

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Plant Industry

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PURPOSE AND EFFECT: The purpose of these amendments is to clarify definitions and requirements for seed source trees now that there is some evidence citrus greening could be

transmitted by seed. Also requirements for top-working are clarified and additional provisions have been made for researchers to conduct field trials.

SUBJECT AREA TO BE ADDRESSED: Citrus Nursery Stock Certification Program.

SPECIFIC AUTHORITY: 570.07(23), 581.031(1), (3), (8), 581.1843(3), (4) FS.

LAW IMPLEMENTED: 570.07(2), (13), 570.0705, 581.031(1), (14), (17), (23), 581.1843(3), (4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Richard Gaskalla, Director, Department of Agriculture and Consumer Services, Division of Plant Industry, Room A116, 1911 S. W. 34th Street, Gainesville, Florida 32608, (352)372-3505

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5B-62.001 Definitions.

For the purpose of this rule chapter, the definitions in Section 581.011, F.S., and the following definitions shall apply:

(1) African citrus psyllid. The insect known as African citrus psyllid, *Trioza erytreae*, classified in the order Homoptera, Family Psyllidae, and all of its life stages. It is a vector of citrus greening.

(2) Approved citrus nursery site. A defined area, which meets the certification requirements as prescribed by the Department.

(3) Approved soil pit. A soil source used for fill purposes, highway or road construction, or as an ingredient in plant growing or potting media which meet the Department requirements as to the absence of injurious nematodes of citrus.

(4) Asian citrus psyllid. The insect known as Asian citrus psyllid, *Diaphorina citri* Kuwayama, classified in the order Homoptera, Family Psyllidae, and all of its life stages. It is a vector of citrus greening.

(5) Australian Citrus Dieback. A disease from Australia similar to citrus greening, but for which neither the causal organism nor the vector has been characterized and identified.

(6) Barrier. An area of land of sufficient width and length located or established in a manner to prevent or suppress the natural or artificial spread of nematodes or other pathogens of citrus from an infested property to another property.

(7) Brown citrus aphid. *Toxoptera citricida* (Kirkaldy), classified in the order Homoptera, Family Aphididae, and all of its life stages.

(8) Budwood. A portion of a stem or branch with a vegetative bud(s) used in propagation for budding or grafting.

(9) Certified citrus nursery. A nursery which has been certified by the Department as meeting the requirements for production of citrus nursery stock free of pests of citrus.

(10) Certified Tree. A scion tree meeting all the requirements of Chapter 5B-62, F.A.C., but not yet having borne fruit or nursery trees propagated from a certified scion tree.

(11) Citrus. All species of the genera Citrus, Poncirus, and Fortunella including any hybrids thereof.

(12) Citrus blight. A root graft-transmissible disease of unknown etiology associated with xylem dysfunction which results in wilting and slow decline of trees.

(13) Citrus Budwood Foundation Grove. Plantings of pathogen-tested citrus trees, maintained by the Bureau of Citrus Budwood Registration, representing major commercial varieties and rootstocks for the purposes of horticultural observation, and distribution of budwood to Florida growers.

(14) Citrus canker. A bacterial disease of citrus incited by the organism *Xanthomonas axonopodis* pv. Citri.

(15) Citrus cachexia viroid (xyloporosis, Citrus viroid II). A graft- and mechanically-transmissible viroid incited by the organism Hop Stunt viroid in the Pospoviroidae family and Hostuviroid genus. Disease symptoms include phloem deterioration and blockage in many mandarin, mandarin hybrids, Citrus macrophylla Wester, Rangpur lime, and sweet lime. This disease causes decline, stunting, and crop reduction. Citrus exocortis viroid. A graft- and mechanically-transmissible pathogen incited by the organism Citrus exocortis viroid in the Pospoviroidae family and Pospoviroid genus. Disease symptoms include tree decline, stunting of growth, scaling and shelling of the rootstock bark of Poncirus trifoliata and many P. trifoliata hybrids and Rangpur lime.

(16) Citrus Chlorotic Dwarf (CCD). A graft-transmissible disease vectored by the bayberry whitefly, Parabemisia myricae, classified in the order Homoptera and family Aleyrodidae. It is a disease of the Eastern Mediterranean causing chlorotic patterns and distortion in young leaves, stunting of young trees and reduced yields in lemon, mandarin, grapefruit and to a lesser degree, sweet orange. Citrus greening. A phloem-limited bacterial disease of citrus and citrus relatives incited by the organism *Candidatus Liberibacter* spp., or huanglongbing (also known as yellow dragon disease) and vectored by *Diaphorina citri* and *Trioza erytrae*. May be transmitted by seed. Disease symptoms include mottled foliage, asymmetrical bitter fruit and trees which become non-productive.

(17) Citrus exocortis viroid. A graft- and mechanically-transmissible pathogen incited by the organism Citrus exocortis viroid in the Pospoviroidae family and Pospoviroid genus. Disease symptoms include tree decline, stunting of growth, scaling and shelling of the rootstock bark

of Poncirus trifoliata and many P. trifoliata hybrids and Rangpur lime. Citrus Nursery Stock Certification Program. A mandatory program administered by the Division of Plant Industry whereby nurserymen, growers and other people propagating citrus, including all dooryard, own-use and commercial plantings, are required to propagate citrus in accordance with these rules.

(18) Citrus greening. A phloem-limited bacterial disease of citrus and citrus relatives incited by the organism Candidatus Liberibacter spp., or huanglongbing (also known as yellow dragon disease) and vectored by Diaphorina citri and Trioza erytrae. May be transmitted by seed. Disease symptoms include mottled foliage, asymmetrical bitter fruit and trees which become non-productive. Citrus tristeza virus. A graft-transmissible closterovirus in the Closteroviridae which is transmitted by aphids (primarily brown citrus aphid; *Toxoptera citricida*). Severe strains, as opposed to mild strains, of the virus cause severe stem pitting, seedling yellows, or quick decline on sour orange rootstock which result in reduced crops or loss of trees.

(19) Citrus Leaf Blotch Virus (CLBV). Also known as Dweet Mottle, it is a wide-spread, graft-transmissible and seed-transmissible disease with no known vector. It is incited by a virus that is expected to be placed in a new genus in the Flexiviridae. It may cause a bud-union disorder in certain varieties on specific rootstocks. Citrus viroids. Viroids in the family Pospoviroidae and the genus Apseaviroid (Citrus bent leaf viroid, Citrus viroid I), Citrus viroid III, and the genus Coeaviroid (Citrus viroid IV), in addition to citrus exocortis viroid and citrus cachexia viroid (xyloporosis, Citrus Viroid II).

(20) Citrus Leprosis Virus (CiLV). A non-systemic virus disease incited by a virus in the Nucleorhabdovirus genus in the Rhabdoviridae family, is vectored by mites in the Brevipalpus genus. It is a problem in Brazil through to upper Central America. It causes a non-systemic infection in citrus with local necrotic lesions on fruit and leaves with leaf and fruit drop, twig die back and where the vector is not controlled, death of the tree. Citrus cachexia viroid (xyloporosis, Citrus viroid II). A graft- and mechanically-transmissible viroid incited by the organism Hop Stunt viroid in the Pospoviroidae family and Hostuviroid genus. Disease symptoms include phloem deterioration and blockage in many mandarin, mandarin hybrids, Citrus macrophylla Wester, Rangpur lime, and sweet lime. This disease causes decline, stunting, and crop reduction.

(21) Citrus Nursery Stock Certification Program. A mandatory program administered by the Division of Plant Industry whereby nurserymen, growers and other people propagating citrus, including all dooryard, own-use and commercial plantings, are required to propagate citrus in accordance with these rules. Citrus Chlorotic Dwarf (CCD). A graft-transmissible disease vectored by the bayberry whitefly,

Parabemisia myricae, classified in the order Homoptera and family Aleyrodidae. It is a disease of the Eastern Mediterranean causing chlorotic patterns and distortion in young leaves, stunting of young trees and reduced yields in lemon, mandarin, grapefruit and to a lesser degree, sweet orange.

(22) Citrus Psorosis Virus (CPsV). A graft-transmissible virus thought to also be transmitted by a soil fungus in the *Olpidium* genus. Mild psorosis A, and Severe, psorosis B, are caused by viruses in the *Ophiovirus* genus, which is not yet assigned to a virus family. Symptoms include bark-scaling, internal wood staining, ringspots or irregular chlorotic patterns in the foliage, and/or eventual tree decline. May be seed transmitted. Citrus Leaf Blotch Virus (CLBV). Also known as Dweet Mottle, it is a wide-spread, graft-transmissible and seed-transmissible disease with no known vector. It is incited by a virus that is expected to be placed in a new genus in the *Flexiviridae*. It may cause a bud union disorder in certain varieties on specific rootstocks.

(23) Citrus Stubborn. A graft-transmissible disease that is incited by *Spiroplasma citri* and vectored by several species of leaf hopper (Homoptera: Cicadellidae). Symptoms include buds on newly budded trees not sprouting, acorn-shaped fruit on diseased trees, small shoots and leaves, the presence of witches' brooms, and flowering out of season. It is present in California and Arizona. Citrus Leprosis Virus (CiLV). A non-systemic virus disease incited by a virus in the *Nucleorhabdovirus* genus in the *Rhabdoviridae* family, is vectored by mites in the *Brevipalpus* genus. It is a problem in Brazil through to upper Central America. It causes a non-systemic infection in citrus with local necrotic lesions on fruit and leaves with leaf and fruit drop, twig die back and where the vector is not controlled, death of the tree.

(24) Citrus Sudden Death. A disease of unknown etiology thought to have an insect vector. Symptoms include rapid decline of trees budded on Rangpur lime and to a lesser extent on Volkamer lemon in Brazil. Citrus Psorosis Virus (CPsV). A graft-transmissible virus thought to also be transmitted by a soil fungus in the *Olpidium* genus. Mild psorosis A, and Severe, psorosis B, are caused by viruses in the *Ophiovirus* genus which is not yet assigned to a virus family. Symptoms include bark scaling, internal wood staining, ringspots or irregular chlorotic patterns in the foliage, and/or eventual tree decline. May be seed transmitted.

(25) Citrus Tatter Leaf Virus. A graft- and mechanically-transmitted disease incited by a virus also called citrange stunt or apple stem grooving virus in the *Capillovirus* genus which is assigned to the virus family *Flexiviridae*. Symptoms include a severe bud-union crease, which affects trees on trifoliate orange or trifoliate orange hybrid rootstocks causing death of the tree. Citrus Stubborn. A graft-transmissible disease that is incited by *Spiroplasma citri* and vectored by several species of leaf hopper (Homoptera:

Cicadellidae). Symptoms include buds on newly budded trees not sprouting, acorn-shaped fruit on diseased trees, small shoots and leaves, the presence of witches' brooms, and flowering out of season. It is present in California and Arizona.

(26) Citrus tristeza virus. A graft-transmissible closterovirus in the *Closteroviridae* which is transmitted by aphids (primarily brown citrus aphid, *Toxoptera citricida*). Severe strains, as opposed to mild strains, of the virus cause severe stem pitting, seedling yellows, or quick decline on sour orange rootstock which result in reduced crops or loss of trees. Citrus Sudden Death. A disease of unknown etiology thought to have an insect vector. Symptoms include rapid decline of trees budded on Rangpur lime and to a lesser extent on Volkamer lemon in Brazil.

(27) Citrus Variegated Chlorosis (CVC). A graft-transmissible disease incited by a strain of *Xylella fastidiosa*, a fastidious xylem inhabiting bacterium which is vectored by many species of sharp shooters (Homoptera: Cicadellidae). It is also seed transmitted. It is found in Brazil and up into Central America. Affected trees are stunted with dieback and have fruit that are small and ripen early. Citrus Tatter Leaf Virus. A graft and mechanically transmitted disease incited by a virus also called citrange stunt or apple stem grooving virus in the *Capillovirus* genus which is not assigned to the a virus family *Flexiviridae*. Symptoms include a severe bud union crease, which affects trees on trifoliate orange or trifoliate orange hybrid rootstocks causing death of the tree.

(28) Citrus Vein-Enation Virus (CVEV). A graft-transmissible disease also called woody gall is also transmitted in a persistent manner by aphid vectors including *Toxoptera citricida*, *Myzus persicae* and *Aphis gossypii* (Homoptera: Aphididae). It is thought to be incited by a virus of unknown etiology possibly closely related to the *Luteoviridae*. It is widespread throughout the cooler citrus growing regions of the world and is present in California. It is symptomless in the majority of citrus cultivars and is not considered of major economic importance. Wood galls are formed on the trunks and branches of rough and Volkamer lemons. Severe infection on these rootstocks has been reported to eventually cause tree decline. Citrus Variegated Chlorosis (CVC). A graft-transmissible disease incited by a strain of *Xylella fastidiosa*, a fastidious xylem inhabiting bacterium which is vectored by many species of sharp shooters (Homoptera: Cicadellidae). It is also seed transmitted. It is found in Brazil and up into Central America. Affected trees are stunted with dieback and have fruit that are small and ripen early.

(29) Citrus viroids. Viroids in the family *Pospoiviroidae* and the genus *Apscaviroid* (Citrus bent leaf viroid, Citrus viroid I, Citrus viroid V), Citrus viroid III, and the genus *Cocaviroid* (Citrus viroid IV), in addition to citrus *exocortis* viroid and citrus *cachexia* viroid (*xyloporosis*, Citrus Viroid

~~II. Citrus Vein Enation Virus (CVEV). A graft-transmissible disease also called woody gall is also transmitted in a persistent manner by aphid vectors including Toxoptera citricida, Myzus persicae and Aphis gossypii (Homoptera: Aphididae). It is thought to be incited by a virus of unknown etiology possibly closely related to the Luteoviridae. It is widespread throughout the cooler citrus growing regions of the world and is present in California. It is symptomless in the majority of citrus cultivars and is not considered of major economic importance. Wood galls are formed on the trunks and branches of rough and Volkamer lemons. Severe infection on these rootstocks has been reported to eventually cause tree decline.~~

(30) Citrus Yellow Mosaic Virus (CYMV). A graft- and mechanically transmissible disease, it is also vectored by the citrus Mealybug, *Planococcus citri* (Homoptera: Pseudococcidae). It is incited by a Badnavirus in the Caulimoviridae family. Symptoms include yellow mosaic on leaves, reduced leaf size, stunted trees and fruit with elevated green areas and depressed yellow patches. It is known to be in India.

(31) Clone. An asexually reproduced cultivar; a group of genetically uniform plants that have been propagated vegetatively from a single original plant.

~~(32) Commercial citrus grove. A solid set planting of 40 or more citrus trees. Commercial citrus nursery stock. Citrus nursery stock to be used in or for establishing a planting of 40 or more citrus trees.~~

~~(33) Commercial citrus nursery stock. Citrus nursery stock to be used in or for establishing a planting of 40 or more citrus trees. Commercial citrus grove. A solid set planting of 40 or more citrus trees.~~

(34) Concave gum/blind pocket. ~~Graft~~ Graft transmissible pathogens causing infected trees to have concavities in the trunk and main branches. The disease is found in most citrus-growing areas where it reduces yield and tree vigor. May be seed transmitted.

(35) Cooperating agencies. The University of Florida and the United States Department of Agriculture shall be regarded as cooperating agencies.

(36) Decline. A tree that is unthrifty and shows receding vigor, and/or has a significant amount of dieback.

(37) Dooryard citrus nursery stock. Citrus plants to be used only in a residential setting or for establishing a planting of less than 40 citrus trees.

(38) ELISA. Enzyme-Linked ImmunoSorbent Assay. A sensitive laboratory test which uses antibodies coupled with indicators to detect the presence of viruses.

(39) Florida gummosis. A disease of unknown etiology characterized by bark cracks and gumming of scions. This disease is called Rio Grande gummosis in Texas and ferment gum disease in California.

(40) Foundation tree. A citrus tree owned and maintained by the Department in accordance with Rule 5B-62.014, F.A.C., that is used for horticultural evaluation and to provide a source of budwood to nurserymen, primarily for establishing scion and increase trees.

(41) Graft-transmissible pathogens. Disease agents spread by vegetative propagation to include, but not limited to, budding, grafting, air-layering, and cuttings. This general term includes known viruses, viroids, bacteria, spiroplasmas, and other non-identified virus-like pathogens of citrus.

(42) Horticulturally true-to-type. A plant which conforms to the description of a particular cultivar and which is from the same genetic line of descent as that cultivar.

(43) Increase trees. Specially designated nursery propagations made to rapidly multiply supplies of propagative material for citrus nursery tree production and meeting all the requirements of Rule 5B-62.016, F.A.C.

(44) Indian Citrus Ringspot virus. A disease of mandarin in India incited by a Mandarivirus in the Flexiviridae family.

(45) Melon aphid. *Aphis gossypii* Glover, classified in the order Homoptera, Family Aphididae, and all of its life stages that is also known as the cotton aphid. It is a vector of citrus tristeza virus.

(46) Parent tree. A mature bearing citrus tree that has met all of the requirements of Rule ~~5B-62.013~~ 5B-62.007, F.A.C., and has been registered with the Department.

(47) PCR. Polymerase Chain Reaction. A highly sensitive laboratory test that can detect small amounts of DNA or RNA in a plant tissue sample by amplification of a specific DNA or RNA segment.

(48) Progeny nursery tree. A citrus nursery tree produced from budwood from a registered source tree in accordance with instructions outlined in this rule chapter.

(49) Propagative material. Any live plant material used to produce nursery stock, including cuttings, budwood, seeds, seedlings, air layers and tissue culture.

(50) Registration. The process of certifying source trees as being virus-tested and meeting the requirements of these rules, including annual renewal by notification and fee payment.

(51) Rootstock. A plant used as the recipient understock in budding or grafting.

(52) Satsuma Dwarf Virus. A graft- and mechanically-transmissible disease which apparently also has a non-nematode soil vector. It is incited by a Nepovirus ~~Sadwavirus~~ which is ~~not yet~~ assigned to the a viral family Comoviridae. Satsuma trees infected with SDV will also display a range of leaf symptoms including narrow, boat or spoon-shaped leaves, the surface of which is often distorted or crinkled. A severely affected tree has poor fruit-set and its fruit are small and irregularly shaped, and tree vigor is reduced.

(53) Scion tree. A citrus tree grown in accordance with Rule 5B-62.015, F.A.C., from budwood taken from a registered foundation tree and registered with the Department

~~as a source of budwood. Seed source tree. A tree that is registered by a certified nursery and supplies seed for propagation, which has been determined by the Department as being apparently horticulturally true-to-type, and if of the genus Poncirus or its hybrids have been tested for citrus greening once at the owner's expense and found free of psorosis and other seed-transmitted diseases listed in Rule 5B-62.003, F.A.C. and originates unless propagated from a foundation or parent tree.~~

~~(54) Seed source tree. A tree that is registered by a certified nursery and supplies seed for propagation, determined by the Department as being apparently horticulturally true-to-type, tested for citrus greening and other seed-transmitted diseases listed in Rule 5B-62.003, F.A.C. and originates from a foundation or parent tree. Scion tree. A citrus tree grown in accordance with Rule 5B-62.015, F.A.C., from budwood taken from a registered foundation tree and registered with the Department as a source of budwood.~~

(55) Severe strains of citrus tristeza virus. Severe strains of citrus tristeza virus will be determined by the Department with input from the Citrus Budwood Technical Advisory Committee as to which strains are regulated and which techniques are approved for testing.

(56) Source tree. A citrus tree that has met all of the requirements as a source of budwood or propagative material, i.e., a scion tree, increase tree, foundation tree, or seed source tree.

(57) Tests. Standardized laboratory, biological greenhouse or field plot tests for certain graft-transmissible pathogens before trees are eligible for registration as source trees as contained in C. N. Roistacher, Graft-transmissible Diseases of Citrus: Handbook for detection and diagnosis (Food and Agricultural Organization of the United Nations, Rome, 1991), or approved by the Citrus Budwood Technical Advisory Committee.

(58) Witches' Broom Disease of Lime (WBDL). A disease of Citrus aurantiifolia, small-fruited acid lime, in Asia incited by Candidatus Phytoplasma aurantifolia and thought to be vectored by *Hishimonous phycitis* (Homoptera: Cicadellidae). May be seed transmitted.

Specific Authority 570.07(23), 581.031(1), (3), (8), 581.1843(3), (4) FS. Law Implemented 570.07(2), (13), 570.0705, 581.031(1), (14), (17), (23), 581.1843(3), (4) FS. History—New 12-26-06, Amended.

5B-62.002 Purpose.

The purpose of this rule chapter is to minimize the spread of serious graft-transmissible diseases and certain other pathogens as well as nematodes of citrus by requiring all nurserymen propagating citrus to participate in a mandatory citrus nursery stock certification program. The requirements for program participation are established in this chapter. It is intended that there shall be no propagation of citrus nursery stock except as provided in this chapter, and it shall be

unlawful to plant citrus nursery stock in Florida unless that citrus nursery stock has been propagated pursuant to this chapter.

Specific Authority 570.07(23), 581.031(1), (3), (8), 581.1843(3), (4) FS. Law Implemented 570.07(2), (13), 570.0705, 581.031(1), (14), (17), (23), 581.1843(3), (4) FS. History—New 12-26-06, Repromulgated.

5B-62.003 Plant Pest Declaration.

The following ~~arthropods, nematodes, pathogens, pathogens, nematodes and arthropods~~ and plants infected with or exposed to ~~same, the pathogens and nematodes~~ are declared to be plant pests and nuisances:

(1) Arthropods: Australian citrus dieback;

(a) African citrus psyllid, Trioza erytreae;

(b) Asian citrus psyllid, Diaphorina citri;

(c) Brown citrus aphid, Toxoptera citricida;

(d) Melon aphid, Aphis gossypii;

(2) Nematodes: Citrus canker;

(a) Plant parasitic nematodes not known to occur in Florida. The following nematodes present a serious threat to Florida's commercial citrus industry:

1. Hemicycliophora arenaria, a sheath nematode;

2. Meloidogyne spp., species which are pathogenic to citrus; and

3. Any other plant parasitic nematode species or biotype which may be determined by Department order or rule to be injurious to citrus.

(b) Plant parasitic nematodes, which are known to be established in Florida. The following nematodes present a serious threat to Florida's commercial citrus industry:

1. Radopholus similis, burrowing nematode;

2. Tylenchulus semipenetrans, the citrus nematode;

3. Pratylenchus coffeae, a root-lesion nematode;

(3) Pathogens: Citrus chlorotic dwarf;

(a) Australian citrus dieback;

(b) Citrus canker;

(c) Citrus chlorotic dwarf;

(d) Citrus greening (Huanglongbing); (seed transmitted)

(e) Citrus leaf blotch virus; (seed transmitted)

(f) Citrus leprosis virus;

(g) Citrus psorosis virus; (seed transmitted)

(h) Citrus stubborn;

(i) Citrus sudden death;

(j) Citrus tatter leaf virus (Apple stem grooving virus);

(k) Citrus variegated chlorosis; (seed transmitted)

(l) Citrus vein-enation virus;

(m) Citrus viroids;

(n) Citrus yellow mosaic virus;

(o) Concave gum/blind pocket; (seed transmitted)

(p) Indian citrus ringspot virus;

- (q) Satsuma dwarf virus;
- (r) Severe strains of Citrus tristeza virus;
- (s) Witches' broom disease of lime; (seed transmitted)
- (4) Citrus greening (Huanglongbing);
- (5) Citrus leaf blotch virus;
- (6) Citrus leprosis virus;
- (7) Citrus psorosis virus;
- (8) Citrus stubborn;
- (9) Citrus sudden death;
- (10) Citrus tatter leaf virus (Apple stem grooving virus);
- (11) Citrus variegated chlorosis;
- (12) Citrus vein enation virus;
- (13) Citrus viroids;
- (14) Citrus yellow mosaic virus;
- (15) Concave gum/blind pocket;
- (16) Indian citrus ringspot virus;
- (17) Satsuma dwarf virus;
- (18) Severe strains of Citrus tristeza virus;
- (19) Witches' broom disease of lime;
- (20) ~~Plant parasitic nematodes not known to occur in~~

~~Florida. The following nematodes present a serious threat to Florida's commercial citrus industry:~~

- (a) ~~Hemicycliophora arenaria, a sheath nematode;~~
- (b) ~~Meloidogyne spp., species which are pathogenic to citrus; and~~
- (c) ~~Any other plant parasitic nematode species or biotype which may be determined by Department order or rule to be injurious to citrus.~~

~~(21) Plant parasitic nematodes which are known to be established in Florida. The following nematodes present a serious threat to Florida's commercial citrus industry:~~

- (a) ~~Radopholus similis, burrowing nematode;~~
- (b) ~~Tylenchulus semipenetrans, the citrus nematode;~~
- (c) ~~Pratylenchus coffeae, a root lesion nematode;~~
- (22) ~~African citrus psyllid, Trioza erytreae;~~
- (23) ~~Asian citrus psyllid, Diaphorina citri;~~
- (24) ~~Brown citrus aphid, Toxoptera citricida;~~
- (25) ~~Melon aphid, Aphis gossypii;~~

~~(26) Any other plant virus, viroid, parasitic nematode species or biotype or arthropod found injurious to citrus.~~

Specific Authority 570.07(23), 581.031(1), (3), (8), 581.1843(3), (4) FS. Law Implemented 570.07(2), (13), 570.0705, 581.031(1), (6), (14), (23), 581.1843(3), (4) FS. History—New 12-26-06, Amended _____.

