

## Section I

### Notices of Development of Proposed Rules and Negotiated Rulemaking

**DEPARTMENT OF STATE**

**Division of Library and Information Services**

**RULE NO.:** 1B-2.011  
**RULE TITLE:** Library Grant Programs  
**PURPOSE AND EFFECT:** To revise and update guidelines and forms.

**SUBJECT AREA TO BE ADDRESSED:** Multitype Library Cooperatives.

**SPECIFIC AUTHORITY:** 257.40-.41 FS.

**LAW IMPLEMENTED:** s. 1, ch. 92-110, 2, ch. 92-110; s. 5, ch. 99-238, Laws of Florida.

**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:** June 8, 2007, 1:00 p.m. – 3:00 p.m.

**PLACE:** Room 307, R.A. Gray Building, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Patricia Romig by mail at R. A. Gray Building, 500 S. Bronough Street, Tallahassee, FL 32399; or by e-mail at paromig@dos.state.fl. If you are 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:** Patricia Romig, R. A. Gray Building, 500 S. Bronough Street, Tallahassee, FL 32399, or paromig@dos.state.fl

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

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Agricultural Water Policy**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
5M-6.001	Purpose
5M-6.002	Approved BMPS
5M-6.003	Presumption of Compliance
5M-6.004	Notice of Intent to Implement
5M-6.005	Record Keeping

**PURPOSE AND EFFECT:** The purpose of this notice is to modify the formerly adopted “Florida Container Nursery BMP Guide” to expand the manual’s coverage statewide.

Subsequently, the Department will initiate a formal rule modification for this rule chapter in order to adopt these measures by rule.

**SUBJECT AREA TO BE ADDRESSED:** The subjects to be addressed are the development of practices affecting water resources, the procedures for filing a Notice of Intent, and associated recordkeeping requirements necessary for landowners to receive a presumption of compliance with state water quality standards.

**SPECIFIC AUTHORITY:** 403.067(7)(c)2. FS.

**LAW IMPLEMENTED:** 403.067(7)(c)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:** Bill Bartnick, Environmental Administrator, Office of Agricultural Water Policy, 1203 Governor’s Square Boulevard, Suite 200, Tallahassee, Florida 32301, (850)617-1700 or Fax (850)617-1701

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

<b>RULE NO.:</b>	<b>RULE TITLE:</b>
6A-1.099823	Performance Standards for Children Participating in the Voluntary Prekindergarten (VPK) Education Program

**PURPOSE AND EFFECT:** The purpose of this rule development is to adopt education standards for children in the Voluntary Prekindergarten (VPK) Education Program. The effect of the rule will be the adoption of uniform standards that describe the skills that a four year old child should know and be able to demonstrate by the end of the VPK program.

**SUBJECT AREA TO BE ADDRESSED:** Voluntary Prekindergarten (VPK) Education Standards.

**SPECIFIC AUTHORITY:** 1002.79(1) FS.

**LAW IMPLEMENTED:** 1002.67(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Shan Goff, Executive Director, Office of Early Learning, Department of Education, 325 West Gaines Street, Suite 1524, Tallahassee, Florida 32399-0400, (850)245-0445

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

6A-1.099823 Performance Standards for Children Participating in the Voluntary Prekindergarten (VPK) Education Program.

Minimum student performance standards adopted by the State Board of Education for children participating in the Voluntary Prekindergarten (VPK) Education Program are contained in the publication "Florida Voluntary Prekindergarten (VPK) Education Standards, Florida Department of Education 2005." The standards incorporated in this document are hereby incorporated by reference in this rule and made a part of the rules of the State Board of Education to become effective with the effective date of this rule. Copies of this publication may be obtained through Florida Institute of Education at the University of North Florida, 12000 Alumni Drive, Jacksonville, Florida 32224-2678 at a price to be established by the Commissioner not to exceed actual costs.

Specific Authority 1002.79(1) FS. Law Implemented 1002.67(1) FS. History--New \_\_\_\_\_.

**BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

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

**DEPARTMENT OF CITRUS**

RULE NO.: 20-100.004  
 RULE TITLE: Official Forms Used by Agency  
 PURPOSE AND EFFECT: Amendment updating official forms used by Florida Department of Citrus.  
 SUBJECT AREA TO BE ADDRESSED: Official forms used by Florida Department of Citrus.  
 SPECIFIC AUTHORITY: 601.10(1), (15) FS.  
 LAW IMPLEMENTED: 601.10(15) FS.  
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Alice P.

Wiggins, Administrative Assistant, Legal Department, Florida Department of Citrus, P. O. Box 148, Lakeland, Florida 33802-0148

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

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-601.737  
 RULE TITLE: Visiting – Forms  
 PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend Form DC6-111A, Request for Visiting Privileges to include a line for termination date of probation or parole, to amend DC6-111B, Visitor Information Summary, to provide that no shoes known as Heelys or any footwear with removable parts shall be allowed and to specify that no more than three clear plastic jars or sealed (unopened) baby food are authorized for visitors with authorized infants and small children, and to amend Form DC6-111D Visitation Screening Matrix, to correspond with recent revisions to Rule 33-601.717, F.A.C., relating to criminal history.  
 SUBJECT AREA TO BE ADDRESSED: Inmate visitation.  
 SPECIFIC AUTHORITY: 944.09, 944.23 FS.  
 LAW IMPLEMENTED: 944.09, 944.23, 944.8031 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: Dorothy M. Ridgway, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:  
 33-601.737 Visiting – Forms.  
 The following forms are hereby incorporated by reference. A copy of any of these forms is available from the Forms Control Administrator, Office of Research, Planning and Support Services, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.  
 (1) through (2) No change.  
 (3) DC6-111A, Request for Visiting Privileges, effective 4-29-02.  
 (4) DC6-111B, Visitor Information Summary, effective 3-29-07.  
 (5) No change.  
 (6) DC6-111D, Visitor Screening Matrix, effective 3-29-07.

Specific Authority 944.09, 944.23 FS. Law Implemented 944.09, 944.23, 944.8031 FS. History--New 11-18-01, Amended 4-29-02, 9-29-03, 3-31-05, 7-17-05, 3-21-06, 3-29-07,\_\_\_\_\_.

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-601.800  
RULE TITLE: Close Management

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend form DC4-643A, Individualized Service Plan, to add titles Psychiatric ARNP and Behavioral Specialist to Part III.

SUBJECT AREA TO BE ADDRESSED: Close Management Forms.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Dorothy M. Ridgway, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-601.800 Close Management.

(1) through (18) No change.

(19) Forms. The following forms referenced in this rule are hereby incorporated by reference. Copies of any of these forms are available from the Forms Control Administrator, Office of Research, Planning and Support Services, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

(a) No change.

(b) Form DC4-643A, Individualized Service Plan, effective date ~~12-16-01~~.

(c) through (I) No change.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History--New 2-1-01, Amended 12-16-01, 4-8-04, 3-10-05, 4-9-06,\_\_\_\_\_.

**DEPARTMENT OF ELDER AFFAIRS**

**Federal Aging Programs**

RULE NOS.: 58A-2.010  
RULE TITLES: Quality Assurance and Utilization Review (QAUR) Committee and Plan  
58A-2.014 Medical Direction  
58A-2.0232 Advance Directives

PURPOSE AND EFFECT: The purpose of the proposed rule amendments is to add language, provide clarification of terms and update a form incorporated by reference as recommended by the legislative Joint Administrative Procedures Committee (JAPC).

SUBJECT AREA TO BE ADDRESSED: Quantification of "bereavement period" and definitions of "high risk, high volume and problem-prone activities" under Rule 58A-2.010, F.A.C.; adding language to emphasize that the hospice director's designee shall be a "licensed hospice physician" under Rule 58A-2.014; and updating the Form SCHS-4-2006, Health Care Advance Directives – The Patient’s Right to Decide, incorporated by reference in Rule 58A-2.0232, F.A.C. THIS WORKSHOP WILL BE CONDUCTED IN CONJUNCTION WITH THE WORKSHOP SCHEDULED FOR RULES 58A-2.002, 2.003, 2.004, 2.005, & 2.012, F.A.C., THAT IS NOTICED IN THIS SAME EDITION OF THE FLORIDA ADMINISTRATIVE WEEKLY UNDER SECTION VI, NOTICES OF MEETINGS, WORKSHOPS AND PUBLIC HEARINGS."

SPECIFIC AUTHORITY: 400.605, 765.110 FS.

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

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

DATE AND TIME: May 30, 2007, 9:00 a.m. – 12:30 p.m.

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

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

58A-2.010 Quality Assurance and Utilization Review (QAUR) Committee and Plan.

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

(1) through (2) No change.

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

(a) No change.

(b) After the patient's death and the end of the bereavement period, which is a minimum of one (1) year, the master record shall be stored in a secure and accessible location.

(4) No change.

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

(a) through (e) No change.

(f) High-risk, ~~high volume and problem prone~~ activities defined as:

(g) High-volume activities defined as:

(h) Problem-prone activities defined as: and

(i)(g) No change.

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

58A-2.014 Medical Direction.

(1) No change.

(2)(a) The medical director or his or her licensed hospice physician designee shall be a member of the hospice care team and shall be responsible for the direction and quality of the medical component of the care rendered to the patient by the hospice care team. The patient's attending physician(s) may remain the primary physician(s) to the patient, depending upon the preferences of the patient and the patient's family. The patient and the patient's family may elect to have the hospice medical director assume all or part of the primary medical care

functions, or act as a consultant to the patient's attending physician(s). In either case, the hospice care team shall maintain liaison and a reporting relationship with the patient's attending physician(s).

(b) No change.

(3) through (4) No change.

Specific Authority 400.605 FS. Law Implemented 400.605, 400.6105 FS. History--New 5-6-82, Formerly 10A-12.14, 10A-12.014, Amended 4-27-94, Formerly 59A-2.014, Amended 6-5-97,\_\_\_\_\_.

58A-2.0232 Advance Directives.

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

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

(a) At the time of admission ~~to a hospice program~~, providing each patient, or the patient's surrogate or proxy, with a copy of Form SCHS-4-2006, "Health Care Advance Directives – The Patient's Right to Decide," as prepared by the Agency for Health Care Administration, 2727 Mahan Drive, Tallahassee, FL 32308, effective 4-2006 (April 2006) + 11-93, which is hereby incorporated by reference, or with a copy of some other substantially similar document which incorporates information regarding advance directives included in is a written description of Chapter 765, F.S., regarding advance directives. The form is hereby incorporated by reference and is available from the Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop 34, Tallahassee, FL 32308, or the agency's Web site at [http://ahca.myflorida.com/MCHO/Health Facility Regulation/HC Advance Directives/docs/adv\\_dir.pdf](http://ahca.myflorida.com/MCHO/Health Facility Regulation/HC Advance Directives/docs/adv_dir.pdf).

(b) through (c) No change.

Specific Authority 765.110, 400.605 FS. Law Implemented 400.605, Ch. 765 FS. History--New 1-11-93, Formerly 59A-2.025, Amended 4-27-94, Formerly 58A-2.0232, Amended 6-5-97,\_\_\_\_\_.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NO.: 62-210.200  
 RULE TITLE: Definitions

PURPOSE AND EFFECT: The proposed rule development would amend definitions of certain terms used in the department’s air permitting program, consistent with recent revisions to U.S. Environmental Protection Agency (EPA) regulations.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendments involve the department’s EPA-approved air permitting program.

SPECIFIC AUTHORITY: 403.061 FS.

LAW IMPLEMENTED: 403.031, 403.061, 403.087 FS.

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

DATE AND TIME: Friday, May 25, 2007, 10:00 a.m.

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

Pursuant to the provisions of 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. Lynn Scarce at (850)921-9551. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Mr. Larry George at (850)921-9555 or larry.george@dep.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

62-210.200 Definitions.

The following words and phrases when used in this chapter and in Chapters 62-212, 62-213, 62-214, 62-296, and 62-297, F.A.C., shall, unless content clearly indicates otherwise, have the following meanings:

(1) through (193) No change.

(194) “Major Stationary Source” –

(a) No change.

(b) A major stationary source that is major for volatile organic compounds or nitrogen oxides shall be considered major for ozone.

(c) through (h) No change.

(195) through (277) No change.

(278) “Significant Emissions Rate” –

(a) With respect to any emissions increase or any net emissions increase, or the potential of a facility to emit any of the following pollutants, significant emissions rate means a rate of pollutant emissions that would equal or exceed:

1. A rate listed at 40 CFR 52.21(b)(23)(i), adopted by reference at Rule 62-204.800, F.A.C.; specifically, any of the following rates:

a. through d. No change.

e. Ozone: 40 tpy of volatile organic compounds or nitrogen oxides;

f. through o. No change.

2. No change.

(b) No change.

(279) through (334) No change.

Specific Authority 403.061, 403.8055 FS. Law Implemented 403.031, 403.061, 403.087, 403.8055 FS. History—Formerly 17-2.100, Amended 2-9-93, 11-28-93, Formerly 17-210.200, Amended 11-23-94, 4-18-95, 1-2-96, 3-13-96, 3-21-96, 8-15-96, 10-7-96, 10-15-96, 5-20-97, 11-13-97, 2-5-98, 2-11-99, 4-16-01, 2-19-03, 4-1-05, 7-6-05, 2-2-06, 4-1-06, 9-4-06, 9-6-06, 1-10-07, 5-9-07,\_\_\_\_\_.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NOS.: 62-212.400  
 RULE TITLES: Prevention of Significant Deterioration (PSD)  
 62-212.720 Actuals Plantwide Applicability Limits (PALs)

PURPOSE AND EFFECT: The proposed rule development would amend the department’s prevention-of-significant-deterioration (PSD) air permitting rule consistent with recent revisions to U.S. Environmental Protection Agency (EPA) regulations. In addition, the department is proposing to clarify that, in providing for public participation in the PSD permitting process, applicable state administrative procedures are followed rather than federal procedures, and that, in applying the provisions of 40 CFR 52.21 cited from within the department’s PSD and plantwide applicability limit (PAL) permitting rules, the term “Administrator” shall mean “Department.”

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendments involve the department’s PSD and PAL air permitting programs.

SPECIFIC AUTHORITY: 403.061 FS.

LAW IMPLEMENTED: 403.031, 403.061, 403.087 FS.

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

DATE AND TIME: Friday, May 25, 2007, 10:00 a.m.

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

Pursuant to the provisions of 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. Lynn Scarce at (850)921-9551. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Mr. Larry George at (850)921-9555 or larry.george@dep.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

62-212.400 Prevention of Significant Deterioration (PSD).

(1) General Provisions ~~Prohibitions~~.

(a) through (b) No change.

(c) For purposes of this rule, the term "Administrator," wherever it appears in any provision of 40 CFR 52.21 cited herein, shall mean "Department."

(2) No change.

(3) Exemptions.

(a) through (d) No change.

(e) The requirements of subsection 62-212.400(7), F.A.C., as they relate to monitoring for a particular pollutant shall not apply if:

1. The emissions increase of the pollutant from the new source or the net emissions increase of the pollutant from the modification would cause, in any area, air quality impacts less than the amounts listed at 40 CFR 52.21 (i)(5), adopted by reference at Rule 62-204.800, F.A.C., specifically the following amounts:

a. through d. No change.

e. Ozone – No de minimis air quality level is provided for ozone. However, any net increase of 100 tons per year or more of volatile organic compounds or nitrogen oxides subject to PSD would be required to perform an ambient impact analysis including the gathering of ambient air quality data;

f. through k. No change.

2. No change.

(4) through (10) No change.

(11) Public Participation. No permit shall be issued until the applicant and Department have complied with all applicable public notice and participation provisions of 40 CFR 52.21(q), adopted by reference at Rule 62-204.800, and Rules 62-210.350 and 62-110.106, F.A.C. In complying with the requirements of 40 CFR 52.21(q), the Department shall follow the procedures of Rules 62-210.350 and 62-110.106, F.A.C., in lieu of the procedures of 40 CFR Part 124.

(12) through (13) No change.

Specific Authority 403.061 FS. Law Implemented 403.031, 403.061, 403.087 FS. History—Formerly 17-2.500, Amended 2-2-93, Formerly 17-212.400, Amended 11-23-94, 1-1-96, 3-13-96, 2-5-98, 8-15-99, 2-2-06,\_\_\_\_\_.

62-212.720 Actuals Plantwide Applicability Limits (PALs).

(1) No change.

(2) Definitions. The definitions of 40 CFR 52.21 (aa)(2), adopted by reference in Rule 62-204.800, F.A.C., shall apply to PAL permitting processes and PAL permits except the "PAL permit" shall mean the permit specified in subsection 62-212.720(1), F.A.C., and except that "significant" and "emissions unit" shall mean "significant emissions rate" and "emissions unit" as defined in Rule 62-210.200, F.A.C. For purposes of this rule, the term "Administrator," wherever it appears in any provision of 40 CFR 52.21 cited herein, shall mean "Department."

(3) through (7) No change.

Specific Authority 403.061 FS. Law Implemented 403.031, 403.061, 403.087 FS. History—New 2-2-06, Amended \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE NO.: RULE TITLE:

64B3-5.0011 Definitions

PURPOSE AND EFFECT: The Board proposes the new rule for defining academic qualification terms.

SUBJECT AREA TO BE ADDRESSED: Definitions of academic qualification terms.

SPECIFIC AUTHORITY: 483.805, 483.823 FS.

LAW IMPLEMENTED: 483.823 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B3-5.0011 Definitions.

(1) "AAB" means The American Association of Bioanalysis.

(2) "ABB" means The American Board of Bioanalysts.

(3) "ABHES" means The Accrediting Bureau of Health Education Schools.

(4) "ABHI" means The American Board of Histocompatibility and Immunogenetics.

(5) "Academic Science" means college level courses in the areas of chemistry, biology, physiology, anatomy, microbiology, immunology, medical sciences, genetics, and molecular biology, pursuant to subsection 64B3-2.003(6), F.A.C.

(6) "AMT" means American Medical Technologists.

(7) "ASCP" means The American Society for Clinical Pathology.

(8) "Bachelor's Degree" means a four year baccalaureate degree from a regionally accredited college or university.

(9) "Bachelor's Degree in Medical Technology" means a four year baccalaureate degree earned at an accredited program, pursuant to subsection 64B3-2.003(9), F.A.C.

(10) "CAAHEP" means The Council on Accreditation of Allied Health Education Programs.

(11) "CAHEA" means The Committee on Allied Health Education and Accreditation.

(12) "Medical Technology Training Program" means an ABHES, CAAHEP, CAHEA, NAACLS military or board approved training program for clinical laboratory scientists (CLS) or medical technologists (MT), pursuant to subsections 64B3-2.003(9) and (16), F.A.C.

(13) "NAACLS" means The National Accrediting Agency for Clinical Laboratory Science.

(14) "NCA" means The National Credentialing Agency.

(15) "QIHC" means Qualification in Immunohistochemistry.

(16) "Semester Hour" means one hour of credit in an accredited college or university, pursuant to subsection 64B3-2.003(1), F.A.C., or foreign education equated, pursuant to subsection 64B3-6.002(6), F.A.C.

(17) "MT" means Medical Technologist.

(18) "MLT" means Medical Laboratory Technologist.

(19) "HT" means Histotechnician.

(20) "HTL" means Histotechnologist.

(21) "DLM" means Diplomate Laboratory Management.

(22) "CLDir" means Clinical Laboratory Director.

(23) "CLS" means Clinical Laboratory Scientist.

(24) "SBB" means Specialist in Blood Banking.

(25) "SH" means Specialist in Hematology.

(26) "SC" means Specialist in Chemistry.

(27) "BB" means Blood Banking.

(28) "ABMLI" means American Board of Medical Laboratory Immunology.

(29) "ABMG" means American Board of Medical Genetics.

(30) "CT" means Cytotechnologist.

(31) "MP" means Molecular Pathology.

(32) "HCLD" means High Complexity Laboratory Director.

(33) "ABMM" means American Board of Medical Microbiology.

(34) "ABCC" means American Board of Clinical Chemistry.

(35) "ABNM" means American Board of Nuclear Medicine.

(36) "AOBNM" means American Osteopathic Board of Nuclear Medicine.

(37) "ABIM" means American Board of Internal Medicine.

(38) "AOBIM" means American Osteopathic Board of Internal Medicine.

(39) "ABP" means American Board of Pathology.

(40) "ABOP" means American Osteopathic Board of Pathology.

(41) "CHS" means American Histocompatibility Specialist.

(42) "SCT" means Specialist in Cytotechnology.

(43) "CHT" means Certified Histocompatibility Technologist.

(44) "TS" means Technical Supervisor.

(45) "ELD" means Embryology Laboratory Director.

Specific Authority 483.805, 483.823 FS. Law Implemented 483.823 FS. History--New 6-29-06, Amended.

**FINANCIAL SERVICES COMMISSION**

**OIR – Insurance Regulation**

RULE NO.:	RULE TITLE:
690-162.203	Adoption of 2001 Commissioners Standard Ordinary (CSO) Preferred Mortality Tables for Determining Reserve Liabilities for Ordinary Life Insurance

PURPOSE AND EFFECT: The purpose of this regulation is to recognize, permit and prescribe the use of mortality tables that reflect differences in mortality between Preferred and Standard lives in determining minimum reserve liabilities in accordance with subsection 625.121(5)(a)3., F.S., and Rule 690-164.020, F.A.C.

SUBJECT AREA TO BE ADDRESSED: Life Insurance Reserves.

SPECIFIC AUTHORITY: 624.308(1), 625.121 FS.

LAW IMPLEMENTED: 624.307(1), 625.121 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: June 5, 2007, 9:30 a.m.

PLACE: 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: Kerry Krantz, Life and Health Financial Oversight, Office of Insurance Regulation, E-mail: Kerry.Krantz@fldfs.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kerry Krantz, Life and Health Financial Oversight, Office of Insurance Regulation, E-mail: Kerry.Krantz@fldfs.com

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

**FINANCIAL SERVICES COMMISSION**

**OIR – Insurance Regulation**

RULE NO.: 690-164.030  
 RULE TITLE: Application of Rule 690-164.020, F.A.C., to Various Product Designs

PURPOSE AND EFFECT: To provide direction as to the application of Rule 690-164.020, F.A.C., to various product designs.

SUBJECT AREA TO BE ADDRESSED: The application of Rule 690-164.020, F.A.C.

SPECIFIC AUTHORITY: 624.308(1), 625.121(5) FS.

LAW IMPLEMENTED: 624.307(1), 625.121(5) 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: June 5, 2007, 9:30 a.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: Kerry Krantz, Life and Health Financial Oversight, Office of Insurance Regulation, E-mail: Kerry.Krantz@fldfs.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kerry Krantz, Life and Health Financial Oversight, Office of Insurance Regulation, E-mail: Kerry.Krantz@fldfs.com

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

**Section II  
 Proposed Rules**

**DEPARTMENT OF EDUCATION**

**Commission for Independent Education**

RULE NOS.:	RULE TITLES:
6E-1.003	Definition of Terms
6E-1.0032	Fair Consumer Practices

PURPOSE AND EFFECT: The purpose and effect of the proposed rules is to clarify existing definitions and provide additional definitions for terms used in the institutional licensing and oversight process, and to clarify provisions related to evaluation of institutions, advertising, and disclosures to students.

SUMMARY: These rules are amended to clarify existing definitions and provide additional definitions for terms used in the institutional licensing and oversight process, and to clarify provisions related to evaluation of institutions, advertising, and disclosures to students.

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

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

SPECIFIC AUTHORITY: 1005.22(1)(e), 1005.34 FS.

LAW IMPLEMENTED: 1005.04, 1005.22, 1005.31, 1005.32(5), 1005.34 FS.

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

DATE AND TIME: June 19, 2007, 8:30 a.m.

PLACE: Miami Dade (Please contact Sonya Morris for location at (850)245-9614)

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

THE FULL TEXT OF THE PROPOSED RULES IS:

6E-1.003 Definition of Terms.

Terms used in these rules are defined in Section 1005.02, F.S. In addition, as used in the rules of this Commission, unless the context clearly indicates otherwise:

(1) through (5) No change.



(6) “Applied General Education” means courses directly related and applicable to a specific occupation, fulfilling the general education requirements for an occupational associate degree as described in subparagraph 6E-2.004(4)(n)1., F.A.C., in natural and physical sciences, social and behavioral sciences, language, composition and writing skills, and humanities and the arts.

(7) through (9) No change.

(10) Change in Control means any change in the organization of an institution which affects the authority to establish or modify institutional policies, standards, and procedures. A change in control occurs when a person acquires or loses control of an institution or of the parent corporation that owns the institution, whether by means of the sale of the institution, sale of the assets, transfer of the controlling interest of stock, conversion of the institution from nonprofit to for-profit or vice versa, or similar transaction. A change in control does not occur upon the retirement or death of the owner of an institution, if ownership and control passes to a member of the owner’s family or to a person with a pre-existing ownership interest in the institution.

(10) through (12) renumbered (11) through (13) No change.

(14) “Clock Hour” means a period of Sixty (60) minutes with a minimum of Fifty (50) minutes of instruction in the presence of an instructor.

(13) through (14) renumbered (15) through (16) No change.

(17)(15) “Compressed Time Period” means delivery of required contact clock hours or credit hours in a significantly shorter period than those described in the definitions of “Semester” and “Quarter”.

(18) “Contract Training” means providing a program to a particular employer or entity for a specific length of time, in a specific place, to a specific cohort of students, when all appropriate academic and student services are provided to the cohort, an agreement (memorandum of understanding or contract) is signed with the employer or entity, and the program is not advertised to the general public.

(16) through (18) renumbered (19) through (21) No change.

(22)(19) “Course” means one organized unit of study focusing on one subject or skill for a specified period of time; for example, English 101, College Math Algebra II, or Introduction to Computers.

(20) through (26) renumbered (23) through (29) No change.

(30)(27) “Enrollment” means registering a student to take programs or courses at an institution, when such registration obligates the student to pay tuition to the institution and obligates the institution to provide instruction to the student.

(28) through (32) renumbered (31) through (35) No change.

(36)(33) “General Education Courses” are those college-level courses designed to place emphasis on principles and theory rather than on practical applications associated with a vocational, occupational, or professional objective. General education courses may include, but are is not limited to, English, History, philosophy, literature, religion, art, music, sociology, foreign languages, humanities, mathematics, chemistry, biology, and psychology, when such courses are not within the area of concentration of a vocational, occupational, or professional program. For example, English Composition is considered a general education course, but Business English is not. Courses designated as “applied,” “specialized,” “technical,” or similar designation do not meet this definition.

(34) through (39) renumbered (37) through (42) No change.

(43)(40) “Minor Modification” means a change to programs and curricula intended to keep educational material up to date and relevant to the changing needs of employers, when such modifications affect less than 20 percent of the program or curriculum and do not change the purpose or direction of the program; or providing a previously approved program as contract training to a particular employer or entity for a specific length of time, in a specific place, to a specific cohort of students, when all appropriate academic and student services are provided to the cohort, an agreement (memorandum of understanding or contract) is signed with the employer or entity, and the program is not advertised to the general public.

(41) through (54) renumbered (44) through (57) No change.

(58) “Transcript” means the form maintained by an institution on student academic information which minimally shall include the following:

(a) Student name, street address, telephone number, date of birth;

(b) Enrollment date(s);

(c) Graduation date(s);

(d) Required hours for completion;

(e) Grade scale;

(f) Courses taken

1. Attempted credit or clock hours

2. Scheduled start date

3. Dates of course completion;

4. Grades;

(g) Total hours attended; and

(h) Credit given for courses transferred in from other institutions.

Specific Authority 1005.22(1)(e) FS. Law Implemented 1005.22, 1005.31 FS. History—Repromulgated 12-5-74, Amended 7-28-75, Formerly 6E-4.01(8), Readopted 11-11-75, Amended 3-7-77, 10-13-83, Formerly 6E-1.03, Amended 2-22-89, 11-29-89, 10-19-93, 4-11-00, 1-7-03, 12-23-03, 7-20-04, 3-28-05, 6-13-05, 2-20-06,\_\_\_\_\_.

6E-1.0032 Fair Consumer Practices.

(1) through (3) No change.

(4) All advertising and promotional literature shall be accurate and not misleading to the public. A copy of each advertisement shall be available to the Commission upon request for inspection at each location providing administrative services. The level of educational programs provided shall be disclosed. Compliance with subsection 6E-2.004(5) and paragraph 6E-2.004(11)(c), F.A.C., regarding recruitment, admissions, and advertising, is required of all institutions operating or soliciting students in Florida. See paragraph (6)(j) of this rule for requirements for statements regarding job opportunities. ~~Salaries shall not be used in advertising.~~ If any information is provided to students regarding salaries, such information shall be limited to accurate and unexaggerated representations of entry level salaries reflective of employees having the same skills, education, and experience as the students will have upon graduation. If advertising violations occur, the Commission shall require an institution to receive prior approval of future advertising copy before publication or broadcasting. Continued advertising violations shall result in probation with conditions and fines, or revocation of licensure pursuant to Sections 1005.34 and 1005.38, Florida Statutes. Any placement claims, employment predictions, or salary projections used by the institution in its recruiting efforts shall be accurate, and based upon reliable statistical data which shall be provided to all prospective students and to the Commission upon request. It is the responsibility of the institution to ensure that all such claims are kept up to date and reflect actual current conditions and job market projections, taking into account the anticipated needs in the local community. Advertisements shall contain citations of the source of such claims. The institution shall maintain backup documentation to support the citations.

(5) Any licensed institution offering a program which does not qualify the graduate to take required professional examinations in that field or to practice regulated professions in that field in Florida must publish a disclosure statement ~~which is determined by the Commission~~ to inform prospective students clearly and unambiguously of this fact.

(6) Each prospective student shall be provided a written copy, or shall have access to an electronic copy, of the institution's catalog prior to enrollment or the collection of any tuition, fees or other charges. The catalog shall contain the following required disclosures, and catalogs of licensed institutions must also contain the information required in subsections 6E-2.004(11) and (12), F.A.C.:

(a) through (e) No change.

(f) Transferability of credits: The institution shall disclose information to the student regarding transferability of credits to other institutions and from other institutions. The institution shall disclose that transferability of credit is at the discretion of the accepting institution, and that it is the student's

responsibility to confirm whether or not credits will be accepted by another institution of the student's choice. If a licensed institution has entered into written articulation agreements with other institutions, a list of those other institutions may be provided to students, along with any conditions or limitations on the amount or kinds of credit that will be accepted. Such written agreements with other institutions must be valid and in effect at the time the information is disclosed to the student. The agreements shall be kept on file at all times and available for inspection by Commission representatives or students. Any change or termination of the agreements shall be disclosed promptly to all affected students. No representation shall be made by a licensed institution that its credits can be transferred to another specific institution, unless the institution has a current, valid articulation agreement on file. Units or credits applied toward the award of a credential may be derived from a combination of any or all of the following:

1. Units or credits earned at and transferred from other postsecondary institutions, when congruent and applicable to the receiving institution's program and when validated and confirmed by the receiving institution.

2. Successful completion of challenge examinations or standardized tests demonstrating learning at the credential level in specific subject matter areas.

3. Prior learning, as validated, evaluated, and confirmed by qualified instructors at the receiving institution.

(g) through (k) No change.

(7) through (10) No change.

