for the PQS and Project Fact Sheet. Requests for any project information must be in writing to the above e-mail address. The Selection Committee reserves the right to waive any irregularities and may reject all proposals and stop the selection process at any time. One (1) original and five (5) bound copies of the above requested proposal data, bound in the order listed, shall be addressed to: Richard Lyttle, Director, University of South Florida, Facilities Planning and Management, 8350 North Tamiami Trail, B128E, Sarasota, Florida 34243-2049. Applications that do not comply with the above instructions may be disqualified. Submittals must be received at the above campus address Room B128, by 2:00 p.m. (Eastern Time), Wednesday, April 15, 2009, Facsimile (FAX) or electronic submittals are not acceptable and will not be considered. The Selection Committee reserves the right to waive any irregularities and may reject all proposals and stop the selection process at any time.

NOTICE TO CONSTRUCTION MANAGERS

Florida Administrative Weekly Vol. 32, No. 20, May 19, 2006
NOTICE TO CONSTRUCTION MANAGERS

The University of South Florida announces that continuing construction management services are required for the following discipline: Construction Manager (Up to 2) (Sarasota-Manatee Campus with the ability to include other campuses as required). Projects included in the scope of this agreement will be specific projects for new construction, renovations, alterations, and/or additions that have a basic construction budget estimated to be \$1,000,000 or less, or studies for which the fee for services is \$100,000 or less. Continuing Service contracts for these projects provide that the construction manager will be available on an as-needed basis for an initial period of one (1) year with an Owner's option to renew for one (1) additional year at a time up to a total of two (2) additional years. The construction managers receiving the award will not have an exclusive contract to perform services for these projects. The University may have additional continuing service construction managers under contract during the same time period. Performance and Payment Bonds shall be provided for individual projects exceeding \$100,000 and liability and worker's compensation insurance shall be required for the contract. Builder's Risk insurance may be

required for specific projects based upon need. Continuing Service projects include projects that are awarded based upon competitive proposals from Continuing Service construction managers under contract and may include projects that are negotiated individually with a specific construction manager. Services required to be provided under the Continuing Services Contracts include the recording of as-built conditions by the Continuing Service Construction Manager for projects constructed by that Construction Manager for use in developing record drawings to facilitate the University's space management program. Firms desiring to provide construction management services shall submit one original submittal and five (5) bound copies consisting of a letter of interest, a completed "USF Construction Manager Qualifications Supplement" dated May 2006 and any required additional information within the proposal limits as described in the CMQS Instructions addressing the criteria contained therein in the order listed in a clear and concise manner. Proposals must not exceed 40 pages, including the Construction Manager Qualifications Supplement and letter of application. 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. Pages must be numbered consecutively. Submittals that do not comply with these requirements or do not include the requested data may not be considered. No submittal material will be returned. Submittals become part of the public record. Selection of finalists for interview shall be made on the basis of experience, qualifications and ability to provide service. As part of the University of South Florida's strategic plan, USF made a commitment to foster a diverse community distinguished by a shared purpose, collaboration, open and timely communication, mutual respect, trust, and inclusiveness. The University of South Florida is an equal opportunity institution, and, as such, strongly encourages the lawful use of certified Minority and Women-owned Business Enterprises ("MBEs") in the provision of design and construction-related services by providing a fair and equal opportunity to compete for, or for participation in, design and/or construction-related services. All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133, Florida Statutes, a construction management firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected construction management firm must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$25,000 in connection with this project for a period of 36 months from the date of placement on the convicted vendor list. The USF Construction Manager Qualifications

Supplement, dated May 2006 and Fact Sheet, which includes project information, may be obtained by contacting: Beverly Pinder Contracts Administrator, Facilities Planning and Management, University of South Florida, 8350 North Tamiami Trail, B128E, Sarasota, Florida 34243, e-mail: bpinder@sar.usf.edu or by phone (941)359-4518), Fax (941)359-4494. Interested firms are invited to and encouraged to attend a Pre-Submittal Meeting to be held at 11:00 a.m. (Eastern Time), Wednesday, April 1, 2009 at the: University of South Florida, Sarasota Manatee, Facilities Planning and Management, Selby Auditorium, 8350 North Tamiami Trail, Sarasota, Florida 34243-2049, to review the scope and requirements of this project. All interested firms are encouraged to attend. Requests for meetings by individual firms will not be granted. It shall be noted that no verbal communication shall take place between the applicants and employees of the University of South Florida except as provided at the Pre-Submittal meeting, the Pre-Interview meeting and the request for the CMQS and Fact Sheet. Requests for any project information must be in writing to the above address. One original and five (5) bound copies of the above required proposal data shall be submitted to: Richard Lyttle, Director, Facilities Planning and Management, University of South Florida, 8350 North Tamiami Trail, B128E, Sarasota, Florida 34243-2049. Applications that do not comply with the above instructions may be disqualified. Application materials will not be returned. Submittals must be received at the above campus address Room B128 by 2:00 p.m. (Eastern Time), Wednesday, April 15, 2009. Facsimile (FAX) or electronic submittals are not acceptable and will not be considered. The Selection Committee reserves the right to waive any irregularities and may reject all proposals and stop the selection process at any time.

NOTICE TO CM FIRMS RFQ – OFDC RFQ-002/09
AND ITB – OFDC ITB-002/09

NOTICE TO CONSTRUCTION MANAGEMENT FIRMS REQUEST FOR QUALIFICATIONS (RFQ) OFDC RFQ-002/09 AND INVITATION TO BID (ITB) OFDC ITB-002/09/OFFICE OF FACILITIES DESIGN AND CONSTRUCTION DUVAL COUNTY PUBLIC SCHOOLS FOR CONSTRUCTION MANAGEMENT CONTINUING SERVICES/Office of Facilities Design and Construction (OFDC) announces that professional services are required for Construction Management Continuing Services for Duval County Public Schools. The Owner reserves the right to select one or more firms to perform the work. The firm(s) selected under a continuing contract will be responsible for assigned projects each having estimated construction costs not exceeding \$1,000,000. Total estimated construction contract

