

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF REVENUE

Sales and Use Tax

| RULE NOS.: | RULE TITLES: |
|------------|---|
| 12A-1.096 | Industrial Machinery and Equipment for Use in a New or Expanding Business |
| 12A-1.097 | Public Use Forms |

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12A-1.096, F.A.C. (Industrial Machinery and Equipment for Use in a New or Expanding Business), is to: (1) incorporate the provisions of Chapter 2006-56, L.O.F., which amends Section 212.08(5)(b), F.S. (Machinery and equipment used to increase productive output); and (2) revise the guidelines consistent with Section 212.08(5)(b), F.S., for the administration of the exemption provided for industrial machinery and equipment used in a new or expanding business.

Chapter 2006-56, L.O.F., deletes the \$50,000 tax threshold per calendar year on the purchase of industrial machinery and equipment used to increase productive output by certain industries. All industries will no longer be required to meet the \$50,000 tax threshold per calendar year. This law also revises the exemption for machinery and equipment used in mining operations by removing the requirement that the exemption is only available by taking a credit against severance taxes and the requirement that mining operations must show an increase in the creation of new jobs. The proposed amendments remove these requirements from the rule.

The proposed amendments clarify that a “fixed location” is a location or plant site that is used, or intended to be used, on a continuous basis for an extended or indefinite period of time for spaceport activities or for manufacturing, processing, compounding, or producing items of tangible personal property for sale. Examples are added to the definition of the term “physically comparable” for clarity. The term “production process” is clarified to mean that the production process may include quality control activities after the items have been packaged, such as good manufacturing practices as mandated by the Federal Food and Drug Administration to detect adulterated food or food that has been prepared, packaged, or held under insanitary conditions, and to incorporate provisions regarding equipment used for research and development activities and other pre-production activities. The proposed amendments define the terms “purchase,” and “purchase agreement” for purposes of the exemption.

The proposed amendments revise the provisions describing the terms “new business” and “expanding business.” Pursuant to the proposed amendments, businesses that purchase additional

machinery and equipment to begin manufacturing component parts for existing lines of products that were previously purchased from vendors will be classified as an “expanding business” and will be required to meet the statutory requirement to increase productive output. For these expanding businesses, that statutory requirement will be met when the first component part is manufactured for existing lines of products as the production of that first component part represents a 100 percent increase in productive output of that component part. In addition, the proposed amendments clarify that the physical productive output measurement must be based on physical production data that is directly relevant to the business and/or product(s) being produced.

The proposed amendments clarify that an application for refund must meet the requirements of Section 213.255(2) and (3), F.S., and Rule 12-26.003, F.A.C., to be considered complete.

The proposed amendments provide additional examples of types of industrial machinery and equipment to clarify whether post-production machinery and equipment used for refrigerated, frozen, or heated storage of finished good inventory qualifies for the exemption. Provisions are added to clarify that conveyors used to transport work-in-process within the production line at the fixed location will qualify for exemption. Additional examples are provided, and obsolete provisions are removed, to clarify whether computers and related equipment will be considered a part of the production process and qualify for exemption. Obsolete provisions regarding agricultural equipment, which became fully exempt under the provisions of Section 212.08(3), F.S., as amended in 2005, are removed. Additional provisions are included to clarify whether office equipment, security systems, motor vehicles, and locomotives or railroad cars will qualify for the exemption.

The purpose of the proposed amendments to Rule 12A-1.097, F.A.C. (Public Use Forms), is to adopt, by reference, changes to Form DR-1214, Application for Temporary Tax Exemption Permit.

SUBJECT AREA TO BE ADDRESSED: The subject area of the workshop is: (1) the proposed amendments to Rule 12A-1.096, F.A.C., that incorporate the provisions of s. 212.08(5)(b), F.S. (Machinery and equipment used to increase productive output), as amended by Chapter 2006-56, L.O.F.; (2) the proposed revisions to the guidelines provided in Rule 12A-1.096, F.A.C., regarding the exemption provided for industrial machinery and equipment used in a new or expanding business; and (3) the proposed changes to Form DR-1214, Application for Temporary Tax Exemption Permit.

SPECIFIC AUTHORITY: 201.11, 202.17(3)(a), 202.22(6), 202.26(3), 212.0515(7), 212.07(1)(b), 212.08(5)(b)4., (7), 212.11(5)(b), 212.12(1)(b)2., 212.17(6), 212.18(2), (3), 213.06(1), 376.70(6)(b), 376.75(9)(b), 403.718(3)(b), 403.7185(3)(b), 443.171(2), (7) FS.

LAW IMPLEMENTED: 92.525(1)(b), (3), 95.091, 125.0104, 125.0108, 201.01, 201.08(1)(a), 201.133, 201.17(1)-(5), 202.11(2), (3), (6), (16), (24), 202.17, 202.22(3)-(6), 202.28(1), 203.01, 212.02, 212.03, 212.0305, 212.031, 212.04, 212.05, 212.0501, 212.0515, 212.054, 212.055, 212.06, 212.0606, 212.07(1), (8), (9), 212.08, 212.084(3), 212.085, 212.09, 212.096, 212.11(1), (4), (5), 212.12(1), (2), (9), (13), 212.13, 212.14(5), 212.17, 212.18(2), (3), 213.235, 213.255(2), (3), 213.29, 213.37, 215.26, 219.07, 288.1258, 376.70, 376.75, 403.717, 403.718, 403.7185, 443.036, 443.121(1), (3), 443.131, 443.1315, 443.1316, 443.171(2), (7) FS.

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

DATE AND TIME: January 24, 2007, 10:00 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Larry Green at (850)922-4830. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Jeffery L. Soff, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4719

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12A-1.096 Industrial Machinery and Equipment for Use in a New or Expanding Business.

(1) Definitions – The following terms and phrases when used in this rule shall have the meaning ascribed to them except where the context clearly indicates a different meaning:

(a) “Fixed location” means ~~a being permanently affixed to one (1) location or plant site that is used, or intended to be used, on a continuous basis for an extended or indefinite period of time for spaceport activities or for manufacturing, processing, compounding, or producing items of tangible personal property for sale.~~ The term also includes any portable plant ~~that which~~ is set up for a period of not less than six months in a stationary manner so as to perform the same industrial manufacturing, processing, compounding, or production process that could be performed at a permanent location or plant site. The geographical limits of the fixed location for purposes of this rule are limited to the immediate permanent location or plant site. Facilities or plant units that

are within the same building, or that are on the same parcel of land if not contained in a building, are considered to be one fixed location.

(b) “Industrial machinery and equipment” means tangible personal property or other property with a depreciable life of 3 years or more that is used as an integral part in the manufacturing, processing, compounding, or production of tangible personal property for sale or is exclusively used in spaceport activities. Buildings and their structural components are not industrial machinery and equipment unless the building or structural component is so closely related to the industrial machinery and equipment that it houses or supports that the building or structural component can be expected to be replaced when the machinery and equipment itself is replaced. Heating and air conditioning systems are not considered industrial machinery and equipment, unless the sole justification for their installation is to meet the requirements of the production process, even though the system may provide incidental comfort to employees, or serves, to an insubstantial degree, ~~nonproduction non-production~~ activities. For example, a dehumidifier installed for the sole purpose of conditioning air in a factory, where the manufacturing of electronic components requires a controlled-humidity environment, will be considered industrial machinery and equipment. (See subsection ~~(8)(9)~~ of this rule.)

(c) “Integral to” means that the machinery and equipment provides a significant function within the production process, such that the production process could not be complete without that machinery and equipment.

(d) “Manufacture, process, compound, or produce for sale” means the various industrial operations of a business where raw materials will be put through a series of steps to make an item of tangible personal property that will be sold. The industrial operations must bring about a change in the composition or physical nature of the raw materials. Where materials are merely repackaged or redistributed, those operations are not manufacturing, processing, compounding, or producing for sale. The item of tangible personal property may be sold to another manufacturer for further processing or for inclusion as a part in another item of tangible personal property that will be sold, or the item may be sold as a finished product to a wholesaler or an end consumer. The business performing the manufacturing, processing, compounding, or production process may or may not own the raw materials. However, the phrase “manufacture, process, compound, or produce for sale” does not include fabrication, alteration, modification, cleaning, or repair services performed on items of tangible personal property belonging to others where such items of tangible personal property are not for sale.

~~(e) “Mining activities” means phosphate and other solid minerals severance, mining, or processing operations. Mining activities end at the point where the mineral is readily~~

identifiable as the final product of mining or where it is ready to be compounded or mixed with other materials to form a new material. (See subsection (4) of this rule.)

(e)(f) “Physically comparable” means the similarity or equivalency of the characteristics of the items of tangible personal property being manufactured, processed, compounded or produced. Physical comparability applies to the units used to measure the increase in productive output of an expanding business.

1. Example: All models of microwave ovens made by a manufacturer, regardless of specific features, would be physically comparable. However, if the manufacturer also made coffee makers, the coffee makers would not be physically comparable to microwave ovens, even though both items are generally considered small kitchen appliances.

2. Example: A beverage manufacturer produces a variety of soft drinks in various sized cans and bottles. The production of the various sized cans and bottles of soft drinks are not physically comparable. However, production is physically comparable when converted to a common physical unit, such as gallons of product.

(f)(g) “Production process” or “production line” means those industrial activities beginning when raw materials are delivered to the new or expanding business’ fixed location and generally ending when the items of tangible personal property have been packaged for sale, or are in saleable form if packaging is not done. However, the production process may include quality control activities after the items have been packaged (or are in saleable ~~saleable~~ form if packaging is normally not done), such as if such quality control activities are required by good manufacturing practices as mandated by the Federal Food and Drug Administration to detect adulterated food or food that has been prepared, packaged, or held under insanitary conditions or mandated by state or federal government agencies.

1. The production process may encompass more than one fixed location if the business transfers work-in-process from one fixed location to a second fixed location for further manufacturing, processing, compounding, or production. For example, a company purchases machinery and equipment to produce raw orange juice at one fixed location, and this raw orange juice is transferred as work-in-process to a second fixed location where the company will use the raw orange juice to make five different products.

2. A production process does not include natural processes occurring before raw material is delivered to the receiving operation or after the packaging operation. For example, the natural transformation of grass or feed into raw milk by dairy cows is not part of the production process. In this case, the production process begins with when the cows (i.e., raw materials) are brought into the milking parlor. The Neither is the planting, growing, or harvesting of crops, and nor the raising of livestock or poultry are not part of the production

process. ~~The Also,~~ the natural aging or fermentation of alcoholic beverages or other food products, after they have been packaged, is also not part of the production process. ~~The There,~~ the production process ends when the alcoholic beverage or other food product has been packaged for sale.

3. The production process does not include research and development or product design activities. For example, the computer aided design of a product where the final design program or computer file for that product will be sent to or downloaded to industrial machinery and equipment for the physical creation of the product is not a part of the production process. Similarly, the production process for printed materials does not include the initial creation of the written matter. For example, the writing of a story by a reporter for subsequent printing in a newspaper is not a part of the production process. (See paragraph (8)(9)(b) of this rule.)

(g)(h) “Productive output” ordinarily means the number of units actually produced by a single plant or operation in a single continuous 12-month period. The increase in productive output shall be measured by the output for 12 continuous months immediately following the completion of the installation of machinery and equipment for the expansion project as compared to the productive output of 12 continuous months immediately preceding the beginning of the installation of machinery and equipment for the expansion project. However, if a different 12-month continuous period would more accurately reflect the increase in productive output as a result of a business expansion, the increase in productive output will be measured during that alternate 12-month continuous period, provided that prior to the start of production by the expanded business the Executive Director or the Executive Director’s designee agrees to such alternate measuring period. Such alternate continuous 12-month measuring period approved by the Executive Director or the Executive Director’s designee must begin within 24 months following the completion of installation of qualifying machinery and equipment. If an alternate 12-month measuring period is requested by the business entity and is agreed to by the Executive Director or the Executive Director’s designee, only the selected alternate 12-month period will be used to measure the increased productive output for the business expansion, even though some 12-month period other than the selected and approved 12-month period may show a production increase of 10 percent or more as a result of the expansion project. Productive output may not be measured by sales dollars or by production labor hours for the purposes of this exemption.

(h) “Purchase,” “purchases,” or “purchasing” means the transfer of title or possession, or both, of industrial machinery and equipment for a consideration. The terms “purchase,” “purchases,” or “purchasing” also include the acquisition of industrial machinery and equipment under a lease or rental agreement.

(i) “Purchase agreement” means a document in the form of a formal purchase order issued by the purchaser, a contract for purchase with a seller or vendor, a memorandum of understanding, or a lease or rental agreement with a lessor.

(j)(~~+~~) “Spaceport activities” means those activities as defined in Section 212.02, Florida Statutes.

(2) New Business.

(a) The purchase of industrial machinery and equipment, parts and accessories, and the installation labor thereof, is exempt from tax when purchased by a new business which uses such machinery and equipment at a fixed location in this state for exclusive use in spaceport activities, or to manufacture, process, compound, or produce items of tangible personal property for sale.

(b) Machinery and equipment must be purchased, or a purchase agreement made, before the new business begins spaceport activities or starts production, and delivery of the purchased items must be made within 12 months from the beginning of spaceport activities or the start of production.

(c) The date of purchase of the machinery and equipment is established by the date of the purchase agreement. If no purchase agreement was made, or in the absence of proof that a purchase agreement was made prior to the determined beginning of spaceport activities or the start of production, the machinery and equipment vendor’s sales invoice will be the controlling document for determining whether the machinery and equipment qualifies for the exemption. No exemption will be allowed even though delivery of machinery and equipment is made within 12 months from the beginning of spaceport activities or the start of production if the machinery and equipment was ordered after the beginning of spaceport activities or the start of production. If a purchase agreement that was made prior to the start of production is amended or changed after the start of production, any amendments or changes that increase the quantity of an item of machinery or equipment will not qualify for the exemption. Any amendments or change orders to that purchase agreement that provide for the substitution of a like kind item of machinery or equipment will qualify for the exemption.

(d)1. The start of production shall be the date that a product is manufactured, processed, compounded, or produced where such product will be inventoried for sale or will be immediately sold. However, if this date does not reflect the actual start of production, the date of the start of production shall be determined by the Executive Director or the Executive Director’s designee on a case by case basis. In such cases, the business shall maintain sufficient records to enable the Executive Director or the Executive Director’s designee to make a proper determination as to the initial production activities of the new facility. (See subsection (6)(~~7~~) of this rule.)

a. Initial test or trial runs necessary to calibrate or evaluate the operation of machinery and equipment, where the products made are scrapped or sold for salvage value, are not considered to be the start of production. The operation of machinery and equipment at less than full capacity, where the products made are inventoried or immediately sold, is considered to be the start of production.

b. Production is considered to have started even though the production line may not be complete, if any part(s) of the production process is subcontracted to others and a finished product can be inventoried or immediately sold.

2. The beginning of spaceport activities shall be the date that industrial machinery and equipment is first exclusively used for that purpose. However, if this does not reflect the actual beginning of spaceport activities, the date shall be determined by the Executive Director or the Executive Director’s designee on a case_by_case basis. In such cases, the business shall maintain sufficient records to enable the Executive Director or the Executive Director’s designee to make a proper determination as to the beginning of spaceport activities of the new facility. (See subsection (6)(~~7~~) of this rule.)

(e) The Executive Director or the Executive Director’s designee shall determine if a business qualifies for ~~the~~ exemption as a new business, based on the facts in each particular case.

1. A new business means a newly-formed company that opens a facility or plant, at a fixed location in this state, to manufacture, process, compound, or produce items of tangible personal property for sale, or to exclusively use industrial machinery and equipment in spaceport activities.

2. A new business means an addition to, or the enlargement of, an existing facility or plant, or the installation of additional machinery and equipment, for the purpose of manufacturing, processing, compounding, or producing items of tangible personal property for sale that represent a distinct and separate economic activity from other items that have been or are being produced at that same fixed location, or to exclusively use industrial machinery and equipment in distinct and separate spaceport activities. For example, a company that currently manufactures washing machines would be considered a new business for the purpose of installing a dedicated assembly line for the manufacturing of refrigerators. A new business does not mean an addition to, or the enlargement of, an existing facility or plant, or the installation of additional machinery and equipment at an existing facility or plant, for the purpose of manufacturing, processing, compounding, or producing component parts that were previously purchased from, or fabricated by, outside sources for inclusion in that business’ finished items of tangible personal property for sale. (See subsection (4)(~~5~~) of this rule.)

3. A new business means opening a new facility or plant, at a fixed location in this state, to manufacture, process, compound, or produce an item of tangible personal property for sale, or to exclusively use industrial machinery and equipment in spaceport activities, provided no other facility or plant in this state that manufactured, processed, compounded, or produced the same or a similar item of tangible personal property, or performed the same or a similar spaceport activity, at a fixed location in this state, was closed to open the new facility or plant, or will be closed within 12 months. ~~However, this limitation concerning the closure of a facility or plant is not applicable to a mining activity when a mine is closed due to the exhaustion or depletion of the mined resource such that mining is no longer economically feasible at that location.~~

4. A new business does not mean the change of ownership of an existing facility or plant, at a fixed location in this state, that manufactures, processes, compounds, or produces items of tangible personal property for sale, or exclusively uses industrial machinery and equipment in spaceport activities, by a purchase arrangement, merger, or some other similar means, unless such facility or plant ceased doing productive operations for a period of not less than 12 months.

(3) Expanding Business.

(a) The purchase of industrial machinery and equipment, parts and accessories, and the installation thereof, is exempt from tax when purchased by an expanding business that uses such machinery and equipment at a fixed location in this state to increase the productive output of tangible personal property that is manufactured, processed, compounded, or produced for sale by not less than 10 percent, or for exclusive use in spaceport activities. Industrial machinery and equipment, parts and accessories, and the installation labor thereof, purchased by a business for the purpose of expanding spaceport activities, or the operation of a plant at an existing fixed location in this state to manufacture, process, compound, or produce items of tangible personal property for sale is exempt from any amount of taxes imposed in excess of \$50,000 per calendar year. The taxpayer may elect to pay the entire \$50,000 in tax directly to the Department at the beginning of the expansion project or at the beginning of the calendar year, or accrue or pay the tax on each qualifying purchase until the \$50,000 tax limitation is reached. The business entity may then extend a Temporary Tax Exemption Permit in lieu of paying any additional sales tax in excess of the \$50,000 in tax for the remainder of the calendar year. For each subsequent year the project is ongoing, the taxpayer may again elect to pay the entire \$50,000 in tax directly to the Department at the beginning of the calendar year, or accrue or pay the tax on each qualifying purchase until the \$50,000 tax limitation is reached.

~~(b)1. Only the actual sales or use tax imposed on qualifying purchases for the calendar year shall apply to the \$50,000 tax threshold even though the tax may be paid in a subsequent calendar year.~~

~~2. EXAMPLE 1. Sales or use tax paid to the state in January 1999 for the period ending December 31, 1998, would be allowed as part of the \$50,000 tax threshold for 1998, since the tax paid with the December 1998 sales tax return would have been imposed in 1998.~~

~~3. EXAMPLE 2. Sales or use tax paid to the state in January 1999 for the period ending December 31, 1998, would not be allowed as part of the \$50,000 tax threshold for 1999, since the tax paid with the December 1998 sales tax return would have been imposed in 1998.~~

4. Expanding printing facilities or printing plant units are not subject to the \$50,000 tax threshold.

(b)(e) The Executive Director or the Executive Director's designee shall determine whether a business qualifies for the exemption as an expanding business, based upon the facts of each case using the following guidelines, provided the requirements of paragraphs (3)(a) and (d) are complied with:

1.a. An expanding business means an addition to, or the modernization or enlargement of, an existing facility or the installation of additional machinery and equipment to manufacture, process, compound, or produce an item of tangible personal property that which is already being produced at that fixed location in this state or which is similar to an item of tangible personal property that which is already being produced at that fixed location.

b. An expanding business means an addition to, or the modernization or enlargement of, an existing facility or the installation of additional machinery and equipment to begin manufacturing, processing, compounding, or producing a component item of tangible personal property that will be incorporated into a finished item of tangible personal property for sale that is already being produced at that fixed location. When the component item of tangible personal property is manufactured, processed, compounded, or produced, the completion of the first component item meets the required productive output increase. When the business manufactures, processes, compounds, or produces that component for sale to others and incorporates that component in other items of tangible personal property for sale, the business would be classified as a new business.

c. For example, a washing machine manufacturer that previously purchased water pumps from an outside supplier as component parts for the washing machines would be considered an expanding business, rather than a new business, when it purchases machinery and equipment to begin manufacturing its own component water pumps and does not offer the water pumps for sale to others. When the first component water pump is produced, the manufacturer, as an expanding business, meets the required productive output increase.

d.b. An expanding business means an addition to, or the modernization or enlargement of, an existing facility or the installation of additional machinery and equipment to perform

a spaceport activity that is already being performed, or is similar to an activity that is already being performed, at that fixed location.

2. An expanding business means closing an existing plant or an operation in a plant in this state and moving it to a new location in this state within 12 months of the closing.

3. An expanding business means the purchase of an existing facility to manufacture, process, compound, or produce an item of tangible personal property that which is already being produced at that facility; or which is similar to an item of tangible personal property that which is already being produced at that facility.

~~(c)1.(d)~~ In order to qualify for an exemption as an expanding business, the taxpayer shall provide information to the satisfaction of the Executive Director or the Executive Director's designee that the items purchased shall be or have been used to increase the productive output of the existing facility or specific product line(s) by not less than 10 percent. An expanding business is allowed to specify whether the 10 percent increase in productive output is for the entire plant or for specific product line(s). However, where the increase in productive output applies to a product that becomes part of different product lines, the increase in productive output will be determined by measuring the increase in the combined output of the different product lines. For example, if a company purchases machinery and equipment that increases its production of raw orange juice by 25 percent, and this raw orange juice is used by the company to make five different products, the increase in productive output would be determined by measuring the volume increase in the combined output of all five different products. Expanding spaceport activities are not subject to the increase in productive output requirement.

2. The physical productive output measurement must be based on physical production data, which is directly relevant to the business and/or product(s) being produced. A physical productive output measurement based on indirect or minor variable components is not a relevant measurement. For example, a relevant measurement for a furniture manufacturer would be the number of pieces of furniture manufactured, not the amount of glue, paint, stain, or varnish used in the manufacturing of furniture.

~~(4) Mining Activities:~~

~~(a) The exemption for new and expanding mining activities is available only by way of a prospective credit against severance taxes due under Chapter 211, F.S. In order to qualify for the exemption, businesses engaged in mining activities must demonstrate the following:~~

~~1. A new business must demonstrate the creation of at least 100 new Florida jobs.~~

~~2. An expanding business that has 2,500 or fewer Florida employees must demonstrate the creation of new Florida jobs in an amount equal to at least 5 percent of its Florida employees; or~~

~~3. For an expanding business that has more than 2,500 Florida employees, that business must demonstrate the creation of new Florida jobs in an amount equal to at least 3 percent of its Florida employees.~~

~~4. In addition to the requirements of subparagraph 2. or 3. above, expanding mining businesses must also meet the requirements of paragraphs (3)(a) and (d) above.~~

~~(b) "New Florida job" means a new position created and filled within 24 months after the completion of construction of the new or expanded facility. The term includes a transfer of a position from an existing Florida operation so long as the transfer is the result of the closure or reduction of the other Florida operation. For an expanding business, the number of existing Florida employees shall be determined as of the date on which the business commences construction of the expansion.~~

~~(c) The Office of Tourism, Trade, and Economic Development shall certify the creation of new Florida jobs to the Department of Revenue. The exemption to new and expanding businesses engaged in mining activities will not be approved until the Department of Revenue has received such certification.~~

~~(4)(5) Manufacturing Business Classification Factors.~~

~~(a) When an additional product is made at an existing fixed location, the determination whether that business is classified for the exemption as a new business or as an expanding business will depend upon whether the additional product represents an economic activity that is distinct and separate from a product, or a group of products, that is already being manufactured, processed, compounded, or produced at that fixed location.~~

~~(b) The Executive Director or the Executive Director's designee will make a determination regarding the classification of a business' application for exemption on a case-by-case basis. The Department will be guided by the following factors when making a determination:~~

~~1. The general nature of the applicant's predominant existing business;~~

~~2. The Standard Industrial Classification (SIC) or North American Industry Classification System (NAICS) industry number of the existing product(s) versus the additional product;~~

~~3. The raw materials or components used to make the existing product(s) versus the additional product;~~

~~4. Whether the additional product is an alternative to, or represents a replacement for, the existing product(s);~~

~~5. The differences in machinery and equipment needed to make the existing product(s) versus the additional product; and~~

6. The units used to measure production of the existing product(s) versus the additional product.

(c) No single factor within paragraph (b) will decide whether the additional product represents a distinct and separate economic activity.

(d) Products that merely differ in size, color, flavor, style, packaging, or model line, or products that merely incorporate newer technology, are not considered to be a distinct and separate economic activity. For example, the manufacturing of electronic products based on digital technology is not a distinct and separate economic activity from the manufacturing of electronic products based on analog technology.

(e) The business claiming an exemption as a new business shall have the burden of demonstrating that the additional product represents a distinct and separate economic activity from a product, or group of products, that is already being manufactured, processed, compounded, or produced at the fixed location.

~~(5)(6)~~ Temporary Tax Exemption Permit – Refund or Credit.

~~(a)1.~~ To receive the exemption provided under subsection (2) or (3), a qualifying business entity must apply to the Florida Department of Revenue, Technical Assistance and Dispute Resolution, Post Office Box 7443, Tallahassee, Florida 32314-7443, for a temporary tax exemption permit. The business entity seeking a temporary tax exemption must file an Application for Temporary Tax Exemption Permit (~~Form form~~ DR-1214) with the Department prior to receiving a permit or refund for the new or expanded business. Upon a tentative affirmative determination of the business's qualification for exemption by the Executive Director or the Executive Director's designee, a temporary tax exemption permit shall be issued to, or a refund authorized for, the business entity.

~~2. To receive the exemption provided by subsection (4) for mining activities, a qualifying business entity must also file an Application for Temporary Tax Exemption Permit (Form DR 1214). However, those businesses will not be issued a temporary tax exemption permit, since the exemption is only available to that industry by way of a prospective tax credit.~~

(b)1. A temporary tax exemption permit may be issued only to the qualified business entity which will use the qualifying machinery and equipment at a fixed location in this state in manufacturing, processing, compounding, or producing tangible personal property for sale, or for exclusive use in spaceport activities. Such permit may be extended by the business entity to its vendor(s) or to its authorized contractor(s) operating under lump sum, cost plus, fixed fee, guaranteed price, or any other type of contract executed for the purpose of constructing a new or expanded business. The authorized contractor(s) may, likewise, extend the temporary tax exemption permit to its vendor(s) for use in purchasing qualifying machinery and equipment tax exempt. The business

entity that extends the temporary tax exemption permit to a contractor or subcontractor for the purpose of authorizing that contractor or subcontractor to purchase qualifying machinery and equipment tax exempt will be responsible for paying the sales and use tax on any nonqualified items purchased tax exempt by the contractor or subcontractor.

2. Upon completion of purchases of qualifying machinery and equipment, the temporary tax exemption permit shall be ~~hand~~ delivered to the Department or returned by certified or registered mail. If the permit is returned by mail, the permit shall be mailed to the Florida Department of Revenue, Technical Assistance and Dispute Resolution, P. O. Box 7443, Tallahassee, Florida 32314-7443.

(c)1. If a qualifying business entity fails to apply for a temporary tax exemption permit before purchasing qualifying machinery and equipment for a new or expanded business, or if the initial determination by the Executive Director or the Executive Director's designee is negative, the exemptions provided by subsections (2) and (3) above may be obtained only by a refund to the business entity of previously paid taxes. Refunds shall not be allowed until information has been provided to the satisfaction of the Executive Director or the Executive Director's designee that such machinery and equipment meets the requirements of this rule and is used as designated herein. Only the qualified business entity ~~that~~ which will use the qualifying machinery and equipment at a fixed location in this state in manufacturing, processing, compounding, or producing tangible personal property for sale, or for exclusive use in spaceport activities is entitled to request a refund of sales or use taxes paid on qualifying industrial machinery and equipment, or installation thereof. ~~A qualifying mining activity business under subsection (4) of this rule will receive the exemption by way of a credit against severance taxes instead of a refund of sales and use tax.~~

2. Before the owners of a qualifying new or expanded business under subsection (2) or (3) may request a refund of, ~~or a qualifying mining business under subsection (4) may request a credit for,~~ sales or use taxes paid by their contractors on qualifying industrial machinery and equipment, or installation thereof, the following certified statement(s) must be executed:

a. If a subcontractor was involved, the subcontractor must obtain a certified statement from its supplier(s) or other subcontractor(s) certifying that the supplier or other subcontractor has remitted the tax to the State, or certifying that the subcontractor has remitted use tax directly to the State. The subcontractor must then extend the statement(s) it has executed or obtained from suppliers or other subcontractors to the prime contractor; and,

b. The prime contractor must obtain a certified statement from its supplier(s) and subcontractor(s) certifying that the supplier or subcontractor has remitted the tax to the State, or certifying that the prime contractor has remitted use tax directly to the State. The prime contractor must then extend the

statement(s) it has executed or obtained from its supplier(s) or subcontractor(s) to the qualifying new or expanded business entity to support the refund claim.

(d)1. The following is a suggested format for a certified statement that tax has been remitted to the State of Florida:

COMPANY, incorporated in the state of STATE, its undersigned officer who is duly authorized, hereby certifies to QUALIFYING NEW OR EXPANDING BUSINESS, OR CONTRACTOR, OR SUBCONTRACTOR it has paid sales tax to the Department of Revenue, State of Florida, totaling the sum of \$ _____. Said taxes were collected by COMPANY upon the sales of tangible personal property as evidenced by the attached invoice(s).

The company further certifies the sales tax for the attached invoice(s) was paid to the State of Florida in the month following the date of sale under sales tax number _____.

Dated at _____ County _____, Florida, this ____ day of ____ 20____.

AUTHORIZED OFFICER OF COMPANY
 BY: _____
 TITLE: _____

2. The above certified statement will not be necessary where the business entity claiming the refund has self-accrued and remitted the tax directly to the State of Florida. However, documentation that the tax has been remitted to the State of Florida in a timely manner is required.

(e) The right to a refund of, or credit for, sales or use taxes.
~~1. New Businesses.~~

~~1.a.~~ An application for refund by a new business must be filed within 3 years after the date the tax was paid in accordance with the timing provisions of Section ~~§~~ 215.26(2), F.S. However, an application for refund shall not be considered complete pursuant to Section ~~§~~ 213.255(2) and (3), F.S., and Rule 12-26.003, F.A.C., and a refund shall not be approved, before the date the new ~~manufacturing or printing~~ business first places a product in inventory or immediately sells a product, or before the date a new business engaged in spaceport activities begins those activities.

~~b. The right to a credit for sales or use taxes paid by a new business engaged in mining activities shall not be allowed before the date the Department of Revenue has received the certification of new Florida jobs. (See subsection (4) of this rule.)~~

~~2. Expanding Businesses.~~

~~2.a.~~ An application for refund by an expanding business must be filed within 3 years after the date the tax was paid in accordance with the timing provisions of Section ~~§~~ 215.26(2), F.S. However, an application for refund shall not be considered complete pursuant to Section ~~§~~ 213.255(2) and (3), F.S., and Rule 12-26.003, F.A.C., and a refund shall not be approved, before the date an expanding ~~manufacturing or printing~~ business can substantiate that the business expansion has

increased the productive output at the existing facility by not less than 10 percent, or for an expanding business engaged in spaceport activities, before the date of completion of the installation of the machinery and equipment.

~~b. The right to a credit for sales or use taxes paid by an expanding business engaged in mining activities shall not be allowed before the date that business can substantiate that the business expansion has increased the productive output at the existing facility by not less than 10 percent, and the Department of Revenue has received the certification of new Florida jobs. (See subsection (4) of this rule.)~~

~~(6)(7)~~ Record Keeping Requirements. The applicant shall maintain all necessary books and records to support the exemption. All such books, invoices, certified statements, and other records shall be open for inspection by the Department at all reasonable hours at the qualifying business entity's location in this state. Any qualifying business entity that which maintains such books and records at a point outside this state shall make such books and records available for inspection by the Department where the general records are kept.

~~(7)(8)~~ Exclusions.

(a) The exemptions provided by subsections (2) and (3); (3), and (4) above shall not apply to machinery and equipment purchased or used by electric utility companies; communication companies; oil or gas exploration or production operations; publishing firms that do not export at least 50 percent of their finished product out of the state; any firm subject to regulation by the Division of Hotels and Restaurants of the Department of Business and Professional Regulation; or any firm which does not manufacture, process, compound, or produce items of tangible personal property for sale, or exclusively use machinery and equipment in spaceport activities.

(b) If a publishing firm is also the printer of the finished product, the Department will consider the business to be a printer for the purpose of the exemption. Therefore, the above indicated 50 percent requirement would not apply to such a business.

~~(8)(9)~~ Types of industrial machinery and equipment that will or will not qualify for the exemption.

(a) For the purpose of this exemption, industrial machinery and equipment includes:

1. Special foundations required for the support of such qualifying machinery and equipment;
2. Electrical wiring from the nearest power panel or disconnect box to the qualifying machinery and equipment; and
3. Plumbing connections necessary to connect the machinery and equipment to the nearest water supply or drain line.

(b) The exemption for industrial machinery and equipment ends at that stage of the production process where the product produced is placed in a package (or is in ~~salable~~ saleable form

if packaging is normally not done) to be sold to the wholesaler, retailer, or other purchaser. Machinery and equipment for the refrigerated, frozen, heated, or otherwise temperature-controlled or acclimatized storage or warehousing of packaged finished goods inventory, solely for preservation purposes, prior to shipment or delivery to customers, is not a part of the production process. However, the production process may include quality control activities for perishable goods after the item of tangible personal property has been packaged (or is in saleable form if packaging is normally not done), if such quality control activities are required by good manufacturing practices mandated by state or federal government agencies.

1. Example: A manufacturer's cold storage facility that is used solely for processed and packaged foods is not a part of the production process regardless of the fact that custom palletized orders may be assembled within the cold storage facility for customers.

2. Example: Customer accessible refrigerated cases containing prepackaged meats in a butcher shop are not a part of the production process, regardless of the fact that a customer may request that a package of meat be recut, trimmed, or ground.

3. Example: Refrigerated cases containing meats or seafood that are only accessible by employees, where such meats or seafood may be further processed by packaging, cutting, grinding, or steaming or otherwise cooked, are a part of the production process.

4. Example: Bakery display cases where the baked goods are only accessible by bakery shop personnel for slicing or packaging are a part of the production process.

5. Example: Refrigerated or heated display cases or preparation units for deli items that are only accessible by deli personnel are a part of the production process.

6. Example: A citrus juice manufacturer is prohibited by federal regulations from selling its inventory of processed juice before required post-production microbial tests are performed. Accordingly, the refrigerated or frozen storage of processed juice is a part of the manufacturing process. (See paragraph (1)(f) of this rule.)

(c) Quality control equipment installed within the production line and required to perform quality checks on each item, article, or batch produced before the item, article, or batch can be sold qualifies for the exemption.

(d) Preproduction, random, or postproduction quality control equipment shall qualify as industrial machinery and equipment, if it is an integral part of the production process.

(e) Industrial machinery and equipment ~~that which~~ is an integral part of the production process, as well as in postproduction, such as a forklift ~~fork lift~~, will qualify for the exemption.

(f) Pollution control equipment, or sanitizing and sterilizing equipment, that is an integral part of the production process qualifies for exemption.

(g) Monitoring machinery and equipment that is an integral part of the production process qualifies for exemption.

(h) Machinery and equipment used to remove waste materials away from industrial machinery and equipment, where the removal is required to maintain the operation of the production process, will qualify for exemption. For example, equipment used to remove wood chips and sawdust from around a qualified industrial wood lathe will qualify for exemption.

(i) Parts and accessories for industrial machinery and equipment purchased for replacement, maintenance, or repair purposes do not qualify for this exemption unless purchased by:

1. A new business before production or spaceport activities begin, and delivery is made within 12 months from the start of production or spaceport activities; or

2. An expanding business before the completion of the expansion project.

3. Parts and accessories purchased for replacement, maintenance, or repair that have already received an exemption pursuant to Section 212.08(7)(xx)(zz), F.S., shall not be allowed an exemption for the same amount of tax pursuant to this paragraph.

(j) Conveyers or related equipment used to transport raw materials from the storage area located at the fixed location to the production line, or to transport work-in-process within the production line at the fixed location, will qualify for exemption.

(k) Computers and computer equipment.

1. Computers and computer equipment used to direct and control the functions of exempt industrial machinery and equipment will qualify for exemption, even though such computers may also have non-production related applications or uses.

2. Computers and computer equipment used in the design of a product and computers and computer equipment used to input original images or data into a publishing system are not a part of the production process and will not qualify for exemption.

3. Computers and computer equipment used in an ancillary function, such as data storage or backup, are not a part of the production process and will not qualify for exemption.

4. Portable computers, such as laptops and similar portable devices, including digital cameras, will not qualify for exemption unless such items are exclusively used at the fixed location.

5. The initial purchase of software for qualifying computers and computer equipment will qualify for exemption. However, software license renewals will not qualify for exemption.

~~(l) Machines used to control exempt industrial machinery and equipment through the reading or sensing of a tape or some other similar means will qualify for exemption.~~

~~(l)(m) Masks, molds, jigs, or templates, where such property is integral to the production process, will qualify for exemption. The machinery and equipment that is integral to the creation or maintenance of those masks, molds, jigs, or templates will also qualify for exemption, even though such machinery and equipment is not a direct part of the production process.~~

~~(m)(n) Machinery and equipment used in the general repair or maintenance of the plant or production machinery and equipment, such as welders, gear-pullers, or bench grinders, does not qualify for the exemption. However, specialized machinery and equipment that is continuously required to keep production machinery and equipment calibrated or in optimum condition, such as a sharpening machine in a sawmill, will qualify for the exemption.~~

~~(o) Machinery and equipment qualifying for a partial exemption from tax under Section 212.08(3), F.S., is not eligible for the exemption under Section 212.08(5)(b), F.S.~~

~~(n)(p) Scales at the start of, or within, the production process that are necessary to weigh raw materials or ingredients, or finished goods at the time of packaging, will qualify for the exemption.~~

~~(o)(q) Office equipment, such as telephones, copy machines, typewriters, fax machines, desktop printers, or calculators, will not qualify for the exemption.~~

(p) Communications equipment, such as telephones, radios, intercom systems, video or television equipment, or public address systems, will not qualify for exemption.

(q) Security systems for surveillance or to prevent or restrict access to the fixed location or areas within the fixed location will not qualify for exemption.

(r) Furniture items for office or production personnel will not qualify for the exemption.

(s) General or task lighting fixtures will not qualify for the exemption.

(t) Installation labor charges qualify for exemption. However, other installation costs, such as equipment rental or expendable supplies, which do not become a physical part of qualifying machinery and equipment, will ~~do~~ not qualify for exemption.

(u) Motor vehicles, as defined in Section 320.01, F.S., do not qualify for exemption.

(v) Locomotives or railroad cars that do not remain at the fixed location will not qualify for exemption.

(9)(10) Operating Leases of Machinery and Equipment.

~~(a) The lease, letting, or rental of machinery and equipment, under the terms of an operating lease, shall be treated in the same way as a sale for the purpose of this exemption.~~

~~(a)(b) When a qualifying new or expanding business entity leases industrial machinery, equipment, or parts thereof, in lieu of purchasing those items, the exemption from tax shall only apply to the original term of the lease agreement. Any subsequent renewal or extensions of the original term of the lease agreement shall be fully taxable.~~

~~(e) When a qualifying expanding business entity leases industrial machinery, equipment, or parts thereof, in lieu of purchasing those items, the tax exemption limitation for the sales or use taxes paid on such industrial machinery, equipment, or parts thereof, shall apply to each calendar year of the original term of the lease agreement. For example, an expanding business (non printing) that enters into a 60 month operating lease will be subject to the \$50,000 tax threshold for each calendar year that the lease is in effect. Any subsequent renewals or extensions of the original term of the lease agreement shall be fully taxable.~~

~~(b)(d) The exercise of a purchase option in an operating lease is considered to be a purchase made after the start of production for a new business, or a purchase made outside the expansion project period for an expanding business, and is subject to tax.~~

~~(11) Capital Leases of Machinery and Equipment.~~

~~(a) The lease, letting, or rental of machinery and equipment, under the terms of a capital lease, sales-type lease, or direct financing lease, shall be treated in the same way as a sale for the purpose of this exemption.~~

~~(c)(b) In the case of a capital lease, sales-type lease, or direct financing lease, such leases will be considered to be sales and purchases at their inception.~~

Specific Authority 212.08(5)(b)4., 212.17(6), 212.18(2), 213.06(1) FS. Law Implemented 212.02(4), ~~(10)(g)~~, (14), ~~(19)~~, (21), (22), 212.05, 212.06, 212.08(5)(b), ~~212.08(7)(xx)~~, ~~212.0805~~, 212.13(2), ~~213.255(2)~~, (3), 215.26(2) FS. History—New 5-11-92, Amended 7-1-99, 6-28-00, 6-19-01, 3-6-02,_____.

12A-1.097 Public Use Forms.

(1) The following public use forms and instructions are employed by the Department in its dealings with the public related to the administration of Chapter 212, F.S. These forms are hereby incorporated by reference in this rule.

(a) through (b) No change.

| Form Number | Title | EffectiveDate |
|-------------------|--|---------------|
| (2) through (20) | No change. | |
| (21) DR-1214 | Application for Temporary Tax Exemption Permit (R. 07/06 04/03) | ___ 40/03 |
| (22) through (23) | No change. | |

Specific Authority 201.11, 202.17(3)(a), 202.22(6), 202.26(3), 212.0515(7), 212.07(1)(b), 212.08(5)(b)4., (7), 212.11(5)(b), 212.12(1)(b)2., 212.17(6), 212.18(2), (3), 213.06(1), 376.70(6)(b), 376.75(9)(b), 403.718(3)(b), 403.7185(3)(b), 443.171(2), (7) FS. Law Implemented 92.525(1)(b), (3), 95.091, 125.0104, 125.0108, 201.01, 201.08(1)(a), 201.133, 201.17(1)-(5), 202.11(2), (3), (6), (16), (24), 202.17, 202.22(3)-(6), 202.28(1), 203.01, 212.02, 212.03, 212.0305, 212.031, 212.04, 212.05, 212.0501, 212.0515, 212.054, 212.055, 212.06, 212.0606, 212.07(1), (8), (9), 212.08, 212.084(3), 212.085, 212.09, 212.096, 212.11(1), (4), (5), 212.12(1), (2), (9), (13), 212.13, 212.14(5), 212.17, 212.18(2), (3), 213.235, 213.29, 213.37, 219.07, 288.1258, 376.70, 376.75, 403.717, 403.718, 403.7185, 443.036, 443.121(1), (3), 443.131, 443.1315, 443.1316, 443.171(2), (7) FS. History—New 4-12-84, Formerly 12A-1.97, Amended 8-10-92, 11-30-97, 7-1-99, 4-2-00, 6-28-00, 6-19-01, 10-2-01, 10-21-01, 8-1-02, 4-17-03, 5-4-03, 6-12-03, 10-1-03, 9-28-04, 6-28-05, 5-1-06,

DEPARTMENT OF TRANSPORTATION

RULE NO.: RULE TITLE:
 14-10.007 Nonconforming Signs
PURPOSE AND EFFECT: The scope of Rule 14-10.007, F.A.C., is expanded by the deletion of the words “Maintenance of” and the rule itself is substantially reworded.
SUBJECT AREA TO BE ADDRESSED: Rule 14-10.007, F.A.C., is substantially reworded.
SPECIFIC AUTHORITY: 334.044(2), 479.02(7) FS.
LAW IMPLEMENTED: 339.05, 479.02, 479.07(9) FS.
IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:
DATE AND TIME: January 23, 2006, 9:00 a.m.
PLACE: Department of Transportation, Haydon Burns Building Auditorium, 605 Suwannee Street, Tallahassee, Florida.
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: James C. Myers, Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial rewording of Rule 14-10.007 follows. See Florida Administrative Code for present text.)

14-10.007 ~~Maintenance of~~ Nonconforming Signs.
A nonconforming sign may continue so long as it is not improperly maintained, improperly modified, destroyed, abandoned, or discontinued. Any changes, modifications, or repairs done in violation of this rule will terminate the nonconforming status of the sign and cause it to become illegal. Once nonconforming status has terminated, it cannot be restored and the sign must be removed.

(1) Definitions. In addition to the definitions contained in Rule 14-10.0011, F.A.C., the following definitions apply to this rule.

(a) “Configuration” means the physical arrangement of a sign whether single-faced, V-type, back-to-back, side-to-side, or stacked.

(b) “Public service message” means one for which no charge is made and which promotes programs, activities, or services of Federal, State, or local governments or the programs, activities, or services of non-profit organizations.

(c) “Vertical support” means the poles or other members which elevate the sign message above the ground or other supporting surface.

(2) Maintenance of nonconforming signs. Reasonable repair and maintenance of nonconforming signs is permitted, including in-kind replacement of sign materials, with the following exceptions:

(a) Vertical supports may not be replaced. However, when a nonconforming sign has been damaged by a natural event which results in a declaration of disaster by the Governor of Florida or the President of the United States, the vertical supports may be repaired or replaced in-kind, provided the sign has not been destroyed;

(b) Materials, including bracing, guy wires or similar devices, may not be added to the sign, nor may additional vertical supports be added;

(c) No change may be made in the type of materials or configuration of the sign;

(d) Variable message capability may not be added either as part of the message or the entire facing, regardless of whether such capability is mechanical, electrical, or electronic.

(3) Modifications to nonconforming signs. Only the following modifications to nonconforming signs are allowed. All other modifications are prohibited.

(a) Change of advertising message;

(b) Replacement of, or repair to, the sign facing, provided the dimensions of the sign facing and the HAGL remain the same;

(c) Reduction in size of the sign facing where such reduction is required by a local governmental entity with jurisdiction over the sign;

(c) Addition of catwalks, provided that such addition does not add additional bracing or supports to the structure;

(d) Addition of embellishments, not to exceed 10% of the area of the existing sign facing.

(4) Lighting. Lighting may not be added to a previously unlighted sign, nor may existing lighting be increased to enhance the visibility of the sign facing or the period of time the sign is visible. Prohibited lighting includes any which illuminates the sign facing whether or not such lighting is physically part of the sign.

(5) A nonconforming sign is “destroyed” when 50% or more of the vertical supports are physically damaged such that, in order for the structure to be maintained in the same configuration as existed prior to occurrence of the damage, either or both of the following applies:

(a) Wooden vertical supports must be replaced or have bracing added, or:

(b) Metal supports require replacement of at least 25% of the length above ground of the broken, bent, or twisted supports.

If the Department determines that destruction was caused by vandalism or other tortious act, the sign may be restored to the same size and configuration and with the same type of materials as existed in the sign immediately prior to destruction.

(6) A nonconforming sign is “abandoned” when it fails to display advertising copy on the sign facing for a period of 12 months or more. Signs displaying a public service message are not considered abandoned within the meaning of this section. The following conditions shall be considered failure to display advertising copy:

(a) Signs displaying only an “available for lease” or similar message:

(b) Signs displaying advertising for a product, service, or facility which is no longer available;

(c) Signs which are blank or do not identify a particular product, service, or facility.

(7) A nonconforming sign is “discontinued” when 50% or more of the vertical supports have been detached from the structure and the ground or other supporting surface.

Specific Authority 334.044(2), 479.02(7) FS. Law Implemented 339.05, 479.02, 479.07(9) FS. History–New 3-28-77, Amended 12-10-77, 1-1-86, Formerly 14-10.07, Amended 6-28-98, 8-10-99, 8-19-01,_____.

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER NO.: 14-15
RULE NO.: 14-15.017
RULE CHAPTER TITLE: Incorporation by Reference
RULE TITLE: Safety and Security Oversight Program Standards Manual for Fixed Guideway Transportation Systems

PURPOSE AND EFFECT: This rule, which incorporates by reference the *Safety and Security Oversight Program Standards Manual for Fixed Guideway Transportation Systems*, is being amended to incorporate a revised version of the manual. The proposed amendments are necessary to address findings resulting from a Federal Transit Administration June 2006, audit of the Safety Oversight Program required under 49 C.F.R., Part 659.

SUBJECT AREA TO BE ADDRESSED: The *Safety and Security Oversight Program Standards Manual for Fixed Guideway Transportation Systems*, April 2007, edition, is being incorporated by reference within this rule. This revised edition replaces the February 2006, edition previously incorporated by reference.

SPECIFIC AUTHORITY: 341.061 FS.

LAW IMPLEMENTED: 341.041, 341.061 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: James C. Myers, Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

14-15.017 Safety and Security Oversight Program Standards Manual for Fixed Guideway Transportation Systems.

The *Safety and Security Oversight Program Standards Manual for Fixed Guideway Transportation Systems*, April 2007 February 2006, edition, is hereby incorporated by this rule and made a part of the rules of the Department of Transportation. Copies of this Department manual and any amendments thereto are available from the Department of Transportation, Public Transit Office, 605 Suwannee Street, Mail Station 12, Tallahassee, Florida 32399-0450, or on line at <http://www.dot.state.fl.us/transit>.

Specific Authority 341.061 FS. Law Implemented 341.041, 341.061 FS. History–New 3-7-06, Amended _____.

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER NO.: 14-33
RULE NO.: 14-33.002
RULE CHAPTER TITLE: Florida Road Numbering Plan
RULE TITLE: Florida Road Numbering Plan

PURPOSE AND EFFECT: The rule for the Florida Road Numbering Plan is being amended for clarification and updating of statutory citations. References have been changed from “Florida Road Numbering System” to “Florida Road Numbering Plan.”

SUBJECT AREA TO BE ADDRESSED: The rule for the Florida Road Numbering Plan is being amended.

SPECIFIC AUTHORITY: 334.044(2) FS.

LAW IMPLEMENTED: 334.03, 334.044(11), 335.01, 335.01, 335.08 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 IS: James C. Myers, Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

14-33.002 Florida Road Numbering ~~Plan System~~.

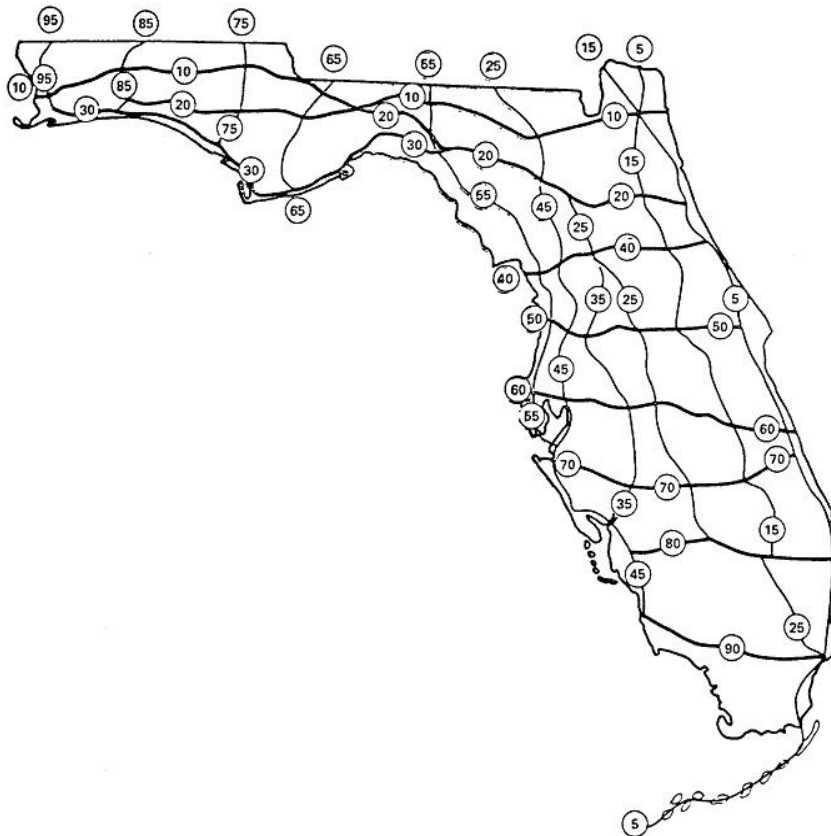
(1) Numbering ~~Plan System~~. The ~~Florida systematic~~ road numbering plan ~~for Florida~~ will generally prescribe numbers in accordance with road orientation and geographic location within the state. Extended roads of state-wide or inter-regional

significance will maintain one-digit or two-digit road numbers. Roads of regional significance will be assigned three-digit road numbers. ~~Short length roads and R~~roads of generally local significance may be assigned four-digit numbers.