(11) An institution is responsible for ensuring compliance with this rule by any person or company contracted with or employed by the institution to act on its behalf in matters of advertising, recruiting, or otherwise making representations which may be accessed by prospective students ~~in Florida~~, whether verbally, electronically, or by other means of communication.

(12) Institutions shall maintain a file or keep a recordd for each student at each location, translated into English and conforming to the requirements of Rule 6E-2.004, F.A.C., and containing the following at a minimum:

(a) Academic transcript;

(b) All documents evidencing a student's eligibility for enrolled programs;

(c) Any certificates or diplomas earned;

(d) Copies of applications or contractual agreements;

(e) Financial records;

(f) Student counseling or advising records; and

(g) Records of progress.

Specific Authority 1005.22(1)(e)1., 1005.34 FS. Law Implemented 1005.04, 1005.22(1)(k), 1005.31(13), 1005.32(5), 1005.34 FS. History—New 10-19-93, Amended 4-2-96, 11-5-00, 1-7-03, 1-20-04, 3-29-04, 3-28-05, 5-19-05, 6-21-05, \_\_\_\_\_.

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

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Peter Crocitto, Chair, Commission for Independent Education

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 30, 2007

**BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

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

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-601.307                      RULE TITLE: Disciplinary Hearings

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend the rule to specify that an inmate shall be present at disciplinary hearings unless a confirmed medical condition makes the inmate unable to attend, the inmate demonstrates disruptive behavior, either before or during the hearings, that impedes the process or poses a threat to the safety of others or the security of the institution, or the inmate waives his right to be present and to clarify that inmates who waive the right to be present at the hearing may not submit a written closing statement to the disciplinary team or hearing officer in place of the oral closing statement permitted in paragraph (1)(g).

SUMMARY: Amends the rule to specify that an inmate shall be present at disciplinary hearings unless a confirmed medical condition makes the inmate unable to attend, the inmate demonstrates disruptive behavior, either before or during the hearings, that impedes the process or poses a threat to the safety of others or the security of the institution, or the inmate waives his right to be present and to clarify that inmates who waive the right to be present at the hearing may not submit a written closing statement to the disciplinary team or hearing officer in place of the oral closing statement permitted in paragraph (1)(g).

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

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

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09, 945.04 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: Dorothy M. Ridgway, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.307 Disciplinary Hearings.

(1)(a) No change.

(b) The inmate charged shall be present at the disciplinary hearing unless a confirmed medical condition makes the inmate unable to attend, the inmate demonstrates disruptive behavior, either before or during the hearing, that impedes the process or poses a threat to the safety of others or the security of the institution, substantial reasons precluding the inmate's presence exist or the inmate has waived his right to be present. If the inmate waives the right to be present or refuses to be present, the 24 Hour/Refusal to Appear, Form DC6-112D, shall be signed by the inmate and witnessed by an employee. If the inmate refuses to sign the form, this shall be noted and signed by the employee. When an inmate waives the right to be present at the hearing, the inmate may not submit also waives the right to submission of a written closing statement to the disciplinary team or hearing officer in place of the oral closing statement permitted in paragraph (1)(g). If the inmate's disruptive conduct makes it necessary to remove the inmate from the hearing, the hearing shall be conducted in the inmate's absence. The reason for the inmate's absence shall be explained in the basis of decision section of the disciplinary report.

(c) through (i) No change.

(2) through (5) No change.

Specific Authority 944.09 FS. Law Implemented ~~20-315~~, 944.09, ~~944.34~~, 945.04 FS. History—New 3-12-84, Formerly 33-22.06, Amended 12-30-86, 10-01-95, 12-10-97, 5-19-98, Formerly 33-22.006, Amended 5-21-00, 2-11-01, 3-22-05, 10-12-05, \_\_\_\_\_.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 3, 2007

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

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-601.602                      RULE TITLE: Community Release Programs

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend the rule to provide that inmates assigned to contract facilities for paid employment shall be required to pay 55% subsistence which shall be computed by factoring .55 (55%) times the inmate's net earnings and incorporate revisions to DC6-127, Checklist for Transfers to Work Release Centers. Form DC6-127 is revised to correct titles, delete obsolete information and amend some criteria for eligibility.

SUMMARY: Amends the rule to provide that inmates assigned to contract facilities for paid employment shall be required to pay 55% subsistence which shall be computed by factoring .55 (55%) times the inmate's net earnings and incorporate revisions to DC6-127, Checklist for Transfers to Work Release Centers to correct titles, delete obsolete information and amend some criteria for eligibility.

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

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

SPECIFIC AUTHORITY: 945.091, 946.002 FS.

LAW IMPLEMENTED: 945.091, 946.002 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: Dorothy M. Ridgway, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.602 Community Release Programs.

- (1) No change.
- (2) Inmate Conduct While On Community Release.

(a) During the inmate orientation process, which shall occur within three days of arrival at a community work release center, inmates will be instructed of the following conduct requirements. Upon completion of the orientation program, the inmate shall be given a Certificate of Orientation, Form DC6-126. Form DC6-126 is incorporated in subsection (16) of this rule.

- 1. through 7. No change.
- 8. Contact the officer in charge ~~when in case~~ any unusual circumstances arise.
- 9. through 10. No change.
- (b) through (e) No change.
- (3) through (9) No change.
- (10) Disbursement of Earnings.
- (a) through (c) No change.

(d) The inmate shall be required to disburse such funds to pay the facility for subsistence at the following rates:

1. Inmates assigned to contract facilities for paid employment shall be required to pay 55% subsistence which shall be computed by factoring .55 (55%) times the inmate's net earnings ~~the amount provided by the current contract between the Department of Corrections and the contractor.~~

- 2. No change.
- (e) through (l) No change.
- (11) through (15) No change.

(16) Forms. The following forms are hereby incorporated by reference. Copies of these forms are available from the Forms Control Administrator, Office of Research, Planning and Support Services, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

- (a) through (h) No change.
- (i) DC6-127, Checklist for Transfers to Work Release Centers, effective 2-22-07.
- (j) No change.

Specific Authority 945.091, 946.002 FS. Law Implemented 945.091, 946.002 FS. History—New 12-7-97, Amended 4-13-98, 10-20-98, Formerly 33-9.023, Amended 3-14-01, 9-2-01, 10-27-03, 3-2-04, 10-28-04, 2-7-05, 2-22-07, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: George Sapp, Assistant Secretary of Institutions  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Laura E. Bedard, Ph.D., Deputy Secretary  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 3, 2007  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 13, 2007

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-601.721  
RULE TITLE: Visiting Operations

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend to rule to permit wardens to accept donations of games, small toys and other suitable items from individuals or the community to ensure that these items are available for small children during visitation.

SUMMARY: Amends the rule to permit wardens to accept donations of games, small toys and other suitable items from individuals or the community to ensure that these items are available for small children during visitation.

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

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

SPECIFIC AUTHORITY: 944.09, 944.23 FS.  
 LAW IMPLEMENTED: 944.09, 944.23, 944.8031 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: Dorothy M. Ridgway, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.721 Visiting Operations.

(1) No change.

(2) Wardens shall ensure that games, small toys and other suitable activities are available for small children to assist visitors with keeping their children occupied during visitation. Purchases to replenish toys and items for other activities ~~are~~ is authorized from the General Revenue Fund. Wardens may also accept donations of games, small toys and other suitable items from individuals or the community. Visitors shall not be charged for damaged or broken games or toys.

(3) through (11) No change.

Specific Authority 944.09, 944.23 FS. Law Implemented ~~20-315,~~ 944.09, 944.23, 944.8031 FS. History—New 11-18-01, Amended 5-27-02, 9-16-03,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Franchatta Barber, Deputy Assistant Secretary of Institutions – Programs

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 3, 2007

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

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-601.731                      RULE TITLE: Revocation or Suspension of Visiting Privileges

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend the rule to clarify that an inmate’s visiting privileges may be suspended for up to two-years for possessing or using drugs; correct grammatical errors and revise language for consistency throughout the rule; and correct a reference to another rule.

SUMMARY: Amends the rule to clarify that an inmate’s visiting privileges may be suspended for up to two-years for possessing or using drugs; correct grammatical errors and revise language for consistency throughout the rule; and correct a reference to another rule.

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

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

SPECIFIC AUTHORITY: 944.09, 944.23 FS.  
 LAW IMPLEMENTED: 944.09, 944.23, 944.47, 944.8031 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: Dorothy M. Ridgway, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.731 Revocation or Suspension of Visiting Privileges.

(1) No change.

(2) Indefinite suspension of an inmate’s visiting privileges shall be considered by the ICT as a management tool ~~by the ICT is available as a management tool by the ICT~~ when an inmate is found guilty of the following offenses:

(a) through (b) No change.

(3) Suspension of an inmate’s visiting privileges for up to two-years shall be considered shall be considered by the ICT as a management tool ~~by the ICT for the following disciplinary offenses are authorized up to two-years~~ when inmate is found guilty of the following disciplinary offenses:

(a) No change.

(b) Possessing ~~drugs~~ or money.

(c) Possessing or using drugs.

(d)(e) Possessing Possession ~~of~~ any article or instrument that aids in escape or attempted escape.

(4) Suspension of an inmate’s visiting privileges for three months for a first offense, six months for a second offense and two years for a third or subsequent offense, shall be considered by the ICT as a management tool ~~by the ICT for the following disciplinary offenses are limited to three months for a first offense, six months for a second offense and two years for a third or subsequent offense~~ when an inmate is found guilty of possessing possession ~~of~~ any of the following contraband or illegal items:

(a) through (c) No change.

(5) Suspension of an inmate’s visiting privileges for three months shall be considered by the ICT as a management tool when an inmate is rated “unsatisfactory” for the work or program performance rating, including part-time assignment or security assessment. Such three month suspension and shall

~~begin be considered for suspension of visiting privileges for three months beginning with the month the rating was entered and run running consecutively for each unsatisfactory rating.~~

~~(6) Refusing to participate or is removed from a mandatory program due to negative behavior. Inmates The inmate shall be suspended from receiving visits for three months beginning with the next visiting period for refusing to participate or being removed from a mandatory program due to negative behavior following the removal or refusal.~~

(7) No change.

(8) In lieu of suspending an inmate's visiting privileges, the ICT ~~is shall be~~ authorized to consider placement of an inmate in non-contact visitation status as provided in paragraph 33-601.735(2)(c), F.A.C., for offenses listed in subsections 33-601.731(1) through (6), F.A.C.

(9) Suspension of Visitor's Visiting Privileges.

(a) A visitor's visiting privileges shall be revoked by the warden or designee when the visitor:

1. through 3. No change.

4. Commits For repeated visiting rule or procedure infractions.

5. through 6. No change.

(b) Visiting privileges shall be suspended by the warden or designee for up to two years when the visitor:

1. through 3. No change.

4. Commits For criminal activity, serious rule violations or infractions or any security breach.

5. No change.

(c) Visitors found in violation of paragraph 33-601.717(5)(f), F.A.C. – falsifying information to obtain visiting privileges, subsections 33-601.723(3) and (5), F.A.C., falsifying information at visitor registration and falsifying documents of guardianship, subsection 33-601.724(2) ~~33-601.724(9)~~, F.A.C. – visitor attire, Rule 33-601.726, F.A.C. – visitor searches, or visitor conduct standards as outlined in paragraphs 33-601.727(1)(a) through (h), F.A.C., shall have visiting privileges suspended by the warden or designee supervisor for up to one year.

(10) No change.

Specific Authority 944.09, 944.23 FS. Law Implemented ~~20.315-~~ 944.09, 944.23, 944.47, 944.8031 FS. History–New 11-18-01, Amended 5-27-02, 9-29-03,\_\_\_\_\_.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 3, 2007

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NO.: 64B8-3.003  
RULE TITLE: Renewal Fees

PURPOSE AND EFFECT: The proposed rule amendment is intended to address the reduction of renewal fees for physicians.

SUMMARY: The proposed rule amendment reduces the biennial renewal fees for physicians to \$360.00.

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

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

SPECIFIC AUTHORITY: 456.025, 458.309(1), 458.3145, 458.315, 458.316, 458.3165, 458.317, 458.319, 458.345 FS.

LAW IMPLEMENTED: 456.025(1), 456.036(3), 458.319(1), 458.345(4) 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:**

64B8-3.003 Renewal Fees.

(1) No change.

(2) The following renewal fees are prescribed by the Board:

(a) Biennial renewal fee for physicians licensed pursuant to Sections 458.311, 458.3115, 458.3124, and 458.313, F.S., for physicians holding a limited license; and for physicians holding a medical faculty certificate as a distinguished medical scholar, a temporary certificate for practice in areas of critical need, a public psychiatry certificate, or a public health certificate shall be \$360.00 ~~\$424.00~~. However the following exceptions shall apply:

1. through 4. No change.

(b) No change.

Specific Authority 456.025, 458.309(1), 458.3145, 458.315, 458.316, 458.3165, 458.317, 458.319, 458.345 FS. Law Implemented 456.025(1), 456.036(3), 458.319(1), 458.345(4) FS. History—New 12-5-79, Amended 10-24-85, Formerly 21M-19.03, Amended 12-4-86, 11-3-87, 5-24-88, 11-15-88, 11-12-89, 1-9-92, Formerly 21M-19.003, Amended 9-21-93, 4-14-94, Formerly 61F6-19.003, Amended 10-10-95, 6-24-96, 1-26-97, Formerly 59R-3.003, Amended 6-7-98, 8-11-98, 12-14-99, 10-30-01, 3-25-02, 10-19-03, 12-2-03, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Finance and Statistics Committee, Board of Medicine  
NAME OF SUPERVISOR OR PERSON WHO APPROVED  
THE PROPOSED RULE: Board of Medicine  
DATE PROPOSED RULE APPROVED BY AGENCY  
HEAD: March 31, 2007  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
PUBLISHED IN FAW: April 13, 2007

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NOS.:                   RULE TITLES:  
64B8-30.011                 Advertising  
64B8-30.0111              Disclosure of Licensure Status

PURPOSE AND EFFECT: The Board proposes the development of rules to address appropriate disclosure of licensure status to patients.

SUMMARY: The proposed rule amendments and proposed new rule set forth the criteria for appropriate disclosure of a physician assistant’s licensure status to patients.

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

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

SPECIFIC AUTHORITY: 458.347 FS.

LAW IMPLEMENTED: 456.072(1)(t), 458.331(1)(d) FS.

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

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

THE FULL TEXT OF THE PROPOSED RULES IS:

64B8-30.011 Advertising.

(1) Advertising by physician assistants is permitted so long as such information is in no way false, deceptive, or misleading.

(2) Physician assistant advertisements shall disclose the name of the primary supervising physician of the physician assistant advertising his or her services.

(3) Physician assistants may not claim any type of specialty board certification.

(4) Only physician assistants certified by the National Commission on Certification of Physician Assistants (NCCPA) may claim certification and employ the abbreviation “PA-C” next to his or her name.

(5) No person licensed pursuant to Section 458.347, F.S., shall disseminate or cause the dissemination of any advertisement or advertising that contains the licensee’s name without clearly identifying the licensee as a physician assistant (P.A.).

(6)(5) Failure to abide by the provisions of this rule shall constitute a violation of Sections 458.331(1)(d) and (nn) and 456.072(1)(cc), Florida Statutes.

Specific Authority 458.347(13) FS. Law Implemented 456.072(1)(t), 458.331(1)(d) FS. History—New 9-25-03, Amended \_\_\_\_\_.

64B8-30.0111 Disclosure of Licensure Status.

All persons licensed pursuant to Section 458.347, Florida Statutes, and not exempt pursuant to Section 456.072(1)(t), Florida Statutes, shall identify the license under which he or she practices in one of the following manners:

(1) The wearing of a name tag which identifies the licensee as a physician assistant (P.A.);

(2) The wearing of an article of clothing on the upper body which identifies the licensee as a physician assistant (P.A.);

(3) By orally disclosing to the patient, upon the licensee’s initial in-person contact with the patient, that the licensee is a physician assistant;

(4) By providing, upon the licensee’s initial in-person contact with the patient, a business card or similar document which identifies the licensee as a physician assistant (P.A.);

(5) By placing notification in the lobby or waiting area of the location where the licensee practices, which contains a photo of the licensee and which identifies the licensee as a physician assistant (P.A.).

Specific Authority 458.347, 456.072(1)(t) FS. Law Implemented 456.072(1)(t) FS. History—New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Council on Physician Assistants

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

DATE PROPOSED RULE APPROVED BY AGENCY  
HEAD: February 3, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
PUBLISHED IN FAW: March 30, 2007

**DEPARTMENT OF HEALTH**

**Board of Opticianry**

RULE NO.: 64B12-8.008                      RULE TITLE: Probable Cause Panel  
 PURPOSE AND EFFECT: The Board proposes to add language that may allow another member on the panel.  
 SUMMARY: The amendment will allow another person to serve on the panel.  
 SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.  
 Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.  
 SPECIFIC AUTHORITY: 456.073(4), 484.005 FS.  
 LAW IMPLEMENTED: 456.073(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: Sue Foster, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

- 64B12-8.008 Probable Cause Panel.
- (1) The determination as to whether probable cause exists to believe that a violation of the provisions of Chapter 456 or 484, F.S., or of the rules promulgated thereunder has occurred, shall be made by majority vote of the probable cause panel.
- (2) The probable cause panel must have a minimum ~~shall be composed~~ of 2 members, one of which may be a former Board member who holds an active valid license to practice opticianry.

Specific Authority 456.073(4), 484.005 FS. Law Implemented 456.073(3) FS. History—New 12-6-79, Formerly 21P-8.08, Amended 1-26-88, 9-21-92, Formerly 21P-8.008, 61G13-8.008, 59U-8.008, Amended 8-6-97, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Opticianry  
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Opticianry  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 14, 2006  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 9, 2006

**DEPARTMENT OF HEALTH**

**Board of Opticianry**

RULE NO.: 64B12-9.001                      RULE TITLE: Examination for Licensure  
 PURPOSE AND EFFECT: The amended language will modify examinations procedures.  
 SUMMARY: The rule amendment will modify examination procedures.  
 SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.  
 Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.  
 SPECIFIC AUTHORITY: 456.017(1), (5), 484.005 FS.  
 LAW IMPLEMENTED: 456.017(1), (5) FS.  
 IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

- 64B12-9.001 Examination for Licensure.
- (1) There shall be five ~~three~~ parts to the examination for Florida Licensure in opticianry: a national written opticianry competency examination; a national written contact lens examination; a neutralization examination; a dispensing problems examination; and a ~~state board approved~~ practical examination.

- (2) through (5) No change.
- (6) Applicants, who have been certified eligible by the board, having completed all requirements, will be admitted to take the neutralization, the dispensing problems, and the practical examinations. An applicant who has completed all the requirements for the state board approved practical examination and who has been certified eligible by the Board will be admitted to the practical examination.

(7) The neutralization ~~portion of the practical~~ examination for opticianry licensure shall require candidates to neutralize lenses within the tolerances set out in the American National Standard (Z80.1-1987) A score of at least seventy percent (70%) shall be required to pass the neutralization examination which is incorporated herein by reference to achieve a score of seventy percent (70%).

(8) The dispensing problems examination for opticianry licensure shall be taken via computer at a testing center. A score of at least seventy percent (70%) shall be required to pass the dispensing problems examination.



~~(9)(8)~~ The remainder of the practical examination for opticianry licensure shall consist of ~~and be graded as to each part as follows, as relates to all optical devices:~~

- ~~(a) Measuring and Calipering 20%~~
- ~~(b) Lens Identification~~
- ~~(c) Fitting and Adjusting~~
- ~~(d) Pupillary Distance~~
- ~~Taking a P.D., Lens I.D., and Fitting and Adjustments 40%~~
- ~~Practical Dispensing 40%~~

Grading tolerances for measuring and calipering shall be as follows: For each section of the practical, grading tolerances shall be as follows:

Measuring and Calipering

- thickness ± .2mm
- base curve ± .25 diopters
- length ± 2mm
- mechanical ± 1mm
- width ± 1mm
- decentration ± 1mm

Grading tolerances for pupillary distance shall be as follows:

- Monocular Distance P.D.
- Left and right ± 1mm
- Binocular P.D.
- Distance and near ± 2mm

~~Fitting and Adjustment, Taking a P.D.~~

~~Fitting Examiner's judgment of pantoscopic tilt and symmetrical angling~~

~~Monocular Distance~~

- |                        |                           |
|------------------------|---------------------------|
| <del>P.D.</del>        | <del>Binocular P.D.</del> |
| <del>Left ± 1mm</del>  | <del>Distance ± 2mm</del> |
| <del>Right ± 1mm</del> | <del>Near ± 2mm</del>     |

~~Practical Dispensing~~

~~The transposition, decentration, prism, slaboff and vertex shall be exact.~~

~~A score of at least seventy percent (70%) shall be required in order to pass the practical portion of the examination.~~

- ~~(10)(9)~~ No change.
- ~~(11)(10)~~ No change.

Specific Authority 456.017(1), (5), 484.005 FS. Law Implemented 456.017(1), (5) FS. History—New 12-6-79, Amended 8-10-80, 3-11-81, 10-29-81, 6-30-82, 8-11-82, 2-2-83, 8-29-85, Formerly 21P-9.01, Amended 9-17-87, 3-30-89, 2-18-93, Formerly 21P-9.001, Amended 5-2-94, Formerly 61G13-9.001, Amended 5-4-97, Formerly 59U-9.001, Amended 4-20-98, 9-12-99, 1-7-03, 8-28-05, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Opticianry

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 14, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 9, 2006

**DEPARTMENT OF HEALTH**

**Board of Orthotists and Prosthetists**

RULE NO.: RULE TITLE:

64B14-3.001 Definitions

PURPOSE AND EFFECT: The purpose and effect of this rule development is to limit approved supervisors to those licensees who have not had disciplinary action taken against their licenses.

SUMMARY: The proposed rule amendment limits approved supervisors to those licensees who have not had disciplinary action taken against their licenses.

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

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

SPECIFIC AUTHORITY: 456.035 FS.

LAW IMPLEMENTED: 456.035 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 Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B14-3.001 Definitions.

(1) through (24) No change.

(25) Qualified Supervisor – an individual licensed or certified as required by the applicable rule who has not had action taken against his or her license or certification by a licensing jurisdiction or certifying body.

(26)(25) Residency – a training program that meets the requirements of Rule 64B14-4.100, F.A.C.

(27)(26) Shoe Modification – additions to footwear that alter the forces applied to the foot, making the footwear therapeutic.

(28)(27) Soft – composed of materials such as fabric or foams having a porous cellular structure without any rigid support either internal or external other than flexible supports used to maintain proper fit.

(29)(28) Therapeutic – applying forces to the body to modify structural alignment, correct a deformity or alleviate pain.

Specific Authority 468.802 FS. Law Implemented 468.802, 468.803 FS. History—New 10-21-99, Amended 2-19-04, 5-5-04,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Orthotists and Prosthetists

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Orthotists and Prosthetists

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 22, 2006

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

**DEPARTMENT OF HEALTH**

**Board of Orthotists and Prosthetists**

RULE NO.: 64B14-4.100  
RULE TITLE: Requirements for Prosthetic or Orthotic Residency or Internship

PURPOSE AND EFFECT: In Rule 64B14-4.100, F.A.C., the purpose and effect of the rule development is to provide a more comprehensive description of the elements of approved training for applicants for licensure as orthotists and prosthetists, and to set a limit on the amount of time an intern/resident can practice without a license in the state of Florida.

SUMMARY: In Rule 64B14-4.100, F.A.C., a more comprehensive description of the elements of approved training for applicants for licensure as orthotists and prosthetists is provided, and a limit is set on the amount of time an intern/resident can practice without a license in the state of Florida.

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

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

SPECIFIC AUTHORITY: 468.802, 468.803 FS.

LAW IMPLEMENTED: 468.803 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 Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B14-4.100 Requirements for Prosthetic or Orthotic Residency or Internship.

(1) To meet the requirements for licensure as an orthotist or prosthetist, the applicant must document an internship that meets the requirements of this rule, or must complete a

residency program accredited by NCOPE. An applicant for combined licensure as a prosthetist/orthotist must document a discrete internship or residency in each field.

(2) An internship must consist of ~~1900 hours~~ of orthotic or prosthetic clinical experience practicing under the supervision of a licensed or ABC-certified orthotist or prosthetist, respectively. The internship must consist of a minimum of 1900 hours and may not exceed 2700 hours. The intern is eligible to take the approved licensure examination upon completion of 1900 hours. If the intern has not taken and passed the applicable licensure examination at the expiration of 2700 hours of clinical experience, the intern may not practice as an orthotist or prosthetist in the state.

(3) Internships must be completed at facilities primarily engaged in providing orthotic and prosthetic patient care. Interns must provide direct patient care, but only under the supervision of a licensed orthotist or prosthetist; the educational mission must not be compromised by an excessive reliance on residents to fulfill facility service obligations. Students should progress from observing to actually providing direct patient care. Sufficient amounts of lab and technical experience must accompany the clinical training.

(4) The internship must require the intern to meet the following objectives:

(a) Clinical Assessment. Determine the orthotic or prosthetic needs of the patient by integrating the information obtained from history, examination, measurement and observation; develop a treatment protocol for the patient through review of patient data in order to formulate an orthotic or prosthetic recommendation and treatment plan.

(b) Patient Management. Apply a properly fitting prosthetic/orthotic device by using accepted prosthetic/orthotic techniques to achieve optimum outcomes; inform the patient of the various procedures to be performed by using appropriate communication skills; provide continuing patient care and periodic evaluation to ensure proper fit and function of the prosthetic/orthotic device.

(c) Professional Responsibility. Select the most appropriate course of action when faced with patient-related problems while adhering to the laws and rules applicable to practice in Florida and the standards of care of the profession.

(d) Practice Management. Demonstrate proper documentation of a patient's history and financial records by using established record-keeping techniques and demonstrate an understanding of the facility's financial and safety policies and procedures.

(e) Technical Implementation. Interpret patient data and modify a patient model to ensure optimal fit and function; demonstrate the ability to fabricate or repair a prescribed device, selecting appropriate materials and components based on patient criteria to ensure optimum strength, durability and function.

(5) The objectives must include experience in the acute, rehabilitative and chronic phases of the care of pediatric, adult and geriatric populations, and shall include experience in lower and upper extremity and spinal orthoses or lower and upper extremity prostheses.

(6) Each intern shall keep a daily patient log, subject to review by the Board. Each intern shall be evaluated by his/her supervising practitioner on a quarterly basis and at the conclusion of the internship.

~~The internship must be of sufficient variety and volume to afford the intern adequate educational experience in orthotics or prosthetics to include clinical assessment, patient management, technical implementation, practice management and professional responsibility in the acute, rehabilitative and chronic phases of the care of pediatric, adult and geriatric populations. This shall include experience in lower extremity, upper extremity and spinal orthoses, or upper and lower extremity prostheses. Each intern shall keep a daily patient log, subject to audit by the Board.~~

~~(7)(3) Clinical experience in prosthetics and orthotics, to satisfy the requirements of internship or to satisfy the experience requirements of Section 468.803(4), F.S., may not be achieved concurrently.~~

Specific Authority 468.802, 468.803 FS. Law Implemented 468.803 FS. History—New 11-1-99, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Orthotists and Prosthetists  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Orthotists and Prosthetists  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 22, 2006  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 20, 2006

**DEPARTMENT OF HEALTH  
Board of Osteopathic Medicine**

RULE NO.: 64B15-6.015                      RULE TITLE: Disclosure of Licensure Status  
PURPOSE AND EFFECT: The Board proposes the development of rules to address appropriate disclosure of licensure status to patients.

SUMMARY: The proposed rule amendments and proposed new rule set forth the criteria for appropriate disclosure of a physician assistant’s licensure status to patients.

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

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

SPECIFIC AUTHORITY: 459.022, 456.072(1)(t) FS.

LAW IMPLEMENTED: 456.072(1)(t) FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B15-6.015 Disclosure of Licensure Status.

All persons licensed pursuant to Section 459.022, Florida Statutes, and not exempt pursuant to Section 456.072(1)(t), Florida Statutes, shall identify the license under which he or she practices in one of the following manners:

(1) The wearing of a name tag which identifies the licensee as a physician assistant (P.A.);

(2) The wearing of an article of clothing on the upper body which identifies the licensee as a physician assistant (P.A.);

(3) By orally disclosing to the patient, upon the licensee’s initial in-person contact with the patient, that the licensee is a physician assistant;

(4) By providing, upon the licensee’s initial in-person contact with the patient, a business card or similar document which identifies the licensee as a physician assistant (P.A.);

(5) By placing notification in the lobby or waiting area of the location where the licensee practices, which contains a photo of the licensee and which identifies the licensee as a physician assistant (P.A.).

Specific Authority 459.022, 456.072(1)(t) FS. Law Implemented 456.072(1)(t) FS. History—New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Council on Physician Assistants

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Osteopathic Medicine

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 23, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 30, 2007

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Family Safety and Preservation Program**

RULE NOS.:                      RULE TITLES:  
65C-32.001                      Definitions  
65C-32.002                      Parenting Course Delivery  
65C-32.003                      Required Components of the Parenting Course  
65C-32.004                      Parenting Course Evaluation  
65C-32.005                      Parenting Course Approval

65C-32.006 Parenting Course Approval Process  
 65C-32.007 Complaints  
 65C-32.008 Revocation of Course Approval

PURPOSE AND EFFECT: This rule outlines the procedures regarding parenting courses for divorcing parents of minor children in the State of Florida.

SUMMARY: Rules provide for administration of provider and course requirements.

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

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

SPECIFIC AUTHORITY: 61.21(2), (3) FS.

LAW IMPLEMENTED: 61.21 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 (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: June 26, 2007, 9:00 a.m.

PLACE: Winewood Office Complex, 1317 Winewood Blvd., Building 6, Room 164, Tallahassee, FL 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Liz Wynn

THE FULL TEXT OF THE PROPOSED RULES IS:

65C-32.001 Definitions.

(1) “Complaint” means an allegation of a violation of Section 61.21(3), F.S. and the rules adopted pursuant to Rule 65C-32.007, F.A.C.

(2) “Department” means the Department of Children and Family Services.

(3) “Distance learning” means instruction provided through correspondence or via the Internet, pursuant to Rule 65C-32.002, F.A.C.

(4) “Instructor” means the individual(s) qualified to provide instruction in a live classroom setting.

(5) “Letter of Non-Compliance” means a written notification advising the provider of the specified rule violation(s).

(6) “Parenting Course” means the Parent Education and Family Stabilization Course designated pursuant to Section 61.21(2)(a), F.S., to provide information to parents as that information relates to court actions between the parents involving custody, care, visitation, and support of a child or children.

(7) “Provider” means an individual or legal entity qualified to develop and implement the Parent Education and Family Stabilization Course meeting the qualifications for approval pursuant to Chapter 65C-32, F.A.C.

(8) “Revocation” means to withdraw approval of that which has been approved.

(9) “Verified finding” means to substantiate a complaint of non-compliance with Section 61.21, F.S. and rules thereunder. Specific Authority 61.21(3)(e) FS. Law Implemented 61.21 FS. History–New \_\_\_\_\_.

65C-32.002 Parenting Course Delivery.

(1) A parenting course shall be a minimum of 4 hours, including the time required for instruction, participant exercises and course evaluation.