value of all project work awarded is estimated at \$15,000,000 over a 3-year contract period (not guaranteed.) The projects may be multi-year funded and are subject to availability of funds as authorized by the Owner. The selected firm(s) shall be required to execute the Duval County School Board standard form of agreement. This will be a multiple award contract for an initial period of one year with an option to renew for two additional one-year periods. This RFQ/ ITB is a 2-step selection process. OFDC RFQ-002/09 is part 1 of the process, OFDC ITB-002/09 is part 2 of the process. Responses for both the ITB and RFQ must be submitted at the same time in order to be considered. Separate Proposals for the RFP and Bid are to be submitted in separate sealed envelopes. Instructions for completion of Bids and Proposals and the selection process will be in accordance with the Selection Criteria as outlined in “SELECTION OF THE CONSTRUCTION MANAGEMENT CONTINUING SERVICES FIRM” selection booklet found at www.duvalschools.org, go to About DCPS, then DCPS departments, then Facilities Design and Construction then Selection Booklets. The Duval County Public Schools has begun prequalifying all contractors who intend to submit bids and proposals for all construction projects exceeding \$200,000 and electrical projects exceeding \$50,000. All firms submitting proposals shall be required to be pre-qualified prior to the RFQ due date. Firms who are not approved as a pre-qualified bidder will not be considered for award of this contract. Prequalification forms and information may be obtained at www.duvalschools.org under About DCPS, DCPS Departments, Facilities Design and Construction Services, Forms and Standards, General Documents. THE RFQ AND ITB DOCUMENTS WILL BE REVIEWED IN DETAIL AT AN INFORMATION CONFERENCE HELD IN CONFERENCE ROOM 307, 1701 PRUDENTIAL DRIVE, JACKSONVILLE, FLORIDA ON THURSDAY, APRIL 2, 2009, 10:00 a.m.

DCPS Project Manager: Tony Gimenez, OFDC
Phone Number: (904)390-2279

Applications are to be sent to: Facilities Design and Construction, 1701 Prudential Drive, Room 535, Jacksonville, FL 32207.

RESPONSE DUE DATE: RFQ AND ITB RESPONSES ARE DUE ON OR BEFORE APRIL 28, 2009 AND WILL BE ACCEPTED UNTIL 2:00 p.m.

MBE GOALS: 7% Percent to be performed by DCPS certified African-American business enterprises (AA)/3% Percent to be performed by DCPS Hispanic, Asian or native American business enterprises (HANA)/5% Percent to be performed by DCPS certified women business enterprises (WBE)

DISTRICTWIDE ROOF REPLACEMENT AT JOHN LOVE ELEMENTARY SCHOOL NO. 73, SOUTHSIDE ESTATES ELEMENTARY SCHOOL NO. 76, RAMONA BOULEVARD ELEMENTARY SCHOOL NO. 79, AND TERRY PARKER HIGH SCHOOL NO. 86

Invitation To Bid For a Roofing Contractor

Sealed bids will be received by Duval County Public Schools, Division of Facilities, Room 535, 1701 Prudential Drive, Jacksonville, FL 32207 until the time and date(s) recorded below and immediately thereafter publicly opened and recorded in the Duval County Public Schools, School Board Building, 5th Floor, Room 513D, 1701 Prudential Drive, Jacksonville, Florida.

BIDS ARE DUE ON OR BEFORE APRIL 24, 2009

AND WILL BE ACCEPTED UNTIL 2:00 p.m.

Official Project Title: Districtwide Roof Replacement at John Love Elementary School No.73, Southside Estates Elementary School No. 76, Ramona Boulevard Elementary School No. 79, and Terry Parker High School No. 86, DCPS Project No. M-84470, Stage I.

SCOPE OF WORK: Project scope is to remove old deteriorated roof systems and replace with new roof systems on John Love Elementary School No. 73, Southside Estates Elementary School No. 76, Ramona Boulevard Elementary School No. 79, and Terry Parker High School No. 86. The estimated construction cost "Budgeted Not to Exceed" is \$993,500.

All contractors that are interested in bidding are required to attend a mandatory pre-bid conference to be held on April 14, 2009, 11:00 a.m., at 129 King Street, Room 37, Jacksonville Florida 32204. Failure to attend the pre-bid conference shall result in disqualification of that firm's proposal. Attendees will be required to sign an attendance register.

The projects funding are subject to availability of funds as authorized by the Owner. The District reserves the right to reject any and all bids.

All bidders and subcontractors shall be licensed Contractors and registered corporations as required by the laws of the State of Florida.

Contract documents for bidding may be obtained for a refundable fee of \$75.00 at the office of:

Akel, Logan & Shafer, P.A., 704 Rosselle Street, Jacksonville, Florida 32204

DCSB Point of Contact: Dale Hughes, (904)858-6308

Contract documents for bidding may be examined at:

F.W. Dodge McGraw Hill	Construction Bulletin
Plan Room	National Association of
Construction Market Data, Inc.	Minority Contractors

MBE Participation Goal: 10% Encouragement

The Duval County Public Schools has begun prequalifying all contractors who intend to submit bids for all construction projects exceeding \$200,000 and electrical projects exceeding

\$50,000. Effective May 31, 2003, all Contractors submitting bids must be prequalified with Duval County Public Schools. No bids will be accepted from Contractors who are not prequalified with Duval County Public Schools.

Prequalification forms and information may be obtained by contacting: Richard Beaudoin or Ronald A. Fagan, 1701 Prudential Dr., Jacksonville, FL 32207, (904)390-2358 or (904)390-2922, Fax: (904)390-2265, Email: beaudoinr@duvalschools.org or faganr@duvalschools.org.

The Bid Award Recommendation will be posted on the: First Floor Bulletin Board, Duval County School Board Building, 1701 Prudential Drive, Jacksonville, Florida 32207-8182.

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 79-08/09

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 Underground Utility and Excavation Contractor for the project listed below:

PROJECT NAME: Hontoon Island State Park-Utilities

SCOPE OF WORK: The contractor shall provide all labor, materials, equipment and supervision to construct a utility replacement including the 3" water main in its entirety from the Lake Beresford Water Association Main to the service termination (approx. 6,500 LF) to include all fittings, valves, and appurtenances. Complete replacement of the 2" sewage force main from the onsite private lift station to the on site private WWTP. A 4" directional bore under the St. Johns River Channel is required from the main to the island. The contractor shall also provide all labor, materials and equipment to construct 3,500 SF, 16-Trench, mounded, with 224 ea., 36 chambered Quick4 Equalizer diffusers, or approved equal. Drainfield dosed by twin 3" force mains and manifolds per Specification Sections 1-6. The contractor is to add limerock base and aggregate surface course per trail section detail as indicated in the plans and specifications.

PROJECT BUDGET: \$500,000.00

PARK LOCATION: Hontoon Island State Park, 6 miles West of Deland off SR 44

PROJECT MANAGER: Randall Strange, Bureau of Design and Construction, Alfred B. Maclay Gardens State Park, 3540 Thomasville Road, Tallahassee, Florida 32309, (850)488-5372, Fax: (850)488-1141.

MINORITY BUSINESS REQUIREMENT: The Department of Environmental Protection supports diversity in its Procurement Program and requests that all sub-contracting opportunities afforded by this bid embrace diversity enthusiastically. The award of sub-contracts should reflect the full diversity of the citizens of the State of Florida. The Department will be glad to furnish a list of Minority Owned Firms that could be offered sub-contracting opportunities.

PREQUALIFICATION: When the total Bid 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 March 20, 2009, Hontoon Island State Park, 2309 River Ridge Road, Deland, Florida 32720, Attention: Michael Hayes, Park Manager, (386)736-5309, Fax: (386)822-6395.