(a) All roads leading from north to south bear odd numbers with the number 1 assigned to the extreme easterly road. All roads leading from east to west bear even numbers with the number 2 assigned to the extreme northerly road.

(b) Certain control roads have been selected for the purpose of dividing the state into segments. The north-south control roads are one and two-digit numbers ending in 5; the east-west control roads are two-digit numbers ending in zero. (See figure 1.)

FIGURE 1
FLORIDA STATE HIGHWAY NUMBERING SYSTEM



(c) ~~Major Main~~ connecting roads are assigned two-digit numbers between the control routes. For example, Road 77 is a north-south route located between control routes 75 and 85 and is found near the westernmost portion of the state. Minor connecting routes are assigned three-digit 3 or 4 four-digit numbers between the control routes. For example, Road 510 is an east-west route located between control routes 50 and 60 and would be found near the central portion of the state.

(d) Connecting roads which cross control routes will not be required to change numbers, but will retain the number assigned at the beginning of the route to insure route continuity.

(2) Assignment of Numbers and ~~Signing~~ Responsibility for Signs.

~~(a) Category I, State Highway System. The Department will assign numbers and erect and maintain corresponding signs. Category I roads will be numbered and signed by the Department.~~

(b) Category II, roads on the county road system and city street system functionally classified as collector roads and arterial roads. The Department will assign numbers for Category II roads; however, the jurisdictions maintaining these roads will have the responsibility for erecting and maintaining corresponding signs.

- ~~1. Urban Minor Arterial Roads on the County Road System.~~
- ~~2. Collector Roads on the County Road System.~~
- ~~3. Collector Roads on the City Street System.~~

~~Category II roads will be numbered by the Department; however, signing of the roads will be the responsibility of other jurisdictions.~~

(c) Category III, the state park roads system and county roads or streets not functionally classified as collector or arterial roads. The Department will number a Category III road upon request by the entity having jurisdiction over the road; however that jurisdiction would have responsibility for erecting and maintaining corresponding signs.

- ~~1. State Park Roads.~~
- ~~2. Significant County Roads.~~
- ~~3. Significant City Streets~~
- ~~4. Significant Private or Toll Roads~~

~~Category III roads may be numbered by the Department upon request by other jurisdictions, and will be signed by other jurisdictions.~~

(3) Signs and Symbols. Signs and symbols to be utilized in the uniform state numbering plan will be in accordance with the standards of the American Association of State Highway and Transportation Officials (AASHTO), the Florida Department of Transportation, and the National Association of Counties as referenced in the *Manual of Uniform Traffic Control Devices*, which is incorporated by reference under

Rule 14-15.010, F.A.C. Appropriate symbols will be employed with the road numbers for usage on the Official State Highway Map and the County General Highway Map series.

(4) Renumbering of Roads. The Florida Road Numbering Plan will generally utilize existing state road numbers. However, changes in existing road numbers will be instituted where such numbers have caused public confusion, e.g., multiple usage of the same road number in a region, or where the road numbering plan in a region might be improved by a general revision of the existing numbering scheme. In such instances, when revisions to the existing state road numbers are proposed, it shall be the policy of the Department to conduct a public hearing in accordance with ~~the intent of~~ Section 335.02, F.S. Florida Statutes.

Specific Authority 334.044(2) FS. Law Implemented 334.03, 334.044(11), 335.01, 335.02, 335.08 FS. History–New 3-18-76, Formerly 14-33.02, Amended 8-5-96, _____.

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."

BOARD OF TRUSTEES OF INTERNAL IMPROVEMENT TRUST FUND

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| RULE CHAPTER NO.: | RULE CHAPTER TITLE: |
| 18-1 | State Land Acquisition Procedures (Formerly 16Q-3) |
| RULE NOS.: | RULE TITLES: |
| 18-1.002 | Definitions |
| 18-1.003 | General Requirements |
| 18-1.005 | Appraisal Map and Survey |
| 18-1.006 | Appraisal Procedures, Report Requirements and Determining Maximum Amounts |
| 18-1.007 | Designated Appraisal Organizations and Appraiser Selection |
| 18-1.008 | Negotiations |

PURPOSE AND EFFECT: The Division of State Lands operates its land acquisition and appraisal processes through statute, rule, and internal department guidelines, through delegations from and approvals by the Board of Trustees. Recent changes in statutes, and Board of Trustees' policies and guidelines, which were adopted at lawfully advertised public meetings, have not been adopted by rule. Rule amendments are needed to clarify and implement statutes and policies adopted by the Board for land acquisition and appraisal procedures. These rule amendments will implement recommendations of the Auditor General's Office in a June 2005 operational audit.

SUBJECT AREA TO BE ADDRESSED: The rule amendments will do the following: clarify appraisal-related terms by adding or amending definitions; clarify the use of federal procedures, including when it is acceptable or required; add references to Chapter 259, Florida Statutes; incorporate by reference the “Supplemental Appraisal Standards for Board of Trustees Land,” and reduce redundancy and inconsistency between it and the current rule; update the rule to conform, to the extent practicable, to technical changes of the Appraisal Foundation, as published annually in the “Uniform Standards of Professional Appraisal Practice”; clarify the meaning of “approved appraiser organization”; and update the appraiser selection procedures to reflect current practice for land acquisitions.

SPECIFIC AUTHORITY: 253.025(6), 253.025(7), 253.025(12), 253.03(7), 253.034(6), 259.041(2), 259.041(7) FS.

LAW IMPLEMENTED: 253.025, 259.041 FS.

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

DATE AND TIME: Friday January 26, 2007, 10:00 a.m. EST
PLACE: Marjory Stoneman Douglas Building, Conference Room A, 3900 Commonwealth Blvd., 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: Kerry Drakes, Division of State Lands, MS 110, 3900 Commonwealth Blvd., Tallahassee, FL 32399-3000, (850)245-2658, e-mail Kerry.Drakes@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Draft rule changes can be found on the Internet at www.dep.state.fl.us/lands or contact Kerry Drakes at the address or phone number above

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

BOARD OF TRUSTEES OF INTERNAL IMPROVEMENT TRUST FUND

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|--------------------------|--|
| RULE CHAPTER NO.: | RULE CHAPTER TITLE: |
| 18-2 | Management of Uplands Vested in the Board of Trustees |
| RULE NOS.: | RULE TITLES: |
| 18-2.017 | Definitions |
| 18-2.018 | Policies, Standards, and Criteria for Evaluating, Approving or Denying Requests to Use Uplands |
| 18-2.020 | Payments and Consideration |

PURPOSE AND EFFECT: The Division of State Lands operates its land acquisition, land management, and appraisal processes through statute, rule, and internal department guidelines, through delegations from and approvals by the Board of Trustees. Recent changes in statutes, and Board of Trustees' policies and guidelines, which were adopted at lawfully advertised public meetings, have not been adopted by rule. Rule amendments are needed to clarify and implement statutes and policies adopted by the Board for state land appraisal procedures. These rule amendments will implement recommendations of the Auditor General’s Office in a June 2005 operational audit. They will improve consistency, adequacy and clarity pertaining to the disposition and management of state land. The changes will also protect the Board of Trustees against loss of revenue related to oil and gas lease terminations.

SUBJECT AREA TO BE ADDRESSED: Revisions to the rule will do the following: clarify appraisal-related terms by adding definitions; clarify the term “appraisal” to include appraisal services, including appraisal reviews; add appraiser selection procedures; incorporate by reference the “Supplemental Appraisal Standards for Board of Trustees Land” for leases, easements, and disposal of uplands; eliminate the use of acreage in determination of whether a parcel should be competitively bid or not, and consider dollar value only; eliminate the requirement that the value of private land for exchange purposes shall be no more than 100% of the average if two appraisals are used, in order to be consistent with acquisition rules; delete provisions that require submittal of appraisals with bids; provide financial security against loss of revenue resulting from an oil and gas lessee’s failure to comply with the terms and conditions of a lease; clarify reporting requirements and provide procedures for late payments and reports for oil and gas leases; remove the necessity for a full legal description and listing of land use restrictions when noticing surplus land sales. To differentiate this rulemaking from another concurrent rulemaking in this chapter, this rulemaking will be called “Appraisal Rules.”

SPECIFIC AUTHORITY: 253.03(7), (11), 253.034(6) FS.

LAW IMPLEMENTED: 253.03, 253.034, 253.0341, 253.111, 253.115, 253.42, 253.421, 253.47-.60 FS.

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

DATE AND TIME: Friday, January 26, 2007, 10:00 a.m.
PLACE: Marjory Stoneman Douglas Building Conference Room A, 3900 Commonwealth Blvd., 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: Kerry Drakes, Division of State Lands, MS 110, 3900 Commonwealth Blvd., Tallahassee, FL 32399-3000, (850)245-2658, e-mail Kerry.Drakes@dep.state.fl.us If you are

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Draft rule changes can be found on the Internet at www.dep.state.fl.us/lands or contact Kerry Drakes at the address or phone number above

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

BOARD OF TRUSTEES OF INTERNAL IMPROVEMENT TRUST FUND

RULE CHAPTER NO.: 18-21
 RULE CHAPTER TITLE: Sovereignty Submerged Lands Management

RULE NOS.: 18-21.003, 18-21.010, 18-21.011, 18-21.013
 RULE TITLES: Definitions, Applications for Private Easement, Payments and Fees, Applications to Purchase Lands Riparian to Uplands

PURPOSE AND EFFECT: The rule amendments are needed to clarify and implement statutes and policies adopted by the Board of Trustees for submerged land management and appraisal procedures. These rule amendments will also implement recommendations of the Auditor General’s Office in a June 2005 operational audit.

SUBJECT AREA TO BE ADDRESSED: The rule amendments will do the following: clarify appraisal-related terms by adding or amending definitions; clarify the term of a private easement; create exceptions to costly appraisal requirements for single-family residential property owners and allow valuation of private easements by alternative methods; clarify the cost of private easements; adopt appraiser selection procedures for submerged lands easements; incorporate by reference the “Supplemental Appraisal Standards for Board of Trustees Land”; and make minor revisions to correct errors, update and clarify existing rules. Any rule section in chapter 18-21 may be opened if necessary to implement the objectives of this rulemaking.

SPECIFIC AUTHORITY: 253.03(7), 253.03(11) FS.

LAW IMPLEMENTED: 253.03, 253.77 FS.

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

DATE AND TIME: Friday January 26, 2007, 10:00 a.m.

PLACE: Marjory Stoneman Douglas Building, Conference Room A, 3900 Commonwealth Blvd., 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: Vicki Thompson, Division of State Lands, MS 130, 3900 Commonwealth Blvd., Tallahassee, FL 32399-3000, (850)245-2720; e-mail Vicki.Thompson@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Vicki Thompson at the address or phone number above.

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

STATE BOARD OF ADMINISTRATION

RULE NOS.: 19-8.010, 19-8.028, 19-8.029, 19-8.030
 RULE TITLES: Reimbursement Contract, Reimbursement Premium, Insurer Reporting Requirements, Insurer Responsibilities

PURPOSE AND EFFECT: To discuss proposed amendments to the following rules: Rule 19-8.010, F.A.C., the annual Reimbursement Contract, Rule 19-8.028, F.A.C., the annual Reimbursement Premium Formula, Rule 19-8.029, F.A.C., the Insurer Reporting Requirements, and Rule 19-8.030, F.A.C., Insurer Responsibilities.

SUBJECT AREA TO BE ADDRESSED: Contract requirements, premium formula requirements, insurer reporting requirements for the 2007-2008 contract year, and insurer responsibilities.

SPECIFIC AUTHORITY: 215.555(3) FS.

LAW IMPLEMENTED: 215.555 FS.

REGARDLESS OF WHETHER OR NOT REQUESTED, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: January 31, 2007, 9:00 a.m. – 12:00 Noon (ET)

PLACE: Room 116 (Hermitage Conference Room), 1801 Hermitage Blvd., Tallahassee, Florida 32308

TELEPHONE: The conference call number for those who wish to participate by telephone is (850)410-0968 or Suncom 210-0968.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Jack E. Nicholson, Senior FHCF Officer, State Board of Administration, P. O. Box 13300, Tallahassee, Florida 32317-3300; telephone (850)413-1340

Copies of the proposed amended rules and the agenda for the workshop may be obtained from: Tracy Allen, State Board of Administration, P. O. Box 13300, Tallahassee, FL 32317-3300; (850)413-1341. Any person requiring special accommodations to participate in this proceeding is asked to advise Tracy Allen at least five (5) calendar days before such proceeding.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

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| RULE NOS.: | RULE TITLES: |
| 61D-7.020 | Pari-Mutuels |
| 61D-7.025 | Totalisator Performance Bond or Insurance Contract Requirement |

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to amend the Division's rules regarding foreign wagers and to create a new rule regarding totalisator performance bond or insurance contract requirements.

SUBJECT AREA TO BE ADDRESSED: The subject areas to be addressed in this rule are: Conversion to United States Dollars of foreign wagers that are commingled with Florida on-track pari-mutuel pools; and the format of the surety bonds required of all totalisator companies.

SPECIFIC AUTHORITY 550.0251(3), (7), 550.105(2)(b), 550.155(1), 550.3551(10), 550.495(2), (4), 550.6305(5) FS.

LAW IMPLEMENTED 550.0251, 550.0425, 550.105, 550.155, 550.495, 550.70 FS.

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

DATE AND TIME: January 23, 2007, 10:00 a.m. – Noon

PLACE: Florida Department of Business and Professional Regulation, Northwood Centre, Board Room, 1940 N. Monroe Street, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting Mary Polombo at (850)413-0750. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System by calling (800)955-8770 (Voice) or (800)955-8771 (TDD).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

| | |
|------------|--------------------------------------|
| RULE NOS.: | RULE TITLES: |
| 61D-8.002 | Financial Reporting Requirements |
| 61D-8.006 | Purse Requirements, Greyhound Racing |

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to amend the Division's rules regarding the annual financial reporting requirements of pari-mutuel permitholders and greyhound purse deductions and kennel owner's expenses.

SUBJECT AREA TO BE ADDRESSED: The subject areas to be addressed in this rule are: Annual financial reporting requirements of pari-mutuel permitholders; greyhound purse payment deductions for fees allowed by Section 550.09514(2)(h), F.S.; and related costs deducted by the permitholder.

SPECIFIC AUTHORITY: 550.0251(3), (7), (9), 550.125(2)(b), 550.155(1), 550.3551(10), 550.6305(5) FS.

LAW IMPLEMENTED: 550.0251, 550.0951(5), 550.09514(2)(d), 550.125, 550.155, 550.3551, 550.615, 550.6305, 550.6335 FS.

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

DATE AND TIME: January 23, 2007, 10:00 a.m. – Noon

PLACE: Florida Department of Business and Professional Regulation, Northwood Centre, Board Room, 1940 N. Monroe Street, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting Mary Polombo at (850)413-0750. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System by calling (800)955-8770 (Voice) or (800)955-8771 (TDD).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-9.006
 RULE TITLE: Totalisator Operations and Hub Systems Located Outside Florida

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to write a new rule to address relocation of Florida totalisator hubs outside the state of Florida.

SUBJECT AREA TO BE ADDRESSED: The subject areas to be addressed in this rule are: Relocation of Florida totalisator hubs outside the state of Florida.

SPECIFIC AUTHORITY: 550.0251(3), (7), 550.155(1), 550.495(4) FS.

LAW IMPLEMENTED: 550.0251, 550.155, 550.495 FS.

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

DATE AND TIME: January 23, 2007, 10:00 a.m. – Noon

PLACE: Florida Department of Business and Professional Regulation, Northwood Centre, Board Room, 1940 N. Monroe Street, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting Mary Polombo at (850)413-0750. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System by calling (800)955-8770 (Voice) or (800)955-8771 (TDD).

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: 64B3-11.001
 RULE TITLE: Continuing Education

PURPOSE AND EFFECT: The Board proposes to review the entirety of this Rule to ensure that all it conforms with existing statutory requirements and to determine if amendments and/or new rule language is necessary pertaining to all matters concerning the clinical laboratory personnel profession or other mandatory requisites, pursuant to Section 120.74, F.S.

SUBJECT AREA TO BE ADDRESSED: Education for clinical laboratory personnel.

SPECIFIC AUTHORITY: 456.013, 483.821 FS.

LAW IMPLEMENTED: 456.013, 483.821 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:

64B3-11.001 Continuing Education.

(1) In order to renew a clinical laboratory personnel license, a minimum of 24 contact hours of continuing education shall be earned during each biennium including a minimum of one contact hour for each of the categories in which the individual is licensed, ~~and one contact hour of continuing education on HIV/AIDS.~~ Also, as a part of the 24 continuing education hours, each licensee shall take 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. Directors and supervisors are required to obtain one contact hour of continuing education in administration and supervision. As part of the minimum of 24 contact hours of continuing education, each licensee shall be required to take a one hour course on Florida laws and rules governing clinical laboratory personnel or attend a public meeting of the full Board at which disciplinary actions are addressed. A telephone conference call meeting of the Board will not satisfy this requirement.

(2) through (9) No change.

Specific Authority 456.013, 483.821 FS. Law Implemented 456.013, 483.821 FS. History–New 2-22-94, Amended 7-13-94, Formerly, 61F3-11.001, Amended 12-11-94, 3-28-95, 12-4-95, 7-1-97, Formerly 59O-11.001, Amended 3-19-98, 12-13-99, 3-20-01, 10-13-02, 3-18-03, 2-24-04, _____.

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: 64B3-11.005 RULE TITLE: Mandatory HIV/AIDS Education for Initial Licensure and Renewal

PURPOSE AND EFFECT: The purpose of the rule amendment is to add language to conform with new statutory language.

SUBJECT AREA TO BE ADDRESSED: Mandatory HIV/AIDS Education for first Initial Licensure Renewal.

SPECIFIC AUTHORITY: 483.823 FS.

LAW IMPLEMENTED: 456.033(6), 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:

64B3-11.005 Mandatory HIV/AIDS Education for Initial Licensure and Renewal.

Applicants for initial licensure and first renewal shall complete a one hour HIV/AIDS continuing education course pursuant to Section 381.0034, and Chapter 456, F.S., which shall:

- (1) through (2) No change.

Specific Authority 483.823 FS. Law Implemented 456.033(6), 483.823 FS. History–New 12-6-94, Amended 12-4-95, 7-1-97, Formerly 59O-11.005, Amended 10-12-03, 9-15-05,_____.

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: 64B3-12.002 RULE TITLE: Citations

PURPOSE AND EFFECT: The purpose of rule amendment is to clarify the penalty for failure to comply with CE requirements.

SUBJECT AREA TO BE ADDRESSED: Citations.

SPECIFIC AUTHORITY: 483.805(4), 483.827 FS.

LAW IMPLEMENTED: 456.077(1), (2), 483.827 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:

64B3-12.002 Citations.

- (1) through (3)(e) No change.

~~(f)(g)~~ Failure to report to the Board in writing within 30 days after the licensee has been convicted or found guilty of, or entered a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction as required by Section 456.072(1)(w), F.S.

~~(f) Failure to comply with continuing education requirements pursuant to Rule 64B3-11.001, F.A.C.~~

~~(g)(h)~~ Failure to report to the Board in writing within 30 days of action taken against a license to practice by another jurisdiction as required by Section 483.825(1)(k), F.S.

~~(h)(i)~~ Failure to comply with a portion of a Final Order of the Board due to negligence pursuant to Section 483.825(1)(n), F.S.

(4) Failure to comply with and document continuing education requirements shall result in a fine of \$50.00 per hour missing or incomplete, pursuant to Rule 64B3-11.001, F.A.C.

~~(5)(4)~~ In addition to the penalties established in this rule, the Department shall recover the costs of investigation. The penalty specified in the citation shall be the sum of the penalty established by this rule plus the Department’s cost of investigation.

~~(6)(5)~~ If the subject disputes any matter contained in the citation, within thirty days after service, the Department shall follow the procedure set forth in Section 456.073, F.S. Otherwise, the citation shall become a final order of the Board.

~~(7)(6)~~ The Department shall report to the Board regarding the number of citations issued and the nature of the offenses for which they were issued.

Specific Authority 456.077(1), (2), 483.805(4), 483.827 FS. Law Implemented 456.077(1), (2), 483.827 FS. History–New 8-3-93, Formerly 61F3-12.002, 59O-12.002, Amended 4-10-01, 9-9-02, 2-24-04,_____.

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: 64B3-13.001 RULE TITLE: Responsibilities of Directors

PURPOSE AND EFFECT: The purpose of the rule amendments is to clarify the responsibilities of a licensed supervisor.

SUBJECT AREA TO BE ADDRESSED: Directors Responsibilities.

SPECIFIC AUTHORITY: 483.805(4) FS.
 LAW IMPLEMENTED: 483.800, 483.813, 483.823, 483.825 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:

64B3-13.001 Responsibilities of Directors.

(1) through (4) No change.

(5) The director can delegate performance of responsibilities to licensed supervisors, with the exception of the approval, signing and dating of procedures. However, the director remains responsible

for ensuring that all duties are properly performed. The delegation of responsibilities must be written and specific.

(6) through (r) No change.

(s) Ensure that a procedure manual approved, signed, and dated by the clinical laboratory director both initially and biennially thereafter is available to all personnel responsible for any aspect of the testing process.

(t) through (y) No change.

(7) No change.

Specific Authority 483.805(4) FS. Law Implemented 483.800, 483.813, 483.823, 483.825 FS. History--New 12-6-94, Amended 3-28-95, Formerly 59O-13.001, Amended 4-7-02,_____.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

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|-------------|--|
| RULE NO.: | RULE TITLE: |
| 69O-138.002 | Financial, Rate, and Market Conduct Examination Reimbursement Expenses |

PURPOSE AND EFFECT: The amendment establishes the rates for reimbursement for examinations conducted by Office of Insurance Regulation employees.

SUBJECT AREA TO BE ADDRESSED: Examination Reimbursement.

SPECIFIC AUTHORITY: 624.308(1) FS.

LAW IMPLEMENTED: 624.307(1), 624.316, 624.3161, 624.320 FS.

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

DATE AND TIME: January 29, 2007, 1:30 p.m.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Claude Mueller, Director, Property and Casualty Financial Oversight, Office of Insurance Regulation, E-mail: Claude.Mueller@fldfs.com (Financial Exams); and Sam Binnun, Director, Market Investigations, Office of Insurance Regulation, E-mail: Sam Binnun@fldfs.com (Market Conduct Exams).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Office at least 5 calendar days before the program by contacting the person listed above.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHANGE FROM THE CONTACT PERSON OR ON THE OFFICE'S WEBSITE AT: www.floir.com.

**Section II
Proposed Rules**

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

PUBLIC SERVICE COMMISSION

DOCKET NO. 050108-OT

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|-----------|--|
| RULE NO.: | RULE TITLE: |
| 25-40.001 | Exceptions to the Uniform Rules of Procedure |

PURPOSE AND EFFECT: To revise the list of Commission rules that are exceptions from the Uniform Rules of Procedure.

SUMMARY: Rule 25-40.001, F.A.C., Exceptions to the Uniform Rules of Procedure, is being amended to reflect the new exception for Rule 25-22.0022, F.A.C., Oral Argument, and to reflect the repeal of an existing exception, Rule 25-22.058, F.A.C., Oral Argument.

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

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

SPECIFIC AUTHORITY: 120.54(5)(a)3. FS.

LAW IMPLEMENTED: 120.54(5)(a)3. FS.

WRITTEN COMMENTS OR SUGGESTIONS ON THE PROPOSED RULE MAY BE SUBMITTED TO THE FPSC, DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE SERVICES, WITHIN 21 DAYS OF THE DATE OF THIS NOTICE FOR INCLUSION IN THE RECORD OF THE PROCEEDING.

NO HEARING WILL BE HELD BECAUSE THIS RULE RELATES EXCLUSIVELY TO THE COMMISSION'S ORGANIZATION, PROCEDURE, OR PRACTICE.

THE PERSON TO BE CONTACTED REGARDING THESE PROPOSED RULE IS: Larry Harris, Office of the General Counsel, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0862, (850)413-6076

THE FULL TEXT OF THE PROPOSED RULE IS:

25-40.001 Exceptions to the Uniform Rules of Procedure.

The following provisions of the Commission's rules are exceptions to the uniform rules of procedure:

| UNIFORM RULE | COMMISSION RULE THAT IS AN EXCEPTION |
|--|--------------------------------------|
| CHAPTER 28-102 | 25-22.0021 |
| AGENDA AND SCHEDULING OF MEETINGS AND WORKSHOPS | Agenda Conference Participation. |
| <u>CHAPTER 28-102 – AGENDA AND SCHEDULING OF MEETINGS AND WORKSHOPS AND CHAPTER 28-106 – DECISIONS DETERMINING SUBSTANTIAL INTERESTS</u> | <u>25-22.0022</u> |
| 28-102.001 | Oral Argument Rule |
| Notice of Public Meeting, Hearing, or Workshop. | 25-22.001 |
| 28-102.002(2) | Notice of Meeting or Workshop. |
| Agenda of Meetings, Hearings, and Workshops. | 25-22.002 |
| CHAPTER 28-103 | Agenda of Meetings. |
| RULEMAKING | 25-22.017 |
| | Rulemaking Proceeding – Adoption |

| | |
|---|--|
| CHAPTER 28-106 | 25-22.006 |
| DECISIONS DETERMINING SUBSTANTIAL INTERESTS | Confidential information |
| | 25-22.029 |
| | Point of Entry into Proposed Agency Action Proceedings. |
| | 25-22.0376 |
| | Reconsideration of Non-Final Orders. |
| | 25-22.0406(7)-(8) |
| | Notice and Public Information on General Rate Increase Requests by Electric, Gas and Telephone Companies |
| | 25-22.0407(8) and (10) |
| | Notice of and Public Information for General Rate Increase Requests by Water and Wastewater Utilities. |
| | 25-22-058 |
| | Oral Argument |
| | 25-22.060 |
| | Motion for Reconsideration |
| | 25-22.028 |
| 28-106.104 | Filing, Number of Copies |
| Filing | 25-22.039 |
| 28-106.205 | Intervention. |
| Intervention | 25-22.029 |
| 28-106.208 | Point of entry into PAA Proceeding. |
| Notice of Hearing | 25-22.0405 |
| | Notices of Hearing |
| 28-106.212 | 25-22.045 |
| Subpoenas | Subpoenas |
| CHAPTER 28-107 LICENSING | 25-22.075 Transmission Line Permitting Proceedings. |
| | 25-22.080 Electrical Power Plant Permitting Proceedings. |

Specific Authority 120.54(5)(a)3. FS. Law Implemented 120.54(5)(a)3. FS. History–New 4-28-99, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Larry Harris

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 24, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 32, No. 44, November 3, 2006

If any person decides to appeal any decision of the Commission with respect to any matter considered at the rulemaking hearing, if held, a record of the hearing is necessary. The appellant must ensure that a verbatim record, including testimony and evidence forming the basis of the appeal is made. The Commission usually makes a verbatim record of rulemaking hearings.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services at

(850)413-6770 at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at: 1(800)955-8771 (TDD).

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 CHAPTER NO.: | RULE CHAPTER TITLE: |
| 62-531 | Water Well Contractor Licensing Requirements |
| RULE NOS.: | RULE TITLES: |
| 62-531.300 | Application Requirements for Water Well Contractors |
| 62-531.330 | Water Well Contractor License Renewal |
| 62-531.340 | Water Well Contractor Fees |
| 62-531.350 | Water Well Contractor Examinations |
| 62-531.450 | Unlawful Acts, Grounds for Disciplinary Actions, and Penalties |

PURPOSE AND EFFECT: To make Chapter 62-531, F.A.C., consistent with recent amendments to Chapter 373, F.S., to address comments from the Joint Administrative Procedures Committee, and to add rule changes to strengthen the licensing requirements for and disciplinary actions against water well contractors.

SUMMARY: The rules address licensing requirements, exemption for contractors on active duty with the U.S Armed Services, increasing administrative fines not to exceed \$5000 and amending the Water Well Contractor Disciplinary Guidelines and Procedures Manual, allowing a licensed well water contractor to facilitate the performance of additional work by an appropriately licensed contractor, allowing administrative fees related to continuing education, adopting by reference the Manual for Coursework and Continuing Education for Water Well Contractors, modifying language for contractors who are employees of a governmental agency engaged in water well contracting, requiring a licensed water well contractor to provide the water management districts with a change of address, and clarifying that examinations are prepared by the Department with assistance by the water management districts and the water well contracting industry.

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: 373.043, 373.309 FS.

LAW IMPLEMENTED: 373.306, 373.309, 373.316, 373.319, 373.323, 373.324, 373.329, 373.333, 373.335, 373.336 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: February 2, 2007, 10:00 a.m.

PLACE: Room 609, Twin Towers Office Building, DEP, 2600 Blair Stone Rd., 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 7 days before the workshop/meeting by contacting: David James, DEP, MS 3580, 2600 Blair Stone Rd., Tallahassee, FL 32399-2400; telephone (850)245-8648. If you are 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: David James, DEP, MS 3580, 2600 Blair Stone Rd., Tallahassee, FL 32399-2400; telephone (850)245-8648

THE FULL TEXT OF THE PROPOSED RULES IS:

62-531.300 Application Requirements for Water Well Contractors.

(1) No change.

(2) Approved coursework shall be governed by the requirements in the Manual for Coursework and Continuing Education for Water Well Contractors, Department of Environmental Protection, November 2006, hereby adopted and incorporated as a reference. Copies may be obtained by writing or calling the Department, 2600 Blair Stone Road, MS 3680, Tallahassee, FL 32399-2400; telephone (850)245-8648.

(2) through (5) renumbered (3) through (6) No change.

~~(7)(6)~~ Satisfactory proof of two years experience in the water well construction business shall be demonstrated by providing:

~~(a) a~~ a list of at least ten water wells, together with their locations, major use, and approximate depth and diameter, that the applicant has constructed, repaired, or abandoned. Of the ten wells, at least seven must have been constructed, rather than repaired or abandoned, by the applicant. This list shall provide the name and address of the owner or owners of each well, and the approximate date the construction of each well was completed. For water wells drilled in Florida, a copy of the completion report for each well shall accompany the list. Completion dates of the ten wells needed to demonstrate the two-years of experience shall be within the previous five years from license application ~~distributed over a consecutive 24 month period.~~ In addition, the applicant shall provide letters

from three persons in the water well construction industry, which for the purposes of this requirement are water well contractors, well drillers, vendors of water well parts or equipment, and government-employed well inspectors, attesting to the length of time the applicant has been working in the water well construction business as a major activity.

~~(b) In lieu of the methods described above, satisfactory proof of equivalent experience may be presented to the District and may be accepted on an individual basis.~~

(8) The applicant shall inform the District within 30 days of any change of the applicant's address.

Specific Authority 373.043, 373.309 FS. Law Implemented 373.323, 373.326, 373.329 FS. History–New 8-18-73, Amended 10-9-84, Formerly 17-20.02, Amended 6-16-86, Formerly 17-20.020, Amended 5-25-89, Formerly 17-531.300, Amended 7-17-03, _____.

62-531.330 Water Well Contractor License Renewal.

(1) No change.

(2) Twelve CEUs shall be required for renewal of a license beginning July 31, 2005. Water well contractor licenses shall be renewed only after the license holder has completed twelve CEUs of approved coursework earned in the two-year period directly preceding the request for license renewal for each renewal cycle. However, if a water well contractor has received his or her first license within 180 days before the end of the biennium renewal of licenses, the continuing education requirements shall be waived for the licensee's first renewal cycle.

(3) through (6) No change.

(7) Notwithstanding the renewal requirements of this chapter and Section 373.324(3), F.S., and those in Section 250.4815, F.S., for members of the Florida National Guard and the United States Armed Forces Reserves, any active water well contractor license issued under this chapter to a service member as defined in Section 250.01, F.S., or his or her spouse, both of whom reside in Florida, shall not become inactive while the service member is serving on military orders that take him or her over 35 miles from his or her residence and shall be considered an active license for up to 180 days after the service member returns to his or her Florida residence. If the license renewal requirements are met within the 180-day extension period, the service member or his or her spouse shall not be charged any additional costs, such as, late fees above the normal license fees. This subsection does not waive renewal requirement such as registering, continuing education, and all associated fees. The service member must present to the water management district issuing the license a copy of his or her official military orders or a written verification from the member's commanding officer before the end of the 180-day period in order to qualify for the extension.

~~(8)(7)~~ No change.

(9) The contractor shall inform the District within 30 days of any change of the contractor's address.

Specific Authority 373.043, 373.309 FS. Law Implemented 373.323, 373.324, 373.326, 373.329 FS. History–New 5-25-89, Formerly 17-531.330, Amended 7-17-03, _____.

62-531.340 Water Well Contractor Fees.

(1) The following fees are required for water well contractor license applications, biennial renewals, and late renewals:

(a) through (c) No change.

(d) Administrative Fee for CEUs for License Renewal: A fee of \$14 per CEU shall be submitted to the Administrator with the documentation of course completion.

(2) Regular employees of a political subdivision or governmental entity engaged in water well drilling shall be licensed in accordance with this Chapter, but shall be exempt from paying the fees required in this Chapter, ~~for the drilling done for the political subdivision or governmental entity.~~

Specific Authority 373.043, 373.309 FS. Law Implemented 373.323, ~~373.324, 373.326,~~ 373.329 FS. History–New 5-25-89, Formerly 17-531.340, Amended _____.

62-531.350 Water Well Contractor Examinations.

(1) Water well contractor examinations shall be written, comprehensive examinations that are standardized statewide and may be administered orally. The standardized examinations shall be prepared by the Department, in consultation with ~~through a combined effort of the Districts and representatives of the water well contracting industry, in consultation with the Department.~~ The examinations shall be designed to determine the applicant's knowledge of applicable rules; ability to construct, repair, and abandon a well; and ability to supervise, direct, manage, and control the contracting activities of the water well contracting business.

(2) through (4) No change.

Specific Authority 373.043, 373.309 FS. Law Implemented 373.323, ~~373.326,~~ 373.329 FS. History–New 8-18-73, Amended 10-9-84, Formerly 17-20.03, 17-20.030, Amended 5-25-89, Formerly 17-531.350, Amended _____.

62-531.450 Unlawful Acts, Grounds for Disciplinary Actions, and Penalties.

(1) through (3) No change.

(4) The following acts constitute grounds for which disciplinary actions specified in subsection (5) below may be taken by a District:

(a) through (f) No change.

(g) Practicing water well contracting without a water well contractor's license.

(5) When the District finds a person guilty of any of the grounds for disciplinary action in subsection (4) above, it may enter an order imposing one or more of the following disciplinary actions in accordance with the guidelines

established in the Department's Water Well Contractor Disciplinary Guidelines and Procedures Manual, November 2006 ~~October 2002~~:

- (a) through (b) No change.
- (c) Imposition of an administrative penalty not to exceed \$54,000 for each count or separate offense.
- (d) through (f) No change.
- (6) No change.

Specific Authority 373.043, 373.309 FS. Law Implemented 373.306, 373.309, 373.316, 373.319, 373.333, 373.335, 373.336 FS. History—New 8-18-73, Amended 10-9-84, Formerly 17-20.09, 17-20.090, Amended 5-25-89, 12-02-92, Formerly 17-531.450, Amended 12-25-02,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mimi A. Drew, Director, Division of Water Resource Management

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Michael W. Sole, Deputy Secretary of Regulatory Programs

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 12, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 8, 2006

DEPARTMENT OF JUVENILE JUSTICE

Staff Training

| | |
|------------|-----------------------|
| RULE NOS.: | RULE TITLES: |
| 63H-1.002 | Definitions |
| 63H-1.004 | Authorized Techniques |

PURPOSE AND EFFECT: To eliminate the previously authorized physical intervention technique identified as the “wrap-around to a single person takedown.”

SUMMARY: The rule amendments eliminate references to the “wrap-around to a single person takedown” technique in text and incorporated forms.

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: 985.645, 985.64 FS.

LAW IMPLEMENTED: 985.645 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: Tuesday, January 30, 2007, 10:00 a.m.

PLACE: DJJ Headquarters, Knight Building, Ste. 312, 2737 Centerview Dr., Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Michael McCaffrey, Bureau of Staff Development, 2737 Centerview Dr., Alexander Building, Tallahassee, FL 32399-3100, e-mail: Michael.McCaffrey@djj.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

63H-1.002 Definitions.

(1) Active Resistance – Youth makes physically evasive movements to defeat an employee’s attempts to control; for example, bracing, or attempting to push or pull away from an employee.

(2) Actively Engaged – An employee is participating in the practical performance or application of any one of the approved physical intervention techniques or mechanical restraints.

(3) Administrator – One whose primary responsibility is overseeing the daily operations of a facility, program or probation circuit.

(4) Aggravated Resistance – Youth makes overt, hostile, attacking movements with or without a weapon with the apparent intent and apparent ability to cause death or great bodily harm to the employee, self, or others; for example, striking with a stick, banging head against the wall, or swinging a razor blade.

(5) CJSTC – Criminal Justice Standards and Training Commission.

(6) Combative Resistance – Youth makes overt, hostile, attacking movements that may cause injury.

(7) Control Techniques – Techniques used to control and/or move a youth from point A to point B with minimum effort by the employee in order to gain and retain control over the youth.

(8) Countermoves – Techniques that impede a youth’s movement toward an employee or others; for example, blocking, distracting, evading, redirecting, or avoiding.

(9) Designated Health Authority – A physician who holds an active license under Chapters 458 or 459, F.S.

(10) Dialogue – A two-way, controlled, non-emotional communication between the employee and the youth aimed at problem identification and/or resolution.

(11) Direct Care – Having direct contact with youth for the purpose of providing care, supervision, custody, or control in a detention facility, delinquency program, or commitment program within any restrictiveness level, operated by the department or by a provider under contract with the department.

(12) Facility – A contracted or state-operated secure environment that provides custody, care, or confinement of youth alleged or found to have committed a violation of law.

This includes, but is not limited to, secure detention, law enforcement operated facilities, and residential commitment programs.

(13) Facility Employee – Any employee who exercises direct care in a facility.

(14) Hard Mechanical Restraints – Restraint devices constructed from inflexible material; for example, metal handcuffs, leg cuffs, and waist chains.

(15) Individual Health Care Record – The compilation of all records related to a youth's medical, dental and mental health.

(16) Master PAR Instructor – An advanced, qualified instructor who assists and monitors PAR instructors in maintaining quality delivery of PAR training and evaluation for PAR certification.

(17) Mechanical Restraints – This includes hard and soft mechanical restraints as defined in this rule.

(18) Mechanical Restraints Supervision Log – The form used to document a facility employee's use of mechanical restraints as a result of a Level 3 response, as defined in subsection 63H-1.003(3), F.A.C. The Mechanical Restraints Supervision Log (ADSD-001, revised 6/01/06) is incorporated by reference, and is available at the department's website (http://www.djj.state.fl.us/forms/sd/mechanical_restraints_supervision_log.pdf).

(19) PAR Medical Release – The form signed and dated by a licensed physician that authorizes an employee to perform the physical intervention techniques that were checked on the Medical Status form. The PAR Medical Release (ADSD-002, revised 8/15/03) is incorporated by reference, and is available at the department's website (http://www.djj.state.fl.us/forms/sd/par_medical_release.pdf).

(20) PAR Medical Status – The form signed and dated by a licensed physician that identifies the physical intervention techniques listed on the applicable PAR Training Plan an employee cannot perform and why. The PAR Medical Status (ADSD-003, revised ~~12/11/06~~ ~~6/01/06~~) is incorporated by reference, and is available at the department's website (http://www.djj.state.fl.us/forms/sd/par_medical_status.pdf).

(21) PAR Medical Review – The evaluation deemed necessary as a result of the Post PAR Interview.

(22) Passive Resistance – The youth physically refuses to comply or respond. The youth does not attempt to physically defeat the actions of the employee but refuses to obey all verbal directives.

(23) Post PAR Interview – The interview conducted by the Administrator or designee following a Level 2 or Level 3 response.

(24) Program – A contracted or state-operated non-residential environment providing supervision of youth who have been identified to receive services within the community. This includes, but is not limited to, probation, non-secure detention, home detention, juvenile assessment

centers, Intensive Delinquency Diversion Services (IDDS) programs, conditional release programs, screening and intake units, and day treatment programs. This does not include prevention programs.

(25) Program Employee – Any employee who exercises direct care for a program.

(26) PAR – The department-approved verbal and physical intervention techniques and the application of mechanical restraints used in accordance with this rule, the Protective Action Response Escalation Matrix, and PAR training curricula.

(27) PAR Certification – This applies to an employee who has successfully completed PAR training as described in this rule. Only employees who are PAR trained are authorized to use PAR.

(28) PAR Escalation Matrix – The document that provides guidance as to the authorized level of response based upon the youth's level of resistance. This document articulates the five levels of resistance that may be displayed by a youth and the levels of response employees are authorized to use. The PAR Escalation Matrix (ADSD-004, revised ~~12/11/06~~ ~~6/01/06~~) is incorporated by reference, and is available at the department's website (http://www.djj.state.fl.us/forms/sd/par_escalation_matrix.pdf).

(29) PAR Incident Report – The form used to document the occurrence of an event where an employee has used one of the enumerated physical intervention techniques. The PAR Incident Report (ADSD-005, revised 6/01/06) is incorporated by reference, and is available at the department's website (http://www.djj.state.fl.us/forms/sd/par_incident_report.pdf).

(30) PAR Performance Evaluation Forms – These forms are used to measure an employee's or PAR Instructor's ability to perform verbal and physical intervention techniques and apply mechanical restraints. The following forms are incorporated by reference and are available at the department's website listed below respectively:

(a) PAR Performance Evaluation – State operated facility/Contracted detention/ and Law Enforcement operated facility staff (ADSD-006, revised 6/01/2006)

(http://www.djj.state.fl.us/forms/sd/par_performance_evaluation_state_operated.pdf)

(b) PAR Performance Evaluation – Contracted facility staff (ADSD-007, revised ~~12/11/06~~ ~~8/15/2003~~)

(http://www.djj.state.fl.us/forms/sd/par_performance_evaluation_contracted.pdf)

(c) PAR Performance Evaluation – Program staff (ADSD-008, revised 8/15/2003)

(http://www.djj.state.fl.us/forms/sd/par_performance_evaluation_program_staff.pdf)

(d) PAR Performance Evaluation – PAR Instructors (ADSD-009, revised ~~12/11/06~~ ~~6/01/2006~~)

(http://www.djj.state.fl.us/forms/sd/par_performance_evaluation_instructor.pdf).

(31) PAR Training Plan forms– These forms identify the specific techniques that program and facility employees shall be trained to use. The identified techniques are the only techniques employees are authorized to use (except where provided in Rule 63H-1.003 and .004, F.A.C.). The PAR Training Plan – Contracted facility staff form (ADSD-010, revised 12/11/06 ~~6/01/2006~~) is incorporated by reference and is available at the department’s website (http://www.djj.state.fl.us/forms/sd/par_training_plan.pdf).

(32) Soft Mechanical Restraints – Restraint devices that are made with flexible materials; for example, Velcro, nylon flex cuffs (also known as zip cuffs), and leather.

(33) Takedowns – Techniques that redirect a youth to the ground in a controlled manner in order to limit the youth’s physical resistance and to facilitate the application of a restraint device, if needed.

(34) Touch – Employee uses a familiar touch when directing, or a custodial touch prior to escalating to a higher response level.

(35) Verbal Directions – Employee tells or commands a youth to engage in, or refrain from, a specific action or non-action.

(36) Verbal Resistance – Youth verbally refuses to comply with an employee’s verbal attempts to control the situation.

Specific Authority 985.4055, 985.405 FS. Law Implemented 985.4055 FS. History–New 11-19-06, Amended.

63H-1.004 Authorized Techniques.

(1) Protective Action Response, as authorized by the department, shall be the verbal and physical intervention program trained and utilized by direct care staff in state-operated and contracted facilities and programs.

(2) On or before August 31, 2006, existing contracted facilities shall submit a new PAR Training Plan to the Assistant Secretary of Staff Development and Training or designee through the department’s Regional Director or designee, and thereafter notice of any change to this plan shall be submitted as described above within 30 calendar days of the changes’ effective date. Newly contracted facilities, except contracted detention facilities, shall submit their PAR Training Plan as described above no less than 30 calendar days prior to becoming operational. The PAR Training Plan for contracted facility employees shall specify the following:

(a) All Stance and Body Movement techniques.

1. Reactionary Gap
2. Danger Zone
3. Interview Stance
4. Ready Stance
5. Approach

(b) All Countermoves.

1. High Block
2. Mid-range – Straight Arm Blows

3. Mid-range – Roundhouse Blows
4. X Block
5. Leg Raise
6. Evasive Sidestep (with and without redirection)
7. Wrist Releases
8. Front Choke Releases
9. Bear Hug Releases
10. Bite Escape
11. Headlock Escape
12. Full Nelson Escape
13. Double Arm Lock Escape
14. Hairpull Escapes
15. Ground Defense

(c) At a minimum, one (1) Touch technique.

1. Straight Arm Escort (Extended and Close)
2. Supportive Hold: Stage 1

(d) At a minimum, four (4) Control techniques, one of which must be Ground Control.

1. Ground Control
2. Basket Hold
3. Arm Bar
4. Arm Control
5. Wrap-around
6. Team Arm Control
7. Supportive Hold: Stages 2 & 3

(e) At a minimum, three (3) Takedown techniques.

1. Straight Arm to a Takedown
2. Basket Hold to a Takedown
3. Arm Bar to a Takedown
- ~~4. Wrap-around to a Single Person Takedown~~
- ~~4.5.~~ Wrap-around to a Team Takedown
- ~~5.6.~~ Supportive Hold to a Takedown: Stages 4 & 5
- ~~6.7.~~ Immediate Team Takedown

(f) The following uses of Mechanical Restraints: standing front handcuffing and uncuffing, one (1) rear handcuffing technique (standing or prone), and one (1) leg cuffing and uncuffing technique (kneeling position or hands on wall). Other uses of mechanical restraints, if authorized under Rule 63H-1.005, F.A.C., may also be specified.

(g) Searches.

(h) The Wrap Around Control technique, ~~and the Wrap Around to a Takedown technique~~ will not be used on pregnant youth.

(3) The PAR Training Plan for State-Operated facility employees, Law Enforcement Operated employees, and Contracted Detention employees shall specify the following:

- (a) All Stance and Body Movement techniques.
- (b) All Countermoves.
- (c) Searches.

(d) The Straight Arm Escort – Extended and Close Positions.

(e) All Control techniques, except Supportive Hold Control.

(f) All Takedowns, except ~~Wrap Around to a Single Person Takedown~~, Wrap-Around to a Team Takedown, and Stages 4 and 5 of Supportive Hold to a Takedown.

(g) Handcuffs and Leg Cuffs.

(h) The Wrap Around Control technique will not be used on pregnant youth.

(4) Direct Care employees in law enforcement operated facilities having been dually certified in the PAR Escalation Matrix, and the CJSTC Response to Resistance Matrix shall be authorized to use the approved CJSTC tactics as outlined on the Response to Resistance Matrix when reasonably necessary to control a youth after the youth exhibits combative resistance as defined in this rule or aggressive physical resistance as defined in CJSTC standards as overt, hostile, attacking movements that may cause injury, but are not likely to cause death or great bodily harm), and after PAR Escalation Matrix techniques have been exhausted; or when the alternatives are considered inappropriate due to the rapid escalation of dangerous behavior. The CJSTC Response to Resistance Matrix (CJSTC Form 85, 2/7/02) is incorporated by reference, and is available from the Assistant Secretary for Staff Development at 2737 Centerview Drive, Alexander Building, Suite 1416, Tallahassee, Florida 32399. This rule does not authorize the use of, and specifically prohibits direct care employees, whether dually certified or PAR certified, from using:

(a) A Taser on a youth;

(b) Aerosol or chemical agents, including but not limited to oleoresin capsicum spray;

(c) Ammonia capsules, unless required for medical treatment of the youth by a licensed medical professional;

(5) The PAR Training Plan for Program employees shall specify:

(a) All Stance and Body Movement techniques; and

(b) All Countermoves.

(6) PAR certified facility and program employees shall only use the techniques that are specified on the applicable PAR Training Plan, and PAR certified facility employees shall only use the mechanical restraints that are specified on the applicable PAR Training Plan.

Specific Authority 985.4055, 985.405 FS. Law Implemented 985.4055(2)(a) FS. History–New 11-19-06, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Michael McCaffrey, Bureau of Staff Development

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Eber Brown, Assistant Secretary, Bureau of Staff Development

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 8, 2006

DEPARTMENT OF HEALTH

Board of Opticianry

RULE NO.:

RULE TITLE:

64B12-16.003

Apprenticeship Requirements and Training Program

PURPOSE AND EFFECT: The Board proposes amending the rule to allow continuing education credits towards an apprenticeship.

SUMMARY: The proposed rule amendments will require apprentices to take continuing education courses for credit towards their apprenticeship.

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: 484.005 FS.

LAW IMPLEMENTED: 484.002, 484.007(1)(d)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: 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:

64B12-16.003 Apprenticeship Requirements and Training Program.

(1) All apprenticeship training must be conducted by the sponsor(s) with whom the apprentice is currently registered with the Agency. Credits shall be granted to apprentices if the training is properly documented according to this rule. An apprentice shall not receive credit for any training received from a person other than the properly registered sponsor(s). However, an apprentice can receive credit for attending continuing education courses by a board-approved provider pursuant to this rule.

(2) No change.

(3) A sponsor may provide training for no more than two apprentices at a time.

(4) An apprenticeship shall consist of 6,240 hours of training, completed within five years after the apprentice's first registration with the Department. However, time spent in training at a board-approved school of opticianry may be

substituted for required apprenticeship time. Each credit hour earned at such school shall count as 86.67 apprenticeship hours.

(a) An apprentice is required to obtain two of the required hours by completing an Apprentice/Sponsor Orientation Course and submitting the original certificate of attendance to the board office within one year of registration with the Department.

(b) Each sponsor may attend an Apprentice/Sponsor Orientation course. This course will count toward the laws and rules continuing education requirement pursuant to Rule 64B12-15.003, F.A.C.

(c) An apprentice can attend continuing education classes from an approved provider which will count towards the apprenticeship hours. Each credit hour of continuing education shall count as one hour of apprenticeship training. An apprentice can only claim up to a maximum of 100 hours of continuing education credit over the entire length of the apprenticeship. Hours of continuing education credit will only be awarded upon presentation of proof of attendance to the Board.

(5) No hours of credit will be awarded to an apprentice unless those hours were worked under the supervision of the sponsor(s) or within an acceptable alternative as outlined in this rule. The sponsor(s) must be on the premises at all times that opticianry services are performed by an apprentice. The sponsor(s) must personally inspect and approve any work so produced. However, an apprentice may perform such tasks without the sponsor's presence which may lawfully be performed by unsupervised non-licensed personnel, so long as no hours of apprenticeship credit are claimed or earned.