5B-62.004 Manuals.

The regulations, definitions, and standards in Citrus Nursery Stock Certification Manual, Revised 3/06/08 ~~9/8/06~~, Citrus Budwood Testing Manual, Revised 4/01/06, and C. N. Roistacher, Graft-transmissible Diseases of Citrus: Handbook for detection and diagnosis (Food and Agricultural

Organization of the United Nations, Rome, 1991) are hereby adopted as regulations and rules under the Division of Plant Industry, pursuant to Chapter 581, F.S. Copies may be obtained by contacting the Secretary of State's Office, Tallahassee, FL. Copies are available for examination at the Florida Department of Agriculture and Consumer Services, Bureau of Citrus Budwood Registration, 3027 Lake Alfred Road, Winter Haven, FL 33881, and the Florida Department of Agriculture and Consumer Services, Division of Plant Industry, Plant Pathology Section, 1911 S.W. 34th Street, Gainesville, FL 32608-1201.

Specific Authority 570.07(23), 581.031(1), (3), (8), 581.1843(3), (4) FS. Law Implemented 570.07(23), 570.0705, 581.031(1), (14), (17), (23), 581.1843(3), (4) FS. History—New 12-26-06, Amended _____.

5B-62.005 Forms.

All forms required for compliance in the Citrus Nursery Stock Certification Program are listed below and hereby adopted and incorporated by reference herein. The following forms may be obtained by writing or visiting the Florida Department of Agriculture and Consumer Services, Division of Plant Industry, Bureau of Citrus Budwood Registration, 3027 Lake Alfred Road, Winter Haven, FL 33881-1438, www.doacs.state.fl.us.

Form DACS-08066, Revised 8/06, Application to Produce Citrus Nursery Stock.

Form DACS-08172, Revised 5/06, Source Tree Bud Cutting Report.

Form DACS-08072, Revised 7/03, Certificate of Source Tree Registration.

Form DACS-08111, Revised 7/03, Certification to Witness Registered Budwood.

Form DACS-08298, Revised 8/06, Parent Tree Candidate Entry Form.

Form DACS-08071, Revised 7/03, Growers Record of Registered Scion Tree Movement.

Form DACS-08064, Revised 6/03, Statement of Charges for Annual Source Tree Registration.

Form DACS-08218, Revised 10/04, Budwood Order Form.

Form DACS-08031, Revised 7/03, Compliance Agreement – Citrus Tristeza Virus Testing Laboratory Certification.

Form DACS-08274, Revised 7/03, Application and Permit to Plant Citrus Pathogen Infected Stock.

The following forms may be obtained by writing or visiting the Florida Department of Agriculture and Consumer Services, Division of Plant Industry, Bureau of Plant and Apiary Inspection, P. O. Box 147100, Gainesville, FL 32614-7100.

Form DACS-08038, Revised 10/03, Citrus Nursery Stock Inspection Tag.

Form DACS-08016, Revised 1/04, Stop Sale Notice and Hold Order.

Form DACS-08004, Revised 7/06, Application for Certificate of Registration.

Specific Authority 570.07(23), 581.031(1), (3), (8), ~~581.1843(3), (4)~~ FS. Law Implemented 570.07(2), (23), 570.0705, 581.031(1), (14), (17), (23), ~~581.1843(3), (4)~~ FS. History—New 12-26-06, Repromulgated.

5B-62.006 Citrus Budwood Technical Advisory Committee.

The Commissioner of Agriculture shall name a Citrus Budwood Technical Advisory Committee of sixteen members selected as follows:

(1) Four members who shall be owners or employees of citrus nurseries with one representing a producer of dooryard citrus nursery stock;

(2) Four members who shall be commercial citrus fruit producers or employees of producers;

(3) Four members who shall represent the Institute of Food and Agricultural Sciences of the University of Florida or the USDA Agricultural Research Service, and who shall be non-voting advisors to the committee;

(4) Four members who shall be employees of the Department, and who shall be non-voting advisors to the committee;

(5) Two alternate members, one who shall be from (1) and one who shall be from (2), and who shall be non-voting members to the committee and have voting rights only on the absence of members from (1) or (2);

(6) The above appointed committee may meet when called by the committee chairman. This committee shall make recommendations to the Department on matters pertaining to this rule chapter such as germplasm introduction, nursery stock certification, testing procedures, and other Citrus Budwood Protection Program procedures. In appointing the committee, the Commissioner will select members from various geographical areas who represent a broad cross-section of the industry and impacted businesses.

Specific Authority 570.07(23), 581.031(1), (3), (8), ~~581.1843(3), (4)~~ FS. Law Implemented 570.07(2), (23), 570.0705, 581.031(1), (14), (17), (23), ~~581.1843(3), (4)~~ FS. History—New 12-26-06, Repromulgated.

5B-62.007 Citrus Nursery Stock Certification Program.

(1) It shall be unlawful for any person to propagate or plant citrus nursery stock, which is not produced in accordance with the provisions of the Citrus Nursery Stock Certification Program. Participation in the Citrus Nursery Stock Certification Program shall not imply any warranty on the part of the nurserymen, the Department, or any employee thereof.

(2) Prior to propagating nursery stock (including dooryard, own-use and commercial citrus), nurserymen and growers shall:

(a) Register with the Division of Plant Industry filling out Form DACS-08004, Application for Certificate of Registration according to Rule 5B-2.002, F.A.C.

(b) Make application to produce citrus nursery stock on Form DACS-08066, Application to produce citrus nursery stock.

Applicants must agree to comply with all the conditions which apply to the Citrus Nursery Stock Certification Program as specified in this rule chapter.

Specific Authority 570.07(23), 581.031(1), (3), (8), ~~581.1843(3), (4)~~ FS. Law Implemented 570.07(2), (13), 570.0705, 581.031(1), (14), (17), (23), ~~581.1843(3), (4)~~ FS. History—New 12-26-06, Repromulgated.

5B-62.008 Requirements for Citrus Nursery Site Approval.

(1) Citrus nursery sites must be a minimum of one mile away from commercial citrus groves and 100 feet away from plants not certified by the Department as being free of nematodes listed in Rule 5B-62.003, F.A.C., and free of any exterior, field or container grown plants from all genera, species, and varieties of the Rutaceous subfamilies Aurantioideae, Rutoideae, and Toddalioideae, unless specifically excluded by the rules of the Department. Citrus nurseries located on sites prior to April 1, 2006, will not be required to comply with the one mile setback from commercial citrus groves while continuously operating at the April 1, 2006, location. Seed source trees planted prior to January 1, 2007, may remain on the current site provided they are not infested with citrus greening ~~be kept within 100 feet of a citrus nursery site or on the nursery site until January 1, 2012 provided they are not infested with citrus canker or citrus greening and are treated to control Asian citrus psyllid.~~

(2) Sites found to be infested with nematodes listed in Rule 5B-62.003, F.A.C., will not be approved for field grown or in-ground production of citrus nursery stock. Citrus nursery stock may be produced on the site if grown on benches at least 18 inches above ground.

(3) The nursery site should be well drained with no runoff from surrounding areas.

(4) The site should have adequate parking outside the facility.

(5) The site should incorporate an area for deliveries and shipments.

(6) The site should have an adequate water supply without using surface water for irrigation.

(7) The site should incorporate natural or artificial windbreaks that would reduce wind blown rain.

(8) The nursery site must be fenced and all entrances must be secured.

(9) Site access shall have permitted entry only through an area that incorporates decontamination areas for personnel and equipment.

Specific Authority 570.07(23), 581.031(1), (3), (8), ~~581.1843(3), (4)~~ FS. Law Implemented 570.07(2), (23), 570.0705, 581.031(1), (14), (17), (23), ~~581.1843(3), (4)~~ FS. History--New 12-26-06, Amended _____.

5B-62.009 Requirements for Citrus Nursery Sanitation

(1) All equipment entering or leaving the nursery must be clean of all plant material, soil and decontaminated in accordance with Department procedures using approved decontamination products.

(a) Budding knives, clippers and other cutting implements shall be sterilized between different groups of propagations using a solution of household bleach 20% by volume.

Sterilization solution shall be made up fresh each day.

(b) All equipment, if possible, should be kept on site.

(2) Nursery employees who work with citrus produced outside of the approved structure shall not return to work within the approved structure until the following day.

(3)(a) Prior to entering the nursery everyone must decontaminate with an approved personal decontamination product and wear a clean garment that should be provided by the nursery. If gloves are worn, they must be disposable gloves or decontaminated each day and kept on site.

(b) All persons entering an approved structure or soil storage area shall walk through a sanitizing foot bath containing a decontaminant that is approved by the Department such as copper sulfate.

(4) All plants, plant parts (except seed), soil, peat, sawdust, mulch, manure or other plant-growing or potting media entering the approved site for the production of commercial citrus nursery stock must be accompanied by a nematode (BN) certificate.

(5)(a) All pots, cans, or other containers used to produce commercial citrus nursery stock free of nematodes of citrus must be stored in such a manner to prevent contact with the ground or contamination by flooding, rain-soil-splatter or ground water runoff.

(b) Growing containers shall be cleaned and decontaminated between crops of commercial citrus nursery stock.

(6) All benches approved for nematode certification for commercial citrus nursery stock must be at least 18 inches above the ground. Measurement shall be from the bottom of the bench to the ground surface. Benches shall be cleaned and decontaminated between crops.

(7) All nematode-certified growing or potting media used for commercial citrus nursery stock must be stored at least 18 inches above the ground or on concrete or asphalt that is above ground level and not subject to flooding or ground water runoff.

(8) Non-certified nursery stock cannot be grown in or introduced into the same greenhouse or structure with citrus nursery stock.

(9) Any plant certified free of nematodes that is dropped or set on the ground no longer meets nematode (BN) certification and shall not be returned to the bench.

(10) Nursery records shall be made available to division inspectors for:

(a) All chemical applications;

(b) Nursery budding and tree movement records.

(11) It shall be the responsibility of the nurseryman to:

(a) Prevent encroachment of Rutaceous subfamilies Aurantioideae, Rutoideae, and Toddalioideae, plants and the use of non-certified material, which would endanger the nursery site of becoming infested with injurious nematodes of citrus.

(b) Follow established sanitation procedures to prevent nematode, Diaprepes, psyllid, aphid or other common plant pest infestation of the nursery site.

(12) Nursery areas and perimeter shall remain weed free.

(13) Approved citrus nursery sites not planted within 12 months shall be reevaluated prior to use.

(14) Any citrus nursery stock or budwood source tree found infected or exposed to plant pest infestation shall be subject to immediate quarantine action and will not be eligible for certification until treated as prescribed by the Department and released from quarantine.

Specific Authority 570.07(23), 581.031(1), ~~581.1843(3), (4)~~ FS. Law Implemented 581.031(6), ~~581.1843(3), (4)~~ FS. History--New 12-26-06, Repromulgated _____.

5B-62.010 Requirements for Citrus Nursery Structure.

(1) All citrus nursery stock propagated after January 1, 2007, must originate from a greenhouse structure and site approved by the Department. All citrus nursery stock moved or sold after December 31, 2007, must originate from a greenhouse structure and site approved by the Department.

(2) Effective January 1, 2007, newly propagated commercial and dooryard citrus nursery stock and all budwood source trees must be maintained in an approved structure at an approved site as follows:

(a) An approved structure must have enclosed sides and tops built to exclude insects with positive pressure double-door entries. Sides and roofs shall at a minimum exclude melon aphids.

(b) If cooling pads and fans are used, they must be enclosed with insect screen that will allow for adequate air displacement.

(c) If the integrity of the structure is compromised or breached, the citrus nursery stock shall be subject to immediate quarantine action and will not be eligible for certification until treated as prescribed by the Department and released from quarantine. Pest monitoring tools such as yellow sticky traps or other detection devices for plant-feeding insects should be used by the nursery and may be used by the Department to evaluate the integrity of the structure.

(d) Dooryard citrus nursery stock maintained in containers larger than seven inches in diameter may be kept in an enclosed screenhouse designed to deter citrus psyllids.

(e) Citrus nursery stock may be moved from one approved structure into another approved structure on the same approved site provided the plants are in the process of being actively relocated and are covered.

Specific Authority 570.07(23), 581.031(1), (3), (8), 581.1843(3), (4) FS. Law Implemented 570.07(2), (13), 570.0705, 581.031(1), (14), (17), (23), 581.1843(3), (4) FS. History—New 12-26-06, Repromulgated.

5B-62.011 Requirements for Citrus Propagation.

Commercial and dooryard citrus nursery stock shall be propagated according to the following provisions unless exempted in Rule 5B-62.016, F.A.C.

(1) Propagative material including budwood, air-layers, cuttings and all topworking material shall be from source trees produced or grown in accordance with Rule 5B-62.012, F.A.C., and for which a Certificate of Source Tree Registration (DACS-08072) has been issued as specified in Rule 5B-62.017, F.A.C.

(2) Budwood shall be taken under the direct supervision of a witness authorized by the Department. Budwood from each source tree shall be wrapped separately. Each bundle shall be labeled showing variety, the tree identification number, and the number of buds counted or estimated.

(3) All propagative material data including topworking shall be recorded on a Source Tree Bud Cutting Report (DACS-08172) and submitted to the Bureau of Citrus Budwood Registration at the time of collection. Persons authorized to fill out a Source Tree Bud Cutting Report (DACS-08172), shall sign a Certification To Witness Registered Budwood form, DACS-08111.

(4) Propagations from each source tree shall be maintained in nursery rows or on greenhouse benches so that each group can be traced back to an individual source tree. Nurserymen shall use permanent tags to label each separate group of propagations with the source tree registration number.

(5) All citrus nursery stock and propagative plant parts shall remain within the approved structure at all times or be moved under protective cover.

(6) Top-working must be done using registered or certified budwood grown within an approved structure. Top-work trees cannot be moved after budding. Topworking must comply with (1)-(3), all other propagation must comply with (1)-(5) above.

Specific Authority 570.07(23), 581.031(1), (3), (8), 581.1843(3), (4) FS. Law Implemented 570.07(2), (13), 570.0705, 581.031(1), (14), (17), (23), 581.1843(3), (4) FS. History—New 12-26-06, Amended.

5B-62.012 Source Trees.

Source trees shall be registered on a Certificate of Source Tree Registration (DACS-08072) as specified in Rule 5B-62.017, F.A.C., and must meet the following requirements:

(1) Budwood used to propagate source trees shall be taken under the direct supervision of the Department and shall be reported on Form DACS-08172, Source Tree Bud Cutting Report.

(2) The source trees shall be budded on nursery rootstocks which have not previously had a bud inserted in them. If re-budding is necessary, buds from the same registered source tree as the original shall be used.

(3) The nurseryman shall furnish the Bureau of Citrus Budwood Registration the Budding Record Location portion on Form DACS-08172, Source Tree Bud Cutting Report within 30 days following date of budding. The Budding Record Location on the Source Tree Bud Cutting Report shall identify the location in the nursery of the progeny trees.

(4) The source trees shall have at no time shown symptoms of graft-transmissible pathogens or other diseases listed in Rule 5B-62.003, F.A.C.;

(5)(a) The source trees shall have tested negatively for citrus tristeza virus, citrus greening, citrus viroids, citrus leaf blotch virus, psorosis virus, and citrus tatter leaf virus, by the Department at its expense and discretion, and shall be apparently free, based on an annual visual inspection, from Florida gummosis, citrus blight, decline, leprosis, evidence of unacceptable bud mutation, citrus canker, citrus greening and other quarantinable pests.

(b) Source trees meeting the specifications of increase trees will not be individually tested and shall meet the additional requirements of Rule 5B-62.016, F.A.C.

(6)(a) Source trees shall be grown under protective cover as specified in Rule 5B-62.010, F.A.C.

(b) Seed source trees must be grown and propagated on a site approved in accordance with subsection 5B-62.008(1), F.A.C. Annually, all seed source trees must be inspected by the department, tested and found free of citrus greening are exempt from being grown under protective cover; however, to be propagated they must be grown under cover. Seed source trees must be free of other seed-transmissible diseases listed in Rule 5B-62.003, F.A.C.

(7) Source trees meeting all the above requirements will be certified sources of budwood and shall have a Certificate of Source Tree Registration (DACS-08072) as specified in Rule 5B-62.017, F.A.C., issued. For increase trees, the form, Source Tree Bud Cutting Report, DACS-08172, shall be used.

(8) Source trees meeting all the above requirements and originated from program registered parent clones shall be registered sources of budwood upon being inspected for fruit trueness-to-type.

(a) Increase trees are not required to produce fruit to become registered.

(b) Scion trees that have not fruited may be used as certified sources of budwood to propagate certified nursery trees.

Specific Authority 570.07(23), 581.031(1), (3), (8), 581.1843(3), (4) FS. Law Implemented 570.07(2), (13), 570.0705, 581.031(1), (14), (17), (23), 581.1843(3), (4) FS. History--New 12-26-06, Amended.

5B-62.013 Parent Trees.

Parent trees are selected, mature trees belonging to a nurseryman, grower, or researcher, or on property that the owner has given written permission to a nurseryman and the Department for access for observation and testing. At the time of entry into the Citrus Nursery Stock Certification Program, the owner shall sign a Parent Tree Candidate Entry Form DACS-08298.

(1) Prospective parent trees. As a prerequisite to entry into the program, an authorized representative of the Department must have visually inspected the prospective parent tree selected by the nurseryman, grower, or researcher.

(2) The parent tree shall be free of recognizable symptoms of graft-transmissible pathogens based on the initial visual inspection; apparently free from Florida gummosis, citrus blight, citrus canker, citrus greening, decline, leprosis, evidence of unacceptable bud mutation, and other quarantinable pests or diseases.

(3) The parent tree shall be vigorous, productive, and horticulturally true-to-type and shall have borne fruit.

(4) The parent tree shall have tested negatively for all diseases listed in Rule 5B-62.003, F.A.C.

(5) All trees propagated for testing in the Department's facilities shall become property of the Department.

(6) Prospective parent trees of exceptional horticultural value that are found to be infected with one or more graft-transmissible pathogens can be subjected to shoot-tip grafting or other acceptable techniques to eliminate graft-transmissible pathogens provided this is done under the supervision of the Department. Plants that are shoot-tip grafted shall be retested for the graft-transmissible pathogen detected, subject to all other registration requirements, and if shoot-tip grafted by the Department, made available for distribution to all interested nurserymen and growers if approved by the owner.

(7) Parent trees will not be used for a source of propagating material, rather the tested registered propagation from the parent tree will be the source material of the parent tree clone to be used to establish foundation or scion trees.

Specific Authority 570.07(23), 581.031(1), (3), (8), 581.1843(3), (4) FS. Law Implemented 570.07(2), (13), 570.0705, 581.031(1), (14), (17), (23), 581.1843(3), (4) FS. History--New 12-26-06, Repromulgated.

5B-62.014 Foundation Trees.

Foundation trees belong to the Florida Department of Agriculture and Consumer Services and are kept in secure greenhouse facilities for budwood cutting and distribution to citrus nurseries. It shall be unlawful for any person to plant any genera, species, and varieties of the Rutaceous subfamilies Aurantioideae, Rutoideae, and Toddalioidae, within one mile of a foundation tree and unlawful to plant a commercial citrus grove within 10 miles of a foundation tree.

(1) Foundation trees originate from tested parent trees.

(2) Foundation trees shall be the source for all scion trees.

(3) Foundation trees shall meet all the requirements in Rule 5B-62.012, F.A.C., for source trees.

Specific Authority 570.07(23), 581.031(1), (3), (8), 581.1843(3), (4) FS. Law Implemented 570.07(2), (13), 570.0705, 581.031(1), (14), (17), (23), 581.1843(3), (4) FS. History--New 12-26-06, Repromulgated.

5B-62.015 Scion Trees.

Scion trees shall be propagated from foundation trees, be registered on a Certificate of Source Tree Registration (DACs-08072) as specified in Rule 5B-62.012, F.A.C., and must meet the following requirements:

(1) Scion tree planting is witnessed by the Department on Growers Record of Registered Scion Tree Movement Form DACS-08071.

(2) Registered scion trees shall be vigorous, productive, and horticulturally true-to-type and shall have borne fruit.

(3) Scion trees on which annual registration fees are not paid shall be removed from the protected greenhouse within 30 days of the second notification of the Statement of Charges for Annual Source Tree Registration (DACs-08064).

(4) Scion trees found infected with a pathogen shall be removed from the protected greenhouse within 10 days of notification of test results.

(5) Scion trees shall meet all the requirements in Rule 5B-62.012, F.A.C., for source trees.

(6) Effective January 1, 2007, all scion trees must be located in an approved structure as described in Rule 5B-62.010, F.A.C.

Specific Authority 570.07(23), 581.031(1), (3), (8), 581.1843(3), (4) FS. Law Implemented 570.07(2), (13), 570.0705, 581.031(1), (14), (17), (23), 581.1843(3), (4) FS. History--New 12-26-06, Repromulgated.

5B-62.016 Increase Trees.

Increase trees shall be identified on a Source Tree Bud Cutting Report (DACs-08172) ~~registered on a Certificate of Source Tree Registration (DACs-08072)~~ as specified in Rule 5B-62.012, F.A.C., provided they have been propagated as follows:

(1) Budwood must have been obtained under the direct supervision of the Department from foundation, or scion trees.

(2) There must be a minimum vacant space of 24 inches between each clone of increase trees planted in the ground and 12 inches between each clone of plants grown on greenhouse benches (or a well-defined physical barrier between clones) with each clone individually identified.

(3) Trees propagated as increase trees under this rule chapter serve as registered sources of budwood with no testing required for a period of up to 36 months from budding.

(4) Nursery stock propagated from increase trees shall not serve as further sources of registered budwood.

(5) Increase trees from foundation trees used for increase budwood shall qualify for scion grove planting in accordance with Rule 5B-62.015, F.A.C.

(6) Increase trees shall meet all the requirements in Rule 5B-62.012, F.A.C., for source trees.

Specific Authority 570.07(23), 581.031(1), (3), (8), 581.1843(3), (4) FS. Law Implemented 570.07(2), (13), 570.0705, 581.031(1), (14), (17), (23), 581.1843(3), (4) FS. History—New 12-26-06, Amended.

5B-62.017 Source Tree Registration Certificate.

(1) Source tree registration certificate. The Department shall keep a record of all source trees. This record shall indicate the variety, ~~clone strain~~, and age of the source trees; the owner; location of greenhouse, and location of individual trees in the greenhouse, row, and tree number and/or by identification number. This information shall be included in a Certificate of Source Tree Registration (DACS-08072) to be issued by the Department. Only those trees having a “Reg” (Registered) or “Cert” (Certified) in the Reg (Registered) column shall qualify for budwood cutting. This certificate shall be sent to the owner or agent of the source trees, and copies shall be filed in the office of the Bureau of Citrus Budwood Registration at Winter Haven. When registering increase trees, the Source Tree Bud Cutting Report (DACS-08172) shall be used instead of a Certificate of source Tree Registration (DACS-08072).

(2) Duration of registration certificate. The Certificate of Source Tree Registration (DACS-08072) shall be valid for a period of 12 months unless revoked due to failure to meet the requirements herein or voluntary withdrawal by the participant. The Source Tree Bud Cutting Report (DACS-08172) Certificate of Source Tree Registration (DACS-08072) for increase blocks shall be valid for a period of 36 months.

(3) Renewal. Source tree registration may be renewed, subject to continued eligibility, at the end of each 12 months with the payment of a renewal fee as described in Rule 5B-62.015, F.A.C.

(4) Billing. Annual source tree registration fees shall be billed annually on the Statement of Charges for Annual Source Tree Registration (DACS-08064).

(5) Cancellation. Source Tree Registration Certificates (DACS-08072) will be suspended upon:

(a) The detection of citrus pest or pathogens in the source tree or a progeny of the source tree;

(b) Alteration or misuse of the registration number;

(c) Mishandling of budwood taken from source trees, or the records thereof, which may confuse the facts regarding identity of source trees or nursery stock propagated from source trees;

(d) Evidence of an unacceptable degree of bud mutation on the source or progeny trees;

(e) Evidence that source trees are being allowed to decline or become unthrifty due to neglect, disease, pest infestation, or severe weather conditions;

(f) Failure to follow proper budwood harvesting sanitation procedures;

(g) Failure to pay fees.