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, April 21, 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 at (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, April 28, 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 80-08/09 – Fred Gannon Rocky Bayou State Park-Sanitary Sewer Collection and Conveyance System
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 Underground Utility and Excavation Contractor for the project listed below:

PROJECT NAME: Fred Gannon Rocky Bayou State Park-Sanitary Sewer Collection and Conveyance System

SCOPE OF WORK: The contractor shall provide all labor, materials, equipment and supervision to construct a sanitary sewer collection and conveyance system for entrance station, ranger residence, manager's residence, existing and a new host RV site (2), and a future maintenance shop.

PROJECT BUDGET: \$175,000.00

PARK LOCATION: Fred Gannon Rocky Bayou State Park, 4281 SR 20, 3 miles from Niceville, FL

PROJECT MANAGER: Randall Strange, Bureau of Design and Construction, Alfred B. Maclay Gardens State Park, 3540 Thomasville Road, Tallahassee, Florida 32309, (850)488-5372, Fax: (850)488-1141.

MINORITY BUSINESS REQUIREMENT: The Department of Environmental Protection supports diversity in its Procurement Program and requests that all sub-contracting opportunities afforded by this bid embrace diversity enthusiastically. The award of sub-contracts should reflect the

full diversity of the citizens of the State of Florida. The Department will be glad to furnish a list of Minority Owned Firms that could be offered sub-contracting opportunities.

PREQUALIFICATION: When the total Bid 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 March 20, 2009 at: Fred Gannon Rocky Bayou State Park c/o Henderson Beach Administration, 17000 Emerald Coast Parkway, Destin, Florida 32541, Attention: Daniel Laird, Park Manager, (850)837-7550, Fax: (850)650-0290.

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 (800) 955-8771 (TDD) or (800) 955-8770 (Voice).

BID SUBMITTAL DUE DATE: No later than 3:30 p.m. (ET), Tuesday, April 14, 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 at (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, April 17, 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.

FISH AND WILDLIFE CONSERVATION COMMISSION

BATTLE BEND AQUATIC ECOSYSTEM RESTORATION PHASE-II ADVERTISEMENT FOR BIDS

**BIDS ARE REQUESTED FROM QUALIFIED
CERTIFIED/REGISTERED CONTRACTORS BY THE
FLORIDA FISH AND WILDLIFE CONSERVATION
COMMISSION FOR:**

PROJECT NO: FWC 08/09-88

PROJECT NAME: BATTLE BEND AQUATIC
ECOSYSTEM RESTORATION
PHASE-II

PROJECT LOCATION: LIBERTY COUNTY, FLORIDA

FOR: Work on this proposed Contract comprises moving approximately 2,500 cubic yard of earth material by degrading an existing berm into an adjacent borrow pit and excavating two channels at the upper arm of Battle Bend Oxbow (at Navigation Mile 28.9 on the east bank of Apalachicola River) in Liberty County. Also, to dredge approximately 750 cubic yard of accumulated sediment material from the lower arm of Battle Bend Oxbow and transport to the borrow pit at the upper arm of Battle Bend Oxbow.

PRE-BID CONFERENCE: A non-mandatory pre-bid conference has been scheduled for 11:00 a.m. (EDT), Wednesday, April 8, 2009 at Hickory Landing on Owl Creek boat ramp which is located about 3 miles southwest of the City of Sumatra, Liberty County, at the end of Apalachicola National Forest Road. The project site is accessible only by boats. FWC will be providing boats for transportation to the site. One representative of each contractor may reserve a spot on one of the boats by calling the Project Manager below, at

least 48 hours prior to pre-bid conference. Walk-ins may join only if extra space is available or if they can provide their own transportation.

REQUIRED BONDS: Bids shall be accompanied by a bid guarantee of not less than five (5) percent of the amount of the bid. After award of Contract, a 100% Performance Bond and a 100% Labor and Material Payment Bond will be required.

Sealed bids will be received, publicly opened and read aloud on:

DATE AND TIME: April 21, 2009, 3:00 p.m. (EDT)

PLACE: Purchasing Office, Room 364, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)488-3427

BID DOCUMENTS: Bid documents shall be obtained from the Commission, upon payment of \$50.00, non-refundable, for one set. The payment envelope **MUST** be plainly marked on the outside with the bid number. The bid package will be sent overnight upon receiving payment by the above-mentioned Purchasing Office. Provide contact information, phone and fax number, as well as complete return address. **DO NOT PROVIDE POST OFFICE BOX FOR RETURN ADDRESS.**

Bid Documents can also be obtained by downloading at no cost from: http://vbs.dms.state.fl.us/vbs/search.criteria_form and search for Number FWC 08/09-88.

Direct questions to the Project Manager:

Michael Hill

Florida Fish and Wildlife Conservation Commission
 Division of Habitat and Species Conservation
 620 South Meridian Street
 Tallahassee, Florida 32399-1600
 Phone: (850)251-8919
 e-mail: michael.hill@myfwc.com

HILLSBOROUGH COUNTY AVIATION AUTHORITY

**NOTICE TO DESIGN-BUILD FIRMS
 AND GENERAL CONTRACTORS**

Design-Build services will be required for the following projects:

**TAXIWAY B RECONSTRUCTION
 AND BRIDGE AND RELATED WORK
 HCAA PROJECT NO. 5390 10
 and**

**NORTH TERMINAL STORMWATER SITE
 DEVELOPMENT AND RELATED WORK
 HCAA PROJECT NO. 8020 09**

The Authority has submitted grant applications to the FAA to obtain federal economic stimulus funds for the above projects. Pending receipt of funding, the Authority will award the

contract based on the lowest responsive bid. Actual commitment and award of a contract is contingent on receipt of federal funding.

A mandatory pre-bid conference will be held in the Authority Boardroom, Landside Terminal Building, Third Level, Blue Side, Thursday, April 2, 2009, 10:00 a.m.

For further information, please visit our website: www.tampaairport.com, click on airport business, notice of solicitation.

To receive automated e-mail notifications of future business opportunities, please visit our website and register using the Authority's Business and Supplier Registration Program.

NATIONAL JOINT POWERS ALLIANCE®

Invitation for Bid

Indefinite Quantity Construction Contract

The National Joint Powers Alliance® (NJPA) issues this Invitation For Bid (IFB) to provide Indefinite Quantity Construction Contracting (IQCC) services to NJPA, and current and qualified NJPA government, education, and non-profit Members in the individual areas of FL01-050709, NW Florida, FL02-050709 NE Florida, FL03-050709 C Florida, FL04-050709 Sun Coast Florida, FL05-050709 SW Florida, and FL06-050709 SE Florida. It is the intention of NJPA to award multiple contracts for construction services for primarily site civil & underground construction in each of these 6 areas. Each contract has an estimate annual value of \$3,000,000 and the term of the contract is four years.