(6) Total training received by an apprentice during apprenticeship must consist of training in the following subject areas:

(a) Reading and interpreting prescriptions,

(b) Working with lens types, optical and geometric centers, axis, prisms, powers, different types of glass, colors (tints), curves, transposing and knowing the purpose and use of lenses and contact lenses,

(c) Working with frames and mountings and optical appurtenances, adjustments, sizes, measurements and types of temples,

(d) Fitting eyeglasses on individual customers,

(e) Attaining a working knowledge of measurements, pupillary distances, basic anatomy and physiology of the eye and attaining basic knowledge of geometric optics,

(f) Using lensometer or other similar instrument; neutralizing and identifying series of single vision and multi-focal lenses, power of lenses,

(g) Assembling eyeglasses from frames and uncut lenses,

(h) Filling contact lens prescriptions, ~~and fitting, and~~ adapting and dispensing contact lenses if the sponsor is a Board-Certified optician, licensed optometrist, ophthalmologist, or an optician pursuant to subsection 64B12-10.009(1), F.A.C., or the apprentice must complete a Board approved course equivalent to 32 hours as a substitute for working experience with contact lenses. Such course must include the following instruction:

1 hour – contact lens history

2 hours – anatomy and physiology of the eye

1 hour – patient selection

2 hours – contact lens technology

2 hours – basic optics for contact lenses

4 hours – basic fitting methods

1 hour – patient follow-up

1 hour – data collection and record keeping

2 hours – ordering and verification

2 hours – patient instruction

2 hours – problem solving

2 hours – specialty fittings

1 hour – ANSI Standards

1 hour – Florida laws and rules

8 hours – hands on practice

Although the lecture sessions may be open to any number of students, the hands on sessions shall be limited to 20 students per qualified instructor and three assistant instructors. A qualified instructor is one who has been a Board Certified optician, licensed optometrist or ophthalmologist and actively engaged in contact lens fitting for 2 years immediately preceding instructorship or actively engaged as a contact lens instructor in an approved school of opticianry, an accredited school of optometry or an accredited medical school. The assistants must be Board certified or equally qualified to the instructor. Any request for course approval must be submitted to the Board 30 days prior to the next Board meeting and must be reviewed every two years. The apprentice must complete the entire course within 31 days.

(i) Additional work in any of the above categories.

Specific Authority 484.005 Law Implemented 484.002, 484.007(1)(d)4. FS. History–New 10-12-80, Amended 8-31-83, 8-30-84, Formerly 21P-16.03, Amended 3-5-87, 7-15-87, 1-26-88, 3-30-89, 10-17-90, 5-27-92, 9-30-92, 1-27-93, Formerly 21P-16.003, Amended 9-14-93, 5-2-94, Formerly 61G13-16.003, Amended 2-21-96, 4-23-97, Formerly 59U-16.003, Amended 10-1-97, 2-16-99, 6-25-02,_____.

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: December 15, 2006

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NOS.: RULE TITLES:
 64E-2.001 Definitions
 64E-2.032 Certificate of Public Convenience
 and Necessity

PURPOSE AND EFFECT: The Joint Administrative Procedures Committee (“Committee”) is required to review administrative rules and advise agencies concerned of its findings. This charge applies to existing as well as proposed rules. The Committee notified the Bureau of Emergency Medical Services that the law implemented for Rule 64E-2.032, F.A.C. appeared to contravene the law implemented, 401.27, Fl. Stat., in certain parts. These definitions of “operate” and “transfer or transport” respond to their concerns.

SUMMARY: This rule revision deletes Rule 64E-2.032, F.A.C. and rewrites the definition of “operate” and adds a definition of the phrase “transfer or transport” to implement statutory requirements regarding Certificates of Public Convenience and Necessity in a manner consistent with Section 401.25(2)(d), F.S.

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: 401.35 FS.

LAW IMPLEMENTED: 401.23, 401.25, 401.251, 401.252, 401.33, 401.35, 401.411, 401.414, 401.421 FS.

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

DATE AND TIME: Friday, January 26, 2007, 1:30 p.m. – 2:00 p.m. (additional time will be added if necessary; not to exceed 4:30 p.m.)

PLACE: Prime F. Osborn III Convention Center, 1000 Water Street, Jacksonville, FL 32202. Please visit the EMS information table for the room number

Pursuant to the provisions of 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: Alexander Macy, Bureau of Emergency Medical Services, (850)245-4440 ext. 2735 or alexander_macy@doh.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lisa M. Walker, Government Analyst, Bureau of Emergency Medical Services, Department of Health, 4052 Bald Cypress Way, Bin C18, Tallahassee, Florida 32399-1738, (850)245-4440, ext. 2733; email lisa_walker2@doh.state.fl.us; Fax (850)488-9408

THE FULL TEXT OF THE PROPOSED RULE IS:

64E-2.001 Definitions.

(1) through (15) No change.

(16) “Operate” ~~“Operates” or “Operation”~~ means ~~providing, offering to provide, soliciting, or advertising prehospital or interfacility ALS services or BLS transportation services as further described in Rule 64E 2.032, F.A.C. For purposes of Section 401.25(2)(d), F.S., means performing services requiring licensure under Section 401.25(1), F.S., but does not include:~~

(a) Advertising the availability of services requiring licensure under Section 401.25(1), F.S., for a county in which the advertiser is a licensee;

(b) Proposing to engage in services requiring licensure under Section 401.25(1), F.S.;

(c) Interfacility transfer between two counties by a licensee possessing a Certificate of Public Convenience and Necessity from only one of the counties if the other county does not prohibit such transfer or transport;

(d) Transfer or transport by a licensee through, but not to or from, one or more counties;

(e) Transfer or transport by a licensee as part of a coordinated response to a disaster or a mass casualty incident;

(f) Transfer or transport by a licensee, after pickup of the patient not otherwise prohibited under Section 401.25(2)(d), F.S. and this rule, to an appropriate facility; or

(g) Transfer or transport by a licensee under an agreement sanctioned by the governing bodies of the affected counties.

(17) through (19) No change.

(20) “Transfer or transport” – Air, land or water vehicle transportation, by vehicles not exempted under Section 401.33, of sick or injured persons requiring or likely to require medical attention during such transportation.

(20) through (25) renumbered (21) through (25) No change.

Specific Authority 381.0011(13), 395.401, 395.4025(13), 395.405, 401.121, 401.35 FS. Law Implemented 381.0011, 395.401, 395.4001, 395.4015, 395.402, 395.4025, 395.403, 395.404, 395.4045, 395.405, 401.121, 401.211, 401.23, 401.25, 401.35, 401.435 FS. History—New 11-29-82, Amended 4-26-84, 3-11-85, 11-2-86, 4-12-88, 8-3-88, 8-7-89, 6-6-90, Formerly 10D-66.485, Amended 12-10-92, 11-30-93, 10-2-94, 1-26-97, Formerly 10D-66.0485, Amended 8-04-98, 7-14-99, 2-20-00, 11-3-02, 6-9-05, 10-24-05, _____.

64E-2.032 Certificate of Public Convenience and Necessity.

Specific Authority 401.35 FS. Law Implemented 401.23, 401.25, 401.251, 401.252, 401.33, 401.35, 401.411, 401.414, 401.421 FS. History—New 10-2-94, Amended 1-26-97, Formerly 10D-66.335, Amended 1-3-99, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Lisa M. Walker, Government Analyst, Bureau of Emergency Medical Services, Department of Health, 4052 Bald Cypress Way, Bin C18, Tallahassee, Florida 32399-1738, (850)245-4440, ext. 2733; email lisa_walker2@doh.state.fl.us; Fax (850)488-9408

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Jennifer Bencie Fairburn, M.D., M.S.A., Director Division of Emergency Medical Operations
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 26, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 17, 2006 and November 9, 2006

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NO.: 65A-4.209
RULE TITLE: Income

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to align policies on income and asset exclusions for Temporary Cash Assistance (TCA). Section 4102 of the Farm Bill of 2002 allows state flexibility to align food stamp income and asset polices to those used by the Temporary Assistance for Needy Families (TANF) and 1931 Medicaid programs. Florida is aligning the policies by increasing the TCA income exclusion for infrequent or irregular unearned income to the maximum amount allowed under section 1612(b)(3)(A) of the Social Security Act as amended.

SUMMARY: The proposed rule amendment contains specific provisions for TCA income exclusions for infrequent or irregular unearned income; clarification of terms; correction of statutory references; and removal of reference to the Job Training Partnership Act.

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.

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

DATE AND TIME: January 31, 2007, 1:30 p.m.

PLACE: 1317 Winewood Boulevard, Building 3, Room 439, Tallahassee, Florida 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Lonna Cichon, Governmental Operations Consultant II, Food Stamps/TANF Policy, Economic Self-Sufficiency, 1317 Winewood Boulevard, Building 3, Room 406, Tallahassee, Florida 32399-0700, telephone (850)488-8004

THE FULL TEXT OF THE PROPOSED RULES IS:

65A-4.209 Income.

(1) Income is cash received at periodic intervals from any source such as wages, benefits, contributions, rental property, etc. Cash is money or its equivalent, such as a check, money order or other negotiable instrument. Income must be verified or documented as a condition of eligibility for temporary cash assistance in accordance with Section 414.095, F.S.

(2) To be financially eligible for temporary cash assistance (TCA), the total average adjusted gross monthly income, less any applicable disregards, of the standard filing unit cannot exceed the applicable eligibility/payment standard for the assistance group. These standards and disregards are found in Section 414.095(10+) and (11) F.S. Monthly net income is calculated based on average gross monthly family income, earned and unearned, less any applicable disregards in accordance with Section 414.095(12)(a), F.S.

(a) The ~~gross~~ earned monthly income of the child who is a family member under age 19 or younger and who is a full-time student in a secondary school or the equivalent level of vocational or technical training is disregarded in the budget. The income of a child who is a family member under age 19 or younger and who is a full-time student also does not count toward the payment eligibility standard or toward calculation of eligibility against the consolidated need standard. Student refers to the minor child whose needs are included in the benefit grant as a minor child not as a parent or relative. Definition of secondary school is found in Section 1003.413(1), F.S. 6A-5.0752(2)(g), F.A.C. Definition of full-time attendance is found in paragraph 65A-4.207(1)(b), F.A.C.

(b) Total gross monthly income includes earned and non-earned income from all sources. The countable net income of a stepparent living in the home with the temporary cash assistance child, or of a parent living in the home with the minor mother payee, or of an ineligible noncitizen's alien's parents during the five year disqualification period prescribed by the Personal Responsibility and Work Opportunity Act of 1996, and of the sponsor and the sponsor's spouse of certain noncitizens aliens is considered in determining the gross non-earned income of the assistance group.

(c) No change.

~~(d) Infrequent and/or irregular unearned income which does not exceed \$60 per calendar quarter is excluded, such as gifts for Christmas, birthdays or graduation.~~

~~(3) Income must be verified or documented as a condition of eligibility for temporary cash assistance. Loss or reduction of income which occurred within the preceding 60 days and the cause of the reduction or loss must be verified. Availability of replacement income will be discussed with the applicant or recipient. The applicant or recipient must provide the date of expected return to work when on leave, vacation, or furlough.~~

~~(4) An applicant or recipient shall be required to explain money management during the month of application or redetermination. Eligibility shall not be determined if the individual fails to do so. A case shall not be denied or canceled solely on the person's failure to explain how the bills were paid. The eligibility specialist shall request the applicant or recipient to furnish additional information. Failure by the applicant or recipient to provide the additional information during the time requested will result in the denial of the case because eligibility cannot be determined.~~

~~(a) Money management is the comparison of the income received and major expenses paid by the applicant or recipient. When currently paid expenses exceed acknowledged income, possible sources of income must be determined and verification or documentation of that income must be obtained.~~

~~(b) An applicant or recipient shall also be required to explain money management for the month prior to or after the month of application or redetermination when the paid expenses for that month exceed the income for that month. Although it is reasonable and expected that the eligibility specialist discuss how the applicant or recipient managed the income and expenses, the fact that the applicant or recipient does not or cannot provide verification or documentation of expenses paid in the month prior to application shall not be used as a basis for denial of assistance. Failure to explain money management during the month(s) of application shall result in denial of the application if the eligibility specialist is unable to determine eligibility based on the information provided by the applicant or recipient.~~

~~(3)(5)(a) through (b) No change.~~

(c) The individual sponsor(s) of an noncitizen alien.

1. The sponsoring agency or organization is expected to fulfill its financial responsibilities to the noncitizen alien unless the agency or organization is no longer in existence at the time that the applicant or recipient applies or the sponsor does not have the financial ability to meet the noncitizen's alien's needs. Verification of the sponsor's inability to support must be obtained. If a noncitizen alien applying for temporary cash assistance states that the sponsoring organization or agency is no longer in existence, verification must be obtained.

2. Any noncitizen alien who reports sponsorship, whether or not the sponsor remains involved with the noncitizen alien, is required to have the sponsor provide information about their

income and assets. If the sponsor does not give complete information and will not provide complete information upon request by the department, the noncitizen alien and other members of the assistance group sponsored by that individual will be found ineligible for temporary cash assistance because available income and assets cannot be determined. Eligibility for the noncitizen alien and other sponsored members of the assistance group cannot be established when required documentation is not obtained.

3. No change.

~~(d) The non-temporary cash assistance recipient parents of an unwed minor parent, when the minor parent is a TCA benefit recipient under age 18, who lives in the same household with the parents who are not included in the TCA benefit as the minor parent.~~

(e) The stepparent of an unwed minor parent, when the minor parent is a TCA benefit recipient under age 18, who lives in the same household with ~~when~~ the stepparent who is not included in the temporary cash assistance benefit grant.

(f) No change.

~~(4)(6)~~ Income of children who are students is disregarded in accordance with Section 414.095 (112)(b), F.S.

~~(5)(7)~~ For children under 18 years of age, all non-earned income received under the Workforce Investment Job Training Partnership Act (WIA JTPA) is disregarded. All earned income from WIA JTPA is disregarded for six months in a calendar year.

~~(8) Small nonrecurring gifts which do not exceed \$30 per recipient in a calendar quarter are not considered as income; for example, gifts for Christmas, birthdays and graduations.~~

Specific Authority 414.45 FS. Law Implemented 414.095 FS. History--New 1-11-98, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Lonna Cichon

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Jennifer Lange

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 11, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 28, 2006

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

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

PURPOSE AND EFFECT: The purpose and effect of this rule is to define the terms "captive wildlife," "critical incident," "disaster," "relative," "reptiles of concern" and "venomous reptiles." Additionally, the rule amendment is intended to amend the definition of the term "person" to be consistent with

Florida Statutes. These definitions provide clarification for these terms as they are used in captive wildlife regulations, which are concurrently being amended.

SUMMARY: Provides clear definitions of the terms “captive wildlife,” “critical incident,” “disaster,” “relative,” “reptiles of concern” and “venomous reptiles,” as those terms are used in captive wildlife regulations. The rule amendment also redefines the term “person.”

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, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Article IV, Sec. 9, Fla. Const.

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

DATES AND TIME: During the Commission’s regular meeting, February 7-8, 2007, 8:30 a.m. – 5:00 p.m., each day

PLACE: Sandestin Resort, 9300 Emerald Coast Parkway, West, Destin, FL 32550, (850)267-8000

Pursuant to the provisions of 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: Captain Linda Harrison, Division of Law Enforcement, Investigations Section, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)488-6253

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-1.004 Definitions.

The following definitions are for the purpose of carrying out the provisions of the rules of the Fish and Wildlife Conservation Commission relating to wild animal life and freshwater aquatic life. As used herein, the singular includes the plural. The following shall be construed respectively to mean:

(1) through (19) No change.

(20) Captive wildlife- any wildlife, specifically birds, mammals, reptiles, and amphibians maintained in captivity for exhibition, sale, personal use, propagation, preservation, rehabilitation, protection or hunting purposes.

~~(21)(20)~~ through ~~(23)(22)~~ No change.

(24) Critical Incident – Any condition which results in the release or escape of captive wildlife from its enclosure, cage, leash, or other constraint.

(23) through (26) renumbered (25) through (28) No change.

(29) Disaster – A sudden calamitous event that causes great damage, loss or destruction. Examples include a hurricane, tornado or other severe storm, flood, wildfire, or any other similar natural disaster, terrorist act, biological or radiological event, or any other similar man made disaster.

(27) through (53) renumbered (30) through (56) No change.

~~(57)(54)~~ Person – The word “person” as used in these rules shall have the same meaning as in section 1.01, F.S. Includes individuals, associations, partnerships, and corporations, unless the context should otherwise require.

(55) through (63) renumbered (58) through (66) No change.

(67) Relative – An individual who is related as: father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepsister, stepbrother, half brother, or half sister.

~~(68)(64)~~ No change.

(69) Reptiles of Concern – As designated by the Commission, any member of the class Reptilia, including subspecies, taxonomic successors or hybrids thereof, which due to its nature, has habits or the potential to impact the environment, may be possessed and housed only in accordance with the regulations provided for reptiles of concern.

(65) through (86) renumbered (70) through (91) No change.

(92) Venomous reptile – All members of the class Reptilia including their taxonomic successors, subspecies, or any hybrid thereof, regardless of surgical alteration, determined to have the potential to cause serious human injury due to the toxic effects of its venom or poison. Including all venomous reptiles of the class Reptilia belonging to the families Elapidae, Crotalidae, Viperidae, and Hydrophiidae; all reptiles in the genus *Heloderma*; and all reptiles in the family Colubridae belonging to the genera: *Rhabdophis*, *Boiga*, *Dispholidus*, *Thelatornis*, and *Atractapsis*.

(87) through (92) renumbered (93) through (98) No change.

PROPOSED EFFECTIVE DATE: January 1, 2008.

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

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

NAME OF PERSON ORIGINATING PROPOSED RULE:

Colonel Julie Jones, Director, Division of Law Enforcement

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 13, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 28, 2006

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-4.0071 RULE TITLE: Access Prohibited on Certain Areas

PURPOSE AND EFFECT: The purpose of this proposed new rule is to allow the Commission to temporarily close Commission managed lands for public safety reasons, due to disasters or severe weather. The effect would be to allow the Commission to better provide safe access to public lands.

SUMMARY: The proposed new rule would allow areas managed by the Commission to be temporarily closed by closure order because of public safety concern due to disasters, severe weather, severe weather forecasts and/or effects of weather on the area. Closures would be limited to 14 days, unless a longer closure is authorized by the Executive Director. These closures would be noticed to the public on the FWC website, media and in-the-field posting, as time allows.

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, 372.121 FS.

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

DATES AND TIME: During the Commission’s regular meeting February 7-8, 2006, 8:30 a.m. – 5:00 p.m., each day

PLACE: Sandestin Golf and Beach Resort, 9300 Emerald Coast Parkway, West, Destin, Florida 32550

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mr. 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-4.0071 Access Prohibited on Certain Areas.

Public access and/or vehicular access is prohibited on lands managed by the Florida Fish and Wildlife Conservation Commission (FWC) that are temporarily closed by closure order because of public safety concern due to disasters, severe weather, severe weather forecasts and/or effects of weather on the area. To the extent circumstances permit, public notice of such closures shall be afforded through the FWC website, media and in-the-field posting. The closure shall not exceed 14 days unless approved by the Executive Director.

PROPOSED EFFECTIVE DATE: July 1, 2007.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.121 FS. History–New 7-1-07.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mr. 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: December 6, 2006

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

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| RULE NOS.: | RULE TITLES: |
| 68A-6.0022 | Possession of Class I, II, or III Wildlife in Captivity; Permit Requirements |
| 68A-6.003 | Facility and Structural Caging Requirement for Class I, II and III Wildlife |
| 68A-6.004 | Standard Caging Requirements for Captive Wildlife |

- 68A-6.007 Possession, Transportation, Exhibition and Caging Venomous Reptiles and Reptiles of Concern; Prohibited Reptile Species
- 68A-6.0071 Record Keeping and Reporting Requirements
- 68A-6.0072 Identification of Non-Native Venomous Reptiles and Reptiles of Concern; Escape

PURPOSE AND EFFECT: The purpose of these proposed rule amendments and new rule is to address the possession and housing of captive wildlife, venomous reptiles, and reptiles of concern. The proposed rules will have the effect of providing clarification regarding permitting requirements, facility and land area requirements, standard caging requirements, record keeping and reporting requirements for the possession of captive wildlife, venomous reptiles or reptiles of concern, and identification of non-native venomous reptiles and reptiles of concern.

SUMMARY: Subject areas to be covered in the proposed rules include possession and housing of captive wildlife, venomous reptiles and reptiles of concern. Proposed rules will: require safety entrances for enclosures housing capuchin, spider and woolly monkeys; address land area requirements for facilities housing Class I or Class II wildlife; consolidate and clarify caging requirements for reptiles and amphibians; develop minimum caging requirements for large constrictor snakes; consolidate portions of Rule 68A-25.002 with Rule 68A-25.006 to create Rule 68A-6.007 addressing the possession, exhibition, and caging of venomous reptiles, reptiles of concern, and prohibited species; require development of Disaster Plan or Critical Incident Plan for permittees authorized to possess captive wildlife, venomous reptiles or reptiles of concern; require development and posting of Bite Protocol and Cage Card Identification at venomous reptile facilities; develop record keeping and reporting requirements for dealers of live venomous reptiles or reptiles of concern; develop requirements for the permanent marking/identification of non-native venomous reptiles and all reptiles of concern; and require immediate reporting upon discovery of the escape of any non-native venomous reptile or reptile of concern.

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, Sec. 9, Fla. Const., 372.921(9), 372.922(3), 372.92 FS.

LAW IMPLEMENTED: Article IV, Sec. 9, Fla. Const., 372.86, 372.87, 372.88, 372.89, 372.90, 372.91, 372.901, 372.92, 372.921, 372.922 FS.

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

DATES AND TIME: During the Commission’s regular meeting, February 7-8, 2007, 8:30 a.m. – 5:00 p.m., each day

PLACE: Sandestin Resort, 9300 Emerald Coast Parkway, West Destin, FL 32550, (850)267-8000

Pursuant to the provisions of 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: Captain Linda Harrison, Division of Law Enforcement, Investigations Section, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)488-6253

THE FULL TEXT OF THE PROPOSED RULES IS:

WILDLIFE IN CAPTIVITY AS PERSONAL PETS

68A-6.0022 Possession of Class I, II, or III Wildlife in Captivity; Permit Requirements.

(1) No change.

(2) No permit shall be required to possess the following wildlife for personal use, unless possession of a species is otherwise regulated by other rules of the Commission:

- (a) Reptiles, or amphibians (nonvenomous, unprotected)
- (b) through (v) No change.

(3) No change.

(4) No permit shall be issued to any person to possess Class III wildlife for exhibition, sale or as personal use unless such person can ~~provide documentation of the following~~ meet the following requirements:

(a) No change.

(b) Application for permits to possess Class III wildlife as personal use shall include the satisfactory completion of a questionnaire developed by the Commission that assesses the applicant’s knowledge of general husbandry, nutritional, and behavioral characteristics.

(c) Applicants for permits to possess capuchin, spider, or woolly monkeys shall meet the age, experience and examination requirements for authorization to possess Class II wildlife.

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

~~(c)(4)~~ No change.

(5) Qualification requirements for a permit to possess Class I or Class II wildlife:

~~(a)~~ All applicants shall qualify for permits as follows:

~~(a)1.~~ Age Requirement: Applicants to possess Class I or Class II wildlife shall be at least 18 years of age.

~~(b)2.~~ Applicants shall not have been convicted of any violation of captive wildlife regulations, venomous reptile or reptile of concern regulations involving unsafe housing of wildlife or that could potentially endanger the public; any violation offense involving the illegal commercialization of wildlife, any violation offenses involving cruelty to animals, or any violation involving importation of wildlife within three (3) years of the date of application.

~~(c)3.~~ Experience Requirement for Class I permits:

~~1.a.~~ Applicants shall demonstrate no less than one (1) year of substantial practical experience (to consist of no less than 1000 hours) in the care, feeding, handling and husbandry of the species for which the permit is sought, or other species, within the same biological order (except raites which shall be in the same biological sub-order), which are substantially similar in size, characteristics, care and nutritional requirements to the species for which the permit is sought.

~~2.b.~~ For purposes of demonstrating compliance, applicants shall submit documentation of such experience, including:

~~a.1.~~ A description of the specific experience acquired.

~~b.1.~~ The dates the experience was obtained and the specific location(s) where acquired.

~~c.1.~~ References of no less than two (2) individuals, no more than one of which may be a relative of the applicant, having personal knowledge of the applicant's stated experience, one of which must be licensed by the commission for wildlife of the same family and the same or higher class for which the applicant is seeking authorization.

~~d.~~ Additional documentation may include records of prior permits for the keeping of captive wildlife, employment records, and any other competent documentation of the requisite experience.

~~3.e.~~ Documented educational experience in zoology or other relevant biological sciences, obtained at the college or technical school level or above, may substitute for up to six months or 500 hours of the required experience.

4. Providing false information to document the applicant's experience, by the applicant or any reference, is prohibited as provided in Sections 837.012 and 837.06, F.S.

~~(d)4.~~ Experience and examination requirements for Class II permits:

~~1.a.~~ Applicants may qualify for a permit for Class II wildlife by documenting one year of experience (to consist of no less than 1000 hours) as defined in subparagraphs 68A-6.0022(5)(c)1-4., F.A.C., 68A-6.0022(5)(a)3.a-e above. If the applicant is unable to document such experience, as an

alternative, the applicant may take a written examination. The successful completion of a written examination for the particular species or family, administered by the Division of Law Enforcement, together with the documentation of not less than 100 hours of substantial practical experience (with documentation and compliance procedures as noted in subparagraph 68A-6.0022(5)(a)3., F.A.C., above) in the care, feeding, handling and husbandry of the species or family for which the permit is sought may be substituted for the one-year/1,000-hour requirement. Upon receipt of an application, the Commission shall notify the applicant of the time and place of the next examination. Applicant scoring at least 80 percent correct on the examination shall be deemed as meeting the examination requirement for the particular species or family.

~~2.b.~~ The above requirements shall not apply to applicants for permits to possess ostriches, rheas, emus, cassowaries or coyotes when possessed for purposes other than public exhibition or personal use.

5. Facility Requirements:

~~a.~~ Applicants for permits to possess wildlife in captivity shall specify the location of the facility at which captive wildlife shall be maintained, and such facility shall be inspected and approved by the Commission prior to issuance of the permit.

~~b.~~ In order to assure public safety, Class I and Class II wildlife shall only be kept in appropriate neighborhoods and, accordingly, facilities that house such wildlife shall meet the requirements of this rule subsection. Compliance with these requirements is a necessary condition for licensure. For purposes of this subsection, a "facility" means the site at which Class I or Class II carnivores are kept or exhibited. Applicants shall submit documentation verifying that the construction of the facility, its cages and enclosures is not prohibited by county ordinance and, if within a municipality, municipal ordinance.

~~e.~~ Notwithstanding any other requirements of this rule, facilities licensed prior to the effective date of this section may sell or transfer their interests, including their approved classification(s) of wildlife, (excluding licenses) to other qualified investor or owners for possession, and such facility may remain in the same location. New or prospective owners shall be qualified to receive the classifications of wildlife applied for and shall complete applications for licenses to receive same. The transfer shall not occur until a final on-site inspection is conducted by Commission personnel and the license is approved and issued. Other than facilities meeting the requirements of Rule 68A-6.0022(5)(a) 5.b. (I), F.A.C., Class I wildlife shall not be possessed in multi-unit dwellings or in any premises consisting of less than one quarter acre of land area. Other than facilities meeting the requirements of Rule 68A-6.0022(5)(a)5.b.(II), F.A.C., Class II wildlife shall

not be possessed in multi-unit dwellings unless the dwelling in which they are housed is equipped with private entrance, exit, and yard area.

(I) Additional facility requirements for Class I Carnivores (lions, tigers, leopards, snow leopards, jaguars, and bears):

(A) The facility shall not be constructed on less than five (5) contiguous acres of property owned or leased by the applicant. If leased, the lease shall be for a term of not less than one year from the date of application and such lease is subject to initial and annual review and approval by the Commission as a condition of granting said license.

(B) The facility shall have a "buffer zone" of not less than 35 feet between the caging and the facility property line.

(C) The cages of the facility shall be bounded by a fence of not less than eight (8) feet in height, constructed of not less than 11 1/2 gauge chain link, or equivalent, to prevent escape from the property of any wildlife that may escape the primary caging.

(H) Additional facility requirements for the following Class II carnivores: cougars, panthers, clouded leopards, and Class II Canidae:

(A) The facility shall not be constructed on less than two and one half (2 1/2) contiguous acres of property owned or leased by the applicant. If leased, the lease shall be for a term of not less than one year from the date of application and such lease is subject to initial and annual review and approval by the Commission as a condition of granting said license.

(B) The facility shall contain a "buffer zone" of not less than 35 feet between the caged wildlife and the facility property line.

(C) The cages of the facility shall be bounded by a fence of not less than eight (8) feet in height, constructed of not less than 11 1/2 gauge chain link, or equivalent, or, as an alternative, a fence of not less than six (6) feet in height, with a 2-foot, 45-degree, inward angle overhang. The inward angle fencing and vertical fencing shall be constructed of 11 1/2 gauge chain link or equivalent. This fencing is to prevent escape from the property of any wildlife that may escape from primary caging.

(D) The above requirements shall be effective July 1, 2000, but shall not apply to those facilities licensed to possess captive wildlife species prior to that date. After July 1, 2000, those licensees that desire to expand their inventory to include a family of Class I or Class II species not previously authorized at their facility location shall comply with the requirements herein. Requests to upgrade wildlife classification authorization shall be considered new applications for license purposes.

(6) Except as otherwise provided, applicants for permits to possess wildlife in captivity shall specify the location of the facility at which the wildlife shall be kept or possessed. Prior to the issuance of a permit for Class I, Class II, or Class III

capuchin, spider or woolly monkeys such facility shall be inspected and approved by Commission personnel prior to the issuance of the permit.

(7) Disaster and Critical Incident Plans:

Applicants for permits to possess wildlife in captivity shall document in writing a course of action to be taken in preparation for disasters or critical incidents. Such course of action shall be documented on form FWCDLE 619 (02-06), which is adopted and incorporated herein by reference. Forms may be obtained by submitting a request to: Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, 620 South Meridian Street, Tallahassee, Florida 32399-1600, or at www.myfwc.com/permits. This form shall consist of two parts. Part A of form FWCDLE 619 shall be submitted at the time of initial application or renewal; and Part B shall be retained on file at the facility location and be made available for inspection upon request of Commission personnel.

PROPOSED EFFECTIVE DATE: January 1, 2008.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.921, 372.922 FS. History—New 7-1-90, Amended 7-1-90, 7-1-91, 2-1-98, Formerly 39-6.0022, Amended 4-30-00, 1-1-08.

68A-6.003 Facility and Structural Caging Requirement for Class I, II and III Wildlife.

(1) In addition to the standard caging requirements set forth in Rule 68A-6.004, F.A.C., Class I and Class II animals shall be caged in accordance with the following requirements:

(a) A fence sufficient to deter entry by the public, which shall be a minimum of five (5) feet in height, shall be present around the premises wherein Class I or Class II animals are housed or exercised outdoors.

(a)(b) All cages or enclosures of Class I and Class II wildlife, and Class III capuchin, spider and woolly monkeys, animals except paddocks, approved open air habitats, or outdoor reptile enclosures shall be equipped with a safety entrance. A safety entrance is defined as a protected, secure area that can be entered by a keeper that prevents animal escape and safeguards the keeper, or a device that can be activated by a keeper that prevents animal escape and safeguards entry. Such entrances shall include: A double-door mechanism, interconnecting cages, a lock-down area, or other comparable devices, subject to Commission approval, that will prevent escape and safeguard the keeper. Safety entrances shall be constructed of materials that are of equivalent strength as that prescribed for cage construction for that particular species.

(b)(e) No change.

(2) In order to assure public safety, the facilities for the housing of Class I and Class II wildlife shall meet the requirements of this rule. Compliance with these requirements is a necessary condition for licensure. For the purposes of this rule, a "facility" means the site at which Class I or Class II

wildlife are kept or exhibited. Applicants shall submit documentation verifying that the construction of the facility, its cages and enclosures are not prohibited by county ordinance and, if within a municipality, municipal ordinance.

(a) Notwithstanding other requirements of this rule, facilities licensed pursuant to this section may be transferred through probate proceedings to a lawful heir and such facilities may remain in the same location. Said heir must be qualified to receive the classifications of wildlife applied for and shall complete applications for licenses to receive same. The transfer shall not occur until a final on-site inspection is conducted by Commission personnel and the license is approved and issued.

(b) Facility requirements:

1. Property ownership/lease:

a. The facility shall be constructed on property owned or leased by the applicant. If leased the lease shall be for a term of not less than one (1) year from date of application. Such lease shall be subject to initial and annual review and approval by the commission as a condition of said lease.

b. If the property is leased, the lessee must have exclusive rights to occupy, possess and use the property with no restrictions that could prevent the lessee from adhering to the eligibility requirements for licensure with no other in holdings or easements.

c. The existence of any such lease restrictions or termination of the lease shall result in the denial or revocation of the license or permit.

2. Land area:

a. Class I wildlife: The facility shall not be constructed on less than five (5) acres.

b. Class II wildlife: The facility shall not be constructed on less than two and one-half (2 1/2) acres.

c. The total facility shall not be comprised of more than two (2) parcels of land whether leased, owned or a combination of leased or owned parcels. If more than one parcel, the adjacent parcels must have a minimum of 100 feet common linear boundary.

3. Buffer zones:

The facility shall contain a "buffer zone" of not less than thirty-five (35) feet between the caged wildlife and the facility property line.

4. Perimeter fencing:

a. Class I wildlife: The cages of the facility shall be bounded by a fence of not less than eight (8) feet high.

b. Class II wildlife: The cages of the facility shall be bounded by a fence of not less than eight (8) feet high, or as an alternative, a fence of not less than six (6) feet high, with a 2-foot, 45 degree, inward angle overhang.

c. All vertical fencing and inward angle overhang fencing of the perimeter fence shall be constructed of 11 1/2 gauge chain link or equivalent.

5. Zoning:

Facilities housing the following Class I wildlife may not be located on property within an area zoned solely for residential use. Changes in zoning subsequent to the issuance of the license or permit shall not be disqualifying provided the license is maintained in a current and valid status.

- a. Primates (all listed species)
- b. Cats (all listed species)
- c. Bears (family *Ursidae*)
- d. Elephants (family *Elephantidae*)
- e. Rhinoceros (family *Rhinocerotidae*)
- f. Hippopotamuses (family *Hippopotamidae*)
- g. Cape Buffalo (*Syncerus caffer caffer*)
- (c). Exemptions:

The following Class I and Class II wildlife are exempt from the facility requirements as listed above:

1. Permits authorizing possession of infants only including:

a. Class I or Class II carnivores until they reach 25 pounds or six (6) months of age, which ever comes first, provided written documentation is available to verify the age of the animal, the animal is marked or otherwise identifiable, and the animal is provided space for exercise on a daily basis:

b. Class I and II primates until they reach the age of twelve (12) months, provided written documentation is available to verify the age of the animal, the animal is marked or otherwise identifiable, and the animal is provided space for exercise on a daily basis.

2. Crocodilians four (4) feet in length or less.

3. Cats: Ocelots (*Leopardus pardalis*), Servals (*Leptailurus serval*), Caracals (*Caracal caracal*), Bobcats (*Lynx rufus*), African golden cats (*Profelis aurata*), Temminck's golden cats (*Profelis temmincki*), and Fishing cats (*Prionailurus viverrina*).

4. Non-human primates: Uakaris (*genus Cacajao*), Bearded sakis (*genus Chiropotes*), and Guenons (*genus Cercopithecus*) not including De Brazza's monkey (*Cercopithecus neglectus*), Blue monkey (*Cercopithecus mitis*), Preuss's monkey (*Cercopithecus preussi*) or any other non-human primate of the genus *Cercopithecus* which exceeds the normal adult weight of fourteen (14) pounds.

(d) Any Class I or Class II wildlife exempt from meeting the facility requirements of this rule must meet the following:

1. Class I wildlife shall not be possessed in any multi-unit dwellings or on any premises consisting of less than one quarter acre of land area.

2. Class II wildlife shall not be possessed in multi-unit dwellings unless the dwelling in which they are housed is equipped with private entrance, exit and yard area.

3. A fence sufficient to deter entry by the public, which shall be a minimum of five (5) feet in height, shall be present around the premises wherein Class I or Class II animals are housed or exercised outdoors.

(e) The above requirements shall be effective January 1, 2008, but shall not apply to those facilities licensed to possess captive wildlife species prior to that date. After January 1, 2008, those licensees that desire to expand their inventory to include a family of Class I or Class II species not previously authorized at their facility location shall comply with the requirements herein. Requests to upgrade wildlife classification authorizations shall be considered new applications for license purposes.

~~(3)(2)~~ No change.

PROPOSED EFFECTIVE DATE: January 1, 2008.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.921, 372.922 FS. History—New 8-1-79, Amended 6-21-82, Formerly 39-6.03, Amended 6-1-86, 7-1-90, 7-1-92, 2-1-98, Formerly 39-6.003, Amended 1-1-08.

68A-6.004 Standard Caging Requirements for Captive Wildlife.

(1) through (3) No change.

(4) Carnivores and Certain Omnivores with Similar Requirements:

(a) through (n) No change.

(o) Rhinos.

1. No change.

2. Access to a shelter shall be provided ~~at all times~~.

(p) No change.

(q) Reptiles and amphibians.

1. Reptiles.

In addition to requirements for this section, each enclosure shall be provided with an environment or devices that allow for temperature regulation necessary to ensure the well-being of the species. The environment or devices shall be non-injurious, and may include, but are not limited to ambient temperature, hot rocks, artificial lights, natural sunlight and heat strips. Each enclosure shall be provided with a non-injurious substrate, including but not limited to gravel, newspaper, processed wood shavings, rocks, sand, or indoor-outdoor carpet. Arboreal species of snakes or lizards shall be provided with a perch of sufficient height to allow for such specimen to perch or bask without any portion of its body or tail touching the floor, sides or roof of the enclosure. Enclosure sizes for all snakes or lizards shall be based on the total length of the longest specimen in the enclosure.

a. Snakes and glass lizards.

~~In addition to requirements of this section, each enclosure shall be provided with an environment or devices that allow for temperature regulation necessary to insure the well-being of the species. The environment or devices shall be noninjurious, and may include, but are not limited to hot rocks, artificial lights, natural sunlight and heat strips. Each enclosure shall be provided with a noninjurious substrate such as newspaper, processed wood shavings, rocks, sand or indoor outdoor carpet. Such substrate shall be disposed of or sanitized at~~

~~intervals sufficient to insure the health of the animal(s). Enclosure sizes for all snakes and glass lizards shall be based upon the length of the longest specimen in the enclosure.~~

(I) Snakes, except as otherwise provided, and glass lizards:

For up to two specimens, a cage or enclosure having a perimeter equal to the length of the longest specimen, the width of the cage shall be ten inches or not less than 30 ~~20~~ percent of the length of the longest specimen which ever is greater, and shall not be required to exceed 3 feet. For each additional specimen, increase perimeter by 10 percent.

(II) Blood pythons or large constrictors that exceed 12 feet upon maturity: Boas, pythons, or anacondas

1. Specimens up to 5 feet in length.

For up to two specimens, a cage or enclosure 2.5 feet by 1 foot. For each additional specimen increase perimeter by 10 percent. Constrictors of this size possessed for exhibition or sale are exempt from this minimum cage requirement but shall meet the requirements as indicated for snakes and glass lizards.

2. Specimens 5 feet to 12 feet in length.

For up to two specimens, a cage or enclosure with a perimeter equal to 1.25 times the length of the longest specimen. The width of the cage shall not be less than 30 percent of the length of the longest specimen and shall not be required to exceed 3 feet. For each additional specimen, increase perimeter by 10 percent.

3. Specimens greater than 12 feet in length.

For up to two specimens, a cage or enclosure with a perimeter equal to the length of the longest specimen. The width of the cage shall not be less than 30 percent of the length of the longest specimen and shall not be required to exceed 3 feet. For each additional specimen, increase perimeter by 10 percent.

b. Lizards (other than glass lizards).

~~In addition to requirements of this section, each enclosure shall be provided with an environment or devices that allow for temperature regulation necessary to ensure the well being of the species. The environment and devices shall be noninjurious, and may include, but are not limited to hot rocks, artificial lights, natural sunlight and heat strips. Each enclosure shall be provided with a noninjurious substrate, such as gravel, newspaper, processed wood shavings, rocks, sand, or indoor-outdoor carpet. Such substrate shall be disposed of or sanitized at intervals sufficient to insure the health of the animal(s).~~

(I) Lizards up to 6 inches in length.

For one or two animals, a cage or enclosure 12 inches by 8 inches, 6 inches high. For each additional animal, increase enclosure size by 1 inch in length and width.

(II) Lizards 7 to 12 inches in length.

For one or two animals, a cage or enclosure 20 inches by 10 inches, 12 inches high. For each additional animal, increase cage or enclosure size by 2 inches in the length and width.

(III) Lizards 13 to 24 inches in length.

For one or two animals, a cage or enclosure 30 inches by 12 inches, 12 inches high. For each additional animal, increase cage or enclosure size by 3 inches in length and width.

(IV) Lizards 25 to 36 inches in length.

For one or two animals, a cage or enclosure ~~48~~ 36 inches by ~~16~~ 12 inches, ~~20~~ 16 inches high. For each additional animal, increase cage or enclosure size by 10 inches or 25 percent in length and width.

(V) Lizards 37 inches to 6 feet in length.

For one or two animals, a cage or enclosure 6 feet by 3 feet, 4 feet high. For each additional animal, increase cage or enclosure size by 25 percent of the original floor area.

(VI) Lizards over 6 feet in length.

For one or two animals, a cage or enclosure 9 feet by 6 feet, 4.5 feet high. For each additional animal, increase the size of the cage or enclosure by 25 percent of the original floor area.

c. Turtles, Tortoises and box turtles.

Each enclosure for turtles, tortoises and box turtles shall have a pool of water. The pool area shall equal no less than two (2) times the shell width by two (2) times the shell length. For turtles, other than tortoises and box turtles, such pool shall allow submersion of the largest turtle. For soft-shelled turtles, a non-abrasive pool bottom is required. Enclosure and pool sizes for all turtles, tortoises and box turtles shall be based upon the size of the largest specimen in the enclosure.

~~(I)e~~: Turtles (other than tortoises and box turtles):

~~In addition to requirements of this section, each enclosure shall be provided with an environment or devices that allow for temperature regulation necessary to insure the well-being of the species. The environment and devices shall be noninjurious, and may include, but are not limited to artificial lights and natural sunlight. Each enclosure shall be provided with a noninjurious substrate, such as gravel, rocks or sand. Each enclosure shall have a pool of water that will allow submersion of the largest turtle. For soft shelled turtles, a non-abrasive pool bottom is required.~~

~~Enclosure sizes for all turtles shall be based upon the size of the largest specimen in the enclosure.~~

For one or two turtles, an enclosure with an area at least 5 times the shell length by 2 times the shell width. A dry resting area equal to the size of the shell of the largest turtle shall be provided. For each additional animal, increase original floor area and pool area by 10 percent

~~(II)d~~: Tortoises and box turtles:

~~In addition to requirements of this section, each enclosure shall be provided with an environment or devices that allow for temperature regulation necessary to insure the well-being of the species. The environment and devices shall be noninjurious, and may include, but are not limited to artificial~~

~~lights and natural sunlight. Each cage shall be provided with a noninjurious substrate, such as gravel, rocks, newspaper, sand or indoor-outdoor carpet. Such substrate shall be kept clean.~~

~~Enclosure sizes for all tortoises and box turtles shall be based upon the size of the largest specimen in the enclosures~~

For one or two tortoises or box turtles, an enclosure with a floor area 10 times the shell size of the largest specimen in the enclosure. For additional animals, the combined area covered by all their bodies shall not exceed 50 percent of enclosure area.

~~d.e~~: through e.f: No change.

(r) No change.

(5) Effective date: All cage and enclosure requirements in this rule shall not take effect until January 1, 2008 ~~2000~~, ~~for those licensed or permitted prior to December 31, 1997.~~

PROPOSED EFFECTIVE DATE: January 1, 2008.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.921, 372.922 FS. History-New 8-1-79, Amended 6-22-80, 6-4-81, Formerly 39-9.03, Amended 6-21-82, Formerly 39-6.04, Amended 5-10-87, 4-13-88, 7-1-90, 9-1-90, 4-14-92, 2-1-98, Formerly 39-6.004, Amended 1-1-08.

68A-6.007 Possession, Transportation, Exhibition and Caging Venomous Reptiles and Reptiles of Concern; Prohibited Reptile Species.

(1) Any person who keeps, possesses, exhibits or sells poisonous or venomous reptiles shall comply with Sections 372.86, 372.87, 372.88, 372.89, 372.90, 372.901, 372.91, 327.921, F.S., and the provisions of this rule.

(2) Any person who keeps, possesses, exhibits or sells reptiles of concern shall comply with Sections 372.921, 372.922, F.S., and the provisions of this rule. The following reptiles, including any subspecies or hybrids thereof, are designated as reptiles of concern:

- (a) Indian or Burmese python (*Python molurus*)
- (b) Reticulated python (*Python reticulatus*)
- (c) African rock python (*Python sebae*)
- (d) Amethystine or Scrub python (*Morelia amethystinus*)
- (e) Green anacondas (*Eunectes murinus*)
- (f) Nile monitor (*Varanus niloticus*)

(3) General qualifications:

Applicants for authorization to possess venomous reptiles or reptiles of concern shall:

- (a) Be at least 18 years old at the time of application.
- (b) Not have been convicted of any violation of venomous reptile, reptile of concern or captive wildlife regulations involving unsafe housing of wildlife or that could potentially endanger the public; any violation involving the illegal commercialization of wildlife, any violation involving cruelty to animals, or any violation involving importation of wildlife within three (3) years of the date of application.

(c) Shall specify the location of the facility at which the venomous reptiles or reptiles of concern shall be maintained. Facilities for venomous reptiles shall be inspected and approved by Commission personnel prior to the issuance of the permit and placement of animals at the facility location.

(4) Experience requirements:

Applicants for authorization to possess venomous reptiles or reptiles of concern shall meet the following experience requirements.

(a) Venomous reptiles: Any person or entity not currently permitted to possess or exhibit venomous reptiles must qualify for a permit by meeting the following criteria:

1. Applicants shall demonstrate no less than one (1) year of substantial practical experience (to consist of no less than 1,000 hours) in the care, feeding, handling and husbandry of the species or other species within the same biological family which are similar in characteristics and care to the species for which the permit is sought. For the purposes of demonstrating compliance, applicants shall submit documentation of such experience including:

a. A description of the specific experience acquired.

b. The dates the experience was obtained and the specific location(s) where acquired.

c. References of no less than two (2) individuals, no more than one of which may be a relative of the applicant, having personal knowledge of the applicant's stated experience, one of which must be licensed by the commission for venomous reptiles of the same family for which the applicant is seeking authorization.

d. Additional documentation may include records of prior permits for the keeping of venomous reptiles, employment records, and any other competent documentation of the requisite experience.

2. If the applicant is unable to document such experience, as an alternative the applicant may take a written examination. The successful completion of a written examination for the particular species or family, administered by the Division of Law Enforcement, together with the documentation of not less than 500 hours of substantial practical experience in the care, feeding, handling and husbandry of the species or family for which the permit is sought may be substituted for the one year/1,000-hour requirement. Applicants scoring at least 80 percent correct on the examination shall be deemed as meeting the examination requirement for the particular species or family.

3. Providing false information to document the applicant's experience, by the applicant or any reference, is prohibited as provided in Sections 837.012 and 837.06, F.S.

(b) Reptiles of concern: On or after January 1, 2008, any person or entity not currently permitted to possess reptiles of concern must qualify for a permit by including with the application a satisfactorily completed questionnaire developed

by the Commission that assesses the applicant's knowledge of general husbandry, nutritional, and behavioral characteristic of the reptile of concern to be possessed.

(5) Facility requirements:

All persons licensed to keep, possess, or exhibit venomous reptiles or reptiles of concern shall provide safe, secure and proper housing for said reptiles in cases, cages, pits or enclosures. It shall be unlawful for any person whether licensed or not to keep, possess, or exhibit any venomous reptile or reptile of concern in any manner not approved as safe, secure and proper by the Florida Fish and Wildlife Conservation Commission. Venomous reptiles or reptiles of concern shall be kept in cages, cases, pits or enclosures of the following specifications:

(a) Cage may be constructed of a variety of materials including: plate glass of at least one-quarter inch thickness, break-resistant plastic of similar strength, concrete reinforced with wire, sheet metal, molded fiberglass, plywood or interlocking lumber that has been treated to be impervious to moisture and is not less than one-half inch in thickness, or other materials which provide equivalent stability and security against escape and unauthorized intrusion. Cages and doors to cages shall be sealed. The doors of each cage shall be securely locked by a device operated by a key, combination, key card or other locking device approved by the commission to prevent unauthorized intrusion.

(b) A room or out building may contain venomous reptiles or reptiles of concern in cages that are not locked provided that such a room or out building is locked by a device operated by a key, combination, key card or other locking device approved by the Commission to prevent unauthorized intrusion, is inaccessible to unauthorized personnel, is constructed and maintained as to be escape-proof, and has been inspected and approved as conforming to these rules by Commission personnel prior to use. Any out building so used must be of strong construction with concrete or other suitable flooring and securely anchored to the ground. Such building shall be clearly posted at point of entry with a sign stating "Danger – Venomous Reptiles" or in the instance of nonvenomous reptiles of concern a sign stating "Danger – Dangerous Reptiles."

(c) Outdoor open-topped enclosures:

1. For venomous reptiles native to the United States, the floors of outdoor cages shall be of concrete or masonry construction at least two inches in thickness. Sides shall be of similar construction, at least eight inches in thickness, or strength equivalent, with a minimum height of four feet above the floor of the enclosure. Outdoor enclosures need not have concrete or masonry flooring if the enclosure meets the following additional specifications:

a. The enclosure shall have concrete or masonry walls, at least eight inches in thickness, or strength equivalent.

b. The enclosure shall have footers made of concrete, or strength equivalent, extending not less than three feet below the grade level, outside the perimeter.

c. The corners of enclosure shall be designed or guarded to prevent the escape of reptiles by climbing.

d. All landscaping of the enclosure shall be arranged to insure that vegetation or other structures do not allow for the escape of reptiles.

2. Entrance doors shall be kept securely locked on all outdoor enclosures to prevent escape and unauthorized intrusion and the enclosure shall be equipped with barriers to prevent visitors from falling into enclosures that are constructed below ground level.

3. For venomous reptile species and reptiles of concern not native to the United States, all outdoor enclosures shall be topped with close-meshed wire or an equivalent barrier to provide additional security.

4. Enclosures shall meet the minimum standard caging size requirements as specified in Rule 68A-6.004, F.A.C.

5. Facilities housing venomous reptiles shall maintain bite or exposure protocols for the species of venomous reptiles possessed and have a visible cage enclosure identification system identifying the venomous reptiles housed or maintained on the premises.

a. Bite or Exposure Protocol:

Facilities or premises where venomous reptiles are housed or maintained shall have posted on the premises a venomous reptile bite protocol. Such protocol shall include: identification of the species by common and scientific name, emergency contact information, type of antivenin required for treatment of bites or exposures from the species housed or maintained, a plan of action to be taken in the event of a bite or exposure, and location of antivenin if stored on premises. In lieu of antivenin on premises contact information shall be provided for an antivenin bank or medical facility that maintains antivenin for the species possessed. Such protocol shall be clearly visible and posted in the room, building or other structure and in close proximity to where venomous reptiles are housed or maintained.

b. Cage Enclosure Identification System:

Each cage or enclosure housing venomous reptiles shall be clearly marked with a card or sign clearly stating "Danger Venomous Reptile" and identifying the species contained therein by common and scientific name. Such card or sign shall be clearly visible. A card or sign shall accompany the venomous reptile when it is removed from the cage or enclosure for handling or transport purposes.