(6) Registration fees will not be refunded if the Certificate of Source Tree Registration (DACS-08072) is canceled.

(7) Reinstatement. The Certificate of Source Tree Registration (DACS-08072) suspended as provided above will be reinstated when:

(a) Delinquent fees are paid;

(b) Careful examination or laboratory tests fail to disclose any evidence of the citrus pest or pathogens that cause the suspension;

(c) The source trees found to be pathogen-infected are removed from the planting;

(d) Unthrifty plantings or substandard trees are restored to a healthy condition.

Specific Authority 570.07(23), 581.031(1), (3), (8), 581.1843(3), (4) FS. Law Implemented 570.07(2), (13), 570.0705, 581.031(1), (14), (17), (23), 581.1843(3), (4) FS. History—New 12-26-06, Repromulgated.

5B-62.018 Procedure for Identifying and Recording Commercial Citrus Nursery Stock.

Identification and record of movement for commercial citrus nursery stock. For the benefit of the buyer, the nurseryman or grower shall identify registered nursery stock as being the progeny of registered source trees by completing the Citrus Nursery Stock Inspection Tag (DACS-08038) at the time of delivery.

(1) If the nursery stock was propagated from a certified tree, the Citrus Nursery Stock Inspection Tag (DACS-08038) must contain this information and the statement that the certified source had not yet been inspected for fruiting.

(2)(a) All movements of nursery stock shall be recorded on and accompanied by a Citrus Nursery Stock Inspection Tag (DACS-08038). The Citrus Nursery Stock Inspection Tag (DACS-08038) is substantiation of the movement of citrus trees. The nurseryman or grower shall keep these records (DACS-08038) for a period of three years, which shall be available for examination by the Department.

(b) Nurserymen may print the Inspection Tag (DACS-08038) on their invoices upon approval by the Division of Plant Industry.

(3) All movements of nursery stock shall also comply with all Department requirements pertaining to the inspection and certification as to freedom from plant pests.

Specific Authority 570.07(23), 581.031(1), (3), (8), 581.1843(3), (4) FS. Law Implemented 570.07(2), (13), 570.0705, 581.031(1), (14), (17), (23), 581.1843(3), (4) FS. History–New 12-26-06, Repromulgated.

5B-62.019 Inter- or Intra-Nursery Movement of Plant Material.

(1) Commercial Citrus trees cannot leave a nursery without a Citrus Nursery Stock Inspection Tag, Form (DACS-08038).

(2) Liners cannot leave or enter a nursery without a Citrus Nursery Stock Inspection Tag, Form (DACS-08038).

(3) Budwood cannot leave or enter a nursery without a Source Tree Bud Cutting Report, Form (DACS-08172).

(4) Scion trees cannot leave or enter a nursery without a Growers Record of Registered Scion Tree Movement, Form (DACS-08071).

(5) All seed movement must be accompanied with an invoice or a Citrus Nursery Stock Inspection Tag, Form (DACS-08038) that indicates the origin of the seed by seed block.

Specific Authority 570.07(23), 581.031(1), (3), (8), 581.1843(3), (4) FS. Law Implemented 570.07(2), (13), 570.0705, 581.031(1), (14), (17), (23), 581.1843(3), (4) FS. History–New 12-26-06, Repromulgated.

5B-62.020 Retail Sales.

Retail sales of dooryard citrus nursery stock shall abide by the following:

(1) All dooryard nursery stock shall originate from greenhouse nursery sites that have produced trees according to Rules 5B-62.007-.011, F.A.C.

(2) All citrus nursery stock maintained for retail sale including larger landscape citrus trees must be segregated from other nursery stock and maintained in a secure screen enclosure.

(a) Prior to entering the enclosure and upon exiting the enclosure, employees and customers must decontaminate hands, shoes and other articles coming into contact with citrus with an approved decontamination product.

(b) Retail outlets having less than 500 citrus trees in stock or retail sales areas within a larger nursery where less than 500 citrus trees are displayed for sale at any given time are exempt from subsection (2) provided long term maintenance of dooryard trees after leaving the approved structure is regulated

by an approved nursery protocol describing steps the nursery will implement to protect, chemically treat and inspect these trees.

(3) All retail citrus trees must be tagged with information to identify the variety of the root stock and scion stock and producing nursery. Each individual tree shall be identified with a slip-on label displaying the following information:

(a) The producing nursery’s certificate of nursery registration number that was issued by the Department. It is not necessary to include the name of the producing nursery on the label.

(b) The variety name, rootstock and month and year acquired.

(4) Unsold citrus trees at a retail outlet may not be returned to the producing nursery or placed back within the approved structure but must be destroyed by double bagging and burial in an approved landfill. Citrus trees may be returned to the nursery in cases where delivery to the retail outlet was not possible provided they are segregated from other citrus nursery stock.

(5) Any retail citrus tree found to be infested with or exposed to the Asian citrus psyllid shall be subject to quarantine action.

Specific Authority 570.07(23), 581.031(1), (3), (8), 581.1843(3), (4) FS. Law Implemented 570.07(2), (13), 570.0705, 581.031(1), (14), (17), (23), 581.1843(3), (4) FS. History–New 12-26-06, Repromulgated.

5B-62.021 Requirements for Soil Pit Approval.

(1) Upon the request of the owner of a soil pit, the Department may use sampling or other approved methods for establishing the absence or presence of nematodes of citrus. All host plants within a minimum distance of 100 feet of a proposed soil pit must be sampled and found free of any injurious nematodes of citrus as described in Rule 5B-62.003, F.A.C. Distances may be increased when, in the opinion of an authorized representative, there may be a threat to the approved soil pit because of slope, drainage, standing water, and other factors that may be present. Minimum distances shall be measured from the dripline of host plants and from the edge of rights-of-way of any public or private thoroughfare.

(2) The soil pit shall be at least the minimum distances specified as follows:

(a) One hundred feet maintained free of hosts from known infestations of any injurious nematodes of citrus as described in Rule 5B-62.003, F.A.C.

(b) Fifty feet maintained free of hosts from land planted or previously planted to host plants and from all rights-of-way or public thoroughfares with a negative sampling.

(3) It shall be the responsibility of the owner of an approved soil pit to maintain adequate security around the approved soil pit to prevent the entry of non-certified regulated articles.

Specific Authority 570.07(23), 581.031(1), ~~581.1843(3), (4)~~ FS. Law Implemented 581.031(6), ~~581.1843(3), (4)~~ FS. History--New 12-26-06, Repromulgated.

5B-62.022 Requirements for Utility and Road Construction.

Road construction companies and governmental agencies building public thoroughfares or road rights-of-way through or within a distance of 50 feet of a commercial citrus grove, commercial citrus grove site, approved citrus nursery site, or approved soil pit shall only use fill dirt that has been sampled by the Department and found free of nematodes injurious to citrus.

Specific Authority 570.07(23), 581.031(1), (5), ~~581.1843(3), (4)~~ Law Implemented 581.031(5), ~~581.1843(3), (4)~~ FS. History--New 12-26-06, Repromulgated.

5B-62.023 Stop-Sale Notice or Hold Order (DACS-08016).

A Stop-Sale or Hold Order (DACS-08016) shall be issued for the following reasons:

- (1) Compromise or breach of structure.
- (2) Failure to submit bud-cutting reports to the Bureau of Citrus Budwood Registration.
- (3) Misrepresenting citrus nursery stock as being progeny of registered source trees.
- (4) Misrepresenting the type of source tree from which citrus nursery stock was produced as certified trees.
- (5) Mishandling of budwood or scions, citrus nursery stock, or misuse of records thereof which do not verify or substantiate the correct parentage of citrus nursery stock or source trees.
- (6) Knowingly propagating budwood not meeting the requirements of this rule.
- (7) Any citrus nursery stock found infected with plant pests listed in Rule 5B-62.003, F.A.C., or exposed to plant pests listed in Rule 5B-62.003, F.A.C., to such a degree that infestation is likely even if no visible symptoms are present. The presence of citrus canker or citrus greening in close proximity to a citrus nursery will not result in an automatic quarantine of the nursery provided the citrus nursery stock is in compliance with the other requirements of this rule chapter.
- (8) Any budwood source tree found infected with plant pests listed in Rule 5B-62.003, F.A.C., or exposed to plant pests listed in Rule 5B-62.003, F.A.C., to such a degree that infestation is likely even if no visible symptoms are present. Budwood source trees found infested with Asian citrus psyllids will be immediately quarantined and suspended from budwood cutting.

Specific Authority 570.07(23), 581.031(1), (3), (8), ~~581.1843(3), (4)~~ FS. Law Implemented 570.07(2), (13), 570.0705, 581.031(1), (14), (17), (23), ~~581.1843(3), (4)~~ FS. History--New 12-26-06, Repromulgated.

5B-62.024 Release from Quarantine or Withdrawal of Stop-Sale Notice or Hold Order (DACS-08016).

(1) Trees shall be released from a Stop-Sale or Hold Order (DACS-08016) once conditions causing the Stop-Sale or Hold Order (DACS-08016) have been corrected and/or the pathogen threat has been found not to present a risk after evaluation by Department scientists.

- (2) Risk evaluation shall be based on:
 - (a) Length of time deficiencies existed prior to correction.
 - (b) Number of past actions taken by the division.
 - (c) Type of pathogen or vector of concern.
 - (d) Identification of pathogen or vector.
 - (e) Test results.

(f) Presence or absence of pathogens, vectors and hosts in the geographic area of nursery site at such distances or levels that spread of these pathogens or vectors into the nursery is either likely or not.

- (g) Degree of infestation or population numbers of vectors.
- (h) Chemical application records supporting appropriate use of pesticides.
- (i) Destruction or treatment of infested material.
- (j) Interviews with employees or customers familiar with operational procedures.
- (k) The implementation of a catastrophic weather plan.

Specific Authority 570.07(23), 581.031(1), (3), (8), ~~581.1843(3), (4)~~ FS. Law Implemented 570.07(2), (13), 570.0705, 581.031(1), (14), (17), (23), ~~581.1843(3), (4)~~ FS. History--New 12-26-06, Repromulgated.

5B-62.025 Fees.

An annual source tree registration fee shall be paid as follows: Source Tree (includes scion and seed source) \$5 per tree per year.

Miscellaneous fees for division services: Diagnostic Testing

Biological greenhouse testing	\$50 per test
Laboratory PCR testing	\$25 per test
Laboratory ELISA testing	\$10 per test
Parent tree indexing	\$200 per tree
Shoot-tip grafting	\$500 per selection
Budwood ¹	25 cents/eye, \$5.00 minimum
Cut from foundation trees	
Tip cuttings (6 inches)	\$1.00 each
Tip cuttings (6 inches)	\$2.00 each (Out-of-State)

New Division of Plant Industry releases	\$1.00/eye (first year)
Budwood shipment	\$2.00/eye, plus a \$100 processing fee (Out-of-State/Foreign)
Citrus seed	\$100 per quart
Shipping and handling fee for budwood and seed in Florida	
Actual cost	

Citrus Nursery Site Approval Fee shall include a \$50 per nematode sample plus mileage²

¹Requests for budwood are submitted on a Budwood Order Form DACS-08218.

²Mileage shall be based on the prevailing state mileage rate.

(1) Fees shall be paid prior to obtaining a Certificate of Source Tree Registration (DACs-08072) and annually thereafter on the anniversary date of the certificate.

(2) Fees not paid within 30 days of billing shall be considered past-due. A penalty of \$10.00 or 20 percent of the unpaid balance, whichever is greater, shall be assessed on all past-due fees.

(3) Cooperating research agencies whose registered citrus trees are used exclusively for planting on government property are exempt from payment of an annual registration fee for the first 100 trees.

Specific Authority 570.07(23), 581.031(1), (3), (8), 581.1843(3), (4) FS. Law Implemented 570.07(2), (13), 570.0705, 581.031(1), (14), (17), (23), 581.1843(3), (4) FS. History–New 12-26-06, Amended.

5B-62.026 Citrus Produced for Research Purposes.

Citrus trees produced for research purposes shall abide with the following items and shall not be exempt from other program requirements contained in this rule chapter.

(1) Citrus breeding programs at the USDA or University of Florida Institute of Food and Agricultural Sciences centers will be required to have protocols approved by the Division of Plant Industry for managing material from the field entering and leaving quarantine greenhouses, specifically dealing with testing for citrus tristeza virus, citrus greening and citrus canker.

(2) Source trees utilized by research agencies may remain on site provided they are maintained under protective cover as specified in Rule 5B-62.010, F.A.C.

(3) Breeding selections intended for general citrus industry release must meet all the requirements of Rule 5B-62.013, F.A.C., Parent Trees.

(4) Research facilities shall sign a Compliance Agreement – Citrus Tristeza Virus Testing Laboratory Certification, DACS-08031.

(5) Requests to plant pathogen infected material for research projects shall be made on an Application and Permit To Plant Citrus Pathogen Infected Stock, DACS-08274.

(6) Citrus breeding programs may propagate and replant evaluation material back on the site from which the material originated without testing the material for diseases contained in Rule 5B-62.003, F.A.C., provided it is replanted within 18 months of being moved from the original site. If top-worked, the buds must be top-worked directly back to the original site where the budwood source tree is located and not moved from the tree space where top-worked. Evaluation material cannot be planted in areas other than the original site without being tested for diseases contained in Rule 5B-62.003, F.A.C. Such evaluation material shall be propagated within a citrus nursery structure in accordance with Rule 5B-2.010, F.A.C., isolated from any citrus plant material intended for off site planting.

Specific Authority 570.07(23), 581.031(1), (3), (8), 581.1843(3), (4) FS. Law Implemented 570.07(2), (13), 570.0705, 581.031(1), (14), (17), (23), 581.1843(3), (4) FS. History–New 12-26-06, Amended.

5B-62.027 Exemptions.

(1) Retail outlets or retail sales areas having less than 500 citrus trees in stock at any given time, are exempt from subsection 5B-62.020(2), F.A.C.

(2) The Department will propagate and maintain pathogen-infected material for the purpose of testing or shoot-tip grafting. Such material will be kept in enclosed structures on department owned sites.

(3) Sites for dooryard citrus will be exempt from the nematode certification requirements.

Specific Authority 570.07(23), 581.031(1), (3), (8), 581.1843(3), (4) FS. Law Implemented 570.07(2), (13), 570.0705, 581.031(1), (14), (17), (23), 581.1843(3), (4) FS. History–New 12-26-06, Repromulgated.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE NO.: RULE TITLE:

5E-14.149 Enforcement and Penalties

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to repeal a section of the subsection 5E-14.149(10), F.A.C., that provides for a mechanism of payment of investigative costs for certain violations. This section is being repealed because it is duplicative. Investigative costs are already a factor in the calculation of a monetary fine as provided in subsection 5E-14.149(15), F.A.C.

SUBJECT AREA TO BE ADDRESSED: Enforcement and Penalties, Investigative Costs.

SPECIFIC AUTHORITY: 482.051, 482.161 FS.

LAW IMPLEMENTED: 482.051, 482.161 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: Mr. Michael J. Page, Chief, Bureau of Entomology and Pest Control, 1203 Governors Square Boulevard, Suite 300, Tallahassee, Florida 32301-2961; (850)921-4177

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5E-14.149 Enforcement and Penalties.

(1) through (9) No change.

~~(10) Investigative Costs. The Department will charge for investigative costs when investigations that document major violations require more than one inspection, more than one inspector, or the use of Department staff outside of the Division of Agricultural Environmental Services. Investigative costs are comprised of the following: Inspectors time, Bureau personnel time, travel expenses, and other incidental expenditures related to the case.~~

~~(10)(11) Quarterly List. All disciplinary actions taken by the Department pursuant to Chapter 482, F.S., or the rules adopted pursuant to it, shall be published in the next available quarterly list published as required in Section 482.161(9), F.S., and on the Department’s website and shall include the identity of each individual or entity against which disciplinary action was taken, and a brief description of the offense and the disciplinary action, whether it was a warning letter, fine, probation, suspension or revocation. If the violator operated an unlicensed pest control business the name of the unlicensed business will also be listed.~~

~~(11)(12) Resolution of Violations, Settlement, and Additional Enforcement Remedies. The Department and the violator may agree to resolve violations prior to administrative action, or to enter into settlement pursuant to Section 120.57(4), F.S. The willingness of a violator to resolve violations prior to initiation of administrative action, or to settle will be considered in determining the appropriate penalty because early resolution of violations furthers compliance and results in savings of time, costs, and expenses for the Department. The Department will enforce a failure to comply with an agreement to resolve violations or a settlement agreement with the penalties and remedies provided in the agreement as authorized by law. These enforcement guidelines shall not be construed to limit the authority of the Department to resolve violations prior to or after initiation of any administrative action or to settle with any party. The Department may utilize all available remedies to ensure~~

voluntary compliance including administrative action, civil actions, referrals for criminal prosecution, and deceptive and unfair trade practices actions pursuant to Chapter 501, F.S.

~~(12)(13) Follow-Up Compliance Inspections. If the violator agrees to corrective actions and subsequent inspection reveals that corrective actions have not been taken or that good faith efforts to undertake these corrective actions have not been made, then the Department will enforce the penalties and remedies provided in the agreement and as authorized by law.~~

~~(13)(14) Notification of Licensees, Certificate Holders, and Identification Card Holders of Complaint. When the Department receives a written complaint from a consumer regarding a licensee, certificate holder, permit holder or applicator, the Department will send a notice to the responsible person and to the licensee, stating the complaint, identifying the complainant and requesting a written response within 10 working days.~~

~~(14)(15) Fine Guide. FINE GUIDE = A(B+C+D+E+F)G. This guide shall apply for each violation for which a fine is imposed. The maximum fine is \$5,000 per violation. The terms and values used in the fine guide calculation shall be:~~

A = Degree & Extent of Harm – Human, animal and environmental hazards occur as a result of pesticide misuse or mismanagement of another pest control method:

- 1 Human, animal or environmental harm not identified
- 5 Death of animals or injury to humans or animals requiring hospitalization or serious harm to an ecological system, or contamination of water or soil requiring corrective action or monitoring to protect human health or the environment

7 Human death

B = Toxicity of the pesticide for which a pesticide misuse or violation, of label directions which could result in human or animal hazards:

- 0 No pesticide involved in complaint
- 1 Category III or IV – Signal Word “Caution”
- 2 Category II – Signal Word “Warning”
- 3 Category I – Signal Word “Danger”

C = Estimated cost of rectifying the damage to consumer minus any mitigation provided by the violator

- 1 Unknown or under \$1,000
- 2 Over \$1,000 and under \$5,000
- 3 Over \$5,000 and under \$10,000
- 4 Over \$10,000

D = Whether the violation was committed deliberately

- 1 No evidence violation was committed deliberately
- 5 Evidence violation was committed deliberately

E = Compliance record of the violator

- 0 No prior violations
- 1 One prior violation for a dissimilar violation
- 2 Two or more prior violations dissimilar to current violation

- 3 One prior violation for a similar violation
 - 4 Two or more prior violations for similar violations
- F = Investigative Costs
- 0 Routine investigation or Payment of all investigative costs
 - 2 Violation documented as a result of more than one inspection or requiring investigation by multiple inspectors, or by department personnel outside of the division of Agricultural Environmental Services
- G = Entity Category
- 500 Business licensee responsible for violation, or person operating a pest control business without a valid business license
 - 250 Certified Operator or Special Identification Cardholder responsible for violation
 - 100 All others

Compliance record. The compliance record is established by prior disciplined violations, within the three (3) years preceding the date of the current violation, of Chapter 482, F.S., or of Chapter 5E-14, F.A.C., or of federal or other Florida law addressing pest control or pesticide use or disposal. Violations will be considered final on acceptance of the applicable penalty, or the date of final agency action or the conclusion of any appeals thereof.

Specific Authority 482.051, 570.07(23) FS. Law Implemented 482.161, 482.163 FS. History—New 7-13-06, Amended 7-11-07_____.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Aquaculture

RULE NO.: 5L-1.003 RULE TITLE: Shellfish Harvesting Area Standards

PURPOSE AND EFFECT: This amendment proposes to reclassify the Citrus County shellfish harvesting area. A sanitary survey has been conducted that evaluated current information on pollution sources and bacteriological water quality, and recommends reclassification of the Citrus County shellfish harvesting area.

SUBJECT AREA TO BE ADDRESSED: The proposed reclassification and management of the Citrus County shellfish harvesting area for shellfish harvesting is in accordance with 5L-1.003 to protect the health of shellfish consumers and to provide access to renewable shellfish resources.

SPECIFIC AUTHORITY: 597.020 FS.

LAW IMPLEMENTED: 597.020 FS.

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

DATE AND TIME: April 14, 2008, 4:00 p.m. – 5:00 p.m.

PLACE: FWRI Senator George G. Kirkpatrick Marine Research Facility Classroom, 11350 SW 153rd. Ct., Cedar Key, Florida 32625-5700

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Chris Brooks, Division of Aquaculture. If you are 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: Chris Brooks, Division of Aquaculture, 1203 Governor’s Square Boulevard, 5th Floor, Tallahassee, Florida 32301, Phone: (850)488-4033

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.:	RULE TITLE:
6A-10.041	Substitution for Requirements for Eligible Disabled Students at State Universities, Community Colleges, and Postsecondary Career Centers

PURPOSE AND EFFECT: The purpose of this rule development is to better define who is eligible to receive a substitution of requirements for admission into a postsecondary institution, entry into a program or upper division, or graduation requirements and require postsecondary institutions to set policies for implementing the rule. Specific measures to be included in the policy are outlined.

SUBJECT AREA TO BE ADDRESSED: This rule will further clarify who is eligible to receive a substitution of admission requirements to an institution, program of study, entry to upper division, or graduation.

SPECIFIC AUTHORITY: 1007.264, 1007.265 FS.

LAW IMPLEMENTED: 1007.264, 1007.265 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Amy Albee, Coordinator of Outreach and Access, Division of Community Colleges, 325 West Gaines Street, Room 1314, Tallahassee, FL 32399

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

DEPARTMENT OF EDUCATION

Florida School for the Deaf and the Blind

RULE NO.: 6D-4.002
 RULE TITLE: President

PURPOSE AND EFFECT: This rule establishes qualifications and responsibilities of the President of the Florida School for the Deaf and the Blind as its Chief Executive Officer.

SUBJECT AREA TO BE ADDRESSED: Substantive changes to this rule deleting language which lists job description found in the position description document in the Human Resources Office, and stating qualifications required.

SPECIFIC AUTHORITY: 1002.36(4)(c) FS.

LAW IMPLEMENTED: 1002.36(4)(e) FS.

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

DATE AND TIME: Saturday, April 12, 2008, 9:00 a.m.

PLACE: Center for Leadership and Development, Moore Hall, Florida School for the Deaf and the Blind, St. Augustine, 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: Elaine F. Ocuto, Executive Assistant to the President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084-2799. If you are 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: Elaine F. Ocuto, Executive Assistant to the President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084-2799

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

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

RULE NOS.:	RULE TITLES:
9B-65.020	Definitions
9B-65.021	Distribution of Funds
9B-65.022	Energy Assistance Benefits
9B-65.023	Eligibility Factors
9B-65.024	Application Procedures and Processing
9B-65.025	Hearings

PURPOSE AND EFFECT: To amend Chapter 9B-65, F.A.C., to implement the Low-Income Home Energy Assistance federally mandated program requirements in the State of Florida.

SUBJECT AREA TO BE ADDRESSED: The amendment of Chapter 9B-65, F.A.C. The rules will be numbered 9B-65.020, 9B-65.021, 9B-65.022, 9B-65.023, 9B-65.024 and 9B-65.025. SPECIFIC AUTHORITY: 120.53(1), 163.03(3) FS.

LAW IMPLEMENTED: 163.03 FS.

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

DATE AND TIME: April 16, 2008, 9:00 a.m. – 10:00 a.m.

PLACE: Department of Community Affairs, 2555 Shumard Oak Boulevard, Second Floor, Conference Room 250L, Tallahassee, Florida 32399-2100

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Hilda Frazier, Manager, Low-Income Home Energy Assistance Program, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-7541, or by e-mail at hilda.frazier@dca.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: Hilda Frazier, Manager, Low-Income Home Energy Assistance Program, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-7541, or by e-mail at hilda.frazier@dca.state.fl.us

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

DEPARTMENT OF TRANSPORTATION

RULE NOS.:	RULE TITLES:
14-90.004	Bus Transit System Operational Standards
14-90.0041	Medical Examinations for Bus Transit System Drivers
14-90.006	Operational and Driving Requirements
14-90.007	Vehicle Equipment Standards and Procurement Criteria

PURPOSE AND EFFECT: The amendment to Rule Chapter 14-90, F.A.C., removes obsolete Subsections which contained language specifically referring to standards to be used on or before July 1, 2006.