IQCC is a construction contracting procurement system that provides facility owners' access to competitively bid "on-call" general contractors to provide immediate construction services over an extended period of time.

Intending bidders are required to attend the mandatory pre-bid seminar listed immediately below for the purpose of discussing the IQCC procurement system, the contract documents, and bid forms.

April 8, 2009, 10:30 a.m. Embassy Suites Orlando – North,
 225 Shorecrest Drive, Altamonte
 Springs, FL 32701

An electronic (CD) copy of the IFB Documents which include the instructions for submitting a bid and the bid documents may be obtained by letter of request to: Gregg Meierhofer, NJPA, 200 First St. Northeast, Staples, MN 56479, or by email request to EZIQC@NJPACOOOP.org. All requests must include mailing address, email address, contact name, and phone number. Bids are due by 4:00 p.m. (CST) April, 28, 2009 and will be opened at 9:00 a.m., April 29, 2009. IFB Documents will be available until the Bid opening date of April 29, 2009.

Section XII Miscellaneous

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE OF INTENT TO FIND PUBLIC SCHOOLS
INTERLOCAL AGREEMENT INCONSISTENT WITH
SECTION 163.31777(2) AND (3), FLORIDA STATUTES
DCA DOCKET NO. 17-01

The Department gives notice of its intent to find the Public Schools Interlocal Agreement (“Agreement”) executed between the Escambia County School Board and Escambia County, pursuant to Section 163.31777, F.S., to be inconsistent 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 Escambia County, Development Services Bureau, 1190 West Leonard Street, Pensacola, Florida 32501.

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 inconsistent 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 Escambia County School Board and Escambia County. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action and will be forwarded to the Administration Commission, which may impose sanctions pursuant to Section 163.31777(3)(c), F.S.

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: 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 NUMBER 01-05

The Department gives notice of its intent to find the Public Schools Interlocal Agreement (“Agreement”) entered into by the City of Hawthorne and the Alachua County School Board, pursuant to Section 163.31777, F.S., to be consistent with the minimum requirements of Sections 163.31777(2) and (3), F.S.

The Agreement is available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the City of Hawthorne, 6700 S. E. 221st Street, Hawthorne, Florida 32640.

Any affected person, as defined in Section 163.31777(3)(b), F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Agreement is consistent with the minimum requirements of Section 163.31777(2) and (3), F.S. The petition must be filed within twenty-one (21) days after publication of this notice in the Florida Administrative Weekly, and must include all of the information and contents described in Uniform Rule 28-106.201, F.A.C. The petition must be filed with the Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and a copy mailed or delivered to the City of Hawthorne and the Alachua County School Board. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C. A petition for leave to intervene shall be filed at: Division of Administrative Hearings, Department of Management Services, 1230 Apalachee Parkway, Tallahassee, Florida

32399-3060. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

If a formal or informal proceeding is commenced as described above, any party to that proceeding may suggest mediation under Section 120.573, F.S. Mediation is not available as of right, and will not occur unless all parties agree to participate in the mediation. Choosing mediation does not affect the right to an administrative hearing.

-s-Mike McDaniel, Chief
Office of Comprehensive Planning
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

DCA09-OR-065

In re: CITY OF MARATHON LAND
DEVELOPMENT REGULATIONS
ADOPTED BY ORDINANCE NO. 2008-029

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6), Florida Statutes, and § 380.0552(9), Florida Statutes (2008), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and the City of Marathon is a local government within the Florida Keys Area.
2. On January 12, 2009, the Department received for review City of Marathon Ordinance No. 2008-029 that was adopted by the City of Marathon Board of City Commissioners on November 25, 2008 ("Ord. 2008-029"). The purpose of Ord. 2008-029 is to amend Section 107.05 and 107.07 of Chapter 16 of the Land Development Regulations allowing for the transfer of a Building Permit Allocation System to another property owned by the same owner.
3. Ord. 2008-029 is consistent with the City's 2010 Comprehensive Plan: Policy 1-3.5.1 Annual Residential Allocation Rate and Policy 1-3.5.4.3 Residential Building Permit Allocation System.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Florida Keys Area of Critical State Concern. §§ 380.05(6), Florida Statutes, and § 380.0552(9), Florida Statutes (2008).

5. The City of Marathon is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Florida Statutes (2008) and Rule 31-31.002 (superseding Chapter 27F-8), Florida Administrative Code.
6. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. § 380.031(8), Florida Statutes (2008). The regulations adopted by Ord. 2008-029 are land development regulations.
7. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in § 380.0552(7), Florida Statutes. See *Rathkamp v. Department of Community Affairs*, 21 F.A.L.R. 1902 (Dec. 4, 1998), *aff'd*, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.
8. Ord. 2008-029 is consistent with the following Principle:
 - (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
9. Ord. 2008-029 is neutral with respect to the remaining Principles. Ord. 2008-029 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 2008-029 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

/s/_____
CHARLES GAUTHIER, AICP
Director, Division of Community Planning
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE

PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 31-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 11th day of March, 2009.

/s/ _____
Paula Ford, Agency Clerk

- By U.S. Mail:
 Honorable Mike Cinque, Mayor
 City of Marathon
 10054-55 Overseas Highway
 Marathon, Florida 33050
 Diane Clavier, City Clerk
 City of Marathon
 10045-55 Overseas Highway
 Marathon, Florida 33050
 Mike Puto
 City Manager
 City of Marathon
 10054-55 Overseas Highway
 Marathon, Florida 33050
 Jimmy Morales, Esq.
 Stearns Weaver Miller Weissler
 Alhadeff & Sitterson, P.A.
 Suite 2200 Museum Tower
 150 West Flagler Street
 Miami, Florida 33130
 By Hand Delivery or Interagency Mail:
 Rebecca Jetton, ACSC Administrator
 Richard E. Shine, Assistant General Counsel

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Adly Moto, LLC, intends to allow the establishment of Sunset Point Scooters, Inc. d/b/a Sunset Scooters, as a dealership for the sale of motorcycles manufactured by HerChee Industrial Co. Ltd. (HERH) at 2300 Sunset Point Road, Clearwater (Pinellas County), Florida 33765, on or after March 4, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Sunset Point Scooters, Inc. d/b/a Sunset Scooters are dealer operator(s): Douglas V. Vitello, 2300 Sunset Point Road, Clearwater, Florida 33765 and Gary Parr, 2300 Sunset Point Road, Clearwater, Florida 33765; principal investor(s): Douglas V. Vitello, 2300 Sunset Point Road, Clearwater, Florida 33765 and Gary Parr, 2300 Sunset Point Road, Clearwater, Florida 33765.