(d) Facilities with one or more licensee at the same facility location may not commingle their respective live venomous reptile or reptile of concern inventories. All cages or enclosures must be clearly identified or visibly marked with the name of the licensee or other identifier to facilitate inventory inspections.

(6) Inspection:

Venomous reptiles or reptiles of concern held in captivity are subject to inspection by commission personnel. Commission personnel shall determine whether the said reptiles are securely, properly and safely housed. In the event that the reptiles are not safely housed, commission personnel shall report the situation in writing to the person possessing or exhibiting such reptiles. Failure of the possessor or exhibitor to correct the situation within 30 days after such written notice shall be grounds for revocation of the license or permit.

(7) No person except the licensee or his or her authorized employee shall open any cage, pit, or other container which contains venomous reptiles.

(8) Transporting:

Any person transporting venomous reptiles shall comply with Section 372.90, F.S., and the provisions of this rule. Venomous reptiles shall be placed in a stout closely woven cloth sack, tied or otherwise secured. In lieu of a stout closely woven cloth sack, the venomous reptile may be contained in a trap or box of solid construction which is locked or otherwise secured. The sack, trap or box shall then be placed in a box. The box shall be of strong material in solid sheets, except for small air holes which shall be screened. Boxes containing venomous reptiles shall be prominently labeled "Danger – Venomous Reptiles."

(9) Disaster and Critical Incident Plans:

Applicants for permits to possess venomous reptiles or reptiles of concern in captivity shall document in writing a course of action to be taken in preparation for disasters or critical incidents. Such course of action shall be documented on form FWCDLE 619 (02-06), which is adopted and incorporated herein by reference. Forms may be obtained by submitting a request to: Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, 620 South Meridian Street, Tallahassee, Florida 32399-1600, or at www.myfwc.com/permits. This form shall consist of two parts. Part A of form FWCDLE 619 shall be submitted at the time of initial application or renewal; and Part B shall be retained on file at the facility location and be made available for inspection upon request of Commission personnel.

(10) All species of snakes commonly known as sea snakes or sea kraits, belonging to the families *Elapidae*, *Hydrophiidae* or *Laticaudidae* are prohibited from being imported or possessed, except under the provisions of Section 370.081(4), F.S.

PROPOSED EFFECTIVE DATE: January 1, 2008.

Specific Authority Art. IV, Sec. 9, Fla. Const., 372.92, 372.921, 372.922 FS, Law Implemented Art. IV, Sec. 9, Fla. Const., 372.86, 372.87, 372.88, 372.89, 372.90, 372.901, 372.91, 372.92, 372.921, 372.922 FS, History–New 1-1-08.

68A-6.0071 Record Keeping and Reporting Requirements.

(1) Any person who possesses any live venomous reptile or reptile of concern shall have a permit issued in accordance with Section 372.86, 372.921, or 372.922, F.S., and comply with the provisions of this rule, Rule 68A-6.007, and if applicable Rule 68A-6.0072, F.A.C.

(a) Record Keeping:

Possessors shall maintain an accurate record of all changes in inventory including births, deaths, acquisitions, sales and transfers of all venomous reptiles or reptiles of concern. Such records shall be kept on the licensed premises on a Captive Wildlife Inventory Report form, FWCDLE 620IV-R (12-06), which is adopted and incorporated herein by reference. Forms may be obtained by submitting a request to: Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, 620 South Meridian Street, Tallahassee, Florida 32399-1600, or at www.myfwc.com/permits. Such records shall be open to inspection upon request by commission personnel.

1. Records of births or deaths shall include the date of the birth or death; and the quantity and species of each birth or death. For the purposes of this section "birth" shall be defined as the initial hatch or live birth date for the clutch.

2. Records of acquisition shall include the date of acquisition; quantity and species of reptiles acquired; method of identification and unique passive integrated transponder (PIT tag) number, if applicable, for each specimen; name and complete address of supplier; and license identification number of supplier where applicable.

3. Records of sale or transfer shall include the date of sale or transfer; quantity and species of reptiles sold or transferred; method of identification and unique passive integrated transponder (PIT tag) number, if applicable, of each specimen sold or transferred; and the license identification number of the recipient where applicable.

(b) Reporting:

1. Persons exhibiting or selling live venomous reptiles or reptiles of concern in accordance with Section 372.86 or 372.921, F.S., shall complete a Captive Wildlife Inventory Report form, FWCDLE 620IV-R (12-06), and submit same to Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, 620 South Meridian Street, Tallahassee, Florida 32399-1600, upon annual renewal of license and six months thereafter.

2. Persons possessing any live venomous reptile in accordance with Section 372.86, F.S., or any live reptile of concern in accordance with Section 372.922, F.S., for personal use shall complete a Captive Wildlife Inventory Report form, FWCDLE 620IV-R (12-06), and submit same to Florida Fish and Wildlife Conservation Commission, Division of Law

Enforcement, 620 South Meridian Street, Tallahassee, Florida 32399-1600, upon annual renewal of license and upon any instance of inventory change.

3. Persons operating in accordance with s. 68A-6.0011, F.A.C., are exempt from these reporting requirements.

PROPOSED EFFECTIVE DATE: January 1, 2008.

Specific Authority Art. IV, Sec. 9, Fla. Const., 372.92, 372.921, 372.922 FS. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.86, 372.87, 372.88, 372.89, 372.90, 372.901, 372.91, 372.92, 372.921, 372.922 FS. History—New 1-1-08.

68A-6.0072 Identification of Non-Native Venomous Reptiles and Reptiles of Concern; Escape.

(1) Any person who keeps or possesses for personal use any live venomous reptile not indigenous to Florida, in accordance with Section 372.86, F.S., or any live reptile of concern, in accordance with Section 372.922, F.S., must permanently identify such reptile.

(a) Live venomous reptiles not indigenous to Florida shall be permanently identified by photographic identification or with a unique passive integrated transponder (PIT tag).

(b) Live reptiles of concern shall be permanently identified with a unique passive integrated transponder (PIT tag).

(c) Records of identification including PIT tag number where applicable, along with information about the specimen being identified (species, specimen name or number, gender, and age) must be maintained in the possessors records for as long as the specimen is possessed.

(2) For photographic identification the photograph of the specimen must include sufficient distinguishing characteristics (marks, scars, and patterns, etc.) to enable that particular specimen to be distinguished from other specimens of the same species.

(3) Passive integrated transponder (PIT tag) identification shall consist of the implementation of a unique PIT tag under the specimen's skin in a manner to maintain the PIT tag permanently in place.

(a) For snakes implementation shall be in specimens with a two (2) inch or greater diameter. The PIT tag shall be implanted in the back one-third (1/3) of the snake, forward of the anal plate.

(b) For lizards implementation shall be in the body cavity in close proximity to and forward of a rear leg or in a rear leg.

(c) The requirement pertaining to the location of the PIT tag implementation shall not apply to specimens implanted prior to acquisition of the animal or prior to the effective date of this rule.

(4) Any person authorized to possess any venomous reptile not indigenous to Florida or reptile of concern must report any escapes to the Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement immediately upon discovery of escape.

(5) Effective Date:

All permanent identification requirements in this rule shall not take effect until July 1, 2008, for any live venomous reptile not indigenous to Florida or any reptile of concern possessed prior to January 1, 2008.

PROPOSED EFFECTIVE DATE: January 1, 2008.

Specific Authority Art. IV, Sec. 9, Fla. Const., 372.92, 372.921, 372.922 FS. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.86, 372.87, 372.88, 372.89, 372.90, 372.901, 372.91, 372.92, 372.921, 372.922 FS. History—New 1-1-08.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Colonel Julie Jones, Director, Division of Law Enforcement
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Mr. Kenneth D. Haddad, Executive
Director
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: September 13, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: July 28, 2006

**FISH AND WILDLIFE CONSERVATION
COMMISSION**

Freshwater Fish and Wildlife

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| RULE NO.: | RULE TITLE: |
| 68A-9.007 | Special-use Permits; Short-term Use Permits; Fees; Special-Opportunity Hunting and Fishing |

PURPOSE AND EFFECT: The purpose of the proposed rule is to provide the flexibility for the Commission to negotiate private contracts through a competitive process and for vendors to provide specific concession services on Commission managed lands. The effect would be enhanced services to the public on public lands.

SUMMARY: The proposed rule would provide the flexibility for the Commission to negotiate contracts through a competitive process and for vendors to provide specific concession services on managed lands including, but not limited to, public shooting ranges, public campgrounds, and paddling trails. The contracts would include vendor fees that would be charged for these activities.

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, 372.57 FS.

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

DATES AND TIME: During the Commission’s regular meeting, February 7-8, 2006, 8:30 a.m. – 5:00 p.m., each day
PLACE: Sandestin Golf and Beach Resort, 9300 Emerald Coast Parkway, West, Destin, Florida 32550

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mr. 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-9.007 Special-use Permits; Short-term Use Permits; Fees; Special-Opportunity Hunting and Fishing.

Special-use permits, short-term use permits, and fees for such permits are hereby established as follows:

- (1) through (3) No change.
- (4) The Commission establishes short-term permits and fees as follows:

- (a) Tenoroc Fish Management Area.
 - 1. through 3. No change.

4. The following persons are excluded from the management area permit or short-term use permit requirements:

- ~~a. Users of the Commission shooting range.~~
- ~~a.b. Persons participating in Commission-sponsored meetings or activities.~~

b.e. Persons exempt from management area permit requirements by Section 372.562, F.S. Users exempt from the fishing license requirement by Section 370.0605(5), Florida Statutes (1996 Supp.).

- (b) through (c) No change.
- (d) To facilitate certain recreational activities including, but not limited to, public shooting ranges, camping, and paddling, short-term permit fees may be established and administered through negotiated contracts with private vendors in accordance with Chapter 278, F.S. Such short-term permit fees established in this manner, may be required in lieu of an annual management area permit or other short-term use permits.

PROPOSED EFFECTIVE DATE: July 1, 2007.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.57 FS. History—New 9-15-96, Amended 1-9-97, 6-1-97, 4-12-98, 4-15-99, Formerly 39-9.007, Amended 7-1-00, 5-13-02, 7-1-06, 8-22-06, ~~7-1-07.~~

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mr. 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: December 6, 2006

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

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| RULE NOS.: | RULE TITLES: |
| 68A-11.005 | Use of Tracked Vehicles in the South Region |
| 68A-11.0051 | Tracked Vehicles Used for Recreational Purposes in South Region |

PURPOSE AND EFFECT: The purpose of this proposed rule amendment and rule repeal is to revise regulations for use of tracked vehicles in the South Region. The effect of the proposed rule changes will be to enable the agency to better manage fish and wildlife resources and public use in the South Region.

SUMMARY: The proposed rule changes would revise regulations for use of tracked vehicles in the South Region as follows:

The proposed rule changes would reestablish and simplify rules for inspecting and registering tracked vehicles utilizing the Holey Land, Rotenberger, and Everglades and Francis S. Taylor WMAs; modify the specifications for allowable tracked vehicles; require periodic re-inspection of tracked vehicles to ensure accurate and up-to-date records; require registration of tracked vehicles when transferring ownership; and, establish a tracked vehicle registration decal system.

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., 372.021, 375.313 FS.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution., 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, February 7-8, 2007; 8:30 a.m. – 5:00 p.m., each day
PLACE: Sandestin Golf and Beach Resort, 9300 Emerald Coast Parkway, West, Destin, FL 32550

Pursuant to the provisions of 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: James V. Antista, General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian St., Tallahassee, FL. 32399-1600, (850)487-1764

THE FULL TEXT OF THE PROPOSED RULES IS:

68A-11.005 Use of Tracked Vehicles in the South Region. In the ~~Everglades, Rotenberger, and Holey Land Wildlife Management Areas South Region~~, no person shall ~~operate take wildlife or freshwater fish from~~ any tracked vehicle that does not meet the following specifications:

- (1) ~~The m~~Maximum structure capable of bearing the weight of a person shall be no more than:
 - (a) ~~e~~Eight feet wide including any swing-out seat, outrigger or other protrusions.
 - (2) ~~The highest point of the structure of the tracked vehicle may not exceed twelve (12) feet from the ground, excluding antennas and tops used for the purpose of shade.~~
 - (b) ~~Six feet high measured from the lowest bottom surface.~~
 - (3)(2) ~~The Engine After January 1, 1982,~~ tracked vehicles shall be ~~gasoline-powered or diesel-powered and~~ powered by no more than one ~~six-cylinder~~ engine ~~equipped with up to eight cylinders; the engine must be muffled with an automotive-style sound-suppression device and shall not be modified in any way to increase horsepower.~~ with the following specifications:
 - (a) Gasoline-powered.
 - (b) No more than 250 cubic inch displacement.
 - (c) Equipped with no more than one two-barrel carburetor.
 - (d) Muffled with standard automotive muffling device.
 - (e) Shall not be modified to increase horsepower.
 - (4)(3) Track width – ~~After January 1, 1982,~~ ~~T~~he minimum track width shall be 16 inches.

~~(4) Tracked vehicles affixed with a TRG decal prior to January 1, 1982, shall be exempt from the engine limitations in subsection (2).~~

~~(5) The ~~all~~ tracked vehicles must have been used in the South Region to take wildlife or freshwater fish shall be inspected by a Commission employee for to determine compliance with this section and prior to being issued a permanent TR registration decal; the tracked vehicle must be operable at time of inspection.~~

~~(6) The valid tracked vehicle TRG or TR permanent registration decals shall be displayed on the left front of the tracked vehicle in a prominent and visible location.~~

~~(7) A tracked vehicle shall be re-inspected every five years.~~

~~(8) No person shall remove and/or transfer any tracked vehicle registration decal to any other vehicle or alter the original appearance, or mutilate, deface or change the color or number of any tracked vehicle registration decal.~~

~~(9) Upon the purchase, sale, trade, transfer or other disposition of a tracked vehicle, subject to the provisions of this section, the previous and current owners shall transfer the tracked vehicle registration within 30 days through the Commission South Regional Office, Division of Law Enforcement.~~

Specific Authority Art. IV, Sec. 9, Fla. Const., 372.021 FS. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 6-21-82, Amended 7-1-85, Formerly 39-11.05, Amended 6-8-87, Formerly 39-11.005, Amended 1-1-03,_____.

68A-11.0051 Tracked Vehicles Used for Recreational Purposes in South Region.

Specific Authority Art. IV, Sec. 9, Fla. Const., 375.313 FS. Law Implemented Art. IV, Sec. 9, Fla. Const., 375.313 FS. History—New 7-1-84, Formerly 39-11.051, 39-11.0051, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Major Brett Norton, Captain David Stermen, and Lieutenant John Reed, Division of Law Enforcement, South Region

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 6, 2006

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-15.005
RULE TITLE: Quota Permits; Antlerless Deer Permits; Special-Opportunity Permits

PURPOSE AND EFFECT: The purpose of the proposed rule changes is to revise hunter quotas on wildlife management area (WMAs), add new hunter quotas for existing and recently established WMAs, make clarifications and standardizations to the quota list, and reincorporate the list of quotas by area and hunt. The effect of the proposed rule changes is to enable the agency to better manage fish and wildlife resources and public use on public lands.

SUMMARY: The proposed rule would revise quotas for Fred C. Babcock/Cecil M. Webb WMA – small game – daily quail permits (number established annually by Executive Order, issued at the check station, no exemptions); Osceola WMA – general gun dog (quota increased from 800 to 900); Twin Rivers, Blue Springs Unit – special-opportunity quail hunt (number established annually by Executive Order, by special-opportunity quail hunt application, no exemptions).

The proposed rule would establish new quota hunts on Perdido River WMA – archery (40 by archery/muzzleloading gun quota application, no exemptions), muzzleloading gun (40 by archery/muzzleloading gun quota application, no exemptions), family hunt (20 by family hunt quota application, each hunt, no exemptions), general gun (40 by general gun quota application, each hunt, no exemptions), archery and muzzleloading gun (40 by archery/muzzleloading gun quota application, no exemptions), spring turkey (15 by spring turkey quota application, each hunt, no exemptions); Allapattah Flats WMA – archery (50 by archery/muzzleloading gun quota application, each hunt, no exemptions), muzzleloading gun (50 by archery/muzzleloading gun quota application, no exemptions), family hunt – (25 by family hunt quota application, no exemptions), general gun (50 by general gun quota application, no exemptions), and spring turkey (20 by spring turkey quota application, each hunt, no exemptions); and Matanzas WMA – general gun hog (50 by general gun quota application, no exemptions).

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, February 7-8, 2007, 8:30 a.m. – 5:00 p.m., each day

PLACE: Sandestin Golf and Beach Resort, 9300 Emerald Coast Parkway, West, Destin, FL 32550

Pursuant to the provisions of 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-15.005 Quota Permits; Antlerless Deer Permits; Special-Opportunity Permits.

(1) No change.

(2) The maximum number of quota and special-opportunity permits to be issued for each wildlife management area, fish management area, or wildlife and environmental area shall be maintained on a list titled "Quota and special-opportunity permits," dated May 1, 2007 ~~June 1, 2006~~, incorporated herein by reference and kept by the Commission at its headquarters office and regional offices.

(3) through (4) No change.

PROPOSED EFFECTIVE DATE: May 1, 2007.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History--New 8-1-79, Amended 5-19-80, 6-22-80,12-29-80, 6-4-81, 8-4-81, 6-21-82, 7-29-82, 7-1-83, 7-5-84, 7-1-85, 9-19-85, Formerly 39-15.05, Amended 5-7-86, 6-10-86, 5-10-87, 6-8-87, 10-8-87, 4-13-88, 6-7-88, 7-1-89, 7-1-90, 9-1-90, 7-1-91, 7-2-91, 7-1-92, 8-23-92, 7-1-93, 7-1-94, 3-30-95, 6-20-95, 8-15-95, 4-1-96, 6-27-96,9-15-96, 10-20-96, 6-1-97, 8-7-97, 11-23-97, 7-1-98, 7-2-98, 8-11-98, 12-28-98, 5-13-99, Formerly 39-15.005, Amended 12-9-99, 4-30-00, 7-1-01, 8-1-01, 11-1-01, 5-13-02, 10-16-02, 5-1-03, 7-1-03, 9-29-03, 7-1-04, 7-2-04, 8-1-04, 5-1-05, 5-1-06, 6-1-06, 5-1-07.

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

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: December 6, 2006

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-15.061
 RULE TITLE: Specific Regulations for Wildlife Management Areas – Southwest Region

PURPOSE AND EFFECT: The purpose of the proposed rule changes is to revise specific area regulations on Wildlife Management Areas (WMAs) in the Southwest Region and conform to calendar year date changes. The effect of the proposed rule changes is to enable the agency to better manage fish and wildlife resources and public use on WMAs.

SUMMARY: The proposed rule changes would adjust season dates to conform to calendar year changes and revise specific area regulations on Wildlife Management Areas (WMAs) in the Southwest Region as follows:

Babcock/Webb WMA – The proposed rule change would allow managers to employ adaptive harvest management strategies and annually adjust harvest pressure via Order of the Executive Director. This rule change would provide the flexibility to adjust hunter quotas (daily quail permits) on an annual basis using a 30% target harvest rate, fall population estimates, and hunter success rates.

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, February 7-8, 2007, 8:30 a.m. – 5:00 p.m., each day

PLACE: Sandestin Golf and Beach Resort, 9300 Emerald Coast Parkway, West, Destin, Florida 32550

Pursuant to the provisions of 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-15.061 Specific Regulations for Wildlife Management Areas – Southwest Region.

(1) Green Swamp Wildlife Management Area.

(a) Open season:

1. General gun – November ~~10~~ ~~11~~ through January ~~6~~ ~~7~~.

2. Archery – September ~~22~~ ~~23~~ through October ~~21~~ ~~22~~, Fridays, Saturdays and Sundays only.

3. Small game – January ~~12~~ ~~13~~ through February ~~10~~ ~~11~~, Saturdays and Sundays only.

4. Spring turkey – March ~~15~~ ~~17~~ through April ~~20~~ ~~22~~.

5. Fishing and frogging – Permitted during periods in which hunting is allowed; and Saturdays and Sundays from May ~~3~~ ~~5~~ to June ~~15~~ ~~17~~. Fishing and frogging is permitted at all other times provided that access is by foot only.

(b) through (c) No change.

(d) General regulations:

1. through 7. No change.

8. Camps shall be removed by 8:00 p.m., April ~~20~~ ~~22~~ and June ~~15~~ ~~17~~ from the Rock Ridge campground and by April ~~20~~ ~~22~~ from the 471 campground.

9. through 10. No change.

(2) Green Swamp Wildlife Management Area – West Unit.

(a) Open season:

1. Special-opportunity turkey – March ~~15-18~~ ~~17-20~~, March ~~24-27~~ ~~26-29~~, March ~~29~~ ~~31~~ through April ~~1~~ ~~3~~, April ~~7-10~~ ~~9-12~~ and, ~~12-15~~ ~~14-17~~.

2. Special-opportunity archery – November ~~3-6~~ ~~4-7~~ and ~~15-18~~ ~~16-19~~.

3. Special-opportunity general gun – December ~~13-16~~ ~~14-17~~, January ~~7-10~~ ~~8-11~~ and ~~17-20~~ ~~18-21~~.

4. Special-opportunity hog-still – February ~~1-3~~ ~~2-4~~.

5. Special-opportunity hog-dog – February ~~13-15~~ ~~14-16~~.

6. Small game – February ~~22-24~~ ~~23-25~~ and ~~February 29~~ ~~through~~ March ~~2~~ ~~2-4~~.

7. through 8. No change.

(b) through (d) No change.

(3) Fred C. Babcock/Cecil M. Webb Wildlife Management Area.

(a) Open season:

1. General gun – October ~~27~~ ~~28~~ through November ~~4~~ ~~5~~.

2. Small game:

a. November ~~10-18~~ ~~11-19~~, and

b. November ~~21-25~~, and ~~22~~ through January ~~14~~ on ~~Wednesdays, Thursdays, Saturdays, Sundays only~~ and November ~~24~~.

c. November ~~28~~ through January ~~13~~ on ~~Wednesdays, Thursdays, Saturdays, and Sundays only~~.

3. No change.

4. Archery – September ~~8-9~~ ~~9-10~~.

5. Bird dog training – Bird dogs may be trained in the recreation area September 15 through February 10 and bird dogs may be trained in zones A, B, C, and D during the small game season on those days when daily quail permits are not issued which shall include the day that the season quota for daily quail permits is attained. Quail – Wednesday, Thursday, Saturday, and Sunday – November 15-19, 22-26, November 29 through December 3, December 6-10, 13-17 and 20-24.

(b) Legal to take:

1. No change.

2. Small game – all legal small game (except deer, hog and turkey), fish, frogs and furbearers. Only persons in possession of a daily quail permit, issued from November 14 through December 23 on Wednesdays, Thursdays, Saturdays and Sundays only, shall kill or be in possession of quail. Quail shall be taken by daily quail permit only within the zone assigned on the daily quail permit. Bag limit for quail is 6 per day. Quail may be taken only during the quail season and only within assigned zones.

3. through 4. No change.

5. Quail – all legal game (except deer, hog and turkey), fish, frogs and furbearers. Bag limit for quail is 6 per day. Quail may be taken in Zones A and B by daily quail permit issued on a first come, first served basis at the check station. The quota for daily quail permits shall be 10 permits, per zone, for Zones A and B (no exemptions). Daily quail permits for Zones A and B shall be non-transferable.

(c) No change.

(d) General regulations:

1. through 2. No change.

3. Hunting will be permitted on the field trial area and Boy Scout area during the following periods:

a. General gun – October ~~27~~ ~~28~~ through November ~~4~~ ~~5~~, by walking hunters.

b. Small game season on Wednesdays and Thursdays only, by walking hunters, provided that the taking of quail is prohibited.

c. Field trial quail – January ~~26-27~~ ~~27-28~~.

d. No change.

4. No change.

5. Hunting camps may be set up after 8:00 a.m. October ~~19~~ ~~20~~ and shall be removed by 9:00 p.m. the last day of the small game season. Camping is permitted from 5:00 p.m. Friday to 9:00 p.m. Sunday and on Memorial Day, Independence Day, Martin Luther King Jr. Day, and Labor Day during the remainder of the year.

6. ~~Bird dogs may be trained in designated areas during the bird dog training season, September 16 through February 11. Dogs shall be caged or leashed in camp areas. Hunting with dogs during the general gun season is prohibited. During quail season, bird dogs may be trained on Mondays, Tuesdays, and Fridays only.~~

7. During closed seasons vehicles may be operated only on named or numbered roads in the recreational area lying south of the northern boundaries of Sections 19, 20 and 21, Township 41S, Range 24E and west of the first north-south fence line east of the Seaboard Grade. The operation of vehicles is prohibited in Sections 13, 14, 23 and 24, Township 42S, Range 24E and the west 1/2 of Section 19, Township 42S, Range 25E.

8. through 9. No change.

10. No person shall operate a vehicle off named or numbered roads, except during the general gun and small game seasons or when training bird dogs without guns in the recreation area during the bird dog training season.

11. No change.

12. During the small game quail season, shotguns shall be plugged to a three-shell capacity with a one-piece filler that cannot be removed without disassembling the gun.

13. No change.

14. The season quota for daily quail permits and the specific procedures for issuing the permits shall be as established by Order of the Executive Director or his designee. The season quota for daily quail permits will be adjusted each year, as necessary to achieve an annual quail harvest rate at approximately 30% of the estimated population. Quotas for daily quail permits will be based on estimates of fall population levels relative to a 30% harvest rate and daily hunter success rates. Procedures for issuing daily quail permits will be established in the Order of the Executive Director and will result in distributing quail hunting pressure as evenly as possible among zones A, B, C, and D.

15. Daily quail permits are non-transferable, valid the day of issuance only, limited to no more than one daily quail permit per person per day, and not subject to exemptions, except that one person younger than 16 years of age may accompany a person older than 18 years of age who holds a daily quail permit and may participate in the hunt provided that both hunters must share a single daily bag limit of quail.

(4) Fred C. Babcock/Cecil M. Webb Wildlife Management Area – Yucca Pens Unit.

(a) Open season:

1. General gun – October ~~27 28~~ through November ~~4 5~~.

2. Small game – November ~~10 11~~ through January ~~13 14~~ on Wednesdays, Thursdays, Saturdays, Sundays only and November ~~23 24~~.

3. Muzzleloading gun – October ~~12-14 13-15~~.

4. No change.

(b) through (d) No change.

(5) Upper Hillsborough Wildlife Management Area.

(a) Open season:

1. Archery – December ~~8-16 9-17~~ and January ~~5-13 6-14~~, Saturdays and Sundays only.

2. Muzzleloading gun – November ~~10 11~~ through December ~~2 3~~, Saturdays and Sundays only.

3. Small game – January ~~19 20~~ through February ~~3 4~~, Saturdays and Sundays only.

4. Spring turkey – March ~~19-20 21-22, 26-27 28-29~~, April ~~2-3 4-5, 9-10 11-12~~ and ~~16-17 18-19~~.

5. No change.

(b) through (d) No change.

(6) Arbuckle Wildlife Management Area.

(a) Open season:

1. Archery – October ~~13 14~~ through November ~~2 3~~.

2. Muzzleloading gun – November ~~3-11 4-12~~.

3. General gun hog – November ~~17-25 18-26~~, Saturdays and Sundays only.

4. Spring turkey – March ~~18-20 20-22~~ and April ~~1-3 3-5~~.

5. No change.

(b) through (d) No change.

(7) KICCO Wildlife Management Area.

(a) Open season:

1. Archery – September ~~22 23~~ through October ~~21 22~~, Saturdays and Sundays only.

2. Muzzleloading gun – October ~~27 28~~ through November ~~4 5~~, Saturdays and Sundays only.

3. General gun hog – November ~~10 11~~ through December ~~9 10~~, Saturdays and Sundays only.

4. Small game – December ~~15 16~~ through January ~~6 7~~.

5. Spring turkey – March ~~15 17~~ through April ~~13 15~~, Saturdays and Sundays only.

6. No change.

(b) through (d) No change.

(8) Hickory Hammock Wildlife Management Area.

(a) Open season:

1. General gun hog – September ~~14-16, 15-17 and 21-23 22-24~~ and January ~~11-13 12-14~~.

2. Archery – October ~~19-21 20-22~~.

3. Muzzleloading gun – October ~~29-31 30~~ through November ~~1~~ and November ~~2-4 3-5~~.

4. General gun – November ~~9-11 10-12~~.

5. Small game – November ~~12 13~~ through January ~~6 7~~.

6. through 8. No change.

9. Spring turkey – March ~~20-22 22-24~~ and April ~~10-12 12-14~~.

10. No change.

(b) through (d) No change.

(9) Walk-in-the-Water Wildlife Management Area.

(a) Open season:

1. Archery – September ~~29 30~~ through October ~~14 15~~.

2. Muzzleloading gun – October ~~26-28~~ 27-29.
3. General gun hog – January ~~12-20~~ 13-21.
4. Small game – November ~~17~~ 18 through December ~~9~~ 10 and February ~~2-17~~ 3-18.
5. No change.
 (b) through (d) No change.
 (10) Hilochee Wildlife Management Area.
 (a) Open season:
 1. No change.
 2. Spring turkey – March ~~21-23~~ 23-25 and April ~~4-6~~ 6-8.
 3. Muzzleloading gun – November ~~2-4~~ 3-5.
 4. General gun hog – November 30 through December ~~2~~ 1-3, January ~~11-13~~ 12-14 and ~~18-20~~ 19-21.
 5. Small game – January ~~25~~ 26 through February ~~3~~ 4.
 6. Archery – October ~~19-21~~ 20-22.
 7. No change.
 (b) through (d) No change.
 (11) Lake Marion Creek Wildlife Management Area.
 (a) Open season:
 1. Archery – September ~~22-24~~ 23-25 and September ~~28-30~~ 29 through October 1.
 2. Muzzleloading gun – October ~~27-29~~ 28-30.
 3. General gun – November ~~10-12~~ 11-13 and ~~16-18~~ 17-19.
 4. Small game – December ~~7-9~~ 8-10 and ~~14-16~~ 15-17.
 5. General gun hog – January ~~5-7~~ 6-8.
 6. Spring turkey – March ~~15-17~~ 17-19, March ~~28-30~~ through April 1 and April ~~11-13~~ 13-15.
 7. No change.
 (b) through (d) No change.
 (12) Avon Park Air Force Range Wildlife Management Area.
 (a) Open season:
 1. Archery – September ~~22~~ 23 through October ~~21~~ 22 in areas and during days specified by the Installation Commander.
 2. Muzzleloading gun – October ~~27~~ 28 through November ~~4~~ 5 in areas and during days specified by the Installation Commander.
 3. General gun – November ~~10~~ 11 through January ~~20~~ 21 in areas and during days specified by the Installation Commander.
 4. Small game – ~~December 31~~ January 1 through March ~~2~~ 4 in areas and during days specified by the Installation Commander.
 5. Spring turkey – March ~~15~~ 17 through April ~~20~~ 22 in areas and during days specified by the Installation Commander.
 6. Antlerless deer – November ~~17-23~~ 18-24 in areas and during days specified by the Installation Commander.
 7. through 8. No change.
 (b) through (d) No change.
 (13) Croom Wildlife Management Area.
 (a) Open season:
 1. Muzzleloading gun – October ~~26-28~~ 27-29.
 2. General gun – November ~~10~~ 11 through December ~~2~~ 3.
3. Small game – December ~~3~~ 4 through March ~~2~~ 4.
4. Spring turkey – March ~~18-20~~ 20-22, April ~~1-3~~ 3-5 and ~~15-17~~ 17-19.
5. Fox, raccoon and bobcat – December ~~13~~ 14 through March ~~9~~ 11. Hunting is permitted from 5:00 p.m. Thursday to sunrise Sunday with dogs only. No guns allowed.
 6. through 7. No change.
 (b) through (c) No change.
 (d) General regulations:
 1. Hunting with dogs is prohibited November ~~10~~ 11 through December ~~2~~ 3. Hunting with dogs other than bird dogs is prohibited December ~~3-12~~ 4-13, except that dogs may be used for hunting fox, raccoon or bobcat during the fox, raccoon and bobcat season, and dogs with a shoulder height of 15 inches or less may be used to hunt small game during the small game season in the portion of the area south of Croom Road, bounded on the east by Croom-Rital Road to its juncture with the boundary fence of the Croom Motorcycle area located in Sections 17, 18, 19, 30, 31 and those parts of Sections 7 and 8 lying south of the old railroad right-of-way, Township 22 South, Range 21 East, and thence bounded by said boundary fence. Trailing dogs on a leash are permitted.
 2. through 7. No change.
 (14) Chassahowitzka Wildlife Management Area.
 (a) Open season:
 1. Archery – September ~~22~~ 23 through October ~~21~~ 22.
 2. Muzzleloading gun – October ~~26-28~~ 27-29.
 3. General gun – November ~~10~~ 11 through January ~~6~~ 7.
 4. through 5. No change.
 6. Spring turkey – March ~~22-25~~ 24-27 and March ~~26-30~~ 28 through April 1.
 (b) through (d) No change.

PROPOSED EFFECTIVE DATE: July 1, 2007.

Specific Authority Art. IV, Sec. 9, Fla. Const., 372.121, 375.313 FS. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.121, 375.313 FS. History–New 6-21-82, Amended 7-1-83, 11-17-83, 7-5-84, 10-1-84, 7-1-85, 9-19-85, 5-7-86, 5-10-87, 6-8-87, 10-8-87, 5-1-88, 7-1-89, 7-1-90, 7-1-91, 7-2-91, 7-1-92, 8-23-92, 7-1-93, 7-1-94, 7-1-95, 7-1-96, 9-15-96, 6-1-97, 8-7-97, 7-1-98, 10-20-98, 12-28-98, 7-1-99, Formerly 39-15.061, Amended 12-9-99, 3-30-00, 7-1-00, 7-1-01, 5-13-02, 5-25-03, 7-1-04, 7-1-05, 7-1-06, 7-1-07.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 6, 2006

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-15.062
 RULE TITLE: Specific Regulations for Wildlife Management Areas – North Central Region

PURPOSE AND EFFECT: The purpose of the proposed rule changes is to revise specific area regulations on Wildlife Management Areas (WMAs) in the North Central Region and conform to calendar year date changes. The effect of the proposed rule changes will be to enable the agency to better manage fish and wildlife resources and public use on WMAs.

SUMMARY: The proposed rule changes would adjust season dates to conform to calendar year changes and revise specific area regulations on Wildlife Management Areas (WMAs) in the North Central Region as follows:

Osceola WMA – The proposed rule change would reconfigure the boundaries of the still and dog hunt areas, increase the number of acres of deer-dog hunting by approximately 17,000 acres and increase the number of dog hunt quota permits from 800 to 900. Dog hunters would be required to use designated roads to access the dog hunt area during the fox, deer-dog training and general gun seasons; and possess dogs at the East Tower campground during the general gun season.

Twin Rivers WMA – The proposed rule change would prohibit the taking of hogs with dogs.

Twin Rivers WMA, Blue Springs Unit – The proposed rule change would provide up to 14 days of bird dog training during November and December; establish a special-opportunity quail hunt on up to five Saturdays in January and February with the following hunter quotas: two (2) permits per day, two (2) persons per permit, and a bag limit of 12 quail per permit by special-opportunity quail hunt application. Proposed rules would allow managers to maintain sustainable quail hunting opportunities by annually adjusting harvest pressure via Order of the Executive Director. The number of days open to hunting would be calculated so that not more than 15% of the fall quail population would be taken. In addition, proposed rules would eliminate the restriction of bird dog training hours; allow bird dog training permits to be issued from the Regional Office; require persons participating in bird dog training or special-opportunity quail hunts to enter at a designated entrance; prohibit motorized vehicles except by persons in possession of a valid bird dog training or special-opportunity quail hunt permit and allow shotguns only during the special-opportunity quail hunts.

San Pedro Bay WMA – The proposed rule would eliminate all references to the still hunt area. The landowner is removing that portion from the WMA.

Lower Econfina River WMA – The proposed rule would establish regulations for the new WMA with the following open seasons: 16-day archery, 3-day muzzleloading gun,

42-day small game, 9-day spring turkey, and fishing and frogging throughout the year. It would establish as legal to take all legal game, hogs, fish, frogs and furbearers, no size or bag limit on hogs; quota permits would not be required for any season; fires would be prohibited; motorized vehicles could be operated only on named or numbered roads; east of the Lower Econfina River motorized vehicles would be allowed only during periods open to hunting; ATVs and motorcycles would be prohibited; hunting with bird dogs and dogs with a shoulder height of less than 15 inches would be allowed and hunting hogs with dogs would be prohibited.

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

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for 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, February 7-8, 2007, 8:30 a.m. – 5:00 p.m., each day

PLACE: Sandestin Golf and Beach Resort, 9300 Emerald Coast Parkway West, Destin, Florida 32550

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting the ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

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-15.062 Specific Regulations for Wildlife Management Areas – North Central Region.

(1) Camp Blanding Wildlife Management Area.

(a) Open season:

1. through 3. No change.

4. Archery – September ~~25-27~~ ~~26-28~~ and October ~~2-4~~ ~~3-5~~, only in the still hunt areas.

5. No change.

6. Muzzleloading gun – October ~~9-11~~ ~~10-12~~ and ~~16-18~~ ~~17-19~~, only in the still hunt areas.

- 7. No change.
- 8. Trapping – December 1 through January ~~6~~ 7, only in the still hunt areas.
 - (b) through (d) No change.
 - (2) Cypress Creek Wildlife Management Area.
 - (a) Open season:
 - 1. Spring turkey – March ~~15-23~~ 17-25.
 - 2. Archery – September ~~22~~ 23 through October ~~7~~ 8.
 - 3. Muzzleloading gun – October ~~26-28~~ 27-29.
 - 4. through 5. No change.
 - (b) through (d) No change.
 - (3) Gulf Hammock Wildlife Management Area.
 - (a) Open season:
 - 1. General gun – November ~~10~~ 11 through January ~~20~~ 21.
 - 2. Spring turkey – March ~~15~~ 17 through April ~~20~~ 22.
 - 3. Archery – September ~~22~~ 23 through October ~~21~~ 22.
 - 4. Muzzleloading gun – October ~~27~~ 28 through November ~~4~~ 5.
 - 5. No change.
 - (b) through (d) No change.
 - (4) Lochloosa Wildlife Management Area.
 - (a) Open season:
 - 1. General gun – November ~~10-23~~ 11-24, November ~~24~~ 25 through December ~~9~~ 10 and December ~~10~~ 11 through January ~~6~~ 7.
 - 2. Spring turkey – March ~~15~~ 17 through April ~~20~~ 22.
 - 3. Archery – September ~~22~~ 23 through October ~~21~~ 22.
 - 4. Muzzleloading gun – October ~~26-28~~ 27-29.
 - 5. No change.
 - 6. Small game – January ~~7~~ 8 through March ~~2~~ 4.
 - 7. No change.
 - (b) through (d) No change.
 - (5) Osceola Wildlife Management Area.
 - (a) Open season:
 - 1. General gun – November ~~10~~ 11 through January ~~6~~ 7.
 - 2. Small game – January ~~7~~ 8 through March ~~2~~ 4.
 - 3. Spring turkey – March ~~15~~ 17 through April ~~20~~ 22.
 - 4. Archery – September ~~22~~ 23 through October ~~14~~ 15.
 - 5. Muzzleloading gun – October ~~19-26~~ 20-27 in the still hunt area and Big Gum Swamp Wilderness only.
 - 6. Fox, raccoon, opossum and bobcat – August ~~4~~ 5 through September ~~25~~ 26 in the dog hunt portion of the area only from sunset to sunrise.
 - 7. through 8. No change.
 - 9. Trapping – January ~~7~~ 8 through March 1.
 - (b) through (c) No change.
 - (d) General regulations:
 - 1. The ~~western~~ dog hunt area is within the area created by traversing south on ~~includes that portion of the area bounded on the west by~~ Forest Service Road 237 from its intersection

with the north boundary of the Osceola National Forest; on the southeast on by Forest Service Road 263; south on Forest Service Road 234; and County Road 250; east and north on County Road 250 to the boundary of the Osceola National Forest; north along the east boundary of the West ½ of Section 3, Township 1 South, Range 20 East; west along the Base Line until it intersects Forest Road 24; northwest on Forest Road 24; north on Forest Road 4; east on Forest Road 3 to Eddy Grade; northwesterly on Eddy Grade to State Road 2; northwest on State Road 2; southwest on Forest Service Road 295; west on Forest Service Road 296F; south on Forest Service Road 296C; east and south on Forest Service Road 296E; south on Forest Service Road 295; south on Forest Service Road 297 to the boundary of the Osceola National Forest; then due west to the northwest corner of Section 23, Township 1 South, Range 19 East; then south along the east side of Section 27, Township 1 South, Range 19 East to the southeast corner of Section 27, Township 1 South, Range 19 East; then west to the SW corner of the SE 1/4 of the SW 1/4 Section 29, Township 1 North, Range 19 East; then north along the west boundary of the East 1/2 of the West 1/2 Section 29, Township 1 North, Range 19 East to the south boundary of Section 20, Township 1 North, Range 19 East; then west along the north boundary of Section 30, Township 1 North, Range 19 East to the Baker County/Columbia County line; then south along the County Line to Forest Road 36; south to Forest Road 46; south on Forest Road 39; west on Forest Road 42 until it becomes Forest Service Road 212; south on Forest Service Road 212; west on Forest Service Road 272; north on Forest Service Road 270 to the Forest Boundary; then west back to the beginning point of Forest Service Road 237, on the east by Forest Service Roads 233, 232, 262, 214, 272 and 270; and on the north by the National Forest Service boundary to the junction with Forest Service Road 237. The eastern dog hunt area includes those lands bounded by the following roads and survey lines: Begin at the intersection of County Road 125 and the northern boundary of the National Forest, proceed south on County Road 125 to the eastern boundary of the National Forest, then south and west along the National Forest boundary to County Road 229, then north along County Roads 229 and 250, then west along Forest Service Road 232, then northwest along Forest Service Road 235 until it becomes Forest Road 39, then generally north along Forest Road 39, then northwest along Forest Road 46, then west along Forest Road 36 to the Baker County/Columbia County line, then north along the west side of Section 31, Township 1 South, Range 19 East, to the northwest corner of Section 30, Township 1 South, Range 19 East, then east along the north boundary of Section 30, Township 1 South, Range 19 East, to the NE corner of the NW 1/4 of the NW 1/4 Section 29, Township 1 North, Range 19 East, then south to the south boundary of Section 29, Township 1 South, Range 19 East, then east to the southeast corner of Section 27, Township 1 South, Range 19 East, then north along the east side of Section 27, Township 1 South, Range 19 East,

to the northwest corner of Section 23, Township 1 South, Range 19 East, then east to Forest Road 5, then northwest along Forest Road 5 until it becomes Forest Service Road 297, then along Forest Service Road 297 to Forest Service Road 295, then northwest and eventually northeast along Forest Service Road 295 to State Road 2, then southeast along State Road 2 to Eddy Grade, then south along Eddy Grade to the junction of Forest Road 3, then west along Forest Road 3, southwest, west, and then south along Forest Road 4, then southeast along Forest Road 24 until it intersects the northern boundary of Section 5, Township 1 South, Range 20 East, then east along the Base Line to the Northeast corner of the Northwest 1/4 of Section 3, Township 1 South, Range 20 East, then south along the east boundary of the West 1/2 of Section 3, Township 1 South, Range 20 East to the southwest corner of the North 1/2 of the Northeast 1/4 of Section 10, Township 1 South, Range 20 East, then east back to the beginning point on County Road 125. Except for these areas, the possession or use of dogs other than bird dogs or retrievers is prohibited. However, leashed or caged dogs may be kept at the East Tower, Sandhill and West Tower hunt camps during the general gun season.

2. Deer dogs may be trained from October ~~27~~ 28 through November ~~5~~ 6, except in the still hunt area.

3. No change.

4. In that portion of the ~~western~~ dog hunt area, north of Forest Service Road 262, vehicles shall be restricted to numbered roads from August 1 through January 15. In that portion of the area south of I-10 vehicles shall be restricted to numbered roads year-round. In that portion of the area lying north and northeast of Forest Service Road 200, west of Forest Service Road 255, north of Forest Service Road 232, north of Forest Service Road 212, and north of Forest Service Road 212-A in Baker County; and those lands lying north of Forest Road 36 in Columbia County, vehicles shall be restricted to numbered roads year-round.

5. through 6. No change.

7. During the fox, raccoon, opossum and bobcat; deer-dog training and general gun seasons, the possession of dogs other than bird dogs and waterfowl retrievers is prohibited, except on roads adjacent to the dog hunt area, all lands within the dog hunt area and Interstate 10; State Road 2; County Roads 125, 229, 250, 250A, Eddy Grade and Baxter Grade; and Forest Roads 231, 236, 237, 262, 263 and 285. Additionally, any leashed or caged dog may be kept at the East Tower hunt camp during the general gun season. No person shall transport dogs, other than bird dogs or retrievers, through the still hunt area to the western dog hunt area except on Forest Service Road 285; on Forest Service Road 236 eastward from US 441; on Forest Service Road 263; on Forest Service Road 262 east from US 441; on Forest Service Road 233 north from County Road 250; on Forest Service Road 233 east from US 441 to its juncture

~~with Forest Service Road 237 and then north on Forest Service Road 237 to the boundary of the dog hunt area, and on Forest Service Road 232 west from the east dog hunt area.~~

8. No change.

(6) Big Bend Wildlife Management Area – Tide Swamp Unit.

(a) Open season:

1. General gun – November ~~10~~ 11 through January ~~6~~ 7.
2. Archery – September ~~22~~ 23 through October ~~21~~ 22.
3. Muzzleloading gun – October ~~26-28~~ 27-29.
4. Small game – January ~~7~~ 8 through March ~~2~~ 4.
5. through 7. No change.
8. Spring turkey – March ~~15~~ 17 through April ~~20~~ 22.
9. Trapping – January ~~7~~ 8 through March 1.

(b) through (d) No change.

(7) Big Bend Wildlife Management Area – Spring Creek Unit.

(a) Open season:

1. General gun – November ~~10~~ 11 through January ~~6~~ 7.
2. Archery – September ~~22~~ 23 through October ~~21~~ 22.
3. Muzzleloading gun – October ~~26-28~~ 27-29.
4. Small game – January ~~7~~ 8 through March ~~2~~ 4.
5. Spring turkey – March ~~15~~ 17 through April ~~20~~ 22.
6. Trapping – January ~~7~~ 8 through March 1.

7. through 9. No change.

(b) through (d) No change.

(8) Big Bend Wildlife Management Area – Hickory Mound Unit.

(a) Open season:

1. General gun – November ~~10~~ 11 through January ~~6~~ 7.
2. Small game – January ~~7~~ 8 through March ~~2~~ 4.
3. Spring turkey – March ~~15~~ 17 through April ~~20~~ 22.
4. Archery – September ~~22~~ 23 through October ~~21~~ 22.
5. through 7. No change.
8. Trapping – January ~~7~~ 8 through March 1.

(b) through (d) No change.

(9) Big Bend Wildlife Management Area – Jena Unit.

(a) Open season:

1. General gun – November ~~10~~ 11 through January ~~6~~ 7.
2. Spring turkey – March ~~15~~ 17 through April ~~20~~ 22.
3. Small game – January ~~7~~ 8 through March ~~2~~ 4.
4. through 6. No change.
7. Trapping – January ~~7~~ 8 through March 1.

(b) through (d) No change.

(10) Big Bend Wildlife Management Area – Snipe Island Unit.

(a) Open season:

1. Archery – September ~~22~~ 23 through October ~~21~~ 22.
2. Muzzleloading gun – October ~~26-28~~ 27-29.
3. General gun – November ~~10~~ 11 through December ~~2~~ 3.

- 4. Small game – January ~~5~~ 6 through February ~~3~~ 4.
- 5. Spring turkey – March ~~15~~ 17 through April ~~6~~ 8.
- 6. Trapping – January ~~5~~ 6 through March 1.
- 7. No change.
- (b) through (d) No change.
- (11) No change.
- (12) Raiford Wildlife Management Area.
- (a) Open season:
 - 1. Archery – September ~~22~~ 23 through October ~~7~~ 8.
 - 2. Muzzleloading gun – October ~~26-28~~ 27-29.
 - 3. Archery and muzzleloading gun – November ~~10-18~~ 11-19.
 - 4. Spring turkey – March ~~15-23~~ 17-25.
 - 5. No Change.
 - (b) through (d) No change.
- (13) Cedar Key Scrub Wildlife Management Area.
- (a) Open season:
 - 1. General gun – November ~~10-18~~ 11-19.
 - 2. Archery – September ~~22~~ 23 through October ~~7~~ 8.
 - 3. Muzzleloading gun – October ~~26-28~~ 27-29.
 - (b) through (d) No change.
- (14) Andrews Wildlife Management Area.
- (a) Open season:
 - 1. Archery – September ~~28-30~~ 29 through October ~~1~~ and October ~~5-7~~ 6-8.
 - 2. Muzzleloading gun – October ~~26-28~~ 27-29 and November ~~2-4~~ 3-5.
 - 3. General gun – November ~~16-18~~ 17-19.
 - 4. Small game – January ~~4-6~~ 5-7, ~~11-13~~ 12-14 and ~~18-20~~ 19-21.
 - 5. Family hunt – February ~~2-3~~ 3-4 and ~~9-10~~ 10-11.
 - 6. Spring turkey – March ~~21-23~~ 23-25 and April ~~11-13~~ 13-15.
 - 7. Supervised deer-hog youth hunt – October ~~13-14~~ 14-15 and ~~20-21~~ 21-22.
 - 8. No change.
 - (b) through (d) No change.
- (15) Big Shoals Wildlife Management Area.
- (a) Open season:
 - 1. Archery – September ~~24-29~~ 25-30, October ~~1-6~~ 2-7 and ~~8-13~~ 9-14.
 - 2. Muzzleloading gun – October ~~26-28~~ 27-29 and November ~~2-4~~ 3-5.
 - 3. Small game – December ~~17-22~~ 18-23 and ~~24-29~~ 25-30.
 - 4. Spring turkey – March ~~20-22~~ 22-24 and April ~~10-12~~ 12-14.
 - 5. No change.
 - (b) through (d) No change.
- (16) Twin Rivers Wildlife Management Area.
- (a) Open season:

- 1. Archery – September ~~22~~ 23 through October ~~7~~ 8.
- 2. Muzzleloading gun – October ~~26-28~~ 27-29.
- 3. General gun – November ~~10-20~~ 11-21.
- 4. Small game – December ~~1-23~~ 2-24.
- 5. Spring turkey – March ~~21-23~~ 23-25 and April ~~11-13~~ 13-15.
- 6. No change.
- (b) through (c) No change.
- (d) General regulations:
 - 1. through 10. No change.
 - 11. Taking of hogs by the use of dogs is prohibited.
- (17) Twin Rivers Wildlife Management Area – Blue Springs Unit.
- (a) Open season: ~~Bird Dog Training – Tuesdays and Thursdays in October.~~
 - 1. Bird Dog Training – November and December.
 - 2. Special-opportunity quail – Up to five Saturdays of quail hunting may be allowed in January and February, combined.
 - (b) Legal to take: Quail only. Bag limit during the special-opportunity quail hunt is 12 quail per permit.
 - (c) Camping: Prohibited during periods open to hunting and by landowner permit during periods closed to hunting.
 - (d) General regulations:
 - 1. No change.
 - 2. A bird dog training permit from the Executive Director or designee, as provided by Rules 68A-9.007 and 68A-12.007, F.A.C., shall be required of each group entering the area to train bird dogs. A group, for the purpose of bird dog training, may ~~shall~~ include up to four persons and up to six dogs. One permit may be issued per day during the open season, on a first-come first-served basis, until a maximum of 14 permits have been issued.
 - 3. A special-opportunity quail permit, as established annually by Order of the Executive Director or designee, shall be required for each group entering the area to hunt quail. Up to two special-opportunity hunt permits may be issued per day and up to two hunters will be allowed per permit. The number of Saturdays open for quail hunting will be adjusted each year as necessary to achieve a harvest of up to 15% of the fall population, based on an October quail survey. Bird dog training hours shall be from 8:00 a.m. until 5:00 p.m.
 - 4. Hunters and persons participating in bird dog training or special-opportunity quail hunts shall enter and exit the area only at the designated entrances designated on the current hunt brochure.
 - 5. ~~Bird dog training permits are available first-come, first-served at the Olustee Field Office.~~

~~5.6.~~ Motorized vehicles are prohibited except by persons in possession of a valid bird dog training permit or special-opportunity permit, only on days the permit is valid and only in designated parking areas or on named or numbered designated roads.