SUBJECT AREA TO BE ADDRESSED: The amendment to Rule Chapter 14-90, F.A.C., removes obsolete language specifically referring to standards to be used on or before July 1, 2006.

SPECIFIC AUTHORITY: 334.044(2), 341.061(2)(a) FS.

LAW IMPLEMENTED: 334.044(12), 341.041(3), 341.061(2) FS.

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

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

14-90.004 Bus Transit System Operational Standards.
(1) through (7) No change.

~~(8) On or before July 1, 2006, every bus transit system shall comply with the 2005 amendments to this rule.~~

Specific Authority 334.044(2), 341.061(2)(a) FS. Law Implemented 119.071, 341.041(3), 341.061(2) FS. History—New 9-7-87, Amended 11-10-92, 8-7-05,_____.

14-90.0041 Medical Examinations for Bus Transit System Drivers.

(1) through (7) No change.

~~(5) On or before July 1, 2006, every bus transit system shall comply with the 2005 amendments to this rule.~~

Specific Authority 334.044(2), 341.061(2)(a) FS. Law Implemented 334.044(12), 341.041(3), 341.061(2) FS. History—New 11-10-92, Amended 8-7-05,_____.

14-90.006 Operational and Driving Requirements.

(1) through (15) No change.

~~(16) On or before July 1, 2006, every bus transit system shall comply with the 2005 amendments to this rule.~~

Specific Authority 334.044(2), 341.061(2)(a) FS. Law Implemented 341.041(3), 341.061(2) FS. History—New 9-7-87, Amended 5-31-89, 11-10-92, 8-7-05,_____.

14-90.007 Vehicle Equipment Standards and Procurement Criteria.

(1) through (15) No change.

~~(16) On or before July 1, 2006, every bus transit system and manufacturer shall comply with the 2005 amendments to this rule.~~

Specific Authority 334.044(2), 341.061(2)(a) FS. Law Implemented 341.041(3), 341.061(2) FS. History—New 9-7-87, Amended 11-10-92, 8-2-94, 8-7-05,_____.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF CITRUS

RULE NO.: 20-3.002
RULE TITLE: Processed Citrus Product Report
PURPOSE AND EFFECT: Amendment changing reporting frequency for Post Estimate Price Report.
SUBJECT AREA TO BE ADDRESSED: Changing reporting frequency for Post Estimate Price Report.
SPECIFIC AUTHORITY: 601.10(1), 601.15(4),(10) FS.
LAW IMPLEMENTED: 601.10(8), 601.15(4), 601.69 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Alice P. Wiggins, License & Regulation Specialist, Legal Department, Florida Department of Citrus, P. O. Box 148, Lakeland, Florida 33802-0148

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

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-602.210
RULE TITLE: Use of Force
PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to address those situations when, on the same shift, an inmate resumes disruption after the camera operator has left the area. The rule provides for deference to the judgment of the supervisor as to whether return of the camera will be counterproductive to his efforts to regain control of the situation. The rule specifies that new initiation of video recording is required if shift change or other staff change occurs after the camera and operator left the area. The purpose and effect of the amendments to Form DC4-650B, Risk Assessment for the Use of Chemical Restraint Agents and Electronic Immobilization Devices, is to provide for the use of CIT intervention techniques prior to application of chemical agents for designated inmates at Florida State Prison and Union Correctional Institution.
SUBJECT AREA TO BE ADDRESSED: Use of force – application of chemical agents.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 776.07, 944.09, 944.35 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: Perri King Dale, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-602.210 Use of Force.

(1) through (3) No change.

(4) Physical force shall be employed only as a last resort when it reasonably appears that other alternatives are not feasible to control the situation and will not be used solely in response to verbal abuse that does not rise to a level of a disturbance. When the use of force is justified, only that amount and type of force that reasonably appears necessary to accomplish the authorized objective shall be used.

(a) All authorized use of force incidents will be video recorded.

(b) The administration of chemical agents on an inmate creating a disturbance in his or her cell when the officer is attempting to resolve the situation without extracting the inmate from the cell will also be video recorded. The video recording will include: a specific introductory statement; the attempts to resolve the situation without the use of chemical agents; the final order by the supervisor; an advisement to the inmate that chemical agents will be administered if he or she continues the disruptive behavior; an additional advisement to the inmate that this warning will not be repeated prior to the application of chemical agents should he or she become disruptive again after the supervisor, camera and camera operator have left the area; and any response made by the inmate. The video recording will also include the actual application of chemical agents, the offer of a decontaminating shower and medical examination, and the inmate's return to a secure, decontaminated cell. Should the inmate refuse the shower for decontamination purposes or refuse the medical examination, both the staff providing the opportunity in each case and the inmate's responses will be recorded.

2. If, during the same shift, the inmate should cease the conduct creating the disturbance while the supervisor, camera and camera operator are present, but resume such conduct after the supervisor, camera and camera operator have left the area, videotaping of the actual application of the chemical agents is not required will not be videotaped. The department will defer to the judgment of the supervisor as to whether the reintroduction of the camera and operator at the scene of the

disruptive conduct to videotape the actual application of the chemical agents will be counterproductive to his or her efforts to regain control of the situation. If the determination is made to return the camera and operator to the scene, the warning that chemical agents will be administered if he or she continues the disruptive behavior and application of the chemical agents will be recorded. If the determination is made not to videotape the actual application of the chemical agents, the original video recording will resume following the final exposure to chemical agents, include a statement referring to the originating incident, and continue from this point until the decontaminating shower and medical examination are offered and the inmate is returned to secure, decontaminated housing.

3. If a different supervisor takes command of the incident due to shift change or other circumstances in which there is a staff change, a new video recording will be initiated and the requirements in 1. and 2. above will be repeated.

(c) All spontaneous use of force incidents will be videotaped from the point the video camera operator arrives at the scene. Videotaping shall continue uninterrupted until the incident is under control, the involved inmate is escorted to medical, and the inmate is subsequently returned to secure housing.

(d) Videotaping of post use of force medical exams shall be done in such a manner as to provide the privacy needed for the exam. If it is necessary to transport the inmate to an outside facility for treatment or to another department facility for secure housing purposes, videotaping shall continue until the inmate is loaded and secured in the transport vehicle.

(5) through (21) No change.

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

(a) through (m) No change.

(n) DC4-650B, Risk Assessment for the Use of Chemical Restraint Agents and Electronic Immobilization Devices, effective March 2, 2006.

Specific Authority 944.09 FS. Law Implemented 776.07, 944.09, 944.35 FS. History--New 4-8-81, Amended 10-10-83, 9-28-85, Formerly 33-3.066, Amended 3-26-86, 11-21-86, 4-21-93, 7-26-93, 11-2-94, 2-12-97, 11-8-98, Formerly 33-3.0066, Amended 10-6-99, 2-7-00, 7-25-02, 8-25-03, 2-25-04, 11-7-04, 4-17-05, 8-1-05, 3-2-06, 9-18-06, 10-4-07, 3-3-08, _____.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

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

PURPOSE AND EFFECT: The rulemaking is intended to develop District-wide water use permitting rules that include water conservation standards and criteria consistent with those

adopted for the Southern Water Use Caution Area for public supply, recreation and aesthetic water uses and to enhance and add additional conservation measures District-wide.

SUBJECT AREA TO BE ADDRESSED: The subject area of the proposed rulemaking is amendments to the District water use permitting rules in Chapter 40D-2, F.A.C., and the Basis of Review For Water Use Permit Applications regarding additional and enhanced conservation requirements for public supply, recreation and aesthetic water use permits. Some of the proposed additional requirements for public supply permits for areas not included in the Southern Water Use Caution Area (SWUCA) are conservation rate structures, water billing requirements, water audits and annual reports for public supply utilities. Some of the other District-wide proposed additions and enhancements include reuse credits, limiting unaccounted water to a maximum of ten percent of production, requiring utilities to report conservation programs and initiatives within their service areas, information regarding reclaimed water generation, use and rate structure information, landscape codes, and water conservation projects/programs. Also proposed are amendments to apply District-wide the SWUCA conservation requirements for recreation and aesthetic water use permits. Other requirements may be developed during rulemaking.

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

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

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

DATE AND TIME: April 21, 2008, 2:00 p.m.

PLACE: Southwest Florida Water Management District Office, Governing Board Room, 2379 Broad Street, Brooksville, FL 34604-6899

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

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

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

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-6.003 Licensure Application Procedures

PURPOSE AND EFFECT: This rule amendment involved ADULT DAY CARE CENTERS. The purpose of the proposed rule amendment is to comply with Sections 408.809 and 429.919, F.S., regarding background screening requirements for staff working in adult day care centers.

SUBJECT AREA TO BE ADDRESSED: Provision of proof of compliance with background screening requirements, pursuant to Sections 408.809 and 429.919, F.S., as part of the licensure application procedures for adult day care centers. Additionally, the electronic method of obtaining an adult day care center license.

SPECIFIC AUTHORITY: 429.929 FS.

LAW IMPLEMENTED: 408.809, 429.909, 429.913(1)(b), 429.915, 429.919, 429.929, 435.04(5) FS.

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

DATE: April 14, 2008, 9:30 a.m. – 10:30 a.m., EDST

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

IF NOT REQUESTED IN WRITING BY 5:00 P.M. ON APRIL 11, 2008, A RULE DEVELOPMENT WORKSHOP WILL NOT BE CONDUCTED.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Jim Crochet, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000; Telephone Number: (850)414-2000, SunCom 994-2000; Email address: crochethj@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Jim Crochet, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000; Telephone Number: (850)414-2000, SunCom 994-2000; Email address: crochethj@elderaffairs.org

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

58A-6.003 Licensure Application Procedures.

(1) through (4) No change.

(5) Owners or operators of adult day care centers subject to licensure shall submit a completed application for a license through the Agency for Health Care Administration, 2727 Mahan Dr., Tallahassee, FL 32308. The Licensure Application for Adult Day Care Center, ADCC Form-1, dated December 2003, which is incorporated by reference, may be obtained from the Agency for Health Care Administration AHCA, Adult Day Care Program, 2727 Mahan Drive, Tallahassee, Florida 32308. ~~The cost of the application package, which includes Chapter 429, Part III, F.S., and this rule chapter, is \$5.00, in accordance with Section 429.929(3), F.S. The application may be also obtained from the AHCA Web site at: http://ahca.myflorida.com/MCHO/Long_Term_Care/Assisted_living/adcc/ADCC_Application.pdf~~. Attached to the application shall be:

(a) through (b) No change.

(c) Proof of compliance with background screening requirements pursuant to Sections 408.809 and 429.919, F.S.

(6) through (7) No change.

Specific Authority 429.929 FS. Law Implemented ~~408.809, 429.909, 429.913(1)(b), 429.915(+), 429.919, 429.929 (3), 435.04(5) FS. History--New 7-8-81, Amended 2-27-84, Formerly 10A-6.03, 10A-6.003, 59A-16.003, Amended 11-9-95, 3-29-98, 10-23-01, 2-19-04, _____.~~

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

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

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

SUBJECT AREA TO BE ADDRESSED: Fees.

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

LAW IMPLEMENTED: 119.07(1)(a), 455.213(2), 455.217(2), 455.219(1), 455.271(6),(7),(8), 489.109 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: G. W. Harrell, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NO.: RULE TITLE:
65A-1.712 SSI-Related Medicaid Resource Eligibility Criteria

PURPOSE AND EFFECT: The proposed rule provides criteria to determine if a Medicaid applicant or recipient receives fair compensation in regard to personal service contracts. Amendments also include a change in the look back period for Deficit Reduction Act provisions. Clarifications to policy are included.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amends language for personal service contracts, look back period and clarifications to policy.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.903, 409.904, 409.906, 409.919 FS.

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

DATE AND TIME: April 14, 2008, 1:30 p.m.

PLACE: 1317 Winewood Boulevard, Building 3, Room 455, Tallahassee, FL 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Pat Whitford, Economic Self-Sufficiency Services, Telephone (850)410-3479

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

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NOS.:	RULE TITLES:
690-149.205	Indemnity Standard Risk Rates
690-149.206	Preferred Provider/Exclusive Provider Standard Risk Rates
690-149.207	Health Maintenance Organization Standard Risk Rates

PURPOSE AND EFFECT: To publish the standard risks rates as required by Section 627.6675(3)(c), F.S.

SUBJECT AREA TO BE ADDRESSED: Standard Risk Rates.
SPECIFIC AUTHORITY: 624.308, 627.6675(3)(c) FS.

LAW IMPLEMENTED: 624.307(1), 627.6498(4), 627.6675(3), 641.3922(3) FS.

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

DATE AND TIME: April 15, 2008, 1:30 p.m.

PLACE: 143 Larson Building, 200 E. Gaines St., Tallahassee, FL

Pursuant to the provisions of 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: Gerry Smith at gerry.smith@fldfs.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Gerry Smith gerry.smith@fldfs.com

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

Section II Proposed Rules

DEPARTMENT OF TRANSPORTATION

RULE NOS.:	RULE TITLES:
14-20.0025	Definitions
14-20.003	Placement of Shelters
14-20.0032	Placement of Benches
14-20.0033	Competitive Public Bidding of Advertising
14-20.004	Public Transit Bus Stops
14-20.010	General Use Permit

PURPOSE AND EFFECT: Rule Chapter 14-20, F.A.C., is being restructured into a Part I and Part II, with the existing rules on bus stops, shelters, and benches remaining in Part I, and a new Part II General Use Permits. Three existing rules are being amended and one rule is to be repealed. The rule chapter title is being expanded to “Use of Department Right of Way” with the existing rules addressed in this amendment becoming Part I “Bus Stops, Benches, and Transit Shelters.”

SUMMARY: A new rule on General Use Permits is being adopted. The existing rules in the chapter will be in Part I with the new rule being in Part II. The overall rule chapter title is expanded to Use of Department Right of Way. Three existing rules related to bus stops, benches, and transit shelters are being amended and one rule is to be repealed. The rule chapter

title is being expanded to “Use of Department Right of Way” with the existing rules addressed in this amendment becoming Part I “Bus Stops, Benches, and Transit Shelters.”

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

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

SPECIFIC AUTHORITY: 334.044(2), 337.408(4), (6) FS.

LAW IMPLEMENTED: 334.044(13), 335.02(1), 337.408 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: 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 FULL TEXT OF THE PROPOSED RULES IS:

USE OF DEPARTMENT RIGHT OF WAY BUS STOPS, SHELTERS, AND BENCHES

PART I BUS STOPS, SHELTERS, AND BENCHES

14-20.0025 Definitions.

(1) “Bench” means a seat designed for seating two or more persons, which is placed along a regular transit bus route at or near recognized transit bus stops.

(2)(4) “Department” means the Florida Department of Transportation.

(3)(2) “School Bus” means as defined in Section 316.003, F.S. any motor vehicle that complies with the color and identification requirements of Chapter 234, F.S., and is used to transport children to or from school or in connection with school activities.

(3) “School Bus Shelter” means a structure or facility located at a site designated and approved by the local school board to protect awaiting school children from the elements.

(4) “School Bus Stop” means a site designated and approved by the local school board for the purpose of loading and unloading school children.

(4)(5) “Shelter” means a structure or facility located at a designated site to protect passengers from the elements. “Shelter” refers to both public transit bus shelters and school bus shelters.

(5)(6) “Transit Bus” means any motor vehicle designed for carrying more than ten passengers and used for the transportation of persons and any motor vehicle, other than a taxicab, designed and used for the transportation of persons for compensation.

~~(7) “Transit Bus Shelter” means a structure or facility located at a site designated and approved by the operating transit agency to protect passengers from the elements.~~

~~(8) “Transit Bus Stop” means a site designated and approved by the operating transit agency for the purpose of loading and unloading passengers.~~

~~(9) “Transit Bus Bench” means a seat designed for seating two or more persons, which is placed along a regular transit bus route at or near recognized transit bus stops.~~

Specific Authority 334.044(2), ~~337.408(4)~~, (6) FS. Law Implemented 334.044(13), ~~335.02(1)~~, 337.408 FS. History—New 12-26-90, Amended 5-15-97, _____.

14-20.003 Placement of ~~Transit and School Bus~~ Shelters.

The appropriate city or county government in whose jurisdiction a ~~transit or school bus~~ shelter is to be located may approve, by written authorization, the erection and placement of a shelter. ~~A shelter may be located on the right of way of a road~~ Federal Aid Highway or State Highway when it complies with the following:

~~(1) Shelters may be erected upon approval of proposed shelter locations and building plans, by the appropriate city or county government.~~

~~(1)(2) A transit bus shelter may be erected only at bus stops designated by a public transit agency or (3) A school bus shelter may be erected only at bus stops designated by the local school board and identified as having service a minimum of ten times in a five-day period, excluding weekends and holidays.~~

~~(4) Transit bus shelters shall be located at a minimum of 12 feet from an intersection, as measured along the tangent line of the state road beginning at the point of the intersection of the radius of the connecting road and tangent of the state road.~~

~~(5) School bus shelters shall be located at a minimum of 50 feet from an intersection, as measured along the tangent line of the state road beginning at the point of the intersection of the radius of the connecting road and the tangent of the state road.~~

~~(2)(6) School bus shelters erected outside of the urban limits shall be spaced so that no more than two shelters are erected per mile of two-lane highway and no more than four shelters are erected per mile on highways with four or more lanes having a minimum of five foot unpaved median or a physical barrier.~~

~~(3)(7) Shelters are prohibited in medians and on limited access facilities.~~

~~(4)(8) The shelter location must meet the set back and minimum clear recovery zone requirements as established detailed in the Department’s Design Standards, Roadway and Traffic Design Standards for Design, Construction, Maintenance and Utility Operations on the State Highway System, Index Number 700, entitled “Design Criteria Related to Highway Safety” incorporated herein by reference. Copies of Index Number 700 are available at: www.dot.state.fl.us/rddesign/designstandards/standards.htm. The Department’s~~

~~Roadway and Traffic Design Standards for Design, Construction, Maintenance and Utility Operations on the State Highway System is incorporated by reference in Rule 14-85.004, F.A.C.~~

~~(5)(9) Shelters shall not be located within 15 feet of any fire hydrant or handicapped parking space.~~

~~(6)(10) A shelter shall not obstruct any sidewalk, bike path, pedestrian path, driveway, drainage structure, or ditch, etc., and shall provide at least three feet of clearance for pedestrian traffic.~~

~~(7)(11) Prior to the installation of the shelter, the impacted utility companies must be notified to determine location of utilities and prevent conflicts.~~

~~(8)(12) All shelter utility connections shall comply with Rule 14-46.001, F.A.C., and must be approved by the appropriate city or county building department.~~

~~(9)(13) The owner of abutting property shall be notified by certified mail of the proposed shelter location if there will be advertising. Such owner of the abutting property shall be provided an opportunity to comment.~~

~~(10)(14) Advertising on a shelter shall be no greater than 72 inches by 60 inches per side of the shelter including the roof. There shall be no more than one advertisement per side.~~

~~(11)(15) Companies engaged in the business of outdoor advertising shall obtain and maintain a current license pursuant to Section 479.04, F.S., and Rule 14-10.003, F.A.C.~~

~~(12)(16) Flashing lights on shelters are prohibited. All lights must be placed or shielded so they do not interfere with motorists on the roadway. Lights are not permitted for the sole purpose of illuminating advertising.~~

~~(13)(17) Sides and internal dividers in shelters shall be constructed in a manner to provide visibility of waiting passengers to passing traffic and pedestrians. All transparent materials will be shatterproof. No shelter shall be located in such manner, or be constructed of such materials, so as to adversely affect sight distances at any intersection or to obstruct the view of traffic signs or other traffic control devices.~~

~~(14)(18) The maximum height of a shelter cannot exceed ten feet.~~

~~(15)(19) Shelters must be securely attached to their foundations and must provide for a clear opening between the structure and the ground or foundation to facilitate cleaning and to preclude the accumulation of debris.~~

~~(16)(20) Shelters shall be properly maintained as to aesthetics, function, and safety. If the Department finds any shelter in violation of any portion of this rule, except those determined to be a safety hazard endanger life or property, the Department shall provide written notice of the violation to the appropriate city or county government, who shall correct the violation or remove the shelter within 30 days after receipt of the notice. If the Department finds any shelter to be a safety~~

~~hazard danger to life or property~~, the Department ~~will~~ shall provide notice to the appropriate city or local government, who shall take immediate steps to make the shelter safe or remove the shelter. If the condition or location of a shelter is not corrected in accordance with the Department's notice, the Department will cause the shelter to be moved or removed and seek the cost of removal ~~from the appropriate city or county government~~.

~~(17)(21)~~ Whenever necessary for the construction, repair, improvement, maintenance, safe and efficient operation, alteration, or relocation of all, or any portion of a sState rRoad, ~~as determined by the Department~~, any bus shelter and appurtenances thereto, authorized by this rRule, shall be immediately removed from ~~the said State Road rRight of wWay~~ or shall be reset or relocated thereon as required by the Department, at the expense of the shelter owner ~~unless reimbursement is authorized by separate agreement~~. In the event the relocation of said shelters is scheduled to be done simultaneously with the Department's construction work, the shelter owner shall coordinate with the Department before proceeding. The shelter owner shall cooperate with the Department's contractor to arrange the sequence of work so as not to delay the work of the Department's contractor and shall defend any legal claims of the Department's contractor due to delays caused by the shelter owner's failure to comply with the approved schedule. The shelter owner shall not be responsible for delays for reasons beyond the shelter owner's reasonable control.

Specific Authority 334.044(2), 337.408(6) FS. Law Implemented 334.044(13), 335.02(1), 337.408 FS. History--New 12-11-79, Amended 6-24-81, Formerly 14-20.03, Amended 12-26-90, 5-15-97, 7-16-98,_____.

14-20.0032 Placement of ~~Transit Bus~~ Benches.

The Department allows placement and maintenance of transit bus benches on the right of way of a ~~Federal Aid highway~~ or state highway pursuant to written approval by the appropriate city or county government within whose jurisdiction the bench is to be located. All bus benches shall be subject to the following:

- (1) ~~Transit bus B~~benches placed on the right of way shall not exceed 74 inches in length, 28 inches in depth, and 44 inches in height.
- (2) Any bench placed on any part of a sidewalk shall leave at least three feet clearance for pedestrian traffic between the bench and the nearest edge of the road.
- (3) ~~Transit bus B~~benches shall not be placed in the median of any divided highway or on limited access facilities.
- (4) Unless otherwise herein provided, transit bus benches shall be placed only at recognized transit stops. However, only the minimum number of benches necessary to accommodate the comfort and convenience of the general public shall be erected or maintained.

~~(5) Benches may be placed at points of pedestrian convenience other than recognized transit bus stops, where, in the judgment of the appropriate city or county government, there exists a necessity for such seating or where such seating would otherwise serve the public interest and shall comply with all other requirements placed upon transit bus benches in Rule 14 20.0032. However, only the minimum number of benches necessary to accommodate the comfort and convenience of the general public shall be erected or maintained.~~

~~(5)(6)~~ If the Department finds any bench in violation of any portion of this rule, except those determined to be a safety hazard endanger life or property, the Department shall provide written notice of the violation to the owner of the bench, or the appropriate city or county government, who shall correct the violation or remove the bench shelter within 30 days after receipt of the notice. If the Department finds any bench to be a safety hazard danger to life or property, the Department will shall provide notice to the owner of the bench, or the appropriate city or county government, who shall take immediate steps to make the bench safe or remove the bench. If the condition or location of a bench is not corrected in accordance with the Department's notice, the Department will cause the bench to be moved or removed and seek the cost of removal ~~from the owner of the bench~~.

~~(6)(7)~~ Commercial advertising shall be displayed upon a transit bus bench only on either the front or rear surface of the backrest area.

~~(7)(8)~~ Advertising displayed on a transit bus bench shall not be greater than 72 inches in length nor greater than 24 inches in height, and no advertising displayed upon a bench shall be of a reflectorized material.

~~(8)(9)~~ The transit bus bench location must meet the set back and minimum clear recovery zone requirements established as detailed in the Florida Department's Design Standards of Transportation's Roadway and Traffic Design Standards, Index Number 700, entitled "Design Criteria Related to Highway Safety" (incorporated herein by reference in Rule 14-85.004, F.A.C.). Copies of the Index Number 700 are available at: www.dot.state.fl.us/rddesign/designstandards/standards.htm.

~~(10)~~ Any transit bus bench that was in service prior to April 1, 1992 may be replaced with a bus bench of the same size or smaller, if the bench is damaged or destroyed or otherwise becomes unusable.

~~(11)~~ Any transit bus bench placed at points of public convenience which violates any portion of this rule shall be subject to removal upon 30 days notice if the violation is not corrected.