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: Henry Li, Adly Moto, LLC, 1725 Hurd Drive, Suite 108, 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 Mazda Motor of America, Inc. d/b/a Mazda North American Operations, intends to allow the establishment of BCSS, Ltd. d/b/a Bachrodt Mazda Pompano Beach, as a

dealership for the sale of Mazda automobiles (MAZD) at 1801 West Atlantic Boulevard, Pompano Beach (Broward County), Florida 33069, on or after April 15, 2009.

The name and address of the dealer operator(s) and principal investor(s) of BCSS, Ltd. d/b/a Bachrodt Mazda Pompano Beach are dealer operator(s): Louis C. Bachrodt, III, 1801 West Atlantic Boulevard, Pompano Beach, Florida 33069; principal investor(s): Louis C. Bachrodt, III, 1801 West Atlantic Boulevard, Pompano Beach, Florida 33069.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Chris Crawford, Mazda Motor of America, Inc. d/b/a Mazda North American Operations, 4601 Touchtone Road East 3100, Jacksonville, Florida 32246.

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 Hibird USA, LLC, intends to allow the establishment of New Wave Cycles, Inc., as a dealership for the sale of motorcycles manufactured by Chongqing Hi-Bird Motorcycle Industry Co. Ltd. (HIBR) at 14813 US Highway 19 North, Hudson (Pasco County), Florida 34667, on or after March 3, 2009.

The name and address of the dealer operator(s) and principal investor(s) of New Wave Cycles, Inc. are dealer operator(s): Gary McCarthy, 7436 Hatteras Drive, Hudson, Florida 34667; principal investor(s): Gary McCarthy, 7436 Hatteras Drive, Hudson, Florida 34667.

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: Reuben Lajda, Hibird USA, LLC, 8520 Morrison Creek Drive, Sacramento, California 95828.

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 Genuine Scooters, LLC, intends to allow the establishment of Scooter Superstore of America, Inc. #107, as a dealership for the sale of motorcycles manufactured by Motive Power Industry Co. Ltd. (MOTI) at 10100 San Jose Boulevard, Jacksonville (Duval County), Florida 32257, on or after March 6, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Scooter Superstore of America, Inc. #107 are dealer operator(s): Peter Warrick, 4360 Peters Road, Fort Lauderdale, Florida 33317; principal investor(s): Peter Warrick, 4360 Peters Road, Fort Lauderdale, Florida 33317.

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 Kolbe, Genuine Scooters, LLC, 5400 North Damen Avenue, Chicago, Illinois 60625.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Power Sports Factory, intends to allow the establishment of Go Anywhere Scooters, LLC, as a dealership for the sale of motorcycles manufactured by Qianjiang Motorcycle Group Corp. (QINJ) at 9050 Navarre Parkway, Navarre (Santa Rosa County), Florida 32566, on or after March 4, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Go Anywhere Scooters, LLC are dealer operator(s): Jerry Rogers, 6 Indian Bayou Drive, Destin, Florida 32541; principal investor(s): Jerry Rogers, 6 Indian Bayou Drive, Destin, Florida 32541.

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: Brett Moorner, Power Sports Factory, 6950 Central Highway, Pennsauken, New Jersey 08109.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Yuan Cheng International Group, Inc. d/b/a New Star Technology, intends to allow the establishment of K S & S

Images, Inc. d/b/a Images Motorsports, as a dealership for the sale of motorcycles manufactured by Shanghai Shenke Motorcycle Co. Ltd. (SHEN) at 2112 US 41 South, Ruskin (Hillsborough County), Florida 33570, on or after March 9, 2009.

The name and address of the dealer operator(s) and principal investor(s) of K S & S Images, Inc. d/b/a Images Motorsports are dealer operator(s): Ted Lersch, 2112 US 41 South, Ruskin, Florida 33570; principal investor(s): Ted Lersch, 2112 US 41 South, Ruskin, Florida 33570.

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 Yuan Cheng International Group, Inc. d/b/a New Star Technology, intends to allow the establishment of K S & S Images, Inc. d/b/a Images Motorsports, as a dealership for the sale of motorcycles manufactured by Zhejiang Xingyue Vehicle Co. Ltd. (ZXYV) at 2112 US 41 South, Ruskin (Hillsborough County), Florida 33570, on or after March 9, 2009.

The name and address of the dealer operator(s) and principal investor(s) of K S & S Images, Inc. d/b/a Images Motorsports are dealer operator(s): Ted Lersch, 2112 US 41 South, Ruskin, Florida 33570; principal investor(s): Ted Lersch, 2112 US 41 South, Ruskin, Florida 33570.

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 Keeway America, LLC, intends to allow the establishment of Power and Play Warehouse, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Qianjiang Motorcycle Co. Ltd. (ZHQM) at 550 North Flagler Avenue, Pompano Beach (Broward County), Florida 33060, on or after March 4, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Power and Play Warehouse, Inc. are dealer operator(s): Tom McMahon, 550 North Flagler Avenue, Pompano Beach, Florida 33060; principal investor(s): Tom McMahon, 550 North Flagler Avenue, Pompano Beach, Florida 33060.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License

Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Zhong Zhuang, President, Keeway America, LLC, 2912 Skyway Circle North, Irving, Texas 75038.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Genuine Scooters, LLC, intends to allow the establishment of Scooter Superstore of America, Inc. #107, as a dealership for the sale of motorcycles manufactured by LML Limited (LMLL) at 10100 San Jose Boulevard, Jacksonville (Duval County), Florida 32257, on or after March 6, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Scooter Superstore of America, Inc. #107 are dealer operator(s): Peter Warrick, 4360 Peters Road, Fort Lauderdale, Florida 33317; principal investor(s): Peter Warrick, 4360 Peters Road, Fort Lauderdale, Florida 33317.

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 Kolbe, Genuine Scooters, LLC, 5400 North Damen Avenue, Chicago, Illinois 60625.

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 Genuine Scooters, LLC, intends to allow the establishment of Scooter Superstore of America, Inc. #108, as a dealership for the sale of motorcycles manufactured by LML Limited (LMLL) at 1128 Third Street North, Jacksonville Beach (Duval County), Florida 32250, on or after March 6, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Scooter Superstore of America, Inc. #108 are dealer operator(s): Peter Warrick, 4360 Peters Road, Fort Lauderdale, Florida 33317; principal investor(s): Peter Warrick, 4360 Peters Road, Fort Lauderdale, Florida 33317.

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 Kolbe, Genuine Scooters, LLC, 5400 North Damen Avenue, Chicago, Illinois 60625.

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 Pacific Rim International West, Inc., intends to allow the establishment of M & S Scooters, Inc., as a dealership for the sale of motorcycles manufactured by Huzhou Daixi Zhenhua Technology Trade Co. Ltd. (DAIX) at 14673 US Highway 301 South, Starke (Bradford County), Florida 32091, on or after March 10, 2009.