~~6.7.~~ The possession of firearms other than blank firing pistols is prohibited except that blank-firing pistols will be allowed during the bird dog training season; and shotguns will be allowed during the special-opportunity quail season by those persons in possession of a valid special-opportunity quail permit.

~~7.8.~~ Public access is permitted for hiking, bicycling, and horseback riding.

~~8.9.~~ Fires are prohibited.

(18) Jennings Forest Wildlife Management Area.

(a) Open season:

1. Archery – September ~~22 23~~ through October ~~7 8~~.
2. Supervised small game – October ~~13-21 14-22~~, east of Black Creek only.
3. Muzzleloading gun – October ~~26-28 27-29~~.
4. General gun – November ~~10-25 11-26~~.
5. Small game – January ~~11 12~~ through February ~~10 11~~, Fridays, Saturdays and Sundays only.
6. Spring turkey – March ~~15-18 17-20~~ and ~~19-23 21-25~~.
7. No change.

(b) through (d) No change.

(19) Holton Creek Wildlife Management Area.

(a) Open season:

1. Mobility-impaired general gun – October ~~12-14 13-15~~, ~~26-28 27-29~~, November ~~2-4 3-5~~ and December ~~14-16 15-17~~.
2. Mobility-impaired spring turkey – March ~~21-23 23-25~~ and April ~~11-13 13-15~~.
3. No change.
- (b) through (d) No change.

(20) Goethe Wildlife Management Area.

(a) Open season:

1. Archery – September ~~22 23~~ through October ~~14 15~~.
2. Muzzleloading gun – October ~~26-28 27-29~~.
3. General gun (still hunt) – November ~~10-12 11-13~~ and ~~13-15 14-16~~.
4. General gun (dog hunt) – November ~~16-18 17-19~~ and ~~19-22 20-23~~.
5. Small game – January ~~12 13~~ through February ~~3 4~~.
6. Spring turkey – March ~~15-21 17-23~~ and ~~March 22-30 24~~ through April 1.
7. No change.

(b) through (d) No change.

(21) San Pedro Bay Wildlife Management Area.

(a) Open season:

1. General gun – November ~~10 11~~ through January ~~6 7~~.
2. Small game – January ~~7 8~~ through March ~~2 4~~.

3. Spring turkey – March ~~15 17~~ through April ~~20 22~~.

4. Archery – September ~~22 23~~ through October ~~21 22~~.

5. Muzzleloading gun – October ~~27 28~~ through November ~~4 5~~.

6. through 7. No change.

8. Trapping – January ~~7 8~~ through March 1.

(b) through (c) No change.

(d) General regulations:

1. Deer dogs may be trained north of Camp Jackson Road between the established muzzleloading gun season and general gun season.

2. through 9. No change.

~~10. The possession or use of dogs, other than bird dogs or waterfowl retrievers, is prohibited south of Camp Jackson Road during open hunting seasons.~~

(22) Citrus Wildlife Management Area.

(a) Open season:

1. General gun – December ~~15-16 16-17~~ and January ~~5-6 6-7~~.
2. Small game – January ~~7 8~~ through March ~~2 4~~.
3. Muzzleloading gun – December ~~8-9 9-10~~ and December ~~29-30 30-31~~.
4. Archery – November ~~10 11~~ through December ~~2 3~~.
5. Spring turkey – March ~~18-20 20-22~~, April ~~1-3 3-5~~ and ~~15-17 17-19~~.

6. No change.

(b) through (d) No change.

(23) Flying Eagle Wildlife Management Area.

(a) Open season:

1. Archery – September ~~29 30~~ through October ~~7 8~~.
2. Muzzleloading gun – October ~~26-28 27-29~~.
3. General gun – November ~~10-18 11-19~~.
4. Small game – November ~~23-25 24-26~~ and December ~~14-16 15-17~~.
5. Spring turkey – March ~~15-18 17-20~~ and ~~19-23 21-25~~.
6. through 7. No change.
- (b) through (d) No change.

(24) Potts Wildlife Management Area.

(a) Open season:

1. Spring turkey – March ~~15-18 17-20~~ and ~~19-23 21-25~~.
2. Archery – October ~~6-14 7-15~~.
3. Muzzleloading gun – November ~~2-4 3-5~~.
4. General gun hog-dog – November ~~16-18 17-19~~.
5. Small game – December ~~7-9 8-10~~, January ~~4-6 5-7~~, and February ~~1-3 2-4~~.
6. through 7. No change.
- (b) through (d) No change.

(25) Homosassa Wildlife Management Area.

(a) Open season:

1. Small game – November ~~10-11~~ through December ~~2-3~~ and December ~~22-23~~ through January ~~6-7~~.
2. General gun hog – February ~~7-10~~ ~~8-11~~ and ~~21-24~~ ~~22-25~~.
3. Special-opportunity spring turkey – March ~~15-21~~ ~~17-23~~ and March ~~29-31~~ through April ~~4-6~~.
4. No change.
- (b) through (d) No change.
- (26) Devil’s Hammock Wildlife Management Area.
- (a) Open season:
 1. Archery – September ~~22-25~~ ~~23-26~~, September ~~26-30~~ ~~27~~ through ~~October-1~~ and October ~~1-7~~ ~~2-8~~.
 2. Family hunt – October ~~13-14~~ ~~14-15~~ and ~~20-21~~ ~~21-22~~.
 3. Muzzleloading gun – October ~~26-28~~ ~~27-29~~.
 4. General gun – November ~~10-13~~ ~~11-14~~ and ~~14-18~~ ~~15-19~~.
 5. Small game – November ~~24-25~~ through December ~~23-24~~.
 6. Spring turkey – March ~~15-18~~ ~~17-20~~ and ~~19-23~~ ~~21-25~~.
 7. through 8. No change.
 - (b) through (d) No change.
 - (27) Mallory Swamp Wildlife Management Area.
 - (a) Open season:
 1. Archery – September ~~22-23~~ through October ~~21-22~~.
 2. Muzzleloading gun – October ~~27-28~~ through November ~~4-5~~ (still hunt area only).
 3. General gun – November ~~10-11~~ through January ~~6-7~~.
 4. Small game – January ~~7-8~~ through February ~~3-4~~.
 5. Spring turkey – March ~~15-30~~ ~~17~~ through ~~April-1~~.
 6. No change.
 7. Trapping – January ~~7-8~~ through March 1.
 8. No change.
 - (b) through (c) No change.
 - (d) General regulations:
 1. through 5. No change.
 6. Licensed trappers may possess .22 rimfire rifles or pistols from February ~~4-5~~ through March 1.
 7. No change.
 - (28) Middle Aucilla Wildlife Management Area.
 - (a) Open season:
 1. General gun – November ~~10-11~~ through January ~~6-7~~.
 2. Muzzleloading gun – October ~~27-28~~ through November ~~4-5~~.
 3. Small game – January ~~7-8~~ through March ~~2-4~~.
 4. Archery – September ~~22-23~~ through October ~~21-22~~.
 5. Spring turkey – March ~~15-17~~ through April ~~20-22~~.
 6. through 7. No change.
 - (b) through (d) No change.
 - (29) Little River Wildlife Management Area.
 - (a) Open season:
 1. Archery – September ~~22-24~~ ~~23-25~~, September ~~29-30~~ through October ~~1-2~~ and October ~~6-8~~ ~~7-9~~.

2. Muzzleloading gun – October ~~26-28~~ ~~27-29~~.
3. Small game – December ~~1-5~~ ~~2-6~~ and ~~22-26~~ ~~23-27~~.
4. through 5. No change.
- (b) through (d) No change.
- (30) Troy Springs Wildlife Management Area.
- (a) Open season:
 1. Small game – November ~~10-11~~ through January ~~6-7~~, except on Sundays, and only in that portion of the area known as the Adams Tract located northeast of U.S. 27, east and south of County Road 251, and southwest of the Suwannee River.
 2. No change.
 - (b) through (d) No change.
 - (31) Bayard Wildlife Management Area.
 - (a) Open season:
 1. Archery – September ~~22-23~~ through October ~~7-8~~ and November ~~17-25~~ ~~18-26~~.
 2. Muzzleloading gun – October ~~27-28~~ through November ~~4-5~~.
 3. through 5. No change.
 - (b) through (d) No change.
 - (32) Grove Park Wildlife Management Area.
 - (a) Open season:
 1. Archery – September ~~22-23~~ through October ~~21-22~~.
 2. Muzzleloading gun – October ~~27-28~~ through November ~~4-5~~.
 3. General gun – November ~~10-11~~ through January ~~6-7~~.
 4. No change.
 5. Trapping – December 1 through January ~~6-7~~.
 6. Spring turkey – March ~~15-17~~ through April ~~20-22~~.
 7. No change.
 - (b) through (d) No change.
 - (33) Steinhatchee Springs Wildlife Management Area.
 - (a) Open season:
 1. Archery – September ~~22-23~~ through October ~~21-22~~.
 2. Muzzleloading gun – October ~~26-28~~ ~~27-29~~.
 3. General gun – November ~~10-11~~ through December ~~2-3~~.
 4. Small game – January ~~19-20~~ through February ~~17-18~~.
 5. Spring turkey – March ~~15-17~~ through April ~~6-8~~.
 6. through 7. No change.
 - (b) through (d) No change.
 - (34) Nassau Wildlife Management Area.
 - (a) Open season:
 1. General gun – November ~~10-11~~ through January ~~6-7~~.
 2. Small game – January ~~7-8~~ through March ~~2-4~~.
 3. Spring turkey – March ~~15-17~~ through April ~~20-22~~.
 4. Archery – September ~~22-23~~ through October ~~21-22~~.
 5. Muzzleloading gun – October ~~27-28~~ through November ~~4-5~~.
 6. No change.
 7. Trapping – January ~~7-8~~ through March 1.

(b) through (d) No change.

(35) Cary Wildlife Management Area.

(a) Open season:

1. Archery – October ~~13-14~~ ~~14-15~~, November ~~3-4~~ ~~4-5~~ and ~~17-18~~ ~~18-19~~, December ~~8-9~~ ~~9-10~~ and ~~22-23~~ ~~23-24~~.

2. Muzzleloading gun – December ~~29-30~~ ~~30-31~~ and January ~~12-13~~ ~~13-14~~.

3. No change.

(b) through (d) No change.

(36) Ralph E. Simmons Memorial Wildlife Management Area.

(a) Open season:

1. General gun – November ~~17-25~~ ~~18-26~~.

2. Archery – September ~~22-30~~ ~~23~~ through October ~~1~~.

3. Muzzleloading gun – October ~~27~~ ~~28~~ through November ~~4~~ ~~5~~.

4. General gun for mobility-impaired – October ~~13-16~~ ~~14-17~~.

5. Small game – December ~~17-30~~ ~~18-31~~ and February ~~2-10~~ ~~3-11~~.

6. through 8. No change.

(b) through (d) No change.

(37) Lower Econfina River Wildlife Management Area.

(a) Open season:

1. Archery – September 22 – October 7.

2. Muzzleloading gun – October 26-28.

3. Small game – January 21 – March 2

4. Spring turkey – March 15-23.

5. Fishing and frogging – Throughout the year.

(b) Legal to take: All legal game, hogs, fish, frogs and furbearers. No size or bag limit on hogs.

(c) General regulations:

1. The possession or use of dogs, other than bird dogs or dogs with a shoulder height of fifteen inches or less is prohibited, except as provided by paragraph 68A-15.004(7)(c) or (d), F.A.C.

2. Hunting hogs with dogs is prohibited.

3. Fires are prohibited.

4. Public access is prohibited from 1.5 hours after sunset until 1.5 hours before sunrise.

5. Motorized vehicles may be operated only on named or numbered roads. The area east of the Lower Econfina River is open for motorized vehicles only during open hunting seasons.

6. Motorcycles and all-terrain vehicles are prohibited.

PROPOSED EFFECTIVE DATE: July 1, 2007.

Specific Authority Art. IV, Sec. 9, Fla. Const., 372.121, 375.313 FS. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.121, 375.313 FS. History–New 6-21-82, Amended 7-1-83, 11-17-83, 7-5-84, 7-1-85, 2-16-86, 5-7-86, 6-10-86, 11-27-86, 5-10-87, 5-1-88, 6-7-88, 7-1-89, 8-17-89, 7-1-90, 9-1-90, 7-1-91, 7-2-91, 7-1-92, 7-2-92, 8-23-92, 10-22-92, 7-1-93, 7-1-94, 2-9-95, 7-1-95, 7-1-96, 9-15-96, 6-1-97, 7-1-98, 7-2-98, 7-1-99, Formerly 39-15.062, Amended 12-9-99, 7-1-00, 7-1-01, 11-11-01, 6-2-02, 10-16-02, 5-25-03, 7-7-03, 9-29-03, 7-1-04, 8-1-04, 7-1-05, 8-1-05, 7-1-06, 7-2-06, ~~7-1-07~~.

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: December 6, 2006

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-15.063

RULE TITLE: Specific Regulations for Wildlife Management Areas – Northwest Region

PURPOSE AND EFFECT: The purpose of the proposed rule changes is to revise specific area regulations on Wildlife Management Areas (WMAs) in the Northwest Region and conform to calendar year date changes. The effect of the proposed rule changes will be to enable the agency to better manage fish and wildlife resources and public use on WMAs.

SUMMARY: The proposed rule changes would adjust season dates to conform to calendar year changes and revise specific area regulations on Wildlife Management Areas (WMAs) in the Northwest Region as follows:

Econfina Creek WMA – The proposed rule change would allow hunting on Econfina Road.

Escambia River WMA – The proposed rule change would extend the general gun season from 26 to 58 days by converting the archery/muzzleloading gun season to a general gun season. Note that deer dog hunting is currently allowed during the 26-day general gun season. This change would allow deer dog hunting opportunities for a full 58-day general gun season.

Wakulla WMA – The proposed rule change would realign existing archery/muzzleloading gun hunts to every other weekend instead of consecutive weekends; and provide for the small game season to begin the day after the end of the archery/muzzleloading gun season to run for 28 consecutive days.

Perdido River WMA – The proposed rule would establish regulations for the new WMA with the following open seasons: 30-day archery; 3-day muzzleloading gun; 4-day and 3-day family hunt; 7-day and 9-day general gun; 11-day archery and muzzleloading gun; 30-day small game; 9-day and 14-day spring turkey; migratory game birds during statewide seasons; fishing and frogging – throughout the year. It would establish as legal to take all legal game, hogs, fish, frogs and furbearers with no size or bag limit on hogs, and establish the following hunter quotas: archery – 40 by archery/muzzleloading gun quota application, no exemptions; muzzleloading gun – 40 by archery/muzzleloading gun quota application, no exemptions; family hunt – 20 by family hunt quota application for each hunt, no exemptions; general gun – 40 by general gun quota application for each hunt, no exemptions; archery and muzzleloading gun – 40 by archery/muzzleloading gun application, no exemptions; spring turkey – 15 by spring turkey application for each hunt, no exemptions. It would allow camping at designated sites or by permit from the Northwest Florida Water Management District; allow vehicles to be operated only on named or numbered roads; prohibit ATVs; allow hunting with bird dogs and retrievers; allow horses on designated horse trails only; and, prohibit the possession or consumption of intoxicating beverages.

Tate's Hell WMA – The proposed rule change would allow the use of off-highway vehicles, including ATVs, by permit from the Florida Division of Forestry.

Tyndall AFB WMA – The proposed rule change would prohibit the taking of any antlered deer with less than 3-points on a side, each point 1 inch or more in length; and prohibit the use of handguns, rimfire or centerfire rifles for taking wildlife.

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

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for 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, February 7-8, 2007, 8:30 a.m. – 5:00 p.m., each day

PLACE: Sandestin Golf and Beach Resort, 9300 Emerald Coast Parkway West, Destin, Florida 32550

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

by contacting the ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542

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-15.063 Specific Regulations for Wildlife Management Areas – Northwest Region.

(1) Apalachee Wildlife Management Area.

(a) Open season:

1. General gun – November ~~22-25~~ ~~23-26~~ and December ~~8~~ ~~9~~ through February ~~10~~ ~~11~~ (Mondays, Wednesdays and Fridays closed to hunting in Zones A and B).

2. Archery – October ~~13~~ ~~14~~ through November ~~11~~ ~~12~~.

3. No change.

4. Muzzleloading gun – November ~~16-18~~ ~~17-19~~.

5. through 7. No change.

8. Quail (Zone A) – December ~~18~~ ~~19~~ through January ~~6~~ ~~7~~ (Mondays, Wednesdays and Fridays closed to hunting).

9. Spring turkey (Zones B and C) – March ~~15~~ ~~17~~ through April ~~20~~ ~~22~~ (Fridays, Saturdays, and Sundays only).

(b) through (d) No change.

(2) Apalachicola Wildlife Management Area.

(a) Open season:

1. General gun – November ~~22-25~~ ~~23-26~~ and December ~~8~~ ~~9~~ through January ~~30~~ ~~31~~.

2. Small game – November ~~10-21~~ ~~11-22~~, November ~~26~~ ~~27~~ through December ~~7~~ ~~8~~ and ~~January 31~~ through ~~March 2~~ ~~February 1~~ through ~~March 4~~.

3. Spring turkey – March ~~15~~ ~~17~~ through April ~~20~~ ~~22~~.

4. Archery – October ~~13~~ ~~14~~ through November ~~11~~ ~~12~~.

5. Muzzleloading gun – November ~~16-18~~ ~~17-19~~.

6. Muzzleloading gun and archery – February ~~14-24~~ ~~15-25~~.

7. No change.

8. Fox, raccoon, opossum and bobcat – October 1 through March ~~2~~ ~~4~~ in that portion of the area in Liberty County lying west of State Road 65 (except in that portion of the area lying north and east of the Florida River and Larkins Slough) and in that portion in Leon County and Wakulla County south of State Road 267 bounded on the east by Forest Roads 313, F.H. 13 and 356, on the south by Forest Roads 349 and 357, on the west by Forest Roads 348 and F.H. 13, 309, 314, and 344. No guns may be used prior to November ~~22~~ ~~23~~.

9. Trapping – ~~January 31~~ ~~February 1~~ through March 1.

10. No change.

(b) Legal to take: All legal game, hog, fish, frogs and furbearers. Bearded turkeys or gobblers may be taken from November ~~22-25~~ ~~23-26~~ and from December ~~8-19~~ ~~9-20~~. Hog may be taken only during the archery, muzzleloading gun, general gun, archery and muzzleloading and small game seasons. No size or bag limit on hog.

(c) No change.

(d) General regulations:

1. No change.

2. Bird dogs may be trained from June 1 through March ~~2~~ ~~4~~. Deer dogs may be trained from October ~~27~~ ~~28~~ through November ~~15~~ ~~16~~ in that portion of the area open to hunting fox, raccoon, opossum and bobcats.

3. No change.

4. During the November ~~10~~ ~~11~~ through March ~~2~~ ~~4~~ period, hunting as specified by paragraph 68A-24.002(2)(b), F.A.C., is permitted.

5. through 9. No change.

(3) Apalachicola Wildlife Management Area – Bradwell Unit.

(a) Open season:

1. General gun – November ~~22-25~~ ~~23-26~~ and December ~~8-12~~ ~~9-13~~.

2. Archery – October ~~13-19~~ and ~~20-28~~ ~~14-29~~.

3. Muzzleloading gun – November ~~16-18~~ ~~17-19~~.

4. Small game – November ~~10-15~~ ~~11-16~~ and ~~19-21~~ ~~20-22~~.

5. Spring turkey – March ~~15-16~~ ~~17-18~~ and ~~March 28-30~~ ~~March 30 through April 1~~.

6. through 7. No change.

(b) through (d) No change.

(4) Blackwater Wildlife Management Area.

(a) Open seasons in the still hunt area (which includes that portion of the area south of Highway 4 except for the field trial area and that portion of the area north of State Road 4 except for the dog hunt area):

1. General gun – November ~~22-25~~ ~~23-26~~ and December ~~8~~ ~~9~~ through January ~~30~~ ~~31~~.

2. Small game – November ~~10-21~~ ~~11-22~~, November ~~26~~ ~~27~~ through December ~~7~~ ~~8~~ and ~~January 31 through March 2~~ ~~February 1 through March 4~~.

3. Spring turkey – March ~~15~~ ~~17~~ through April ~~20~~ ~~22~~.

4. Archery – October ~~13~~ ~~14~~ through November ~~11~~ ~~12~~.

5. Muzzleloading gun – November ~~16-18~~ ~~17-19~~.

6. Muzzleloading gun and archery – February ~~14-24~~ ~~15-25~~.

7. through 9. No change.

(b) Open seasons in the dog hunt area (which includes that portion of the area north of State Road 4 and west of Three Notch Road, east of Mason West Road, and north of Camp Henderson Road; and that portion of the area north of State Road 4, west of Beaver Creek Highway and Hurricane Lake Road, and east of Belandville Road; and that portion of the

area north of Break Fork Fire Line, north of Eadie Cotton Road and Peaden Bridge Road, west of Sherman Kennedy Road, south of Mattie Kennedy Road and Kennedy Bridge Road, west of Bullard Church Road, and east of Beaver Creek Highway and Hurricane Lake Road):

1. General gun dog – November ~~22-25~~ ~~23-26~~, December ~~8-23~~ ~~9-24~~, and January ~~7~~ ~~8~~ through January ~~30~~ ~~31~~.

2. General gun still – December ~~24~~ ~~25~~ through January ~~6~~ ~~7~~.

3. Small game – November ~~10-21~~ ~~11-22~~, November ~~26~~ ~~27~~ through December ~~7~~ ~~8~~ and ~~January 31 through March 2~~ ~~February 1 through March 4~~.

4. Spring turkey – March ~~15~~ ~~17~~ through April ~~20~~ ~~22~~.

5. Archery – October ~~13~~ ~~14~~ through November ~~11~~ ~~12~~.

6. Muzzleloading gun – November ~~16-18~~ ~~17-19~~.

7. Muzzleloading gun and archery – February ~~14-24~~ ~~15-25~~.

8. Fox, raccoon, opossum and bobcat – May 1 through March ~~9~~ ~~11~~, in that portion of the dog hunt area east of Belandville Road.

9. through 11. No change.

(c) Open seasons in the field trial area (which includes that portion of the area bounded by Coldwater Creek on the northwest, the western boundary of Blackwater State Forest to the west and south, State Road 191 on the southeast, and on a line running west 3/4 mile from the intersection of State Road 191 and Forest Road 64 (Spanish Trail), then north one mile and then three miles west to Coldwater Creek at a point 1/2 mile northeast of the Coldwater Recreation Area:

1. Archery – October ~~13~~ ~~14~~ through November ~~11~~ ~~12~~.

2. Muzzleloading gun and archery – January ~~18-20~~ ~~19-21~~.

3. through 4. No change.

5. Quail – February ~~4-7~~ ~~5-8~~ and February ~~18-21~~ ~~19-22~~.

6. No change.

(d) Legal to take: All legal game, hog, fish, frogs and furbearers. During the January ~~18-20~~ ~~19-21~~ archery/muzzleloading gun season on the field trial portion of the area any deer (daily bag limit one) except spotted fawns may be taken. No size or bag limit on hog. Taking quail is prohibited on the field trial area except during the quail season. The bag limit for quail on the field trial area is 12 per hunting group each day. A group for the purpose of quail hunting on the field trial area shall include up to 2 persons. Taking quail after 3:00 p.m. Central Time is prohibited during the quail season on the field trial area.

(e) through (f) No change.

(5) Blackwater Wildlife Management Area – Hutton Unit.

(a) Open season:

1. Archery – October ~~13-16~~ and ~~17-21~~ ~~14-22~~.

2. Muzzleloading gun – November ~~16-18~~ ~~17-19~~.

3. Quail – November ~~10-11 11-12, 21-22 22-23~~, December ~~1-2 2-3, 10-11 11-12, 15-16 16-17, 24-25 25-26~~ and December ~~29-30 30-31~~.

4. General gun – January ~~12-15 and 16-20 13-21~~.

5. Mobility-impaired general gun – January ~~25-27 26-28~~ and February ~~1-3 2-4~~.

6. Spring turkey – March ~~15-17 17-19, March 28-30~~ ~~March 30 through April 1~~, and April ~~11-13 13-15~~.

7. through 8. No change.

(b) through (d) No change.

(6) Blackwater Wildlife Management Area – Carr Unit.

(a) Open season: Quail: November ~~10-16 11-17, 17-23 18-24, November 24-30 November 25 through December 1~~, December ~~1-7 2-8, 8-14 9-15, 15-21 16-22, 22-28 23-29~~, December ~~29 30 through January 4 5, January 5-11 6-12, 12-18 13-19, 19-25 20-26, January 26 27 through February 1 2, February 2-8 3-9, 9-15 10-16, 16-22 17-23 and 23-29 February 24 through March 2~~.

(b) through (c) No change.

(d) General regulations:

1. A special-opportunity quail hunt permit (no exemptions) as provided in Rule 68A-9.007, F.A.C., shall be required for each group entering the area to release or take quail.

2. through 8. No change.

(7) Joe Budd Wildlife Management Area.

(a) Open season:

1. Archery – December ~~7 8 through January 6 7~~ (Fridays, Saturdays and Sundays only).

2. Archery and muzzleloading gun – January ~~11-27 12-28~~ (Fridays, Saturdays and Sundays only).

3. Small game – October ~~6 7 through December 2 3~~ (Saturdays and Sundays only).

4. Spring turkey – March ~~15 17 through April 20 22~~ (Saturdays and Sundays only).

5. No change.

(b) through (d) No change.

(8) Robert Brent Wildlife Management Area.

(a) Open season:

1. General gun – November ~~22-25 23-26~~ and December ~~8 9 through January 30 31~~.

2. Small game – November ~~10-21 11-22, November 26 27 through December 7 8 and January 31 through March 2 February 1 through March 4~~.

3. Spring turkey – March ~~15 17 through April 20 22~~.

4. Archery – October ~~13 14 through November 11 12~~.

5. Muzzleloading gun – November ~~16-18 17-19~~.

6. Archery and muzzleloading gun – February ~~14-24 15-25~~.

7. through 9. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. Bearded turkeys or gobblers may be taken from November ~~22-25 23-26~~ and from December ~~8-19 9-20~~. Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited.

(c) through (d) No change.

(9) Blue Water Creek Wildlife Management Area.

(a) Open season:

1. General gun – November ~~22-25 23-26~~ and December ~~8 9 through January 30 31~~.

2. Small game – February ~~16 17 through March 2 4~~ (Saturdays and Sundays only).

3. Archery – October ~~13 14 through November 11 12~~.

4. Spring turkey – March ~~15 17 through April 20 22~~.

5. Archery and muzzleloading gun – ~~January 31 through February 13 February 1-14~~.

6. Muzzleloading gun – November ~~16-18 17-19~~.

7. No change.

(b) through (d) No change.

(10) Point Washington Wildlife Management Area.

(a) Open season:

1. General gun – November ~~22-25 23-26~~ and December ~~8 9 through January 30 31~~.

2. Small game – November ~~10-21 11-22, November 26 27 through December 7 8 and January 31 through March 2 February 1 through March 4~~.

3. Spring turkey – March ~~15 17 through April 20 22~~.

4. Archery – October ~~13 14 through November 11 12~~.

5. Muzzleloading gun – November ~~16-18 17-19~~.

6. Archery and muzzleloading gun – February ~~14-24 15-25~~.

7. through 8. No change.

(b) through (d) No change.

(11) Talquin Wildlife Management Area.

(a) Open season:

1. General gun – November ~~23-25 24-26~~ and December ~~8-30 9-31~~ (Fridays, Saturdays and Sundays only).

2. Small game – January ~~4 5 through March 2 4~~ (Fridays, Saturdays and Sundays only).

3. Archery – October ~~13 14 through November 11 12~~ (Fridays, Saturdays and Sundays only).

4. Spring turkey – March ~~15 17 through April 20 22~~ (Saturdays and Sundays only).

5. through 6. No change.

(b) through (c) No change.

(d) General regulations:

1. through 3. No change.

4. ~~Hunters shall check in and out at the check station on December 31 and check all game taken.~~

(12) Ochlockonee River Wildlife Management Area.

(a) Open season:

1. Archery and muzzleloading gun – November ~~23-25 24-26~~ and December ~~8-30 9-31~~ (Fridays, Saturdays and Sundays only).
 2. Small game – January ~~4 5~~ through March ~~2 4~~ (Fridays, Saturdays and Sundays only).
 3. Archery – October ~~13 14~~ through November ~~11 12~~ (Fridays, Saturdays and Sundays only).
 4. Spring turkey – March ~~15 17~~ through April ~~20 22~~ (Saturdays and Sundays only).
 5. No change.
- (b) through (d) No change.
- (13) Tate's Hell Wildlife Management Area.
- (a) Open season:
1. General gun – November ~~22-25 23-26~~ and December ~~8 9~~ through January ~~30 31~~.
 2. Small game – November ~~10-21 11-22~~, November ~~26 27~~ through December ~~7 8~~ and January 31 through March 2 February 1 through March 4.
 3. Archery – October ~~13 14~~ through November ~~11 12~~.
 4. Muzzleloading gun – November ~~16-18 17-19~~.
 5. Muzzleloading gun and archery – February ~~14-24 15-25~~.
 6. through 8. No change.
 9. Spring turkey – March ~~15 17~~ through April ~~20 22~~.
 10. through 11. No change.
- (b) through (c) No change.
- (d) General regulations:
1. Deer dogs may be trained from October ~~27 28~~ through November ~~15 16~~.
 2. No change.
 3. Vehicles may be operated only on designated roads. Off-Highway Vehicles (all-terrain vehicles and off-highway motorcycles) are prohibited except by permit from the Division of Forestry ~~may be operated on designated off-highway vehicle trails only~~. Airboats and tracked vehicles are prohibited.
 4. through 5. No change.
- (14) Tate's Hell Wildlife Management Area – Womack Creek Unit.
- (a) Open season:
1. Archery – October ~~13-21 14-22~~.
 2. Muzzleloading gun – November ~~16-18 17-19~~.
 3. Small game – November ~~10-21 11-22~~, November ~~26 27~~ through December ~~7 8~~, December ~~17-22 18-23~~ and January ~~5-30 6-31~~.
 4. General gun still – November ~~22-25 23-26~~ and December ~~8-16 9-17~~.
 5. through 6. No change.
 7. Spring turkey – March ~~15-18 17-20~~, March 27-30 March 29 through April 1 and April ~~3-6 5-8~~.
 8. through 9. No change.
- (b) through (d) No change.
- (15) Aucilla Wildlife Management Area.
- (a) Open season:
1. General gun – November ~~10 11~~ through January ~~6 7~~.
 2. Small game – January ~~7 8~~ through March ~~2 4~~.
 3. Spring turkey – March ~~15 17~~ through April ~~20 22~~.
 4. Archery – September ~~22 23~~ through October ~~21 22~~.
 5. Muzzleloading gun – October ~~26-28 27-29~~.
 6. through 8. No change.
 9. Trapping – January ~~7 8~~ through March 1.
- (b) through (d) No change.
- (16) Flint Rock Wildlife Management Area.
- (a) Open season:
1. Muzzleloading gun – October ~~27 28~~ through November ~~4 5~~.
 2. General gun – November ~~10 11~~ through January ~~20 21~~.
 3. Small game – January ~~21 8~~ through March ~~2 4~~.
 4. Spring turkey – March ~~15 17~~ through April ~~20 22~~.
 5. Archery – September ~~22 23~~ through October ~~21 22~~.
 6. through 8. No change.
 9. Trapping – January ~~21 8~~ through March 1.
- (b) through (d) No change.
- (17) Pine Log Wildlife Management Area.
- (a) Open season:
1. Archery – October ~~13-28 14-29~~.
 2. Muzzleloading gun – November ~~16-18 17-19~~.
 3. General gun – November ~~22-25 23-26~~, January ~~19-22 20-23~~ and January ~~23-27 24-28~~.
 4. Small game – December ~~1-31 2-31~~.
 5. Spring turkey – ~~March 15-30 March 17 through April 1~~.
 6. No change.
- (b) through (d) No change.
- (18) Eglin AFB Wildlife Management Area.
- (a) Open season:
1. Archery – October ~~13 14~~ through November ~~11 12~~ in areas and during days specified by the Installation Commander.
 2. Muzzleloading gun – November ~~16-18 17-19~~ in areas specified by the Installation Commander.
 3. General gun – November ~~22-25 23-26~~, December ~~8 9~~ through February ~~3 4~~ in areas and during days specified by the Installation Commander.
 4. Archery and muzzleloading gun – February ~~4-24 5-25~~ in areas and during days specified by the Installation Commander.
 5. Small game – November ~~10 11~~ through March ~~2 4~~ in areas and during days specified by the Installation Commander.
 6. No change.
 7. Spring turkey – March ~~15 17~~ through April ~~20 22~~ in areas and during days specified by the Installation Commander.
 8. through 10. No change.
- (b) through (c) No change.

(d) General regulations:

1. through 5. No change.
6. During November ~~10-11~~ through March ~~2-4~~, hunting as specified by paragraph 68A-24.002(2)(b), F.A.C., is permitted.
7. through 10. No change.

(19) Escambia River Wildlife Management Area.

(a) Open season:

1. General gun – November ~~22-25~~ ~~23-26~~ and December 8 through January 30 ~~December 9-31~~.
2. Archery – October ~~13-14~~ through November ~~11-12~~.
3. Muzzleloading gun – November ~~16-18~~ ~~17-19~~.
4. Archery and muzzleloading gun – ~~January 1-31~~ and February ~~14-24~~ ~~15-25~~.
5. Small game – November ~~10-21~~ ~~11-12~~, November ~~26-27~~ through December ~~7-8~~ and January ~~31-1~~ through March ~~2-4~~.
6. Spring turkey – March ~~15-17~~ through April ~~20-22~~.
7. through 9. No change.

- (b) through (d) No change.

(20) Tyndall AFB Wildlife Management Area.

(a) Open season:

1. Archery – October ~~13-14~~ through November ~~11-12~~ during days specified by the Installation Commander.
2. Muzzleloading gun – November ~~16-18~~ ~~17-19~~.
3. General gun – November ~~22-25~~ ~~23-26~~ and December ~~8-9~~ through February ~~13-14~~ during days specified by the Installation Commander.
4. Supervised youth – November ~~17-18~~ ~~18-19~~, December ~~1-2~~ ~~2-3~~ and ~~15-16~~ ~~16-17~~ (only in areas designated by the Installation Commander).

5. Spring turkey – March ~~15-17~~ through April ~~20-22~~ during days specified by the Installation Commander.

6. Small game – November ~~10-11~~ through March ~~2-4~~ during days specified by the Installation Commander.

7. through 8. No change.

(b) Legal to take: All legal game, hog, fish, frogs and furbearers. The taking of any deer not having at least one antler with three or more points (each point one-inch in length or more) is prohibited in areas specified by the Installation Commander. ~~Taking of antlered deer not having at least one forked antler and having one or more antlers at least 5 inches in length visible above the hairline is prohibited.~~ Antler restrictions shall not apply during the supervised youth hunt. Antlerless deer may be taken during established seasons by permit from the Installation Commander. No size or bag limit on hog.

(c) No change.

(d) General regulations:

1. through 3. No change.
4. The use of handguns, rimfire and centerfire rifles are prohibited for taking wildlife.

(21) Choctawhatchee River Wildlife Management Area.

(a) Open season:

1. Archery – October ~~13-14~~ through November ~~11-12~~.
2. Muzzleloading gun – November ~~16-18~~ ~~17-19~~.
3. General gun – November ~~22-25~~ ~~23-26~~ and December ~~8-9~~ through January ~~30-31~~ except Holmes Creek Unit and East River Island.
4. Small game – November ~~10-21~~ ~~11-22~~, November ~~26-27~~ through December ~~7-8~~ and January 31 through March 2 ~~February 1 through March 4~~.
5. Archery and muzzleloading gun – February ~~14-24~~ ~~15-25~~. Holmes Creek Unit and East River Island November ~~22-25~~ ~~23-26~~, December ~~8-9~~ through January ~~30-31~~ and February ~~14-24~~ ~~15-25~~.
6. Spring turkey – March ~~15-17~~ through April ~~20-22~~ only in that portion of the area south of the pipeline right-of-way located up river (north) of Cedar Log Landing (Walton County) and Billy Lee Landing (Washington County). March ~~15-17~~ ~~17-19~~ in that portion of the area north of the pipeline right-of-way.

7. through 8. No change.

9. Trapping – December 1 through March 1 in still hunt areas and January 31 ~~February 1~~ through March 1 in dog hunt areas.

(b) through (d) No change.

(22) Upper Chipola River Wildlife Management Area.

(a) Open season:

1. Archery – October ~~13-14~~ through November ~~11-12~~.
2. Muzzleloading gun – November ~~16-18~~ ~~17-19~~.
3. General gun – November ~~22-25~~ ~~23-26~~ and December ~~8-9~~ through January 1.
4. Small game – November ~~10-21~~ ~~11-12~~, November ~~26-27~~ through December ~~7-8~~ and January 2 through March ~~2-4~~.
5. Archery and muzzleloading gun – February ~~16-17~~ ~~17-18~~ and ~~23-24~~ ~~24-25~~.

6. Spring turkey – March ~~15-17~~ through April ~~20-22~~.

7. through 9. No change.

(b) through (d) No change..

(23) Yellow River Wildlife Management Area.

(a) Open seasons except in the Grassy Point area:

1. Archery – October ~~13-14~~ through November ~~11-12~~.
2. Muzzleloading gun – November ~~16-18~~ ~~17-19~~.
3. General gun – November ~~22-25~~ ~~23-26~~ and December ~~8-9~~ through January ~~30-31~~.
4. Small game – November 10-21, November 26 through December 7 and January 31 through March 2 ~~November 11-22 through March 4~~.
5. Archery and muzzleloading gun – February ~~14-24~~ ~~15-25~~.
6. Spring turkey – March ~~15-17~~ through April ~~20-22~~.
7. through 9. No change.

(b) Open seasons in the Grassy Point area (the area south of Weaver River):

1. General gun – ~~November 22-25, January 19-22 and 23-27~~ November 23-26 and January 20-28.
2. Archery – October ~~13-19 and 20-28~~ 14-29.
3. Muzzleloading gun – November ~~16-18~~ 17-19.
4. Spring turkey – March ~~15-16~~ 17-18, March 29-30
~~March 31 through April 1~~ and April ~~12-13~~ 14-15.
5. Small game – November ~~10-15~~ 11-16 and ~~19-21~~ 20-22.
6. No change.

(c) through (e) No change.

(24) Econfina Creek Wildlife Management Area.

(a) Open season except in the mobility-impaired, Cat Creek, and Fitzhugh Carter areas.

1. Archery – October ~~13~~ 14 through November ~~11~~ 12.
2. Muzzleloading gun – November ~~16-18~~ 17-19.
3. General gun – November ~~22-25~~ 23-26 and December ~~8~~ 9 through January ~~30~~ 31.
4. Small game – ~~November 10-21, November 26 through December 7 and January 31 through March 2~~ November 11 through March 4.
5. Archery and muzzleloading gun – February ~~14-24~~ 15-25.
6. Spring turkey – March ~~15~~ 17 through April ~~20~~ 22.
7. Raccoon – November ~~10~~ 11 through March ~~14~~ 16 and April ~~21~~ 23 through July 31.
8. through 9. No change.

(b) Open seasons in the mobility-impaired hunt area (area south of County Road 388):

1. General gun – November ~~23-25~~ 24-26, January ~~11-13~~ 12-14, 18-20 ~~19-21, 25-27~~ 26-28 and January ~~30~~ 31 through February ~~1~~ 2.
2. Spring turkey – March ~~15-16~~ 17-18, 21-23 ~~23-25, March 28-30~~ March 30 through April 1, April 4-6 ~~6-8, 11-13~~ 13-15 and ~~18-20~~ 20-22.
3. No change.

(c) Open seasons in the Cat Creek (area south of State Road 20 and north of County Road 388) and Fitzhugh Carter (area west of State Road 77) areas:

1. Archery – October ~~13-28~~ 14-29.
2. Muzzleloading gun – November ~~16-18~~ 17-19.
3. General gun – November ~~22-25~~ 23-26, January ~~19-22~~ 20-23 and ~~23-27~~ 24-28.
4. Small game – December ~~1-16~~ 2-17.
5. Spring turkey – March ~~15-17~~ 17-19, March 28-30
~~March 30 through April 1~~ and April ~~11-13~~ 13-15.

6. through 7. No change.

(d) through (e) No change.

(f) General regulations:

1. through 5. No change.

6. Taking of wildlife by use of a gun on or from rights-of-way of Thomas Road, Rattlesnake Road, Strickland Road, Porter Pond Road, Duma Jack/Deadening Road, ~~Econfina Road~~, Greenhead Road, Hampshire Boulevard, Cat Creek Road, Engfinger Road, S.R. 20, or C.R. 388 is prohibited.

7. through 10. No change.

(25) Box-R Wildlife Management Area.

(a) Open season:

1. Archery – October ~~13-19~~ 14-20 and ~~20-28~~ 21-29.
2. Small game – November ~~10-15~~ 11-16.
3. Muzzleloading gun – November ~~16-18~~ 17-19.
4. General gun – November ~~22-25~~ 23-26, January ~~3-6~~ 4-7, 10-13 ~~11-14~~ and ~~17-20~~ 18-21.
5. Hog – December ~~1-7~~ 2-8.
6. Spring turkey – March ~~15-18~~ 17-20, March 27-30
~~March 29 through April 1~~ and April ~~10-13~~ 12-15.
7. No change.

(b) through (c) No change.

(d) General regulations:

1. through 2. No change.
3. During periods when the area is closed to hunting, public access other than on foot (pedestrian), horseback (equestrian), or by bicycle is prohibited except that motorized vehicles may be used on Pine Log Bluff Road and one day immediately prior to each hunt.
4. through 8. No change.
9. Taking or attempting to take wildlife by use of a gun on or from the rights-of-way of County Road 385, County Road 384, Moses Road, Teat Road, or Pine Log Bluff Road is prohibited.

10. No change.

(26) Lafayette Creek Wildlife Management Area.

(a) Open season:

1. Archery – October ~~13-19~~ 14-20 and ~~20-28~~ 21-29.
2. Muzzleloading gun – November ~~16-18~~ 17-19.
3. Family hunt – November ~~22-25~~ 23-26.
4. General gun – January ~~19-22~~ 20-23 and ~~23-27~~ 24-28.
5. Small game – November 30 through January 13
~~December 1 through January 14~~ (Fridays, Saturdays and Sundays only).

6. Spring turkey – March ~~15~~ 17 through April ~~20~~ 22 (Saturdays and Sundays only).

7. through 8. No change.

(b) through (d) No change.

(27) Wakulla Wildlife Management Area.

(a) Open season:

1. Archery – October ~~13~~ 14 through November ~~11~~ 12 (Fridays, Saturdays and Sundays only).

2. Archery and muzzleloading gun – November 23-25, December 8-9, 21-23, January 4-6 and 18-20 ~~November 24-26 and December 9-31~~ (Fridays, Saturdays and Sundays only).

3. Small game – January 21 through February 17 ~~January 5 through March 4 (Fridays, Saturdays and Sundays only).~~

4. Spring turkey – March 15 ~~17~~ through April 20 ~~22~~ (Saturdays and Sundays only).

5. No change.

(b) through (d) No change.

(28) Perdido River Wildlife Management Area

(a) Open season:

1. Archery – October 13 through November 11.

2. Muzzleloading gun – November 16-18.

3. Family hunt – November 22-25 and January 4-6.

4. General gun – January 12-18 and 19-27.

5. Archery and muzzleloading gun – February 14-24.

6. Small game – December 1-30.

7. Spring turkey – March 15-23 and March 24 through April 6.

6. Migratory game birds – Migratory game birds during seasons established by Rules 68A-13.003 and 68A-13.008, F.A.C.

7. Fishing and frogging – Throughout the year.

8. Trapping – Prohibited.

(b) Legal to take: All legal game, hog, fish, frogs and furbearers. No size or bag limit on hogs.

(c) Camping: Prohibited, except at designated campsites or by permit from Northwest Florida Water Management District.

(d) General regulations:

1. Vehicles may be operated only on named or numbered roads.

2. ATVs are prohibited.

3. Hunting with dogs, other than bird dogs or retrievers, is prohibited.

4. Horses are allowed on designated horse trails only.

5. The possession or consumption of intoxicating beverages is prohibited.

6. During the family hunts, one or two persons per hunt permit under 16 years of age but not younger than 8 years of age may hunt as provided in Section 790.22, F.S. These persons must be under the supervision and in the presence of one adult not younger than 18 years of age. The adult may only hunt when in the presence of at least one person under 16 years of age but not younger than 8 years of age.

PROPOSED EFFECTIVE DATE: July 1, 2007.

Specific Authority Art. IV, Sec. 9, Fla. Const., 372.121, 375.313 FS. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.121, 375.313 FS. History—New 6-21-82, Amended 7-1-83, 7-5-84, 7-1-85, 5-7-86, 5-10-87, 6-8-87, 5-1-88, 7-1-89, 7-1-90, 9-1-90, 7-1-91, 9-1-91, 7-1-92, 7-2-92, 7-1-93, 3-1-94, 7-1-94, 7-1-95, 7-2-95, 8-15-95, 7-1-96, 7-2-96, 6-1-97, 12-3-97, 7-1-98, 7-2-98, 8-11-98, 7-1-99, Formerly 39-15.063, Amended 11-17-99, 7-1-00, 7-1-01, 7-22-01, 6-2-02, 5-1-03, 7-1-03, 7-1-04, 7-2-04, 8-1-04, 7-1-05, 7-1-06, 7-1-07.

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: December 6, 2006

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.:
68A-15.064

RULE TITLE:
Specific Regulations for Wildlife Management Areas – South Region

PURPOSE AND EFFECT: The purpose of the proposed rule changes is to revise specific area regulations on Wildlife Management Areas (WMAs) in the South Region and conform to calendar year date changes. The effect of the proposed rule changes will be to enable the agency to better manage fish and wildlife resources and public use on WMAs.

SUMMARY: The proposed rule changes would adjust season dates to conform to calendar year changes and revise specific area regulations on Wildlife Management Areas (WMAs) in the South Region as follows:

Holey Land WMA – The proposed rule change would allow for the transfer of general gun-vehicle permits and deer tags by FWC law enforcement supervisors or their designees in the case of a disabled track vehicle.

Everglades and Francis S. Taylor WMA – The proposed rule change would allow for the transfer of general gun-vehicle permits and deer tags by FWC law enforcement supervisors or their designees in the case of a disabled track vehicle or airboat.

Rotenberger WMA – The proposed rule change would allow for the transfer of general gun-vehicle permits and deer tags by FWC law enforcement supervisors or their designees in the case of a disabled track vehicle.

Picayune Strand WMA – The proposed rule change would expand the migratory bird hunting season to match the statewide season.

Allapattah Flats WMA – The proposed rule would establish regulations for the new WMA with the following open seasons: 7-day and 9-day archery; 3-day muzzleloading gun; 4-day family hunt; 5-day general gun; 58-day small game; 4-day and 5-day spring turkey; and fishing – throughout the year. It would establish as legal to take all legal game, hogs, fish, and furbearers (except bobcat and otter) with no size or bag limit on hogs, allow turkey to be taken during spring turkey season only, and establish a bag limit of one per quota

permit for deer and wild turkey. It would establish the following hunter quotas: archery – 50 by archery/muzzleloading gun quota application for each hunt, no exemptions; muzzleloading gun – 50 by archery/muzzleloading gun quota application, no exemptions; family hunt – 25 by family hunt quota application, no exemptions; general gun – 50 by general gun quota application, no exemptions; spring turkey – 20 by spring turkey quota application for each hunt, no exemptions. It would allow tent camping and fires at designated sites; allow vehicles to be operated only on named or numbered roads year-round; allow vehicles to be operated on numbered trails during archery, muzzleloading gun, family hunt, general gun, and spring turkey seasons by persons possessing a valid quota permit; prohibit tracked vehicles, swamp buggies, airboats, motorcycles, and all-terrain vehicles; require all hunters to check in and out when entering and exiting the area at a designated entrance and to check all game taken; prohibit the dismemberment of deer until checked at a check station; prohibit the take of wildlife with dogs, except with bird dogs or retrievers during the small game season; allow horses on named equestrian trails and designated equestrian areas only and allow shotguns only during small game season.

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

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for 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, February 7-8, 2007, 8:30 a.m. – 5:00 p.m., each day

PLACE: Sandestin Golf and Beach Resort, 9300 Emerald Coast Parkway, West, Destin, FL 32550

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting the ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

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-15.064 Specific Regulations for Wildlife Management Areas – South Region.

(1) No change.

(2) Holey Land Wildlife Management Area.

(a) Open season:

1. General gun – Walk, October ~~20-28~~ ~~21-29~~.

2. General gun – Vehicle, November ~~3-18~~ ~~4-19~~ (tracked vehicles and airboats only). Deer hunting by permit only during the general gun-vehicle season.

3. Archery – August ~~25~~ ~~26~~ through September ~~16~~ ~~17~~.

4. Muzzleloading gun – September ~~29~~ ~~30~~ through October ~~14~~ ~~15~~.

5. through 6. No change.

(b) through (c) No change.

(d) General regulations:

1. through 2. No change.

3. A general gun-vehicle permit is required of any person to operate a vehicle during the general gun-vehicle season. A general gun-vehicle permit and tag shall only be transferred in the field by Florida Fish and Wildlife Conservation Commission law enforcement supervisors or their designees when a tracked vehicle becomes inoperable and unable to be repaired while within the wildlife management area to which the tracked vehicle is assigned as determined by the general gun-vehicle permit. ~~General gun-vehicle permits and tags are not transferable, except as provided in subsection 68A-11.005(9), F.A.C.~~

4. through 18. No change.

(e) No change.

(3) Everglades and Francis S. Taylor Wildlife Management Area.

(a) Open season:

1. General gun – Walk, October ~~20-28~~ ~~21-29~~ Conservation Areas 3A North and 2 only. December ~~1-30~~ ~~2-31~~ in that portion of the area between the Old Miami Canal (Mud Canal) and the New Miami Canal in Conservation Area 3A North only.

2. General gun – Vehicle (airboats and tracked vehicles only), November ~~3-18~~ ~~4-19~~, in Conservation Areas 3A North, 3A South, 2, and the Francis S. Taylor Wildlife Management Area by permit only.

3. Archery – August ~~25~~ ~~26~~ through September ~~16~~ ~~17~~, Conservation Area 3A North only.

4. Muzzleloading gun – September ~~29~~ ~~30~~ through October ~~14~~ ~~15~~, in Conservation Area 3A North only.

5. through 6. No change.

(b) through (c) No change.

(d) General regulations:

1. through 6. No change.