~~(9)(12)~~ Whenever necessary for the construction, repair, improvement, maintenance, safe and efficient operation, alteration, or relocation of all, or any portion of a sState rRoad, ~~as determined by the Department~~, any bus bench and

appurtenances thereto, authorized by this Rule, shall be immediately removed from said ~~s~~State ~~r~~Road ~~r~~Right of ~~w~~Way or shall be reset or relocated thereon as required by the Department, at the expense of the bench owner ~~unless reimbursement is authorized by separate agreement~~. In the event the relocation of said benches is scheduled to be done simultaneously with the Department's construction work, the bench owner shall coordinate with the Department before proceeding. The bench owner shall cooperate with the Department's contractor to arrange the sequence of work so as not to delay the work of the Department's contractor and shall defend any legal claims of the Department's contractor due to delays caused by the bench owner's failure to comply with the approved schedule. The bench owner shall not be responsible for delays for reasons beyond the bench owner's reasonable control.

Specific Authority 334.044(2), ~~337.408(4)~~ FS. Law Implemented 334.044(13), 335.024(1), 337.408 FS. History—New 12-26-90, Amended 8-11-92, 5-15-97, 7-16-98, _____.

14-20.0033 Competitive Public Bidding of Advertising.

Specific Authority 334.044(2) FS. Law Implemented 337.407, 337.408, 479.04 FS. History—New 12-26-90, ~~Repealed~~ _____.

14-20.004 Public Transit Bus Stops.

(1) The operator of a ~~public~~ transit ~~bus~~ system may designate a "Bus Stop" within the boundaries of the right of way of a ~~s~~State ~~road~~ ~~highway~~.

(2) The location of a transit bus stop site on a ~~s~~State ~~road~~ ~~highway~~ right of way is dictated by the needs of the riding public and the route availability of the public transit system.

(3) ~~The following restraints and controls are established to aid in identifying, mitigating and minimizing hazardous conditions at existing and proposed transit bus stop sites:~~ The site selection and establishment of a transit bus stop shall provide the maximum safety to the users of the public transit system and vehicular and pedestrian traffic. If a transit bus stop is located at a site deemed to be unsafe by the Department, modification or removal shall be required by the Department ~~and shall be at the expense of the transit bus system~~.

(4) ~~With the exception of Sections 14-20.004(8) and (9)(a)~~ ~~The~~ operator of a ~~public~~ transit ~~bus~~ system shall indicate or mark the bus stop in accordance with the Manual on Uniform Traffic Control Devices, incorporated by reference under Rule 14-15.010, F.A.C.

(5) ~~The identification of existing unsafe conditions at transit bus stop sites shall be brought to the attention of the Department by the respective operator of a transit system so that the Department can take corrective action. Verbal notification shall be followed up in writing within 24 hours.~~

(5)(6) Transit bus stops are prohibited in medians.

~~(6) Signs shall not be installed where such signing interferes with the functions or visibility of existing traffic control devices.~~

~~(7) The support for attaching transit bus stop signs shall be placed in accordance with the Department's Roadway and Traffic Design Standard Index Number 17302 (incorporated by reference in Rule 14-85.004, F.A.C.).~~

~~(7)(8) Transit bus stop signs may be attached to an existing sign support provided that there is no more than one other supplementary sign already in place.~~

~~(a) It can be located in accordance with height and lateral placement requirements of the Department's Roadway and Traffic Design Standard Index Number 17302, entitled "Typical Sections for One Column Sign Placement" (incorporated by reference in Rule 14-85.004, F.A.C.).~~

~~(b) There is no more than one other supplementary sign already in place.~~

~~(8) Transit bus stop signs shall be attached to supports meeting the location, height, and lateral placement requirements established in the Department's Design Standards, Index Number 17302, incorporated herein by reference. Copies of Index Number 17302 are available at:~~

~~(9) Inspections will be conducted by the Department to assist in the implementation and administration of this rule chapter.~~

Specific Authority 334.044(2), ~~341.041(3)~~ FS. Law Implemented 334.044(13), 335.02(1), 337.408 FS. History—New 10-6-82, Formerly 14-20.04, Amended 12-26-90, 5-15-97, _____.

PART II GENERAL USE PERMITS

14-20.010 General Use Permit.

(1) Purpose. This rule is adopted to authorize use of and to control the right of way on the State Highway System, for purposes not addressed by other rules of the Department, a lease agreement of State owned property entered into pursuant to Section 337.25(5), F.S., or other agreements.

(2) Definitions. All terms in this rule shall have the same meaning as defined in Section 334.03, F.S. Additionally, the following terms are defined as:

(a) "Applicant" means the person or entity requesting a General Use Permit.

(b) "Department" means the Florida Department of Transportation.

(c) "General Use Permit" means a temporary use of the right of way of the State Highway System authorized by the Department and not prohibited by, nor authorized and regulated by other local, state, or federal laws, rules, or regulations. General use permits do not authorize possessory, exclusive, or permanent use of the right of way. General use permits shall not create contractual rights on behalf of an applicant or permittee. General use permits are revokable at any time by the Department.

(d) "Governmental Entity" means as defined in Section 11.45, F.S.

(e) "Modification" means relocation or alteration or cessation of a permitted general use.

(3) Prior to filing an application, all applicants can request a pre-application meeting to review the proposed general use with Department permits personnel. This review will be performed by the Department without a fee. The pre-application meeting is advisory only.

(4) General Criteria.

(a) A complete application shall consist of a General Use Permit Application, Form 850-040-05, Rev. 05/07, completed by the applicant, with original signatures, and any site plans, drawings, or other information required by this rule. Form 850-040-05, Rev. 05/07, is hereby incorporated by reference and made a part of this rule. The form is available from any local Area Operations Center/Maintenance Office, District Maintenance Office, Turnpike Office or Department website: www.dot.state.fl.us/proceduraldocuments. No use will be permitted which interferes with safety, operation, aesthetics, and maintenance of the State Highway System, utilities, or right of way.

(b) If the applicant desires to have a representative sign and submit the application, a notarized letter of authorization from the applicant designating the authorized representative shall be submitted with the application.

(c) If the applicant is an entity, the applicant shall furnish the name, title, address, telephone number, and other contact information if any, of the responsible officer or authorized agent.

(d) The application shall identify the location of the proposed activity, including the county, state road, section, and mile post numbers, and the location and type of existing utilities.

(e) The applicant shall provide a complete and detailed description of the proposed use and duration to be permitted.

(f) The applicant shall include all approvals and permits which are required by other governmental entities for the proposed use.

(g) An incomplete application will not be processed or considered for issuance of a general use permit. An application is incomplete until all completed forms and required information have been provided to the Department.

(5) Examples of situations where general use permits shall not be issued are the following:

- (a) Permanent construction in the right of way.
- (b) Traffic control devices or features.
- (c) Permanent signs.
- (d) Landscaping.
- (e) Utilities.
- (f) Parades or other events requiring temporary road closure.

(g) Bus benches or shelters, modular news racks, or waste receptacles.

(h) Connections to the State Highway System.

(i) Overhanging encroachments.

(j) Drainage connections.

(6) The issuance of a general use permit shall not restrict the Department's right to take immediate action authorized under Section 120.60(6), F.S.

Specific Authority 334.044(2), 337.405, 337.406 FS. Law Implemented 334.03, 334.044(13), (28), 334.187, 335.02(1), 337.405, 337.406 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Dale Cook, Traffic Services Manager, Office of Maintenance
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Stephanie C. Kopelousos, Secretary
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: March 12, 2008
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: January 25, 2008

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

STATE BOARD OF ADMINISTRATION

Florida Prepaid Postsecondary Education Expense Board

RULE NO.: 19B-4.005
RULE TITLE: Maximum Account Balance Limit
PURPOSE AND EFFECT: To update the reference to the College Cost and Financial Aid Handbook.

SUMMARY: This rule change is being made to update the Florida Prepaid College Plan Maximum Account Balance Limit.

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

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

SPECIFIC AUTHORITY: 1009.971(1), (4), (6) FS.

LAW IMPLEMENTED: 1009.98, 1009.981 FS.

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

DATE AND TIME: April 21, 2008, 2:00 p.m.

PLACE: Suite 210, Hermitage Building, 1801 Hermitage Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514

THE FULL TEXT OF THE PROPOSED RULE IS:

19B-4.005 Maximum Account Balance Limit.

(1) The maximum account balance limit shall be determined annually by the Board. The maximum account balance limit shall be calculated by multiplying the qualified higher education expenses, including tuition fees, room and board, and supplies, at the most expensive eligible educational institution, as reported in College Handbook 2008, ~~College Cost and Financial Aid Handbook 2006~~ published by the College Board, by seven (7), and rounding the resulting product downward to the nearest \$1,000.00 increment. The maximum account balance limit shall not exceed the amount permitted pursuant to s. 529 of the Internal Revenue Code. The Board will publish the amount of the maximum account balance limit annually in the Florida Administrative Weekly. The redemption value of an advance payment contract plus the account balance of an account in the Florida College Investment Plan, for the same beneficiary shall not exceed the maximum account balance limit.

(2) through (4) No change.

Specific Authority 1009.971(1), (4), (6) FS. Law Implemented 1009.98, 1009.981 FS. History--New 11-27-02, Amended 12-28-03,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Prepaid College Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Prepaid College Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 5, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 29, 2008

STATE BOARD OF ADMINISTRATION

Florida Prepaid Postsecondary Education Expense Board

RULE NO.: 19B-16.003
 RULE TITLE: Participation Agreement

PURPOSE AND EFFECT: To update the Florida College Investment Plan Participation Agreement Form.

SUMMARY: This rule change is being made to update the Florida College Investment Plan Participation Agreement Form.

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

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

SPECIFIC AUTHORITY: 1009.971(1), (4), (6) FS.

LAW IMPLEMENTED: 1009.81(2) FS.

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

DATE AND TIME: April 21, 2008, 2:00 p.m.

PLACE: Suite 210, Hermitage Building, 1801 Hermitage Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514

THE FULL TEXT OF THE PROPOSED RULE IS:

19B-16.003 Participation Agreement.

(1) The contract between the Board and a benefactor shall consist of the benefactor's completed application and the participation agreement. The Florida College Investment Plan Participation Agreement, Form No. FPCB 2008-4 ~~2007-4~~, is hereby incorporated by reference. The form may be obtained from the Board by calling 1(800)552-GRAD (4723) (prompt 1).

(2) through (4) No change.

Specific Authority 1009.971(1), (4), (6) FS. Law Implemented 1009.981(2) FS. History--New 11-27-02, Amended 12-28-04, 6-2-05, 7-17-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Prepaid College Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Prepaid College Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 5, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 29, 2008

STATE BOARD OF ADMINISTRATION

Florida Prepaid Postsecondary Education Expense Board

RULE NO.: 19B-16.005
 RULE TITLE: Maximum Account Balance Limit

PURPOSE AND EFFECT: To update the reference to the College Cost and Financial Aid Handbook.

SUMMARY: This rule change is being made to update the Florida Prepaid College Plan Maximum Account Balance Limit.

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

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

SPECIFIC AUTHORITY: 1009.971(1), (4), (6) FS.

LAW IMPLEMENTED: 1009.98, 1009.81 FS.

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

DATE AND TIME: April 21, 2008, 2:00 p.m.

PLACE: Suite 210, Hermitage Building, 1801 Hermitage Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514

THE FULL TEXT OF THE PROPOSED RULE IS:

19B-16.005 Maximum Account Balance Limit.

(1) The maximum account balance limit shall be determined annually by the Board. The maximum account balance limit shall be calculated by multiplying the qualified higher education expenses, including tuition fees, room and board, and supplies, at the most expensive eligible educational institution, as reported in College Handbook 2008, College Cost and Financial Aid Handbook 2006 published by the College Board, by seven (7), and rounding the resulting product downward to the nearest \$1,000.00 increment. The maximum account balance limit shall not exceed the amount permitted pursuant to s. 529 of the Internal Revenue Code. The Board will publish the amount of the maximum account balance limit annually in the Florida Administrative Weekly. The account balance for a designated beneficiary plus the redemption value of an advance payment contract under the Florida Prepaid College Plan for the same beneficiary shall not exceed the account balance limit. However, accounts for a designated beneficiary that have reached the maximum account balance limit may continue to accrue investment earnings. The redemption value of an advance payment contract shall be as provided in subsection 19B-4.005(2), F.A.C.

(2) No change.

Specific Authority 1009.971(1), (4), (6) FS. Law Implemented 1009.98, 1009.981 FS. History—New 5-30-02, Amended 11-27-03, 12-28-03, 7-13-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Prepaid College Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Prepaid College Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 5, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 29, 2008

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-501.302
 RULE TITLE: Copying Services for Inmates

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to provide clarity regarding inmate copying services.

SUMMARY: The proposed rule amends Rule 33-501.302, F.A.C. to clarify: the definition of criminal proceeding to include a proceeding to challenge a probation revocation; that copying services are provided only for documents already in an inmate’s possession. Also clarifies the procedures regarding requests for records made during the course of discovery in the following ways: that an inmate is required to produce an order or pleading requiring production of records in order to view records; that with regard to discovery documents copies will not be provided unless the inmate has sufficient funds to cover the cost of the copying; and that the rule does not provide for placement of a lien.

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

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

SPECIFIC AUTHORITY: 944.09, 945.6038 FS.

LAW IMPLEMENTED: 944.09, 945.6038 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: Jamie Leigh Jordan, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-501.302 Copying Services for Inmates.

(1) All institutions and facilities shall provide photographic copying services to inmates submitting legal documents and accompanying evidentiary materials to judicial or administrative forums. Copying services as described in this rule shall only be provided for documents already in the inmate’s possession. An inmate wishing to obtain documents from the department shall utilize Rule 33-601.901, F.A.C., or the discovery process in active litigation. No provision of this

section shall be implemented in such a way as to conflict with any administrative order, administrative rule, judicial rule or judicial order.

(2) Definitions.

(a) through (b) No change.

(c) Criminal proceeding: refers to a proceeding brought in a judicial or administrative forum to challenge a felony or misdemeanor conviction or sentence, a probation revocation, a parole or conditional release date established by the Florida Parole Commission, or revocation of parole or conditional release. It also includes a proceeding brought to obtain executive clemency.

(d) through (f) No change.

(3) Documents will be copied only if they are necessary to initiate a legal or administrative action or if they must be filed or served in a pending legal or administrative action. Except as otherwise provided in this rule, the number of copies made shall be the number required to be filed and served according to the rules of the judicial or administrative forum, or required per order of the judicial or administrative forum, plus one copy for the inmate to keep if the original is filed or served.

(a) through (c) No change.

~~(d) Requests for records made during the course of discovery. Inmates shall produce an order from a judicial or administrative forum, or pleading from opposing litigants or opposing counsel, requiring the production of records prior to copying. Only the specific records requested shall be copied and only one copy of the records shall be provided unless a judicial or administrative forum orders otherwise. If the discovery request relates to a civil proceeding, the inmate shall be charged for the copies as provided in this section.~~

(4) through (7) No change.

(8) Requests for records made during the course of discovery. Inmates shall produce an order from a judicial or administrative forum, or pleading from opposing litigants or opposing counsel, requiring the production of records before being allowed to examine the records. Copies will not be provided unless the inmate has a sufficient balance in his account, unencumbered by liens, to cover the cost of the copying.

~~(9)~~(8) No change.

Specific Authority 944.09, 945.6038 FS. Law Implemented 944.09, 945.6038 FS. History—New 10-6-83, Formerly 33-3.051, Amended 6-13-88, 8-20-89, 2-12-91, 4-10-94, 4-21-96, 6-29-98, Formerly 33-3.0051, 33-602.405, Amended 4-29-04, 8-5-07, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: George Sapp, Assistant Secretary of Institutions
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Richard Davison, Deputy Secretary
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 11, 2008

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

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

RULE NO.: 40B-4.3020
 RULE TITLE: Content of Works of the District Development Permit Applications

PURPOSE AND EFFECT: The purpose of the rule development is to update this section of Chapter 40B-4, Florida Administrative Code, based on review of a proposed Application for General Works of the District Development Permit by Joint Administrative Procedures Committee. The effect of the proposed rule amendments will be to provide for more efficient processing of applications by ensuring better comprehension of the subject rules.

SUMMARY: This proposed rule development will codify an additional criterion for content for Application for General Works of the District Development Permit, and will provide for more efficient processing of applications by ensuring better comprehension of the subject rules.

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

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

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.084, 373.085, 373.086 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Linda Welch, Administrative Assistant, Suwannee River Water Management District, 9225 C.R. 49, Live Oak, Florida 32060, (386)362-1001 or (800)226-1066 (FL only)

THE FULL TEXT OF THE PROPOSED RULE IS:

40B-4.3020 Content of Works of the District Development Permit Applications.

(1) Applications for a general works of the district development permit shall be filed with the district and shall contain the following:

(a) Form 40B-1.901(11), "Application for General Work of the District Development Permit," Suwannee River Water Management District, January 29, 2001, hereby incorporated by reference and which contains the following:

~~1.~~(a) The applicant's name and complete address including zip code;

~~2.(b)~~ The owner's name and complete address if applicant is other than the owner;

~~3.(e)~~ If applicable, the name, complete address, phone number, and contact person of the applicant or owner;

~~(b)(4)~~ Copies of all permits received from local units of government, state, or federal agencies, ~~specifically a copy of the building or development permit issued by the appropriate unit of local government~~, including any variances issued thereto, and a copy of the onsite sewage disposal system permit issued by the Florida Department of Health under Chapter 64E-6, F.A.C.;

~~(c)(e)~~ A site plan to scale showing all improvements, work, or works with any conditions or limitations placed thereon prepared by a Florida licensed professional engineer or surveyor including plan and profile views with relevant elevations noted such as the elevation of the lowest structural member and benchmark shown. The site plan shall show the location of all trees to be removed which are greater than six inches diameter as measured at four feet, six inches above the natural ground; and

~~(d)(f)~~ A building plan prepared or submitted by a Florida licensed engineer or architect, showing profile and detail views of the pilings, the elevation of the lowest structural member, and any building components within the area below the 100-year flood/one percent annual chance of flood elevation; and

(e) Any supporting calculations, designs, surveys, or applicable documents, which in the applicant's opinion, may support the application.

(f) If the applicant is only constructing a dock, boardwalk or deck according to paragraph 40B-4.3030(9)(42)(a) and (b), F.A.C., the site plan may be prepared by the applicant.

(g) Applicants must provide copies of legal documents demonstrating ownership.

(2) Applications for individual or conceptual approval works of the district development permits shall be filed with the district and shall contain the following:

(a) Form 40B-1.901(13), "Joint Application for Environmental Resource Permit/Authorization to Use State Owned Submerged Lands/ Federal Dredge and Fill Permit," Effective January 29, 2001, hereby adopted by reference and which contains the following:

~~1.(a)~~ The applicant's name and complete address including zip code;

~~2.(b)~~ The owner's name and complete address if applicant is other than the owner;

~~3.(e)~~ If applicable, the name, complete address, phone number, and contact person of the owner.

~~4.(d)~~ General project information including:

~~a.1-~~ The applicant's project name or identification number;

~~b.2-~~ The project location relative to county, section, township, and range, or a metes and bounds description;

~~c.3-~~ The total project area in acres;

~~d.4-~~ The total land area owned or controlled by the applicant or owner which is contiguous with the project area;

~~e.5-~~ A description of the scope of the proposed project including the land uses to be served;

~~f.6-~~ A description of the proposed surfacewater management system or work;

~~g.7-~~ A description of the water body or area which will receive any proposed discharges from the system; and

~~h.8-~~ Anticipated beginning and ending date of construction or alteration.

~~(b)(3)~~ Copies of all permits received from, or applications made to, local units of government, state, or federal agencies.

~~(c)(4)~~ A site plan to scale showing all improvements, work, or works with any conditions or limitations placed thereon.

~~(d)(5)~~ Any supporting calculations, designs, surveys, or applicable legal documents, which in the applicant's opinion, support the application.

~~(e)(6)~~ Copies of engineer or surveyor certifications required by this chapter.

(f) Applicants must provide copies of legal documents demonstrating ownership.

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.084, 373.085, 373.086 FS. History—New 9-25-85, Amended 3-19-86, 9-13-04, 8-8-07, _____.

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

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Governing Board of the Suwannee River Water Management District

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 21, 2008

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NO.: RULE TITLE:

40C-3.035 Agreements

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to incorporate by reference the amended water well permitting delegation agreement between St. Johns River Water Management District and the Florida Department of Health-Marion County Health Department.

SUMMARY: The proposed rule amendment would incorporate by reference the District's amended water well permitting delegation agreement with the Florida Department of Health-Marion County Health Department allowing for

regulation of the construction, repair, and abandonment of water wells unless these wells are in a Chapter 62-524, F.A.C., delineated area.

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

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

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.046, 373.083, 373.309 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: Following the regularly scheduled Regulatory/Governing Board Meeting, which begins at May 13, 2008, 1:00 p.m.

PLACE: St. Johns River Water Management District Headquarters, 4049 Reid Street, Palatka, Florida 32177-2529

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Sandy Bertram, Assistant District Clerk at (386)329-4127. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Norma K. Messer, Rules Coordinator, Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32178-2529, (386)329-4459, Suncom 860-4459, email address nmesser@sjrwmd.com

THE FULL TEXT OF THE PROPOSED RULE IS:

40C-3.035 Agreements.

The Governing Board hereby incorporates by reference the following documents:

(1) through (15) No change.

(16) An agreement between Florida Department of Health-Marion County Health Department and St. Johns River Water Management District entitled Amended Water Well Permitting Delegation Agreement dated (effective date) ~~May 18, 2006~~.

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.046, 373.083, 373.309 FS. History—New 10-14-84, Amended 12-5-85, Formerly 40C-3.035, 40C-3.0035, Amended 1-8-96, 4-21-96, 7-21-96, 12-22-96, 3-10-97, 1-3-00, 9-6-01, 6-25-02, 7-24-02, 1-11-06, 5-18-06, 5-24-07,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Catherine Walker, Division Director, Division of Water Use Regulation, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, (321)231-0194

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Governing Board of the St. Johns River Water Management District

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 21, 2008

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NOS.:	RULE TITLES:
58A-5.0191	Staff Training Requirements and Competency Test
58A-5.035	Waivers

PURPOSE AND EFFECT: These amendments involved rules for ASSISTED LIVING FACILITIES. The purpose of the proposed rule amendments to Rule 58A-5.0191, F.A.C., is to revise and add clarifying language. The proposed amendments to Rule 58A-5.035, F.A.C., is intended to clarify waiver requirements for assisted living facilities under Chapter 429, Part I, F.S., and other waiver requirements under Chapter 120, F.S.

SUMMARY: Staff training requirements and documentation, and clarification of waiver requirements under Chapter 429, Part I, F.S., and Chapter 120, F.S.

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

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

SPECIFIC AUTHORITY: 429.07, 429.178, 429.41, 429.52 FS.

LAW IMPLEMENTED: 429.07, 429.075, 429.178, 429.41, 429.52 FS.

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

DATE AND TIME: April 23, 2008, 9:30 a.m. – 10:30 a.m., EDST

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Jim Crochet, Department of Elder Affairs, 4040

Esplanade Way, Tallahassee, Florida 32399-7000; Telephone Number: (850)414-2000, SunCom 994-2000; Email address: crochethj@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Jim Crochet, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000; Telephone Number: (850)414-2000, SunCom 994-2000; Email address: crochethj@elderaffairs.org

THE FULL TEXT OF THE PROPOSED RULES IS:

58A-5.0191 Staff Training Requirements and Competency Test.

(1) ASSISTED LIVING FACILITY CORE TRAINING REQUIREMENTS AND COMPETENCY TEST.

(a) The assisted living facility core training requirements established by the department pursuant to Section 429.52, F.S., shall consist of a minimum of 26 hours of training plus a competency test.

(b) through (e) No change.

(2) through (4) No change.

(5) ASSISTANCE WITH SELF-ADMINISTERED MEDICATION AND MEDICATION MANAGEMENT. Unlicensed persons who will be providing assistance with self-administered medications as described in Rule 58A-5.0185, F.A.C., must meet the training requirements pursuant to Section 429.52(5), F.S., receive a minimum of 4 hours of training prior to assuming this responsibility ~~and must receive relevant in-service training every year thereafter.~~ Courses provided in fulfillment of this requirement must meet the following criteria:

(a) through (c) No change.

(6) through (10) No change.

(11) TRAINING DOCUMENTATION AND MONITORING.

(a) Except as otherwise noted, certificates, or copies of certificates, of any training required by this rule must shall be documented in the facility's personnel files. ~~The which~~ documentation must shall include the following: subject matter of the training program, the trainee's name, the date of attendance, the training provider's name, signature and credentials, professional license number if applicable, and the number of hours of training.

1. The title of the training program;

2. The subject matter of the training program;

3. The training program agenda;

4. The number of hours of the training program;

5. The trainee's name, dates of participation, and location of the training program;

6. The training provider's name, dated signature and credentials, the number of hours of the training program, and professional license number, if applicable.