(2) The conveyance of the specific live parenting course content shall include a variety of methods, such as lectures, group discussions, role-plays, videotapes, or other instructional activities.

(3) Each provider offering a parenting course shall incorporate a means for participants to communicate with the course instructor for questions.

(4) The provider(s) of a parenting course and the instructor of a live parenting course shall possess the following qualifications:

(a) Master’s Degree in counseling, social work, psychology, education or related field and have a minimum of 2 years experience in dealing with family, parenting, and divorce related issues; or

(b) Bachelor’s degree in counseling, social work, psychology, education or related field and have at a minimum 2 years experience in dealing with family, parenting and divorce related issues; or

(c) Has a minimum of 4 years related work experience in dealing with family, parenting, and divorce-related issues.

Specific Authority 61.21(3)(e) FS. Law Implemented 61.21 FS. History–New \_\_\_\_\_.

65C-32.003 Required Components of the Parenting Course.

(1) The Provider(s) of a parenting course shall provide to each participant a printed disclaimer in written form which states the following: “The components of the parenting course are intended for educational purposes only. The presentation of this material is not intended to constitute mental health therapy, give information on specific mental health disorders nor medications to treat mental health disorders. Participants are encouraged to discuss specific mental health questions with a licensed mental health therapist of their choice.”

The legal component of the parenting course shall provide general Florida family law principles. The presentation of this material is not intended to constitute legal advice and the course material must direct the participant to consult with a licensed attorney for answers to specific legal questions.

(2) The components required for the parenting courses for divorcing parents in the state of Florida shall include, but are not limited to the following:

(a) Divorce as Loss. This component shall include a recognition of divorce as the loss of the current family structure and processes experienced by adults and children in working through loss. In addition, a distinction shall be made between loss of the current family structure and the continuing parental role;

(b) Permanency of Parental Role / Shared Parenting. This component shall include information about how children are positively impacted by a continuing relationship with both parents and the types of support children need from both parents;

(c) Developmental Stages of Childhood. This component shall include information on the developmental stages of childhood, as well as how a divorce may impact development, what parents can do to minimize the impact of the divorce and when to seek additional help for a child experiencing problems;

(d) Communicating with Children In a Divorce Situation. This component shall include information about discussing divorce-related issues with children in reference to the developmental stage of the child;

(e) Communicating with the Other Parent. This component shall include the negative impact of a parent expressing anger toward the other parent in front of the children, the benefits to children of keeping them out of the middle of parental conflict and how to establish a relationship with the other parent which shall minimize the children's exposure to parental conflict;

(f) Abuse. This component shall include information on the power and control dynamics of domestic violence and the statewide toll-free domestic violence hotline telephone number where services may be accessed. An explanation of child abuse and neglect and the statutory mandate to report such incidences to the Child Abuse Hotline must also be included in addition to the penalties for false reporting;

(g) Legal Concepts. This component shall include general information about Florida family law, including references to statutory definitions as they relate to court issues involving divorcing parents with minor children and financial responsibilities to the child (ren);

(h) Parenting Time. This component shall include information about the benefits to children of maintaining a stable and consistent relationship with both parents and suggestions about how to develop a parenting plan and effective communication between the parents about parenting time.

Specific Authority 61.21(3)(e) FS. Law Implemented 61.21 FS. History—New \_\_\_\_\_.

#### 65C-32.004 Parenting Course Evaluation.

(1) Each parenting course shall include a demonstration of the level of comprehension of the learning objectives by the participants following the conclusion of the training.

(2) A certificate of completion shall be distributed to each participant who completes a 4 hour minimum Parent Education and Family Stabilization Course.

Specific Authority 61.21(3)(e) FS. Law Implemented 61.21 FS. History—New \_\_\_\_\_.

#### 65C-32.005 Parenting Course Approval.

(1) To ensure the legislative intent is maintained, each applicant seeking approval of a parenting course shall submit the following documentation for review:

(a) Letter of Introduction;

(b) Course components pursuant to Rule 65C-32.003, F.A.C.;

(c) Course Learning Objectives;

(d) All course materials including instructor's manuals and videos;

(e) Definitions of Key Terms: The key terms include legal and mental health terms to be introduced in a parenting course;

(f) References: The provider(s) of a parenting course shall include a list of resources or a bibliography to reference the source(s) of information of the course content and a list of resource(s) for the divorcing parents and their minor children which is beyond the scope of the course;

(g) Accessibility. The course provider shall provide a means for the department to access their course for the approval process;

(h) Communication: Each distance learning provider shall submit to the department its means of communicating with the participant to answer questions or interact with the participant;

(i) Instructional Techniques. This requirement requires a list of all instructional techniques implemented by a provider or instructor;

(j) Language. This requirement shall include availability of different languages in which the course is offered;

(k) Registration Information. This requirement shall include course name, delivery sites of the course, address and phone number of the provider and web-site address if available;

(l) Evaluation form. The provider shall provide a copy of the evaluation form for participants upon completion of the parenting course;

(m) Indigent status fees. This requirement shall include a means for indigent divorcing parents to complete their course such as scholarships, acceptance of court waivers, and sliding fee scales if available;

(n) Resource list. A list of available resources in and around the community shall be furnished to each course participant.

(2) The department is under no obligation to accept a packet for approval of a parenting course advertised as "Approved by the Department" before department approval has been granted.

(3) The provider(s) shall provide documentation of the approval requirements pursuant to Rules 65C-32.002 and 65C-32.003, F.A.C. at each delivery site.

Specific Authority 61.21(3)(e) FS. Law Implemented 61.21 FS. History--New \_\_\_\_\_.

65C-32.006 Parenting Course Approval Process.

(1) The approval process shall be:

(a) The department shall notify the provider within five working days of receipt of the packet, either in writing or personally;

(b) The department shall review the packet within 30 working days of notification to the applicant(s);

(c) After a review of the packet, the department shall notify the applicant(s) of the determination of approval or denial of approval of a course or course provider;

(d) The applicant(s) shall have up to 90 days to make the specified corrections necessary for approval of a course;

(e) The applicant shall have the opportunity to resubmit completed packets and begin the process over after corrections are completed.

(2) The department shall deem as approved all Parent Education and Family Stabilization Courses submitted and approved prior to the effective date of Chapter 65C-32, F.A.C. The exception is any Parent Education and Family Stabilization Course which has had its approval status revoked.

Specific Authority 61.21(3)(e) FS. Law Implemented 61.21 FS. History--New \_\_\_\_\_.

65C-32.007 Complaints

(1) All complaints shall be in writing to the department and shall include the following information:

(a) Date of the alleged violation of statute 61.21 F.S., or rules thereunder;

(b) Name of the parenting course;

(c) Name of the provider or lead instructor of the course;

(d) Basis and content of the complaint.

(2) The department shall handle the complaints of non-compliance in the following manner:

(a) The department shall review the rule and designate the rule violation(s) as specified in the complaint;

(b) The department shall notify the provider of the specified rule violation(s) within five working days of receipt of the complaint;

(c) The provider shall have the opportunity to respond to the rule violation within 15 days of the receipt of notice of the rule violation;

(d) The department shall determine the validity of the rule violation(s) within 45 days of receipt of the provider's response to the complaint.

(3) A "notice of non-compliance" shall be issued to the provider of the course if the complaint is founded.

(4) The provider shall have corrections completed within 60 days of the receipt of the "notice of non-compliance"

(5) Except as otherwise provided in this rule, prior to the final action of denying, suspending or revoking approval of a course, the provider shall have the opportunity to request either a formal or informal Administrative Hearing to show cause as to why the action should not be taken.

Specific Authority 61.21(3)(d), (e) FS. Law Implemented 61.21 FS. History--New \_\_\_\_\_.

65C-32.008 Revocation of Course Approval.

(1) Section 61.21(3)(d), F.S. says the Department of Children and Family Services may remove a provider who violates this section of the Florida Statutes or its implementing rules, from the approved list of providers.

(2) The following shall subject a parenting course to revocation of approval:

(a) A verified finding that course approval or certification was obtained by fraudulent means such as providing documentation for approval which was based on false documentation;

(b) A verified finding that a course has been altered in any manner such as course contents or change of course materials that are contrary to course requirements per Section 61.21(2), F.S., without written approval from the department;

(c) Providing mental health therapy to participants;

(d) Providing individual legal advice to participants;

(e) Solicitation of participants from the sessions to become private clients or patients;

(f) The use of the Department of Children and Family Services past or present logo.

Specific Authority 61.21(3)(e) FS. Law Implemented 61.21 FS. History--New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Patricia A. Badland

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Don Winstead

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 18, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 3, 2006

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.:  
68A-15.004

RULE TITLE:  
General Regulations Relating to Wildlife Management Areas

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to allow landowners or lease holders and their guests to transport guns through Wildlife Management Areas

to privately-owned in-holdings and adjacent lands without a permit from the Executive Director, provided that guns are securely encased per Chapter 790, Florida Statutes.

SUMMARY: Subsection (6) of Rule 68A-15.004, F.A.C., would be changed to allow landowners or lease holders and their guests to transport guns through Wildlife Management Areas while traveling directly to or from privately-owned in-holdings without a permit from the Executive Director, provided the guns are securely encased per Chapter 790, Florida Statutes. The proposed rule also would allow landowners or lease holders and their guests to transport guns through Wildlife Management Areas while traveling directly to or from private lands that are adjacent to these areas without a permit from the Executive Director when this is the only legal means of vehicular access to the property and provided the guns are securely encased per Chapter 790, Florida Statutes.

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

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

SPECIFIC AUTHORITY: Article IV, Section 9, Florida Constitution; 372.121, 375.313 FS.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution; 372.121, 375.313 FS.

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

DATES AND TIME: During the Commission's regular meeting, June 13-14, 2007, 8:30 a.m. – 5:00 p.m., each day

PLACE: Radisson Suite Hotel Oceanfront, 3101 North Highway A1A, Melbourne, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Nick Wiley, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-15.004 General Regulations Relating to Wildlife Management Areas.

- (1) through (5) No change.
- (6) Guns:

(a) through (b) No change.

(c) Notwithstanding the provisions of paragraphs (a), (b), or (f) or specific area regulations in this chapter generally prohibiting possession of a gun, a person in possession of a valid Concealed Weapon or Firearm License may carry concealed handguns under the provisions of Section 790.06, F.S., throughout the year, unless otherwise preempted pursuant to state or federal law.

(d) through (g) No change

(h) Notwithstanding the provisions of paragraph (a), (b), (e), or (f) or specific area regulations in this chapter generally prohibiting possession of a gun, persons meeting the following requirements are allowed to possess and transport guns within a vehicle or vessel provided the guns are securely encased as defined under Chapter 790, Florida Statutes:

1. Persons and guests of such persons who own or lease private lands within the boundaries of a wildlife management area, provided they are transporting guns directly to or from said private lands, and

2. Persons and guests of such persons who own or lease private lands that are located adjacent or proximal to a wildlife management area and the only legal means of vehicular access is through the wildlife management area, provided they are transporting guns directly to or from said private lands.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.121, 372.57 FS. History—New 8-1-79, Amended 6-4-81, 6-21-82, 6-9-83, 9-27-83, 7-5-84, 7-1-85, Formerly 39-15.04, Amended 5-7-86, 5-10-87, 4-13-88, 8-18-88, 4-19-90, 4-4-91, 4-14-92, 10-22-92, 7-26-94, 11-6-94, 3-30-95, 10-23-95, 9-15-96, 6-1-97, 7-1-98, 12-28-98, 4-15-99, Formerly 39-15.004, Amended 7-1-00, 6-2-02, 5-1-03, 7-1-04, 7-1-05, 7-1-06,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Nick Wiley, Director, Division of Hunting and Game Management

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mr. Kenneth D. Haddad, Executive Director

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 22, 2006

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.: 68A-17.004  
 RULE TITLE: General Regulations Relating to Wildlife and Environmental Areas

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to allow landowners or lease holders and their guests to transport guns through Wildlife and Environmental

Areas to privately-owned in-holdings and adjacent lands without a permit from the Executive Director, provided that guns are securely encased per Chapter 790, Florida Statutes.

SUMMARY: Subsection (6) of Rule 68A-17.004, F.A.C., would be changed to allow landowners or lease holders and their guests to transport guns through Wildlife and Environmental Areas while traveling directly to or from privately-owned in-holdings without a permit from the Executive Director, provided the guns are securely encased per Chapter 790, Florida Statutes. The proposed rule also would allow landowners or lease holders and their guests to transport guns through Wildlife and Environmental Areas while traveling directly to or from private lands that are adjacent to these areas without a permit from the Executive Director when this is the only legal means of vehicular access to the property and provided the guns are securely encased per Chapter 790, Florida Statutes.

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

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

SPECIFIC AUTHORITY: Article IV, Section 9, Florida Constitution; 372.121, 375.313 FS.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution; 372.121, 375.313 FS.

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

DATES AND TIME: During the Commission’s regular meeting, June 13-14, 2007, 8:30 a.m. – 5:00 p.m., each day

PLACE: Radisson Suite Hotel Oceanfront, 3101 North Highway A1A, Melbourne, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Nick Wiley, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-17.004 General Regulations Relating to Wildlife and Environmental Areas.

(1) through (5) No change.

(6) Guns:

(a) through (b) No change.

(c) Notwithstanding the provisions of paragraph (a), (b), or (f) or specific area regulations in this chapter generally prohibiting possession of a gun, a person in possession of a valid Concealed Weapon or Firearm License may carry concealed handguns under the provisions of Section 790.06, F.S., throughout the year, unless otherwise preempted pursuant to state or federal law.

(d) through (g) No change.

(h) Notwithstanding the provisions of paragraph (a), (b), (e), or (f) or specific area regulations in this chapter generally prohibiting possession of a gun, persons meeting the following requirements are allowed to possess and transport guns within a vehicle or vessel provided the guns are securely encased as defined under Chapter 790, Florida Statutes:

1. Persons and guests of such persons who own or lease private lands within the boundaries of a wildlife and environmental area, provided they are transporting guns directly to or from said private lands, and

2. Persons and guests of such persons who own or lease private lands that are located adjacent or proximal to a wildlife and environmental area and the only legal means of vehicular access is through the wildlife and environmental area, provided they are transporting guns directly to or from said private lands.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.57 FS. History--New 4-12-98, Amended 12-28-98, Formerly 39-17.004, Amended 7-1-00, 7-1-04, 7-1-05, 7-1-06,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Nick Wiley, Director, Division of Hunting and Game Management

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mr. Kenneth D. Haddad, Executive Director

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 22, 2006

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.: 68A-20.004  
RULE TITLE: Regulations in Fish Management Areas

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to allow landowners or lease holders and their guests to transport guns through Fish Management Areas to



privately-owned in-holdings and adjacent lands without a permit from the Executive Director, provided that guns are securely encased per Chapter 790, Florida Statutes.

SUMMARY: Subsection (6) of Rule 68A-20.004, F.A.C., would be changed to allow landowners or lease holders and their guests to transport guns through Fish Management Areas while traveling directly to or from privately-owned in-holdings without a permit from the Executive Director, provided the guns are securely encased per Chapter 790, Florida Statutes. The proposed rule also would allow landowners or lease holders and their guests to transport guns through Fish Management Areas while traveling directly to or from private lands that are adjacent to these areas without a permit from the Executive Director when this is the only legal means of vehicular access to the property and provided the guns are securely encased per Chapter 790, Florida Statutes.

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

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

SPECIFIC AUTHORITY: Article IV, Section 9, Florida Constitution; 372.121, 375.313 FS.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution; 372.121, 375.313 FS.

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

DATES AND TIME: During the Commission's regular meeting, June 13-14, 2007, 8:30 a.m. – 5:00 p.m., each day

PLACE: Radisson Suite Hotel Oceanfront, 3101 North Highway A1A, Melbourne, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Darrell Scovell, Director, Division of Freshwater Fisheries Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-20.004 Regulations in Fish Management Areas.

(1) through (8) No change.

(9) Guns:

(a) Notwithstanding the specific area regulations in Rule 68A-20.005, F.A.C., generally prohibiting possession of a gun, persons meeting the following requirements are allowed to possess and transport guns within a vehicle or vessel provided the guns are securely encased as defined under Chapter 790, Florida Statutes:

1. Persons and guests of such persons who own or lease private lands within the boundaries of a fish management area, provided they are transporting guns directly to or from said private lands;

2. Persons and guests of such persons who own or lease private lands that are located adjacent or proximal to a fish management area and the only legal means of vehicular access is through the fish management area, provided they are transporting guns directly to or from said private lands.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History--New 8-1-79, Amended 6-4-81, 6-21-82, Formerly 39-20.04, Amended 5-10-87, 7-1-92, 7-1-94, 4-1-96, 7-1-97, 7-1-98, Formerly 39-20.004, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Darrell Scovell, Director, Division of Freshwater Fisheries Management

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mr. Kenneth D. Haddad, Executive Director.

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2006

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE NOS.:	RULE TITLES:
68B-21.0015	Definitions
68B-21.003	Prohibition of Sale of Snook
68B-21.004	Seasons
68B-21.005	Size Limits
68B-21.006	Bag and Possession Limits
68B-21.007	Restrictions on Gear and Methods Used to Take Snook

PURPOSE AND EFFECT: The primary purpose of these rule amendments is to protect the snook resources in Florida by modifying the allowable months for harvesting snook on the Gulf coast, modifying the existing size limit for snook on both the Gulf and Atlantic coast, decreasing the bag limit to one snook per day on the Atlantic coast, and allowing the possession of stowed multiple cast nets on board a vessel from which snook fishing is occurring. The effect is to maintain a high quality fishery for snook and try to achieve the Commission's management goal of 40% spawning potential

ratio (SPR). Additional secondary purposes are to revise definitions and update a reference to the rule governing snook aquaculture Special Activities Licenses.

SUMMARY: The definitions in Rule 68B-21.0015, F.A.C. are amended to more clearly specify the regions of the state where different regulations apply. Rule 68B-21.003, F.A.C. is amended to update a reference to the rule governing snook aquaculture Special Activities Licenses. Rule 68B-21.004, F.A.C. is amended to reduce the length of the existing open season for snook on the Gulf coast by eliminating the first half of December and the month of February. This proposed rule change would result in an open season for snook on the Gulf coast consisting of March, April, September, October and November. Rule 68B-21.005, F.A.C. is amended to adjust the legal size limit for snook on the Gulf coast from 27-34" to 28-33" and on the Atlantic coast from 27-34" to 28-32". Rule 68B-21.006, F.A.C. is amended to decrease the daily bag limit for snook on the Atlantic coast from two (2) fish to one (1) fish. Rule 68B-21.007, F.A.C. is amended to allow the possession of multiple cast nets on board a vessel while fishing for snook.

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

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

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

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

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

DATES AND TIME: During the regular meeting of the Commission, June 13-14, 2007, 8:30 a.m. until 5:00 p.m., each day

PLACE: Radisson Suite Hotel Oceanfront, 3101 North Highway A1A, Melbourne, FL 32903

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Mark Robson, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554

THE FULL TEXT OF THE PROPOSED RULES IS:

68B-21.0015 Definitions.

(1) "Atlantic Region" means all state waters of the Atlantic Ocean north and east of the Dade-Monroe County line, and all inland waters ~~or part of the~~ counties encompassed by the St. Johns Water Management District, and the South Florida Water Management District, except Charlotte County, Collier County, Glades County, Hendry County, Highlands County, Lee County, and Monroe County, but including all waters of Lake Okeechobee and the Kissimmee River.

(2) No change.

(3) "Gulf Region" means all state waters of the Gulf of Mexico, the inland waters of Charlotte County, Collier County, Glades County, Hendry County, Highlands County, Lee County, Monroe County and all ~~or part of~~ counties encompassed by the Southwest Florida Water Management District, the Suwannee River Water Management District, and the Northwest Florida Water Management District, and all waters of Everglades National Park, but excluding all waters of Lake Okeechobee and the Kissimmee River.

(4) through (8) No change.

~~(9) "State waters of the Atlantic Ocean" means all waters of the state in the Atlantic Region, including all state waters of the Atlantic Ocean and all inland waters of the region, including all waters of Lake Okeechobee and the Kissimmee River.~~

~~(10) "State waters of the Gulf of Mexico" means all waters of the state in the Gulf Region, including all state waters of the Gulf of Mexico and all inland waters of the region, excluding all waters of Lake Okeechobee and the Kissimmee River.~~

~~(9)(14)~~ "Total length" means the straight line distance from the most forward point of the head with the mouth closed, to the farthest tip of the tail with the tail compressed or squeezed, while the fish is lying on its side.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 7-9-87, Amended 1-1-98, Formerly 46-21.0015, Amended 1-1-02, 5-13-02, 7-1-06,\_\_\_\_\_.

68B-21.003 Prohibition of Sale of Snook.

(1) It is unlawful for any person, firm or corporation to buy, sell, trade, barter or exchange snook in any form or manner, or to receive anything of value for any snook with or without changing possession thereof, except as provided in Rule ~~68B-8.012 68B-21.008~~, F.A.C.

(2) No change.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 7-23-85, Formerly 46-21.003, Amended 5-13-02,\_\_\_\_\_.

68B-21.004 Seasons.

(1) No person, firm or corporation shall kill, harvest or have in its possession, regardless of where taken, any snook during the following closed periods, in the indicated areas:

(a) No change.

(b) In ~~all state waters of the Atlantic Region Ocean north and east of the Dade Monroe County Line, except in waters of Everglades National Park,~~ during the months of June, July or August.

(c) In ~~all state waters of the Gulf Region Atlantic Ocean south and west of the Dade Monroe County Line, in all state waters of the Gulf of Mexico, and in waters of Everglades National Park,~~ during the first 14 days of the month of December, and during the months of February, May, June, July, or August.

(2) No change.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 7-23-85, Amended 7-9-87, 3-1-94, Formerly 46-21.004, Amended 1-1-02,\_\_\_\_\_.

68B-21.005 Size Limits.

(1) It is unlawful for any person, firm or corporation to kill, harvest or possess any snook that measures less than twenty-eight (28") ~~twenty-seven inches (27")~~ or greater than thirty-two inches (32") ~~thirty-four inches (34")~~ in total length in the Atlantic Region and less than twenty eight inches (28") or greater than thirty-three inches (33") in the Gulf Region.

(2) No change.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 7-23-85, Amended 7-9-87, 3-1-94, 12-31-98, Formerly 46-21.005, Amended 7-1-06, 7-19-06,\_\_\_\_\_.

68B-21.006 Bag and Possession Limits.

(1) In ~~all state waters of the Atlantic Region Ocean north and east of the Dade Monroe County Line, except in waters of Everglades National Park,~~ no person, firm or corporation shall kill or harvest more than one (1) ~~two (2)~~ snook per day during the open season, nor possess more than one (1) ~~two (2)~~ snook at any time during the open season.

(2) In ~~all state waters of the Atlantic Ocean south and west of the Dade Monroe County Line, in all state waters of the Gulf Region of Mexico, and in waters of Everglades National Park,~~ no person, firm, or corporation shall kill or harvest more than one (1) snook per day during the open season, nor possess more than one (1) snook at any time during the open season.

(3) through (4) No change.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 7-23-85, Amended 3-1-94, 12-31-98, Formerly 46-21.006, Amended 1-1-02,\_\_\_\_\_.

68B-21.007 Restrictions on Gear and Methods Used to Take Snook.

(1) through (2) No change.

(3) It is unlawful for any person, firm, or corporation while fishing, using, transporting or possessing any net, seine, trap or other fishing device not specifically permitted in subsection (1) of this rule to have in its possession any snook. This prohibition shall not apply to possession aboard a vessel of a

single cast nets if they are ~~it is~~ secured and stored off the deck of the vessel. Any snook accidentally ~~accidently~~ taken by any trap, net or seine shall not be deemed to be possessed in violation of this rule if such snook is immediately returned to the water free, alive and unharmed.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 7-23-85, Amended 7-9-87, 3-1-94, 1-1-98, Formerly 46-21.007, Amended 6-29-00,\_\_\_\_\_.

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

NAME OF PERSON ORIGINATING PROPOSED RULE: Mark Robson, Director, Division of Marine Fisheries Management

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mr. Kenneth D. Haddad, Executive Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 12, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 4, 2007

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE NOS.:	RULE TITLES:
68B-45.004	Regulation and Prohibition of Certain Harvesting Gear
68B-45.007	Blue Crab Effort Management Program

PURPOSE AND EFFECT: The Fish and Wildlife Conservation Commission adopted rules that would have implemented the final effort management plan for the commercial blue crab fishery on July 1, 2007. The purpose of these rule amendments is to continue the moratorium on issuance of new blue crab endorsements until July 1, 2008, and to delay until that date the implementation of the Blue Crab Effort Management Program, if legislation implementing appropriate penalties and fees is not passed in the 2007 Legislature. Otherwise, if such legislation is passed, the rules will be amended to make minor changes to aid in the program's implementation. The effect of these rule amendments, depending on the passage of legislation, will be to maintain the commercial fishery in its current regulatory state until appropriate penalties and fees are established or to provide for the smooth implementation of this limited entry program.

**SUMMARY:** If legislation implementing appropriate penalties and fees associated with the Blue Crab Effort Management Program is not passed in the 2007 Legislature, Rule 68B-45.004, F.A.C. will be amended to extend the moratorium on the issuance of new blue crab endorsements until July 1, 2008, and Rule 68-45.007, F.A.C. will be amended to delay for one year the implementation of the program established by the rule. Various filing and qualification deadlines and start dates for program requirements are amended to reflect the one-year delay in implementation of the program. The date of dissolution of the blue crab advisory board is extended by one year.

If legislation implementing appropriate penalties and fees associated with the Program are passed in the 2007 Legislature, amendments to Rule 68B-45.004, F.A.C., will be withdrawn, and the amendments to Rule 68B-45.007, F.A.C., will include only paragraphs 68B-45.007(3)(a) and 68B-45.007(6)(f), F.A.C. The deadline for qualified persons to receive a hardshell or softshell Blue Crab Effort Management Endorsement to submit their application for the endorsement is extended to September 30, 2007. The deadline for persons wishing to appeal their denial of a non-transferable Blue Crab Effort Management Endorsement is extended to September 30, 2007.

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

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

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

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

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

**DATES AND TIME:** During the Commission's regular meeting, June 14, 2007, 8:30 a.m. – 5:00 p.m., each day

**PLACE:** Radisson Suite Hotel Oceanfront, 3101 North Highway A1A, Melbourne, FL 32903

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS:** Mark Robson, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554

THE FULL TEXT OF THE PROPOSED RULES IS:

68B-45.004 Regulation and Prohibition of Certain Harvesting Gear.

(1) through (8) No change.

(9)(a) No change.

(b) Notwithstanding Section 370.135(2)(a), F.S., effective July 1, ~~2007~~ ~~2006~~, and until July 1, ~~2008~~ ~~2007~~, no blue crab endorsements, except those endorsements that were active during the ~~2006-2007~~ ~~2005-2006~~ fiscal year, shall be renewed or replaced. Persons or corporations holding a blue crab endorsement that was active in the ~~2006-2007~~ ~~2005-2006~~ fiscal year or an immediate family member of that person must request renewal of the blue crab endorsement before September 30, ~~2007~~ ~~2006~~. All provisions of Sections 370.135(2)(c)-(e), F.S., shall continue to apply to the issuance and renewal of blue crab endorsements with the applicable dates specified in this paragraph.

(c) No change.

(10) No change.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 12-14-93, Amended 6-1-94, 1-1-95, 10-4-95, 9-30-96, 1-1-98, 6-1-99, Formerly 46-45.004, Amended 2-28-02, 10-21-04, 3-1-05, 3-30-06, 9-21-06, \_\_\_\_\_.

68B-45.007 Blue Crab Effort Management Program.

(1) Beginning in the ~~2008/2009~~ ~~2007/2008~~ license year, in addition to a valid saltwater products license and a valid restricted species endorsement, a blue crab effort management endorsement number is required to harvest or possess blue crab in quantities greater than the recreational bag limit or to sell blue crab.

(2) No change.

(3)(a) Except for those qualifying for a non-transferable blue crab effort management endorsement as specified in subsection (6), the Blue Crab Effort Management Endorsement Application must be received by the Commission no later than September 30, ~~2007~~ ~~2006~~. An applicant may be a person, firm, or corporation.

(b) through (c) No change.

(d) Applicants must submit their application to the Commission no later than September 30, ~~2008~~ ~~2007~~. An applicant may be a person, firm, or corporation.

(e) No change.

(f) Applicants initially denied a V-N endorsement number may appeal their denial by submitting a completed appeals application form (DMF-4580, Application for Appeal of the Non-Transferable Blue Crab Limited Entry Endorsement (09-06), hereby incorporated by reference), to the Director of the Division of Marine Fisheries Management by September 30 ~~March 31~~, 2007.

(7)(a) No change.

(b) Beginning July 1, ~~2008~~ 2007, each trap used for the directed harvest of blue crabs must have securely fastened thereto a current trap tag issued annually by the Commission. Each such tag shall be manufactured by a Commission vendor and made of durable plastic or similarly durable material and shall have printed thereon the holder's blue crab effort management endorsement number. To facilitate enforcement and record keeping, such tags shall be issued each year in a color different from those used in the preceding three years. Traps with tags that are not securely fastened shall be considered untagged for enforcement purposes.

(c) through (i) No change.

(8) Effective September 30, ~~2008~~ 2007, no additional blue crab effort management endorsements will be issued except to applicants qualifying as specified in subsection (18), and no blue crab effort management endorsement will be renewed or replaced except those that were issued pursuant to subsection (4), (5), (6) or (11).

(9) Beginning in the ~~2009/2010~~ 2008/2009 license year, each holder of a blue crab effort management endorsement number, or an immediate family member of such holder in the case of an individual, must renew the endorsement number each license year before September 30. Failure to renew the endorsement number by September 30 of any year will result in forfeiture of the endorsement number.

(10) Requalification. Beginning with license year ~~2011/2012~~ 2010/2011, the holder of a blue crab effort management endorsement number, except those qualifying as specified in subsection (18), must requalify for the endorsement number by documenting landings on such endorsement as specified in paragraph (a) or (b) in at least one of the previous three license years. Each endorsement number will then be valid for three years from the date of requalification, but must still be renewed annually as required by subsection (8). Except for the V-I endorsement specified in subsection (18), any blue crab effort management endorsement number not meeting the requalification criteria as specified in paragraph (a) or (b) will not be renewed.

(a) through (b) No change.

(11) No change.

(12)(a) through (h) No change.

(i) On July 1, ~~2013~~ 2012, the board is dissolved unless extended by the Executive Director of the Commission.

(13) through (18) No change.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 5-26-05, Amended 3-30-06, 9-21-06,\_\_\_\_\_.

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

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

NAME OF PERSON ORIGINATING PROPOSED RULE: Mark Robson, Director, Division of Marine Fisheries Management

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mr. Kenneth D. Haddad, Executive Director.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 12, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 4, 2007

### Section III Notices of Changes, Corrections and Withdrawals

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: 6A-2.0010                      RULE TITLE: Educational Facilities  
NOTICE OF CONTINUATION

Notice is hereby given that the above rule, as noticed in Vol. 33, No. 16, April 20, 2007 Florida Administrative Weekly has been continued from May 15, 2007 to August 21, 2007.