7. A general gun-vehicle permit is required of any person to operate a vehicle during the general gun-vehicle season. General gun-vehicle permits will be given to both tracked vehicle and airboat hunters. A general gun-vehicle permit and tag shall only be transferred in the field by Florida Fish and Wildlife Conservation Commission law enforcement supervisors or their designees when a vehicle or airboat becomes inoperable and unable to be repaired while within the wildlife management area to which the vehicle or airboat is assigned as determined by the general gun-vehicle permit. ~~General gun-vehicle permits and tags are not transferable, except as provided in subsection 68A-11.005(9), F.A.C.~~

8. through 23. No change.

(e) No change.

(4) Rotenberger Wildlife Management Area.

(a) Open season:

1. General gun – Walk, October ~~20-28~~ 21-29.

2. General gun – Vehicle (airboats and tracked vehicles only), November ~~3-18~~ 4-19 by quota permit only.

3. Archery – August ~~25~~ 26 through September ~~16~~ 17.

4. Muzzleloading gun – September ~~29~~ 30 through October ~~14~~ 15.

5. through 6. No change.

(b) through (c) No change.

(d) General regulations:

1. A general gun-vehicle permit is required of any person to operate a vehicle during the general gun-vehicle season. A general gun-vehicle permit and tag shall only be transferred in the field by Florida Fish and Wildlife Conservation Commission law enforcement supervisors or their designees when a tracked vehicle becomes inoperable and unable to be repaired while within the wildlife management area to which the tracked vehicle is assigned as determined by the general gun-vehicle permit. ~~General gun-vehicle permits and tags are not transferable, except as provided in subsection 68A-11.005(9), F.A.C.~~

2. through 17. No change.

(5) Big Cypress Wildlife Management Area.

(a) Open season:

1. No change.

2. Small game – The day following the close of general gun season through February ~~3~~ 4.

3. Archery – September ~~1-30~~ 2 through ~~October 1~~ in all units and twelve days prior to Thanksgiving day through January 1, except during those years when January 1 falls on a Thursday, Friday or Saturday, in which case the season would close on the following Sunday in the Deep Lake Unit only.

4. Muzzleloading gun – October ~~6-21~~ 7-22, except in the Deep Lake Unit.

5. Spring turkey – March ~~1~~ 3 through April ~~6~~ 8.

6. through 7. No change.

(b) through (d) No change.

(6) No change.

(7) Okaloacoochee Slough Wildlife Management Area.

(a) Open season:

1. Archery – September ~~8-14~~ 9-15 and ~~15-23~~ 16-24.

2. Muzzleloading gun – October ~~13-15~~ 14-16.

3. General gun – October ~~27-30~~ 28-31 and October 31 through November ~~4~~ 4-5.

4. General gun hog – November ~~17-23~~ 18-24.

5. Small game – November ~~24~~ 25 through December ~~16~~ 17.

6. Spring turkey – March ~~1-4~~ 3-6 and ~~5-9~~ 7-11.

7. through 8. No change.

(b) through (d) No change.

(8) Fisheating Creek Wildlife Management Area.

(a) Open season:

1. Archery – September ~~14-16~~ 15-17 and ~~21-23~~ 22-24 west of U.S. Highway 27 only.

2. Muzzleloading gun – October ~~12-14~~ 13-15 and ~~19-21~~ 20-22 west of U.S. Highway 27 only.

3. General gun – November ~~2-4~~ 3-5 and ~~23-25~~ 24-26 west of U.S. Highway 27 only.

4. Spring turkey – March ~~1-4~~ 3-6, ~~7-10~~ 9-12, ~~14-17~~ 16-19, ~~21-24~~ 23-26 and ~~March 28-31~~ 30 through April 2 west of U.S. Highway 27 only.

5. Special-opportunity spring turkey – March ~~1-7~~ 3-9 and ~~15-21~~ 17-23 east of U.S. Highway 27 only.

6. General gun hog – December ~~8-9~~ 9-10 west of U.S. Highway 27 only.

7. No change.

(b) through (d) No change.

(9) Picayune Strand Wildlife Management Area.

(a) Open season:

1. Archery – September ~~8-23~~ 9-24.

2. Muzzleloading gun – October ~~13-15~~ 14-16.

3. General gun – October ~~27-30~~ 28-31 and October 31 through November ~~4~~ 4-5.

4. Small game – November ~~10-25~~ 11-26.

5. Spring turkey – March ~~1-4~~ 3-6 and ~~5-9~~ 7-11.

6. Migratory game birds – During the migratory game bird seasons as established by Rules 68A-13.003 and 68A-13.008, F.A.C.

~~7.6~~ Fishing and frogging – Permitted throughout the year.

(b) through (d) No change.

(10) Dinner Island Ranch Wildlife Management Area.

(a) Open season:

1. Archery – September ~~8-14~~ 9-15 and ~~15-23~~ 16-24

2. Muzzleloading gun – October ~~13-15~~ 14-16.

3. General gun – October ~~27-30~~ 28-31 and October 31 through November ~~4~~ 4-5.

4. Family hunt – November ~~10-11~~ 11-12 and ~~17-18~~ 18-19.

5. Spring turkey – March ~~1-4~~ 3-6 and ~~5-9~~ 7-11.

6. through 7. No change.

(b) through (d) No change.

(11) Spirit-of-the-Wild Wildlife Management Area.

(a) Open season:

1. Archery – September ~~8-14~~ ~~9-15~~ and ~~15-23~~ ~~16-24~~.

2. Muzzleloading gun – October ~~13-15~~ ~~14-16~~.

3. General gun – October ~~27-30~~ ~~28-31~~ and October 31 through November ~~4~~ ~~4-5~~.

4. Spring turkey – March ~~1-4~~ ~~3-6~~ and ~~5-9~~ ~~7-11~~.

5. No change.

(b) through (d) No change.

(12) Allapattah Flats Wildlife Management Area.

(a) Open season:

1. Archery – September 8-14 and 15-23.

2. Muzzleloading gun – October 13-15.

3. Family hunt – October 27-30.

4. General gun – October 31 through November 4.

5. Small game – November 10 through the first Sunday in January.

6. Spring turkey – March 1-4 and 5-9.

7. Fishing – Permitted throughout the year.

(b) Legal to take: All legal game, hog, fish, and furbearers (except bobcat and otter). Turkey may only be taken during the spring turkey season. The bag limit for deer and wild turkey shall be one per quota permit. No size or bag limits on hog.

(c) Camping: Camping is allowed only at designated campsites. Only tents may be used for camping.

(d) General regulations:

1. Fires are prohibited except at designated campsites.

2. Vehicles may be operated only on named or numbered roads. During the archery, muzzleloading gun, family hunt, general gun, and spring turkey seasons, vehicles may be operated on numbered trails in addition to named or numbered roads by individuals possessing a valid quota hunt permit.

3. Tracked vehicles, swamp buggies, airboats, motorcycles, and all-terrain vehicles are prohibited.

4. Hunters shall check in and out at a check station when entering and exiting the area and shall check all game taken.

5. No deer shall be dismembered until checked at a check station.

6. Taking wildlife with dogs is prohibited, except bird dogs or retrievers may be used during the small game season.

7. Horses are permitted on named equestrian trails and designated equestrian areas only.

8. The possession or use of firearms other than shotguns is prohibited during the small game season.

PROPOSED EFFECTIVE DATE: July 1, 2007.

Specific Authority Art. IV, Sec. 9, Fla. Const., 372.121, 375.313 FS. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.121, 375.313 FS. History–New 6-21-82, Amended 7-1-83, 7-27-83, 9-27-83, 7-5-84, 7-1-85, 5-7-86, 8-5-86, 5-10-87, 8-24-87, 5-1-88, 6-7-88, 7-1-89, 7-1-90, 9-1-90, 7-1-91, 7-1-92, 7-1-93, 7-1-94, 7-1-95, 8-15-95, 7-1-96, 9-15-96, 10-20-96, 6-1-97, 8-7-97, 7-1-98, 7-2-98, 7-1-99, Formerly 39-15.064, Amended 11-17-99, 7-1-00, 7-1-01, 6-2-02, 2-27-03, 5-1-03, 7-1-04, 7-1-05, 7-1-06, ~~7-1-07~~.

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: December 6, 2006

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

| | |
|------------|---|
| RULE NO.: | RULE TITLE: |
| 68A-15.065 | Specific Regulations for Wildlife Management Areas – Northeast Region |

PURPOSE AND EFFECT: The purpose of the proposed rule changes is to revise specific area regulations on Wildlife Management Areas (WMAs) in the Northeast Region and conform to calendar year date changes. The effect of the proposed rule changes is to enable the agency to better manage fish and wildlife resources and public use on WMAs.

SUMMARY: The proposed rule changes would adjust season dates to conform to calendar year changes and revise specific area regulations on Wildlife Management Areas (WMAs) in the Northeast Region as follows:

Tosohatchee; Seminole Ranch WMAs – The proposed rule would switch the second 7-day general gun hog hunt on Tosohatchee WMA (last week of January) with the 7-day general gun hog hunt on Seminole Ranch WMA (second week of February), with no change in the number of days open to hunting. These areas are geographically adjacent. The effect of this change would allow additional recreational opportunities on Tosohatchee WMA between hunts.

Matanzas WMA – The proposed rule would establish a 9-day general gun hog season with a quota of 50.

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

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for 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, February 7-8, 2007, 8:30 a.m. – 5:00 p.m., each day

PLACE: Sandestin Golf and Beach Resort, 9300 Emerald Coast Parkway, West, Destin, Florida 32550

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting the ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

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-15.065 Specific Regulations for Wildlife Management Areas – Northeast Region.

(1) Bull Creek Wildlife Management Area.

(a) Open season:

1. General gun – November ~~10~~ ~~11~~ through January ~~6~~ ~~7~~.
2. Small game – January ~~7~~ ~~8~~ through March ~~2~~ ~~4~~.
3. Spring turkey – March ~~15~~ ~~17~~ through April ~~20~~ ~~22~~.
4. Archery – September ~~22~~ ~~23~~ through October ~~21~~ ~~22~~. A special quota permit will be required for the September ~~22-23~~ ~~23-24~~ hunt.

5. Muzzleloading gun – October ~~26-28~~ ~~27-29~~.

6. No change.

(b) through (d) No change.

(2) Ft. McCoy Wildlife Management Area.

- (a) Open season:
1. General gun – November ~~10~~ ~~11~~ through January ~~6~~ ~~7~~.
 2. Small game – January ~~7-27~~ ~~8-28~~.
 3. Archery – September ~~22~~ ~~23~~ through October ~~21~~ ~~22~~.
 4. Muzzleloading gun – October ~~27~~ ~~28~~ through November ~~4~~ ~~5~~.

5. Spring turkey – March ~~15~~ ~~17~~ through April ~~20~~ ~~22~~.

6. No change.

(b) through (d) No change.

(3) Ocala Wildlife Management Area.

- (a) Open season:
1. General gun – November ~~10~~ ~~11~~ through January ~~6~~ ~~7~~.
 2. Small game – January ~~7~~ ~~8~~ through March ~~2~~ ~~4~~.

3. Archery – September ~~22~~ ~~23~~ through October ~~21~~ ~~22~~.

4. Muzzleloading gun – October ~~26-28~~ ~~27-29~~, on the Church Lake, Hopkins Prairie and Lake Delancy Management Units only.

5. Fox, bobcat and raccoon – November ~~10~~ ~~11~~ through April ~~13~~ ~~15~~.

6. No change.

7. Spring turkey – March ~~20-23~~ ~~22-25~~, ~~27-30~~ ~~March 29~~ through April ~~1~~, April ~~3-6~~ ~~5-8~~ and ~~10-13~~ ~~12-15~~.

8. through 9. No change.

(b) Legal to take:

1. No change.
2. Furbearing animals – During the November ~~10~~ ~~11~~ through March 1 period, hunting as specified in paragraph 68A-24.002(2)(b), F.A.C., is permitted only in the Pipeline and Church Lake Management Units. Raccoons may also be hunted, with dogs only, from March ~~3~~ ~~5~~ through April ~~13~~ ~~15~~ only in that portion of the Pipeline Management Unit south of S.R. 40, east of C.R. 183 AV and west of S.R. 19. The hunting of fox and bobcat by the use of dogs only shall be permitted from January ~~7~~ ~~8~~ through April ~~13~~ ~~15~~, only in that portion of the Pipeline Management Unit south of S.R. 40, east of C.R. 183 AV, and west of S.R. 19.

(c) No change.

(d) General regulations:

1. through 7. No change.
8. Dogs may be used to pursue rabbits from January ~~7~~ ~~8~~ through April ~~13~~ ~~15~~ in that portion of the Pipeline Management Unit south of S.R. 40, east of C.R. 183 AV, and west of S.R. 19.

9. No change.

(e) No change.

(4) Richloam Wildlife Management Area.

- (a) Open season:
1. General gun – November ~~10~~ ~~11~~ through January ~~6~~ ~~7~~.
 2. Spring turkey – March ~~15~~ ~~17~~ through April ~~20~~ ~~22~~.
 3. Archery – September ~~22~~ ~~23~~ through October ~~21~~ ~~22~~.

4. No change.

5. Trapping – January ~~7~~ ~~8~~ through March 1.

(b) through (d) No change.

(5) Richloam Wildlife Management Area – Baird Unit.

- (a) Open season:
1. Archery – September ~~22~~ ~~23~~ through October ~~7~~ ~~8~~.
 2. Muzzleloading gun – October ~~26-28~~ ~~27-29~~.
 3. General gun – November ~~10-18~~ ~~11-19~~.

4. Spring turkey – March ~~15-17~~ ~~17-19~~, ~~21-23~~ ~~23-25~~ and ~~28-30~~ ~~March 30~~ through April 1.

5. Small game – January ~~12~~ ~~13~~ through February ~~17~~ ~~18~~.

6. No change.

(b) through (d) No change.

(6) Three Lakes Wildlife Management Area.

- (a) Open season:

1. General gun – November ~~10-11~~ through January ~~6-7~~.
2. Small game – January ~~7-8~~ through March ~~2-4~~.
3. Spring turkey – March ~~15-17~~ through April ~~20-22~~.
4. Archery – September ~~22-23~~ through October ~~21-22~~.
5. No change.
6. Muzzleloading gun – October ~~26-28-27-29~~.
7. General gun for mobility impaired – November ~~2-4-3-5~~.
8. General gun-dog – December ~~6-9-7-10, 20-23-21-24~~ and ~~27-30~~ ~~December-28-31~~ in that area between the Florida Turnpike and U.S. 441 only.
9. No change.
 - (b) through (e) No change.
- (7) Prairie Lakes Unit, Three Lakes Wildlife Management Area.
 - (a) Open season:
 1. Archery – September ~~28-30-29~~ through ~~October-1~~ and October ~~5-7-6-8~~.
 2. Muzzleloading gun – October ~~26-28-27-29~~.
 3. General gun – November ~~16-18-17-19~~ and ~~23-25-24-26~~.
 4. Small game – December ~~8-30-9-31~~.
 5. Spring turkey – March ~~15-17-17-19, 28-30~~ ~~March 30~~ through ~~April-1~~ and April ~~11-13-13-15~~.
 6. No change.
 7. General gun hog – ~~November 30~~ through ~~December 2-December-1-3~~ and January ~~4-6-5-7~~.
 - (b) through (d) No change.
- (8) Tiger Bay Wildlife Management Area.
 - (a) Open season:
 1. General gun – November ~~10-11~~ through January ~~6-7~~.
 2. Archery – September ~~22-23~~ through October ~~21-22~~.
 3. Muzzleloading gun – October ~~26-28-27-29~~.
 4. Small game – January ~~7-8~~ through March ~~2-4~~.
 5. Spring turkey – March ~~15-17-17-19, 28-30~~ ~~March 30~~ through ~~April-1~~ and April ~~11-13-13-15~~.
 6. No change.
 - (b) ~~Legal to take:~~
 1. All legal game, fish, except as provided below, frogs and furbearers. No size or bag limit on wild hogs.
 2. No change.
 - (c) through (d) No change.
 - (9) Tiger Bay Wildlife Management Area – Rima Ridge Unit.
 - (a) Open season:
 1. General gun – November ~~10-18-11-19~~.
 2. Archery – September ~~22-23~~ through October ~~7-8~~.
 3. Muzzleloading gun – October ~~26-28-27-29~~.
 4. Small game – November ~~22-23~~ through December ~~30-31~~.
 5. Spring turkey – March ~~15-17-17-19, 28-30~~ ~~March 30~~ through ~~April-1~~ and April ~~11-13-13-15~~.
6. through 7. No change.
 - (b) through (d) No change.
- (10) Relay Wildlife Management Area.
 - (a) Open season:
 1. General gun – November ~~10-11~~ through January ~~6-7~~.
 2. Archery – September ~~22-23~~ through October ~~21-22~~.
 3. Muzzleloading gun – October ~~27-28~~ through November ~~4-5~~.
 4. Small game – January ~~7-8~~ through March ~~2-4~~.
 5. Spring turkey – March ~~15-17~~ through April ~~20-22~~.
 6. No change.
 - (b) through (d) No change.
 - (11) Tosohatchee Wildlife Management Area.
 - (a) Open season:
 1. Archery – September ~~27-30-28~~ through ~~October-1~~ and October ~~4-7-5-8~~.
 2. Muzzleloading gun – October ~~11-14-12-15~~ and ~~18-21-19-22~~.
 3. General gun – November ~~15-18-16-19~~ and ~~23-25-24-26~~.
 4. Spring turkey – March ~~15-17-17-19, March 28-30~~ ~~March 30~~ through ~~April-1~~ and April ~~11-13-13-15~~.
 5. General gun hog – January ~~11-17-12-18~~ and ~~February 8-14~~ ~~January 26~~ through ~~February 1~~.
 6. No change.
 - (b) through (d) No change.
 - (12) Seminole Ranch Wildlife Management Area.
 - (a) Open season:
 1. Archery – October ~~5-7-6-8~~ and ~~12-14-13-15~~.
 2. Muzzleloading gun – October ~~27-28-28-29~~ and November ~~3-4-4-5~~.
 3. General gun – November ~~16-18-17-19~~.
 4. Small game – November ~~24-25, 25-26~~ and December ~~1-2-2-3, and 8-9-9-10~~ and January ~~5-6-6-7~~.
 5. Spring turkey – March ~~15-17-17-19, 21-23-23-25~~ and ~~28-30~~ ~~March 30~~ through ~~April-1~~.
 6. General gun hog – ~~January 26~~ through ~~February 1-February 10-16~~.
 7. No change.
 - (b) through (d) No change.
 - (13) Jumper Creek Wildlife Management Area.
 - (a) Open season:
 1. Archery – September ~~22-23~~ through October ~~21-22~~.
 2. Muzzleloading gun – October ~~26-28-27-29~~.
 3. General gun – November ~~10-11~~ through January ~~6-7~~.
 4. Small game – January ~~7-27-8-28~~.
 5. Spring turkey – March ~~15-17~~ through April ~~20-22~~.
 6. through 7. No change.
 - (b) through (d) No change.
 - (14) Rock Springs Run Wildlife Management Area.
 - (a) Open season:

1. Archery – September ~~28-30~~ ~~29~~ through October ~~1~~ and October ~~5-7~~ ~~6-8~~.
2. Muzzleloading gun – October ~~12-14~~ ~~13-15~~ and ~~19-21~~ ~~20-22~~.
3. General gun – November ~~9-11~~ ~~10-12~~ and ~~16-18~~ ~~17-19~~.
4. Small game – December ~~1-2~~ ~~2-3~~, ~~8-9~~ ~~9-10~~ and January ~~5-6~~ ~~6-7~~.
5. No change.
 - (b) through (d) No change.
- (15) Guana River Wildlife Management Area.
 - (a) Open season:
 1. No change.
 2. General gun – November ~~16-18~~ ~~17-19~~ and ~~23-25~~ ~~24-26~~.
 3. Muzzleloading gun – October ~~26-28~~ ~~27-29~~ and November ~~2-4~~ ~~3-5~~.
 4. Archery – October ~~12-14~~ ~~13-15~~ and ~~19-21~~ ~~20-22~~.
 5. Small game – ~~November 30 through December 2~~, ~~December 1-3~~, ~~December 7-9~~ ~~8-10~~, January ~~4-6~~ ~~5-7~~, ~~11-13~~ ~~12-14~~, ~~18-20~~ ~~19-21~~ and ~~25-27~~ ~~26-28~~.
 6. through 7. No change.
 - (b) through (e) No change.
- (16) Half Moon Wildlife Management Area.
 - (a) Open season:
 1. Archery – October ~~5-7~~ ~~6-8~~ and ~~12-14~~ ~~13-15~~.
 2. Muzzleloading gun – October ~~26-28~~ ~~27-29~~.
 3. General gun – November ~~10-12~~ ~~11-13~~ and ~~16-18~~ ~~17-19~~.
 4. Small game – ~~November 30 through December 2~~, ~~December 1-3~~, ~~December 7-9~~ ~~8-10~~ and ~~14-16~~ ~~15-17~~.
 5. General gun hog – January ~~12-13~~ ~~13-14~~ and ~~19-20~~ ~~20-21~~.
 6. Spring turkey – March ~~21-23~~ ~~23-25~~, ~~28-30~~ ~~March 30~~ through ~~April 1~~ and April ~~4-6~~ ~~6-8~~.
 7. No change.
 - (b) through (d) No change.
- (17) Caravelle Ranch Wildlife Management Area.
 - (a) Open season:
 1. Archery – September ~~22-30~~ ~~23~~ through October ~~1~~.
 2. Supervised small game – October ~~7-15~~ ~~8-16~~.
 3. Muzzleloading gun – October ~~26-28~~ ~~27-29~~.
 4. General gun – November ~~10-18~~ ~~11-19~~.
 5. No change.
 6. Small game – November ~~22~~ ~~23~~ through January ~~6~~ ~~7~~ (Thursdays, Fridays, Saturdays and Sundays only).
 7. Spring turkey – March ~~15-18~~ ~~17-20~~ and ~~19-23~~ ~~21-25~~.
 8. through 9. No change.
 - (b) through (d) No change.
- (18) Lake George Wildlife Management Area.
 - (a) Open season:
 1. Archery – September ~~22~~ ~~23~~ through October ~~21~~ ~~22~~.
 2. Muzzleloading gun – October ~~26-28~~ ~~27-29~~.
 3. General gun – November ~~10-18~~ ~~11-19~~.
 4. No change.
3. General gun – November ~~10-25~~ ~~11-26~~.
4. Small game – November ~~26~~ ~~27~~ through March ~~2~~ ~~4~~.
5. Spring turkey – March ~~15-17~~ ~~17-19~~, ~~28-30~~ ~~March 30~~ through ~~April 1~~ and April ~~11-13~~ ~~13-15~~.
6. No change.
 - (b) through (d) No change.
- (19) Lake George Wildlife Management Area – Dexter/Mary Farms Unit.
 - (a) Open season:
 1. Small game – November ~~24~~ ~~25~~ through December ~~9~~ ~~10~~ and December ~~22~~ ~~23~~ through January ~~6~~ ~~7~~.
 2. Special-opportunity turkey – March ~~15-21~~ ~~17-23~~, March ~~29~~ ~~31~~ through April ~~4~~ ~~6~~ and April ~~12-18~~ ~~14-20~~.
 3. General gun hog – January ~~12-15~~ ~~13-16~~, ~~16-21~~ ~~17-22~~, and ~~22-27~~ ~~23-28~~.
 4. through 5. No change.
 6. Archery – September ~~22~~ ~~23~~ through October ~~7~~ ~~8~~.
 7. Muzzleloading gun – October ~~26-28~~ ~~27-29~~.
 8. General gun – November ~~10-18~~ ~~11-19~~.
 - (b) through (e) No change.
- (20) Seminole Forest Wildlife Management Area.
 - (a) Open season:
 1. Archery – September ~~22-25~~ ~~23-26~~ and September ~~26-30~~ ~~27~~ through October ~~1~~.
 2. Muzzleloading gun – October ~~26-28~~ ~~27-29~~.
 3. General gun – December ~~1-4~~ ~~2-5~~ and ~~5-9~~ ~~6-10~~.
 4. Small game – January ~~12-27~~ ~~13-28~~ (Saturdays and Sundays only).
 5. Spring turkey – March ~~15-18~~ ~~17-20~~ and ~~19-23~~ ~~21-25~~.
 6. General gun for mobility-impaired – October ~~19-21~~ ~~20-22~~.
 7. No change.
 - (b) through (d) No change.
- (21) Triple N Ranch Wildlife Management Area.
 - (a) Open season:
 1. General gun hog – January ~~25-27~~ ~~26-28~~, February ~~1-3~~ ~~2-4~~ and ~~8-10~~ ~~9-11~~.
 2. Special-opportunity deer – October ~~27~~ ~~28~~ through November ~~2~~ ~~3~~ and November ~~10-16~~ ~~11-17~~.
 3. Small game – November ~~24~~ ~~25~~ through January ~~20~~ ~~21~~.
 4. Special-opportunity turkey – March ~~15-21~~ ~~17-23~~, March ~~29~~ ~~31~~ through April ~~4~~ ~~6~~ and April ~~12-18~~ ~~14-20~~.
 5. through 6. No change.
 - (b) through (d) No change.
- (22) Etoniah Creek Wildlife Management Area.
 - (a) Open season:
 1. Archery – September ~~22~~ ~~23~~ through October ~~7~~ ~~8~~.
 2. Muzzleloading gun – October ~~26-28~~ ~~27-29~~.
 3. General gun – November ~~10-18~~ ~~11-19~~.
 4. No change.

5. Spring turkey – March ~~15-17 17-19, 21-23 23-25~~ and ~~28-30 March 30 through April 1~~.

6. No change.

(b) through (d) No change.

(23) Little Big Econlockhatchee Wildlife Management Area – Kilbee Unit.

(a) Open season:

1. Archery – October ~~5-7 6-8~~ and ~~12-14 13-15~~.

2. Muzzleloading gun – November ~~2-4 3-5~~.

3. General gun – November ~~16-18 17-19~~.

4. Small game – December ~~8-23 9-24~~ (Saturdays and Sundays only).

5. General gun hog – January ~~11-13 12-14~~ and ~~25-27 26-28~~.

6. No change.

(b) through (c) No change.

(24) Lake Panasoffke Wildlife Management Area.

(a) Open season:

1. Special-opportunity turkey – March ~~20-23 22-25~~, April ~~1-4 3-6~~ and ~~17-20 19-22~~.

2. Special-opportunity archery – September ~~27-30 28~~ through ~~October 1~~, October ~~4-7, 5-8~~ and ~~16-19 17-20~~, November ~~1-4, 2-5~~ and ~~13-16 14-17~~, November ~~29 30~~ through December ~~2 3~~, December ~~11-14 12-15~~ and January ~~3-6 4-7~~.

3. Special-opportunity hog-still – January ~~11-13 12-14~~.

4. Special-opportunity hog-dog – January ~~23-25 24-26~~.

5. Small game – February ~~1-3 2-4~~ and ~~8-10 9-11~~.

6. through 7. No change.

(b) through (d) No change.

(25) Ross Prairie Wildlife Management Area.

(a) Open season: Supervised small game – October ~~13-19 14-20~~, November ~~17-23 18-24~~, December ~~15-21 16-22~~ and January ~~12-18 13-19~~.

(b) through (d) No change.

(26) Buck Lake Wildlife Management Area.

(a) Open season:

1. Archery – September ~~22-30 23~~ through ~~October 1~~ and October ~~1-7 2-8~~.

2. Muzzleloading gun – October ~~26-28 27-29~~.

3. General gun – November ~~10-13 11-14~~ and ~~14-18 15-19~~.

4. Small game – December ~~1-16 2-17~~.

5. Spring turkey – March ~~15-18 17-20~~ and ~~19-23 21-25~~.

6. General gun hog – January ~~3-6 4-7~~ and ~~17-20 18-21~~.

7. No change.

(b) through (d) No change.

(27) Fort Drum Wildlife Management Area.

(a) Open season:

1. Special-opportunity deer – November ~~10-16 11-17~~.

2. Small game – December ~~8-23 9-24~~.

3. Special-opportunity turkey – March ~~15-21 17-23~~, March ~~29 31~~ through April ~~4 6~~ and April ~~12-18 14-20~~.

4. Special-opportunity wild hog – October ~~5-7 6-8, 12-14 13-15~~ and ~~19-21 20-22~~.

5. No change.

(b) through (d) No change.

(28) Ocklawaha River Wildlife Management Area – Gores Landing Unit.

(a) Open season:

1. Archery – September ~~22 23~~ through October ~~7 8~~.

2. Muzzleloading gun – October ~~26-28 27-29~~.

3. General gun – November ~~10-18 11-19~~.

4. Small game – December ~~1-16 2-17~~.

5. Spring turkey – March ~~15-18 17-20~~ and ~~19-23 21-25~~.

6. No change.

(b) through (d) No change.

(29) Seminole Forest Wildlife Management Area – Lake Tracy Unit.

(a) Open season:

1. Archery – September ~~22-24 23-25~~.

2. Muzzleloading gun – October ~~26-28 27-29~~.

3. General gun – November ~~10-12 11-13~~.

4. Spring turkey – March ~~15-17 17-19~~ and ~~21-23 23-25~~.

5. No change.

(b) through (c) No change.

(30) Twelve Mile Swamp Wildlife Management Area.

(a) Open season:

1. Archery – September ~~22 23~~ through October ~~21 22~~.

2. Muzzleloading gun – October ~~27 28~~ through November ~~4 5~~.

3. General gun – November ~~10 11~~ through January ~~6 7~~.

4. Small game – January ~~7 8~~ through March ~~2 4~~.

5. Spring turkey – March ~~15 17~~ through April ~~20 22~~.

6. No change.

7. Trapping – January ~~7 8~~ through March 1.

(b) through (d) No change.

(31) Upper St. Johns River Marsh Wildlife Management Area.

(a) Open season:

1. Archery – September ~~22 23~~ through October ~~21 22~~.

2. Muzzleloading gun – October ~~27 28~~ through November ~~4 5~~.

3. General gun – November ~~10 11~~ through January ~~20 21~~.

4. Small game – January ~~21 22~~ through March ~~2 4~~.

5. Spring turkey – March ~~15 17~~ through April ~~20 22~~.

6. through 8. No change.

(b) Legal to take: All legal game, furbearers, fish, and frogs. Antlerless deer may be taken during the period November ~~17-18 18-19~~. Turkey of either sex may be taken during the muzzleloading gun season. The period of November ~~10 11~~ through January ~~6 7~~ is open for bearded turkey only. No

bag or size limits on wild hogs. Wild hogs may be taken during the archery, muzzleloading gun, general gun, and small game season.

(c) No change.

(d) General regulations:

1. through 7. No change.

8. Hunting with dogs is prohibited except bird dogs may be used during the small game, duck and coot seasons, and dogs may be used for hog hunting during the period January ~~23-27~~ ~~24-28~~.

9. through 12. No change.

(32) Dunns Creek Wildlife Management Area.

(a) Open season:

1. Archery – September ~~22~~ ~~23~~ through October ~~7~~ ~~8~~ and November ~~17-25~~ ~~18-26~~.

2. Muzzleloading gun – October ~~27~~ ~~28~~ through November ~~4~~ ~~5~~.

3. Wild hog – January ~~19-27~~ ~~20-28~~.

4. Spring turkey – March ~~15-17~~ ~~17-19~~, ~~28-30~~ ~~March 30~~ through ~~April 1~~ and April ~~11-13~~ ~~13-15~~.

5. through 6. No change.

(b) through (d) No change.

(33) Salt Lake Wildlife Management Area.

(a) Open season:

1. Archery – September ~~22-30~~ ~~23~~ through ~~October 1~~ and October ~~1-7~~ ~~2-8~~.

2. Muzzleloading gun – October ~~26-28~~ ~~27-29~~.

3. General gun – November ~~10-13~~ ~~11-14~~ and ~~14-18~~ ~~15-19~~.

4. Small game – December ~~1-16~~ ~~2-17~~.

5. General gun hog – January ~~17-20~~ ~~18-21~~.

6. Spring turkey – March ~~15-18~~ ~~17-20~~ and ~~19-23~~ ~~21-25~~.

7. No change.

(b) through (d) No change.

(34) Matanzas Wildlife Management Area.

(a) Open season:

1. Archery – September ~~22-30~~ ~~23~~ through ~~October 1~~ and October ~~1-7~~ ~~2-8~~.

2. Muzzleloading gun – October ~~26-28~~ ~~27-29~~.

3. Family hunt – November ~~10-11~~ ~~11-12~~.

4. General gun – November ~~12-18~~ ~~13-19~~.

~~5. General gun hog – December 1-9.~~

~~6-5.~~ Small game – January ~~7-22~~ ~~8-23~~.

~~7-6.~~ Spring turkey – March ~~15-18~~ ~~17-20~~ and ~~19-23~~ ~~21-25~~.

~~8-7.~~ Fishing and frogging – Permitted throughout the year.

(b) through (d) No change.

PROPOSED EFFECTIVE DATE: July 1, 2007.

Specific Authority Art. IV, Sec. 9, Fla. Const., 372.121, 375.313 FS. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.121, 375.313 FS. History–New 6-21-82, Amended 6-29-82, 7-1-83, 7-5-84, 10-1-84, 7-1-85, 5-7-86, 5-10-87, 5-1-88, 7-1-89, 12-19-89, 7-1-90, 7-1-91, 7-2-91, 7-2-92, 7-1-93, 7-1-94, 7-1-95, 7-1-96, 9-15-96, 6-1-97, 7-1-98, 7-2-98, 8-11-98, 12-28-98, 7-1-99, Formerly 39-15.065, Amended 12-20-99, 7-1-00,12-26-00, 7-1-01, 6-2-02, 7-28-02, 5-1-03, 7-1-03, 10-12-03, 7-1-04, 7-1-05, 1-4-06, 7-1-06, 7-1-07.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mr. 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: December 6, 2006

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.:

RULE TITLE:

68A-17.005

Specific Regulations for Wildlife and Environmental Areas

PURPOSE AND EFFECT: The purpose of the proposed rule changes is to revise specific area regulations on Wildlife and Environmental Areas (WEAs) and conform to calendar year date changes. The effect of the proposed rule changes will be to enable the agency to better manage fish and wildlife resources and public use on WEAs.

SUMMARY: The proposed rule changes would adjust season dates to conform to calendar year changes and revise specific area regulations on Wildlife and Environmental Areas (WEAs).

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 regular meeting of the Commission, February 7-8, 2007, 8:30 a.m. – 5:00 p.m., each day

PLACE: Sandestin Golf and Beach Resort, 9300 Emerald Coast Parkway, West, Destin, FL 32550

Pursuant to the provisions of 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-17.005 Specific Regulations for Wildlife and Environmental Areas.

(1) Southwest Region.

(a) through (e) No change.

(f) Lake Wales Ridge Wildlife and Environmental Area – Royce Unit – Highlands County.

1. Open season:

a. General gun – November 16-18 ~~17-19~~.

b. Small game – December 7-9 ~~8-10~~ and 21-23 ~~22-24~~, January 18-20 ~~19-21~~ and 25-27 ~~26-28~~.

c. Spring turkey – March 14-16 ~~16-18~~ and March 28-30 ~~30 through April 1~~.

d. No change.

2. through 3. No change.

(g) through (h) No change.

(2) North Central Region.

(a) Santa Fe Swamp – Bradford County.

1. Open season (hunting prohibited at other times):

a. Archery – September 22 ~~23~~ through October 21 ~~22~~.

b. Muzzleloading gun – October 26-28 ~~27-29~~.

c. Archery and muzzleloading gun – November 10 ~~11~~ through January 6 ~~7~~.

d. Spring turkey – March 15 ~~17~~ through April 20 ~~22~~.

e. No change.

2. through 3. No change.

(b) No change.

(c) Suwannee Ridge – Hamilton County.

1. Open season:

a. Mobility-impaired general gun – October 12-14 ~~13-15~~, 26-28 ~~27-29~~, November 2-4 ~~3-5~~ and December 14-16 ~~15-17~~.

b. Mobility-impaired spring turkey – March 21-23 ~~23-25~~ and April 11-13 ~~13-15~~.

c. No change.

2. through 3. No change.

(d) No change.

(3) No change.

(4) South Region.

(a) Southern Glades – Dade County.

1. Open season:

a. Archery – September 8 ~~9~~ through October 7 ~~8~~.

b. Muzzleloading gun – October 12-14 ~~13-15~~.

c. General gun – October 27 ~~28~~ through December 2 ~~3~~.

d. through f. No change.

2. through 3. No change.

(b) John G. and Susan H. Dupuis Jr. – Palm Beach and Martin Counties.

1. Open season:

a. Archery – September 7-9 ~~8-10~~, 14-16 ~~15-17~~ and 21-23 ~~22-24~~.

b. Muzzleloading gun – October 5-7 ~~6-8~~, 12-14 ~~13-15~~ and 19-21 ~~20-22~~.

c. General gun – October 26-28 ~~27-29~~ and November 2-4 ~~3-5~~.

d. General gun for mobility-impaired – November 10-11 ~~11-12~~.

e. General gun hog – November 13-15 ~~14-16~~, 20-22 ~~21-23~~, 27-29 ~~28-30~~, and December 4-6 ~~5-7~~. Wild hogs only. No bag or size limit.

f. Spring turkey – March 4-6 ~~6-8~~, 14-16 ~~16-18~~ and 21-23 ~~23-25~~.

g. Small game – December 8 ~~9~~ through January 27 ~~28~~.

h. through j. No change.

2. through 4. No change.

(c) CREW – Collier and Lee Counties.

1. Open season:

a. Archery – September 8-16 ~~9-17~~.

b. Muzzleloading gun – October 13-15 ~~14-16~~.

c. General gun – October 27 ~~28~~ through November 4 ~~5~~.

d. Spring turkey – March 1-4 ~~3-6~~ and 5-9 ~~7-11~~.

e. through f. No change.

2. through 4. No change.

(d) No change.

(e) John C. and Mariana Jones / Hungryland – Palm Beach and Martin Counties.

1. Open season:

a. Archery – September 8-11 ~~9-12~~, 15-18 ~~16-19~~, 22-25 ~~23-26~~ and September 29 ~~30~~ through October 2 ~~3~~.

- b. Muzzleloading gun – October ~~13-15~~ ~~14-16~~.
 - c. General gun – October ~~27-29~~ ~~28-30~~ and November ~~3-5~~ ~~4-6~~ and ~~10-12~~ ~~11-13~~.
 - d. Small game – November ~~17~~ ~~18~~ through December ~~2~~ ~~3~~.
 - e. No change.
2. through 4. No change.
- (5) No change.

PROPOSED EFFECTIVE DATE: July 1, 2007.

Specific Authority Art. IV, Sec. 9, Fla. Const., 372.121, 375.313 FS. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.121, 375.313 FS. History—New 7-1-83, Amended 11-30-83, 7-1-84, 8-21-85, Formerly 39-17.05, Amended 6-1-86, 8-13-87, 8-18-88, 8-17-89, 4-11-90, 7-1-91, 10-31-91, 4-14-92, 4-20-93, 7-1-94, 9-15-94, 3-30-95, 8-15-95, 7-1-96, 4-3-97, 10-28-97, 7-1-98, 8-11-98, 7-1-99, Formerly 39-17.005, Amended 7-1-00, 5-1-01, 6-2-02, 5-25-03, 7-1-04, 7-1-05, 7-1-06, 7-1-07.

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: December 6, 2006

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

| | |
|------------|---|
| RULE NO.: | RULE TITLE: |
| 68A-20.005 | Specific Fish Management Area Regulations |

PURPOSE AND EFFECT: Under cooperative agreement with the City of Largo, Largo Central Park Nature Preserve Fish Management Area (a small 5-acre lake in the preserve) is proposed to be added as a fish management area (FMA) to provide additional quality fishing opportunities for freshwater anglers visiting the preserve. This rule change will implement site specific fishing regulations in the FMA designed to assist in maintaining fish population balance and incorporate appropriate city or county ordinances dealing with swimming, possession of alcohol or firearms.

SUMMARY: This rule change will open Largo Central Park Nature Preserve FMA as part of the Southwest Regional Freshwater Fisheries Management System. Specific bag and length limit regulations include: a catch-and-release provision for black bass; a 20 fish panfish daily bag limit; and a 10-inch length limit and 10-fish black crappie daily bag limit. Public use regulations include a prohibition of use or possession of cast nets and minnow seines, and prohibition of swimming, alcoholic beverages and firearms on the area.

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, February 7-8, 2006, 8:30 a.m. – 5:00 p.m., each day
PLACE: Sandestin Golf and Beach Resort, 9300 Emerald Coast Parkway, West, Destin, Florida 32550

Pursuant to the provisions of 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, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

- 68A-20.005 Specific Fish Management Area Regulations.
 - (1) through (3) No change.
 - (4) Southwest Region:
 - (a) through (u) No change.
 - (v) Largo Central Park Nature Preserve, Pinellas County:
 - 1. The use or possession of cast nets or minnow seines is prohibited.
 - 2. No person shall kill or possess any black bass.
 - 3. No person shall take in any one (1) day more than twenty (20) panfish, in the aggregate.
 - 4. No person shall kill or possess more than ten (10) black crappie. No person shall kill or possess any black crappie less than ten inches (10”) in total length.
 - 5. Swimming, possession of firearms or possession of alcoholic beverages is prohibited.
 - (5) No change.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History--New 8-1-79, Amended 2-19-80, 5-19-80, 6-4-81, 9-28-81, 6-21-82, 7-1-83, 11-17-83, 7-1-84, 7-1-85, Formerly 39-20.05, Amended 2-27-86, 6-1-86, 5-10-87, 4-13-88, 7-1-89, 7-1-90, 4-11-91, 7-1-91, 7-2-92, 8-23-92, 4-20-93, 7-1-94, 8-15-95, 10-23-95, 4-1-96, 2-16-97, 6-1-97, 6-29-97, 1-1-98, 7-1-98, 11-2-98, Formerly 39-20.005, Amended 4-30-00, 7-1-00, 10-10-00, 4-1-01, 7-1-01, 10-9-01, 7-1-02, 1-1-03, 7-1-03, 1-1-04, 7-1-04, 7-17-05, 7-1-06,_____.

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 FAW.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mr. Darrell Scovell, Director, Division of Freshwater Fisheries Management, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 6, 2006

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

| | |
|-------------------|---|
| RULE NOS.: | RULE TITLES: |
| 68A-25.002 | General Provisions for Taking, Possession and Sale of Reptiles |
| 68A-25.006 | Possession, Exhibition and Caging Venomous Reptiles: Prohibited Species |

PURPOSE AND EFFECT: The purpose and effect of this proposed rule amendment and rule repeal is to consolidate regulations pertaining to the possession and housing of venomous reptiles in captivity with other regulations pertaining to wildlife in captivity found in Chapter 68A-6, F.A.C. The effect will be to amend Rule 68A-25.002, F.A.C. so as to delete the venomous reptile portions and to repeal Rule 68A-25.006, F.A.C. dealing with venomous reptiles. These deleted requirements will then be placed in Chapter 68A-6, F.A.C.

SUMMARY: The proposed rule deletes language pertaining to permitting requirements for authorization to possess venomous reptiles in Rule 68A-25.002, F.A.C. and repeals Rule 68A-25.006, F.A.C. pertaining to possession, exhibition and

caging of venomous reptiles . These deleted requirements will be placed in Chapter 68A-6, F.A.C. pertaining to captive wildlife.

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, Sec. 9, Fla. Const. 372.922(3), 372.92 FS.

LAW IMPLEMENTED: Article IV, Sec. 9, Fla. Const., 372.86, 372.87, 372.88, 372.89, 372.90, 372.91, 372.92, 372.921, 372.922 FS.

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

DATES AND TIME: During the Commission’s regular meeting, February 7-8, 2007, 8:30 a.m. – 5:00 p.m., each day

PLACE: Sandestin Resort, 9300 Emerald Coast Parkway, West, Destin, FL 32550, (850)267-8000

Pursuant to the provisions of 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: Captain Linda Harrison, Division of Law Enforcement, Investigations Section, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)488-6253

THE FULL TEXT OF THE PROPOSED RULES IS:

68A-25.002 General Provisions for Taking, Possession and Sale of Reptiles.

(1) through (13) No change.

~~(14) On or after July 1, 1990 any person or entity not currently permitted to possess or exhibit venomous reptiles must qualify for a permit by meeting the following criteria:~~

~~(a) Submit documentation in accordance with the criteria specified in paragraph 68A 6.0022(5)(c), F.A.C., showing a minimum of one (1) year substantial practical experience in the care, feeding, handling and husbandry of the family of venomous reptiles for which the permit is sought.~~

~~(b) Shall not have been convicted of a violation of venomous reptile regulations for three (3) years prior to application for such permit.~~

~~(c) Must be at least 18 years old at the time of application.~~

(15) No change.

PROPOSED EFFECTIVE DATE: January 1, 2008.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.6672, 372.6673, 372.86, 372.921, 372.922 FS. History—New 8-1-79, Amended 6-4-81, 6-21-82, 7-1-83, 7-1-84, 7-1-85, Formerly 39-25.02, Amended 6-1-86, 5-10-87, 10-8-87, 4-13-88, 2-14-89, 7-1-89, 7-1-90, 4-14-92, 4-1-96, 9-15-96, 4-12-98, 7-1-99, Formerly 39-25.002, Amended 3-30-00, 4-30-00, 3-30-06, 5-18-06, 1-1-08.

68A-25.006 Possession, Exhibition and Caging Venomous Reptiles: Prohibited Species.

PROPOSED EFFECTIVE DATE: January 1, 2008.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented 370.081, 372.86, 372.87, 372.88, 372.89, 372.90, 372.91, 372.92 FS. History—New 8-1-79, Amended 6-21-82, Formerly 39-25.06, Amended 5-10-87, 4-1-96, 9-15-96, Formerly 39-25.006, Amended 11-17-99, Repealed 1-1-08.

NAME OF PERSON ORIGINATING PROPOSED RULE: Colonel Julie Jones, Director, Division of Law Enforcement
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mr. Kenneth D. Haddad, Executive Director
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 13, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 28, 2006

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NO.: 68B-4.009
RULE TITLE: Monofilament Line and Netting: Prohibition of Intentional Discard, Recovery Requirements, Recommendations for Appropriate Disposal

PURPOSE AND EFFECT: The purpose of this proposed rule amendment is to close what has become an enforcement loophole for persons violating the Commission’s netting rules. Recovery and disposal of monofilament netting is being used as a defense to rules prohibiting possession of monofilament gill or entangling nets and requiring direct transit for persons seeking to use such nets in federal waters where they are legal. The effect of these rule changes should be to improve enforcement of those net provisions and make prosecutions of net violations more successful.

SUMMARY: The proposed rule change will prohibit the recovery or attempted recovery of any monofilament netting found in the waters of the State without having first notified the Division of Law Enforcement. Additionally, the proposed rule requires the recovery of such netting be supervised by an officer of the Division of Law Enforcement. The proposed rule

shall not apply to monofilament netting found and recovered by any law enforcement agency in the State, or to any cast net, landing net, or dip net.

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 February 7-8, 2006, 8:30 a.m. – 5:00 p.m., each day

PLACE: Sandestin Golf and Beach Resort, 9300 Emerald Coast Parkway, West, Destin, Florida 32550

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-4.009 Monofilament Line and Netting: Prohibition of Intentional Discard, Recovery Requirements, Recommendations for Appropriate Disposal.

(1) No person shall intentionally discard any monofilament fishing line or monofilament netting into or onto the waters of the state. Waste monofilament fishing line and monofilament netting shall be disposed of on land and, if the material is possessed aboard a vessel, it shall be safely kept aboard the vessel until such disposal can be accomplished.

(2) Any person recovering monofilament fishing line or ~~monofilament netting~~ from the waters of the state shall dispose of such material pursuant to subsection (1) of this rule. If the volume or condition of such material precludes the proper disposal thereof, the person shall notify the Division of Law Enforcement Marine Patrol of its location. No person shall recover or attempt to recover any monofilament netting found in the waters of the state without first having notified the

Division of Law Enforcement. No such netting shall be recovered from state waters without an officer of the Division of Law Enforcement being present to supervise the recovery and disposal of the material. This subsection shall not apply to monofilament netting found and recovered by any law enforcement agency in the state, or to any cast net or landing or dip net.

(3) Each person operating a vessel in or on the waters of the state is encouraged to designate a container aboard the vessel for waste disposal of monofilament fishing line, ~~monofilament netting, and any other nondegradable material.~~

(4) This rule is not intended as an exception to, or defense to any violation of, Rule 68B-4.008, 68B-4.0081, or 68B-4.0082, F.A.C.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History--New 3-1-92, Formerly 46-4.009, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Colonel Julie Jones, Director, Division of Law Enforcement
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Mr. Kenneth D. Haddad, Executive
Director
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: December 6, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: December 22, 2006

Section III Notices of Changes, Corrections and Withdrawals

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

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Board of Opticianry

RULE NO.: 64B12-9.001 RULE TITLE:
Examination for Licensure
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. 32, No. 50, December 15, 2006 issue of the Florida Administrative Weekly.

Subsection (8) shall read:

(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 ~~neutralization~~ examination.

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

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-28.607 RULE TITLE:
Automated Pharmacy System –
Long-Term Care, Hospice or Prison
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. 31, No. 4, January 28, 2005 issue of the Florida Administrative Weekly.

The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The changes are as follows:

- (1) Subsection (2)(f) shall now read as follows:
(f) A provider pharmacy shall have policies and procedures to ensure adequate security.
- (2) Subsection (3)(a) shall now read as follows:
(a) The prescription department manager shall ensure that the automated pharmacy system complies with Chapter 893, Florida Statutes, and 21 C.F.R., relating to the regulation of controlled substances, for each automated pharmacy system that contains a controlled substance.

(3) § 465.0235, F.S. shall be added to the Law Implemented.
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

Section IV Emergency Rules

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF TRANSPORTATION

NOTICE IS HEREBY GIVEN that, on December 27, 2006, the Florida Department of Transportation issued an Order Denying the Petition of La Quinta Inns, Inc., seeking a variance or waiver from the provisions of Rule 14-85.004, F.A.C. The Petition was received by the Department on September 28, 2006. The Department published its notice of receipt of the petition in the October 20, 2006, edition of the F.A.W. Rule 14-85.004, F.A.C., establishes that if the program administrator does not receive the payment of annual permit fee from a Logo program participant by 5:00 p.m., on December 1, the participant's permit will expire. The Department's order issued in DOT Case No. 06-118, denied the petition because La Quinta failed to meet the requirements of Section 120.542, Florida Statutes.

A copy of the Department's order may be obtained from: Clerk of Agency Proceedings, Department of Transportation, 605 Suwannee Street, M.S. 58, Tallahassee, Florida 32399-0458. For additional information, contact James C. Myers at (850)414-5393.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

WATER MANAGEMENT DISTRICTS

On December 26, 2006, the St. Johns River Water Management District received a petition for Variance from the St. Augustine – St. Johns County Airport Authority in relation to Environmental Resource Permit Application 4-109-28307-25 for a proposed seaplane dock in St. Johns County. Pursuant to Section 373.414(17), F.S., the petitioner is seeking a variance from paragraph 40C-4.302(1)(c), F.A.C., and Sections 10.1.1(c), 12.1.1(d), and 12.2.5(c) of the Applicant's Handbook: Management and Storage of Surface Waters. These rules are designed to protect Class II and shellfish harvesting waters and require permit applicants to comply with additional criteria when the proposed work is located in, adjacent to, or in close proximity to Class II waters. The petitioner seeks the variance to construct a seaplane dock facility consisting of pilings, a fixed and floating dock, an aircraft lift, and a floating parking pad. The work is proposed to occur directly in the Tolomato River, which in this area is a Class II water classified by the Department of Agricultural and Consumer Services as conditionally restricted for shellfish harvesting. 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 2006-113.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Tara E. Boonstra, Assistant General Counsel, Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, (386)329-4448.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Bureau of Elevator Safety hereby gives notice that on 12/13/06, it Issued an Order Granting Variance Request in response to a petition filed 9/14/2006 and advertised in the F.A.W., Vol. 32, No. 39, by Steve Powell of KONE, Inc. regarding Highwoods Preserve VII in Tampa, FL (VW 2006-235). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that it issued an Order Granting Variance Request on December 8, 2006 in response to a petition filed on September 19, 2006 and advertised in the F.A.W., Vol. 32, No. 40 (VW 2006-239), by Dean P. Fogo of Verizon, Inc., regarding Clearwater Main, License Number 8030. The petition sought a waiver from Rule 2.7.2.1, A.S.M.E. A17.1, 2000 Edition as adopted by the 2004 Florida Building Code which prohibits foreign wiring in machine rooms. The petition was granted as the petitioner stated the wiring in question could not be moved until a new facility is built, which is in process. The wiring in question does not pose a hazard and does not require maintenance. Petitioner has agreed to ensure only properly trained authorized personnel are allowed into the machine room.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN that on 10/19/2006, Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1.2(b)(1), and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. The petition was received from Steve Powell of KONE Inc., requesting a variance to allow the installation of MonoSpace® elevator systems in the following location: Scientology Garage, Clearwater (Petition VW 2006-262).