(b) Upon successful completion of training pursuant to this rule, the training provider must issue a certificate to the trainee shall be issued a certificate by the training provider as specified in this rule.

(c) The facility must provide the Department of Elder Affairs and the Agency for Health Care Administration with training documentation and training certificates for review, as requested. The department and agency reserve the right to attend and monitor all facility in-service training, which are intended to meet regulatory requirements.

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

(Substantial rewording of Rule 58A-5.035 follows. See Florida Administrative Code for the present text.)

58A-5.035 Waivers.

The agency, in consultation with the department, may waive rules promulgated pursuant to Part I, Chapter 429 F.S., if the waiver request meets the conditions set forth in Section 429.41(4), F.S., and demonstrates and evaluates innovative or cost-effective congregate care alternatives which will enable individuals to age in place.

(1) Application Process.

(a) Licensed assisted living facilities proposing a waiver under this statute must submit the request in writing. All requests must include the facility name and address, license number, administrator's name and contact information for the requestor, or its attorney. Petitions for waiver of rules other than for the objectives detailed in Section 429.41(4), F.S., including emergency waivers, will not be considered under this section but should follow the petition for waiver provisions of Section 120.542, F.S., and Rule Chapter 28.104, Variance or Waiver, F.A.C.

(b) The written request must address the elements required in Section 429.41(4), F.S. In addition, the following information must be included in order to demonstrate how a waiver of the stated rule will permit development of a concept that will achieve the purpose of the underlying statute.

1. The rule or rules for which the waiver is requested.

2. The licensee's anticipated date or dates for implementation of the concept.

3. If applying based on cost-effectiveness or cost-savings, a cost-benefit analysis of the proposed alternative to both residents or potential residents as well as facility operations.

4. An analysis of the impact the alternative will have on the relevant local community, including any barriers such as zoning or use issues, which may need resolution prior to implementation.

5. Specific performance measures with an annual projection of objectives and goals to be achieved broken into quarterly increments or an annual projection of outcome measures, if the concept will be implemented in less than 90 days.

6. If applying based on cost-effectiveness or cost-savings, an annual budget projection for the proposed alternative broken into quarterly increments.

(c) A waiver can be requested at the time of the initial license application, relicensure, or any time during the licensure period.

(d) Waiver requests must be submitted to the Agency for Health Care Administration, Assisted Living Unit, 2727 Mahan Drive, Mail Stop 30, Tallahassee, Florida 32308-5403.

(2) In accordance with Section 120.542(6), F.S., the agency shall post notice of the request within fifteen (15) days of receipt of the request. The agency shall make any requests for additional information within 30 days of receipt of the request. If additional information is provided, the agency may request clarification of only that information no later than 30 days following receipt of the information. The agency shall have no more than 90 days from the receipt of the request to enter a response to the request for waiver unless by mutual agreement of the agency and requestor.

(3) The agency, in consultation with the department, will evaluate all requests in light of the likelihood the concept as described in detail will achieve the underlying statutory objectives of innovative or cost effective congregate care alternatives to enable individuals to age in place as provided in Section 429.41(4), F.S. Waivers may be granted only so long as there is reasonable assurance that the health, safety or welfare of residents will not be endangered by the waiver.

(4) The agency shall grant or deny the request for waiver and enter an order summarizing the facts it relied on and reasons supporting its decision. The agency must provide notice of its order as described in Section 120.542(8), F.S. The requestor shall be advised that a denial of the request may be reviewed as provided in subsection (5) of this rule.

(5) Report of Findings. A facility that has been granted a waiver must submit an annual report within 12 months of the order granting the waiver as specified in Section 429.41(3)(b), F.S. If the report is not submitted as required, the agency may revoke the waiver.

(a) The agency will review the report of findings to determine whether the waiver shall be renewed or revoked. The agency shall enter an order providing the general basis for making its decision and notify the licensee of its opportunity to seek review of a revocation in accordance with Sections 120.569 and 120.57, F.S. and Rule 28-106.111, F.A.C.

(b) The agency may also consider other material which is available relative to this review.

(c) A waiver is effective unless revoked by the agency or superseded by statutory or regulatory change.

(d) In reviewing the report of findings, the agency, in consultation with the department, shall assess whether statutory or regulatory changes should be pursued to enable other facilities to adopt the same practices.

Specific Authority 429.41 FS. Law Implemented 429.41 FS. History—New 9-30-92, Formerly 10A-5.035, Amended 10-30-95,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Jim Crochet

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: E. Douglas Beach, Ph.D., Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 12, 2008

DATE NOTICES OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 7, 2007 and November 2, 2007

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-304.330
RULE TITLE: Pensacola Bay TMDLs

PURPOSE AND EFFECT: The purpose of the rule is to adopt fecal coliform Total Maximum Daily Load (TMDLs), and their allocations, for Bayou Chico, Jones Creek, Jackson Creek, Bayou Chico Beach and Sanders Beach.

SUMMARY: These TMDLs address the fecal coliform impairment in Bayou Chico, Jones Creek, Jackson Creek, Bayou Chico Beach and Sanders Beach, which were verified as impaired by fecal coliform using the methodology established in Chapter 62-303, Identification of Impaired Surface Waters, Florida Administrative Code. The methodology used to develop the TMDLs was the load duration curve method.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Department does not plan to prepare a Statement of Estimated Regulatory Cost (SERC) for this proposed Rule.

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

SPECIFIC AUTHORITY: 403.061, 403.067 FS.

LAW IMPLEMENTED: 403.031, 403.061, 403.062, 403.067 FS.

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

DATE AND TIME: April 24, 2008, 10:00 a.m.

PLACE: Florida Department of Environmental Protection, 2600 Blair Stone Road, Room A204, 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: Ms. Pat Waters at (850)245-8449. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jan Mandrup-Poulsen, Division of Water Resource Management, Bureau of Watershed Management, Mail Station 3560, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8431

THE FULL TEXT OF THE PROPOSED RULE IS:

62-304.330 Pensacola Bay TMDLs.

(1) Fecal Coliform TMDL for Bayou Chico, Jones Creek, Jackson Creek, Bayou Chico Beach and Sanders Beach. The Total Maximum Daily Load is 400 counts/100 ml and is allocated as follows:

(a) A Wasteload Allocation for wastewater point sources is not applicable.

(b) The Wasteload Allocation for discharges subject to the Department's National Pollutant Discharge Elimination System Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 1998 to 2005 period, will require a 61 percent reduction at sources contributing to exceedances of the criteria.

(c) The Load Allocation for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 1998 to 2005 period, will require a 61 percent reduction at sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

Specific Authority 403.061, 403.067 FS. Law Implemented 403.061, 403.062, 403.067 FS. History—New.

NAME OF PERSON ORIGINATING PROPOSED RULE: Drew Bartlett, Deputy Director, Division of Water Resource Management

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mimi Drew, Deputy Secretary Regulatory Programs and Energy, Department of Environmental Protection

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 21, 2008

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.:

RULE TITLE:

62-304.335

Perdido Bay TMDLs

PURPOSE AND EFFECT: The purpose of this rule is to adopt fecal coliform Total Maximum Daily Loads (TMDLs), and their allocations, for Elevenmile Creek and Tenmile Creek.

SUMMARY: These TMDLs address the fecal coliform impairment in Elevenmile Creek and Tenmile Creek, which were verified as impaired by fecal coliform using the methodology established in Chapter 62-303, Identification of Impaired Surface Waters, Florida Administrative Code. The methods used to develop these TMDLs were the load duration curve method and percent reduction method for Elevenmile Creek and Tenmile Creek, respectively.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Department does not plan to prepare a Statement of Estimated Regulatory Cost (SERC) for this proposed Rule.

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

SPECIFIC AUTHORITY: 403.061, 403.067 FS.

LAW IMPLEMENTED: 403.031, 403.061, 403.062, 403.067 FS.

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

DATE AND TIME: April 24, 2008, 10:00 a.m.

PLACE: Florida Department of Environmental Protection, 2600 Blair Stone Road, Room A204, 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: Ms. Pat Waters at (850)245-8449. If you are

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jan Mandrup-Poulsen, Division of Water Resource Management, Bureau of Watershed Management, Mail Station 3560, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8431

THE FULL TEXT OF THE PROPOSED RULE IS:

62-304.335 Perdido Bay TMDLs.

(1) Fecal Coliform TMDL for Elevenmile Creek (US 90). The Total Maximum Daily Load is 400 counts/100 ml and is allocated as follows:

(a) The Wasteload Allocation for wastewater point sources subject to the Department's National Pollutant Discharge Elimination System Permitting Program is to meet the Class III water quality criteria for fecal coliform in Chapter 62-302, F.A.C.,

(b) The Wasteload Allocation for discharges subject to the Department's National Pollutant Discharge Elimination System Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 1972 to 2006 period, will require a 63 percent reduction at sources contributing to exceedances of the criteria.

(c) The Load Allocation for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 1972 to 2006 period, will require a 63 percent reduction at sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(2) Fecal Coliform TMDL for Elevenmile Creek (State Road 297A). The Total Maximum Daily Load is 400 counts/100 ml and is allocated as follows:

(a) The Wasteload Allocation for wastewater point sources subject to the Department's National Pollutant Discharge Elimination System Permitting Program is to meet the Class III water quality criteria for fecal coliform in Chapter 62-302, F.A.C.,

(b) The Wasteload Allocation for discharges subject to the Department's National Pollutant Discharge Elimination System Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 1972 to 2006 period, will require a 66 percent reduction at sources contributing to exceedances of the criteria.

(c) The Load Allocation for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 1972 to 2006 period, will require a 66 percent reduction at sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(3) Fecal Coliform TMDL for Tenmile Creek. The Total Maximum Daily Load for Fecal Coliforms for Tenmile Creek is 400 counts/100 ml and is allocated as follows:

(a) A Wasteload Allocation for wastewater point sources is not applicable.

(b) The Wasteload Allocation for discharges subject to the Department's National Pollutant Discharge Elimination System Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 1972 to 2006 period, will require a 43 percent reduction at sources contributing to exceedances of the criteria.

(c) The Load Allocation for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 1972 to 2006 period, will require a 43 percent reduction at sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

Specific Authority 403.061, 403.067 FS. Law Implemented 403.061, 403.062, 403.067 FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Drew Bartlett, Deputy Director, Division of Water Resource Management

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mimi Drew, Deputy Secretary Regulatory Programs and Energy, Department of Environmental Protection

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 21, 2008

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-304.435
 RULE TITLE: Upper East Coast Basin TMDLS Spruce Creek

PURPOSE AND EFFECT: The purpose of the rule is to adopt Total Maximum Daily Loads (TMDLs), and their allocations, for fecal coliforms, biochemical oxygen demand (BOD), and phosphorus for Spruce Creek.

SUMMARY: These TMDLs address fecal coliform and dissolved oxygen (DO) impairment in Spruce Creek, which was verified as impaired by fecal coliforms, BOD, and phosphorus using the methodology established in Chapter 62-303, Identification of Impaired Surface Waters, Florida Administrative Code. For the phosphorus and DO TMDLs, water quality targets were identified using statistical regression equations established between dissolved oxygen and BOD concentrations, and between dissolved oxygen and total phosphorus concentrations. The percent reduction method was used to develop the fecal coliform TMDL.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Department does not plan to prepare a Statement of Estimated Regulatory Cost (SERC) for this proposed Rule.

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

SPECIFIC AUTHORITY: 403.061, 403.067 FS.

LAW IMPLEMENTED: 403.031, 403.061, 403.062, 403.067 FS.

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

DATE AND TIME: April 24, 2008, 10:00 a.m.

PLACE: Florida Department of Environmental Protection, 2600 Blair Stone Road, Room A204, 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: Ms. Pat Waters at (850)245-8449. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jan Mandrup-Poulsen, Division of Water Resource Management, Bureau of Watershed Management, Mail Station 3555, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8448

THE FULL TEXT OF THE PROPOSED RULE IS:

62-304.435 Upper East Coast Basin TMDLs Spruce Creek.

(1) The Total Maximum Daily Load for the freshwater segment of Spruce Creek is 400 counts/100mL for fecal coliform, and is allocated as follows:

(a) The Wasteload Allocation for discharges subject to the Department's National Pollutant Discharge Elimination System Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 1997 to 2005 period, will require a 53 percent reduction at sources contributing to exceedances of the criteria.

(b) The Load Allocation for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 1997 to 2005 period, will require a 53 percent reduction at sources contributing to exceedances of the criteria, and

(c) The Margin of Safety is implicit.

(d) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(2) The Total Maximum Daily Load for the marine segment of Spruce Creek is based on achieving the Class 3 marine minimum dissolved oxygen criterion of 4.0 mg/L, and is allocated as follows:

(a) The Wasteload Allocation for discharges subject to the Department's National Pollutant Discharge Elimination System Municipal Stormwater Permitting Program is a 25 percent reduction of current anthropogenic 5 day biochemical oxygen demand (BOD₅) loading, and a 27 percent reduction of current anthropogenic total phosphorus (TP) loading based on measured concentrations from the 1992 to 2005 period.

(b) The Load Allocation for nonpoint sources is a 25 percent reduction of current anthropogenic 5 day biochemical oxygen demand (BOD₅) loading, and a 27 percent reduction of current anthropogenic total phosphorus (TP) loading based on measured concentrations from the 1992 to 2005 period, and

(c) The Margin of Safety is implicit.

Specific Authority 403.061, 403.067 FS. Law Implemented 403.061, 403.062, 403.067 FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Drew Bartlett, Deputy Director, Division of Water Resource Management

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mimi Drew, Deputy Secretary Regulatory Programs and Energy, Department of Environmental Protection

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 21, 2008

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-304.520
RULE TITLE: Indian River Lagoon TMDLS

PURPOSE AND EFFECT: The purpose of the rule is to adopt Total Maximum Daily Loads (TMDLs), and their allocations, for fecal coliforms for Crane Creek and the Eau Gallie River.

SUMMARY: These TMDLs address the fecal coliform impairment in Crane Creek and the Eau Gallie River, which were verified as impaired by fecal coliforms using the methodology established in Chapter 62-303, Identification of Impaired Surface Waters, Florida Administrative Code. The methodologies used to develop the TMDLs were the load duration curve method and percent reduction method for Crane Creek and the Eau Gallie River, respectively.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Department does not plan to prepare a Statement of Estimated Regulatory Cost (SERC) for this proposed Rule.

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

SPECIFIC AUTHORITY: 403.061, 403.067 FS.

LAW IMPLEMENTED: 403.031, 403.061, 403.062, 403.067 FS.

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

DATE AND TIME: April 24, 2008, 10:00 a.m.

PLACE: Florida Department of Environmental Protection, 2600 Blair Stone Road, Room A204, 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: Ms. Pat Waters at (850)245-8449. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jan Mandrup-Poulsen, Division of Water Resource Management, Bureau of Watershed Management, Mail Station 3555, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8448

THE FULL TEXT OF THE PROPOSED RULE IS:

62-304.520 Indian River Lagoon TMDLs.

(1) Fecal Coliform TMDL for Crane Creek. The Total Maximum Daily Load is an annual median of 1.23×10^{11} colonies/day and is allocated as follows:

(a) The Wasteload Allocation for the Melbourne/Grant Street Wastewater Treatment Facility is 1.21×10^{10} colonies/day. The Wasteload Allocation is only allowed during the maximum five-day Mechanical Integrity Test period, as defined in the Department permit.

(b) The Wasteload Allocation for discharges subject to the Department's National Pollutant Discharge Elimination System Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 1999 through 2007 period, will require a 56 percent reduction at sources contributing to exceedances of the criteria.

(c) The Load Allocation for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 1999 through 2007 period, will require a 56 percent reduction at sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(2) Fecal Coliform TMDL for Eau Gallie River. The Total Maximum Daily Load for Fecal Coliforms for Eau Gallie River is 400 counts/100 ml and is allocated as follows:

(a) A Wasteload Allocation for wastewater point sources is not applicable.

(b) The Wasteload Allocation for discharges subject to the Department’s National Pollutant Discharge Elimination System Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 1999 through 2007 period, will require a 81 percent reduction at sources contributing to exceedances of the criteria.

(c) The Load Allocation for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 1999 through 2007 period, will require a 81 percent reduction at sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions need to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background condition.

Specific Authority 403.061, 403.067 FS. Law Implemented 403.061, 403.062, 403.067 FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE: Drew Bartlett, Deputy Director, Division of Water Resource Management

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mimi Drew, Deputy Secretary Regulatory Programs and Energy, Department of Environmental Protection

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 21, 2008

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-304.645
 RULE TITLE: Springs Coast Basin TMDLS

PURPOSE AND EFFECT: The purpose of the proposed rule is to establish the Total Maximum Daily Loads (TMDLs), and their allocations, for the Klosterman Bayou Run tidal segment and the Saint Joes Creek freshwater segment.

SUMMARY: These TMDLs address the fecal coliform bacteria impairment in the Klosterman Bayou Run tidal segment and the Saint Joes Creek freshwater segment, which were verified as impaired by fecal coliform using the methodology established in Chapter 62-303, Identification of Impaired Surface Waters, Florida Administrative Code. A discussion of each impaired water follows:

Klosterman Bayou Run tidal segment: The TMDL for Klosterman Bayou Run is for fecal coliform bacteria and was based on the “percent reduction” methodology. Under this method, the percent reduction needed to meet the applicable criterion is calculated for each measured value above the criterion, and then the median of the percent reductions is calculated to determine the percent reduction in fecal coliform loading needed for the bayou to meet the applicable water quality criteria for fecal coliform bacteria.

Saint Joes Creek freshwater segment: The TMDL for Saint Joes Creek is for fecal coliform bacteria, and was developed using the load duration method. The TMDL provides the percent reduction in fecal coliform loading needed for the creek to meet the applicable water quality criteria for fecal coliform bacteria.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The Department does not plan to prepare a Statement of Estimated Regulatory Cost (SERC) for this proposed Rule.

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

SPECIFIC AUTHORITY: 403.061, 403.067 FS.

LAW IMPLEMENTED: 403.031, 403.061, 403.062, 403.067 FS.

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

DATE AND TIME: April 24, 2008, 10:00 a.m.

PLACE: Florida Department of Environmental Protection, 2600 Blair Stone Road, Room A204, Tallahassee, Florida

Pursuant to the Americans with Disabilities Act, any person requiring special accommodations to participate in the hearing is asked to advise the agency at least 5 days before the hearing by calling Ms. Pat Waters at (850)245-8449. If you are hearing or speech impaired, please contact the Florida Relay Service by calling (800)955-8771 (TDD) or (800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jan Mandrup-Poulsen, Division of Water Resource Management, Bureau of Watershed Management, Mail Station 3555, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8448.

THE FULL TEXT OF THE PROPOSED RULE IS:

62-304.645 Springs Coast Basin TMDLS.

(1) Klosterman Bayou Run Tidal Segment. The Total Maximum Daily Load for Klosterman Bayou Run is 400 counts/100 ml for fecal coliform, and is allocated as follows:

(a) The Wasteload Allocation for discharges subject to the Department's National Pollutant Discharge Elimination System Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2005 to 2006 period, is a 52 percent reduction of current fecal coliform loading.

(b) The Load Allocation for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2005 to 2006 period, is a 52 percent reduction of current fecal coliform loading, and

(c) The Margin of Safety is implicit.

(2) Saint Joes Creek Freshwater Segment. The Total Maximum Daily Loads for the Saint Joes Creek freshwater segment are established as follows: the Main Channel is a median of 4.1×10^{10} colonies/day for fecal coliform and the Miles Creek tributary is a median of 3.2×10^{10} colonies/day for fecal coliform, and are allocated as follows:

(a) The Wasteload Allocation for discharges subject to the Department's National Pollutant Discharge Elimination System Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2004 to 2006 period, is a 50 percent reduction of current fecal coliform loading to the Saint Joes Creek Main Channel and based on the measured concentrations from the 2005 to 2006 period, is a 57 percent reduction of fecal coliform loading to the Saint Joes Creek Miles Creek tributary.

(b) The Load Allocation for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2004 to 2006 period is a 50 percent reduction of current fecal coliform loading to the Saint Joes Creek Main Channel and based on the measured concentrations from the 2005 to 2006 period, is a 57 percent reduction of fecal coliform loading to the Saint Joes Creek Miles Creek tributary, and

(c) The Margin of Safety is implicit.

(d) While the Load Allocation and Wasteload Allocation for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal coliform concentrations. However, it is not the intent of the TMDL to abate natural background conditions.

Specific Authority 403.061, 403.067 FS. Law Implemented 403.061, 403.062, 403.067 FS. History—New _____.

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

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mimi Drew, Deputy Secretary Regulatory Programs and Energy, Department of Environmental Protection.

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED: March 21, 2008

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-304.725 RULE TITLE: Southeast Coast Basin TMDLs

PURPOSE AND EFFECT: The Department is to adopt nutrient Total Maximum Daily Load (TMDL) and their allocations for the Pompano Canal.

SUMMARY: The TMDL addresses the nutrient impairment in the Pompano Canal, which was verified as impaired by nutrients using the methodology established in Chapter 62-303, Identification of Impaired Surface Waters, Florida Administrative Code. The methodology used for developing this TMDL includes using a simple regression model as the best method available to estimate the loading capacity of the canal.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Department does not plan to prepare a Statement of Estimated Regulatory Cost (SERC) for this proposed Rule.

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

SPECIFIC AUTHORITY: 403.061, 403.067 FS.

LAW IMPLEMENTED: 403.031, 403.061, 403.062, 403.067 FS.

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

DATE AND TIME: April 24, 2008, 10:00 a.m.

PLACE: Florida Department of Environmental Protection, 2600 Blair Stone Road, Room A204, 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: Mrs. Pat Waters at (850)245-8449. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jan Mandrup-Poulsen, Division of Water Resource Management, Bureau of Watershed Management, Mail Station 3555, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8448

THE FULL TEXT OF THE PROPOSED RULE IS:

62-304.725 Southeast Coast Basin TMDLs.

The Total Maximum Daily Load for the Pompano Canal is 11,590.98 pounds per year (lbs/yr) of Total Nitrogen (TN) and 923.66 pounds per year (lbs/yr) of Total Phosphorus (TP), and is allocated as follows:

(1) There are no permitted National Pollutant Discharge Elimination System wastewater discharges to the Pompano Canal. As such, the Wasteload Allocation (WLA) for wastewater discharges is not applicable.

(2) The Wasteload Allocation for discharges subject to the Department's National Pollutant Discharge Elimination System Municipal Stormwater Permitting Program is a 15.8 percent reduction of current anthropogenic Total Nitrogen (TN) loading and a 13.6 percent reduction of current anthropogenic Total Phosphorus (TP) loading, based on measured concentrations from the 1999 to 2002 time period.

(3) The Load Allocation for nonpoint sources is a 15.8 percent reduction of current anthropogenic Total Nitrogen (TN) loading and a 13.6 percent reduction of current anthropogenic Total Phosphorus (TP) loading based, on measured concentrations from the 1999 to 2002 time period, and

(4) The Margin of Safety is implicit.

Specific Authority 403.061, 403.067 FS. Law Implemented 403.061, 403.062, 403.067 FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE: Drew Bartlett, Deputy Director, Division of Water Resource Management

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mimi Drew, Deputy Secretary Regulatory Programs and Energy, Department of Environmental Protection

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 23, 2006

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Agency for Persons with Disabilities

RULE NOS.:	RULE TITLES:
65G-4.0021	Tier Waivers
65G-4.0022	Tier One Waiver

65G-4.0023	Tier Two Waiver
65G-4.0024	Tier Three Waiver
65G-4.0025	Tier Four Waiver

PURPOSE AND EFFECT: To comply with Section 393.0661(3), F.S., requiring the Agency to implement a four-tiered waiver system to serve clients with developmental disabilities.

SUMMARY: Section 393.0661(3), F.S., requires that the agency shall assign all clients receiving waiver services through a developmental disabilities waiver to a tier based on a valid assessment instrument, client characteristics, and other appropriate assessment methods. These rules will implement that requirement.

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

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

SPECIFIC AUTHORITY: 393.0661(3) FS.

LAW IMPLEMENTED: 393.0661(3) FS.

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

DATE AND TIME: April 24, 2008, 1:00 p.m. – 4:30 p.m.

PLACE: Agency for Persons with Disabilities, Conference Room 301, 4030 Esplanade Way, Tallahassee, FL 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least three hours before the workshop/meeting by contacting: Linda Mabile, Bureau Chief, through Deb Blizzard at (850)921-4189. If you are 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: Linda Mabile, Bureau Chief, through Deb Blizzard at (850)921-4189

THE FULL TEXT OF THE PROPOSED RULES IS:

65G-4.0021 Tier Waivers.