The name and address of the dealer operator(s) and principal investor(s) of M & S Scooters, Inc. are dealer operator(s): Mahmoud Montaser, 14673 US Highway 301

South, Starke, Florida 32091; principal investor(s): Mahmoud Montaser, 14673 US Highway 301 South, Starke, Florida 32091.

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: Wendy Yu, Pacific Rim International West, 2260 South Archibald Avenue, Unit E, Ontario, California 91761.

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 Genuine Scooters, LLC, intends to allow the establishment of Scooter Superstore of America, Inc. #108, as a dealership for the sale of motorcycles manufactured by Motive Power Industry Co. Ltd. (MOTI) at 1128 Third Street North, Jacksonville Beach (Duval County), Florida 32250, on or after March 6, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Scooter Superstore of America, Inc. #108 are dealer operator(s): Peter Warrick, 4360 Peters Road, Fort Lauderdale, Florida 33317; principal investor(s): Peter Warrick, 4360 Peters Road, Fort Lauderdale, Florida 33317.

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 Kolbe, Genuine Scooters, LLC, 5400 North Damen Avenue, Chicago, Illinois 60625.

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 Subaru of America, Inc., South Central Region, intends to allow the establishment of Suburban of South Florida, LLC d/b/a Suburban Subaru, as a dealership for the sale of Subaru vehicles (SUBA) at 3131 Southeast Federal Highway, Stuart (Martin County), Florida 34994-5532, on or after April 15, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Suburban of South Florida, LLC d/b/a Suburban Subaru are dealer operator(s): David T. Fischer, 3131 Southeast Federal Highway, Stuart, Florida 34994; principal investor(s): David T. Fischer, 3131 Southeast Federal Highway, Stuart, Florida 34994.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, 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 Thamert, Subaru of America, Inc., South Central Region, 220 The Bluffs, Austell, Georgia 30168.

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 Vitacci Motorcycles, Inc., intends to allow the establishment of XL Merchandising of Florida, LLC, as a dealership for the sale of motorcycles manufactured by Taizhou Zhongneng Motorcycle Co. Ltd. (ZHNG) at 7455 16th Street East, #106, Sarasota (Sarasota County), Florida 34243, on or after March 5, 2009.

The name and address of the dealer operator(s) and principal investor(s) of XL Merchandising of Florida, LLC are dealer operator(s): Robert Gaipo, 7455 16th Street East, #106, Sarasota, Florida 34243; principal investor(s): Robert Gaipo, 7455 16th Street East, #106, Sarasota, Florida 34243.

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: Adam Shawa, Vitacci Motorcycles, Inc., 8383 Commerce Park Drive, Suite 608, Houston, Texas 77036.

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 Workhorse Sales Corp., intends to allow the establishment of Wallace International Trucks, Inc., as a dealership for the sale of Workhorse vehicles (WOHC) at 2761 East Edison Avenue, Fort Myers (Lee County), Florida 33916, on or after March 9, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Wallace International Trucks, Inc. are dealer operator(s): Merle G. Wallace, 2761 East Edison

Avenue, Fort Myers, Florida 33916; principal investor(s): Norman E. Wallace, 3805 Liberty Square, Fort Myers, Florida 33908.

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: James Gavaghan, Workhorse Sales Corp., 850 Stephenson Highway, Suite 510, Troy, Michigan 48083.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Keeway America, LLC, intends to allow the establishment of Wenmark, Inc. d/b/a All The Wheel Toys, as a dealership for the sale of motorcycles manufactured by Zhejiang Qianjiang Motorcycle Co. Ltd. (ZHQM) at 1540 Northwest Federal Highway, Stuart (Martin County), Florida 34994, on or after March 5, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Wenmark, Inc. d/b/a All The Wheel Toys are dealer operator(s): Mark Mourning, 1540 Northwest Federal Highway, Stuart, Florida 34994 and Wendy Mourning, 1540 Northwest Federal Highway, Stuart, Florida 34994; principal investor(s): Mark Mourning, 1540 Northwest Federal Highway, Stuart, Florida 34994 and Wendy Mourning, 1540 Northwest Federal Highway, Stuart, Florida 34994.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Zhong Zhuang, President, Keeway America, LLC, 2912 Skyway Circle North, Irving, Texas 75038.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Pacific Rim International West, Inc., intends to allow the establishment of Xtreme Ride (WH), Inc., as a dealership for the sale of motorcycles manufactured by Huzhou Daixi Zhenhua Technology Trade Co. Ltd. (DAIX) at 30216 Highway 27 South, Haines City (Polk County), Florida 33844, on or after March 10, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Xtreme Ride (WH), Inc. are dealer operator(s): Joudeh Mohammed, 30216 Highway 27 South, Haines City, Florida 33844; principal investor(s): Joudeh Mohammed, 30216 Highway 27 South, Haines City, Florida 33844.

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: Wendy Yu, Pacific Rim International West, Inc., 2260 South Archibald Avenue, Unit E, Ontario, California 91761.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

**BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND**

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

NOTICE OF AVAILABILITY

The Department of Environmental Protection has determined that Live Oak's proposed project to repair existing wastewater collection and transmission facilities will not have a significant adverse impact on the environment. The total estimated construction cost is \$17,700,000. The project is expected to qualify for a State Revolving Fund loan composed of federal and state matching funds.

A full copy of the Florida Categorical Exclusion Notice can be obtained by writing to: Thomas Montgomery, Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400 or by calling (850)245-8358.

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 JUVENILE JUSTICE

The Florida Department of Juvenile Justice has posted a new policy for review and comment on MyFlorida.com at: http://www.djj.state.fl.us/policies_procedures/policyreview.html.

Information Technology Compliance and Enforcement – (FDJJ 1240) establishes guidelines for evaluating and enforcing compliance with security policies, procedures and standards. The Department of Juvenile Justice shall monitor, control, and

protect data, network and information technology (IT) resources by using secure software development and system engineering principles as it applies to all offices within the Department and all Department-approved and applicable providers.

The policy is posted for a single 20 working day review and comment period, with the closure date for submission of comments on the policy of April 16, 2009. Responses to comments received will be posted during the review period to the extent possible, but no later than 10 working days after the end of the review period on the above Website.