A copy of the Petition can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety 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.

NOTICE IS HEREBY GIVEN that on 10/19/2006, Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1.2(b)(1), and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. The petition was received from Steve Powell of KONE Inc., requesting a variance to allow the installation of MonoSpace® elevator systems in the following location: Aloma Office, West Oviedo (Petition VW 2006-263).

A copy of the Petition can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator

Safety 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.

NOTICE IS HEREBY GIVEN that on 10/19/2006, Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1.2(b)(1), and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. The petition was received from Steve Powell of KONE Inc., requesting a variance to allow the installation of MonoSpace® elevator systems in the following location: Village of Imagine, Orlando (Petition VW 2006-265).

A copy of the Petition can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety 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.

NOTICE IS HEREBY GIVEN that on 10/19/2006, Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1.2(b)(1), and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. The petition was received from Steve Powell of KONE Inc., requesting a variance to allow the installation of MonoSpace® elevator systems in the following location: Mona Lisa, Celebration (Petition VW 2006-266).

A copy of the Petition can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety 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.

NOTICE IS HEREBY GIVEN that on 10/19/2006, Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1.2(b)(1), and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. The petition was received from Steve Powell of KONE Inc., requesting a variance to allow the installation of MonoSpace® elevator systems in the following location: First Priority Bank, Bradenton (Petition VW 2006-267).

A copy of the Petition can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety 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.

NOTICE IS HEREBY GIVEN that on 10/19/2006, Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1.2(b)(1), and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. The petition was received from Steve Powell of KONE Inc., requesting a variance to allow the installation of MonoSpace® elevator systems in the following location: Ferran Services & Contracting, Inc. Corporate Off., Orlando (Petition VW 2006-268).

A copy of the Petition can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety 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.

NOTICE IS HEREBY GIVEN that on 10/19/2006, Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1.2(b)(1), and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. The petition was received from Steve Powell of KONE Inc., requesting a variance to allow the installation of MonoSpace® elevator systems in the following location: Berriman-Morgan Building, Tampa (Petition VW 2006-269).

A copy of the Petition can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety 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.

NOTICE IS HEREBY GIVEN that on 10/19/2006, Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1.2(b)(1), and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. The petition was received from Steve Powell of KONE

Inc., requesting a variance to allow the installation of MonoSpace® elevator systems in the following location: Denning Apartments, Winter Park (Petition VW 2006-270).

A copy of the Petition can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety 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.

NOTICE IS HEREBY GIVEN that on 10/19/2006, Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1.2(b)(1), and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. The petition was received from Steve Powell of KONE Inc., requesting a variance to allow the installation of MonoSpace® elevator systems in the following location: Veranda Park, Bldg. 4, Orlando (Petition VW 2006-271).

A copy of the Petition can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety 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.

NOTICE IS HEREBY GIVEN that on 10/19/2006, Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1.2(b)(1), and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. The petition was received from Steve Powell of KONE Inc., requesting a variance to allow the installation of MonoSpace® elevator systems in the following location: Palms 32, Kissimmee (Petition VW 2006-272).

A copy of the Petition can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety 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.

NOTICE IS HEREBY GIVEN that on 10/19/2006, Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1.2(b)(1), and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive

sheave. The petition was received from Steve Powell of KONE Inc., requesting a variance to allow the installation of MonoSpace® elevator systems in the following location: Isle of Bali-Building 1400, Winter Garden (Petition VW 2006-273).

A copy of the Petition can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety 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.

NOTICE IS HEREBY GIVEN that on 10/19/2006, Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1.2(b)(1), and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. The petition was received from Steve Powell of KONE Inc., requesting a variance to allow the installation of MonoSpace® elevator systems in the following location: Pointe Orlando, Orlando (Petition VW 2006-275).

A copy of the Petition can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety 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.

NOTICE IS HEREBY GIVEN that on 10/19/2006, Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1.2(b)(1), and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. The petition was received from Steve Powell of KONE Inc., requesting a variance to allow the installation of MonoSpace® elevator systems in the following location: Pointe Orlando Towers, Orlando (Petition VW 2006-276).

A copy of the Petition can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety 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.

The Bureau of Elevator Safety hereby gives notice that it issued an Order Granting Variance Request on November 30, 2006 in response to a petition (VW 2006-282) filed on October 26, 2006 and advertised in the F.A.W., Vol. 32, No. 45, by William Snyder of Florida Certified Elevator Inspections, Inc.,

regarding Embassy Suites hotel. The petition sought a waiver from Rule 101.2 A.S.M.E. A17.1, 1996 Edition with 1998 Addenda, as adopted by the 2004 Florida Building Code which prohibits foreign equipment in machine rooms. The petition was granted as the HVAC controllers in question do not require routine monitoring or service thus eliminating the need for unauthorized personnel from entering the machine room. Petitioner has also agreed to train anyone entering the machine room so as to make them authorized to enter.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN that on 11/21/2006, Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1.2(b)(1), and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. The petition was received from Steve Powell of KONE Inc., requesting a variance to allow the installation of MonoSpace® elevator systems in the following location: La Serena, Pensacola (Petition VW 2006-302).

A copy of the Petition can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety 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.

NOTICE IS HEREBY GIVEN that on November 27, 2006, Bureau of Elevator Safety received a Petition for Variance from A.S.M.E. 17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code, requiring unimpeded egress from elevator lobbies. The petition was received from Lisa Cercek of LKC Property Management on behalf of Sea Isles Villas Condo. Association located in Indian Rocks Beach, Florida (Petition VW 2006-307).

A copy of the Petition can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety 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.

NOTICE IS HEREBY GIVEN that on December 7, 2006, Bureau of Elevator Safety received a Petition for Emergency Variance from Rule 2000.7a, ASME A18.1, 1999 edition, as adopted by Chapter 3001.2, 2004 Florida Building Code, limiting travel to 12 feet. The petition was received from

Jerauld W. Carron III of Palm Beach Lifts, Inc. on behalf of Quality Fruit Packers in Riviera Beach, Florida (Petition VW 2006-312).

A copy of the Petition can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety 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.

NOTICE IS HEREBY GIVEN that on 12/8/2006, the Bureau of Elevator Safety received a Petition for Variance from Rules 2.20.1, and 2.20.9 and 2.24.2, A.S.M.E. 17.1S, supplement to the 2004 Edition with as adopted by Chapter 3001.2, 2004 Florida Building Code, which require steel ropes and non welded terminations, from Rick Dayton of Otis Elevator Company. The Petitioner is requesting a variance to allow the installation of Gen2™ elevator systems in the following location: Fairfield Orlando @ Bonnet Creek Building 5, Orlando (Petition 2006-313).

A copy of the Petitions can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety 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.

NOTICE IS HEREBY GIVEN that on 12/1/2006, Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1.2(b)(1), and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. The petition was received from Steve Powell of KONE Inc., requesting a variance to allow the installation of MonoSpace® elevator systems in the following location: Breakers Sound, Jupiter (Petition VW 2006-317).

A copy of the Petition can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety 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.

NOTICE IS HEREBY GIVEN that on December 21, 2006, Bureau of Elevator Safety received a Petition for Variance from Chapter 2.27.3.2, A.S.M.E. A17.1, 2000 Edition as adopted by 3001.2, 2004 Florida Building Code, requiring Phase 1 recall. The petition was received from Thomas Clark, Plant Maintenance Supervisor, on behalf of Vero Beach Municipal Power Plant, located in Vero Beach, Florida (Petition VW 2006-320).

A copy of the Petition can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety 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.

NOTICE IS HEREBY GIVEN that on December 21, 2006, Bureau of Elevator Safety received a Petition for Emergency Variance from 3002.8, 2004 Florida Building Code, requiring smoke detectors in elevator lobbies. The petition was received from Joe Roberson, President, Colony Point Association on behalf of Colony Point Condominiums located in Punta Gorda, Florida (Petition VW 2006-321).

A copy of the Petition can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety 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.

NOTICE IS HEREBY GIVEN that on 12/21/2006, the Bureau of Elevator Safety received a Petition for Variance from Rules 2.20.1, and 2.20.9 and 2.24.2, A.S.M.E. 17.1S, supplement to the 2004 Edition with as adopted by Chapter 3001.2, 2004 Florida Building Code, which require steel ropes and non welded terminations, from Tim Hawthorne of Otis Elevator Company. The Petitioner is requesting a variance to allow the installation of Gen2™ elevator systems in the following location: Dynetech Office Building, Orlando (Petition 2006-322).

A copy of the Petitions can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety 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.

The Bureau of Elevator Safety hereby gives notice that it Issued an Order Granting Variance Request on December 4, 2006 in response to a petition filed on September 5, 2006 and advertised in the F.A.W., Vol. 32, No. 39, by Paul Shea of Alimak-Hek Elevator Company, regarding JEA Limestone Prep Building. The petition sought a waiver from Rule 5.7.12.2, A.S.M.E. A17.1, 2000 Edition as adopted by the 2004 Florida Building Code and requested to install a Special Purpose Personnel Elevator with a capacity of 1320 lbs and a floor area of 13.09 sq.ft. The petition was granted because the petitioner documented the additional capacity and area was still within the design range of the equipment and will be used in a very limited manner.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that it issued an Order Denying Emergency Variance Request on December 4, 2006 in response to a petition filed on November 2, 2006 and advertised in the F.A.W., Vol. 32, No. 47, by Kenny Elsherberry of Master Elevator Sales and Service, Inc., regarding Remington Place Apts. The petition sought a waiver from Rule 2.14.1.5, A.S.M.E. A17.1, 2000 Edition as adopted by the 2004 Florida Building Code which requires an emergency exit on the top of the car. The petition was denied as the petitioner failed to provide any alternative means of meeting the intent of the code.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that it issued an Order Granting Emergency Variance Request on December 7, 2006 in response to a petition filed on November 11, 2006 and advertised in the F.A.W., Vol. 32, No. 49, by Robert Gerdt of Otis Elevator Company, regarding Gulf Island Strand. The petition sought a waiver from Rule 2.7.4.1, A.S.M.E. A17.1, 2000 Edition as adopted by the 2004 Florida Building Code which requires 84 inches of clear headroom in the machine room. The petition was granted as the petitioner agreed to safety stripe the area which had the reduced headroom and because the area in question was a small portion of the overall machine room and posed a minimum risk to service personnel.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that it issued an Order Denying Emergency Variance Request on December 4, 2006 in response to a petition filed on November 3, 2006 and advertised in the F.A.W., Vol. 32, No. 47, by Robert Kendrick, President., on behalf of Waterfront Park Cooperation. The petition sought a waiver from Rule 3.18.3.4, A.S.M.E. A17.1, 2000 Edition as adopted by the 2004 Florida Building Code which requires a double wall cylinder. The petition was denied as the petitioner failed to provide any alternative means of meeting the intent of the code stating only that the building is for sale and would probably be razed by the future owner.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN that on December 18, 2006, the Board of Professional Engineers, received a petition for Variance or Waiver filed on December 18, 2006 on behalf of the Florida Transportation Institute (FTI). Pursuant to Chapter 28-104, F.A.C. and Section 120.542, F.S., Petitioner seeks a temporary waiver of certain requirements of Rules 61G15-22.011 and 61G15-22.014, Florida Administrative Code. Specifically, and as a consequence of a turnover in personnel at FTI, the Petitioner requests a temporary waiver to the extent that these rules would require the continuing education provider status of FTI to have lapsed as of June 1, 2005, for failure to timely reapply for its certification pursuant to the requirements of the rules. This request is made considering hardship circumstances facing class registrants as set forth in the petition.

This petition will be considered at the Board's January 2007 meeting.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Paul Martin, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32301.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

NOTICE IS HEREBY GIVEN that on December 14, 2006, the Department of Environmental Protection has issued an order.

The Petitioner, Pinellas County, requested a temporary variance from paragraph 62-702.579(9)(b), Florida Administrative Code, for the Pinellas County Resource Recovery Facility. This rule requires that ash residue be stored in a container or inside a building. The Petitioner has demonstrated that temporary storage of ash residue on a paved area within the slurry wall system will achieve the purposes of the underlying statute, and that construction of a temporary ash storage building would create a substantial hardship. Notice of receipt of the petition was published in the F.A.W., Vol. 32, No. 41, October 13, 2006. No comments were received. The Department granted the request for variance.

A copy of the Order may be obtained by contacting: Richard Tedder, Section Administrator at the Department of Environmental Protection, Solid Waste Section, 2600 Blair Stone Road, MS 35, Tallahassee, Florida 32309-2400, (850)245-8735, or e-mail to richard.tedder@dep.state.fl.us.

FLORIDA HOUSING FINANCE CORPORATION

NOTICE IS HEREBY GIVEN that on December 15, 2006, the Florida Housing Finance Corporation has issued an order.

NAME OF THE PETITIONER: Coral Place Limited Partnership

DATE PETITION WAS FILED: October 4, 2006

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT:

Paragraph 11 of the 2005 Qualified Allocation Plan, Florida Administrative Code

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: F.A.W., October 20, 2006, Vol. 32, No. 42

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION GRANTED THE VARIANCE: December 15, 2006

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

A copy of the Order may be obtained by contacting: Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4197 or e-mail to Sherry.Green@floridahousing.org.

NOTICE IS HEREBY GIVEN that on December 15, 2006, the Florida Housing Finance Corporation has issued an order.

NAME OF THE PETITIONER: Gulf Breeze Apartment Partners, Ltd.

DATE PETITION WAS FILED: October 20, 2006

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT:

Emergency Rule 67ER05-17, Florida Administrative Code

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: F.A.W., November 9, 2006, Vol. 32, No. 45

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION GRANTED THE VARIANCE: December 15, 2006

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

A copy of the Order may be obtained by contacting: Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4197 or e-mail to Sherry.Green@floridahousing.org.

NOTICE IS HEREBY GIVEN that on December 15, 2006, the Florida Housing Finance Corporation has issued an order.

NAME OF THE PETITIONER: Merryplace at Pleasant City Associates, Ltd.

DATE PETITION WAS FILED: October 13, 2006

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT:

Paragraph 11 of the Qualified Allocation Plan, Florida Administrative Code

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION:

FAW, November 9, 2006, Vol. 32, No. 45

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION GRANTED THE VARIANCE: December 15, 2006

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

A copy of the Order may be obtained by contacting: Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4197 or e-mail to Sherry.Green@floridahousing.org.

NOTICE IS HEREBY GIVEN that on December 15, 2006, the Florida Housing Finance Corporation has issued an order.

NAME OF THE PETITIONER: Pinnacle Square, Ltd.

DATE PETITION WAS FILED: November 1, 2006

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT:

Subsections 67-48.004(14)(j) and 67-48.004(14)(m), Florida Administrative Code

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: F.A.W., November 9, 2006, Vol. 32, No. 45

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION GRANTED THE VARIANCE: December 15, 2006

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

A copy of the Order may be obtained by contacting: Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4197 or e-mail to Sherry.Green@floridahousing.org.

Section VI

Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Department of Agriculture and Consumer Services announces a meeting of the Pest Control Research Advisory Committee.

DATE AND TIME: January 24, 2007, 8:00 a.m. – 10:00 a.m.

PLACE: Florida Mall Hotel, 1500 Sand Lake Road, Orlando, FL 32809, (407)859-1500

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss research proposals using Dixon Funds.

A copy of the agenda may be obtained by calling: Michael J. Page, Bureau of Entomology and Pest Control, (850)921-4177.

The Florida **Department of Agriculture and Consumer Services, Division of Forestry** announces a meeting of the Off-Highway Vehicle Recreation Advisory Committee which is open to all interested persons.

DATE AND TIMES: Thursday, January 18, 2007, 11:00 a.m. – 3:00 p.m. (EST), Subcommittee meetings, 9:00 a.m. – 11:00 a.m. (EST)

PLACE: 4H Camp Ocala, 18533 NFS535 (Camp Ocala is located off of SR 19, 4.5 miles south of intersection of State Roads 40 and 19), Altoona, FL 32702, (352)759-2288

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting of the Off-Highway Vehicle Recreation Advisory Committee.

A copy of the agenda may be obtained by contacting: John Waldron, 3125 Conner Blvd., Tallahassee, FL 32399, (850)414-9852.

DEPARTMENT OF EDUCATION

The Board of Trustees of the **Florida School for the Deaf and the Blind** announces a public meeting to which all persons are invited.

DATE AND TIME: Saturday, January 20, 2007, 9:00 a.m.

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

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

A copy of the agenda may be obtained by writing to: Elmer L. Dillingham, President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084-2799, or by calling (904)827-2200.

Should any person wish to appeal any decision made with respect to any matter considered at the above referenced meeting, he may need to ensure that a verbatim record of the proceedings be made, which record includes the testimony and evidence upon which the appeal is to be based.

Special accommodations for persons with disabling conditions should be requested at least 48 hours in advance from the aforementioned address.

DEPARTMENT OF COMMUNITY AFFAIRS

The **Department of Community Affairs** announces a teleconference meeting to which all interested parties are invited of the Community Assistance Advisory Council, and a public hearing to receive input from all interested parties on the Weatherization Assistance Program State Administrative Plan for federal fiscal year (FFY) 2007.

COMMUNITY ASSISTANCE ADVISORY COUNCIL MEETING

DATE AND TIME: Wednesday, January 17, 2007, 10:00 a.m. – 12:45 p.m.

PLACE: Department of Community Affairs, Randall Kelley Training Center, Sadowski Building, 3rd Floor, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399, Tele-conference Number: 1(888)808-6959, Conference Code: 9221867

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Advisory Council will review the Weatherization Assistance Program Administrative State Plan for FFY 2007

PUBLIC HEARING

DATE AND TIME: Wednesday, January 17, 2007, 2:00 p.m.

PLACE: Department of Community Affairs, Randall Kelley Training Center, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399, Tele-conference Number: 1(888)808-6959, Conference Code: 9221867

GENERAL SUBJECT MATTER TO BE CONSIDERED: To obtain input and recommendations from the public and interested parties concerning the Weatherization Assistance Program Administrative State Plan for FFY 2007, which will be submitted to the United States Department of Energy.

A copy of the state plan and agenda for the Advisory Council Meeting and/or a copy of the state plan and agenda for the public hearing may be obtained by writing to: Department of Community Affairs, Mr. Norm Gempel, Manager, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100. Copies may also be obtained by telephoning (850)488-7541 or Fax (850)488-2488 or by appearing in person at the agency headquarters.

APPEALS INFORMATION: If a person decides to appeal any decision of the Department of Community Affairs with respect to any matter considered at this public hearing, he or she will need a record of the proceeding, and for such purposes he or she may need to ensure that a record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

Any person requiring a special accommodation at the advisory council meeting or public hearing because of a disability or physical impairment, should contact the Community Assistance section at (850)488-7541, at least five calendar days prior to the hearing. If you are hearing impaired, please contact the Department of Community Affairs by using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF LAW ENFORCEMENT

The Florida **Department of Law Enforcement**, Missing Children Information Clearinghouse Advisory Board, announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, January 19, 2007, 9:00 a.m. – 4:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly MCIC Advisory Board meeting. A meeting, for the purpose of notice herein, is limited to a gathering for the purpose of conducting public business by members of a collegial body constituting the agency head.

A copy of the agenda may be obtained by writing to: Florida Department of Law Enforcement, Post Office Box 1489, Tallahassee, Florida 32302, Attention: Dinah Johnson, Missing Children Information Clearinghouse.

DEPARTMENT OF TRANSPORTATION

The **Florida Highway Beautification Council** (FHBC) announces a meeting to which all persons are invited.

DATE AND TIME: Monday, January 29, 2007, 10:00 a.m.

PLACE: Hawthorn Suites, Daytona Board Room, 7450 Augusta National Drive, Orlando, Florida 32822, www.hawthornsuitesairport.com

GENERAL SUBJECT MATTER TO BE CONSIDERED: To rank the 2007 grant applications and conduct general business. For information please contact: Mr. Jeff Caster, State Transportation Landscape Architect, Florida Department of Transportation, 605 Suwannee Street, MS #37, Tallahassee, FL 32399-0450, (850)414-5267, jeff.caster@dot.state.fl.us

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Jeff Caster, (850)414-5267, prior to the meeting.

Florida **Department of Transportation**, District Five announces a Public Hearing to which all persons are invited.

DATE AND TIMES: Wednesday, January 31, 2007, Open House, 5:30 p.m.; Formal Presentation, 6:30 p.m.

PLACE: Seminole County Extension Auditorium, 250 West County Home Road, Sanford, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This Hearing is being held to allow interested persons an opportunity to express their views concerning the location, conceptual design; and social, economic, and environmental effects of the proposed widening of SR 15/600 (US 17/92) from Shepard Road to Lake Mary Boulevard, Seminole County, Florida, a distance of approximately 3.65 miles.

A copy of the agenda may be obtained by writing to: Tom Percival, Project Manager, Florida Department of Transportation District Five, 719 South Woodland Boulevard, DeLand, Florida 32720.

Anyone needing project or Public Hearing information or special accommodations under the Americans with Disabilities Act of 1990 should write to the address given above or by e-mail to tom.percival@dot.state.fl.us or call Tom Percival at

(386)943-5404. Special accommodation requests under the Americans with Disabilities Act should be made at least seven days prior to the Public Hearing.

Notice is hereby given that the Florida **Department of Transportation** announces a public hearing to which all interested persons are invited.

DATE AND TIME: January 31, 2007, 6:00 p.m. – 7:00 p.m.

PLACE: City Hall Annex, 14150 5th Street, Dade City, Florida
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To offer the opportunity for a public hearing concerning the proposed roadway jurisdiction transfer of 7th Street in Dade City. Dade City has requested the transfer of U.S. Business 98/U.S. Business 301/SR 35 (7th Street) between the south and north junctions with U.S. 98/U.S. 301/S.R. 533 from the State Highway System to the Dade City Road System. All persons wishing to be heard on this subject are hereby notified to respond in writing to the individual listed below not later than January 16, 2007.

This public hearing is being conducted pursuant to Section 335.02 and 335.0415, Florida Statutes, Title VI and Title VIII of the United States Civil Rights Acts of 1964 and 1968. Anyone needing special accommodations under the Americans with Disabilities Act of 1990 should contact: Mr. B. C. Beaty, Florida Department of Transportation District Seven-Planning, 11201 N. McKinley Drive, Tampa, Florida 33612, (813)975-6283 or 1(800)226-7220, ext. 7740, at least ten (10) days prior to the public hearing.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

The **Department of Highway Safety and Motor Vehicles** announces a hearing to which all persons are invited.

DATE AND TIME: Tuesday, January 30, 2007, 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Proposed amendment to the above rule will be considered by the Governor and Cabinet. A notice of Proposed Rule Making regarding the above rule was published in the October 27, 2006, issue of the FAW, Vol. 32, No. 43.

A copy of the agenda may be obtained by contacting: Department of Highway Safety and Motor Vehicles, Division of Driver Licenses, Danny C. Watford, Bureau Chief, Bureau of Administrative Reviews, Room C305, Mail Stop 81, Neil Kirkman Building, Tallahassee, Florida 32399-0500, (850)617-2607.

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 Deborah Todd, (850)617-2607 or email at Todd.Deborah@hsmv.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

STATE BOARD OF ADMINISTRATION

NOTICE IS HEREBY GIVEN by the **State Board of Administration** of a public meeting of the Advisory Council to the Florida Hurricane Catastrophe Fund to which all persons are invited.

DATE AND TIME: January 31, 2007, 1:00 p.m. – 5:00 p.m. (ET)

PLACE: Room 116 (Hermitage Conference Room), 1801 Hermitage Blvd., Tallahassee, FL 32308. Persons who wish to participate by phone may call (850)410-0968 or Suncom 210-0968 on the date and at the time indicated for access to the meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review suggestions provided by the public at the rule workshop held on January 31, 2007. The rules addressed at the workshop are as follows: Rule 19-8.010, Rule 19-8.028, Rule 19-8.029 and Rule 19-8.030, F.A.C. During the meeting, the Advisory Council will consider public comments made at the workshop and will determine which rules will be filed for Notice of Proposed Rulemaking. In addition, the Advisory Council will engage in other general business of the Council.

Anyone wishing a copy of the agenda should contact: Donna Sirmons, Florida Hurricane Catastrophe Fund, P. O. Drawer 13300, Tallahassee, FL 32317-3300, (850)413-1349.

In compliance with the Americans with Disabilities Act, any person needing special accommodation to attend the meeting is requested to contact Donna Sirmons at (850)413-1349, five days prior to the meeting so that appropriate arrangements can be made.

DEPARTMENT OF CITRUS

The Florida **Department of Citrus**, Florida Citrus Commission announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, January 17, 2007, 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will convene for the purpose of standing committee meetings and the regular monthly meeting of the Florida Citrus Commission. The Commission will address issues pertaining to budget items and revisions, contracts, advertising programs, balanced scorecards, licensing, rulemaking, and other matters generally addressed during monthly meetings of the Commission. The Commissioners of the Florida Citrus Commission also sit as the members of each referenced committee of the Florida Citrus Commission; therefore substantial and detailed discussions, public input, consideration of, and Committee action upon, Committee issues, occurs during the Committee meetings. Such actions may include, but are not limited to, the adoption of resolutions to be acted upon by the Florida Citrus Commission following the Committee meetings.

A copy of the agenda may be obtained by contacting Renee Dyer, (863)499-2530.

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 Bill Jones, (863)499-2499. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Renee Dyer, (863)499-2530.

The Florida **Department of Citrus**, Citrus Harvesting Research Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, January 17, 2007, 10:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will meet to discuss the planning and logistics of abscission chemical field trials and to discuss any other matters which might relate to this committee.

A copy of the agenda may be obtained by contacting Dan King, (863)499-2500.

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 Bill Jones, (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 Dan King, (863)499-2500.

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces an Informational Commission Workshop on Renewable Generation to be held at the following time and place.

DATE AND TIME: Friday, January 19, 2007, 9:30 a.m. – 5:00 p.m.

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL 32399-0862

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the workshop is to provide the Commissioners and participants with a forum to discuss the commercial availability of renewable energy in Florida, and to discuss various requirements from the public and private sectors that will be necessary in order to accelerate and increase the deployment of renewable energy in Florida.

A copy of the agenda may be obtained after January 5, 2007 from: Bob Graniere, Chief, Bureau of Strategic Projects and Resource Planning, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-7011.

Any person requiring some accommodation at this workshop because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the workshop. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, 1(800)955-8771.

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

DATE AND TIME: *January 22, 2007, 9:30 a.m.

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

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

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

Any person requiring some accommodation at this meeting because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the conference. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The Florida **Public Service Commission** announces a prehearing to be held in the following docket, to which all interested persons are invited.

Docket No. 060198-EI – Requirement for investor-owned electric utilities to file ongoing storm preparedness plans and implementation cost estimates.

DATE AND TIME: January 22, 2007, 1:30 p.m.

PLACE: Commission Hearing Room 148, The Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider (1) the simplification of the issues; (2) the identification of the positions of the parties on the issues; (3) the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) the identification of the exhibits; (5) the establishment of an order of witnesses; and (6) such other matters as may aid in the disposition of the action.

Any person requiring some accommodation at this prehearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the prehearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DATE AND TIME: January 23, 2007, 9:30 a.m.

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

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

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

Persons who may be affected by Commission action on certain items on this agenda for which a hearing has not been held will be allowed to address the Commission concerning those items when taken up for discussion at this conference.

A copy of the agenda may be obtained by any person who requests a copy, and pays the reasonable cost of the copy (\$1.00 per copy, Statement of Agency Organization and Operations), by contacting the Division of the Commission Clerk and Administrative Services at (850)413-6770 or writing to: Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. The agenda and recommendations are also accessible on the PSC Homepage, at <http://www.floridapsc.com>, at no charge.

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

Any person requiring some accommodation at this conference because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the conference. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

EXECUTIVE OFFICE OF THE GOVERNOR

The **Office of Film and Entertainment** and the Florida Film and Entertainment Advisory Council Membership Committee will convene in meeting via conference call. This is a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, January 9, 2007, 9:30 a.m.

PLACE: Governor's Office of Film and Entertainment, The Capitol, Suite 2001, Tallahassee, FL 32399-0001

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss general membership matters of the Advisory Council that have arisen since the 4th quarter FFEAC meeting.

Should any person wish to appeal any decision made with respect to the above referenced meeting, he may need to ensure verbatim recording of the proceedings in order to provide a record for judicial review.

Pursuant to Section 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact the Commission at least 48 hours prior to the meeting in order to request any special assistance.

REGIONAL PLANNING COUNCILS

The District 5, **Local Emergency Planning Committee** announces a public meeting to which all persons are invited.

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

COMMITTEE NAME: Training Subcommittee

DATE AND TIME: Wednesday, January 17, 2007, 9:30 a.m.

COMMITTEE NAME: Local Emergency Planning Committee

DATE AND TIME: Wednesday, January 17, 2007, 10:30 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Chairman report, Committee updates, and other organizational matters regarding the committees.

If a person decides to appeal any decision made by the Committee with respect to any matter considered at this meeting, he will need a record of the proceedings, and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

If you have any questions regarding the meeting you may contact Michael Arnold, (352)732-1315, ext. 228.

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

DATE AND TIME: Thursday, January 18, 2007, 7:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Council including the review of the Regional Report and Recommendations for the Sunrise DRI.

A copy of the agenda may be obtained by writing to: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34474-2798.

Affected persons are advised that it may be necessary for them to ensure that a verbatim record of the meeting is made, including the testimony and evidence upon which the appeal is to be based.

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

DATE AND TIME: Wednesday, January 17, 2007, 10:00 a.m.

PLACE: 631 North Wymore Road, Suite 100, Maitland, Florida 32751 (Please call (407)623-1075, ext. 334 to confirm date, time and place)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the East Central Florida Regional Planning Council.

A copy of the agenda may be obtained by writing to: Ms. 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

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.

NOTICE OF CHANGE – The **Regional Business Alliance** announces a public meeting to which all persons are invited.

NEW DATE AND TIME: Wednesday, January 10, 2007, 2:00 – 4:00 p.m.

PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly Business Meeting.

The Regional Business Alliance is comprised of business leaders from Miami-Dade, Broward, and Palm Beach counties, including members of the South Florida Regional Transportation Authority.

A copy of the agenda may be obtained by writing to: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021 or by contacting (954)985-4416.

If you are hearing or speech impaired, please contact the South Florida Regional Planning Council at (954)967-4152, ext. 40 (TDD), if you require additional information regarding the meeting above. If you require special accommodations because of a disability or physical impairment, please contact the Council at (954)985-4416, at least five calendar days prior to the meeting.

The District II, **Local Emergency Planning Committee (LEPC)** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, January 17, 2007, 10:00 a.m. (Eastern Time), 9:00 a.m. (Central Time)

PLACE: Tallahassee Fire Department Training Room, 2964 Municipal Way, Tallahassee, Florida 32304

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold the regularly scheduled LEPC meeting.

An agenda may be obtained by writing to: 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.

REGIONAL TRANSPORTATION AUTHORITIES

Notice is hereby given that the **South Florida Regional Transportation Authority**, Operations Technical Committee announces a meeting to which all interested persons are invited.

DATE AND TIME: Thursday, January 25, 2007, 10:00 a.m.

PLACE: Palm Tran Offices, 3201 Electronics Way, West Palm Beach, FL 33407 (Should you have any questions, please contact SFRTA Operations Office at (954)788-7945).

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Committee meeting.

Attendance by South Florida Regional Transportation Authority Committee Members may be in person or via conference telephone.

Any person who decides to appeal any decision made by the Operations Technical Committee with respect to any matter considered at this meeting or hearing, will need a record of the proceedings, and that, for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this proceeding, must at least 48 hours prior to the meeting, provide a written request directed to: Executive Office, 800 N. W. 33rd Street, Suite 100, Pompano Beach, Florida 33064 or telephone (954)942-7245 for assistance; if hearing impaired, telephone 1(800)273-7545 (TTY) for assistance.

If you have any questions, please do not hesitate to contact the Executive Office at (954)788-7915.

WATER MANAGEMENT DISTRICTS

The **Southwest Florida Water Management District** announces a public meeting, hearing or workshop to which all persons are invited.

INDUSTRIAL ADVISORY COMMITTEE

DATE AND TIME: Tuesday, January 16, 2007, 9:00 a.m.

PLACE: Tampa Service Office, 7601 Highway 301 North, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Conduct Committee Business.

Some members of the District's Governing and Basin Boards may attend the meetings.

A copy of the agenda may be obtained by contacting: Southwest Florida Water Management District, 2379 Broad Street (U.S. 41 South), Brooksville, Florida 34604 or by calling (352)796-7211 or 1(800)423-1476, ext. 4402 (Florida only).

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should contact (352)796-7211 or 1(800)423-1476, ext. 4402 or TDD ONLY 1(800)231-6103 (Florida only).

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

DATE AND TIME: Thursday, January 4, 2007, 9:00 a.m. – 4:00 p.m.

PLACE: SFWMD, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Water Resources Advisory Commission (WRAC).

A copy of the agenda may be obtained by writing to: South Florida Water Management District, Mail Stop 1131, 3301 Gun Club Road, West Palm Beach, Florida 33406, or at our website <http://my.sfwmd.gov/wrac>

Persons with disabilities who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact Rick Smith, (561)682-6517.

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

DATE AND TIME: Wednesday, February 7, 2007, 10:00 a.m. – 12:00 Noon

PLACE: Miami-Dade Service Center, 2121 S. W. 3rd Avenue, Miami, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to learn more about our Water Savings Incentive Program (WaterSIP). This program focuses on cooperative grants for technology-based water conservation projects.

Persons with disabilities who need assistance may contact the Director, Governing Board and Executive Services, (561)682-6371, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact Bruce Adams, Project Manager, at (561)682-6785.

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

DATE AND TIME: Wednesday, February 7, 2007, 1:00 p.m. – 3:00 p.m.

PLACE: Broward Service Center, c/o Ft. Lauderdale Field Station, 2535 Davie Road, Davie, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to learn more about our Water Savings Incentive Program (WaterSIP). This program focuses on cooperative grants for technology-based water conservation projects.

Persons with disabilities who need assistance may contact the Director, Governing Board and Executive Services, (561)682-6371, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact Bruce Adams, Project Manager, at (561)682-6785.

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

DATE AND TIME: Monday, February 12, 2007, 10:00 a.m. – 12:00 Noon

PLACE: Okeechobee Service Center, 205 North Parrot Avenue, Suite 201, Okeechobee, Florida 34972

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to learn more about our Water Savings Incentive Program (WaterSIP). This program focuses on cooperative grants for technology-based water conservation projects.

Persons with disabilities who need assistance may contact the Director, Governing Board and Executive Services, (561)682-6371, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact Bruce Adams, Project Manager, at (561)682-6785.

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

DATE AND TIME: Monday, February 12, 2007, 2:00 p.m. – 4:00 p.m.

PLACE: Martin/St. Lucie Service Center, 210 Atlanta Avenue, Stuart, FL 34994

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to learn more about our Water Savings Incentive Program (WaterSIP). This program focuses on cooperative grants for technology-based water conservation projects.

Persons with disabilities who need assistance may contact the Director, Governing Board and Executive Services, (561)682-6371, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact Bruce Adams, Project Manager, at (561)682-6785.

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

DATE AND TIME: Friday, February 17, 2007, 1:00 p.m. – until complete

PLACE: Lower West Coast Service Center, 2301 McGregor Boulevard, Ft. Myers, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to learn more about our Water Savings Incentive Program (WaterSIP). This program focuses on cooperative grants for technology-based water conservation projects.

Persons with disabilities who need assistance may contact the Director, Governing Board and Executive Services, (561)682-6371, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact Bruce Adams, Project Manager, at (561)682-6785.

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

DATE AND TIME: Tuesday, January 23, 2007, 2:00 p.m. – 4:00 p.m.

PLACE: South Florida Water Management District Headquarters, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to learn more about our Water Savings Incentive Program (WaterSIP). This program focuses on cooperative grants for technology-based water conservation projects.

Persons with disabilities who need assistance may contact the Director, Governing Board and Executive Services, (561)682-6371, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact Bruce Adams, Project Manager, at (561)682-6785.

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

DATE AND TIME: Wednesday, January 24, 2007, 1:00 p.m. – 3:00 p.m.

PLACE: Orlando Regional Service Center, 1707 Orlando Central Parkway, Suite 200, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to learn more about our Water Savings Incentive Program (WaterSIP). This program focuses on cooperative grants for technology-based water conservation projects.

Persons with disabilities who need assistance may contact the Director, Governing Board and Executive Services, (561)682-6371, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact Bruce Adams, Project Manager, at (561)682-6785.

COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

The Florida **Commission for the Transportation Disadvantaged** announces an Allocation Technical Working Group meeting to which all persons are invited.

DATE AND TIME: Tuesday, January 16, 2007, 1:00 p.m. – until completion

PLACE: Hyatt Regency Jacksonville Riverfront, 225 East Coast Line Drive, Jacksonville, Florida 32202, (904)588-1234. Conference Call: 1(888)808-6959, Conference Code 524736

GENERAL SUBJECT MATTER TO BE CONSIDERED: To address regular Commission business.

In accordance with the Americans with Disabilities Act, persons in need of special accommodation to participate in the meeting or an agenda should contact: Nikki Smith, Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450, (850)410-5700 or 1(800)983-2435.

The meeting is subject to change upon chairperson's request.

The Florida **Commission for the Transportation Disadvantaged** announces an Executive-Personnel Committee meeting to which all persons are invited.

DATE AND TIME: Wednesday, January 17, 2007, 9:00 a.m. – until completion

PLACE: Hyatt Regency Jacksonville Riverfront, 225 East Coast Line Drive, Jacksonville, Florida 32202, (904)588-1234. Conference Call: 1(888)808-6959, Conference Code: 524736

GENERAL SUBJECT MATTER TO BE CONSIDERED: To address regular Commission business.

In accordance with the Americans with Disabilities Act, persons in need of special accommodation to participate in the meeting or an agenda should contact: Nikki Smith, Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450, (850)410-5700 or 1(800)983-2435.

The meeting is subject to change upon chairperson's request.

The Florida **Commission for the Transportation Disadvantaged** announces a Commission Business meeting to which all persons are invited.

DATE AND TIME: Wednesday January 17, 2007, 10:00 a.m. – until completion

PLACE: Hyatt Regency Jacksonville Riverfront, 225 East Coast Line Drive, Jacksonville, Florida 32202, (904)588-1234. Conference Call: 1(888)808-6959, Conference Code 524736
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To address regular Commission business.

In accordance with the Americans with Disabilities Act, persons in need of special accommodation to participate in the meeting or an agenda should contact: Nikki Smith, Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450, (850)410-5700 or 1(800)983-2435.

The meeting is subject to change upon chairperson's request.

REGIONAL UTILITY AUTHORITIES

The **Withlacoochee Regional Water Supply Authority** announces that the Authority will hold its regular January monthly board meeting as scheduled. This is a public meeting to which all persons are invited.

DATE AND TIME: January 17, 2007, 4:30 p.m.

PLACE: Hernando County Government Center, County Commission Chambers, 20 N. Main Street, Brooksville, FL 34601

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct regular business of the Authority.

A copy of the agenda may be obtained by writing to: Withlacoochee Regional Water Supply Authority, P. O. Drawer 190, Tallahassee, Florida 32302.

Although these board meetings are normally recorded, affected persons are advised that it may be necessary for them to make their own arrangements if a verbatim record of the meeting is needed, including testimony and evidence upon which any appeal is to be based.

DEPARTMENT OF ELDER AFFAIRS

The **Department of Elder Affairs** announces a workshop to which all persons are invited.

DATE AND TIME: January 25, 2007, 8:30 a.m. – 4:30 p.m. (EST)

PLACE: Doubletree Hotel Tampa/University of South Florida, 11310 North 30 Street, Tampa, Florida 33612, (813)971-7690

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of various issues regarding the Alzheimer's Disease Initiative.

A copy of the agenda may be obtained by contacting: Rosa Pena, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2339.

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: Rosa Pena, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2339. If you are 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: Rosa Pena, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2339.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a teleconference meeting of the FHIN Budget Work Group of the Governor's Health Information Infrastructure Advisory Board to which all interested parties are invited.

DATE AND TIME: Friday, January 12, 2007, 1:00 p.m.

PLACE: Anyone interested in participating may telephone: (641)793-7500, Pass Code: 9701442#

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 writing to: 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.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Carolyn H. Turner, (850)922-5861, at least five calendar days prior to the meeting.

The **Agency for Health Care Administration** announces a teleconference meeting of the FHIN Budget Work Group of the Governor's Health Information Infrastructure Advisory Board to which all interested parties are invited.

DATE AND TIME: Friday, January 26, 2007, 1:00 p.m.

PLACE: Anyone interested in participating may telephone (641)793-7500 / Pass Code: 9701442#

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 writing to: 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.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Carolyn H. Turner, (850)922-5861, at least five calendar days prior to the meeting.

DEPARTMENT OF MANAGEMENT SERVICES

The **Commission on Human Relations** announces a public meeting to which all persons are invited.

DATE AND TIME: January 23, 2007, 8:00 a.m.

PLACE: Florida Commission on Human Relations, 2009 Apalachee Parkway, Suite 100, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will be held to discuss the daily functions and activities of the Commission.

A copy of the agenda may be obtained by contacting Alicia Maxwell, (850)488-7082.

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 Alicia Maxwell at (850)488-7082. If you are 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 Alicia Maxwell at (850)488-7082.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Board of Accountancy**, Committee on Accounting Education, announces a public meeting to which all person are invited.

DATE AND TIME: Friday, January 19, 2007, 9:00 a.m.

PLACE: Conference Call. Anyone wishing to participate in the meeting should notify Evelyn Anglehart no later than January 12, 2007, (352)333-2505, ext 203.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider applications for the 2006 CPA Examination and other items relating to the educational requirements to sit for the CPA Examination.

A copy of the agenda may be obtained by writing to: Veloria Kelly, Acting Division Director, Division of Certified Public Accounting, 240 N. W. 76 Drive, Suite A, Gainesville, Florida 32607.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the agency at least 48 hours before the workshop/hearing/meeting by contacting Evelyn Anglehart at (352)333-2505. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8711.

The **Board of Accountancy** announces the following public meetings to which all persons are invited.

DATES AND TIMES: Thursday, February 8, 2007, 9:00 a.m. – until all Probable Cause Panel business is concluded; Thursday, February 8, 2007, 1:00 p.m. – until all Rules business is concluded; Friday, February 9, 2007, 9:00 a.m. – until all Board Meeting business is concluded

PLACE: Doyle Conner Building, 1911 S. W. 34th Street, Gainesville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Probable Cause Panel will meet to conduct hearings on disciplinary matters. These meetings are closed to the public; however, there may be cases where probable cause was previously found which are to be reconsidered. The Board will meet to discuss rule changes. This is a public meeting. The Board will meet to consider enforcement proceedings including consideration of investigation officers' reports and other general business. This is a public meeting.

A copy of any probable cause materials which are open to the public, any rules materials and/or the Board agenda may be obtained by writing to: Veloria A. Kelly, Acting Division Director, Division of Certified Public Accounting, 240 N. W. 76th Drive, Suite A, Gainesville, Florida 32607.

Note: Portions of the Probable Cause Panel meeting may be closed to the public.

If a person decides to appeal any decision made by the Board with respect to any matter considered at these meetings, he/she may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

Pursuant to the provisions of the Americans with Disabilities Act any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the agency at least 48 hours before the workshop/hearing/meeting by contacting Veloria A. Kelly at (850)487-1395. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8711.

The Florida **Real Estate Commission** (FREC) announces a public meeting to which all persons are invited.

DATES AND TIMES: Tuesday, January 16, 2007, 8:30 a.m.; Wednesday, January 17, 2007, 8:30 a.m.

PLACE: Division of Real Estate, Conference Room N901, North Tower, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of Commission – among topics included, but not limited to, are proposed legislation affecting Chapter 475, Part I, F.S., rule development workshops, Florida Administrative Code 61J2 rule amendments, budget discussions, escrow disbursement requests, recovery fund claims, education issues, petitions for declaratory statement, petitions for rule variance/waiver, and disciplinary actions.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Commission members or its counsel.

A copy of the agenda may be obtained by writing to: Deputy Clerk, Florida Real Estate Commission, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772.

If a person decides to appeal a decision made by the Commission, with respect to any matter considered at this meeting or hearing, a record of the proceedings for such purpose, upon which the appeal is based, may be required.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Department of Business and Professional Regulation at (407)245-0800, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Division of Real Estate using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Real Estate Commission** announces a public Workshop to which all persons are invited at the time, date, and place shown below:

DATE AND TIME: Tuesday, January 16, 2007, 3:00 p.m. or soonest thereafter

PLACE: Department of Business and Professional Regulation, Division of Real Estate, Room N901, 400 W. Robinson Street, Hurston Building, North Tower, Orlando, Florida 32801, (407)245-0800

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the workshop is to discuss the issues relating to: the term “Qualifying Broker” as it relates to form DBPR RE-2050, Request for Change of Status; Rule 61J2-5.014, Registration of Corporation, Florida Administrative Code; and Rule 61J2-14.008, Definitions, Florida Administrative Code.

A copy of the agenda may be obtained by writing to: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801.

Any person requiring a special accommodation at this workshop because of a disability or physical impairment should contact the Division of Real Estate, (407)481-5632

(between the hours of 9:00 a.m. and 4:00 p.m.), at least five calendar days prior to the workshop. If you are hearing or speech impaired, please call the Florida Real Estate Commission using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Probable Cause Panel of the Florida **Real Estate Commission** announces a meeting to which all interested persons are invited.

DATE AND TIME: Thursday, January 18, 2007, 9:00 a.m. or the soonest thereafter

PLACE: Zora Neale Hurston Building, North Tower, Suite 901N, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases to determine probable cause and to conduct a public meeting to review cases where probable cause was previously found.

Portions of the probable cause proceedings are not open to the public.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Commission members or its counsel.

Any person who desires a special accommodation at this meeting because of a disability or physical impairment should contact the Division of Real Estate, (407)245-0800 (between the hours of 8:30 a.m. – 4:00 p.m.), at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call the Real Estate Division using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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 **Suwannee River Wilderness Trail** announces a public meeting to which all persons are invited.

DATE AND TIME: January 10, 2007, 10:00 a.m. – 12:00 Noon

PLACE: Branford Community Center, 405 S. E. Craven St., Branford, FL 32008

GENERAL SUBJECT MATTER TO BE CONSIDERED: Advertising.

A copy of the agenda may be obtained by contacting: Amy Thompson at 1(800)868-9914 or amy.thompson@dep.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 7 days before the workshop/meeting by contacting: Amy Thompson at 1(800)868-9914 or amy.thompson@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Amy Thompson at 1(800)868-9914 or amy.thompson@dep.state.fl.us

The Caloosahatchee/St. Lucie Rivers Corridor Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, January 18, 2007, 9:00 a.m. – until completed

PLACE: Wolf High-Technology Center, Indian River Community (IRCC) Chastain Campus, 2400 S. E. Salerno Road, Stuart, FL 34997

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Caloosahatchee/St. Lucie Rivers Corridor Advisory Committee will be meeting to discuss environmental matters within the corridor.

A copy of the agenda may be obtained by contacting: (1) in writing: Florida Department of Environmental Protection, 3900 Commonwealth Blvd., Mail Station 25, Tallahassee, FL 32399-3000 or (2) the FDEP web site at http://www.dep.state.fl.us/secretary/everglades/corridor_advisory/default.htm

Pursuant to the provisions of 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: Executive Director Ryder Rudd, (850)245-2092. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Florida Department of Environmental Protection, 3900 Commonwealth Blvd., Mail Station 25, Tallahassee, FL 32399-3000.

The Office of Coastal and Aquatic Managed Areas announces a public meeting to which all persons are invited.

DATES AND TIMES: Wednesday, January 24, 2007, 1:00 a.m. – 5:00 p.m.; Thursday, January 25, 2007, 8:30 a.m. – 3:00 p.m.

PLACE: Board Room, Southwest Florida Water Management District, 7601 Highway 301 (also known as Fort King Highway), Tampa, FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Water Resources Monitoring Council will meet to work on its charge to facilitate and coordinate monitoring of Florida's freshwater, estuarine, and marine water resources.

A copy of the agenda may be obtained by contacting Steve Wolfe at (850)245-2102 or Steven.Wolfe@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 Steve Wolfe at (850)245-2102, or Steven.Wolfe@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Environmental Protection** announces a workshop to which all persons are invited.

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

PLACE: Main Street Water Reclamation Facility, Gainesville Regional Utilities (GRU), 200 S. E. 16th Ave., Gainesville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a rulemaking workshop to discuss proposed amendments to Chapter 62-602, F.A.C., the Drinking Water and Domestic Wastewater Treatment Plant Operators chapter, and Chapter 62-699, F.A.C., the Treatment Plant Classification and Staffing chapter.

A copy of the agenda may be obtained by contacting: Virginia Harmon, Department of Environmental Protection, 2600 Blair Stone Road, M.S. 3520, Tallahassee, Florida 32399-2400, (850)245-8630 or email at Virginia.Harmon@dep.state.fl.us. A draft of the proposed rule amendments may also be obtained by contacting Virginia Harmon.

Pursuant to the provisions of 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: Virginia Harmon at the above address, telephone, or email address. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

The **Board of Nursing**, North Probable Cause Panel will hold a duly noticed teleconference call meeting to which all persons are invited to attend.

DATE AND TIME: January 8, 2007, 5:30 p.m.

PLACE: Department of Health, Tallahassee at Meet Me Number (850)921-6513

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

A copy of the agenda item may be obtained by writing to: Florida Board of Nursing, 4052 Bald Cypress Way, Bin #C02, 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.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board at (850)245-4125, at least 48 hours prior to the meeting. If you are a hearing or speech impaired, please contact the Board office using the Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Board of Pharmacy**, Tripartite Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 29, 2007, 9:30 a.m.

PLACE: Conference Call Number: 1(888)808-6959, Conference Code 5642037

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval minutes from previous meeting; review rule status of 64B16-26.103, 64B16-26.600, 64B16-26.601, 64B16-26.6011, and 64B16-26.6012; Continuing Education Applications; Course Content; Training Manual; and Nuclear Pharmacist Continuing Education.

The agenda will be available two weeks prior to call at www.doh.state.fl.us/mqa/pharmacy. For more information, you may contact the Board of Pharmacy at (850)245-4292.

The **Board of Pharmacy**, Probable Cause Panels announces a telephone conference call to which all persons are invited.

DATES AND TIME: January 30, 2007; February 27, 2007; March 27, 2007; April 17, 2007; May 29, 2007; June 26, 2007; July 31, 2007; August 28, 2007; September 25, 2007; October 30, 2007; November 27, 2007; December 18, 2007, 9:00 a.m.

PLACE: 4042 Bald Cypress Way, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Cases will be heard.