(1) The Agency for Persons with Disabilities will assign clients of home and community-based waiver services for persons with developmental disabilities to one of the four Tier Waivers created by Section 393.0661, Florida Statutes (2007). The Agency will determine the Tier Waiver for which the client is eligible and assign the client to that waiver based on the developmental disabilities waiver criteria and limitations provided in Chapters 393 and 409, F.S., Rule Chapter 59G-13, F.A.C., and this rule Chapter and the Agency's evaluation of the following information:

(a) The client's level of need in functional, medical, and behavioral areas, as determined through Agency evaluation of client characteristics, the Agency approved assessment process, and support planning information;

(b) The client's service needs as determined through the Agency's prior service authorization process to be medically necessary;

(c) The client's age and the current living setting; and

(d) The availability of supports and services from other sources, including natural and community supports.

(2) The services described by the Developmental Disabilities Waiver Services Coverage and Limitations Handbook, July 2007 (hereinafter referred to as the "DD Handbook"), adopted by Rule 59G-13.080, F.A.C. and incorporated herein by reference, are available to clients of the Developmental Disabilities Waiver (hereinafter called "the Tier One Waiver"), the Developmental Disabilities Tier Two Waiver (hereinafter called "the Tier Two Waiver"), and Developmental Disabilities Tier Three Waiver (hereinafter called "the Tier Three Waiver"). The following services described in the DD Handbook are available to clients assigned to the Tier Four Waiver (presently known as The Family and Supported Living Waiver):

(a) Adult Day Training;

(b) Behavior Analysis;

(c) Behavior Assistance;

(d) Consumable Medical Supplies;

(e) Durable Medical Equipment;

(f) Environmental Accessibility Adaptations;

(g) In-Home Support Service;

(h) Personal Emergency Response System;

(i) Respite Care;

(j) Support Coordination;

(k) Supported Employment;

(l) Supported Living Coaching; and

(m) Transportation.

(3) The total billings in any quarter of the state's fiscal year for any service a client is authorized to receive shall not exceed twenty-five percent (25%) of the total annual cost plan budget for that service.

(4) For all Tiers client must utilize all available State Plan Medicaid services including, but not limited to, personal care assistance, therapies, and medical services, that duplicate the waiver services proposed for the client. A client shall not be provided waiver services that duplicate available State Plan Medicaid Services including, but not limited to, personal care assistance, therapies, and medical services.

(5) The Agency will review a client's tier eligibility when a client has a significant change in circumstance or condition that impacts on the client's health, safety, or welfare or when a change in the client's plan of care is required to avoid institutionalization. The information identifying and

documenting a significant change in circumstance or condition that necessitates additional or different services must be submitted by the client's Waiver Support Coordinator to the appropriate Agency Area office for determination.

(6) This rule shall take effect July 1, 2008.

Specific Authority 393.0661(3) FS. Law Implemented 393.0661(3) FS. History--New 7-1-08.

65G-4.0022 Tier One Waiver.

(1) The Tier One Waiver is limited to clients that the Agency has determined meet at least one of the following criteria:

(a) The client's needs for medical or adaptive services cannot be met in Tiers Two, Three, and Four and are essential for avoiding institutionalization, or

(b) The client possesses behavioral problems that are exceptional in intensity, duration, or frequency with resulting service needs that cannot be met in tiers Two, Three, and Four, and the client presents a substantial risk of harm to themselves or others.

(2) Clients living in a licensed residential facility receiving any of the following services shall be assigned to the Tier One Waiver:

(a) Intensive behavioral residential habilitation services;

(b) Behavior focus residential habilitation services at the moderate or above level of support; or

(c) Standard residential habilitation at the extensive 1, or higher, level of support; or

(d) Special medical home care.

(3) Nursing service needs that can be met through the Tier Two, Tier Three, or Tier Four Waivers are not "services" or "service needs" that support assignment to the Tier One Waiver.

(4) This rule shall take effect July 1, 2008.

Specific Authority 393.0661(3) FS. Law Implemented 393.0661(3) FS. History--New 7-1-08.

65G-4.0023 Tier Two Waiver.

The total budget in a cost plan year for each Tier Two Waiver client shall not exceed \$55,000. The Tier Two Waiver is limited to clients who meet the following criteria:

(1) The client's service needs include placement in a licensed residential facility and authorization for greater than five hours per day of residential habilitation services; or

(2) The client is in supported living and is authorized to receive more than six hours a day of in-home support services.

(3) This rule shall take effect July 1, 2008.

Specific Authority 393.0661(3) FS. Law Implemented 393.0661(3) FS. History--New 7-1-08.

65G-4.0024 Tier Three Waiver.

(1) The total budget in a cost plan year for each Tier Three Waiver client shall not exceed \$35,000. A client must meet at least one of the following criteria for assignment to the Tier Three Waiver:

(a) The client resides in a licensed residential facility and is not eligible for the Tier One Waiver or the Tier Two Waiver; or

(b) The client is 21 or older, resides in their own home and receives Live-in In-Home Support Services and is not eligible for the Tier One Waiver or the Tier Two Waiver; or

(c) The client is 21 or older and is authorized to receive Personal Care Assistance services at the moderate level of support as defined in the DD Handbook.

(d) The client is 21 or older and is authorized to receive Skilled or Private Duty Nursing Services and not eligible for the Tier One Waiver or the Tier Two Waiver; or

(e) The client is 22 or older and is authorized to receive services of a behavior analyst and/or a behavior assistant.

(f) The client is under the age of 22 and authorized to receive the combined services of a behavior analyst and/or a behavior assistant for more than 60 hours per month and is not eligible for the Tier One Waiver or the Tier Two Waiver.

(g) The client is 21 or older and is authorized to receive at least one of the following services:

(i) Occupational Therapy; or

(ii) Physical Therapy; or

(iii) Speech Therapy; or

(iv) Respiratory Therapy.

(2) This rule shall take effect July 1, 2008.

Specific Authority 393.0661(3) FS. Law Implemented 393.0661(3) FS. History—New 7-1-08.

65G-4.0025 Tier Four Waiver.

(1) The total budget in a cost plan year for each Tier Four Waiver client shall not exceed \$14,792 per year.

(2) Clients who are not eligible for assignment to the Tier One Waiver, the Tier Two Waiver, or the Tier Three Waiver shall be assigned to the Tier Four Waiver. The criteria for the Tier 4 Waiver includes, but is not limited to:

(a) Clients who are currently assigned to receive services through the Family and Supported Living Waiver unless there is a significant change in condition or circumstance as described in subsection 65G-4.0021(4), F.A.C.; or

(b) Clients who are under the age of 22 and residing in their own home or the family home, or

(c) Clients who are dependent children who reside in residential facilities licensed by the Department of Children and Families under Section 409.175 F.S.;

(3) This rule shall take effect July 1, 2008.

Specific Authority 393.0661(3) FS. Law Implemented 393.0661(3) FS. History—New 7-1-08.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Linda Mabile, Bureau Chief, Home and Community-Based Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Jane E. Johnson, Director, Agency for Persons with Disabilities

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 19, 2008

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

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE NO.:	RULE TITLE:
5E-14.142	Responsibilities and Duties – Records, Reports, Advertising, Applications

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 34, No. 6, February 8, 2008 issue of the Florida Administrative Weekly.

5E-14.142 Responsibilities and Duties – Records, Reports, Advertising, Applications.

(1) through (2) No change.

(3) Advertising:

(a) Pest control advertising on service vehicles, in telephone directories or other advertising media shall in all cases be factual and shall be set forth only under the licensee's name or trade name registered with the Department. Unregistered fictitious names are prohibited.

(b) All pest control telephone directory advertising, including ~~direct dial~~ long distance lines shall in all cases show the licensee's name or trade name registered with the Department, complete licensed business location address from where services will be performed and telephone numbers. ~~Blind (unidentified) telephone numbers are prohibited. All telephone numbers used in the solicitation and acceptance of pest control shall terminate in the licensed business location.~~

(c) Solicitation and acceptance of pest control must be performed by an identification card holder whether performed in person or by telephone.

(4) through (8) No change.

Specific Authority 482.051 FS. Law Implemented 482.021(21), 482.061, 482.071, 482.091, 482.111(5), (9), 482.161(1)(g), (h), 482.226(1), (6) FS. History—New 1-1-77, Amended 6-27-79, 6-22-83, 1-20-87, 10-25-90, Formerly 10D-55.142, Amended 8-11-93, 5-28-98, 4-29-02, 4-17-03,_____.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE NO.: RULE TITLE:
5E-14.149 Enforcement and Penalties

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 4, January 25, 2008 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF TRANSPORTATION

RULE NO.: RULE TITLE:
14-100.003 Variable Rate Tolls for Express Lanes
NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 34, No. 6, February 8, 2008 issue of the Florida Administrative Weekly.

SUMMARY OF CHANGE: A public hearing was held on March 4, 2008, as scheduled in the notice of rulemaking. In addition, the Joint Administrative Procedures Committee review required changes and clarification.

1. 14-100.003(1): The word “fixed” is changed to “static” in the last sentence.
2. 14-100.003(2): The definition is revised by breaking the existing language into (a) and adding a new (b), which reads: “(b) Free-flow conditions are those conditions under which vehicles are generally unimpeded and typically able to safely operate at speeds of 45 MPH or greater along an uninterrupted expressway segment.”
3. 14-100.003(3): The words “which will be determined through in-road date measuring and reporting systems” is added between “following” and the colon.
4. 14-100.003(4): The word “varied” is changed to “fixed either” and “pre-established” is added before “time-of-day” in the lead in sentence.
5. 14-100.003(4)(a): The word “set” is changed to “established” and “demand” is changed to “volume.. .”
6. 14-100.003(4)(b) and (c): The word “pre-established” is added before “time-of-day. . .”
7. 14-100.003(4)(d): The word “demand” is changed to “volume” and a new sentence is added at the end to read: “Incremental rate changes will be established based on sensitivity analyses, and practices designed to ensure safe operations at points of ingress and egress.
8. 14-100.003(4)(e): The word “minimum” is deleted.

9. 14-100.003(4)(e)1.: The word “minimum” is deleted, “between” is added before “\$0.03,” and “and \$1.00” is added after “\$0.30.”
10. 14-100.003(4)(e)3.: The word “Be” is deleted at the beginning of the sentence and “at” is capitalized.
11. 14-100.003(4)(e)4.: A new “4.” is added to read as follows: “4. No more than that toll rate needed to maintain free-flow conditions within the express lanes.”
12. 14-100.003(4)(f): This paragraph is deleted in its entirety.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:
33-402.101 Dental Services – General
NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 34, No. 7, February 15, 2008 issue of the Florida Administrative Weekly.

33-402.101 Dental Services – General.

- (1) No change.
- (2) Definitions.
 - (a) Emergency dental services include treatment for trauma, ~~emergency tooth extractions, severe tooth pain,~~ control of bleeding, and acute infection. Emergency dental services shall be available to inmates 24-hours a day.
 - (b) through (d) No change.
 - (3) through (10) No change.

Specific Authority 944.09, 945.6034, 945.6037 FS. Law Implemented 466.001, 466.003, 466.017, 466.023, 466.024, 944.09, 945.6034, 945.6037 FS. History—New_____.

DEPARTMENT OF ELDER AFFAIRS

Long-Term Care Ombudsman Program

RULE NOS.: RULE TITLES:
58L-1.001 Confidentiality and Disclosure
58L-1.005 Access
58L-1.006 Conflict of Interest
58L-1.007 Complaint Procedures

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 33, No. 41, October 12, 2007 issue of the Florida Administrative Weekly has been withdrawn.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: 59A-3.2085
 RULE TITLE: Department and Services
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 33, No. 39, September 28, 2007 issue of the Florida Administrative Weekly.

59A-3.2085 Department and Services.

(1) through (12) No change.

(13) Adult ~~Inpatient~~ Diagnostic Cardiac Catheterization Program. All licensed hospitals that establish adult diagnostic cardiac catheterization laboratory services under Section 408.0361, F.S., shall operate in compliance with the guidelines of the American College of Cardiology/American Heart Association regarding the operation of diagnostic cardiac catheterization laboratories. Hospitals are considered to be in compliance with American College of Cardiology/American Heart Association guidelines when they adhere to standards regarding staffing, physician training and experience, operating procedures, equipment, physical plant, and patient selection criteria to ensure patient quality and safety. The applicable guideline, herein incorporated by reference, is the American College of Cardiology/Society for Cardiac Angiography and Interventions Clinical Expert Consensus Document on Cardiac Catheterization Laboratory Standards: Bashore et al. ACC/SCA&I Clinical Expert Consensus Document on Catheterization Laboratory Standards, JACC Vol. 37, No. 8, June 2001: 2170-214. Aspects of the guideline related to pediatric services or outpatient cardiac catheterization in freestanding non-hospital settings are not applicable to this rule. All licensed hospitals that establish an Adult Inpatient Diagnostic Cardiac Catheterization Program after July 1, 1997 pursuant to an exemption granted under Section 408.036(3)(n), F.S., shall comply with the provisions of the ACC/AHA Guidelines for Cardiac Catheterization and Cardiac Catheterization Laboratories JACC Volume 18, Number 5 of November 1, 1991, which establish the standards for Cardiac Catheterization and Cardiac Catheterization Laboratories, and which is hereby incorporated by reference, except as modified herein.

All such ~~exempted~~ licensed hospitals shall have a department, service or other similarly titled unit which shall be organized, directed and staffed, and integrated with other units and departments of the hospitals in a manner designed to assure the provision of quality patient care.

(a) Definitions. The following definitions shall apply specifically to all adult ~~inpatient~~ diagnostic cardiac catheterization programs, as described in this subsection 59A-3.2085(13), F.A.C.:

~~1.3-~~ “Diagnostic Cardiac Catheterization” means a procedure requiring the passage of a catheter into one or more cardiac chambers of the left and right heart, with or without coronary arteriograms, for the purpose of diagnosing congenital or acquired cardiovascular diseases, or for determining measurement of blood pressure flow; and also includes the selective catheterization of the coronary ostia with injection of contrast medium into the coronary arteries.

~~1.~~ “ACC/AHA” means the American College of Cardiology/American Heart Association.

~~2.~~ “JACC” means the Journal of the American College of Cardiology.

~~2.4.~~ “Adult ~~Inpatient~~” means a person fifteen years of age or older who has been admitted for bed occupancy for the purposes of receiving inpatient hospital services.

~~5.~~ “Annual Program Volume” means the total number of inpatient and outpatient admissions to the adult cardiac catheterization program, for the purpose of diagnostic cardiac catheterization, for a 12-month period. A single admission is equivalent to one patient visit to the cardiac catheterization program. Each patient visit shall be counted in determining the actual program volume regardless of whether the patient is an inpatient or outpatient at the hospital performing the procedure, or has been admitted as an inpatient or outpatient at another facility.

~~3.(b)~~ Therapeutic Procedures. An adult diagnostic cardiac catheterization program established pursuant to an exemption granted under Section 408.0361, 408.036(3)(n), F.S., shall not provide therapeutic services, such as ~~balloon angioplasty percutaneous coronary intervention or stent insertion~~, intended to treat an identified condition or the administering of intra-coronary drugs, such as thrombolytic agents.

~~4.(e)~~ Diagnostic Procedures. Procedures performed in the adult diagnostic cardiac catheterization laboratory shall include, for example, the following:

- ~~a.1-~~ Left heart catheterization with coronary angiography and left ventriculography
- ~~b.2-~~ Right heart catheterization
- ~~c.3-~~ Hemodynamic monitoring line insertion
- ~~d.4-~~ Aortogram
- ~~e.5-~~ Emergency temporary pacemaker insertion
- ~~6.~~ Transesophageal electric pacing
- ~~f.7-~~ Myocardial biopsy
- ~~g.8-~~ Diagnostic trans-septal procedures
- ~~h.9-~~ Intra-coronary ultrasound (ICUS)
- ~~i.10-~~ Fluoroscopy
- ~~j.11-~~ Hemodynamic stress testing

~~(d)~~ Annual Program Volume. The minimum program volume for an adult diagnostic cardiac catheterization service shall be either 300 admissions during the 12-month period commencing 18 months after a program becomes operational, or 150 admissions by at least one physician who performed

~~diagnostic cardiac catheterizations during that period, with a second physician with at least 100 admissions for adult diagnostic cardiac catheterization during the same period. The program volume standard shall be met during each subsequent 12 month period. An annual report of compliance with this requirement shall be forwarded to the Agency's Certificate of Need Office.~~

~~(b)(e)~~ Support Equipment. A crash cart containing the necessary medication and equipment for ventilatory support shall be located in each cardiac catheterization procedure room. A listing of all crash cart contents shall be readily available. At the beginning of each shift, the crash cart shall be checked for intact lock; the defibrillator and corresponding equipment shall be checked for function and operational capacity. A log shall be maintained indicating review.

~~(c)~~ Radiographic Cardiac Imaging Systems. A quality improvement program for radiographic imaging systems shall include measures of image quality, dynamic range and modulation transfer function. Documentation indicating the manner in which this requirement will be met shall be available for the Agency's review.

~~(d)(f)~~ Physical Plant Requirements. Section 419.2.1.2, Florida Building Code, subsection 59A-3.081(53), F.A.C., contains the physical plant requirements for the adult diagnostic inpatient cardiac catheterization program.

~~(e)(e)~~ Personnel Requirements. There shall be an adequate number of trained personnel available. At a minimum, a team involved in cardiac catheterization shall consist of a physician, one registered nurse, and one technician.

~~(f)~~ Quality Improvement Program. A quality improvement program for the adult diagnostic cardiac catheterization program laboratory shall include an assessment of proficiency in diagnostic coronary procedures, as described in the American College of Cardiology/American Heart Association Guidelines. Essential data elements for the quality improvement program include the individual physician procedural volume and major complication rate; the institutional procedural complication rate; relevant clinical and demographic information about patients; verification of data accuracy; and procedures for patient, physician and staff confidentiality. Documentation indicating the manner in which this requirement will be met shall be available for the Agency's review.

~~(g)(h)~~ Emergency Services. Cardiac catheterization programs in a hospital not performing open heart surgery shall have a written protocol for the transfer of emergency patients to a hospital providing open heart surgery, which is within thirty minutes travel time by emergency vehicle under average travel conditions.

1. All providers of adult diagnostic cardiac catheterization program services in a hospital not licensed as a Level II adult cardiovascular services provider shall have written transfer agreements developed specifically for diagnostic cardiac

catheterization patients with one or more hospitals that operate a Level II adult cardiovascular services program. Written agreements must be in place to ensure safe and efficient emergency transfer of a patient within 60 minutes. Transfer time is defined as the number of minutes between the recognition of an emergency as noted in the hospital's internal log and the patient's arrival at the receiving hospital. Transfer and transport agreements must be reviewed and tested at least every 3 months, with appropriate documentation maintained including the hospital's internal log or emergency medical services data. Each program shall be capable of providing immediate endocardiac catheter pacemaking in case of cardiac arrest and pressure recording for monitoring and evaluating valvular disease, or heart failure. Documentation indicating the manner in which this requirement will be met shall be available for the Agency's review.

2. Patients at high risk for diagnostic catheterization complications shall be referred for diagnostic catheterization services to hospitals licensed as a Level II adult cardiovascular services provider. For example, patients actively infarcting should be defined as high risk and be immediately transported to a hospital where on-site open heart surgery is available. Hospitals not licensed as a Level II adult cardiovascular services provider must have documented patient selection and exclusion criteria and provision for identification of emergency situations requiring transfer to a hospital with a Level II adult cardiovascular services program. Documentation indicating the manner in which this requirement will be met shall be available for the Agency's review.

3. Each adult diagnostic cardiac catheterization program shall have the capability to rapid mobilization of its team 23 hours a day, 7 days a week. Documentation indicating the manner in which this requirement will be met shall be available for the Agency's review.

(h) Policy and Procedure Manual for Medicaid and Charity Care.

1. Each provider of adult diagnostic cardiac catheterization services shall maintain a policy and procedure manual, available for review by the Agency, which documents a plan to provide services to Medicaid and charity care patients.

2. At a minimum, the policy and procedure manual shall document specific outreach programs directed at Medicaid and charity care patients for adult diagnostic cardiac catheterization services.

(i) Enforcement. Enforcement of these rules shall follow procedures established in Rule 59A-3.253, F.A.C. Each diagnostic catheterization program shall provide a minimum of 2 percent of its admissions to charity and Medicaid patients each year. An annual report of compliance with this requirement shall be forwarded to the Agency's Certificate of Need Office.

(j) In case of conflict between the provisions of this rule and the guidelines of the American College of Cardiology, the provisions of this part shall prevail.

(14) through (15) No change.

(16) Level I Adult Cardiovascular Services.

(a) Licensure.

1. A hospital seeking a license for a Level I adult cardiovascular services program shall submit an application on a form provided by the Agency (See Form 1: Level I Adult Cardiovascular Services License Application Attestation: AHCA Form, Section 18(a) of this rule _____), signed by the chief executive officer of the hospital, attesting that, for the most recent 12-month period, the hospital has provided a minimum of 300 adult inpatient and outpatient diagnostic cardiac catheterizations or, for the most recent 12-month period, has discharged or transferred at least 300 inpatients with the principal diagnosis of ischemic heart disease (defined by ICD-9-CM codes 410.0 through 414.9).

a. Reportable cardiac catheterization procedures are defined as single sessions with a patient in the hospital's cardiac catheterization procedure room(s), irrespective of the number of specific procedures performed during the session.

b. Reportable cardiac catheterization procedures shall be limited to those provided and billed for by the Level I licensure applicant and shall not include procedures performed at the hospital by physicians who have entered into block leases or joint venture agreements with the applicant.

2. The request shall attest to the hospital's intent and ability to comply with the *American College of Cardiology/Society for Cardiac Angiography and Interventions Clinical Expert Consensus Document on Cardiac Catheterization Laboratory Standards: Bashore et al. ACC/SCA&I Clinical Expert Consensus Document on Catheterization Laboratory Standards, JACC Vol. 37, No. 8, June 2001: 2170-214; and the ACC/AHA/SCAI 2005 Guideline Update for Percutaneous Coronary Intervention A Report of the American College of Cardiology/American Heart Association Task Force on Practice Guidelines (ACC/AHA/SCAI Writing Committee to Update the 2001 Guidelines for Percutaneous Coronary Intervention)*; including guidelines for staffing, physician training and experience, operating procedures, equipment, physical plant, and patient selection criteria to ensure patient quality and safety.

3. The request shall attest to the hospital's intent and ability to comply with physical plant requirements regarding cardiac catheterization laboratories and operating rooms found Section 419.2.1.2, Florida Building Code.

4. The request shall also include copies of one or more written transfer agreements with hospitals that operate a Level II adult cardiovascular services program, including written transport protocols to ensure safe and efficient transfer of an emergency patient within 60 minutes. Transfer time is defined

as the number of minutes between the recognition of an emergency as noted in the hospital's internal log and the patient's arrival at the receiving hospital.

5. All providers of Level I adult cardiovascular services programs shall operate in compliance with subsection 59A-3.2085(13), F.A.C., and the guidelines of the American College of Cardiology/American Heart Association regarding the operation of adult diagnostic cardiac catheterization laboratories and the provision of percutaneous coronary intervention.

6. The applicable guidelines, herein incorporated by reference, are the *American College of Cardiology/Society for Cardiac Angiography and Interventions Clinical Expert Consensus Document on Cardiac Catheterization Laboratory Standards: Bashore et al. ACC/SCA&I Clinical Expert Consensus Document on Catheterization Laboratory Standards, JACC Vol. 37, No. 8, June 2001: 2170-214; and the ACC/AHA/SCAI 2005 Guideline Update for Percutaneous Coronary Intervention A Report of the American College of Cardiology/American Heart Association Task Force on Practice Guidelines (ACC/AHA/SCAI Writing Committee to Update the 2001 Guidelines for Percutaneous Coronary Intervention)*. Aspects of the guideline related to pediatric services or outpatient cardiac catheterization in freestanding non-hospital settings are not applicable to this rule. Aspects of the guideline related to the provision of elective percutaneous coronary intervention only in hospitals authorized to provide open heart surgery are not applicable to this rule.

7. Hospitals are considered to be in compliance with American College of Cardiology/American Heart Association guidelines when they adhere to standards regarding staffing, physician training and experience, operating procedures, equipment, physical plant, and patient selection criteria to ensure patient quality and safety. Hospitals must also document an ongoing quality improvement plan to ensure that the cardiac catheterization program and the percutaneous coronary intervention program meet or exceed national quality and outcome benchmarks reported by the American College of Cardiology-National Cardiovascular Data Registry.