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: 6B-4.010                      RULE TITLE: Instructional Personnel Assessment Systems  
NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 33, No. 10, March 9, 2007 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: 6B-4.010                      RULE TITLE: Instructional Personnel Assessment Systems  
NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 32, No. 3, January 20, 2006 issue of the Florida Administrative Weekly has been withdrawn.

**BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

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

**DEPARTMENT OF MANAGEMENT SERVICES**

**Agency for Workforce Innovation**

RULE NO.:                   RULE TITLE:  
60BB-8.901                   Qualified Contractors  
                                  NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 32, No. 38, September 22, 2006 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Surveyors and Mappers**

RULE NO.:                   RULE TITLE:  
61G17-9.004                Citations  
                                  NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 33, No. 6, February 9, 2007 issue of the Florida Administrative Weekly. The above-proposed rule was published in Vol. 33, No. 6, February 9, 2007 issue of the Florida Administrative Weekly. In a Notice of Change published in Vol. 33, No. 17, April 27, 2007 issue of the Florida Administrative Weekly, the reference to the publishing was erroneously given as Vol. 33, No. 13, March 30, 2007. The correct reference is as stated above: Vol. 33, No. 6, February 9, 2007 issue of the Florida Administrative Weekly. The foregoing change does not affect the substance of the proposed rule.

Specialty (a) through (b) No change.	Option	Education
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Specialty (c) Histology.	Option 1	Education
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3

Specialty	Option	Education
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**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 Clinical Laboratory Personnel**

RULE NO.:                   RULE TITLE:  
64B3-5.002                   Supervisor  
                                  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 the March 9, 2006, issue of the Florida Administrative Code, in Vol. 33, No. 10. The Board held a public hearing on this rule on March 2, 2007, in Jacksonville, Florida, and determined a change to this rule should be made.

The changes are as follows:

(1) Qualification. Degrees or semester hours of academic credit required in this section shall be obtained at a regionally accredited college or university or by foreign education equated pursuant to subsection 64B3-6.002(6), F.A.C. In order to be licensed as a supervisor, an applicant shall be licensed or meet the requirements for licensure as a technologist, and ~~one hour of Board approved HIV/AIDS continuing education,~~ a Board approved 2-hour course relating to the prevention of medical errors, which shall include root-cause analysis, error reduction and prevention, and patient safety, and one of the following:

Training/Experience	Examination
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Training/Experience Five years pertinent clinical laboratory experience in histology and 25 hours of Board-approved continuing education in supervision and administration within the previous 5 years.	Examination <u>HTL (ASC)</u>
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Five years of pertinent clinical laboratory experience post-certification and 48 hours of Board approved continuing education in supervision and administration within the previous five years.	<u>HT (ASCP)</u>
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Five years pertinent clinical laboratory experience, and 48 hours of Board-approved continuing education in supervision and administration within the previous 5 years, and licensure as a technologist in the specialty of histology.	
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Training/Experience	Examination
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(d) Andrology, Embryology.	1	<u>Doctoral Degree in Clinical Laboratory, Chemical or Biological Science.</u>	<u>One year of pertinent clinical laboratory experience, and 25 hours of Board-approved continuing education in supervision and administration.</u>		
	4	<u>Bachelors Degree with 24 semester hours of academic science including 8 semester hours of biological sciences and 8 semester hours of chemical sciences.</u>	<u>Five years pertinent clinical laboratory experience, with at least two years experience at the Technologist level, 25 hours of Board-approved continuing education in supervision and administration.</u>		
	2	<u>Doctoral Degree in Clinical Laboratory, Chemical or Biological Science.</u>	<u>One year of pertinent clinical laboratory experience in the category in which licensure is sought.</u>	<u>TS(ABB) for specialty sought.</u>	
	2	<u>Bachelors Degree with 24 semester hours of academic science including 8 semester hours of biological sciences and 8 semester hours of chemical sciences.</u>	<u>Five years pertinent clinical laboratory experience, with at least two years experience at the Technologist level.</u>	TS(ABB)	
	3	<u>Masters Degree in Clinical Laboratory, Chemical, or Biological Science.</u>	<u>Three years of pertinent clinical laboratory experience, and 25 hours of Board-approved continuing education in supervision and administration.</u>		
	4	<u>Masters Degree in Clinical Laboratory, Chemical, or Biological Science.</u>	<u>Three years of pertinent clinical laboratory experience, with at least 1 year experience in the category in which licensure is sought.</u>	<u>TS(ABB) for specialty sought.</u>	
(e) No change.	5	<u>Bachelors Degree in Clinical Laboratory, Chemical, or Biological Science.</u>	<u>Five years of pertinent clinical laboratory experience, with at least 2 years experience in the category in which licensure is sought, and 25 hours of Board-approved hours continuing education in supervision and administration.</u>		
	6	<u>Bachelors Degree in Clinical Laboratory, Chemical, or Biological Science.</u>	<u>Five years of pertinent clinical laboratory experience, with at least 2 years experience in the category in which licensure is sought.</u>	<u>TS(ABB) for specialty sought.</u>	
	Specialty (f) Molecular Pathology	Option 1	Education <u>Doctoral Degree in Clinical Laboratory, Chemical, or Biological Science.</u>	Training/Experience <u>One year pertinent clinical laboratory experience in the category in which licensure is sought, and 25 hours of Board-approved continuing education in supervision and administration.</u>	Examination <del>The Molecular Diagnostics examination given by ABB.</del>
		2	<u>Doctoral Degree in Clinical Laboratory, Chemical, or Biological Science.</u>	<u>One year pertinent clinical laboratory experience in the category in which licensure is sought.</u>	<u>The Molecular Diagnostics examination given by ABB.</u>
		2	<u>Masters Degree in Clinical Laboratory, Chemical or Biological Science.</u>	<u>Three years of pertinent clinical laboratory experience, and 25 hours of Board-approved continuing education in supervision and administration.</u>	<u>The Molecular Diagnostics examination given by ABB.</u>

3	<u>Masters Degree in Clinical Laboratory, Chemical or Biological Science.</u>	<u>Three years of pertinent clinical laboratory experience, and 25 hours of Board-approved continuing education in supervision and administration.</u>	
3	<u>Bachelors Degree with 16 semester hours of academic science.</u>	<u>Five years of pertinent clinical laboratory experience, with at least 2 years experience at the Technologist level and 25 hours of Board-approved continuing education in supervision and administration.</u>	The Molecular Diagnostics examination given by ABB.
4	<u>Masters Degree in Clinical Laboratory, Chemical or Biological Science.</u>	<u>Three years of pertinent clinical laboratory experience, with at least 1 year experience in the category in which licensure is sought.</u>	<u>Diagnostics examination given by ABB.</u>
5	<u>Bachelors Degree with 16 semester hours of academic science.</u>	<u>Five years of pertinent clinical laboratory experience, with at least 2 years experience at the Technologist level and 25 hours of Board-approved continuing education in supervision and administration.</u>	
6	<u>Bachelors Degree with 16 semester hours of academic science.</u>	<u>Five years of pertinent clinical laboratory experience, with at least 2 years experience at the Technologist level.</u>	<u>The Molecular Diagnostics examination given by ABB.</u>

(2) In lieu of one year of experience required by subsection 64B3-5.002(1), F.A.C., an applicant may use Board certification obtained by examination in one or more of the laboratory specialties through the Board of Registry of the ASCP, National Credentialing Agency of Laboratory Personnel, National Registry of Clinical Chemistry, American Academy of Microbiology, American Medical Technologists, American Board of Misanalysis Biocatalysts, American Association of Biocatalysts, ~~American Board of Biocatalysts~~, American Board of Clinical Chemistry, American Board of Medical Microbiology, American Board of Medical Genetics, American Board of Medical Laboratory Immunology, or American Board of Histocompatibility and Immunogenetics. This certification shall not substitute for the one year of pertinent clinical laboratory experience in an individual category for which licensure is sought.

(3) No change.

(4) The Board approved Supervision and Administration examinations, used in lieu of the required 25 hours of supervision and administration continuing education are:

(a) through (g) No change.

(h) The Specialist in Molecular Diagnostics examination administered by the American Board of Bioanalysis. ~~The Specialist in Andrology/Embryology Examination administered by the American Board of Bioanalysis.~~

(i) The National Registry Certified Chemists (NRCC).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE NO.: 64B5-14.005  
 RULE TITLE: Application for Permit  
 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. 14, April 6, 2007 issue of the Florida Administrative Weekly.

The rule shall read as:

64B5-14.005 Application for Permit.

(1) Line 9, second sentence shall read as “Each dentist in a practice who performs the administration of general anesthesia, deep sedation, conscious sedation or pediatric conscious sedation shall possess an individual permit. . . . .

(2) through (4) No change.

Specific Authority 466.004, 466.017 FS. Law Implemented 466.017 FS. History—New 4-7-86, Amended 1-29-89, 11-16-89, 11-8-90, 4-24-91, Formerly 21G14.005, Amended 12-20-93, Formerly 61F5-14.005, Amended 8-8-96, Formerly 59Q-14.005, Amended 12-12-00, 11-4-03, 6-23-04, 2-22-06,\_\_\_\_\_.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

**DEPARTMENT OF HEALTH**

**Board of Orthotists and Prosthetists**

RULE NO.: 64B14-3.001  
 RULE TITLE: Definitions



**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 32, No. 45, November 9, 2006 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF HEALTH**

**Board of Orthotists and Prosthetists**

RULE NOS.:	RULE TITLES:
64B14-4.100	Requirements for Prosthetic or Orthotic Residency or Internship
64B14-4.110	Requirements for Orthotic Fitter, Orthotic Fitter Assistant and Pedorthic

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 32, No. 45, November 9, 2006 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF HEALTH**

**Board of Psychology**

RULE NO.:	RULE TITLE:
64B19-18.008	Board Approval of Specialty Certifying Bodies

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 33, No. 17, April 27, 2007 issue of the Florida Administrative Weekly.

The correction is as follows:

The date for the public hearing referenced in the Notice of Change was incorrect. The public hearing date should be reflected to read April 13, 2007 not March 13, 2007.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan Love, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

**DEPARTMENT OF HEALTH**

**Board of Respiratory Care**

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

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 32, No. 50, December 15, 2006 issue of the Florida Administrative Weekly.

The rule was under a preliminary review by the Joint Administrative Procedures Committee. The comments made in the Joint Administrative Procedures Committee preliminary review pertained to conflict between the Purpose and Effect and the Summary, and the rule text. The comments were well founded, and the changes are as follows:

PURPOSE AND EFFECT: The Board proposes to amend this rule to add language with regards to applicants seeking re-entry into the profession, after 2 years or more of non-practice.

SUMMARY: The proposed rule amendment will clarify requirements for applicants seeking to re-enter profession after 2 years of non-practice.

**Section IV  
Emergency Rules**

**BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

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

**DEPARTMENT OF THE LOTTERY**

RULE NO.:	RULE TITLE:
53ER07-27	Instant Game Number 693, LUCKY SHAMROCKS

SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 693, "LUCKY SHAMROCKS," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Faith L. Schneider, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER07-27 Instant Game Number 693, LUCKY SHAMROCKS.

(1) Name of Game. Instant Game Number 693, "LUCKY SHAMROCKS."

(2) Price. LUCKY SHAMROCKS lottery tickets sell for \$5.00 per ticket.

(3) LUCKY SHAMROCKS lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning LUCKY SHAMROCKS lottery ticket, the ticket must meet the applicable requirements of Rule 53ER06-4, F.A.C.

(4) The "YOUR NUMBERS" play symbols and play symbol captions are as follows:

<b>1</b> ONE	<b>2</b> TWO	<b>3</b> THREE	<b>4</b> FOUR	<b>5</b> FIVE	<b>6</b> SIX
<b>7</b> SEVEN	<b>8</b> EIGHT	<b>9</b> NINE	<b>10</b> TEN	<b>11</b> ELEVEN	<b>12</b> TWELVE
<b>13</b> THIRTEEN	<b>14</b> FOURTEEN	<b>15</b> FIFTEEN	<b>16</b> SIXTEEN	<b>17</b> SEVENTEEN	<b>18</b> EIGHTEEN
<b>19</b> NINETEEN	<b>20</b> TWENTY	<b>21</b> TWENTYONE	<b>22</b> TWENTYTWO	<b>23</b> TWENTYTHREE	<b>24</b> TWENTYFOUR
<b>25</b> TWENTYFIVE	<b>26</b> TWENTYSIX	<b>27</b> TWENTYSEVEN	<b>28</b> TWENTYEIGHT	<b>29</b> TWENTYNINE	

(5) The "LUCKY NUMBERS" play symbols and play symbol captions are as follows:

<b>1</b> ONE	<b>2</b> TWO	<b>3</b> THREE	<b>4</b> FOUR	<b>5</b> FIVE	<b>6</b> SIX
<b>7</b> SEVEN	<b>8</b> EIGHT	<b>9</b> NINE	<b>10</b> TEN	<b>11</b> ELEVEN	<b>12</b> TWELVE
<b>13</b> THIRTEEN	<b>14</b> FOURTEEN	<b>15</b> FIFTEEN	<b>16</b> SIXTEEN	<b>17</b> SEVENTEEN	<b>18</b> EIGHTEEN
<b>19</b> NINETEEN	<b>20</b> TWENTY	<b>21</b> TWENTYONE	<b>22</b> TWENTYTWO	<b>23</b> TWENTYTHREE	<b>24</b> TWENTYFOUR
<b>25</b> TWENTYFIVE	<b>26</b> TWENTYSIX	<b>27</b> TWENTYSEVEN	<b>28</b> TWENTYEIGHT	<b>29</b> TWENTYNINE	

(6) The prize symbols and prize symbol captions are as follows:

<b>\$1.00</b> ONE	<b>\$2.00</b> TWO	<b>\$4.00</b> FOUR	<b>\$5.00</b> FIVE	<b>\$10.00</b> TEN	<b>\$15.00</b> FIFTEEN	<b>\$25.00</b> TWENTY FIVE
<b>\$50.00</b> FIFTY	<b>\$75.00</b> SEVENTY FIVE	<b>\$100</b> ONE HUNDRED	<b>\$200</b> TWO HUNDRED	<b>\$500</b> FIVE HUNDRED	<b>\$1,000</b> ONE THOUSAND	<b>\$10,000</b> TEN THOUSAND
<b>\$100,000</b> ONE HUNDRED THOUSAND						

(7) The legends are as follows:


LUCKY NUMBERS      YOUR NUMBERS

(8) Determination of Prizewinners.

(a) A ticket having a number in the "YOUR NUMBERS" play area that matches any number in the "LUCKY NUMBERS" play area shall entitle the claimant to the corresponding prize shown for that number.

(b) The prize amounts are: \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$15.00, \$25.00, \$50.00, \$75.00, \$100, \$200, \$500, \$1,000, \$10,000 and \$100,000.



(c) A ticket having a "  " symbol in the "YOUR NUMBERS" play area shall entitle the claimant to a prize of \$100.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 693 are as follows:

GAME PLAY	WIN	ODDS OF 1 IN	NUMBER OF WINNERS IN 42 POOLS OF 120,000 TICKETS PER POOL
\$1 x 5	\$5	30.00	168,000
(\$1 x 3) + \$2	\$5	30.00	168,000
\$1 + (\$2 x 2)	\$5	30.00	168,000
\$5	\$5	30.00	168,000
\$5 x 2	\$10	60.00	84,000
\$2 + (\$4 x 2)	\$10	60.00	84,000
(\$1 x 4) + (\$2 x 3)	\$10	60.00	84,000
\$1 + (\$2 x 2) + \$5	\$10	120.00	42,000
\$10	\$10	120.00	42,000
\$5 x 3	\$15	60.00	84,000
\$15	\$15	60.00	84,000
\$5 x 5	\$25	300.00	16,800
(\$5 x 3) + \$10	\$25	400.00	12,600
\$5 + (\$10 x 2)	\$25	300.00	16,800
(\$2 x 5) + \$5 + \$10	\$25	300.00	16,800
(\$1 x 5) + (\$2 x 10)	\$25	400.00	12,600
\$25	\$25	600.00	8,400
\$50	\$50	120.00	42,000
\$5 x 15	\$75	30,000.00	168
\$5 + (\$10 x 7)	\$75	30,000.00	168
(\$5 x 5) + \$50	\$75	30,000.00	168
(\$10 x 5) + \$25	\$75	30,000.00	168
\$75	\$75	30,000.00	168
\$10 + (\$15 x 6)	\$100	2,400.00	2,100
(\$5 x 10) + \$50	\$100	1,200.00	4,200
\$25 x 4	\$100	2,400.00	2,100
(\$25 x 2) + \$50	\$100	6,000.00	840
\$100	\$100	285.71	17,640
(LEPRECHAUN)			
\$50 x 10	\$500	60,000.00	84
(\$25 x 10) + (\$50 x 5)	\$500	30,000.00	168
\$500	\$500	60,000.00	84
\$100 x 10	\$1,000	252,000.00	20
\$200 x 5	\$1,000	252,000.00	20
(\$50 x 10) + (\$100 x 5)	\$1,000	84,000.00	60
\$500 x 2	\$1,000	168,000.00	30
\$1,000	\$1,000	168,000.00	30
\$1,000 x 10	\$10,000	1,260,000.00	4
(\$500 x 10) + (\$1,000 x 5)	\$10,000	2,520,000.00	2
\$10,000	\$10,000	1,260,000.00	4

(10) The estimated overall odds of winning some prize in Instant Game Number 693 are 1 in 3.79. Prizes, including the top prizes, are subject to availability at the time of ticket

purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 693, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) By purchasing a LUCKY SHAMROCKS lottery ticket the player agrees to comply with and abide by all prize payment rules of the Florida Lottery.

(13) Payment of prizes for LUCKY SHAMROCKS lottery tickets shall be made in accordance with rules of the Florida Lottery governing payment of prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Specific Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS, Law Implemented 4.105(9)(a), (b), (c), 24.115(1) FS. History--New 4-27-07.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: April 27, 2007

**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER07-28  
 RULE TITLE: Instant Game Number 695, JOKER'S WILD

SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 695, "JOKER'S WILD," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value, and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Faith L. Schneider, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER07-28 Instant Game Number 695, JOKER'S WILD.

(1) Name of Game. Instant Game Number 695, "JOKER'S WILD."

(2) Price. JOKER'S WILD lottery tickets sell for \$1.00 per ticket.

(3) JOKER'S WILD lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning JOKER'S WILD lottery ticket, the ticket must meet the applicable requirements of Rule 53ER06-4, F.A.C.

(4) The PLAY symbols and play symbol captions are as follows:



(5) The prize symbols and prize symbol captions are as follows:

TICKET	\$1.00	\$2.00	\$3.00	\$4.00	\$5.00	\$10.00		
TICKET	ONE	TWO	THREE	FOUR	FIVE	TEN		
\$15.00	\$20.00	\$25.00	\$30.00	\$50.00	\$100	\$1,000	\$3,000	
FIFTEEN	TWENTY	THY FIVE	THIRTY	FIFTY	ONE HUN	ONE THO	THR THO	

(6) The legends are as follows:

HAND 1  
 HAND 2  
 HAND 3 PRIZE

(7) Determination of Prizewinners.

(a) There are three hands on a ticket. A ticket having three of a kind in the same hand shall entitle the claimant to the prize

shown for that hand. A ticket having a pair and a "JOKER" symbol in the same hand shall entitle the claimant to the prize shown for that hand.

(b) The prizes are: TICKET, \$1.00, \$2.00, \$3.00, \$4.00, \$5.00, \$10.00, \$15.00, \$20.00, \$25.00, \$30.00, \$50.00, \$100, \$1,000 and \$3,000. A claimant who is entitled to a prize of a "TICKET" shall be entitled to a prize of a \$1.00 instant ticket, except as follows. A person who submits by mail a JOKER'S WILD lottery ticket which entitles the claimant to a prize of a \$1.00 instant ticket and whose mailing address is outside the state of Florida will receive a check for \$1.00 in lieu of an actual ticket.

(8) The estimated odds of winning, value, and number of prizes in Instant Game Number 695 are as follows:

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: April 27, 2007

**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER07-29  
 RULE TITLE: Instant Game Number 694, FAST CASH BINGO

SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 694, "FAST CASH BINGO," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Faith L. Schneider, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER07-29 Instant Game Number 694, FAST CASH BINGO.

(1) Name of Game. Instant Game Number 694, "FAST CASH BINGO".

(2) Price. FAST CASH BINGO lottery tickets sell for \$2.00 per ticket.

(3) FAST CASH BINGO lottery tickets shall have a series of numbers in Machine Readable Code (or bar code) on the back of the ticket, along with a Void If Removed Number under the latex area on the ticket. To be a valid winning FAST CASH BINGO lottery ticket, the ticket must meet the applicable requirements of Rule 53ER06-4, F.A.C.

(4) The "CALLER'S CARD" play symbols are as follows:

<sup>B</sup> 01	<sup>B</sup> 02	<sup>B</sup> 03	<sup>B</sup> 04	<sup>B</sup> 05	<sup>B</sup> 06	<sup>B</sup> 07	<sup>B</sup> 08	<sup>B</sup> 09	<sup>B</sup> 10	<sup>B</sup> 11	<sup>B</sup> 12	<sup>B</sup> 13	<sup>B</sup> 14	<sup>B</sup> 15
<sup>I</sup> 16	<sup>I</sup> 17	<sup>I</sup> 18	<sup>I</sup> 19	<sup>I</sup> 20	<sup>I</sup> 21	<sup>I</sup> 22	<sup>I</sup> 23	<sup>I</sup> 24	<sup>I</sup> 25	<sup>I</sup> 26	<sup>I</sup> 27	<sup>I</sup> 28	<sup>I</sup> 29	<sup>I</sup> 30
<sup>N</sup> 31	<sup>N</sup> 32	<sup>N</sup> 33	<sup>N</sup> 34	<sup>N</sup> 35	<sup>N</sup> 36	<sup>N</sup> 37	<sup>N</sup> 38	<sup>N</sup> 39	<sup>N</sup> 40	<sup>N</sup> 41	<sup>N</sup> 42	<sup>N</sup> 43	<sup>N</sup> 44	<sup>N</sup> 45
<sup>G</sup> 46	<sup>G</sup> 47	<sup>G</sup> 48	<sup>G</sup> 49	<sup>G</sup> 50	<sup>G</sup> 51	<sup>G</sup> 52	<sup>G</sup> 53	<sup>G</sup> 54	<sup>G</sup> 55	<sup>G</sup> 56	<sup>G</sup> 57	<sup>G</sup> 58	<sup>G</sup> 59	<sup>G</sup> 60
<sup>O</sup> 61	<sup>O</sup> 62	<sup>O</sup> 63	<sup>O</sup> 64	<sup>O</sup> 65	<sup>O</sup> 66	<sup>O</sup> 67	<sup>O</sup> 68	<sup>O</sup> 69	<sup>O</sup> 70	<sup>O</sup> 71	<sup>O</sup> 72	<sup>O</sup> 73	<sup>O</sup> 74	<sup>O</sup> 75

(5) The "PLAYER'S CARD" play symbols are as follows:

01	02	03	04	05	06	07	08	09	10	11	12	13	14	15
16	17	18	19	20	21	22	23	24	25	26	27	28	29	30
31	32	33	34	35	36	37	38	39	40	41	42	43	44	45
46	47	48	49	50	51	52	53	54	55	56	57	58	59	60
61	62	63	64	65	66	67	68	69	70	71	72	73	74	75

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GAME PLAY TICKET	WIN	NUMBER OF WINNERS IN 56 POOLS OF 180,000 TICKETS	
		ODDS OF 1 IN	PER POOL
\$1	\$1	10.00	1,008,000
\$1	\$1	15.00	672,000
\$2	\$2	25.00	403,200
\$1 x 3	\$3	60.00	168,000
\$2 + \$3	\$5	100.00	100,800
\$5	\$5	100.00	100,800
(\$3 x 2) + \$4	\$10	300.00	33,600
\$10	\$10	300.00	33,600
(\$5 x 2) + \$15	\$25	1,000.00	10,080
\$5 + (\$10 x 2)	\$25	1,800.00	5,600
\$25	\$25	562.50	17,920
(\$15 x 2) + \$20	\$50	1,800.00	5,600
\$25 x 2	\$50	3,600.00	2,800
\$50	\$50	3,600.00	2,800
(\$25 x 2) + \$50	\$100	30,000.00	336
\$20 + \$30 + \$50	\$100	30,000.00	336
\$100	\$100	30,000.00	336
\$100 x 3	\$300	45,000.00	224
\$1,000 x 3	\$3,000	1,680,000.00	6
\$3,000	\$3,000	1,680,000.00	6

(9) The estimated overall odds of winning some prize in Instant Game Number 695 are 1 in 3.93. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(10) For reorders of Instant Game Number 695, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(11) By purchasing a JOKER'S WILD lottery ticket the player agrees to comply with and abide by all prize payment rules of the Florida Lottery.

(12) Payment of prizes for JOKER'S WILD lottery tickets shall be made in accordance with rules of the Florida Lottery governing payment of prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Specific Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 4-27-07.

(6) Determination of Prizewinners.

(a) There are four Player's Cards numbered 1 through 4 and one Caller's Card on each FAST CASH BINGO ticket. A "FREE" space will appear in the center of each player's card. A "FREE" space can substitute as a number in a pattern of which it is a part.

(b) A ticket whose numbers on one of the Player's Cards match the Caller's Card numbers in one of the following patterns shall entitle the claimant to the prize shown for that pattern on that card:

1. Horizontal line of five numbers (or four numbers and one "FREE" space).
2. Vertical line of five numbers (or four numbers and one "FREE" space).
3. Diagonal line of four numbers and one "FREE" space.
4. Four corners (consisting of four numbers).
5. "X" (consisting of eight numbers and one "FREE" space).

Prizes that appear in the player's cards area are: FREE TICKET, \$3, \$10, \$25, \$50, \$100, \$150, \$200, \$250, \$500 and \$10,000. Prize amounts for a particular pattern are different on each player's card.

(7) Players may win on one or more player's cards per ticket; however, players may not win more than one prize on each player's card.

(8) A claimant who is entitled to a prize of a "FREE TICKET" shall be entitled to a prize of a \$2.00 instant ticket or combination of instant tickets with a total value of \$2.00, except as follows. A person who submits by mail a FAST CASH BINGO lottery ticket that entitles the claimant to a prize of a \$2.00 instant ticket and whose mailing address is outside the state of Florida will receive a check for \$2.00 in lieu of an actual ticket.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 694 are as follows:

<u>4 CORNERS – CARD 2</u>	<u>\$50</u>	<u>2,000.00</u>	<u>3,780</u>
<u>4 CORNERS – CARD 1, 2 + LINE – CARD 4</u>	<u>\$100</u>	<u>6,000.00</u>	<u>1,260</u>
<u>4 CORNERS – CARD 3</u>	<u>\$100</u>	<u>6,000.00</u>	<u>1,260</u>
<u>"X" – CARD 1</u>	<u>\$150</u>	<u>24,000.00</u>	<u>315</u>
<u>4 CORNERS – CARDS 1, 3 + LINE – CARD 4</u>	<u>\$150</u>	<u>24,000.00</u>	<u>315</u>
<u>4 CORNERS – CARD 2 + "X" – CARD 1</u>	<u>\$200</u>	<u>60,000.00</u>	<u>126</u>
<u>4 CORNERS – CARD 4</u>	<u>\$200</u>	<u>60,000.00</u>	<u>126</u>
<u>4 CORNERS – CARDS 1, 2, 3 + LINE – CARD 4</u>	<u>\$200</u>	<u>60,000.00</u>	<u>126</u>
<u>"X" – CARD 2</u>	<u>\$250</u>	<u>60,000.00</u>	<u>126</u>
<u>"X" – CARD 1 + 4 CORNERS – CARD 2, 3, 4</u>	<u>\$500</u>	<u>756,000.00</u>	<u>10</u>
<u>"X" – CARD 1, 2 + 4 CORNERS – CARD 3</u>	<u>\$500</u>	<u>756,000.00</u>	<u>10</u>
<u>"X" – CARD 3</u>	<u>\$500</u>	<u>756,000.00</u>	<u>10</u>
<u>"X" – CARD 4</u>	<u>\$10,000</u>	<u>3,780,000.00</u>	<u>2</u>

(10) The estimated overall odds of winning some prize in Instant Game Number 694 are 1 in 3.35. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 694, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) By purchasing a FAST CASH BINGO lottery ticket the player agrees to comply with and abide by all prize payment rules and regulations of the Florida Lottery.

(13) Payment of prizes for FAST CASH BINGO lottery tickets shall be made in accordance with rules of the Florida Lottery governing payment of prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Specific Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS, Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS, History—New 4-27-07.

**THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.**

**EFFECTIVE DATE: April 27, 2007**

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

<u>GET BINGO WITH</u>	<u>WIN</u>	<u>ODDS OF</u>	<u>NUMBER OF</u>
		<u>1 IN</u>	<u>WINNERS IN</u>
			<u>63 POOLS OF</u>
			<u>120,000 TICKETS</u>
			<u>PER POOL</u>
<u>LINE – CARD 1</u>	<u>\$2 TICKET</u>	<u>11.54</u>	<u>655,200</u>
<u>LINE – CARD 2</u>	<u>\$3</u>	<u>7.50</u>	<u>1,008,000</u>
<u>LINES – CARD 1, 2</u>	<u>\$3 Cash + \$2 Ticket</u>	<u>37.50</u>	<u>201,600</u>
<u>LINE – CARD 3</u>	<u>\$10</u>	<u>25.00</u>	<u>302,400</u>
<u>LINES – CARD 1, 3</u>	<u>\$10 Cash + \$2 Ticket</u>	<u>150.00</u>	<u>50,400</u>
<u>4 CORNERS – CARD 1</u>	<u>\$25</u>	<u>600.00</u>	<u>12,600</u>
<u>LINE – CARD 4</u>	<u>\$25</u>	<u>600.00</u>	<u>12,600</u>
<u>LINES – CARD 1, 2, 4</u>	<u>\$28 Cash + \$2 Ticket</u>	<u>4,000.00</u>	<u>1,890</u>
<u>LINES – CARD 1, 2, 3, 4</u>	<u>\$38 Cash + \$2 Ticket</u>	<u>4,000.00</u>	<u>1,890</u>
<u>4 CORNERS – CARD 1 + LINE – CARD 4</u>	<u>\$50</u>	<u>2,000.00</u>	<u>3,780</u>

## Section V Petitions and Dispositions Regarding Rule Variance or Waiver

### BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

### WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN THAT on April 10, 2007, the St. Johns River Water Management District, received a petition for variance from Family Investment Group, Inc., pursuant to Section 120.542, Florida Statutes. Petitioner is seeking a temporary variance from subparagraph 40C-41.063(1)(c)1., F.A.C., and Section 11.1.3 of the Applicant's Handbook: Management and Storage of Surface Waters (February 1, 2005) (A.H.), for Environmental Resource Permit (ERP) Application 4-009-109687-1. The petitioner is proposing to construct a surface water management system that would serve a proposed 3.97-acre commercial development known as Malabar Commons, for which Petitioner has applied for an environmental resources permit (No. 4-009-109687-1). The system would consist of curbs and gutters, inlets, pipes, and two interconnected wet detention ponds that would discharge into the Melbourne-Tillman Water Control District canal system. Subparagraph 40C-41.063(1)(c)1., F.A.C., and Section 11.1.3, A.H., prohibit the construction, operation, and maintenance of a surface water management system in the Upper St. Johns River Hydrologic Basin that would result in an increase in the amount of water being diverted from the Basin to coastal receiving waters. These rules are intended to protect the water resources of the state by limiting discharges of fresh water to estuarine waters and curtailing interbasin diversion.