DEPARTMENT OF HEALTH

On March 10, 2009, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Gennene Marie Antonelli, R.N. license number RN 2570472. This Emergency Suspension Order was predicated upon the State Surgeon General'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 State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On March 4, 2009, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Eugene Betts, C.N.A. license number CNA 114880. This Emergency Suspension Order was predicated upon the State Surgeon General'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 State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On March 10, 2009, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Kimberly Faye Crews-Quigley, L.P.N. license number PN 1019021. This Emergency Suspension Order was predicated upon the State Surgeon General'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 State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On March 6, 2009, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Jodi Lynn Marcello, R.N. license number RN 3415962. This Emergency Suspension Order was predicated upon the State Surgeon General'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 State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On March 4, 2009, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Portia Ann Mitstifer, R.N. license number RN 3316462. This Emergency Suspension Order was predicated upon the State Surgeon General'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 State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On March 4, 2009, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Valarie Sue Morris, R.N. license number RN 9258177. This Emergency Suspension Order was predicated upon the State Surgeon General'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 State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On March 6, 2009, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Danny Ray Pottinger, R.N. license number RN 9270486. This Emergency Suspension Order was predicated upon the State Surgeon General'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 State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On March 6, 2009, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Natasha C. Tanksley C.N.A. license number CNA 87993. This Emergency Suspension

Order was predicated upon the State Surgeon General’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 State Surgeon General 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 Order

IN THE MATTER OF:

CASE NO.: 102880-09

CITIZENS PROPERTY

INSURANCE CORPORATION

ORDER APPROVING CITIZENS’ HIGH-RISK ACCOUNT BOND INSURANCE AND RELATED DOCUMENTS

THIS MATTER came before the Office of Insurance Regulation (the “Office”) for consideration and final agency action upon the request of Citizens Property Insurance Corporation (“Citizens”), pursuant to Section 627.351(6), Florida Statutes, as amended (the “Citizens Act”), and Sections 19(B) and 20 of Citizens’ Plan of Operation (the “Plan of Operation”), for approval of the issuance by Citizens of its High-Risk Account Senior Secured Bonds, Series 2009, in the aggregate principal amount of not exceeding \$2,500,000,000 (the “Series 2009 Bonds”) and related documentation. Citizens proposes to issue the Series 2009 Bonds from time to time, in one or more series; provided that no Series 2009 Bonds shall be issued after October 31, 2009. Citizens’ request is based on the adoption by its Board of Governors (the “Board”) of the resolution (the “Authorizing Resolution”), attached hereto as Exhibit “A,” authorizing the issuance of the Series 2009 Bonds and related documentation.

Citizens expects that the Series 2009 Bonds may be issued in one or more series from time to time; provided that no Series 2009 Bonds shall be issued after October 31, 2009. Each separate series of Series 2009 Bonds shall be differentiated from other series of Series 2009 Bonds by a letter designation, starting with the letter “A,” so that the first series of Series 2009 Bonds shall be designated as “Series 2009A Bonds,” the second series of Series 2009 Bonds shall be designated as “Series 2009B Bonds,” and so on.

The Series 2009 Bonds are to be issued pursuant to that certain Trust Indenture dated as of August 6, 1997 (the “1997 Indenture”), as amended, and for purposes of the first series (which may be multiple series issued concurrently) of Series 2009 Bonds issued, as further amended by that certain Seventh Supplemental Indenture (the “Seventh Supplemental Indenture” and, together with the 1997 Indenture as amended,

the “Indenture”). The Seventh Supplemental Indenture is to be in substantially the same form as the copy received and reviewed by the Office prior to the entry of this Order.

Subsequent series of Series 2009 Bonds issued under the authorization of the Authorizing Resolution and the approval of this Order, but after the issuance of the Series 2009 Bonds issued pursuant to the Seventh Supplemental Indenture, shall be issued pursuant to one or more supplemental indentures substantially in the form of the Seventh Supplemental Indenture, with such changes as are necessary to reflect the details of the bonds (i.e., whether the bonds may bear interest at fixed or variable rates; be issued as tax-exempt, taxable or tax credit bonds; have the benefit of any credit enhancement or liquidity facility; and the manner in which they may be sold, including public offering, private placement or in exchange for currently outstanding bonds) of such subsequent series of Series 2009 Bonds. The final maturity of any Series 2009 Bonds issued as fixed rate bonds shall be no later than December 31, 2019, and the final maturity of any Series 2009 Bonds issued as variable rate bonds shall be no later than December 31, 2029.

For purposes of this Order, any reference to the “Indenture” shall include any such supplemental indenture, together with the 1997 Indenture. Prior to issuing the first series of Series 2009 Bonds, Citizens shall appoint an entity qualified to exercise trust powers in the State of Florida as successor Indenture Trustee to act in such capacity for all purposes under the Indenture. Citizens is also entering into or will utilize, as applicable, other related documents and agreements in connection with the issuance of the Series 2009 Bonds as described in the Authorizing Resolution.

Citizens is a statutorily-created corporation and government entity that is an integral part of the State of Florida, established pursuant to the Citizens Act. Citizens, through its High-Risk Account, has become a significant provider of residential and commercial windstorm insurance in the State of Florida, and must have access to sufficient funds to meet its policyholder claims and other obligations in the event of a catastrophic hurricane or other weather-related event.

The Citizens Act authorizes Citizens to borrow funds for the High-Risk Account by issuing bonds or by incurring other indebtedness and to pledge assessments under the Act and other funds available to Citizens’ High-Risk Account as the source of security and repayment for such borrowings. Section 627.351(6)(c)3., Florida Statutes, states that Citizens may issue bonds or incur other indebtedness in the absence of a hurricane or other weather-related event, upon a determination by Citizens, subject to approval by the Office, that such action would enable it to efficiently meet the financial obligations of Citizens and that such financings are reasonably necessary to effectuate the requirements of the Citizens Act.

The Citizens Act and the Plan of Operation authorize Citizens to issue bonds in the absence of a hurricane or other weather-related event and the Plan of Operation, in Section 20(D), contains a determination by the Board that such advance financings constitute financing mechanisms under the Act that will allow Citizens to efficiently meet the financial obligations of the High-Risk Account and that such financings are reasonably necessary to effectuate the requirements of the Act.

On March 10, 2009, Citizens' Board adopted the Authorizing Resolution authorizing the issuance of the Series 2009 Bonds from time to time, in one or more series, in the aggregate principal amount of not exceeding \$2,500,000,000, to pay policyholder claims and other obligations of the High-Risk Account as a result of a catastrophic hurricane or other weather-related event. As reflected in the attached Exhibit "A," the Authorizing Resolution contains a finding by Citizens' Board that, in order to provide funds to meet policyholder claims and other obligations of the High-Risk Account, it is in the best interests of Citizens to issue the Series 2009 Bonds. As further reflected in the attached Exhibit "A," the Authorizing Resolution contains a determination by Citizens' Board that the proceeds derived from the Series 2009 Bonds are reasonably necessary to enable Citizens to efficiently meet the financial obligations of the High-Risk Account and to effectuate the requirements of the Citizens Act. As required by Section 19(B) of the Plan of Operation, Citizens has filed with the Office a statement of the purpose of the Series 2009 Bonds, a copy of the Seventh Supplemental Indenture in substantially final form, and an estimate of the costs to be incurred by Citizens in connection with the issuance of the entire aggregate principal amount (i.e., \$2,500,000,000) of the Series 2009 Bonds.