A copy of the agenda may be obtained by contacting the Board of Pharmacy at (850)245-4292. For more information, you may contact the Board of Pharmacy at (850)245-4292.

The **Board of Pharmacy**, announces a telephone conference call to which all persons are invited.

Schedule for 2007:

DATES AND TIME: January 30, 2007; February 27, 2007; March 27, 2007; April 17, 2007; May 29, 2007; June 26, 2007; July 31, 2007; August 28, 2007; September 25, 2007; October 30, 2007; November 27, 2007; December 18, 2007, 11:00 a.m.

PLACE: Conference Call Number: 1(888)808-6959, Conference Code 5642037

GENERAL SUBJECT MATTER TO BE CONSIDERED: Reconsideration cases will be held.

Agenda will be placed on website two weeks prior to conference call.

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

For more information, you may contact the Board of Pharmacy at (850)245-4292.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The Shared Services Alliance of Okeechobee and the Treasure Coast of the **Department of Children and Family Services**, District 15, announces the following public meeting to which all persons are invited.

DATE AND TIME: January 10, 2007, 10:00 a.m. – 12:00 Noon

PLACE: New Horizon's of the Treasure Coast, 4500 North Midway Road, Port St. Lucie, Florida 34981

GENERAL SUBJECT MATTER TO BE CONSIDERED: Executive Committee meeting.

For more information, please contact: Linda Poston, Personal Secretary 1, 337 North U.S. Hwy. 1, Room 327C, Fort Pierce, Florida 34950, (772) 467-4177

SPECIAL ACCOMMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact, Pearlie Clark, ADA Coordinator, (772)467-4184, at least five days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Shared Services Alliance of Okeechobee and the Treasure Coast of the **Department of Children and Family Services**, District 15, announces the following public meeting to which all persons are invited.

ALLIANCE MEETING

DATE AND TIME: January 22, 2007, 8:30 a.m. – 10:30 a.m.

PLACE: St. Lucie County Department of Health, 5150 N. W. Milner Drive, Port St. Lucie, Florida 34983

GENERAL SUBJECT MATTER TO BE CONSIDERED: Alliance meeting.

For more information, please contact: Linda Poston, Personal Secretary 1, 337 North U.S. Hwy. 1, Room 327C, Fort Pierce, Florida 34950, (772)467-4177.

SPECIAL ACCOMMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact, Pearlie Clark, ADA Coordinator, (772)467-4184, at least five days prior to the

meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

FLORIDA HOUSING FINANCE CORPORATION

The **Affordable Housing Study Commission** announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 16, 2007, 2:00 p.m. – 4:00 p.m.

PLACE: Local (Tallahassee): (850)413-9245, Toll Free: 1(877)651-3473. Callers in the Tallahassee area should NOT use the Toll Free number. Use only the local number (or the Suncom number if it's available to you). There is no "code number" for this call, just call the appropriate number for your location. The call will not be established until at least two people have called in. The first person will hear a constant ringing until at least one other person calls; other people will be added as they call.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This workgroup of the Study Commission will be discussing a variety of issues relating to the SHIP program.

For agendas and updates, please visit our website at www.floridahousing.org/ahsc

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 Odetta MacLeish-White at Florida Housing Finance Corporation, (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).

For more information, you may contact: Odetta MacLeish-White at Florida Housing Finance Corporation, (850)488-4197.

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: February 7-8, 2007, 8:30 a.m. each day

PLACE: Sandestin Resort, 9300 Emerald Coast Parkway, West, Destin, 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.

Pursuant to the provisions of 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, (850)487-1764.

DEPARTMENT OF FINANCIAL SERVICES

The **Department of Financial Services, Division of Treasury, Bureau of Deferred Compensation**, announces the following Advisory Council meeting to which all persons are invited.

DATE AND TIME: Friday, January 19, 2007, 9:30 a.m.

PLACE: The Hermitage Centre, Conference Room 415, 1801 Hermitage Blvd., Tallahassee, FL 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: Renewal of contracts for Investment Providers.

For more information, you may contact Kandi Winters, Chief of Deferred Compensation at (850)413-3401.

TREASURE COAST EDUCATION, RESEARCH AND DEVELOPMENT AUTHORITY

The **Treasure Coast Education, Research and Development Authority** announces a public meeting to which all interested persons are invited

DATE AND TIME: Tuesday, January 9, 2007, 1:00 p.m.

PLACE: University of Florida Indian River Research and Education Center, 2199 South Rock Road, Fort Pierce, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: CBIR update, Conceptual Master Plan RFP, Strategic Assessment, signage, Dunn Property Maintenance bids, and such other business as the Authority may deem appropriate.

Those who desire a copy of the agenda or more information should contact Linda W. Cox, Chairman, at (772)595-9999.

Anyone with a disability requiring accommodation to attend this meeting should contact Jackie Bylsma at (772)467-3107, at least forty-eight (48) hours prior to the meeting.

AGENCY FOR PERSONS WITH DISABILITIES

The **Interagency Services Committee** for Youth and Young Adults with Disabilities announces the second meeting to which all interested persons are invited.

DATE AND TIME: January 12, 2007, 8:30 a.m. – 12:00 Noon
 PLACE: 4030 Esplanade Way, Room 301, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will focus on: the election of a permanent Chairperson; the establishment of the process for nominating two community members to participate on the committee (one individual with a disability and one parent of an individual with a disability); establishment of committee staffing; establishment of standard operating processes and procedures; and the creation of a preliminary outline/associated assignments for the first committee report due to the Governor and the Legislature on March 1, 2007.

SUNSHINE STATE ONE-CALL OF FLORIDA, INC.

Sunshine State One Call of Florida, Inc. (SSOCOF) announces its Board and Committee meetings to which all interested persons are invited.

PLACE: All meetings will be held at the SSOCOF Call Center, 11 Plantation Road, DeBary, FL 32713. Dress is business casual.

DATES AND TIMES: January 18, 2007, Committee Meetings

- 8:00 a.m. Operations Committee – Harry Glenn
 - Call Center Statistics
 - Attrition Report
 - 811 Implementation Status
 - Irth Net Implementation Update
 - Review Undeveloped Land Ticket Definition
 - Review Positive Response Codes
 - Open Discussion
- 9:30 a.m. Break
- 9:45 a.m. Resume Operations Committee
- 11:15 a.m. Damage Prevention Committee – Chris Calvert
 - OSHA Alliance Proposal
 - CGA Regional Partnership
 - Damage Prevention Public Education
 - Noncompliance Statistics
 - Enforcement Statistics
 - Customer Satisfaction Survey Responses
 - Excavator On-Line Training Program
 - RFP for Damage Prevention Education and Enforcement Management Programs

- Open Discussion
 - 12:00 Noon Lunch – provided at call center for meeting participants and SSOCOF employees
 - 1:00 p.m. Resume Damage Prevention Committee
 - 2:00 p.m. Finance Committee – Mickey Gauldin
 - FY 2006/07 Financial Reports
 - Delinquent Accounts Report
 - Contracts Approved
 - FY 2007/08 Proposed Budget
 - Open Discussion
 - 3:00 p.m. Break
 - 3:15 p.m. Legislative Ad Hoc Committee – Jeff Rodger
 - Chapter 556 Feasibility Study
 - 2007 Legislation Public Records Law Exemption Review Extraordinary Circumstances for Members
 - Open Discussion
 - 4:15 p.m. Enforcement Ad Hoc Committee – Lorenzo Jones
 - 5:00 p.m. Adjourn
- Note: All committees should be prepared to commence if the previous committee finishes before allotted time. If a committee needs additional time, that time will be allotted after the last scheduled committee has met.

- January 19, 2007 Board Meetings
- 8:00 a.m. Secretary’s Report – Lorenzo Jones
 - 8:15 a.m. Consent Agenda – Larry Batchelor
 - 8:45 a.m. Executive Director’s Report – Mark Sweet, Executive Director
 - 9:00 a.m. Legal Report – Dave Erwin, General Counsel
 - 9:15 a.m. Trip Reports
 - 9:45 a.m. Break
 - 10:00 a.m. Committee Reports
 - Operations Committee – Harry Glenn
 - Damage Prevention Committee – Chris Calvert
 - Finance Committee – Mickey Gauldin
 - Legislative Ad Hoc Committee – Jeff Rodger
 - Enforcement Ad Hoc Committee – Lorenzo Jones
 - 12:00 Noon Lunch – provided at call center for meeting participants and SSOCOF employees
 - 1:00 p.m. Resume Committee Reports
 - 3:00 p.m. Break
 - 3:15 p.m. Open Discussion
 - 4:00 p.m. Problem Resolution
 - 5:00 p.m. Adjourn
- Attention: Please deliver this to the primary contact for Sunshine State One-Call of Florida and/or someone who plays an active role in underground facility damage prevention.

Persons requiring some accommodation at this meeting because of a physical impairment should call the One-call Notification Center, (386)575-2000, at least five calendar days prior to the activity. Any person who is hearing or speech impaired should contact the One-call Notification Center through the Florida Relay Center at 1(800)955-8771.

FLORIDA INSURANCE GUARANTY ASSOCIATION

The **Florida Insurance Guaranty Association** announces a Board of Directors' meeting to which all interested parties are invited to attend.

DATE AND TIME: February 7, 2007, 9:00 a.m. (Eastern Time), recessing as soon as business has been concluded

PLACE: Grand Hyatt Tampa Bay, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors of the Florida 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, (850)386-9200, at least 48 hours before the session.

AMERICAN GUARANTY FUND GROUP, INC.

The **American Guaranty Fund Group, Inc.** announces a Board of Directors' meeting to which all interested parties are invited to attend.

DATE AND TIME: February 7, 2007, 12:00 Noon (Eastern Time), recessing as soon as business has been concluded

PLACE: Grand Hyatt Tampa Bay, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors of the American Guaranty Fund Group, Inc. 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, (850)386-9200, at least 48 hours before the session.

FLORIDA WORKERS' COMPENSATION INSURANCE GUARANTY ASSOCIATION

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: February 8, 2007, 9:00 a.m. (Eastern Time), recessing as soon as business has been concluded

PLACE: Grand Hyatt Tampa Bay, Tampa, Florida

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, (850)386-9200, at least 48 hours before the session.

**Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements**

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Florida Building Commission received a request for Declaratory Statement on January 9, 2006, from Martha A. Heller, regarding the application of Chapter 11, Florida Building Code, Building Volume (2004) to single-family residences utilized as rental properties on a transient basis. It has been assigned the number DCA06-DEC-003.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that the Florida Building Commission received a request for Declaratory Statement on November 14, 2006, from Steve Munnell, Florida Roofing Sheet Metal & Air Conditioning Contractors Association, Inc., regarding whether an approved adhesive is an alternative option to clips for securing the first course of roofing tiles pursuant to sections 118-3.08(A)(5) and 119-3.09(B), Florida Building Code, Roofing Application Standards (2004), as amended in December, 2006. It has been assigned the number DCA06-DEC-284.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that the Florida Building Commission received a request for Declaratory Statement on November 22, 2006, from Dan Wilson, Wilson's Air Conditioning, regarding whether Section 13-101.0, Florida

Building Code, requires a load calculation for all equipment changes in existing buildings. It has been assigned the number DCA06-DEC-293.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that the Florida Building Commission received a request for Declaratory Statement on November 29, 2006, from Joseph R. Webster, Atlantic Windows & Doors, Inc., regarding whether a metal receptor system could be used in lieu of traditional window bucks and subject to product approval pursuant to Rule Chapter 9B-72, F.A.C. It has been assigned the number DCA06-DEC-294.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that the Florida Building Commission received a request for Declaratory Statement on December 4, 2006, from Grant E. Tolbert, Hernando County Development Services, regarding clarification of the term “builder”, as utilized in Section 13-104.4.1, Florida Building Code, Building Volume (2004) and the term “contractor” utilized in Section 713.135(6)(a), F.S. It has been assigned the number DCA06-DEC-299.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that the Florida Building Commission received a request for Declaratory Statement on December 5, 2006, from Thomas E. Miller, President of Structural Engineering and Inspections, Inc., with respect to Taylor Woodrow Homes regarding application of the term “scattered obstruction” and whether a particular category lot would be classified as Exposure B or C pursuant to Chapter 16, Florida Building Code, Building Volume (2004). It has been assigned the number DCA06-DEC-300.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that the Florida Building Commission received a request for Declaratory Statement on December 13, 2006, from Edward Jones of Kur-Star Construction, Inc., regarding whether a pvc/vinyl type fence is subject to product approval pursuant to Rule Chapter 9B-72, F.A.C. It has been assigned the number DCA06-DEC-307.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

**Section 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**

The Joint Administrative Procedures Committee will be meeting:

DATE AND TIME: Monday, January 8, 2007, 3:00 p.m. – 5:00 p.m.

PLACE: Room 301 Senate Office Building.

COMMITTEE MEETING AGENDA

January 8, 2007

301 Senate Office Building

3:00 p.m. – 5:00 p.m.

- TAB 1 Presentation and Overview of the Administrative Procedure Act
- TAB 2 Status Report
- TAB 3 Proposed Changes to Rules of the Joint Administrative Procedures Committee Reports and Appearances

Section XI

Notices Regarding Bids, Proposals and Purchasing

DEPARTMENT OF EDUCATION

CALL FOR BIDS

made by the University of South Florida.

PROJECT NAME, NUMBER & LOCATION: Parking Garage IV, USF Project No. 525, University of South Florida, Tampa Campus.

The Parking Garage IV project consists of the construction of an eight-story prestressed precast concrete parking garage, (containing 2,000 parking spaces), and related site, utility, and roadwork.

QUALIFICATION: All Bidders must be qualified at the time of bid opening in accordance with Article B-2 of the Instructions to Bidders. Sealed bids will be received on:

DATE AND TIME: Thursday, February 8, 2007, until 2:00 p.m. (Local Time)

PLACE: Facilities Planning and Construction, University of South Florida, Tampa Campus, 4202 East Fowler Ave., FPC 110, Tampa, Florida 33620-7550, at which time they will be publicly opened and read aloud at the office of Facilities Planning and Construction, FPC Building, Room 109, (located on the north side of the USF Physical Plant/Facilities Planning and Construction OPM Building (Physical Plant Operations – Parking Lot 28) across the street from Parking Lot 3 on West Holly.

PROPOSAL: Bids must be submitted in full and in accordance with the requirements of the drawings and Project Manual, dated December 8, 2006, which may be obtained or examined at the office of the Architect/Engineer at Burke, Hogue & Mills Associates, Inc., 100 Colonial Center Parkway, Suite 150, Lake Mary, Florida 32746, (407)629-4511.

PRE-SOLICITATION/PRE-BID MEETING: The Bidder is encouraged to attend the pre-solicitation/pre-bid meeting. The meeting has been scheduled for:

DATE AND TIME: Thursday, January 18, 2007, 10:00 a.m. (Local Time)

PLACE: University of South Florida, Tampa Campus, 4202 East Fowler Ave., The Marshall Center, CTR Building, Room 296

DEPOSIT: \$300 per set of drawings and Project Manual is required with a limit of three (3) sets per General Contractor or Prime Bidder; and two (2) sets of drawings and Project Manuals for Precast Concrete Manufacturer, Plumbing, Heating/Ventilation/Air Conditioning and Electrical Contractors acting as Subcontractors.

REFUND: The deposit shall only be refunded to those General Contractors, Prime Bidders, or Precast Concrete Manufacturer, Plumbing, Heating/Ventilation/Air Conditioning and Electrical Contractors acting as either Prime or Subcontractors, who after having examined the drawings and specifications:

- a. Submit a bona fide bid, or
- b. Provide written evidence that they have submitted bids as Subcontractors for Precast Concrete Manufacturer, Plumbing, Heating/Ventilation/Air Conditioning or Electrical work, and who return the drawings and Project Manual in good condition within fifteen (15) days after receipt of bids.

PURCHASE: Full sets of the drawings and Project Manual may be examined at the Architect/Engineer’s office and local plan rooms. Full sets may be purchased through the Architect/Engineer for \$200 per set for the printing and handling cost. Partial sets may be purchased at \$10 per sheet of the drawings and \$50 per full copy of the Project Manual, and are sold subject to the provisions of Article B-27 of the Instructions to Bidders.

EQUAL OPPORTUNITY: As part of the University of South Florida’s strategic plan, USF made a commitment to foster a diverse community distinguished by a shared purpose, collaboration, open and timely communication, mutual respect, trust, and inclusiveness. The University of South Florida is an equal opportunity institution, and, as such, strongly encourages the lawful use of certified Minority and Women-owned Business Enterprises (“MBEs”) in the provision of design and construction-related services by providing a fair and equal opportunity to compete for, or for participation in, design and/or construction-related services. The USF Supplier Diversity Manager, USF Purchasing and Financial Services, (813)974-3292, may be contacted to obtain information on minority and women owned business enterprises.

PUBLIC ENTITY CRIMES: As required by Section 287.133, Florida Statutes, a Contractor may not submit a bid for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The successful Contractor must warrant that it will neither utilize the services of, nor contract with, any supplier, Subcontractor, or

Consultant in excess of \$25,000 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

The University reserves the right to extend, halt, or postpone the bidding process by Addenda at any time by notification of General Contractors or Prime Bidders, precast Concrete Manufacturers, Plumbing Heating/Ventilation/Air Conditioning, Electrical Contractors, acting as subcontractors, and plan rooms who have obtained full sets of bidding documents by deposit or purchase.

The University reserves the right to reject any and all bids when in the opinion of the Owner such rejection is in the best interest of the Owner. The award of the contract for construction is contingent on the availability of funds.

DEPARTMENT OF TRANSPORTATION

The Florida Department of Transportation has received an unsolicited proposal submitted under the provisions of Section 334.30, Florida Statutes, Public-private transportation facilities, referred to as the "State Road No. 5 (US-1)." The proposal provides improvement, widening and reconstruction of SR-5 between Station 188+00 and S. W. 344th Street in the State of Florida.

The proposal was submitted by Community Asphalt Corp., and has the purpose of advancing selected projects in the agency five-year Work Program with the advantage of reducing inflationary costs in scheduled construction costs. The proposal offers \$109,349,512 of funding, with a possible additional amount of \$37,983,750.

Section 334.30, Florida Statutes, requires public notice to be provided after receipt of an unsolicited proposal, and that competing proposals be invited by the Department for a period of 60 days from the date of publication of the first notice, which 60 day period will be until 5:00 p.m., March 6, 2007.

A copy of the Proposal is available for public review and copying at 605 Suwannee Street, Room 430-A, Tallahassee, Florida at no more than the cost of reproduction.

The Department has determined this unsolicited proposal sufficient for consideration on a preliminary basis and will accept other proposals for the same project purpose during this notification period. No final decision has been made relative to accepting this or any proposal relative to the implementation of the proposed financing. A final decision on the acquisition of the individual projects to be financed will be made separately of this application and will only be made after extensive public involvement, Metropolitan Planning Organization (MPO) and local government input, and public hearing.

All firms that have an interest in submitting a competing proposal under the provisions of Section 334.30, Florida Statutes, are hereby invited to submit to the Secretary of Transportation a proposal in triplicate and with the required fee of \$50,000 (Rule 14-107.0011, Florida Administrative Code)

within the time frame indicated above. Proposal will be evaluated with the "Draft Guidelines for Public-Private Transportation Facilities" and is available at http://www.dot.state.fl.us/financialplanning/finance/private/transportation_facilities.htm. Proposals not meeting the requirements of Section 334.30, Florida Statutes, will be rejected.

Address all proposals to: Florida Department of Transportation, 605 Suwannee Street, M.S. 07, Tallahassee, FL 32399-0450.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF MANAGEMENT SERVICES

Notice of Bid/Request for Proposal

PUBLIC ANNOUNCEMENT FOR "CA" CLASS A AIR-CONDITIONING CONTRACTOR OR "CM" MECHANICAL CONTRACTORS TO PROVIDE

CONSTRUCTION MANAGEMENT AT RISK SERVICES REQUEST FOR QUALIFICATIONS (RFQ): The Department of Management Services, Division of Real Estate Development and Management, request qualifications for licensed class "A" Air-Conditioning Contractor or "CM" Mechanical Contractors, to submit for Construction Management at Risk services on the following project:

PROJECT NUMBER: HSMV-26029000

PROJECT NAME: Neil Kirkman Building, Air Conditioning Replacement

PROJECT LOCATION: Tallahassee, Florida, Leon County

APPROXIMATE BUDGET: \$1,500,000.00

The award will be made in accordance with Section 255.29, F.S., and the procedures and criteria of the Departments Division of Real Estate Development and Management. For details please visit the Department's website listed below and click on "Search Advertisement – Division of Real Estate Development and Management." http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu

Notice of Bid/Request for Proposal

PUBLIC ANNOUNCEMENT FOR PROFESSIONAL SERVICES FOR MECHANICAL / ELECTRICAL / PLUMBING ENGINEERING SERVICES

The Department of Management Services, Division of Real Estate Development and Management, requests professional Mechanical/Electrical/Plumbing Engineering Services for the project listed below.

PROJECT NUMBER: HSMV-26029000
PROJECT NAME: Neil Kirkman Building, Air Conditioning Replacement
PROJECT LOCATION: Tallahassee Florida, Leon County
APPROXIMATE BUDGET: \$1,500,000.00

For details please visit the Department’s website listed below and click on “Search Advertisement – Division of Real Estate Development and Management.” http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

**NOTICE TO ROOFING CONTRACTORS
INVITATION TO BID**

Proposals are requested from qualified roofing contractors by the Department of Children and Family Services, hereinafter referred to as Owner, for the construction of:

PROJECT NUMBER: DCF 04240610
PROJECT: RE-ROOFING THE SUNCOAST REGIONAL HEADQUARTERS
9393 NORTH FLORIDA AVENUE
TAMPA, FLORIDA 33612

PREQUALIFICATION: The Owner accepts bids from those contractors who demonstrate current licensed status with the Department of Business and Professional Regulations. The Instructions to Bidders “Bidder Qualification Requirements and Procedures” are included in the specifications under Article B-2.

PERFORMANCE BOND AND LABOR AND MATERIAL BOND: A performance bond and labor and material payment bond are required.

DATE AND TIME: Sealed bids will be received at SUNCOAST REGIONAL HEADQUARTERS Office, 9393 North Florida Avenue, Tampa, on February 8, 2007, until 1:00 p.m. (Local Time), at which time they will be publicly opened and read aloud.

PRE-BID INSPECTION: We will conduct a prebid inspection with the architect at the project site on Wednesday, January 18, 2007, at 11:00 a.m. (EST) for all interested contractors.

PROPOSAL: Bids must be submitted in full accordance with the requirements of the drawings, specifications, bidding conditions and contractual conditions, and with a copy of the contractor’s license. The contract documents may be examined and obtained from the Architect/Engineer:

SOLAH
402 EAST OAK AVENUE, SUITE 104
TAMPA, FLORIDA 33602
TELEPHONE: (813)748-7667

CONTRACT AWARD: The bid tabulation and Notice of Award Recommendation will be posted at 3:00 p.m. (Local Time), on February 9, 2007, at the Suncoast Regional Headquarters. In the event that the bid tabulation and Notice of Award Recommendation cannot be posted in this manner, then all bidders will be notified by Certified United States mail, Return Receipt requested. Any protests of the bid must be made within 72 hours of posting of the results. “Failure to file a protest within the time prescribed in Section 120.53(5), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes.” If no protest is filed per Section B-21 of the Instructions to Bidders, “Notice and Protest Procedures”, the contract will be awarded to the qualified, responsive low bidder by the Owner.

**NOTICE TO PROFESSIONAL CONSULTANTS
PUBLIC ANNOUNCEMENT FOR PROFESSIONAL
SERVICES FOR ARCHITECTURE-ENGINEERING**

The State of Florida, Agency for Persons with Disabilities, hereinafter called the Owner, c/o State of Florida Department of Children and Family Services, Office of General Services, on behalf of the Owner announces that professional services are required for several projects listed below. Applications are to be sent to: Mr. Bill Bridges, Senior Architect, Design and Construction, Department of Children and Family Services, Building 3, Room 205-G, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700, (850)413-6776.

PROJECT NUMBER: APD 07240000
PROJECT: William J. (Billy Joe) RISH PARK RENOVATIONS AND ADDITIONS
SERVICES TO BE PROVIDED: Architectural/Engineering Services

ESTIMATED CONSTRUCTION BUDGET: \$2,500,000
Work will include all aspects of Architectural services and attendant Engineering. Provide for ADA Accessibility renovations in all buildings, Upgrade and repair Sprinkler System, replace windows and install cement board lap siding on all buildings, electrical upgrade to repair and replace service to main facility, renovate boardwalk, new pool bathroom with ADA accessibility, new gazebo, install 9 hole carpet golf course, construct two (2) new family cabins and universal tree fort for all disabilities. The projects are located at the William J. Rish Park, Cape San Blas, Florida.

RESPONSE DUE DATE: By close-of-business on February 2, 2007.

INSTRUCTIONS: Submit three (3) copies of the following bound in loose leaf three-ring binders:

1. Letter of Interest specifying the project and location for which the firm wishes to be considered.
2. A current Professional Qualifications Supplement (PQS) from the Department of Management Services, modifying section 5a. to reflect current contracts with any and all state agencies.
3. A copy of the firm's Florida Professional Registration License Renewal. (Proper registration at the time of application is required.)
4. Corporations only: Current Corporate Certification providing evidence of validation date and the designation of professional or professionals qualifying the corporation to practice Architecture and/or Engineering.
5. Completed Standard Form 254.
6. Completed Standard Form 255.

For applicant to receive credit as State Certified Minority Business Enterprise either the Prime Consultant or Sub-consultant shall include copy of the state of Florida Minority Rectification or Certification Letter in the proposal. All proposal information submitted becomes the property of DCF, will be placed on file, and shall not be returned. Applications not complying with the instructions set forth above and/or do not include the qualifications data required shall not be considered. Selections will be made in accordance with Chapter 60-2, Florida Administrative Code and Section 287.055, Florida Statutes.

SELECTION PROCESS: From the proposals received, the Department shall shortlist a minimum of three (3) firms.

SELECTION RESULTS: All applicants will be notified by the department of the three firms shortlisted by February 9, 2007 by close-of-business. Those shortlisted firms will be advised of the interview date and any further requirements. Any protests of the selection must be made within 72 hours of posting of the results. "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."

CITY OF FORT LAUDERDALE

NOTICE TO CONTRACTORS

Sealed bids will be received until 2:00 p.m., on Wednesday, January 31, 2007, in the Office of the City Engineer, Public Works Department (Engineering and Architectural Services), City Hall, 100 North Andrews Avenue, 4th Floor, City of Fort Lauderdale, Florida and opened immediately thereafter in the Conference Room, for PROJECT 11160 – PUMP STATIONS –LAUDERDALE MANORS III AND MELROSE MANORS SOUTH.

This project consists of Drawing File No. WS-06-10 consisting of 26 sheets.

The work includes: installation of three (3) sanitary sewer pump stations and connections to existing sanitary sewer and force main systems.

The sequencing for the construction of the pump stations is detailed in the Summary of Work. Total Project duration is 240 Calendar Days from Notice to Proceed.

Bidding blanks may be obtained at the Office of the City Engineer. Plans and specifications are on file in the Office of the City Engineer.

A pre-bid meeting will be held at 3:00 p.m., on Wednesday, January 10, 2007, at the Program Management Team office at 200 North Andrews Avenue, Suite 300 (third floor), Fort Lauderdale, Florida. The pre-bid meeting is recommended, but not mandatory.

It will be the sole responsibility of the bidder to clearly mark bid as such, and ensure that his bid reaches the City prior to the bid opening date and time listed.

A certified check, cashier's check, bank officer's check or bid bond for five percent (5%), made payable to the City of Fort Lauderdale, Florida, shall accompany each proposal.

This project is funded in whole or in part by the Florida Department of Environmental Protection, State Revolving Fund. Bidders are encouraged to become familiar with the provisions of the Supplement Conditions contained in these documents and in particular the requirements of Article 20, Equal Employment Opportunity.

The City of Fort Lauderdale reserves the right to waive any informality in any bid and to reject any or all bids.

Information on bid results and projects currently out to bid can be obtained by calling the pre-recorded City of Fort Lauderdale Bid Information Line at (954)828-5688. For general inquiries please call (954)828-5772.

Jonda K. Joseph
City Clerk

**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.: BLID-05-2007-002
 DATE RECEIVED: December 20, 2006
 DEVELOPMENT NAME: UNNAMED HOTEL & SPA
 DEVELOPER/AGENT: Brandeburg Development Group/Greg A. Beliveau
 DEVELOPMENT TYPE: 28-24.026, 28-24.031, F.A.C.
 LOCAL GOVERNMENT: Sumter County

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), American IronHorse Motorcycle Company intends to allow the establishment of Fort Lauderdale Harley Davidson, Inc., as a dealership for the sale of American IronHorse motorcycles at 2871 North Federal Highway, Fort Lauderdale (Broward County), Florida 33306, on or after December 18, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Fort Lauderdale Harley Davidson, Inc., are dealer operator(s): Jeff Cheek, General Manager, 2871 North Federal Highway, Fort Lauderdale, Florida 33306; principal investor(s): Jeff Cheek, General Manager, 2871 North Federal Highway, Fort Lauderdale, Florida 33306.

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: Lalanina Gaines, Document Control Specialist, American IronHorse Motorcycle Company, 4600 Blue Mound Road, Fort Worth, Texas 76106.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), notice is given that Kawasaki Motors Corporation, U.S.A., intends to allow the establishment of ARS Power Sports, Inc., as a dealership for the sale of Kawasaki motorcycles at 4136 U.S. Highway 27 South, Sebring (Highlands County), Florida 33870, on or after February 15, 2007.

The name and address of the dealer operator(s) and principal investor(s) of ARS Power Sports, Inc., are dealer operator(s): Alan Nelson, 2092 Southwest 22nd Circle, Okeechobee, Florida 34974, and Steve Mitchum, 606 Southwest 14th Street, Okeechobee, Florida 34974; principal investor(s): Alan Nelson, 2092 Southwest 22nd Circle, Okeechobee, Florida 34974, and Steve Mitchum, 606 Southwest 14th Street, Okeechobee, Florida 34974.

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 Capps, Regional Sales Director, Kawasaki Motors Corporation, U.S.A., 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.

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), Big Bear American Made Choppers, Inc., intends to allow the establishment of Pete Giarrusso, Inc., as a dealership for the sale of Big Bear Chopper motorcycles at 1365 Bennett Drive, Suite 101, Longwood (Seminole County), Florida 32750, on or after November 17, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Pete Giarrusso, Inc., are dealer operator(s): Peter A. Giarrusso, 4974 Courtland Loop, Winter Springs, Florida 32708; principal investor(s): Peter A. Giarrusso, 4974 Courtland Loop, Winter Springs, Florida 32708.

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: Dena Valenzuela, Dealer Support, Big Bear American Made Choppers, Inc., P. O. Box 1741, Big Bear Lake, California 92315.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), Hardbikes, LLC, intends to allow the establishment of Crank & Chrome Cycles, Inc., as a dealership for the sale of Hardbikes motorcycles at 1533 Ridgewood Avenue, Holly Hill (Volusia County), Florida 32117, on or after December 14, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Crank & Chrome Cycles, Inc., are dealer operator(s): Barry Zinn, 1533 Ridgewood Avenue, Holly Hill, Florida 32117; principal investor(s): Barry Zinn, 1533 Ridgewood Avenue, Holly Hill, Florida 32117.

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: Bob Kay, VP Sales & Marketing, Hardbikes, LLC, 2600 Kirila Road, Hermitage, Pennsylvania 16148.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), notice is given that Hardbikes, LLC, intends to allow the establishment of Cunningham Performance Cycle & Auto, Inc., as a dealership for the sale of Hardbikes motorcycles at 4006 Progress Avenue, Naples (Collier County), Florida 34104, on or after December 14, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Cunningham Performance Cycle & Auto Inc., are dealer operator(s): Floyd Cunningham, 4006 Progress Avenue, Naples, Florida 34104; principal investor(s): Floyd Cunningham, 4006 Progress Avenue, Naples, Florida 34104.

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: Bob Kay, VP Sales & Marketing, Hardbikes, LLC, 2600 Kirila Road, Hermitage, Pennsylvania 16148.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), Hardbikes, LLC, intends to allow the establishment of P.M. Custom Cycles, LLC, as a dealership for the sale of Hardbikes motorcycles at 5152 U.S. Highway 19, New Port Richey (Pasco County), Florida 34652, on or after December 14, 2006.

The name and address of the dealer operator(s) and principal investor(s) of P.M. Custom Cycles, LLC, are dealer operator(s): Thomas Paige, 5152 U.S. Highway 19, New Port Richey, Florida 34652-3942; principal investor(s): Thomas Paige, 5152 U.S. Highway 19, New Port Richey, Florida 34652-3942.

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: Bob Kay, VP Sales & Marketing, Hardbikes, LLC, 2600 Kirila Road, Hermitage, Pennsylvania 16148.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), notice is given that Hardbikes, LLC, intends to allow the establishment of Treasure Coast Harley-Davidson of Stuart, Inc., as a dealership for the sale of Hardbikes motorcycles at 4967 Southeast Federal Highway, U.S. 1 Treasure Coast, Stuart (Martin County), Florida 34997, on or after December 14, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Treasure Coast Harley-Davidson of Stuart, Inc., are dealer operator(s): James LaBar, 4967 Southeast Federal Highway U.S. 1 Treasure Coast, Stuart,

Florida 34997; principal investor(s): James LaBar, 4967 Southeast Federal Highway U.S. 1 Treasure Coast, Stuart, Florida 34997.

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: Bob Kay, VP Sales & Marketing, Hardbikes, LLC, 2600 Kirila Road, Hermitage, Pennsylvania 16148.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), Mod Cycles Corporation intends to allow the establishment of Gasoline Alley, Inc., as a dealership for the sale of ZHEJ and ZONG motorcycles at 10 South Scenic Highway, Suite B, Frostproof (Polk County), Florida 33843, on or after December 18, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Gasoline Alley, Inc., are dealer operator(s): Robert J. Ohara, 10 South Scenic Highway, Suite B, Frostproof, Florida 33843; principal investor(s): Robert J. Ohara, 10 South Scenic Highway, Suite B, Frostproof, Florida 33843.

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: Carlos R. Ponce, Mod Cycles Corporation, 7547 Northwest 52nd Street, Miami, Florida 33843.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

NOTICE OF FILING OF APPLICATION FOR POWER PLANT CERTIFICATION

On December 22, 2006, the Department of Environmental Protection received an application for certification of a power plant pursuant to the Florida Electrical Power Plant Siting Act, Section 403.501 et seq., Florida Statutes, concerning Florida Power & Light Company, Glades Power Park Units 1 & 2, Power Plant Siting Application No. 06-49, OGC Case No. 06-2649. The Department is reviewing the application to allow construction and operation of two 980 megawatt coal fired power plant units located in Glades County with associated transmission lines extending into Hendry County. A copy of the application for certification is available for review in the office of: Mike Halpin, P.E., Siting Coordination Office, Department of Environmental Protection, 2600 Blair Stone Road, M.S. 48, Tallahassee, Florida 32399-2400, (850)245-8002. Pursuant to Section 403.507, F.S., and Rule 62-17, Florida Administrative Code, statutory agencies for the site certification proceeding should review the application and submit their reports and recommendations. In the future, a proposed certification hearing date will be announced. Pursuant to Section 403.508(3)(a), F.S., parties to the proceeding shall include the applicant, the Public Service Commission, the Department of Community Affairs, the Fish and Wildlife Conservation Commission, the Water

Management Districts, the Department of Environmental Protection, the Regional Planning Councils, the local government, and the Department of Transportation. Any party listed in Section 403.508(3)(a), F.S., other than the Department of Environmental Protection or the applicant may waive its right to participate in these proceedings if such party fails to file a notice of its intent to be a party on or before the 90th day prior to the certification hearing. In addition, notwithstanding the provisions of Chapter 120, F.S., upon the filing with the administrative law judge of a notice of intent to be a party no later than 75 days after the application is filed, the following shall also be parties to the proceeding: any agency not listed in Section 403.508(3)(a), F.S., as to matters within its jurisdiction; any domestic nonprofit corporation or association formed, in whole or in part, to promote conservation or natural beauty, to protect the environment, personal health, or other biological values, to preserve historical sites, to promote consumer interests; to represent labor, commercial, or industrial groups, or to promote comprehensive planning or orderly development of the area in which the proposed electrical power plant is to be located. Other parties may include any person, including those persons listed herein who have failed to timely file a notice of intent to be a party, whose substantial interests are affected and being determined by the proceeding and who timely file a motion to intervene pursuant to Chapter 120, F.S., and applicable rules. Intervention pursuant to this paragraph may be granted at the discretion of the designated administrative law judge and upon such conditions as he or she may prescribe any time prior to 30 days before the commencement of the certification hearing. Motions to intervene must be filed (received) with the Administrative Law Judge assigned to the case by the Division of Administrative Hearings, The Desoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-1550, prior to 30 days before the date of the certification hearing. Any agency, including those whose properties or works are being affected pursuant to Section 403.509(4), F.S., shall be made a party upon the request of the department or the applicant. Pursuant to Section 403.508(6), F.S., if all parties to the proceeding stipulate that there are no disputed issues of fact or law to be raised at the certification hearing, the certification hearing may be cancelled.

RECREATIONAL TRAILS PROGRAM GRANT APPLICATION SUBMISSION PERIOD

The Department of Environmental Protection has announced that grant applications for the Recreational Trails Program will be accepted March 1 through March 15, 2007. This is a competitive matching grant program which provides financial assistance to agencies of city, county, state or federal governments, state and federal recognized Indian tribal governments, and nonprofit organizations approved by the State for the acquisition and development of recreational trails.

The Department currently has approximately \$1,700,000 available. The grant funds shall be allocated as follows: (i) thirty percent (30%) must be used for motorized recreation, (ii) thirty percent (30%) must be used for nonmotorized recreation, and (iii) forty percent (40%) must be used for mixed use recreation. The maximum grant award for each motorized project is \$510,000. The maximum grant award for each nonmotorized and mixed use project is \$200,000.

The Department will conduct the following grant application workshops: (i) January 24, 2007 at Wakulla Springs State Park in Wakulla Springs, (ii) January 25, 2007 at Powel Crosley Museum of the Entrepreneur in Bradenton, and (iii) January 30, 2007 at Jim Ward Community Center in Plantation. All workshops begin at 9:00 a.m.

Application packets and workshop information may be obtained from the Office of Greenways and Trails, Department of Environmental Protection, Mail Station #795, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000; (850)245-2052. Applications are also available at www.florida.greenwaysandtrails.com. Applications must be postmarked no later than March 15, 2007.

If accommodation for a disability is needed to participate in this activity, please notify the Office of Greenways and Trails at (850)245-2052, at least seven days before the workshop.

FINANCIAL SERVICE 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., January 26, 2007):

APPLICATION FOR AN INTERNATIONAL BANK OFFICE

Application and Location: Calyon (a wholly-owned subsidiary of *Crédit Agricole S.A.*, 9, quai du Président Paul Doumer, Paris, La Défense, France
 Proposed Florida Location: 601 Brickell Key Drive, Miami, Florida 33131
 Received: December 19, 2006

APPLICATION FOR A NEW FINANCIAL INSTITUTION
 Applicant and Proposed Location: Anderen Bank of Tampa Bay, 301 South Missouri Avenue, Clearwater, Pinellas County, Florida 33756

Correspondent: Rod Jones, 300 South Orange Street, Suite 3000, Orlando, Florida 32801
 Received: December 20, 2006

APPLICATION TO ACQUIRE CONTROL

Financial Institution to be Acquired: United Heritage Bank (United Heritage Bankshares of Florida, Inc.), Longwood, Florida

Proposed Purchaser: Marshall & Ilsley Corporation (“M&I”), Milwaukee, Wisconsin
 Received: December 20, 2006

APPLICATION TO ACQUIRE CONTROL

Financial Institution to be Acquired: Valrico State Bank, Valrico, Florida

Proposed Purchaser: CenterState Banks of Florida, Inc., Winter Haven, Florida
 Received: December 21, 2006

LEON COUNTY

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT, IN AND FOR LEON COUNTY, FLORIDA

CASE NO.: 2006-2965

In Re: The Receivership of DOCTORCARE, INC., a Florida Health Maintenance Organization.

NOTICE TO ALL POLICYHOLDERS, CREDITORS, AND CLAIMANTS HAVING BUSINESS WITH DOCTORCARE, INC.

You are hereby notified that by order of the Circuit Court of the Second Judicial Circuit, in and for Leon County, Florida, entered the 27th day of November, 2006, the Department of Financial Services of the State of Florida was appointed as Receiver of DOCTORCARE, INC. and was ordered to liquidate the assets located in Florida of said company.

Policyholders, claimants, creditors, and other persons in this State having claims against the assets of DOCTORCARE, INC., shall present such claims to the Receiver on or before 11:59 p.m., on Monday, December 3, 2007, or such claims shall be forever barred.

Requests for forms for the presentation of such claims and inquiries concerning this Receivership should be addressed to The Division of Rehabilitation and Liquidation of the Florida Department of Financial Services, Receiver for DOCTORCARE, INC., Post Office Box 110, Tallahassee, Florida 32302-0110. You may also access the following Internet site for more information: www.floridainsurance.receiver.org.

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN December 18, 2006
 and December 22, 2006

| Rule No. | File Date | Effective Date | Proposed Vol./No. | Amended Vol./No. |
|----------|-----------|----------------|-------------------|------------------|
|----------|-----------|----------------|-------------------|------------------|

DEPARTMENT OF CORRECTIONS

| | | | | |
|------------|----------|--------|-------|--|
| 33-501.301 | 12/18/06 | 1/7/07 | 32/43 | |
| 33-601.717 | 12/18/06 | 1/7/07 | 32/45 | |
| 33-602.205 | 12/18/06 | 1/7/07 | 32/45 | |

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Code Administrators and Inspector

| | | | | |
|-------------|----------|---------|-------|--|
| 61G19-5.002 | 12/21/06 | 1/10/07 | 32/41 | |
| 61G19-6.012 | 12/21/06 | 1/10/07 | 32/41 | |
| 61G19-9.001 | 12/21/06 | 1/10/07 | 32/41 | |

DEPARTMENT OF ENVIRONMENTAL PROTECTION

| | | | | |
|------------|----------|---------|-------|-------|
| 62-210.100 | 12/21/06 | 1/10/07 | 32/38 | |
| 62-210.200 | 12/21/06 | 1/10/07 | 32/38 | 32/46 |
| 62-210.300 | 12/21/06 | 1/10/07 | 32/38 | 32/46 |
| 62-210.310 | 12/21/06 | 1/10/07 | 32/38 | 32/46 |
| 62-210.920 | 12/21/06 | 1/10/07 | 32/38 | 32/46 |
| 62-296.401 | 12/21/06 | 1/10/07 | 32/38 | 32/46 |
| 62-296.414 | 12/21/06 | 1/10/07 | 32/38 | |

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family

| | | | | |
|-------------|----------|--------|-------|--|
| 64B4-31.007 | 12/19/06 | 1/8/07 | 32/45 | |
|-------------|----------|--------|-------|--|

Board of Medicine

| | | | | |
|-------------|----------|--------|-------|--|
| 64B8-42.005 | 12/19/06 | 1/8/07 | 32/43 | |
| 64B8-44.003 | 12/19/06 | 1/8/07 | 32/43 | |
| 64B8-44.007 | 12/19/06 | 1/8/07 | 32/43 | |
| 64B8-45.006 | 12/19/06 | 1/8/07 | 32/43 | |

Board of Physical Therapy Practice

| | | | | |
|-------------|----------|--------|-------|-------|
| 64B17-3.002 | 12/18/06 | 1/7/07 | 32/18 | 32/47 |
|-------------|----------|--------|-------|-------|

Division of Environmental Health

| | | | | |
|-----------|----------|--------|-------|--|
| 64E-2.040 | 12/20/06 | 1/9/07 | 32/46 | |
|-----------|----------|--------|-------|--|

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

| | | | | |
|----------|----------|--------|-------|-------|
| 65-2.045 | 12/19/06 | 1/8/07 | 32/34 | 32/47 |
| 65-2.057 | 12/19/06 | 1/8/07 | 32/34 | 32/47 |

| Rule No. | File Date | Effective Date | Proposed Vol./No. | Amended Vol./No. |
|----------|-----------|----------------|-------------------|------------------|
|----------|-----------|----------------|-------------------|------------------|

Mental Health Program

| | | | | |
|-----------|----------|--------|-------|--|
| 65E-5.100 | 12/19/06 | 1/8/07 | 32/45 | |
| 65E-5.115 | 12/19/06 | 1/8/07 | 32/45 | |
| 65E-5.260 | 12/19/06 | 1/8/07 | 32/45 | |
| 65E-5.280 | 12/19/06 | 1/8/07 | 32/45 | |
| 65E-5.285 | 12/19/06 | 1/8/07 | 32/45 | |
| 65E-5.290 | 12/19/06 | 1/8/07 | 32/45 | |
| 65E-5.300 | 12/19/06 | 1/8/07 | 32/45 | |
| 65E-5.400 | 12/19/06 | 1/8/07 | 32/45 | |

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

| | | | | |
|------------|----------|--------|-------|--|
| 68A-13.003 | 12/20/06 | 1/9/07 | 32/44 | |
| 68A-13.008 | 12/20/06 | 1/9/07 | 32/44 | |

Marine Fisheries

| | | | | |
|------------|----------|--------|-------|--|
| 68B-24.009 | 12/20/06 | 1/9/07 | 32/44 | |
|------------|----------|--------|-------|--|

Vessel Registration and Boating Safety

| | | | | |
|------------|----------|---------|-------|--|
| 68D-24.144 | 12/21/06 | 1/10/07 | 32/43 | |
|------------|----------|---------|-------|--|

DEPARTMENT OF FINANCIAL SERVICES

Funeral and Cemetery Services

| | | | | |
|------------|----------|--------|-------|-------|
| 69K-6.0015 | 12/19/06 | 1/8/07 | 32/42 | 32/45 |
|------------|----------|--------|-------|-------|

Division of Workers' Compensation

| | | | | |
|-------------|----------|--------|-------|--|
| 69L-56.001 | 12/18/06 | 1/7/07 | 32/43 | |
| 69L-56.002 | 12/18/06 | 1/7/07 | 32/43 | |
| 69L-56.100 | 12/18/06 | 1/7/07 | 32/43 | |
| 69L-56.110 | 12/18/06 | 1/7/07 | 32/43 | |
| 69L-56.200 | 12/18/06 | 1/7/07 | 32/43 | |
| 69L-56.210 | 12/18/06 | 1/7/07 | 32/43 | |
| 69L-56.300 | 12/18/06 | 1/7/07 | 32/43 | |
| 69L-56.301 | 12/18/06 | 1/7/07 | 32/43 | |
| 69L-56.3012 | 12/18/06 | 1/7/07 | 32/43 | |
| 69L-56.3013 | 12/18/06 | 1/7/07 | 32/43 | |
| 69L-56.304 | 12/18/06 | 1/7/07 | 32/43 | |
| 69L-56.3045 | 12/18/06 | 1/7/07 | 32/43 | |
| 69L-56.307 | 12/18/06 | 1/7/07 | 32/43 | |
| 69L-56.310 | 12/18/06 | 1/7/07 | 32/43 | |
| 69L-56.320 | 12/18/06 | 1/7/07 | 32/43 | |
| 69L-56.330 | 12/18/06 | 1/7/07 | 32/43 | |
| 69L-56.500 | 12/18/06 | 1/7/07 | 32/43 | |

Section XIV
List of Rules Affected

| | | | | Rule No. | Proposed Vol./No. | Amended Vol./No. | Adopted Vol./No. |
|--|--|---------------------|---------------------|-----------------------------------|----------------------|---------------------|---------------------|
| This "List of Rules Affected" is a cumulative list of all rules which have been proposed but not filed for adoption. Beginning with the February 2, 1996 issue, the list will be published monthly for the period covering the last eight weeks. | | | | 4-228.055 | 26/35 | | |
| | | | | 4A-3.002 | 27/12 | | |
| | | | | 4A-21.115 | 29/37 | 29/46 | |
| | | | | 4A-41.108 | 29/25 | | |
| | | | | 4A-62.0001 | 29/44 | 29/46 | |
| | | | | 4A-62.001 | 29/44 | 29/46 | |
| | | | | 4A-62.002 | 29/44 | 29/46 | |
| w | Signifies Withdrawal of Proposed Rule(s) | | | 4A-62.003 | 29/44 | 29/46 | |
| c | Rule Challenge Filed | | | 4A-62.006 | 29/44 | 29/46 | |
| v | Rule Declared Valid | | | 4A-62.007 | 29/44 | 29/46 | |
| x | Rule Declared Invalid | | | 4A-62.020 | 29/44 | 29/46 | |
| d | Rule Challenge Dismissed | | | 4A-62.021 | 29/44 | 29/46 | |
| dw | Dismissed Upon Withdrawal | | | 4A-62.022 | 29/44 | 29/46 | |
| | | | | 4A-62.023 | 29/44 | 29/46 | |
| | | | | 4A-62.030 | 29/44 | 29/46 | |
| Rule No. | Proposed Vol./No. | Amended Vol./No. | Adopted Vol./No. | 4A-62.031 | 29/44 | 29/46 | |
| | | | | 4A-62.032 | 29/44 | 29/46 | |
| | | | | 4A-62.033 | 29/44 | 29/46 | |
| STATE | | | | 4A-62.034 | 29/44 | 29/46 | |
| | | | | 4A-62.035 | 29/44 | 29/46 | |
| 1B-2.011 | 32/44 | | | 4A-62.036 | 29/44 | 29/46 | |
| 1B-24.002 | 26/43 | | | 4A-62.040 | 29/44 | 29/46 | |
| 1S-2.042 | 32/8 | | | 4A-62.041 | 29/44 | 29/46 | |
| | | | | 4A-62.042 | 29/44 | 29/46 | |
| LEGAL AFFAIRS | | | | 4A-62.043 | 29/44 | 29/46 | |
| 2B-1.002 | 32/45c | | | 4A-62.044 | 29/44 | 29/46 | |
| | | | | 4A-62.045 | 29/44 | 29/46 | |
| BANKING AND FINANCE | | | | 4C-6.003 | 29/38 | 30/29 | |
| | | | | 4C-40.0055 | 28/47 | | |
| 3E-48.005 | 28/42 | | | 4K-6.010 | 32/30 | | |
| 3F-5.0015 | 29/39 | 29/45 | | 4L-24.0231 | 29/39 | 29/46 | |
| 3F-5.0035 | 29/39 | 29/45 | | AGRICULTURE AND CONSUMER SERVICES | | | |
| 3F-5.004 | 29/39 | 29/45 | | 5-1 | 31/6c | | |
| 3F-5.006 | 29/39 | 29/45 | | | 31/14c | | |
| 3F-5.008 | 29/39 | 29/45 | | 5B-58.001 | 27/29 | | |
| INSURANCE | | | | 5B-59.003 | 32/48 | | |
| 4-138.047 | 28/41 | | | 5B-62.001 | 32/25 | | 32/51 |
| 4-149.203 | 29/52 | 30/3 | | 5B-62.002 | 32/25 | | 32/51 |
| 4-149.204 | 29/52 | 30/3 | | 5B-62.003 | 32/25 | | 32/51 |
| 4-149.205 | 29/52 | 30/3 | | 5B-62.004 | 32/25 | 32/40 | 32/51 |
| 4-149.206 | 29/52 | 30/3 | | 5B-62.005 | 32/25 | | 32/51 |
| 4-149.207 | 29/52 | 30/3 | | 5B-62.006 | 32/25 | | 32/51 |
| 4-154.201 | 29/37 | 30/3 | | 5B-62.007 | 32/25 | | 32/51 |
| 4-154.202 | 29/37 | 29/42 | | 5B-62.008 | 32/25 | | 32/51 |
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