Comments on this petition should be filed with: Robert Nawrocki, District Clerk, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, within 14 days of publication of this notice. The petition has been assigned F.O.R. Number 2007-34.

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

NOTICE IS HEREBY GIVEN THAT on April 11, 2007, the St. Johns River Water Management District, received a petition for variance from DSG, LLC, pursuant to Section 120.542, Florida Statutes. Petitioner is seeking a variance from

subparagraph 40C-41.063(1)(c)1., F.A.C., and Section 11.1.3 of the Applicant's Handbook: Management and Storage of Surface Waters (February 1, 2005) (A.H.), for Environmental Resource Permit (ERP) Application 4-009-102431-1. The permit applicant is proposing to construct a surface water management system to serve its proposed 65-lot residential subdivision known as Las Palmas, comprising sixty-five lots on approximately twenty acres in Brevard County. The system would discharge into the Melbourne-Tillman Water Control District canal system, whose waters flow to the Indian River. Subparagraph 40C-41.063(1)(c)1., F.A.C., and Section 11.1.3, A.H., prohibit the construction, operation, and maintenance of a surface water management system in the Upper St. Johns River Hydrologic Basin that results in an increase in the amount of water being diverted from the Basin to coastal receiving waters. These rules are intended to protect the water resources of the state by limiting discharges of fresh water to estuarine waters and curtailing interbasin diversion.

Comments on this petition should be filed with: Robert Nawrocki, District Clerk, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, within 14 days of publication of this notice. The petition has been assigned F.O.R. Number 2007-35.

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

NOTICE IS HEREBY GIVEN THAT on April 19, 2007, the St. Johns River Water Management District, received a petition for variance from Gulfstream Partners, Inc., pursuant to Section 120.542, Florida Statutes. Petitioner is seeking a variance from subparagraph 40C-41.063(1)(c)1., F.A.C., and Section 11.1.3 of the Applicant's Handbook: Management and Storage of Surface Waters (February 1, 2005) (A.H.), for Environmental Resource Permit (ERP) Application 4-009-96253-2. The permit applicant is proposing to modify the variance granted on October 11, 2006, solely by increasing its share of the cost of the C-1 Rediversion Project in proportion to Petitioner's proposed increase in discharge from its surface water management system, including wet detention ponds that discharge into the Melbourne-Tillman Water Control District canal system, for a surface water management system known as Sawgrass Preserve, in Brevard County. Subparagraph 40C-41.063(1)(c)1., F.A.C., and Section 11.1.3, A.H., prohibit the construction, operation, and maintenance of a surface water management system in the Upper St. Johns River Hydrologic Basin that results in an increase in the amount of water being diverted from the Basin to coastal receiving waters. These rules are intended to protect the water resources of the state by limiting discharges of fresh water to estuarine waters and curtailing interbasin diversion.

Comments on this petition should be filed with: Robert Nawrocki, District Clerk, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, within 14 days of publication of this notice. The petition has been assigned F.O.R. Number 2006-15.

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

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#### **DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

NOTICE IS HEREBY GIVEN THAT on April 9, 2007, the Division of Hotels and Restaurants received a Petition for a Routine Variance for subsections 61C-4.0101(1) and 61C-4.010(6), Florida Administrative Code, from Bernie's Catering located in Clearwater. The above referenced F.A.C. addresses food supplies, food protection, and physical facilities-except as specifically provided in this rule, public food service establishments shall be subject to the provisions of chapter three and chapter six of the FDA Food Code. They are requesting to do open air food service on a Mobile Food Dispensing Vehicle.

This variance request was approved April 27, 2007, and is contingent upon the Petitioner's use of open-air steam table properly covered and air curtain operating properly according to manufacturer's specifications and Section 6-202-15(D) (2), 2001 FDA Food Code, as to expel possible contaminants and vermin. Approval is also contingent upon Petitioner conducting all re-heating for hot holding at approved commissaries to the proper temperature per Section 3-403.11, 2001 FDA Food Code; and potentially hazardous food is held at proper temperatures according to Section 3-501.16, 2001 FDA Food Code.

The Petitioner shall strictly adhere to subsection 61C-4.0161(2)(c), Florida Administrative Code, and report to the commissary at least once daily when operating. All warewashing is to be conducted at the commissary and strict adherence to employee health guidelines as specified in the Section 2-201, 2001 FDA Food Code, are to be followed. Petitioner shall also use a potable water tank and utilize a wastewater holding tank that is at least 15% larger than the potable water holding tank; and sloped to a drain that is 1 inch in inner diameter or greater, equipped with a shut-off valve. Petitioner must receive potable water from an approved source with written documentation provided and sanitize the fresh water and wastewater tanks at least once every 24 hours.

Copies of the variance and operating procedures are to be present on the MFDV at all times of operation and shall be adhered to as approved by the Division. This variance is not transferable under any conditions. All provisos must be complied prior to final approval and licensing. Any violation

of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

To obtain a copy of the approved variance you may contact David.Fountain@dbpr.state.fl.us.

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NOTICE IS HEREBY GIVEN THAT on March 15, 2007, the Division of Hotels and Restaurants received a Petition for a Routine Variance for paragraph 61C-1.004(1)(d), Florida Administrative Code from the Timbers of Perry located in Perry. The above referenced F.A.C. states that sewage shall be disposed of in a public sewerage system or other approved sewerage system in accordance with the provisions of Chapter 64E-6 or 62-601 F.A.C. Petitioner is requesting a variance to not have hard plumbing in their bar area for their portable hand sink and use alternative methods for sewage disposal.

This variance request was approved April 20, 2007, and is contingent upon Petitioner using a potable water tank and utilizing a wastewater holding tank that is at least 15% larger than the potable water holding tank. Water and wastewater holding tanks are to be emptied at least twice a day. Petitioner shall have an approved source for potable water with written documentation provided and sanitize the fresh water tank at least once every 24 hours. Handwashing procedures are to be strictly adhered to as specified in the Federal Food and Drug Administration 2001 Food Code Section 2-301.14. Any violation of the variance is the equivalent of a violation of the rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

To obtain a copy of the approved variance you may contact David.Fountain@dbpr.state.fl.us.

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NOTICE IS HEREBY GIVEN THAT on April 16, 2007, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from Bella Napoli located in Ponce De Leon. The above referenced F.A.C. states...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated....The Petitioner requests to not have any accessible bathroom facility available to the public.

The Division concluded that the Petitioner's request for variance fails to meet the burden of demonstrating that required safety and sanitation safeguards have otherwise been met. The variance request was denied because the Petitioner failed to provide the required information requested by the Division.

To obtain a copy of the denied variance you may contact David.Fountain@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on April 16, 2007, the Division of Hotels and Restaurants received a Petition for a Routine Variance for subsections 61C-4.0101(1) and 61C-4.010(6), Florida Administrative Code, from J & J Lunch Truck located in Palmetto. The above referenced F.A.C. addresses food supplies, food protection, and physical facilities-except as specifically provided in this rule, public food service establishments shall be subject to the provisions of chapter three and chapter six of the FDA Food Code. They are requesting to do open air food service on a Mobile Food Dispensing Vehicle.

This variance request was approved April 20, 2007, and is contingent upon the Petitioner's use of open-air steam table properly covered and air curtain operating properly according to manufacturer's specifications and Section 6-202-15(D) (2), 2001 FDA Food Code, as to expel possible contaminants and vermin. Approval is also contingent upon Petitioner conducting all re-heating for hot holding at approved commissaries to the proper temperature per Section 3-403.11, 2001 FDA Food Code; and potentially hazardous food is held at proper temperatures according to Section 3-501.16, 2001 FDA Food Code.

The Petitioner shall strictly adhere to paragraph 61C-4.0161(2)(c), Florida Administrative Code, and report to the commissary at least once daily when operating. All warewashing is to be conducted at the commissary and strict adherence to employee health guidelines as specified in the Section 2-201, 2001 FDA Food Code, are to be followed. Petitioner shall also use a potable water tank and utilize a wastewater holding tank that is at least 15% larger than the potable water holding tank; and sloped to a drain that is 1 inch in inner diameter or greater, equipped with a shut-off valve. Petitioner must receive potable water from an approved source with written documentation provided and sanitize the fresh water and wastewater tanks at least once every 24 hours.

Copies of the variance and operating procedures are to be present on the MFDV at all times of operation and shall be adhered to as approved by the Division. This variance is not transferable under any conditions. All provisos must be complied prior to final approval and licensing. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

To obtain a copy of the approved variance you may contact David.Fountain@dbpr.state.fl.us.

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NOTICE IS HEREBY GIVEN THAT on April 16, 2007, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from Speedie Doggs located in Ponce De Leon. The above referenced F.A.C. states...each public food service establishment shall maintain a minimum of one public

bathroom for each sex, properly designated.....The Petitioner requests to not have any accessible bathroom facility available to the public.

This variance request was approved April 20, 2007, and is contingent upon Petitioner ensuring public bathrooms inside of Curt Miller Oil Company has hot and cold running water at all times, kept in a clean and sanitary manner, and they are available during all hours of operation. Petitioner shall ensure directional signage is installed within/or outside the establishment clearly stating the location of the bathrooms. All plan review deficiencies and provisos must be complied prior to licensing. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

To obtain a copy of the approved variance you may contact David.Fountain@dbpr.state.fl.us.

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NOTICE IS HEREBY GIVEN that on April 17, 2007, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from Rosen Shingle Creek located in Orlando. The above referenced F.A.C. states...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.....The proposed establishment has one bathroom facility for patrons and they are requesting a variance to have a seating capacity of 42.

A copy of the Petition can be obtained from: Xenia Bailey, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

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NOTICE IS HEREBY GIVEN THAT on April 18, 2007, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from Solórzano Pizza Cafe located in Sarasota. The above referenced F.A.C. states...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.....The proposed establishment has one bathroom facility for patrons and they are requesting a variance to have a seating capacity of 35.

A copy of the Petition can be obtained from: Xenia Bailey, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.



The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

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NOTICE IS HEREBY GIVEN THAT on April 19, 2007, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(1)(d), Florida Administrative Code (F.A.C.) from Heritage Bay Golf and Country Club located in Naples. The above referenced F.A.C. states that sewage shall be disposed of in a public sewerage system or other approved sewerage system in accordance with the provisions of Chapter 64E-6 or 62-601 F.A.C. The Petitioner is requesting a variance use alternative methods for sewage disposal.

A copy of the Petition can be obtained from: Xenia Bailey, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

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NOTICE IS HEREBY GIVEN THAT on April 25, 2007, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code from Viet Noodle Restaurant located in Clermont. The above referenced F.A.C. states...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated....The proposed establishment has one bathroom facility for patrons and they are requesting a variance to have a seating capacity of 27.

A copy of the Petition can be obtained from: Xenia Bailey, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

#### **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 on April 25, 2007, the Board of Physical Therapy Practice has issued an order.

The Order is regarding the Petition for Waiver or Variance, which was filed on February 27, 2007, by Terry Buckley. The Notice of Petition for Waiver or Variance was published in Vol. 33, No. 11, of the March 16, 2007, F.A.W. The Petitioner was

seeking a waiver or variance with regard to the requirement that an applicant who has failed to pass the National Physical Therapy Examination for Physical Therapists by or on the fifth attempt is precluded from licensure as provided under Rule 64B17-3.003, F.A.C., entitled "Licensure by Endorsement." The Board considered the instant Petition at a duly-noticed meeting, held March 16, 2007, in Orlando, Florida.

The Board's Order denied the petition finding that Petitioner had not established that the purpose of the underlying statute, Section 486.051, F.S., would be met by granting a variance or waiver from Rule 64B17-3.003, F.A.C. The Board further finds that Petitioner has not established that applying the requirements of the aforementioned Rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Susan Love, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3755.

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NOTICE IS HEREBY GIVEN THAT on April 26, 2007, the Board of Podiatric Medicine, received a petition for Variance or Waiver filed on April 26, 2007 on behalf of Frank L. Levy, a podiatric physician whose Florida license expired. Pursuant to Chapter 28-104, F.A.C., and Section 120.542, F.S., petitioner seeks a waiver of Rule 64B18-11.001, F.A.C., entitled "Application for Licensure," and Rule 64B18-11.002, F.A.C., entitled "Examination for Licensure." Specifically, the Petitioner requests a waiver of Rules 64B18-11.001 and 64B18-11.002, F.A.C., requiring that the PMLexis section apply to his application for re-licensing.

Comments on this petition should be filed with the Board of Podiatric Medicine within 14 days of publication of this notice. A copy of the Petition for Variance or Waiver may be obtained by contacting: Joe Baker, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3258.

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NOTICE IS HEREBY GIVEN THAT on April 9, 2007, the Department of Health received a Petition for Temporary Emergency Variance from subparagraph 64E-16.004(2)(d), (3), Florida Administrative Code, from John D. Fairley on behalf of Sure-Way Systems, Inc. That rule requires reusable sharps containers to be emptied directly into a treatment cart or directly into a treatment unit. The Petitioner requests a Temporary Emergency Variance from the rule to allow the Petitioner to empty reusable sharps containers via a fully automated mechanized tipper directly into 96 gallon UNDOT approved biomedical waste containers for transport offsite to a permitted biomedical waste treatment facility. At the treatment facility, the 96-gallon containers will be emptied via an

automated hands-free tipper directly into a treatment cart and its contents will be treated in accordance with Chapter 64E-16, Florida Administrative Code.

Comments on this Petition should be filed with: Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin A02, Tallahassee, Florida 32399, within 5 days of publication of this notice.

A copy of the petition may be obtained from: Gina Vallone-Hood, Bureau of Community Environmental Health, 4052 Bald Cypress Way, Bin A08, Tallahassee, Florida 32399 or by calling (850)245-4273. A copy of the Petition for Variance or Waiver may be obtained by contacting Gina Vallone at (850)245-4277.

NOTICE IS HEREBY GIVEN THAT on April 24, 2007, the Department of Health, received a petition for variance from Martha Harrell Chumbler, representing Infiltrator Systems, Inc., pursuant to Section 120.542, Florida Statutes. Specifically, the petitioner seeks a variance from subparagraph 64E-6.009(7)(a)4., Florida Administrative Code, which requires requests for approval of system components and designs to be made after innovative system testing is completed and to include empirical data showing results of innovative system testing in Florida.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin A02, Tallahassee, Florida 32399-1734.

**FLORIDA HOUSING FINANCE CORPORATION**

NOTICE IS HEREBY GIVEN THAT on April 30, 2007, the Florida Housing Finance Corporation, received a petition for Waiver of paragraph 67-21.003(14)(j), Florida Administrative Code and Emergency rule 67ER06-27(14)(j), from Dixie Court II, Ltd. (“Petition”). The Petition is seeking a waiver of the rules to increase the number of residential units from 28 to 32 units, with the four additional units committed to a set-aside at or below 60 of the area median income.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m. (Eastern Standard Time), on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

**Section VI  
Notices of Meetings, Workshops and Public Hearings**

**DEPARTMENT OF STATE**

The **Friends of Mission San Luis, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, May 21, 2007, 12:00 Noon

PLACE: Mission San Luis, Education Bldg., 2020 W. Mission Road, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion will include endowment campaign and other board business.

If you have questions or would like a copy of the agenda, please feel free to contact Ms. Elyse Cornelison at (850)487-1666.

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

The Florida **Department of Agriculture and Consumer Services** announces a business meeting of the FCCMC Subcommittee on Mosquito Control Research Projects to which all persons are invited.

DATE AND TIME: May 30, 2007, 10:00 a.m. – 2:00 p.m.

PLACE: DACS Doyle Conner Bldg., Division of Plant Industry’s Conference Room, 1911 S. W. 34th Street, Gainesville, Florida 32614, (352)372-3505

Questions and Comments may be directed to James Clauson, Chairman, (850)922-7011, ext. 101, clausoj@doacs.state.fl.us or Jeff Blair (850)644-6320, jblair@mailier.fsu.edu.

**DEPARTMENT OF EDUCATION**

The **Florida Schools of Excellence Commission** announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 18, 2007, 8:00 a.m. – 10:00 a.m.

PLACE: 1(888)808-6959, Conference Code: 2450861

GENERAL SUBJECT MATTER TO BE CONSIDERED: This conference call will be a review of the co-sponsor applications submitted to the Florida Schools of Excellence Commission by the Florida Consortium of Public Charter Schools and the City of Hialeah.

A copy of the agenda may be obtained by contacting: Office of Independent Education and Parental Choice, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399, (850)245-0502.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting: Office of Independent Education and Parental Choice at 325 West Gaines Street, Suite 522, Tallahassee,

Florida 32399, (850)245-0502. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). For more information, you may contact: Office of Independent Education and Parental Choice, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399, (850)245-0502.

The **Florida Schools of Excellence Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: May 24, 2007, 8:00 a.m. – 4:30 p.m.

PLACE: Nova Southeastern University, North Miami Beach Campus, Room Number TBA, 1750 N. E. 167 Street, North Miami Beach, Florida 33162

GENERAL SUBJECT MATTER TO BE CONSIDERED: Interviews with applicants who have submitted applications (Florida Consortium of Public Charter Schools and City of Hialeah) to be eligible co-sponsors of charter schools under the Florida Schools of Excellence Commission.

A copy of the agenda may be obtained by contacting: Office of Independent Education and Parental Choice, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399, (850)245-0502.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting: Office of Independent Education and Parental Choice at 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399, (850)245-0502. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Office of Independent Education and Parental Choice, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399, (850)245-0502.

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

DATE AND TIME: Thursday, May 17, 2007, 8:30 a.m. – 5:00 p.m.

PLACE: University of West Florida, 11000 University Parkway, Pensacola, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review/revise workplan, receive subcommittee reports and public comments. After full committee meeting, the four subcommittees will be meeting from 1:00 p.m. – 5:00 p.m. These include: 1) Growth & Development, 2) Economic, 3) Environmental, and 4) Education Healthcare and Culture.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 3 days before the workshop/meeting by contacting Lisa Fowler at (850)644-7063. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

## DEPARTMENT OF COMMUNITY AFFAIRS

The Florida **Department of Community Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: May 15, 2007, 10:00 a.m. – 11:00 a.m.

PLACE: Clay County Board of County Commissioners, Administration Building, 477 Houston Street, Green Cove Springs, FL 32043

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department of Community Affairs (DCA) is seeking one or more public or nonprofit entities to administer the Weatherization Assistance Program (WAP) and the Weatherization-Low Income Home Energy Assistance Program (WAP-LIHEAP) in Clay County. Entities interested in contracting with DCA to provide these services should be present at this public hearing in order to be informed of the qualifications and application requirements. Selection of an entity will be based on the entities' experience and performance in weatherization or housing renovation activities, and in assisting low-income persons in the area to be served, and their capacity to undertake a timely and effective weatherization program. Preferences will be given to any Community Action Agency or other public or nonprofit entity which has, or is currently administering an effective DCA funded Weatherization Assistance Program. The following qualities will be reviewed: (1) the extent to which the past or current program achieved or is achieving weatherization goals in a timely fashion; (2) the quality of work performed by the entity; (3) the number, qualifications, and experience of the staff members of the entity; (4) the ability of the entity to secure volunteers, train participants and public service employment workers; and (5) maintain compliance with administration and financial management requirements. If no more than one entity is funded, that entity must be capable and willing to provide services to all eligible low-income citizens in the geographic area.

A copy of the agenda may be obtained by contacting: Norm Gempel, Manager, Department of Community Affairs, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100.

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.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least hours before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Department of Community Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: May 15, 2007, 3:00 p.m. – 4:30 p.m.

PLACE: Flagler County Emergency Operation Center (EOC), 1769 Moody Boulevard, Bunnell, Florida 32110

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department of Community Affairs (DCA) is seeking one or more public or nonprofit entities to administer the Weatherization Assistance Program (WAP) and the Weatherization-Low Income Home Energy Assistance Program (WAP-LIHEAP) in Flagler County. Entities interested in contracting with DCA to provide these services should be present at this public hearing in order to be informed of the qualifications and application requirements. Selection of an entity will be based on the entities' experience and performance in weatherization or housing renovation activities, and in assisting low-income persons in the area to be served, and their capacity to undertake a timely and effective weatherization program. Preferences will be given to any Community Action Agency or other public or nonprofit entity which has, or is currently administering an effective DCA funded Weatherization Assistance Program. The following qualities will be reviewed: (1) the extent to which the past or current program achieved or is achieving weatherization goals in a timely fashion; (2) the quality of work performed by the entity; (3) the number, qualifications, and experience of the staff members of the entity; (4) the ability of the entity to secure volunteers, train participants and public service employment workers; and (5) maintain compliance with administration and financial management requirements. If no more than one entity is funded, that entity must be capable and willing to provide services to all eligible low-income citizens in the geographic area.

A copy of the agenda may be obtained by contacting: Mr. Norm Gempel, Manager, Department of Community Affairs, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least hours before the workshop/meeting. If you are

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

The **Department of Community Affairs**, Century Commission for a Sustainable Florida (Century Commission) announces a public meeting to which all persons are invited.

DATES AND TIMES: Sunday, May 20, 2007, 5:00 p.m. – 7:00 p.m.; Monday, May 21, 2007, 8:30 a.m. – 4:30 p.m.

PLACE: The Hilton Garden Inn, 12 Via De Luna, Pensacola Beach, Florida 32561, (850)916-2999

GENERAL SUBJECT MATTER TO BE CONSIDERED: This will be the ninth meeting of the Century Commission. The members will continue to discuss the Commission's statutory role, including how to address the impacts of population growth during the next 25-50 years.

A copy of the agenda and other information regarding the meeting and the Century Commission may be obtained at the Internet address [www.centurycommission.org](http://www.centurycommission.org) or by contacting Steve Seibert at (850)321-9051, [steve@seibertlaw.com](mailto:steve@seibertlaw.com) or Valerie Turner, (850)488-8453.

Any person requiring special accommodation at the meeting because of a disability or physical impairment should contact: Rachel Roberts, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-8466, [Rachel.Roberts@dca.state.fl.us](mailto:Rachel.Roberts@dca.state.fl.us).

If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

## DEPARTMENT OF TRANSPORTATION

The **Department of Transportation** announces a meeting of the DOT Survey Champions Team to which all interested persons are invited.

DATE AND TIME: May 14, 2007, 10:00 a.m. – 12:00 Noon

PLACE: Executive Conference Room, Burns Building, 605 Suwannee Street, Tallahassee, FL. 32399-0450. Also Conference Call: (850)414-4972

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review of Employee Survey to make recommendations for improvement to the Executive Board.

Agenda: Approve Norms, Measures of Success and adopt Charter. Establish format for focus group data collection meetings. Discuss creation of web site for employee information and input. Determine future meeting dates.

Information may be obtained by contacting: Larry Ferguson, III, CPM, Florida Department of Transportation, Performance Management Office, 605 Suwannee Street, MS 41, Tallahassee, FL, (850)414-4382 e-mail: lawrence.ferguson@dot.state.fl.us.

The **Department of Transportation**, District One announces a public hearing to which all persons are invited.

DATE AND TIMES: June 7, 2007, Open House, 6:00 p.m.; Formal Presentation, 7:00 p.m.

PLACE: Comfort Inn and Suites, 3860 Tollgate Blvd., Naples, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is a Design Change Reevaluation Public Hearing. It is being held to allow persons an opportunity to express their views concerning the proposed design change for the multilane reconstruction of SR 84 (Financial Project I.D. Number: 195416-2, Federal Project Number: 0581 009 P) in Collier County.

The Project Development and Environment Study (Financial Project I.D. Number: 195416-1, Federal Project Number: 0581 005 P), approved November 6, 2002, recommended reconstruction of SR 84 to four lanes from Santa Barbara Boulevard to Radio Road (CR 856) and to six lanes from Radio Road to Collier Boulevard (SR/CR 951). Updated traffic studies have demonstrated a need for six lanes throughout the project. Additional right-of-way is required on the south side of SR 84 from west of Radio Road to Collier Boulevard. Right-of-way acquisition will also be required for stormwater management facilities.

Anyone needing special accommodations pursuant to the Americans with Disabilities Act of 1990 should call Mr. Chris Piazza at 1(800)292-3368 or by writing to: FDOT, District One Office, P. O. Box 1249, Bartow, FL 33831 at least seven (7) days prior to the public hearing.

A copy of the hearing agenda may be obtained by writing to Mr. Piazza at the address above.

### **BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

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

### **DEPARTMENT OF CITRUS**

The Florida **Department of Citrus**, Processing Statistics Reporting Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 23, 2007, 9:30 a.m.

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

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** There will be a meeting to discuss issues and comments associated with the Chapter 20-3, F.A.C. rulemaking workshop held April 25, 2007. The Committee will also discuss any other issues that may properly come before the Committee.

A copy of the agenda may be obtained by contacting Everette Taylor at (863)499-2500.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting Bill Jones at (863)499-2500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Everette Taylor at (863)499-2500.

### **PUBLIC SERVICE COMMISSION**

The Florida **Public Service Commission** announces an ORAL ARGUMENT to be held in the following docket, to which all interested persons are invited.

DOCKET NO. 070127-TX – Petition for interconnection with Level 3 Communications and request for expedited resolution, by Neutral Tandem, Inc.

DATE AND TIME: Thursday, May 24, 2007, 9:30 a.m.

PLACE: Commission Hearing Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To hear argument on the following issues:

1. Does the Commission have jurisdiction over Neutral Tandem's Petition? If so, what is the source of the Commission's authority?
2. If the Commission has jurisdiction over Neutral Tandem's Petition, does Neutral Tandem have standing to seek relief under Sections 364.16 and 364.162, Florida Statutes?
- 3a. If the Commission has jurisdiction over Neutral Tandem's Petition and determines that Neutral Tandem has standing to bring its Petition can the Commission require direct interconnection between Level 3 and Neutral Tandem, for the purpose of terminating transit traffic from originating carriers, delivered by Neutral Tandem to Level 3?

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodation to participate in the proceeding is asked to advise the agency at least 48 hours before the proceeding by contact the Office of Commission Clerk at (850)413-6770. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Adam Teitzman, Office of General Counsel, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399, (850)413-6175.

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

**DATES AND TIME:** August 1, 2007, 10:30 a.m.; continuing on August 2, 2007

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

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Florida Public Service Commission will conduct a workshop as ordered in Docket No. 000121A-TP, Order No. PSC-07-0286-PAA-TP, issued April 3, 2007.

The purpose of the workshop is to discuss CLECs' concerns addressed in the six-month review of BellSouth's Performance Assessment Plan that require additional time and review by the parties and staff. These concerns pertain to BellSouth d/b/a AT&T's current state of electronic and manual ordering processing, including, but not limited to, the current level of flow-through activity, multiple clarifications, and invalid rejected service requests. Staff is soliciting comments and actual examples that specifically address these concerns. All examples should be limited to recent activities or occurrences, i.e., within the last six months. Examples related to manual ordering concerns should include specific order/product types as well as associated order volumes. Similarly, concerns related to multiple clarifications and/or invalid rejections of service requests should include, at a minimum, specific dates and Purchase Order Numbers (PONs) for the requests at issue. In preparation for the workshop, staff further requests that BellSouth d/b/a AT&T provide Florida aggregate flow-through volumes for each month since October 2006. At a minimum, the data should be sorted by product type, planned manual fall-out, and number of valid and invalid rejects/clarifications. Staff requests that all comments and supporting documentation be filed by June 8, 2007, with the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399 (an electronic version should also be provided to Jerry Hallenstein at jhallens@psc.state.fl.us).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting the Office of Commission Clerk at (850)413-6770. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Adam Teitzman, Office of General Counsel, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399, (850)413-6175.

## EXECUTIVE OFFICE OF THE GOVERNOR

The **Taxation and Budget Reform Commission** announces public meetings to which all persons are invited.

**DATE AND TIME:** Friday, May 18, 2007, 8:30 a.m. – 9:30 a.m.

**PLACE:** Rooms 221, 229, 227, 231, Second Floor, Senate Office Building, 404 South Monroe Street, Tallahassee, Florida  
**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Organization meetings of the committees of the Taxation and Budget Reform Commission. The committees are: Finance and Taxation, Budgetary Process, Governmental Services, Governmental Procedures and Structure.

For a copy of the agenda or to notify the Commission that you are a person desiring to attend with a disability that requires certain accommodations please contact Kathy Torian at (850)488-5394.

The **Taxation and Budget Reform Commission** announces a public meeting to which all persons are invited.

**DATE AND TIME:** Friday, May 18, 2007, 10:00 a.m. – 1:00 p.m.

**PLACE:** 412 Knott Building, 109 West St. Augustine Street, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General information concerning the organization and operations of the Taxation and Budget Commission. Presentations on 2007 legislative actions; demographics of the State of Florida; and tax structure.

For a copy of the agenda or to notify the Commission that you are a person desiring to attend with a disability that requires certain accommodations please contact Kathy Torian at (850)488-5394.

Volunteer Florida, The **Governor's Commission on Volunteerism and Community Service**, is pleased to announce a meeting to which all persons are invited.

**DATE AND TIME:** May 22, 2007, 9:00 a.m. – 5:00 p.m.

**PLACE:** To be determined

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Executive Committee Meeting – Committee meeting business and planning.

Please contact Kristin Mullikin at (850)414-0092, for a meeting agenda and for meeting location.

If you require a reasonable accommodation to participate, Voice/TTY, please advise 72 hours in advance with your request.

## REGIONAL PLANNING COUNCILS

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

DATE AND TIME: May 18, 2007, 10:00 a.m.

PLACE: Charles F. Justice Conference Room, North Central Florida Regional Planning Council Offices, 2009 N. W. 67 Place, Gainesville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the second in a series of the region's Comprehensive Economic Development Strategy (CEDS) Committee meetings to set economic development priorities for the next five years.

A copy of the agenda may be obtained by contacting: Jayne Moraski, Economic Development Director, NCFRPC, 2009 N. W. 67 Place, Gainesville, Florida 32653-1603.

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.

Pursuant to the provisions of 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 business days before the workshop/meeting by calling (352)955-2200, ext. 106. If you are 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 **North Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: May 24, 2007, 6:00 p.m.

PLACE: Holiday Inn Hotel and Suites, 213 S. W. Commerce Drive, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Executive Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Gainesville, Florida 32653-1603.

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.

Pursuant to the provisions of 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 business days before the workshop/meeting by calling (352)955-2200. If you are 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 **North Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: May 24, 2007, 6:00 p.m.

PLACE: Holiday Inn Hotel and Suites, 213 S. W. Commerce Drive, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Regional Planning Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Gainesville, Florida 32653-1603.

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.

Pursuant to the provisions of 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 business days before the workshop/meeting by calling (352)955-2200. If you are 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 **North Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: May 24, 2007, 6:30 p.m.

PLACE: Holiday Inn Hotel and Suites, 213 S. W. Commerce Drive, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Clearinghouse Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Gainesville, Florida 32653-1603.