The Office, having considered this submission, and being otherwise advised in the premises, hereby finds that:

1. The Office has jurisdiction over the subject matter of, and the parties to, this proceeding pursuant to the Citizens Act.
2. The Series 2009 Bonds are being issued for the purpose of providing additional resources to assist Citizens in covering policyholders' claims and expenses in the High-Risk Account and are hereby determined to be for a valid purpose under the Citizens Act. The Series 2009

Bonds will enable Citizens to efficiently meet its financial obligations and are reasonably necessary to effectuate the requirements of the Citizens Act.

3. The Indenture is hereby deemed to be a "trust indenture" within the meaning of, and is approved for purposes of, Section 19(B) of the Plan of Operation.
4. Pursuant to the Citizens Act, and Sections 19(B) and 20 of the Plan of Operation, Citizens has authority to enter into the Seventh Supplemental Indenture and one or more additional supplemental indentures substantially in the form of the Seventh Supplemental Indenture in connection with the issuance from time to time of the Series 2009 Bonds, to issue the Series 2009 Bonds under the Indenture from time to time, in one or more series and with the details and characteristics described herein and in the Authorizing Resolution, and to make the Series 2009 Bonds payable and secured as provided in the Indenture.

IT IS THEREFORE ORDERED:

That the Office of Insurance Regulation hereby APPROVES:

- A. The Seventh Supplemental Indenture and such additional supplemental indentures substantially in the form of the Seventh Supplemental Indenture as are required to issue the Series 2009 Bonds in the manner described herein and in the Authorizing Resolution.
- B. The issuance of the Series 2009 Bonds under the Indenture in one or more series, from time to time, with the details and characteristics described herein and in the Authorizing Resolution; provided, however, that no Series 2009 Bonds shall be issued after October 31, 2009.
- C. The pledge by Citizens of the Pledged Revenues (as defined in the Indenture) to secure the Series 2009 Bonds.

DONE and ORDERED this __10th__ day of March, 2009.

 KEVIN M. MCCARTY
 COMMISSIONER

NOTICE OF RIGHTS

Any party to these proceedings adversely affected by this Order is entitled to seek review of this Order pursuant to Section 120.68, Florida Statutes, and Rule 9.110, Fla. R. App. P. Review proceedings must be instituted by filing a petition or notice of appeal with Steven H. Parton, General Counsel of the

Office of Insurance Regulation, acting as the: Agency Clerk, 612 Larson Building, Tallahassee, Florida 32399-4206, and a copy of the same with the appropriate district court of appeal, within thirty (30) days of rendition of this Order.

Exhibit "A"

AUTHORIZING RESOLUTION ADOPTED ON MARCH 10, 2009

BY CITIZENS' BOARD OF GOVERNORS

NOTICE OF FILINGS

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received a written withdrawal of the following application:

APPLICATION WITHDRAWN

Application and Plan For the Purchase of Certain Assets and Assumption of Certain Liabilities

Acquiring Entity: Coastal Community Bank, Panama City Beach, Florida

Selling Entity: Bayside Savings Bank, a federal savings bank, Port St. Joe, Florida

Date of Application: June 30, 2008

Withdrawn: March 11, 2009

HARDEE COUNTY ECONOMIC DEVELOPMENT AUTHORITY

The Hardee County Economic Development Authority will accept grant applications for projects that provide economic development and infrastructure within the geographic boundaries of Hardee County. The Authority shall rank applications to the extent of estimated available program funds based on criteria relating to administrative capacity, public benefit, economic benefits, and public use.

Applications and Program Guidelines are available at the: Hardee County Board of County Commissioners Office, 412 W. Orange Street, Room 103, Wauchula, FL 33873, (863)773-9430, Fax: (863)773-0958, e-mail: bcc@hardeecounty.net.

Applications will be accepted from May 1, 2009, through June 1, 2009, 8:00 a.m. to 5:00 p.m.

Please Note: Site of benefiting business for consideration of these funds must be located entirely within Hardee County.

For more information, please call: (863)773-9430.

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN March 2, 2009
 and March 6, 2009

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF EDUCATION
State Board of Education

6A-6.03018	3/3/09	3/23/09	34/38	35/5
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DEPARTMENT OF TRANSPORTATION

14-98.005	3/2/09	3/22/09	34/51	35/5
14-98.008	3/2/09	3/22/09	34/51	

PUBLIC SERVICE COMMISSION

25-4.002	3/6/09	3/26/09	35/3	
25-4.023	3/6/09	3/26/09	35/3	
25-4.046	3/6/09	3/26/09	35/3	
25-4.067	3/6/09	3/26/09	35/3	
25-4.071	3/6/09	3/26/09	35/3	
25-4.074	3/6/09	3/26/09	35/3	
25-4.107	3/6/09	3/26/09	35/3	
25-4.108	3/6/09	3/26/09	35/3	
25-4.109	3/6/09	3/26/09	35/3	

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

40D-1.659	3/6/09	3/26/09	34/33	35/4
40D-2.091	3/6/09	3/26/09	34/33	35/4

South Florida Water Management District

40E-0.105	3/2/09	3/22/09	34/45	
40E-0.109	3/2/09	3/22/09	34/45	
40E-4.021	3/2/09	3/22/09	34/45	

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Land Sales, Condominiums & Mobile Homes

61B-22.006	3/6/09	3/26/09	34/50	
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Board of Professional Engineers

61G15-32.001	3/6/09	3/26/09	34/11	
61G15-32.002	3/6/09	3/26/09	34/11	34/39

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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61G15-32.003	3/6/09	3/26/09	34/11	
61G15-32.008	3/6/09	3/26/09	34/11	34/39

Florida Real Estate Appraisal Board

61J1-3.004	3/4/09	3/24/09	35/2	
61J1-4.001	3/4/09	3/24/09	35/2	
61J1-5.001	3/4/09	3/24/09	35/2	
61J1-7.003	3/4/09	3/24/09	35/2	
61J1-9.001	3/4/09	3/24/09	35/2	

DEPARTMENT OF ENVIRONMENTAL PROTECTION

62-304.520	3/6/09	3/26/09	34/53	
62-304.705	3/6/09	3/26/09	34/53	35/3

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family

64B4-6.008	3/4/09	3/24/09	35/3	
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Board of Nursing Home Administrators

64B10-16.002	3/5/09	3/25/09	35/3	
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Board of Optometry

64B13-18.002	3/3/09	3/23/09	34/51	
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Board of Orthotists and Prosthetists

64B14-7.0011	3/2/09	3/22/09	34/49	
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Division of Emergency Medical Operations

64J-2.007	3/5/09	3/25/09	34/49	35/4
64J-2.008	3/5/09	3/25/09	34/49	35/4
64J-2.009	3/5/09	3/25/09	34/49	35/4

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

68A-5.001	3/3/09	3/23/09	34/53	
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DEPARTMENT OF MILITARY AFFAIRS

70-2.001	3/3/09	3/23/09	35/3	
70-2.002	3/3/09	3/23/09	35/3	