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.

Pursuant to the provisions of 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 business days before the workshop/meeting by calling (352)955-2200. If you are 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 **North Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: May 24, 2007, 7:30 p.m.

PLACE: Holiday Inn Hotel and Suites, 213 Southwest Commerce Drive, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Gainesville, Florida 32653-1603.

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.

Pursuant to the provisions of 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 business days before the workshop/meeting by calling (352)955-2200. If you are 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 **Northeast Florida Regional Council** announces the following public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 23, 2007, 1:30 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss Affordable/Workforce Housing issues.

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

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

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

DATE AND TIME: Thursday, May 17, 2007, 7:00 p.m.

PLACE: Withlacoochee Regional Planning Council, 1241 Southwest 10th Street, Ocala, FL 34474-2798

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Council.

A copy of the agenda may be obtained by contacting: Executive Director, Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34474-2798.

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.

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

DATE AND TIME: Wednesday, May 16, 2007, 10:00 a.m.

PLACE: 631 North Wymore Road, Suite 100, Maitland, Florida 32751 (Please call (407)623-1075 to confirm date, time and place)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the East Central Florida Regional Planning Council. The Executive Committee will meet at 8:00 a.m. to review the meeting agenda.

A copy of the agenda may be obtained by writing to: Ruth Little, Administrative Assistant, East Central Florida Regional Planning Council, 631 North Wymore Road, Suite 100, Maitland, Florida 32751 or by visiting [www.ecfrpc.org](http://www.ecfrpc.org)

The ECFRPC desires to accommodate persons with disabilities. Accordingly, any physically handicapped person, pursuant to Section 286.26 Florida Statutes, should, at least 48 hours prior to the meeting, submit a written request to the Council that the physically handicapped person desires to attend the meeting.

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The **Apalachee Regional Planning Council** announces a public meeting to which all persons are invited. In addition to its regular business, the agenda will include the review of any Local Government Plan Amendment(s) received in a timely manner, to which all interested persons are invited.

DATE AND TIME: Thursday, May 24, 2007, 10:30 a.m. (Eastern Time), 9:30 a.m. (Central Time)

PLACE: Holiday Inn Select, 316 W. Tennessee Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold the regular monthly meeting of the Apalachee Regional Planning Council's Board of Directors.

An agenda may be obtained by writing: Apalachee Regional Planning Council, 20776 Central Avenue East, Suite 1, Blountstown, FL 32424 or calling (850)674-4571.

If any person desires to appeal any decision with respect to any matter considered at the above-cited meeting, such person will need a record of the proceedings. For such purpose, he/she will need to ensure that a verbatim record of the proceeding is made to include the testimony and evidence upon which the appeal is to be based.

If special accommodations at the meeting are required because of a disability or impairment, please contact Council Offices at (850)674-4571, prior to the meeting.

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#### REGIONAL TRANSPORTATION AUTHORITIES

The **South Florida Regional Transportation Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 24, 2007, 10:00 a.m.

PLACE: SFEC-South Florida Education Center, NSU Horvitz Administration Building, 2nd Floor, Dining Room, 3301 College Avenue, Davie, Florida 33314



GENERAL SUBJECT MATTER TO BE CONSIDERED: Operations Technical Committee.

A copy of the agenda may be obtained by contacting SFRTA Operations Office at (954)788-7945.

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.

Pursuant to the provisions of 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).

The **South Florida Regional Transportation Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, May 25, 2007, 9:30 a.m.

PLACE: The 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: Governing Board Meeting.

A copy of the agenda may be obtained by contacting Executive Office at (954)788-7915.

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.

Pursuant to the provisions of 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).

For more information, you may contact: Executive Office, 800 N. W. 33rd Street, Suite 100, Pompano Beach, Florida 33064.

The **South Florida Regional Transportation Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 29, 2007, 2:00 p.m.

PLACE: Main Conference Room, SFRTA Administration Building, 800 N. W. 33 Street, Pompano Beach, FL 33064

GENERAL SUBJECT MATTER TO BE CONSIDERED: Americans with Disabilities Act Advisory Committee.

A copy of the agenda may be obtained by contacting the Executive Office at (954)788-7958.

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.

Pursuant to the provisions of 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 Street, 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).

### WATER MANAGEMENT DISTRICTS

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

DATE AND TIME: May 24, 2007, 1:00 p.m. (CDT)

PLACE: City Hall Council Chambers, 198 North Wilson Street, Crestview, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting – to consider District Business.

Other Meetings

DATE AND TIMES: May 24, 2007

10:00 a.m. (CDT) District Lands Committee – to discuss Land Acquisition Matters

11:00 a.m. (CDT) Regulations Committee – to discuss the Environmental Resource Permitting Program

11:30 a.m. (CDT) Workshop – Florida Forever Capital Improvements Grant Program

1:15 p.m. (CDT) Public Hearing on Consideration of Regulatory Matters

1:30 p.m. (CDT) Public Hearing on Land Acquisition Matters

PLACE: City Hall Council Chambers, 198 North Wilson Street, Crestview, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting – to consider District Business.

A copy of the agenda may be obtained by contacting: Dorothy Cotton, NFWFMD, 81 Water Management Drive, Havana, FL 32333, (850)539-5999 or on the internet at [www.nwfwmd.state.fl.us](http://www.nwfwmd.state.fl.us).

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.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting Larry Wright at the District. If you are 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** (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, May 18, 2007, 8:00 a.m.

PLACE: Tampa Convention Center, 333 S. Franklin Street, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: REALITY CHECK TAMPA BAY: Board members will participate in an exercise that will help plan the future of the Tampa Bay Region. Ad 21226.

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 (352)796-7211, extension 4606.

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.

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

For more information, you may contact SWFWMD Executive Department at the address above.

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The **Southwest Florida Water Management District** announces a workshop to which all persons are invited.

DATE AND TIME: Saturday, May 19, 2007, 9:00 a.m.

PLACE: Citrus Springs Community Center, 1570 West Citrus Springs Boulevard, Citrus Springs, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Citrus County Task Force of the Citrus/Hernando Waterways Restoration Council – First Annual Stakeholders Conference. To educate the public about the health of Citrus County’s waterbodies. Council, Task Force and Board members may attend.

A copy of the agenda may be obtained by contacting: Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34604, (352)796-7211 or 1(800)423-1476 (Florida only), extension 4227.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting 1(800)423-1476 (Florida), or (352)796-7211, extension 4226, Fax (352)797-5806; TDD ONLY 1(800)231-6103 (Florida). If you are 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.

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

DATE AND TIME: Tuesday, May 22, 2007, 2:00 p.m.

PLACE: Tampa Bay Workforce Alliance, Inc., 5701 E. Hillsborough Avenue, Suite 1419, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: BUDGET BRIEFING FOR HILLSBOROUGH RIVER BASIN BOARD MEMBERS: Budget briefing from staff. Ad 21226.

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 (352)796-7211, extension 4606.

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.

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

For more information, you may contact SWFWMD Executive Department at the address above.

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The **Southwest Florida Water Management District** announces a public meeting on Rule 40D-2.801, Water-Use Caution Areas, F.A.C., to which all persons are invited.

DATE AND TIME: May 23, 2007, 4:00 p.m.

PLACE: New River Branch Library, 34043 State Road 54, Zephyrhills, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive public input on whether to expand the existing Northern Tampa Bay Water Use Caution Area (NTBWUCA) into those portions of Pasco County and Hillsborough County not currently within the NTBWUCA. One or more members of the Governing Board and Basin Boards of the Southwest Florida Water Management District may attend.

A copy of the agenda may be obtained by contacting: Miki Renner, AICP, Planning Manager, Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 33604-6899, (352)796-7211 or 1(800)423-1476, extension 4400.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Dianne Lee at (352)796-7211, ext. 4658, 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).

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The **Southwest Florida Water Management District**, Reclaimed Water Task Force announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 24, 2007, 9:30 a.m.

PLACE: Sarasota Service Office, 6750 Fruitville Road, Sarasota, Florida 34240

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a regularly scheduled meeting of the Reclaimed Water Task Force to discuss committee business and issues.

A copy of the agenda may be obtained by contacting: SWFWMD, 2379 Broad Street, Brooksville, FL 34604 or 1(800)423-1476 (Florida only) or (352)796-7211 extension 4247.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting the General Services Department at 1(800)423-1476 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).

For more information, you may contact Kathy Scott at the above address.

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

DATE AND TIME: Thursday, May 24, 2007, 9:00 a.m. – Upon completion of the business determined by the Governing Board to be addressed on that particular day

PLACE: SFWMD Headquarters, Building B-1, 3301 Gun Club Road, West Palm Beach, Florida 33416

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board to discuss and consider District business pertaining to the water shortage/water conditions. Governing Board action may be taken at the meeting. All or part of the meeting may be conducted as a teleconference in order to permit maximum participation by Governing Board members.

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

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.

Pursuant to the provisions of 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).

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

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#### DEPARTMENT OF ELDER AFFAIRS

The **Department of Elder Affairs**, Office of the General Counsel, announces a workshop on Rules 58A-2.002, Definitions; 58A-2.003, License Required; 58A-2.004, Licensure Procedure; 58A-2.005, Administration of the Hospice; 58A-2.012, Program Reporting, F.A.C., to which all persons are invited.

DATE AND TIME: May 30, 2007, 9:00 a.m. – 12:00 Noon

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Additional definitions; licensure requirements, including an application form(s) incorporated by referenced in Rule 58A-2.004, F.A.C.; specific definitions regarding reporting requirements; changes in reporting requirements, including two reporting forms incorporated by reference in Rule 58A-2.012, F.A.C.; development of outcome measures; and adoption of national initiatives.

A copy of the proposed rule amendments and reporting forms may be obtained from the department's Web site at <http://elderaffairs.state.fl.us>, under "DOEA Rulemaking, Hospice." Changes since the last workshop are noted in blue font.

This workshop will be conducted in conjunction with the workshop schedules for Rules 58A-2.010, 2.014 and 2.0232, F.A.C., that is noticed in this same edition of the F.A.W., under Section I, "Notices of Development of Proposed Rules and Negotiated Rulemaking."

A copy of the agenda may be obtained by contacting the department's Web site at <http://elderaffairs.state.fl.us>, under "DOEA Rulemaking, Hospice, Agenda."

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

For more information, you may contact: Jim Crochet, Department of Elder Affairs, Office of the General Counsel, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2000, e-mail: [crochetj@elderaffairs.org](mailto:crochetj@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: Friday, May 18, 2007, 1:00 p.m.

PLACE: Conference Call: (641)594-7500, Passcode: 9701442#. If you have any difficulty accessing the teleconference, please call the Florida Center's main number at (850)922-5771

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is a meeting of the State Consumer Health Information and Policy Advisory Council to which all interested parties are invited. The purpose is to conduct a pre-planning meeting of key health care stakeholders to discuss and set the basis for the Long Range Planning Retreat which will focus on the short and long term goals for the State Consumer Health Information and Policy Advisory Council, Technical Workgroups and the Agency staff.

A copy of the agenda may be obtained by contacting: Beth Eastman, Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, Mail Stop #16, Tallahassee, FL 32308-5403. The agenda will also be posted at <http://ahca.myflorida.com/SCHS/chismetings.shtml> seven (7) days prior to the meeting.

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

Pursuant to the provisions of 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 Cheryl Barfield at (850)414-5422. If you are 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 Beth Eastman at (850)922-3803.

The **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

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

PLACE: 110 Senate Office Building, 404 South Monroe, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To study and make recommendations on the development and implementation of a Florida health information infrastructure including a strategy for promoting the use of electronic health records.

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://ahca.myflorida.com/dhit/index.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).

#### **DEPARTMENT OF MANAGEMENT SERVICES**

The Joint meeting of the Standard Operating Procedures and Technical Committee of the **Joint Task Force on State Agency Law Enforcement Communications** announces a public meeting to which all persons are invited.

DATE AND TIME: May 22, 2007, 9:00 a.m.

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

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To discuss operational matters of the Statewide Law Enforcement Radio System.

A copy of the agenda may be obtained by contacting: Victor Cullars, Florida Department of Law Enforcement at (850)410-8300 or Todd Preston, Fish and Wildlife Conservation Commission at (850)410-0656.

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## DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco** announces a hearing on Rule 61A-1.010, Approved Advertising and Promotional Gifts, F.A.C., to which all persons are invited.

DATE AND TIME: Thursday, May 31, 2007, 9:00 a.m. – 5:00 p.m.

PLACE: Wolf High-Technology Center, IRCC Chastain Campus, 2400 Salerno Road, Stuart, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The proposed rule amendment substantially rewords the existing rule to clarify and redefine approved advertising and promotional gifts related to the sale of alcoholic beverages.

A copy of the agenda may be obtained by contacting DeeAnna Owens, Division of Alcoholic Beverages and Tobacco at (850)414-8125.

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.

Pursuant to the provisions of 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 DeeAnna Owens, Division of Alcoholic Beverages and Tobacco at (850)414-8125. If you are 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 **Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco** announces a public meeting on Rule 61A-1.010, Approved Advertising and Promotional Gifts, F.A.C., to which all persons are invited.

DATES AND TIME: Wednesday, June 20, 2007; Thursday, June 21, 2007, 9:00 a.m. – 5:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The proposed rule amendment substantially rewords the existing rule to clarify and redefine approved advertising and promotional gifts related to the sale of alcoholic beverages.

A copy of the agenda may be obtained by contacting DeeAnna Owens, Division of Alcoholic Beverages and Tobacco at (850)414-8125.

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.

Pursuant to the provisions of 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 DeeAnna Owens, Division of Alcoholic Beverages and Tobacco at (850)414-8125. If you are 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 **Department of Business and Professional Regulation** announces a public meeting to which all persons are invited.

DATE AND TIME: June 4, 2007, 9:00 a.m.

PLACE: The Plaza Resort and Spa, 600 North Atlantic Avenue, Daytona Beach, Florida 32118

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: Department of Business and Professional Regulation, Board of Auctioneers, 1940 North Monroe Street, Tallahassee, Florida or by calling (850)922-5012.

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.

Pursuant to the provisions of 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 of Auctioneers at (850)922-5012. If you are 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 Probable Cause Panel of the **Construction Industry Licensing Board** announces a meeting to which all interested persons are invited.

DATE AND TIMES: May 22, 2007, 9:00 a.m. and 10:00 a.m. or soon thereafter

PLACE: Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32309, (850)488-0062

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review complaints in which a determination of the existence of probable cause has already been made.

A copy of the PUBLIC portion of the agenda may be obtained by writing to: April Hammonds, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 60, Tallahassee, FL 32399-2202, or by phone at (850)488-0062.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Construction Prosecution Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required. The Construction Prosecution Section may be contacted at the address and phone number listed above.

**The Florida Mobile Home Relocation Corporation** announces a meeting of its Board of Directors. The board will consider mobile home applications for abandonment and relocation compensation due to evictions as a result of a change in land use.

DATE AND TIME: Wednesday, June 6, 2007, 9:30 a.m.

PLACE: Shady Lane Oaks, 15777 Bolesta Rd., Clearwater, FL  
**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Official business of the Florida Mobile Home Relocation Corporation. Review of mobile home owner applications for compensation for relocation and/or abandonment due to change in land use, and such other business as may come before the board. A schedule for future meetings will be determined.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting Janet Garrett at 1(888)862-7010.

Additional information may be obtained by contacting: Janet Garrett, Executive Director, FMHRC, P. O. Box 14125, Tallahassee, FL 32317-4125, 1(888)862-7010.

#### **DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**The Acquisition and Restoration Council** announces a public meeting to which all persons are invited.

DATE AND TIME: May 14, 2007, 6:00 p.m.

PLACE: Wekiwa Springs State Park, 1800 Wekiwa Circle, Apopka, FL 32712

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** A Public hearing of the Acquisition and Restoration Council, established pursuant to Section 259.035, F.S., are scheduled to take public testimony on all Florida Forever land acquisition projects and new proposals.

For further information please contact the Office of Environmental Services at (850)245-2784. The park gates close at 6:00 p.m. Please plan to be at the park no later than 5:45 p.m. Attendees will be able to exit the park without difficulty.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting the Office of Environmental Services at (850)245-2784. If you are 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 Bureau of Beaches and Coastal Systems** announces a workshop to which all persons are invited.

DATE AND TIME: Tuesday, May 22, 2007, 1:00 p.m.

PLACE: Gulf County Board of County Commissioners Chambers, 1000 Cecil G. Costin, Sr. Boulevard, Port St. Joe, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Discuss the proposed erosion control project known as St. Joseph Peninsula Erosion Control Project, and the establishment of an Erosion Control Line for said project.

The proposed Erosion Control Line lies along St. Joseph Peninsula (Cape San Blas), Gulf County, Florida fronting the Gulf of Mexico at the line of mean high water. The Erosion Control Line lies in:

Sections: 14, 23, 25, 26, 36, Township: 8 South-Range: 12 West

Sections: 1, 12, Township: 9 South-Range: 12 West

Sections: 7, 18, 19 & 20, Township: 9 South-Range: 11 West in Gulf County, FL.

A copy of the agenda may be obtained by contacting Phil Ciaravella at (850)922-7871, by e-mail at [phil.ciaravella@dep.state.fl.us](mailto:phil.ciaravella@dep.state.fl.us), or mail to: Florida Department of Environmental Protection, Bureau of Beaches and Coastal Systems, 3900 Commonwealth Boulevard, M.S. 300, Tallahassee, Florida 32399-3000.

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

**The Board of Trustees of the Internal Improvement Trust Fund** of the State of Florida announces a hearing to which all persons are invited.

DATE AND TIME: Tuesday, May 22, 2007, immediately following the conclusion of the Public Workshop which starts at 1:00 p.m., for the beach erosion control project known as St. Joseph Peninsula Erosion Control Project.

PLACE: Gulf County Board of County Commissioners Chambers, 1000 Cecil G. Costin, Sr. Boulevard, Port St. Joe, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of evidence bearing on the location of a proposed Erosion Control Line for the beach erosion control project known as St. Joseph Peninsula Erosion Control Project. The proposed Erosion Control Line lies along St. Joseph Peninsula (Cape San Blas), Gulf County, Florida fronting the Gulf of Mexico at the line of mean high water. The Erosion Control Line lies in:

Sections: 14, 23, 25, 26, 36, Township: 8 South, Range: 12 West

Sections: 1, 12, Township: 9 South, Range: 12 West

Sections: 7, 18, 19 & 20, Township: 9 South, Range: 11 West in Gulf County, FL.

A copy of the agenda may be obtained by contacting: Phil Ciaravella, Bureau of Beaches and Coastal Systems, Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station 300, Tallahassee, FL. 32399-3000, by e-mail at phil.ciaravella@dep.state.fl.us, or by phone at (850)922-7871.

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.

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

The Florida **Department of Environmental Protection, Division of Recreation and Parks** announces a workshop to which all persons are invited.

DATE AND TIME: Tuesday, May 22, 2007, 7:00 p.m. (EDT)

PLACE: Wakulla Springs Lodge, Edward Ball Meeting Room, 550 Wakulla Park Drive, Wakulla Springs, Florida 32327

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presentation and discussion of the proposed land management plan for Edward Ball Wakulla Springs State Park with the public.

A copy of the agenda may be obtained by contacting: Edward Ball Wakulla Springs State Park, 550 Wakulla Park Drive, Wakulla Springs, Florida 32327, (850)224-5950. A copy of the management plan will be available at the park for review. An

electronic version of the plan is available upon request by emailing Ms. BryAnne White at BryAnne.White@dep.state.fl.us

Pursuant to the provisions of 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 Edward Ball Wakulla Springs State Park at (850)224-5950. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Ms. Sandy A. Cook, Park Manager at (850)224-5950.

The Florida **Department of Environmental Protection, Division of Recreation and Parks** announces a workshop to which all persons are invited.

DATE AND TIME: Wednesday, May 23, 2007, 9:00 a.m. (EDT)

PLACE: Wakulla Springs Lodge Terrace, 550 Wakulla Park Drive, Wakulla Springs, Florida 32327

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of the Edward Ball Wakulla Springs State Park proposed land management plan with the Advisory Group Members.

A copy of the agenda may be obtained by contacting: Edward Ball Wakulla Springs State Park, 550 Wakulla Park Drive, Wakulla Springs, Florida 32327, (850)224-5950.

A copy of the management plan will be available at the park for review. An electronic version of the plan is available upon request by emailing Ms. BryAnne White at BryAnne.White@dep.state.fl.us

Pursuant to the provisions of 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 Ball Wakulla Springs State Park at (850)224-5950. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Ms. Sandy A. Cook, Park Manager at (850)224-5950.

The **Department of Environmental Protection, Office of Greenways and Trails** announces a public meeting to which all persons are invited.

DATES AND TIME: May 30-31, 2007, 9:00 a.m. each day

PLACE: Room 170, First Floor, Carr Building, 3800 Commonwealth Blvd., Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Florida Greenways and Trails Council. The Council will discuss projects submitted for land

acquisition under the Florida Greenways and Trails Program and approve a priority list of those projects to be recommended to the Secretary of the Department of Environmental Protection and conduct other business.

A copy of the agenda may be obtained by contacting: Nancy Alvo, Office of Greenways and Trails, 3900 Commonwealth Blvd., Mail Station 795, Tallahassee, FL 32399-3000. Ms. Alvo may also be reached by telephone at (850)245-2052 or by email to Nancy.Alvo@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 Nancy Alvo at (850)245-2052. If you are 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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## DEPARTMENT OF HEALTH

The **Department of Health, Council of Licensed Midwifery** announces a public meeting to which all interested parties are invited.

DATE AND TIME: Monday, May 21, 2007, 10:00 a.m.

PLACE: Department of Health, 4042 Esplanade Way, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: A probable cause panel will meet to consider disciplinary cases against licensed midwives.

A copy of the agenda may be obtained by writing to: Don Freeman, Assistant General Counsel, Florida Department of Health, 4052 Bald Cypress Way, Bin #C-65, Tallahassee, FL 32399 or by calling (850)245-4640.

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The **Board of Chiropractic Medicine**, Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, May 24, 2007, 9:30 a.m.

PLACE: Department of Health, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL. Meet Me Number: 1(888)808-6959, when prompted enter Conference Code: 9849329103.

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

A copy of the agenda may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257.

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.

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

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The **Department of Health, Division of Medical Quality Assurance, Board of Medicine**, Probationers' Committee announces a public meeting to which all persons are invited.

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

PLACE: Marriott Tampa Airport, Tampa International Airport, Tampa, Florida 33607, (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Committee.

A copy of the agenda may be obtained by contacting: Janie Shingles, Medical Compliance Officer, Department of Health, Division of Medical Quality Assurance, Compliance Management Unit, 4052 Bald Cypress Way, Bin #C01, Tallahassee, FL 32399-3251.

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.

Pursuant to the provisions of 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 Janie Shingles at (850)245-4268, ext. 3546. If you are 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 Florida **Board of Medicine**, PCP North Panel announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, May 25, 2007, 3:00 p.m.

PLACE: Meet Me Number: 1(888)808-6959, Conference Code: 2454131

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases for which a determination of probable cause is to be made and to conduct a public meeting to review cases on which probable cause has been made.

A copy of the agenda may be obtained by contacting the Board of Medicine at (850)245-4131.

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.



Pursuant to the provisions of 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).

For more information, you may contact the Board of Medicine at (850)245-4131.

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The Florida **Board of Medicine**, Finance and Statistics Committee announces a meeting to which all persons are invited.

DATE AND TIME: Thursday, May 31, 2007, 3:00 p.m.

PLACE: Hilton Airport Westshore, 2225 North Lois Ave., Tampa, FL 33607, (813)877-6688

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Board.

A copy of the agenda may be obtained by writing to: Larry McPherson, Board Director, Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, 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. A verbatim tape record of the proceeding may be obtained from a court reporter, if present, or an audio record from the Board Director.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)245-4131, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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The Florida **Board of Medicine**, Rules/Legislative Committee announces a meeting to which all persons are invited.

DATE AND TIME: Thursday, May 31, 2007, 4:00 p.m.

PLACE: Hilton Airport Westshore, 2225 North Lois Ave., Tampa, FL 33607, (813)877-6688

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Committee.

A copy of the agenda may be obtained by writing to: Larry McPherson, Board Director, Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, 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. A verbatim tape record of the proceeding may be obtained from a court reporter, if present, or an audio record from the Board Director.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)245-4131, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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### NAVIGATION DISTRICTS

The **West Coast Inland Navigation District** announces the following Board of Commissioners meeting to which all interested parties are invited.

DATE AND TIME: Friday, May 18, 2007, 10:30 a.m.

PLACE: Venice City Hall, 401 West Venice Avenue, Venice, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Navigation District.

A copy of the agenda for this meeting may be obtained by writing: WCIND, P. O. Box 1845, Venice, FL 34284.

No verbatim record will be made of this meeting. Any person wishing to appeal decisions made at this meeting may need to ensure that a verbatim record is made.

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### FLORIDA HOUSING FINANCE CORPORATION

The **Florida Housing Finance Corporation** announces a hearing to which all persons are invited.

DATE AND TIME: May 22, 2007, 10:00 a.m. (Tallahassee local time)

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of bonds by Florida Housing to finance the acquisition and rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Briarwood Apartments, a 102-unit multifamily residential rental development consisting of fifteen buildings located on approximately 26.61 acres with a street address of 3791 County Road 218 and 3793 County Road 218, Middleburg, Clay County, Florida 32068. The prospective owner and operator of the proposed development is 218 Housing Partners, LP, 7865 Southside Blvd., Jacksonville, FL 32256,

or such successor in interest in which Sanford L. Seligman, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Dimension One Management, Inc., 7865 Southside Blvd., Jacksonville, FL 32256. The total tax-exempt bond amount is not to exceed \$4,150,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), May 21, 2007, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

A copy of the agenda may be obtained by contacting Wayne Conner at (850)488-4197.

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.

Pursuant to the provisions of 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 Wayne Conner at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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The **Florida Housing Finance Corporation** announces a hearing to which all persons are invited.

DATE AND TIME: May 22, 2007, 10:00 a.m. (Tallahassee local time)

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of bonds by Florida Housing to finance the acquisition and rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Heritage Villas, a 116-unit multifamily residential rental development consisting of twenty buildings located on approximately 7.24 acres with a street address of 4440 43rd Avenue and 4049 44th Manor, Vero Beach, Indian River County, Florida 32967. The prospective owner and operator

of the proposed development is Indian River RDA, LP, 7865 Southside Blvd., Jacksonville, FL 32256, or such successor in interest in which Sanford L. Seligman, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Dimension One Management, Inc., 7865 Southside Blvd., Jacksonville, FL 32256. The total tax-exempt bond amount is not to exceed \$5,100,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), May 21, 2007, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

A copy of the agenda may be obtained by contacting Wayne Conner at (850)488-4197.

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.

Pursuant to the provisions of 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 Wayne Conner at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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The **Florida Housing Finance Corporation** announces a public meeting to which all persons are invited.

DATES AND TIMES: Wednesday, June 6, 2007, 2:30 p.m. (Eastern Time); Friday, June 22, 2007, 2:30 p.m. (Eastern Time)

PLACE: Rick Seltzer Conference Room, Suite 6000, Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, Florida 32301-1329

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the evaluations of the response(s) submitted for Florida Housing Finance Corporation's Request for Proposals #2007-03 for Financial Advisor Services.

A copy of the agenda may be obtained by contacting Robin Grantham at (850)488-4197.

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.

Pursuant to the provisions of 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 Grantham at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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### **FISH AND WILDLIFE CONSERVATION COMMISSION**

The Florida **Fish and Wildlife Conservation Commission** announces a public meeting to which all persons are invited.

**DATES AND TIME:** June 13-14, 2007, 8:30 a.m. each day

**PLACE:** Radisson Suite Hotel Oceanfront, 3101 North Highway A1A, Melbourne, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To review and discuss substantive and procedural issues associated with the Fish and Wildlife Conservation Commission and to take action on proposed rules and policy issues.

A copy of the agenda may be obtained by contacting: Kathleen Hampton, Florida Fish and Wildlife Conservation Commission, 620 S. Meridian St., Tallahassee, FL 32399-1600.

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.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting the ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Mr. Jim Antista, General Counsel, 620 South Meridian Street, Tallahassee, Florida 32399-1600 or (850)487-1764.

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### **DEPARTMENT OF FINANCIAL SERVICES**

The **Department of Financial Services** announces a public meeting to which all persons are invited.

**DATE AND TIME:** May 21, 2007, 9:00 a.m. – 3:00 p.m.

**PLACE:** Citizens Property Insurance Corporation, Claims Center, 8301 Cypress Drive, Suite 108, Jacksonville, FL 32256  
**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Meeting of the Task Force on Citizens Property Insurance Corporation Claims Handling and Resolution.

A copy of the agenda may be obtained by contacting [www.citizensclaimshandlingtaskforce.org](http://www.citizensclaimshandlingtaskforce.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 Theresa Schneider at (904)407-0390, or e-mail [Theresa.schneider@citizensfla.com](mailto:Theresa.schneider@citizensfla.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).

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The **Department of Financial Services** announces a public meeting to which all persons are invited.

**DATE AND TIME:** June 4, 2007, 9:00 a.m. – 4:00 p.m.

**PLACE:** The Capitol, Senate Office Building, Room 401, Tallahassee, FL 32399

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Meeting of the Task Force on Citizens Property Insurance Corporation Claims Handling and Resolution.

A copy of the agenda may be obtained by contacting [www.citizensclaimshandlingtaskforce.org](http://www.citizensclaimshandlingtaskforce.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 Gloria Strickland at (850)413-2859 or e-mail [gloria.strickland@fldfs.com](mailto:gloria.strickland@fldfs.com). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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The Risk Underwriting Committee of the **Florida Property and Casualty Joint Underwriting Association (FPCJUA)** announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** May 23, 2007, 1:00 p.m.

**PLACE:** Telephone Conference Call: 1(866)259-0754

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General business meeting to discuss operations of the Property and Casualty Joint Underwriting Association.

A copy of the agenda may be obtained by contacting the Florida Property and Casualty Joint Underwriting Association website: <http://www.pcjua.com/RiskUndrgMtg.htm>.

**FINANCIAL SERVICES COMMISSION**

The **Financial Services Commission** announces a hearing on Rule 690-149.002, F.A.C., Scope and Applicability, to which all persons are invited.

DATE AND TIME: May 23, 2007, 9:30 a.m.

PLACE: Room 142, J. Edwin Larson Building, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is a Second Public Hearing on proposed new Rule 690-149.002, Florida Administrative Code, originally published on March 16, 2007 in Vol. 33, No. 2, of the Florida Administrative Weekly. The subject of the hearing is to amend subsection (6) of Rule 690-149.002, F.A.C.

A copy of the agenda may be obtained by contacting: Tracie Lambright, Life and Health Product Review, Office of Insurance Regulation, at e-mail: Tracie.Lambright@fldfs.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 Tracie Lambright, Life and Health Product Review, Office of Insurance Regulation, at e-mail: Tracie.Lambright@fldfs.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Tracie Lambright, Life and Health Product Review, Office of Insurance Regulation, at e-mail: Tracie.Lambright@fldfs.com.

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The **Financial Services Commission** announces a hearing on Rule 690-176.013, Notification of Insured's Rights and Standard Disclosure Form; Personal Injury Protection Benefits, F.A.C., to which all persons are invited.

DATE AND TIME: June 12, 2007, 9:00 a.m., during a regular meeting of the Financial Services Commission

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

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is the Final Public Hearing on the adoption of proposed amendments to Rule 690-176.013, Florida Administrative Code, Notification of Personal Injury Protection Benefits, published on March 22, 2007 in Vol. 33, No. 8, of the F.A.W. No notice of change was published.

A copy of the agenda may be obtained by contacting The Governor and Cabinet Website at <http://www.myflorida.com/myflorida/cabinet/mart.html>. The agenda should be available approximately one week before the cabinet meeting.

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

Pursuant to the provisions of 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: Michael Milnes at E-mail michael.milnes@fldfs.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Michael Milnes at e-mail michael.milnes@fldfs.com.

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The **Citizens Property Insurance Corporation** announces a Board of Governors Meeting to which all interested persons are invited.

DATE AND TIME: Thursday, May 24, 2007, 9:00 a.m. (EDT)

PLACE: Conference Call: 1(866)259-0754

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Items of discussion include, but are not limited to, an update on the 2007 PLA/CLA Financing and a 2007 Legislative Update. For additional information, please call Barbara Walker at 1(800)807-7647, extension 3744.

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 Barbara Walker at least five days prior to the meeting.

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**FLORIDA TELECOMMUNICATION RELAY**

The **Florida Telecommunications Relay, Inc.** announces a regular meeting to which all interested persons are invited.

DATE AND TIME: Monday, May 14, 2007, 1:00 p.m.

PLACE: 1820 E. Park Avenue, Suite 101, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Regular meeting of the Board of Directors.

A copy of the agenda may be obtained by writing: Mr. James Forstall, Executive Director, 1820 E. Park Avenue, Suite 101, Tallahassee, Florida 32301.

The meeting is subject to cancellation for lack of a quorum or unavailability of an interpreter.

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**FLORIDA WORKERS' COMPENSATION INSURANCE GUARANTY ASSOCIATION**

The **Florida Workers' Compensation Insurance Guaranty Association** announces an Audit Committee meeting to which all interested parties are invited to attend.

DATE AND TIME: Tuesday, May 15, 2007, 9:30 a.m. (Eastern Time) – Conclusion

PLACE: Via Teleconference

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Audit Committee of the Florida Workers' Compensation Insurance Guaranty Association will meet regarding the regular business of the Committee.

A copy of the agenda may be obtained by contacting Cathy Irvin at (850)386-9200.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in the meeting is asked to advise the Association by contacting Cathy Irvin at (850)386-9200, at least 48 hours before the session. A person who is hearing or speech impaired may also contact the TDD at 1(800)955-1339.

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The **Florida Workers' Compensation Insurance Guaranty Association** announces an Investment Committee meeting to which all interested parties are invited to attend.

DATE AND TIME: May 23, 2007, 9:30 a.m. (Eastern Time), – Conclusion

PLACE: Hyatt Regency Orlando Airport Hotel, Orlando, Florida 32827

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Investment Committee of the Florida Workers' Compensation Insurance Guaranty Association will meet regarding the regular business of the Committee.

A copy of the agenda may be obtained by contacting Cathy Irvin at (850)386-9200.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in the meeting is asked to advise the Association by contacting Cathy Irvin at (850)386-9200, at least 48 hours before the session if the person wishes to participate.

A person who is hearing or speech impaired may also contact the TDD at 1(800)955-1339.

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The **Florida Workers' Compensation Insurance Guaranty Association** announces a Board of Directors' Meeting to which all interested parties are invited to attend.

DATE AND TIME: May 23, 2007, 10:00 a.m. (Eastern Time), – Conclusion

PLACE: Hyatt Regency, Orlando Airport Hotel, Orlando, Florida 32827

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors of the Florida Workers' Compensation Insurance Guaranty Association will meet regarding the regular business of the Association.

A copy of the agenda may be obtained by contacting Cathy Irvin at (850)386-9200.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in the meeting is asked to advise the Association by contacting Cathy Irvin at (850)386-9200, at least 48 hours before the session.

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#### **TECHNOLOGICAL RESEARCH AND DEVELOPMENT AUTHORITY**

The **Technological Research and Development Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: May 16, 2007, 1:00 p.m.

PLACE: TRDA Business Innovation Center, 1050 West NASA Boulevard, Melbourne, FL 32901

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting of the board of the directors.

A copy of the agenda may be obtained by contacting Dave Kershaw, Deputy Director at (321)872-1050.

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#### **SUNSHINE STATE GOVERNMENTAL FINANCING COMMISSION**

The **Sunshine State Governmental Financing Commission** announces a public meeting, where all interested parties are invited.

DATE AND TIME: Monday, May 21, 2007, 12:15 p.m.

PLACE: Suwannee 11 Room, Rosen Shingle Creek Resort, 9939 Universal Boulevard, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Annual Membership and Board of Directors Business Meetings.

A copy of the agenda may be obtained by contacting Mr. Richard C. Dowdy, Program Administrator at (850)878-1874.

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#### **H. LEE MOFFITT CANCER CENTER AND RESEARCH INSTITUTE**

The **H. Lee Moffitt Cancer Center and Research Institute, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 22, 2007, 1:30 p.m.

PLACE: Stabile Trustees Board Room, 12902 Magnolia Drive, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the general business of the Board of Directors.

A copy of the agenda may be obtained by writing to: Lori Payne, Administration, Moffitt Cancer Center, 12902 Magnolia Drive, SRB-ADM, Tampa, FL 33612.

Persons requiring special accommodations due to disability or physical impairment should contact Ms. Payne, by May 18, 2007.

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**FLORIDA WORKERS' COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC. (FWCJUA)**

The **FWCJUA** announces a Producer Committee teleconference meeting to which all interested parties are invited to attend.

DATE AND TIME: May 24, 2007, 10:00 a.m.

PLACE: To participate in the teleconference meeting, please contact Kathy Coyne at (941)378-7408

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda topics will include approval of the minutes, Agency Producer Agreement change procedures; and agency/producer responsibility to disclose FWCJUA payment options and acceptable payment methodologies.

A copy of the agenda may be obtained from the FWCJUA's website, [www.fwcjua.com](http://www.fwcjua.com) or by contacting Kathy Coyne at (941)378-7408.

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The **FWCJUA** announces an Investment Committee teleconference meeting to which all interested parties are invited to attend.

DATE AND TIME: May 24, 2007, 1:00 p.m.

PLACE: To participate in the teleconference meeting, please contact Kathy Coyne at (941)378-7408

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda topics will include approval of the minutes; investment marketplace update; review of policies and guidelines for the investment of assets and associated matters; review of investment policies and guidelines; review of investment manager performance, to include possibly the selection of an investment manager.

A copy of the agenda may be obtained from the FWCJUA's website [www.fwcjua.com](http://www.fwcjua.com) or by contacting Kathy Coyne at (941)378-7408.

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The **FWCJUA** announces a Rates and Forms Committee teleconference meeting to which all interested parties are invited to attend.

DATE AND TIME: May 29, 2007, 10:00 a.m.

PLACE: To participate in the teleconference meeting, please contact Kathy Coyne at (941)378-7408

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda topics will include approval of the minutes; review of rates, rating plans and policy forms and associated matters to include application forms, the Operations Manual, and forms associated with agency authorization process; actuarial study of loss reserves as of 6/30/2007; program to eliminate the Subplan D deficit as of 12/31/2006; and return of premium dividend.

A copy of the agenda may be obtained from the FWCJUA's website, [www.fwcjua.com](http://www.fwcjua.com) or by contacting Kathy Coyne at (941)378-7408.

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**FLORIDA INDEPENDENT LIVING COUNCIL**

The **Florida Independent Living Council, Inc.** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, May 25, 2007, 11:00 a.m.

PLACE: 1018 Thomasville Road, Suite 100 A, Tallahassee, Florida 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Full Council Teleconference to conduct the regular business of the council.

COMMITTEE AND TASK FORCE MEETINGS: Please note that committees and task forces of the Florida Independent Living Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meetings may request to be put on the mailing list for such notices by writing to Molly Gosline at the council address.

A copy of the agenda may be obtained by contacting: Florida Independent Living Council, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271, (850)488-5624 or toll free 1(877)822-1993.

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.

Pursuant to the provisions of 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 the Florida Independent Living Council, Inc. at (850)488-5624. If you are 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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**FLORIDA SPORTS FOUNDATION**

The **Florida Sports Foundation** announces its quarterly Board of Directors Meeting to which all persons are invited.

DATE AND TIME: Friday, June 15, 2007, 8:00 a.m. – 4:00 p.m.

PLACE: Pelican Beach Resort, 2000 North Ocean Blvd., Ft. Lauderdale, FL 33305, (954)568-9431

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board of Directors Quarterly meeting.

Please make note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above-cited meeting or hearing, he/she will

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.

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### **ADVOCACY CENTER FOR PERSONS WITH DISABILITIES**

The **Advocacy Center for Persons with Disabilities, Inc.**, Florida's Protection and Advocacy System will be holding their Quarterly Board of Directors on:

**DATES AND TIME:** May 18-19, 2007, 9:00 a.m.

**PLACE:** DoubleTree Hotel Tallahassee, Ballroom, 101 South Adams Street, Tallahassee, Florida 32301

For additional information, please contact Dawn Williams or Paige Morgan at (850)488-9071, Ext. 218 or 219.

If you are a person with a disability who needs accommodation in order to attend this meeting, please contact the Advocacy Center for Persons with Disabilities, Inc., 2671 Executive Center Circle West, Suite 100, Webster Building, Tallahassee, Florida 32301, (850)488-9071. If you are hearing and/or voice impaired, please call (800)346-4127.

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## Section VII

### Notices of Petitions and Dispositions Regarding Declaratory Statements

#### **BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

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

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#### **DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

NOTICE IS HEREBY GIVEN THAT on April 24, 2007, the Electrical Contractors' Licensing Board has issued an order disposing of the petition for declaratory statement filed by Michael P. Donaldson, Esquire, on behalf of Outdoor Lighting Perspectives Franchising, Inc. (OLPF) on December 7, 2006. The following is a summary of the agency's disposition of the petition:

The Notice of Petition for Declaratory Statement was published in Vol. 33, No. 10, of the March 9, 2007, F.A.W. Petitioner sought the Board's interpretation of Section 489.505, Florida Statutes, entitled "Definitions" and Rule 61G6-7.001, F.A.C., entitled "Specialty Electrical Contractors," and whether the activities of OLPF as described in the Petition constitutes "electrical contracting" under Section 489.505, Florida Statutes; whether the activities of OLPF as described in the Petition constitutes "special contracting" under Rule

61G6-7.001, F.A.C.; whether OLPF, based on the activities described in the Petition is required to be licensed as an electrical or specialty contractor. The Electrical Contractors' Licensing Board considered the Petition at its meeting held on January 19, 2007, in St. Augustine, Florida. The Board's Order, filed on April 24, 2007, answered the first two questions of the Petition for Declaratory Statement in the negative, finding that the Petitioner's conduct as set forth in the Petition does not constitute electrical or specialty contracting. The Board concludes that the conduct of the Petitioner, as set forth in the Petition, does not require the Petitioner to have an electrical contractor's or specialty electrical contractor's license.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Anthony Spivey, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0783.

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#### **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."

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#### **DEPARTMENT OF HEALTH**

NOTICE IS HEREBY GIVEN THAT the Board of Nursing has declined to rule on the petition for declaratory statement filed by Karen A. Beatty on January 5, 2007. The following is a summary of the agency's declination of the petition: The Petitioner requested that the Board issue a Declaratory Statement determining under the provisions of Section 464.003, F.S., entitled "Definitions," and Chapter 64B9-12, F.A.C., entitled "ADMINISTRATION OF INTRAVENOUS THERAPY BY LICENSED PRACTICAL NURSES," whether it is within the scope of practice for an LPN to perform in psychiatric treatment intramuscular injection of Haldol decanoate, Prolixin decanoate, and Risperdal Consta to patients in their homes without an RN or MD present directly on the premises but available immediately by cell phone. The Board of Nursing considered the Petition at its meeting held on February 8, 2007, in Tallahassee, Florida. The Board's Order, filed on April 5, 2007, dismissed the Petition for Declaratory Statement, finding that the petition is not in substantial compliance with the provisions of Section 120.565, Florida Statutes, and Chapter 28-105, Florida Administrative Code.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Rick Garcia, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259.

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**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**

**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 TRANSPORTATION AUTHORITIES**

**Notice of Bid/Request for Proposal  
REQUEST FOR PROPOSAL NO. 07-723 PROFESSIONAL  
AUDITING SERVICES**

South Florida Regional Transportation Authority (SFRTA) an agency of the state of Florida, operates a seventy-one (71) mile commuter railroad with nineteen (19) stations in Miami-Dade, Broward and Palm Beach Counties.

THE PURPOSE of this Request for Proposal (RFP) is to enter into an Agreement with a Certified Public Accounting Firm to audit the financial statements of SFRTA. The Contractor will perform audits for the fiscal years ending June 30, 2007, June 30, 2008, and June 30, 2009, with the option of auditing SFRTA's financial statements for the next two subsequent years. SFRTA has instituted a mandatory exclusion clause prohibiting any auditing company that has served as the Authority's lead external auditor in the year immediately preceding the procurement shall be ineligible to participate in that procurement as the prime contractor.

A REQUEST FOR DOCUMENTS should be directed to: Bryan Kohlberg, SFRTA, 800 N. W. 33 Street, Suite 100, Pompano Beach, Florida 33064, (954)788-7910. The cost of the solicitation document is \$50.00, non-refundable. Checks or money orders, made in favor of SFRTA should be forwarded to Mr. Kohlberg at the address above. Solicitation documents will be available on or about Monday, May 7, 2007.

A PRE-PROPOSAL CONFERENCE will be held in the SFRTA Board Room at the address above on Wednesday, May 16, 2007 at 10:00 a.m. The purpose of the meeting will be for SFRTA to respond to questions from document holders and clarify requirements in an open forum. Attendance is not mandatory but is highly recommended.

RECEIPT OF SEALED PROPOSALS: All proposals must be received as per the RFP instructions no later than 4:00 p.m. (Eastern Time), on May 30, 2007 at the SFRTA office in Pompano Beach.

SFRTA reserves the right to postpone, accept, or reject any and all proposals in whole or in part. All Proposers must certify that they are not on the State of Florida Comptroller General's List of Ineligible Bidders. All proposals shall remain in effect for One Hundred Eighty (180) days from the RFP submission due date.

DBE PARTICIPATION: SFRTA solicits and encourages Disadvantaged Business Enterprise (DBE) participation. DBEs will be afforded full consideration of their responses and will not be subject to discrimination. SFRTA's DBE program goal is 10% of total contract expenditures.



**NOTIFICATION OF FEDERAL PARTICIPATION:** A portion of this project is funded by a grant from the Federal Transit Administration. Any resultant Agreement shall be subject to all federal rules and regulations.

**CONE OF SILENCE:** Any verbal or written communications between any Proposer (potential or actual), or its representatives and any SFRTA Board Member, staff member, committee member, or consultant regarding this procurement are strictly prohibited from the date of the RFP advertisement through the date of execution of the contract. The only exceptions to this are: (1) written requests regarding information or clarification made to SFRTA's designated contract specialist during the allowable time period under the solicitation; (2) any communications at a publicly noticed meeting of SFRTA; and (3) any communications with the SFRTA Director of Procurement. Any violation of the requirements set forth in this section shall constitute grounds for immediate and permanent disqualification of the Proposer/violator from participation in this procurement.

Christopher C. Bross, CPPO, FCPM  
Director, Procurement

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#### **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."

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#### **FLORIDA HOUSING FINANCE CORPORATION**

##### Notice of Bid/Request for Proposal

##### Request for Proposals 2007-04 – Hearing Officer Services

The Florida Housing Finance Corporation invites all qualified entities wishing to act as Hearing Officer to conduct administrative hearings for and on behalf of Florida Housing Finance Corporation to submit proposals for consideration. Proposals shall be accepted until 2:00 p.m., Eastern Time, Friday, June 15, 2007, to the attention of Robin L. Grantham, Contracts Administrator, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

For questions or additional information, please contact Robin Grantham at (850)488-4197 or [robin.grantham@floridahousing.org](mailto:robin.grantham@floridahousing.org). To obtain a copy of the Request for Proposals, which outlines selection criteria and offeror's responsibilities, please submit your request to the attention of Robin L. Grantham, or you can download the Request for Proposals from the Florida Housing Finance Corporation website at <http://www.floridahousing.org/Home/BusinessLegal/Solicitations/RequestForProposals.htm>.

Any modifications that occur to the Request for Proposals will be posted at the web site and may result in an extension of the deadline.

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#### **FLORIDA DEVELOPMENTAL DISABILITIES COUNCIL**

##### REQUEST FOR PROPOSALS – FDDC #2007-CD-5900

The Florida Developmental Disabilities Council (FDDC) announces the availability of a Request for Proposals. This RFP is being issued to enhance the information base necessary for the FDDC continued efforts to improve the delivery of services to the state's children and adults with developmental disabilities.

Children with developmental disabilities do not have access to the variety of recreational opportunities as do their typical peers. Many have no option but to participate in recreation programs that exclusively serve children with special needs. This essentially segregates children with disabilities from interacting with other children of the same age and similar interests and does not provide for typical learning and social opportunities at their neighborhood parks, playgrounds, pools, recreation centers, and camps. The Americans with Disabilities Act (ADA) requires parks and recreation programs and services to be provided in integrated settings. A number of studies have focused on the value of social and peer relationships between children with and without disabilities in inclusive activities, most of which indicate positive results were achieved for both groups of children.

The primary objective of this project is to promote and expand the inclusion of children with developmental disabilities in existing recreation programs (e.g. YMCA, community park/recreation, private camps, after school, specific sports) by

- 1) Including Inclusion Specialists as part of staff at existing recreation programs for the distinct purpose of facilitating inclusion;
- 2) Increasing and enhancing training and technical assistance provided to administrators and staff members of existing recreation programs; and
- 3) Providing scholarships and partial scholarships to children with developmental disabilities to attend existing recreation programs.

Existing recreation programs (e.g. YMCA, community park/recreation, private camps, after school, specific sports) may submit proposal in response to this RFP. The approximate amount of funds available for project awarded based on this RFP will not exceed \$100,000 of federal grant funds from FDDC. The exact amount of this contract will be developed during contract negotiations.

Copies of this RFP will be available from: Florida Developmental Disabilities Council, 124 Marriott Drive, Suite 203, Tallahassee, FL 32301, (850)488-4180 or Toll Free 1(800)580-7801 or TDD Toll Free 1(888)488-8633. The

deadline for submitting letters of intent (which are requested but not mandatory) and written questions is prior to 4:00 p.m. (EDST), on June 1, 2007. The deadline for submitting proposals is prior to 2:00 p.m. (EDST), on July 20, 2007. Letters of Intent will only be accepted by fax, mail, or hand delivery. Letters of Intent by e-mail will not be accepted.

**EARLY LEARNING COALITION OF SOUTHWEST FLORIDA**

Agency Decisions

Invitation to Negotiate – ITN #SWF-0708

- School Readiness Services
- Inclusion Services
- Resource & Referral Services
- Voluntary Pre-Kindergarten Services (VPK)

Within Lee, Collier, Hendry and Glades Counties

The Early Learning Coalition of Southwest Florida, Inc. has tabulated the results from ITN #SWF-0708. After successful negotiations it is the intent of the Coalition to award a contract to Community Coordinated Care for Children, Inc. as a result of ITN #SWF-0708 for School Readiness, Inclusion, Resource & Referral and VPK services in Lee, Collier, Hendry and Glades Counties.

**PROTESTS AND DISPUTES:** Any person who is adversely affected by the Coalition’s decision concerning a procurement solicitation or Contract award and who wants to protest such decision shall file a protest in compliance with Section 120.57(3), Florida Statutes, and subsection 60A-1.006(6), Florida Administrative Code. Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes.

Any Applicant who desires to file a formal protest to this ITN, must accompany that protest with a bond payable to the Coalition in an amount equal to one percent of the Coalition estimate of the total volume of the Contract or \$5,000, whichever is less, which bond shall be conditioned upon the payments of all costs which may be adjudged against him in the administrative hearing in which the action is brought and in any subsequent appellate court proceeding. In lieu of a bond, the Coalition may accept a cashier's check or a money order in the amount of the bond. Failure to file the proper bond at the time of filing the formal protest will result in a denial of the protest.

Agency Decisions will be available at:

The Early Learning Coalition of Southwest Florida, Inc.  
 12651 McGregor Blvd, Suite 4-402  
 Ft. Myers, FL 33919

Please direct all written inquiries to: (All inquires shall be in writing)

Peter Escayg, Contract Manager  
 12651 McGregor Blvd, Suite 4-402  
 Ft .Myers, FL 33919  
 Peter.Escayg@elcofswfl.org  
 (239)267-4105 Phone  
 (239)267-4109 Fax

**Section XII  
 Miscellaneous**

**DEPARTMENT OF COMMUNITY AFFAIRS**

NOTICE IS HEREBY GIVEN that the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to subsection 380.06(4)(a), Florida Statutes.

FILE NO.: BLIM-05-2007-007  
 DATE RECEIVED: April 27, 2007  
 DEVELOPMENT NAME: ROYAL HIGHLANDS WEST  
 DEVELOPER/AGENT: Glen Lakes Partnership/Richard Matassa  
 DEVELOPMENT TYPE: 28-24.023, F.A.C.  
 LOCAL GOVERNMENT Hernando County  
 FILE NO.: BLIM-006-2007-008  
 DATE RECEIVED: April 27, 2007  
 DEVELOPMENT NAME: ABC/ORANGEWOOD EAST  
 DEVELOPER/AGENT: Grande Lakes, LLC/Cecelia Bonifay  
 DEVELOPMENT TYPE: 28-24.023, 28-24.031, 28-24.020 F.A.C.  
 LOCAL GOVERNMENT Orange County

**RESIDENTIAL CONSTRUCTION MITIGATION PROGRAM – RESIDENTIAL CONSTRUCTION MITIGATION PROGRAM – COMPETITIVE GRANT PROGRAM**

The Division of Emergency Management is providing you with notification of its intent to open the State Fiscal Year 2007-2008 cycle for competitive awards from the Residential Construction Mitigation Program. Funding for SFY 2007-2008 is \$3.4 million.

The RCMP provides competitive grants to state or regional agencies, local governments, and private non-profit/for profit (by RFP process) organizations to implement projects that will further the RCMP program objective of enhancing residential wind mitigation. Eligible applicants may submit multiple applications, however, no

single application shall seek or receive an award in excess of \$200,000 per state fiscal year. All eligible applicants, with the exception of counties and state agencies shall be limited to no more than three (3) application submissions in an application cycle in a state fiscal year and additional one (1) application submission per category.

The Division encourages all interested and eligible parties with projects that will enhance wind mitigation capabilities within the State of Florida to apply for awards during this open period in the following six categories.

#### APPLICATION CATEGORIES:

Applications are accepted in the following six categories:

1. Residential Mitigation Retrofit Program (Retrofit Program): Assistance to primarily low and moderate-income residents, which promotes wind mitigation (including retrofits, education, inspections and related activities). All retrofit or other installation of mitigation devices on residential structures MUST comply with the Blueprint for Safety Standard (BFS). The link to BFS: <http://www.blueprintforsafety.org>. All contractors or installation personnel must be BFS certified. Retrofits/Installations should be 'systemic', i.e. not just shutters, or just roof improvements, but a system that ties together all aspects of wind mitigation/BFS, to the maximum degree possible on the structure to be retrofitted. Where a systemic approach cannot be implemented, this must be clearly justified (i.e., structure has already been partially mitigated or structure does not otherwise require or cannot accept all aspects of BFS). Funding is on the basis of 75%/25%, match may be in-kind or direct. Recipients MUST include pre and post inspections to determine the scope of work and to certify completion. Recipients may contract for installation of BFS compliant retrofits or make allocations to homeowners for retrofit work, to be inspected and certified under the auspices of the subgrantee and the RCMP.
2. Projects that will promote public education and public information about wind mitigation and wind mitigation related areas, including but not limited to maintenance and enhancement of RCMP/wind mitigation on line information availability and program visibility.
3. Projects that encourage and/or increase integration of wind mitigation into comprehensive planning and local mitigation plans and compliance with the State Hazard Mitigation Plan.
4. Projects that will promote market based, non-regulatory approaches to mitigation, including, but not limited to, training in regard to wind mitigation (construction) techniques, products and procedures, codes and standards, and related areas).

5. Projects, which enhance program effectiveness, measurement and attainment of, project goals and recommendations for improvement.
6. Other projects that will further wind mitigation/RCMP objectives, which have been designated by the Program as priorities in the applicable Notice of Fund Availability/RFP.

#### Priority Areas:

A) Projects which implement wind mitigation/projects as identified in the State Hazard Mitigation Plan (SHMP)/(applicable) Local Mitigation Strategy (LMS) and are clearly identified as projects/programs which can be initiated and completed within the grant contract period. The applicant must make clear reference with citations to the applicable sections of the SHMP and provide a copy of the Local Mitigation Strategy priority initiative list reflecting inclusion of their project(s). An endorsement letter from the chair of the county Local Mitigation Strategy Committee or county Director of Emergency Management must be provided. Low/Moderate Income Retrofits are included in this priority area; 'leveraging' of CDBG, SHIP, HMGP, and FMA funds or similar funding streams with RCMP funding is encouraged.

B) Projects, which will provide for product testing, measurement or enhancements, which will improve, wind mitigation in residential structures.

C) Projects, which will address the effectiveness of early warning systems.

D) Projects, which promote residential wind mitigation through the code, trade or construction industries, including related or affiliated programs and organizations.

E) Projects which provide for public awareness about RCMP, its programs including support and maintenance of the RCMP website and on-line applications, including the Mitigation Incentives Database.

Applications must identify which priority is being addressed; multiple priorities may be addressed, but a PRIMARY priority must be identified.

TO DOWNLOAD SECTION 215.559, FLORIDA STATUTES, APPLICATION PACKET AND related information please visit our website at <http://www.floridadisaster.org/brm/rcmp/index.htm>.

Applications must be prepared in conformance with the application packet instructions. Applications must be received on or before June 11, 2007, 4:00 p.m. eastern standard time at the address below:

Shemeeka Hopkins, Community Assistance Consultant  
Division of Emergency Management  
Attention: RCMP  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100  
(850)922-4079

DCA Final Order No.: DCA07-OR-087  
 STATE OF FLORIDA  
 DEPARTMENT OF COMMUNITY AFFAIRS  
 In re: CITY OF MARATHON LAND  
 DEVELOPMENT REGULATIONS  
 ADOPTED BY ORDINANCE NO. 2007-03

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to § 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2006), partially approving and partially rejecting a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and the City of Marathon is a local government within the Florida Keys Area.
2. On March 2, 2007, the Department received for review City of Marathon ("City") Ordinance No. 2007-03 ("Ord. 2007-03").
3. The purpose of Ord. 2007-03 is to amend the City's previously existing Land Development Regulations ("LDR") applicable to the Interim Comprehensive Plan with revised LDRs specific to the City's revised Comprehensive Plan as required by § 163.3202, Fla. Stat. (2006). Ord. 2007-03 amends and restates Chapter 9.5 (The Land Development Regulations) of the City of Marathon City Code; deletes Chapter 19 (Miscellaneous Land Development Regulations) and provides for the repeal of all Code provisions and Ordinances inconsistent with Ord. 2007-03.
4. The Ordinance amends Chapter 100 – General Provisions; Chapter 101 – Administrative Mechanisms; Chapter 102 – Development Application Review Procedures; Chapter 103 – Zoning Districts; Chapter 104 – Specific Use Regulations; Chapter 105 – Design District Guidelines; Chapter 106 – Natural and Historic Resources Protection; Chapter 107 – General Development Standards; Chapter 108 – Nonconformities; Chapter 109 – Violations, Penalties and Enforcement; Chapter 110 – Definitions; and Chapter 111 – Fees; of the City's LDRs. With the exception of the specifically identified portions of Sections 104.01, 106.27 and 106.38, the remaining Chapters are Consistent with the City's Comprehensive Plan.
5. Section 104.01 Level of Review for Use applicable to (1) an Assisted Living Facility, (2) a Group Home, and (3) Hotels or Motels are inconsistent with the City's Comprehensive Plan, Objective 1-3.5 Manage Growth Rate within the City, and Policy 1-3.5.4 Residential

Building Permit Allocation System. Data and analysis accompanying the above referenced Section 104.01 Level of Review for Use provisions was found insufficient.

6. Section 106.27 Jurisdiction and Delineation includes a Keys Wetland Evaluation Procedure (KWEP) score of 7.0 to identify "Red-flag" high functional capacity wetland areas is contrary to existing data and analysis identifying a score of 5.5 in the KEYWEP Technical Summary Document for purposes of distinguishing between moderate and high functioning wetlands.
7. Section 106.38 Exemptions related to activities allowed on submerged lands, mangroves, regulated surface waters, wetlands and wetland buffers is inconsistent with the City's Comprehensive Plan and should further clarify what specific exemption is applicable with regard to the City's permit application process, approval from the Department of Environmental Protection, or the South Florida Water Management District.

CONCLUSIONS OF LAW

8. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Florida Keys Area of Critical State Concern. § 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2006).
9. The City of Marathon is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2006) and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.
10. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2006). The regulations adopted by Ord. 2007-03 are land development regulations.
11. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in § 380.0552(7), Fla. Stat. See *Rathkamp v. Department of Community Affairs*, 21 F.A.L.R. 1902 (Dec. 4, 1998), *aff'd*, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.
12. Ord. 2007-03 promotes and furthers the following Principles:
  - (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
13. Ord. 2007-03 limited to the specifically identified portions of Sections 104.01, 106.27 and 106.38 is inconsistent with the City's Comprehensive Plan and inconsistent with the following Principles:

(b) To protect shoreline and marine resources, including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife, and their habitat.

(c) To protect upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife and their habitat.

(k) To provide adequate alternatives for the protection of public safety and welfare in the event of a natural disaster or manmade disaster and for a post disaster reconstruction plan.

(l) To protect the public health, safety, and welfare of the citizens of the Florida Keys and maintain the Florida Keys as a unique Florida Resource.

14. With the exception of Sections 104.01, 106.27 and 106.38, Or. 2007-03 is not inconsistent with the remaining Principles and is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that, with the exception of Sections 104.01, 106.27 and 106.38, Ord. 2007-03 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED. Specifically identified Sections 104.01, 106.27 and 106.38 are found to be inconsistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and are hereby REJECTED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

\_\_\_\_\_  
 CHARLES GAUTHIER, AICP  
 Director, Division of Community Planning  
 Division of Community Planning  
 Department of Community Affairs  
 2555 Shumard Oak Boulevard  
 Tallahassee, Florida 32399-2100

**NOTICE OF ADMINISTRATIVE RIGHTS**

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN

THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 2nd day of May, 2007.

Paula Ford, Agency Clerk

By U.S. Mail:

Honorable John Bartus, Mayor  
City of Marathon  
10054-55 Overseas Highway  
Marathon, Florida 33050

Cindy Ecklund, City Clerk  
City of Marathon  
10045-55 Overseas Highway  
Marathon, Florida 33050

Mike Puto  
Acting City Manager  
City of Marathon  
10054-55 Overseas Highway  
Marathon, Florida 33050

Jimmy L. Morales, Esq.  
Stearns Weaver Miller Weissler  
Alhadeff & Sitterson, P.A.  
Suite 2200 Museum Tower  
150 West Flagler Street  
Miami, Florida 33130

DCA Final Order No.: DCA07-OR-088  
STATE OF FLORIDA  
DEPARTMENT OF COMMUNITY AFFAIRS  
In re: CITY OF MARATHON LAND  
DEVELOPMENT REGULATIONS  
ADOPTED BY ORDINANCE NO. 2007-04

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to § 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2006), rejecting a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and the City of Marathon is a local government within the Florida Keys Area.
2. On March 2, 2007, the Department received for review City of Marathon ("City") Ordinance No. 2007-04 ("Ord. 2007-04").
3. The purpose of Ord. 2007-04 is to amend the City's previously existing Land Development Regulations ("LDR") applicable to the Interim Comprehensive Plan with revised LDRs specific to the City's revised Comprehensive Plan as required by § 163.3202, Fla. Stat. (2006). Ord. 2007-04 amends the entire City Land Use District Map to provide consistency with the Future Land Use Map, and to reflect the zoning designations established by the City's revised Land Development Regulations.
4. Ord. 2007-04 is inconsistent with the City's 2010 Comprehensive Plan, and the following Future Land Use Map ("FLUM") designations as noted below:

Proposed Land Use District Map

Panel 1: Ord. 2007-04 is inconsistent with the Comprehensive Plan or FLUM.

1. Land Use District ("LUD"): Residential Mobile Home/Mixed Use Maritime

FLUM: Conservation (water/submerged lands)

2. LUD: Mixed Use

FLUM: N/A (water/submerged lands)

3. LUD: Residential Medium

FLUM: Conservation

4. LUD: Public

FLUM: Mixed Use Commercial

5. LUD: Mixed Use

FLUM: Residential Medium

6. LUD: Residential Conservation

FLUM: Recreation

- Multiple locations of submerged lands are included in the zoning designations

Panel 2: Ord. 2007-04 is inconsistent with the Comprehensive Plan or FLUM.

6. LUD: Residential Conservation (also identified in Panel 1)

FLUM: Recreation

- Multiple locations of submerged lands are included in the zoning designations

Panel 3: There are no inconsistencies with the Comprehensive Plan or FLUM.

Panel 4: Ord. 2007-04 is inconsistent with the Comprehensive Plan or FLUM.

- 7. FLUD: Residential Conservation  
FLUM: Conservation

Panel 5: Ord. 2007-04 is inconsistent with the Comprehensive Plan and/or FLUM.

- 7. FLUD: Residential Conservation (also identified in Panel 4)  
FLUM: Conservation

CONCLUSIONS OF LAW

- 5. The Department is required to approve or reject land development regulations that are enacted, amended, or rescinded by any local government in the Florida Keys Area of Critical State Concern. § 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2006).
- 6. The City of Marathon is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2006) and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.
- 7. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2006). The regulations adopted by Ord. 2007-04 are land development regulations.
- 8. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the “Principles”) as set forth in § 380.0552(7), Fla. Stat. See *Rathkamp v. Department of Community Affairs*, 21 F.A.L.R. 1902 (Dec. 4, 1998), *aff’d*, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.
- 9. Ord. 2007-04 is inconsistent with the following Principles:
  - (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
  - (k) To provide adequate alternatives for the protection of public safety and welfare in the event of a natural or manmade disaster and for a post disaster reconstruction plan.
  - (l) To protect the public health, safety, and welfare of the citizens of the Florida Keys and maintain the Florida Keys as a unique Florida Resource.
- 10. Ord. 2007-04 is neutral in effect on the remaining Principles.

11. Ord. 2007-04 is inconsistent with the City’s Comprehensive Plan.

WHEREFORE, IT IS ORDERED that Ord. 2007-04 is found to be inconsistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby REJECTED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

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CHARLES GAUTHIER, AICP  
 Director, Division of Community Planning  
 Division of Community Planning  
 Department of Community Affairs  
 2555 Shumard Oak Boulevard  
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY’S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT’S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT’S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA

ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 2nd day of May, 2007.

Paula Ford, Agency Clerk

By U.S. Mail:  
Honorable John Bartus, Mayor  
City of Marathon  
10054-55 Overseas Highway  
Marathon, Florida 33050

Cindy Ecklund, City Clerk  
City of Marathon  
10045-55 Overseas Highway  
Marathon, Florida 33050

Mike Puto  
Acting City Manager  
City of Marathon  
10054-55 Overseas Highway  
Marathon, Florida 33050

Jimmy L. Morales, Esq.  
Stearns Weaver Miller Weissler  
Alhadeff & Sitterson, P.A.  
Suite 2200 Museum Tower  
150 West Flagler Street  
Miami, Florida 33130

DEPARTMENT OF TRANSPORTATION

Airport Site Approval Order

The Florida Department of Transportation intends to issue an "Airport Site Approval Order," in accordance with Chapter 330, Florida Statutes, "Regulation of Aircraft, Pilots, and Airports" and Chapter 14-60, Florida Administrative Code, "Airport Licensing, Registration, and Airspace Protection" for the following site:



EH-ONE, a private airport, in Hillsborough County, at Latitude 28° 07' 55.12" and Longitude 82° 35' 47.54", to be owned and operated by Mr. Ernest Haire, 16225 Villa Real De Avila, Tampa, FL 33612.

A copy of the Airport Site Approval Order, the Airport's application, the applicable rules, and other pertinent information may be obtained by contacting: Mr. William J. Ashbaker, P.E., State Aviation Manager, Florida Department of Transportation, Aviation Office, 605 Suwannee Street, Mail Station 46, Tallahassee, Florida 32399-0450, (850)414-4500, aviation.fdot@dot.state.fl.us, Website: <http://www.dot.state.fl.us/aviation>

**ADMINISTRATIVE HEARING RIGHTS:** Any person whose substantial interests will be determined or affected by this Airport Site Approval Order has the right, pursuant to Section 120.57, Florida Statutes, to petition for an administrative hearing. The petition for an administrative hearing must conform to the requirements of Rule Chapter 28-106, Florida Administrative Code, and must be filed, in writing, within twenty-one days of the publication of this notice, with the Clerk of Agency Proceedings, Office of General Counsel, Florida Department of Transportation, 605 Suwannee Street, Mail Station 58, Room 550, Tallahassee, Florida 32399-0450. Failure to file a petition within the allowed time constitutes a waiver of any right such person has to request a hearing under Chapter 120, Florida Statutes.

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## 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 (2005), Adly Moto LLC, intends to allow the establishment of DK Cycles, Inc., as a dealership for the sale of motorcycles manufactured by HerChee Industrial Co. Ltd. (HERH) at 1341 Washington Avenue, Miami Beach (Dade County), Florida 33139, on or after May 9, 2007.

The name and address of the dealer operator(s) and principal investor(s) of DK Cycles, Inc. are dealer operator(s): Kiko Sitbon, 1341 Washington Avenue, Miami Beach, Florida 33139 and David Buzaglo, 1341 Washington Avenue, Miami Beach, Florida 33139; principal investor(s): Kiko Sitbon, 1341 Washington Avenue, Miami Beach, Florida 33139 and David Buzaglo, 1341 Washington Avenue, Miami Beach, Florida 33139.

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: Tony Abrams, Director of Sales, 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.

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### Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), Cagiva USA, Inc., intends to allow the establishment of Gulf Coast Motorcycles LLC, as a dealership for the sale of MV Agusta motorcycles (MVAG) at 16090 South Tamiami Trail, Fort Myers (Lee County), Florida 33908, on or after May 5, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Gulf Coast Motorcycles LLC are dealer operator(s): Edward B. Gallo, 6851 Misty Lake Court, Fort Myers, Florida 33908; principal investor(s): Edward B. Gallo, 6851 Misty Lake Court, 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: Lawrence G. Ferracci, Director of Operations, Cagiva USA, Inc., 2300 Maryland Road, Willow Grove, Pennsylvania 19090.

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.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), Kawasaki Motors Corp., USA, intends to allow the establishment of Motorsports Fox Cycle and Marine, Inc., as a dealership for the sale of Kawasaki motorcycles (KAWK) at 1531 U.S. 1 Highway North, Jupiter (Palm Beach County), Florida 33458, on or after July 30, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Motorsports Fox Cycle and Marine, Inc. are dealer operator(s): Craig Fox, 10346 Medicis Place, Wellington, Florida 33467; principal investor(s): Craig Fox, 10346 Medicis Place, Wellington, Florida 33467.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Jim Capps, Regional Sales Director, Kawasaki Motors Corp., USA, 6110 Boat Rock Boulevard Southwest, Atlanta, Georgia 30336-2776.

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.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), Carter Brothers Manufacturing, intends to allow the establishment of Pine Woods Center, Inc. d/b/a Pasco Cycles,

as a dealership for the sale of motorcycles manufactured by Sanyang Industry Co. Ltd. (SANY) at 10312 State Road 52, Hudson (Pasco County), Florida 34669, on or after April 24, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Pine Woods Center, Inc. d/b/a Pasco Cycles are dealer operator(s): Andrew and Connie Hennesey, 9536 Royal Palm Avenue, New Port Richey, Florida 34654; principal investor(s): Andrew and Connie Hennesey, 9536 Royal Palm Avenue, New Port Richey, Florida 34654.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Jack Mullinax, Sales Manager, Carter Brothers Manufacturing, 1871 U.S. Highway 231 South, Brundidge, Alabama 36010.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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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 (2005), notice is given that Yamaha Motor Corporation, USA, intends to allow the establishment of Polaris Powersports of the Nature Coast, Inc. d/b/a Nature Coast Motorsports, as a dealership for the sale of Riva (RIVA) and Yamaha motorcycles at 6250 Northwest 126 Place, Chiefland, (Levy County), Florida 32626, on or after June 15, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Polaris Powersports of the Nature Coast, Inc. d/b/a Nature Coast Motorsports are dealer operator(s): Lars Eric Langlo, 55 North Fresno Avenue, Hernando, Florida 34442; principal investor(s): Lars Eric Langlo, 55 North Fresno Avenue, Hernando, Florida 34442,

Marion L. Langlo, 604 West Massachusetts Street, Hernando, Florida 34442 and Lars Herbert Langlo, 604 West Massachusetts Street, Hernando, Florida 34442.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900, Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Richard Tilley, Legal Counsel, Yamaha Motor Corporation, USA, 6555 Katella Avenue, Cypress, California 90630.

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.

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#### Notice of Publication for a New Point

##### Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), Tank Sports, Inc., intends to allow the establishment of Richland Auto Mall, Inc., as a dealership for the sale of KTMEX motorcycles (KTM) at 9429 Old Lakeland Highway, Dade City (Pasco County), Florida 33525, on or after April 25, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Richland Auto Mall, Inc. are dealer operator(s): Stephen E. Hussey, 9429 Old Lakeland Highway, Dade City, Florida 33525; principal investor(s): Stephen E. Hussey, 9429 Old Lakeland Highway, Dade City, Florida 33525.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be

submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Mike Turber, National Sales Manager, Tank Sports, Inc., 10925 Schmidt Road, El Monte, California 91733.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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#### Notice of Publication for a New Point

##### Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), A & A Scooters, Inc., intends to allow the establishment of Road Power USA LLC, as a dealership for the sale of motorcycles manufactured by Astronautical Bashan Motorcycle Manufacturing Co. Ltd. (BASH) at 927 North 3rd Street, Jacksonville Beach (Duval County), Florida 32250, on or after May 1, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Road Power USA LLC are dealer operator(s): Jim Lee, 927 North 3rd Street, Jacksonville Beach, Florida 32250; principal investor(s): Jim Lee, 927 North 3rd Street, Jacksonville Beach, Florida 32250.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Leah Jordan, Sales and Licensing Specialist, A & A Scooters, Inc., 11639 Emerald Street, Suite 100, Dallas, Texas 75229.

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.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), STR Motorsports, Inc., intends to allow the establishment of Ron Turner Cycles, Inc., as a dealership for the sale of KYMCO motorcycles (KYO) at 10315 Beach Boulevard, Jacksonville (Duval County), Florida 32246, on or after April 25, 2007.

The name and address of the dealer operator(s) and principal investor(s) of STR Motorsports, Inc. are dealer operator(s): Ron Turner, 3750 Vickers Lake Drive, Jacksonville, Florida 32224; principal investor(s): Ron Turner, 3750 Vickers Lake Drive, Jacksonville, Florida 32224.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Bruce Ramsey, Vice President of Sales and Marketing, KYMCO USA, 5 Stan Perkins Road, Spartanburg, South Carolina 29307.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), Genuine Scooters LLC, intends to allow the establishment of Scooter Worx, Inc. d/b/a Scooter Superstore of America, as a dealership for the sale of motorcycles manufactured by Motive Power Industry Co. Ltd. (MOTI) at 2300 North 23rd Avenue, Hollywood (Broward County), Florida 33020, on or after April 30, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Scooter Worx, Inc. d/b/a Scooter Superstore of America are dealer operator(s): Peter Warrick, 2311 Thomas Street, Hollywood, Florida 33020; principal investor(s): Peter Warrick, 2311 Thomas Street, Hollywood, Florida 33020.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Jim Kolbe, Sr. Vice President, 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.

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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 (2005), notice is given that Genuine Scooters LLC, intends to allow the establishment of Tokam, Inc. d/b/a Honda of Key West, as a dealership for the sale of motorcycles manufactured by Motive Power Industry Co. Ltd. (MOTI) at 417 Southard Street, Key West (Monroe County), Florida 33040, on or after May 1, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Tokam, Inc. d/b/a Honda of Key West are dealer operator(s): Victor Mills, 417 Southard Street, Key West, Florida 33040; principal investor(s): Victor Mills, 417 Southard Street, Key West, Florida 33040.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Jim Kolbe, Sr. Vice President, 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.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), Genuine Scooters LLC, intends to allow the establishment of Triumph South Florida LLC d/b/a Pure Triumph Fort Lauderdale, as a dealership for the sale of motorcycles manufactured by Motive Power Industry Co. Ltd. (MOTT) at 1880 South Federal Highway, Fort Lauderdale (Broward County), Florida 33316, on or after May 1, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Triumph South Florida LLC d/b/a Pure Triumph Fort Lauderdale are dealer operator(s): Martyn Graham, 1880 South Federal Highway, Fort Lauderdale, Florida 33316; principal investor(s): Martyn Graham, 1880 South Federal Highway, Fort Lauderdale, Florida 33316.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Jim Kolbe, Sr. Vice President, 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.

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**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."

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**LAND AND WATER ADJUDICATORY COMMISSION**

**MYAKKA RANCH COMMUNITY DEVELOPMENT  
DISTRICT**

On December 6, 2006, the Florida Land and Water Adjudicatory Commission ("FLWAC" or "Commission") received a petition to establish the Myakka Ranch Community Development District (the "District"). The Commission received supplements to the petition from Petitioner on January 19, 22, and 25, 2007, and February 2, 22, and 26, 2007. The Commission will follow the requirements of Chapter 42-1, Florida Administrative Code (F.A.C.), as amended, and Chapter 190, Florida Statutes (F.S.), as amended, in ruling on this petition, as supplemented.

**SUMMARY OF CONTENTS OF PETITION:** The petition, as supplemented, filed by Resource Conservation of Sarasota, LLC, requests the Commission to establish a community development district located entirely within the unincorporated area of Sarasota County, Florida. The land area proposed to be served by the District comprises approximately 1,055 acres. A general location map is contained as Exhibit 1 to the petition, as supplemented, to establish the District. The Petitioner either owns or has written consent to establish the District from the owners of 100% of the real property located within the proposed District. The development is planned for approximately 375 single family residential units. The District contemplates providing certain master infrastructure improvements within the boundaries to include stormwater management and wetlands mitigation maintenance services, roadways and potable water and sanity sewer service to all of these residences.

**SUMMARY OF ESTIMATED REGULATORY COSTS:** The statement of estimated regulatory costs (SERC) supports the petition, as supplemented, to establish the District. The complete text of the SERC is contained as Exhibit 4 to the petition, as supplemented. The requirements for a SERC are found in Section 120.541(2), F.S. A SERC must contain (a) a good faith estimate of the number of individuals and entities likely to be required to comply with the rule, together with a description of the types of individuals likely to be affected by the rule; (b) a good faith estimate of the costs to the agency, and to any other state and local government entities, of

implementing and enforcing the proposed rule, and any anticipated effect on state or local revenues; (c) a good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local governmental entities, required to comply with the requirements of the rule; (d) an analysis of the impact on small businesses, small counties, and small cities; (e) any additional information that the agency determines may be useful; and (f) any good faith written proposal submitted under section (a) and either a statement adopting the alternative or a statement rejecting the alternative in favor of the proposed rule. Addressing section (a), the principal entities that are likely to be required to comply with the rule include the District, the State of Florida, and Sarasota County. Under section (b), FLWAC and the State of Florida will incur modest administrative costs. Sarasota County will incur modest costs resulting from the initial review and on-going costs resulting from the on-going administration of the District. There is a filing fee paid to Sarasota County to offset any costs it may incur. Adoption of the proposed rule to approve the formation of the District will not have an adverse impact on State and local revenues. Addressing section (c), the District may levy non-ad valorem special assessments on properties within its boundaries to finance infrastructure that the District funds and to defray the costs of operating and maintaining the infrastructure and associated community facilities. The District may issue notes, bonds, or other indebtedness to fund its improvement program. Prospective future land owners would be required to pay off such indebtedness over time in the form of non-ad valorem special assessments or other rates, fees or charges. The District may also impose an annual levy for the operation and maintenance of the District. Under section (d), approval of the petition, as supplemented, to establish the District will have no impact or a positive impact on all small businesses. The petition, as supplemented, to establish the District will not have an impact on small counties as defined by Section 120.52, F.S., as Sarasota County is not defined as a small county. Under section (e), the analysis provided in the SERC was based on a straightforward application of economic theory. Input was received from the Petitioner’s engineer and other professionals associated with the Petitioner.

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

**DATE AND TIME:** Friday, May 25, 2007, 9:00 a.m.

**PLACE:** Holiday Inn Lakewood Ranch  
6231 Lake Osprey Drive  
Sarasota, Florida

Any person requiring a special accommodation to participate in the hearing because of a disability should contact Kevin S. Hennessy, Lewis, Longman & Walker, P.A., (941)708-4040, at least two (2) business days in advance in order to provide sufficient opportunity to make appropriate arrangements.

Copies of the petition may be obtained by contacting: Kevin S. Hennessy, Lewis, Longman & Walker, P.A., 1001 3rd Avenue West, Suite 670, Bradenton, Florida, (941)708-4040 or Barbara Leighty, Florida Land and Water Adjudicatory Commission, Office of Policy and Budget, Executive Office of the Governor, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, (850)487-1884.

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**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.”

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**NOTICE OF AVAILABILITY**

**FLORIDA FINDING OF NO SIGNIFICANT IMPACT**

The Department of Environmental Protection has determined that Wakulla County’s proposed construction of wastewater collection, transmission, treatment, and disposal facilities will not have a significant adverse impact on the environment. The total estimated construction cost is \$19,569,000. 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 Finding of No Significant Impact can be obtained by writing to: Gary F. Swagart, Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400 or contact him at (850)245-8374 or by email at [gary.swagart@dep.state.fl.us](mailto:gary.swagart@dep.state.fl.us).

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**NOTICE OF INTENT TO GRANT VARIANCE**

The Department of Environmental Protection gives notice of its intent to grant a variance under Sections 403.201 and 373.414(17), Florida Statutes (F.S.), from the provisions of paragraph 62-4.244(5)(c), F.A.C., to the U.S. Department of Navy, Naval Air Station, P. O. Box 9001, Key West, Florida 33040-90017601, to establish a temporary mixing zone for turbidity greater than 150 meters within an area of Class III Waters located in the Straits of Florida, where it passes through the Florida Keys National Marine Sanctuary, which is classified as an Outstanding Florida Waterbody (The request for variance was submitted as a modification to Variance No 0207625-008-EV).

The existing ambient water quality within the temporary mixing zone located in Outstanding Florida Waters shall not be lowered as a result of the dredging activities for a period greater than 30 days, pursuant to Rule 62-4.242, F.A.C. The U.S. Department of the Navy shall abide by the conditions of Environmental Resource Permit 0207625-002-EM (as modified) as specified in the subject variance.

There is no practical means known for adequate control of elevated turbidity given the exceptional ecological nature of the receiving waters. Therefore, the Department intends to issue a variance, pursuant to Section 403.201(1)(a), F.S., for a temporary mixing zone for turbidity greater than 150 meters within an area of Class III Waters within an Outstanding Florida Waterbody for a period not to exceed thirty days.

The Department's file (file no. 0207625-011-EV) on this matter is available for public inspection during normal business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday, except legal holidays, at the Florida Department of Environmental Protection, Bureau of Beaches and Coastal Systems, 5050 West Tennessee Street, Building B, Tallahassee, Florida, Telephone (850)413-7765, Attention Donna Kendall.

Under this intent to issue, this variance is hereby granted subject to the applicant's compliance with any requirement to publish notice of this intent in a newspaper of general circulation and to provide proof of such publication in accordance with Section 50.051, Florida Statutes. This action is final and effective on the date filed with the Clerk of the Department unless a sufficient petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, Florida Statutes as provided below. If a sufficient petition for an administrative hearing is timely filed, this intent to issue automatically becomes only proposed agency action on the application, subject to the result of the administrative review process. Therefore, on the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. When proof of publication is provided, if required by this intent, and if a sufficient petition is not timely filed, the variance will be issued as a ministerial action. Because an administrative hearing may result in the reversal or substantial modification of this action, the applicant is advised not to commence construction or other activities until the deadlines noted below for filing a petition for an administrative hearing or request for an extension of time have expired and until the variance has been executed and delivered. Mediation is not available.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received by the clerk) in the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Under subsection 62-110.106(4), Florida Administrative Code, a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department, 3900

Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

If a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Intervention will be permitted only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, Florida Administrative Code.

In accordance with subsection 28-106.111(2) and subparagraph 62-110.106(3)(a)4., F.A.C., petitions for an administrative hearing by the applicant must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), Florida Statutes, must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first. Under Section 120.60(3), Florida Statutes, however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, Florida Statutes.

A petition that disputes the material facts on which the Department's action is based must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;

(f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action; and

(g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301 of the Florida Administrative Code. Under paragraphs 120.569(2)(c) and (d) of the Florida Statutes, a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This intent to issue a variance constitutes an order of the Department. Subject to the provisions of Section 120.68(7)(a), Florida Statutes, which may require a remand for an administrative hearing, the applicant has the right to seek judicial review of the order under Section 120.68 of the Florida Statutes, by the filing of a notice of appeal under rule 9.110 of the Florida Rules of Appellate Procedure with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the order is filed with the Clerk of the Department.

**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, comment deadlines and the address for providing comments are available at: <http://approd.dep.state.fl.us/clearinghouse/>. For information, call (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

**DEPARTMENT OF HEALTH**

**Notice of Emergency Action**

On May 1, 2007, Ana M. Viamonte Ros, M.D., M.P.H., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Jeffrey Calaluca, D.P.M., license number P. O. 1973. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On April 25, 2007, Ana M. Viamonte Ros, M.D., M.P.H., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Lynn Marie Moore, L.P.N., license number RN 5173252. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On April 25, 2007, Ana M. Viamonte Ros, M.D., M.P.H., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Robbye Dane Villarreal, R.N., license number RN 9200049. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

**FINANCIAL SERVICES COMMISSION**

**NOTICE OF FILINGS**

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institution, has received the following applications. Comments may be submitted to the Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition with the Clerk, Legal Services Office, Office of Financial Regulation, Division of Financial Institutions, 200 East Gaines Street, Tallahassee, Florida 32399-0379. The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 P.M., June 1, 2007):

**APPLICATION TO MERGE**

Constituent Institutions: Vision Bank, Panama City, Florida and Vision Bank, Gulf Shores, Alabama  
 Resulting Institution: Vision Bank, Florida  
 Received: April 27, 2007

**APPLICATION FOR A NEW FINANCIAL INSTITUTION**

Applicant and Proposed Location: Florida Traditions Bank, 14033 8th Street, Dade City, Pasco, Florida 33525  
 Correspondent: John P. Greeley, Esquire, 255 South Orange Avenue, Suite 800, Orlando, Florida 32801  
 Received: May 1, 2007



**Section XIII**  
**Index to Rules Filed During Preceding Week**

**RULES FILED BETWEEN April 23, 2007  
 and April 27, 2007**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF COMMUNITY AFFAIRS**

**Division of Housing and Community Development**

9B-1.002	4/23/07	5/13/07	31/30	32/48
9B-1.003	4/23/07	5/13/07	31/30	32/48
9B-1.004	4/23/07	5/13/07	31/30	32/48
9B-1.006	4/23/07	5/13/07	31/30	32/48
9B-1.007	4/23/07	5/13/07	31/30	32/48
9B-1.009	4/23/07	5/13/07	31/30	32/48
9B-1.0095	4/23/07	5/13/07	31/30	32/48
9B-1.010	4/23/07	5/13/07	31/30	32/48
9B-1.016	4/23/07	5/13/07	31/30	32/48
9B-1.017	4/23/07	5/13/07	31/30	32/48
9B-1.020	4/23/07	5/13/07	31/30	32/48
9B-1.0211	4/23/07	5/13/07	31/30	32/48
9B-1.0221	4/23/07	5/13/07	31/30	32/48
9B-1.028	4/23/07	5/13/07	31/30	32/48
9B-1.030	4/23/07	5/13/07	31/30	32/48

**WATER MANAGEMENT DISTRICTS**

**Suwannee River Water Management District**

40B-4.1020	4/23/07	5/13/07	33/8	
40B-4.1090	4/23/07	5/13/07	33/8	
40B-4.3030	4/23/07	5/13/07	33/8	

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Office of Licensure and Certification**

59A-4.200	4/25/07	5/15/07	33/5	33/12
59A-4.201	4/25/07	5/15/07	33/5	33/12
59A-4.2015	4/25/07	5/15/07	33/5	33/12
59A-4.202	4/25/07	5/15/07	33/5	33/12
59A-4.204	4/25/07	5/15/07	33/5	33/12
59A-4.205	4/25/07	5/15/07	33/5	33/12
59A-4.206	4/25/07	5/15/07	33/5	33/12

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Appraisal Board**

61J1-3.004	4/24/07	5/14/07	33/11	
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**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Division of Beaches and Shores**

62B-49.001	4/27/07	5/17/07	32/40	
62B-49.002	4/27/07	5/17/07	32/40	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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62B-49.003	4/27/07	5/17/07	32/40	
62B-49.004	4/27/07	5/17/07	32/40	
62B-49.005	4/27/07	5/17/07	32/40	
62B-49.006	4/27/07	5/17/07	32/40	33/11
62B-49.007	4/27/07	5/17/07	32/40	
62B-49.008	4/27/07	5/17/07	32/40	33/11
62B-49.009	4/27/07	5/17/07	32/40	
62B-49.010	4/27/07	5/17/07	32/40	
62B-49.011	4/27/07	5/17/07	32/40	33/11
62B-49.012	4/27/07	5/17/07	32/40	
62B-49.013	4/27/07	5/17/07	32/40	33/11

**DEPARTMENT OF JUVENILE JUSTICE**

**Education**

63B-1.001	4/27/07	5/17/07	33/10	
63B-1.002	4/27/07	5/17/07	33/10	
63B-1.003	4/27/07	5/17/07	33/10	
63B-1.004	4/27/07	5/17/07	33/10	
63B-1.005	4/27/07	5/17/07	33/10	
63B-1.006	4/27/07	5/17/07	33/10	
63B-1.007	4/27/07	5/17/07	33/10	

**Direct Support Organizations**

63J-1.001	4/27/07	5/17/07	33/8	
63J-1.002	4/27/07	5/17/07	33/8	
63J-1.003	4/27/07	5/17/07	33/8	
63J-1.004	4/27/07	5/17/07	33/8	

**County and Municipal Juvenile Program**

63K-1.001	4/27/07	5/17/07	33/12	
63K-1.002	4/27/07	5/17/07	33/12	
63K-1.003	4/27/07	5/17/07	33/12	
63K-1.004	4/27/07	5/17/07	33/12	

**DEPARTMENT OF HEALTH**

**Board of Nursing**

64B9-4.011	4/24/07	5/14/07	33/12	
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**Division of Environmental Health**

64E-3.0032	4/24/07	5/14/07	33/7	
64E-3.011	4/24/07	5/14/07	33/7	

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Economic Self Sufficiency Program**

65A-4.209	4/27/07	5/17/07	33/1	33/12
65A-4.210	4/27/07	5/17/07	33/5	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.	Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
<b>FISH AND WILDLIFE CONSERVATION COMMISSION</b>									
<b>Marine Fisheries</b>									
68B-14.001	4/27/07	7/1/07	33/10	33/17	69T-8.007	4/25/07	5/15/07	33/8	
68B-14.0035	4/27/07	7/1/07	33/10	33/17	69T-8.008	4/25/07	5/15/07	33/8	
68B-14.00355	4/27/07	7/1/07	33/10	33/17	69T-8.009	4/25/07	5/15/07	33/8	
68B-14.0036	4/27/07	7/1/07	33/10	33/17	<b>Securities</b>				
68B-14.0045	4/27/07	7/1/07	33/10	33/17	69W-200.001	4/25/07	5/15/07	33/8	
68B-14.005	4/27/07	7/1/07	33/10	33/17	69W-300.002	4/25/07	5/15/07	33/8	
68B-28.003	4/27/07	7/1/07	33/10	33/17	69W-400.001	4/25/07	5/15/07	33/8	
68B-28.0035	4/27/07	7/1/07	33/10	33/17	69W-400.003	4/25/07	5/15/07	33/8	
<b>DEPARTMENT OF FINANCIAL SERVICES</b>					69W-500.004	4/25/07	5/15/07	33/8	
<b>Funeral and Cemetery Services</b>					69W-600.001	4/25/07	5/15/07	33/8	
69K-12.011	4/26/07	5/16/07	33/10		69W-600.0015	4/25/07	5/15/07	33/8	
<b>Indexing Agency Orders</b>					69W-600.002	4/25/07	5/15/07	33/8	
69T-8.001	4/25/07	5/15/07	33/8		69W-600.004	4/25/07	5/15/07	33/8	
69T-8.002	4/25/07	5/15/07	33/8		69W-600.006	4/25/07	5/15/07	33/8	
69T-8.003	4/25/07	5/15/07	33/8		69W-600.009	4/25/07	5/15/07	33/8	
69T-8.004	4/25/07	5/15/07	33/8		69W-600.0091	4/25/07	5/15/07	33/8	
69T-8.005	4/25/07	5/15/07	33/8		69W-600.0092	4/25/07	5/15/07	33/8	
69T-8.006	4/25/07	5/15/07	33/8		69W-600.0093	4/25/07	5/15/07	33/8	
					69W-600.014	4/25/07	5/15/07	33/8	
					69W-700.005	4/25/07	5/15/07	33/8	