8. Level I adult cardiovascular service providers shall report to the American College of Cardiology-National Cardiovascular Data Registry in accordance with the timetables and procedures established by the Registry. All data shall be reported using the specific data elements, definitions and transmission format as set forth by the American College of Cardiology-National Cardiovascular Data Registry.

a. Each hospital licensed to provide Level I adult cardiovascular services shall execute the required agreements with the American College of Cardiology-National Cardiovascular Data Registry to participate in the data registry.

b. Each hospital licensed to provide Level I adult cardiovascular services shall stay current with the payment of all fees necessary to continue participation in the American College of Cardiology-National Cardiovascular Data Registry.

c. Each hospital licensed to provide Level I adult cardiovascular services shall release the data reported by the American College of Cardiology-National Cardiovascular Data Registry to the Agency for Health Care Administration.

d. Each hospital licensed to provide Level I adult cardiovascular services shall use the American College of Cardiology-National Cardiovascular Data Registry data sets and use software approved by the American College of Cardiology for data reporting.

e. Each hospital licensed to provide Level I adult cardiovascular services shall ensure that software formats are established and maintained in a manner that meets American College of Cardiology-National Cardiovascular Data Registry transmission specifications and encryption requirements. If necessary, each hospital shall contract with a vendor approved by the American College of Cardiology-National Cardiovascular Data Registry for software and hardware required for data collection and reporting.

f. To the extent required by the American College of Cardiology-National Cardiovascular Data Registry, each hospital licensed to provide Level I adult cardiovascular services shall implement procedures to transmit data via a secure website or other means necessary to protect patient privacy.

g. Each hospital licensed to provide Level I adult cardiovascular services shall ensure that all appropriate data is submitted on every patient that receives medical care and is eligible for inclusion in the American College of Cardiology-National Cardiovascular Data Registry.

h. Each hospital licensed to provide Level I adult cardiovascular services shall maintain an updated and current institutional profile with the American College of Cardiology-National Cardiovascular Data Registry.

i. Each hospital licensed to provide Level I adult cardiovascular services shall ensure that data collection and reporting will only be performed by trained, competent staff and that such staff shall adhere to the American College of Cardiology-National Cardiovascular Data Registry standards.

j. Each hospital licensed to provide Level I adult cardiovascular services shall submit corrections to any data submitted to the American College of Cardiology-National Cardiovascular Data Registry as discovered by the hospital or by the American College of Cardiology-National Cardiovascular Data Registry. Such corrections shall be submitted within thirty days of discovery of the need for a correction or within such other time frame as set forth by the American College of Cardiology-National Cardiovascular Data Registry. Data submitted must be at a level that the

American College of Cardiology-National Cardiovascular Data Registry will include the data in national benchmark reporting.

l. By submitting data to the American College of Cardiology-National Cardiovascular Data Registry in the manner set forth herein, each hospital shall be deemed to have certified that the data submitted for each time period is accurate, complete and verifiable. k. Each hospital licensed to provide Level I adult cardiovascular services shall designate an American College of Cardiology-National Cardiovascular Data Registry site manager that will serve as a primary contact between the hospital, the American College of Cardiology-National Cardiovascular Data Registry and the Agency with regard to data reporting. The identity of each site manager shall be provided to the Hospital and Outpatient Services Unit at the Agency for Health Care Administration in Tallahassee.

9. Notwithstanding American College of Cardiology/American Heart Association guidelines to the contrary, all providers of Level I adult cardiovascular services programs may provide emergency and elective percutaneous coronary intervention procedures. Aspects of the guidelines related to pediatric services or outpatient cardiac catheterization in freestanding non-hospital settings are not applicable to this rule.

10. Hospitals with Level I adult cardiovascular services programs are prohibited from providing the following procedures:

a. Any therapeutic procedure requiring transseptal puncture, or

b. Any lead extraction for a pacemaker, biventricular pacer or implanted cardioverter defibrillator.

11. Hospitals with Level I adult cardiovascular services programs must renew their licenses at the time of the hospital licensure renewal, providing the information in two through five above. Failure to renew the hospital's license or failure to update the information in two through five above shall cause the license to expire.

(b) Staffing.

1. Each cardiologist shall be an experienced physician who has performed a minimum of 75 interventional cardiology procedures, exclusive of fellowship training and within the previous 12 months from the date of the Level I adult cardiovascular licensure application or renewal application.

2. Physicians with less than 12 months experience shall fulfill applicable American College of Cardiology/American Heart Association training requirements prior to being allowed to perform emergency percutaneous coronary interventions in a hospital that is not licensed for a Level II adult cardiovascular services program.

3. The nursing and technical catheterization laboratory staff shall be experienced in handling acutely ill patients requiring intervention or balloon pump. Each member of the

nursing and technical catheterization laboratory staff shall have at least 500 hours of previous experience in dedicated cardiac interventional laboratories at a hospital with a Level II adult cardiovascular services program. They shall be skilled in all aspects of interventional cardiology equipment, and must participate in a 24-hour-per-day, 365 day-per-year call schedule.

4. The hospital shall ensure that a member of the cardiac care nursing staff who is adept in hemodynamic monitoring and Intra-aortic Balloon Pump (IABP) management shall be in the hospital at all times.

(c) Emergency Services.

1. A hospital provider of Level I adult cardiovascular services program must ensure it has systems in place for the emergent transfer of patients with intra-aortic balloon pump support to one or more hospitals licensed to operate a Level II adult cardiovascular services program. Formalized written transfer agreements developed specifically for emergency PCI patients must be developed with a hospital that operates a Level II adult cardiovascular services program. Written transport protocols must be in place to ensure safe and efficient transfer of a patient within 60 minutes. Transfer time is defined as the number of minutes between the recognition of an emergency as noted in the hospital's internal log and the patient's arrival at the receiving hospital. Transfer and transport agreements must be reviewed and tested at least every 3 months, with appropriate documentation maintained.

(d) Policy and Procedure Manual for Medicaid and Charity Care.

1. Each provider of Level I adult cardiovascular services shall maintain a policy and procedure manual, available for review by the Agency, which documents a plan to provide services to Medicaid and charity care patients.

2. At a minimum, the policy and procedure manual shall document specific outreach programs directed at Medicaid and charity care patients for Level I adult cardiovascular services.

(e) Physical Plant Requirements.

Section 419.2.1.2, Florida Building Code, contains the physical plant requirements for adult cardiac catheterization laboratories operated by a licensed hospital.

(f) Enforcement.

1. Enforcement of these rules shall follow procedures established in Rule 59A-3.253, F.A.C.

2. Unless in the view of the Agency there is a threat to the health, safety or welfare of patients, Level I adult cardiovascular services programs that fail to meet provisions of this rule shall be given 15 days to develop a plan of correction that must be accepted by the Agency.

3. Failure of the hospital with a Level I adult cardiovascular services program to make improvements specified in the plan of correction shall result in the revocation of the program license. The hospital may offer evidence of mitigation and such evidence could result in a lesser sanction.

(g) In case of conflict between the provisions of this rule and the guidelines of the American College of Cardiology, the provisions of this part shall prevail.

(17) Level II Adult Cardiovascular Services.

(a) Licensure.

1. A hospital seeking a license for a Level II adult cardiovascular services program shall submit an application on a form provided by the Agency (See Form 2: Level II Adult Cardiovascular Services License Application Attestation; AHCA Form _____, Section 18(b) of this rule _____) to the Agency, signed by the chief executive officer of the hospital, attesting that, for the most recent 12-month period, the hospital has provided a minimum of a minimum of 1,100 adult inpatient and outpatient cardiac catheterizations, of which at least 400 must be therapeutic cardiac catheterizations, or, for the most recent 12-month period, has discharged at least 800 patients with the principal diagnosis of ischemic heart disease (defined by ICD-9-CM codes 410.0 through 414.9).

a. Reportable cardiac catheterization procedures shall be limited to those provided and billed for by the Level II licensure applicant and shall not include procedures performed at the hospital by physicians who have entered into block leases or joint venture agreements with the applicant.

2. The request shall attest to the hospital's intent and ability to comply with applicable American College of Cardiology/American Heart Association guidelines including guidelines for staffing, physician training and experience, operating procedures, equipment, physical plant, and patient selection criteria to ensure patient quality and safety.

3. The request shall attest to the hospital's intent and ability to comply with physical plant requirements regarding cardiac catheterization laboratories and operating rooms found Section 419.2.1.2, Florida Building Code.

4. All providers of Level II adult cardiovascular services programs shall operate in compliance with subsections 59A-3.2085(13) and 59A-3.2085(16), F.A.C. and the applicable guidelines of the American College of Cardiology/American Heart Association regarding the operation of diagnostic cardiac catheterization laboratories, the provision of percutaneous coronary intervention and the provision of coronary artery bypass graft surgery.

a. The applicable guidelines, herein incorporated by reference, are the *American College of Cardiology/Society for Cardiac Angiography and Interventions Clinical Expert Consensus Document on Cardiac Catheterization Laboratory Standards*; *Bashore et al. ACC/SCA&I Clinical Expert Consensus Document on Catheterization Laboratory Standards, JACC Vol. 37, No. 8, June 2001: 2170-214*; and

b. *ACC/AHA/SCAI 2005 Guideline Update for Percutaneous Coronary Intervention A Report of the American College of Cardiology/American Heart Association Task Force*

on Practice Guidelines (ACC/AHA/SCAI Writing Committee to Update the 2001 Guidelines for Percutaneous Coronary Intervention); and

c. ACC/AHA 2004 Guideline Update for Coronary Artery Bypass Graft Surgery: A Report of the American College of Cardiology/American Heart Association Task Force on Practice Guidelines (Committee to Update the 1999 Guidelines for Coronary Artery Bypass Graft Surgery) Developed in Collaboration With the American Association for Thoracic Surgery and the Society of Thoracic Surgeons.

d. Aspects of the guidelines related to pediatric services or outpatient cardiac catheterization in freestanding non-hospital settings are not applicable to this rule.

5. Hospitals are considered to be in compliance with American College of Cardiology/American Heart Association guidelines when they adhere to standards regarding staffing, physician training and experience, operating procedures, equipment, physical plant, and patient selection criteria to ensure patient quality and safety. Hospitals must also document an ongoing quality improvement plan to ensure that the cardiac catheterization program, the percutaneous coronary intervention program and the cardiac surgical program meet or exceed national quality and outcome benchmarks reported by the American College of Cardiology-National Cardiovascular Data Registry and the Society of Thoracic Surgeons.

6. In addition to the requirements set forth in subparagraph (16)(a)7. of this rule, each hospital licensed to provide Level II adult cardiovascular services programs shall participate in the Society of Thoracic Surgeons National Database.

a. Each hospital licensed to provide Level II adult cardiovascular services shall report to the Society of Thoracic Surgeons National Database in accordance with the timetables and procedures established by the Database. All data shall be reported using the specific data elements, definitions and transmission format as set forth by the Society of Thoracic Surgeons.

b. Each hospital licensed to provide Level II adult cardiovascular services shall stay current with the payment of all fees necessary to continue participation in the Society of Thoracic Surgeons data registry.

c. Each hospital licensed to provide Level II adult cardiovascular services shall release the data reported by the Society of Thoracic Surgeons National Database to the Agency.

d. Each hospital licensed to provide Level II adult cardiovascular services shall use the most current version of the Society of Thoracic Surgeons National Database and use software approved by the Society of Thoracic Surgeons for data reporting.

e. Each hospital licensed to provide Level II adult cardiovascular services shall ensure that software formats are established and maintained in a manner that meets Society of Thoracic Surgeons transmission specifications and encryption

requirements. If necessary, each hospital shall contract with a vendor approved by the Society of Thoracic Surgeons National Database for software and hardware required for data collection and reporting.

f. To the extent required by the Society of Thoracic Surgeons National Database, each hospital licensed to provide Level II adult cardiovascular services shall implement procedures to transmit data via a secure website or other means necessary to protect patient privacy.

g. Each hospital licensed to provide Level II adult cardiovascular services shall ensure that all appropriate data is submitted on every patient who receives medical care and is eligible for inclusion in the Society of Thoracic Surgeons National Database.

h. Each hospital licensed to provide Level II adult cardiovascular services shall maintain an updated and current institutional profile with the Society of Thoracic Surgeons National Database.

i. Each hospital licensed to provide Level II adult cardiovascular services shall ensure that data collection and reporting will only be performed by trained, competent staff and that such staff shall adhere to Society of Thoracic Surgeons National Database standards.

j. Each hospital licensed to provide Level II adult cardiovascular services shall submit corrections to any data submitted to the Society of Thoracic Surgeons National Database as discovered by the hospital or by the Society of Thoracic Surgeons National Database. Such corrections shall be submitted within thirty days of discovery of the need for a correction or within such other time frame as set forth by the Society of Thoracic Surgeons National Database. Data submitted must be at a level that the Society of Thoracic Surgeons National Database will include the data in national benchmark reporting.

k. Each hospital licensed to provide Level II adult cardiovascular services shall designate a Society of Thoracic Surgeons National Database site manager that will serve as a primary contact between the hospital, the Society of Thoracic Surgeons National Database and the Agency with regard to data reporting. The identity of each site manager shall be provided to the Hospital and Outpatient Services Unit at the Agency for Health Care Administration in Tallahassee.

l. By submitting data to the Society of Thoracic Surgeons National Database and the American College of Cardiology-National Cardiovascular Data Registry in the manner set forth herein, each hospital shall be deemed to have certified that the data submitted for each time period is accurate, complete and verifiable.

7. Hospitals with Level II adult cardiovascular services programs must renew their licenses at the time of the hospital licensure renewal, providing the information in two through

four above. Failure to renew the hospital's license or failure to update the information in two through four above shall cause the license to expire.

(b) Staffing.

1. Each cardiac surgeon shall be Board certified.

a. New surgeons shall be Board certified within 4 years after completion of their fellowship.

b. Experienced surgeons with greater than 10 years experience shall document that their training and experience preceded the availability of Board certification.

2. Each cardiologist shall be an experienced physician who has performed a minimum of 75 interventional cardiology procedures, exclusive of fellowship training and within the previous 12 months from the date of the Level II adult cardiovascular licensure application or renewal application.

3. The nursing and technical catheterization laboratory staff shall be experienced in handling acutely ill patients requiring intervention or balloon pump. Each member of the nursing and technical catheterization laboratory staff shall have at least 500 hours of previous experience in dedicated cardiac interventional laboratories at a hospital with a Level II adult cardiovascular services program. They shall be skilled in all aspects of interventional cardiology equipment, and must participate in a 24-hour-per-day, 365 day-per-year call schedule.

4. The hospital shall ensure that a member of the cardiac care nursing staff who is adept in hemodynamic monitoring and Intra-aortic Balloon Pump (IABP) management shall be in the hospital at all times.

(c) Policy and Procedure Manual for Medicaid and Charity Care.

1. Each provider of adult Level II adult cardiovascular services shall maintain a policy and procedure manual, available for review by the Agency, which documents a plan to provide services to Medicaid and charity care patients.

2. At a minimum, the policy and procedure manual shall document specific outreach programs directed at Medicaid and charity care patients for Level II adult cardiovascular services.

(d) Physical Plant Requirements.

Section 419.2.1.2, Florida Building Code, contains the physical plant requirements for adult cardiac catheterization laboratories and operating rooms for cardiac surgery operated by a licensed hospital.

(e) Enforcement.

1. Enforcement of these rules shall follow procedures established in Rule 59A-3.253, F.A.C.

2. Unless in the view of the Agency there is a threat to the health, safety or welfare of patients, Level II adult cardiovascular services programs that fail to meet provisions of this rule shall be given 15 days to develop a plan of correction that must be accepted by the Agency.

3. Failure of the hospital with a Level II adult cardiovascular services program to make improvements specified in the plan of correction shall result in the revocation of the program license. The hospital may offer evidence of mitigation and such evidence could result in a lesser sanction.

(f) In case of conflict between the provisions of this rule and the guidelines of the American College of Cardiology, the provisions of this part shall prevail.

(18) Forms.

(a) Form 1: Level I Adult Cardiovascular Services License Application, AHCA Form _____.

Attestation

AHCA Facility Number:

Facility Name:

Facility/Premise Address:

12-month Reporting Period:

Volume:

Total number of adult cardiac catheterization patients/sessions:

Inpatient Sessions:

Outpatient Sessions:

Or

Total number of inpatient discharges or transfers with principal diagnosis of ischemic heart disease (ICD-9-CM codes 410.0 through 414.9)

Inpatient Discharges:

Inpatient Transfers:

I, the undersigned, upon oath and affirmation of belief and personal knowledge, attest that the above named hospital volume are true, accurate, and complete.

I, the undersigned, upon oath and affirmation of belief and personal knowledge, attest that the above named hospital will fully comply, where applicable, with the guidelines of the American College of Cardiology/American Heart Association guidelines for staffing, physician training and experience, operating procedures, equipment, physical plant, and patient selection criteria to ensure quality patient care and safety, except where they are in conflict with Florida law.

I, the undersigned, upon oath and affirmation of belief and personal knowledge, attest that the above named hospital will fully comply with the physical plant requirements regarding cardiac catheterization laboratories and operating rooms found in Section 419.2.1.2, Florida Building Code as applicable.

I, the undersigned, upon oath and affirmation of belief and personal knowledge, attest that the above named hospital has a formalized, written transfer agreement with a hospital that has a Level II adult cardiovascular program, including a written transport agreement(s) to ensure safe and efficient transfer of a patient within 60 minutes.

I, the undersigned, upon oath and affirmation of belief and personal knowledge, attest that the above named hospital will participate in the American College of Cardiology National Cardiovascular Data Registry.

I, the undersigned, upon oath and affirmation of belief and personal knowledge, attest that the above named hospital has a formalized plan to provide services to Medicaid and charity care patients in need of Level I adult cardiovascular services.

I, _____, hereby swear or affirm that the statements in this attestation are true and correct.

Signature of Chief Executive Officer Date

STATE OF FLORIDA

COUNTY OF _____

Sworn to and subscribed before me this _____, _____
by _____.

This individual is personally known to me or produced the following identification: _____

Notary Public

NOTARY SEAL:

(b) Form 2: Level II Adult Cardiovascular Services License Application. AHCA Form _____.

Attestation

AHCA Facility Number:

Facility Name:

Facility/Premise Address:

12-month Reporting Period:

Volume:

Total number of adult cardiac catheterization patients/sessions:

Inpatient Sessions:

Outpatient Sessions:

Or

Total number of inpatient discharges or transfers with principal diagnosis of ischemic heart disease (ICD-9-CM codes 410.0 through 414.9)

Inpatient Discharges:

Inpatient Transfers:

I, the undersigned, upon oath and affirmation of belief and personal knowledge, attest that the above named hospital volume are true, accurate, and complete.

I, the undersigned, upon oath and affirmation of belief and personal knowledge, attest that the above named hospital will fully comply with the physical plant requirements regarding cardiac catheterization laboratories and operating rooms found in Section 419.2.1.2, Florida Building Code as applicable. I, the undersigned, upon oath and affirmation of belief and personal knowledge, attest that the above named hospital will fully comply with the guidelines of the American College of Cardiology/American Heart Association guidelines for

staffing, physician training and experience, operating procedures, equipment, physical plant, and patient selection criteria to ensure patient quality and safety.

I, the undersigned, upon oath and affirmation of belief and personal knowledge, attest that the above name hospital will participate in the American College of Cardiology National Cardiovascular Data Registry and the Society of Thoracic Surgeons National Database.

I, the undersigned, upon oath and affirmation of belief and personal knowledge, attest that the above name hospital/facility has a formalized plan to provide services to Medicaid and charity care patients in need of Level II adult cardiovascular services.

I, _____, hereby swear or affirm that the statements in this attestation are true and correct.

Signature of Chief Executive Officer Date

STATE OF FLORIDA

COUNTY OF _____

Sworn to and subscribed before me this _____, _____
by _____.

This individual is personally known to me or produced the following identification: _____

Notary Public

NOTARY SEAL:

Specific Authority 395.1055, 395.3038, 395.401, 408.036, 408.0361(1) FS. Law Implemented 395.001, 395.1055, 395.1065, 395.3038, 395.401, 408.036, 408.0361, 957.05 FS. History--New 4-17-97, Amended 3-29-98, 8-23-99, 3-23-06, _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NOS.:

RULE TITLES:

59G-13.080

Home and Community-Based Services Waivers

59G-13.083

Developmental Disabilities Waiver Services

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 34, No. 6, February 8, 2008 issue of the Florida Administrative Weekly.

These changes are in response to comments received from the Joint Administrative Procedures Committee and during the public hearing process.

59G-13.080(9). The subsection used both commas and semicolons to separate the names of the authorized Home and Community-Based Waiver programs. We replaced the commas separating the names of the waivers with semicolons. The subsection now reads, "(9) Home and Community-Based Services Waiver Programs. The following are authorized HCB services waivers: Adult Cystic Fibrosis Waiver; Adult Day

Health Waiver; Aged and Disabled Adult Waiver; Alzheimer's Disease Waiver; Assisted Living for the Elderly Waiver; Channeling Waiver; Consumer-Directed Care Waiver; Developmental Disabilities Waiver; Family Supported Living Waiver; Familial Dysautonomia Waiver; Model Waiver; Project AIDS Care Waiver; and Traumatic Brain Injury and Spinal Cord Injury Waiver."

59G-13.080(10)(b). We revised the first sentence to read, "The Agency contracts with the organized health care delivery system for the provision of these services to enrolled recipients." The following revisions were made to the list of services: 7. We deleted "Homemaker and" so the service reads, "Personal Care Services"; 8. We deleted "Housekeeping" so the service reads, "Chore Services"; we added, "9. In Home Counseling"; we renumbered 9 through 17 to 10 through 18; and we added, "19. Special Medical Equipment and 20. Special Medical Supplies"; and we renumbered 18. and 19. to 21. and 22.

59G-13.080(10)(c). In the second sentence, we corrected the rule citations to read, "59G-4.290 and 59G-4.180."

59G-13.080(10)(d). Provider enrollment is no longer accomplished through the contract procurement process as set forth in Chapter 287, F.S., and Chapter 13A-1, F.A.C. (transferred to Chapter 60A-1.045). We revised the sentence to read, "Provider enrollment is coordinated by the Channeling provider."

59G-13.080(10)(e). In the first sentence, we deleted "with a year-end cost settlement." In the third sentence, we changed "agreement" to "contract." We deleted the last sentence, which read, "The final amount paid shall not exceed the amount that would have been paid, on an aggregate basis, by Medicaid under fee-for-service for institutional care provided to a demographically similar population of recipients."

59G-13.080(11)(c)2. We corrected the abbreviation for the Children's Multidisciplinary Assessment Team to CMAT.

Rule 59G-13.083 incorporates by reference the Florida Medicaid Developmental Disabilities Waiver Services Coverage and Limitations Handbook, July 2007. The following revisions were made to the handbook.

On page 1-3, Direct Provider Billing, third paragraph; page 1-10, Purpose of This Handbook, second paragraph; page 1-15, Provider Responsibility Regarding HIPAA Requirements, second note, last sentence; page 2-9, Claim Form, second sentence; and page 3-2, Billing Procedures, first paragraph, last sentence, and the fourth paragraph, second sentence, we changed the date that the Non-Institutional 081 claim form will be replaced by the CMS-1500 claim form from March 1, 2008 to July 1, 2008.

Page 1-39, Projected Service Outcomes. We deleted the third bullet, which read, "Recipients in supported living live in homes occupied by no more than two other recipients with developmental disabilities and in areas in which persons with

disabilities account for no more than 10 percent of the houses or 10 percent of the units in an apartment complex, unless otherwise waived by APD."

Page 2-9, Cost Plan. Under examples of a significant change, we added "or" after the semicolon at the end of the second sentence.

Page 2-24, Behavioral Assistant Services, Description. In the first paragraph, last sentence, we corrected the rule citation to read, "65G-4.009."

Page 2-52, Personal Care Assistance, Description. We added the following sentence at the end of the paragraph, "Personal care assistance may not be used as a substitute for a meaningful day activity." Under Limitations, in the third sentence, we deleted, "up to 300 hours a month or 1200 quarter hour units a month, if they have intensive physical, medical or adaptive needs and such hours are essential for avoiding institutionalization." We revised the sentence to read, "A recipient having intensive physical, medical, or adaptive needs meeting the requirements for the intense level of personal care assistance, who needs additional hours over 180 to maintain their health and medical status, may request additional hours of personal care assistance services."

Page 2-53, Personal Care Assistance, Limitations, continued. In the first paragraph, after the second sentence, we added, "Standard and moderate level needs for the service cannot exceed 180 hours or 720 quarter hour units of the service per month." In the second bullet, we changed the third sentence from, "Additional hours a month, not to exceed 300 hours or 1200 quarter hour units of the service per month may be requested for intensive physical, medical or adaptive needs when the hours are essential to avoiding institutionalization," to read, "Additional hours a month over the 180 hour limit may be requested for intensive physical, medical or adaptive needs when the hours are essential to maintain the recipient's health and medical status." We added a fourth sentence to read, "Additional hours a month over the 180 hour limit may be requested for intensive physical, medical or adaptive needs when the hours are essential to maintain the recipient's health and medical status. Services will not be provided during routine sleep hours unless there is documentation from the recipient's physician that night-time services are required and the duties to be performed by the PCA provider are clearly delineated."

Page 2-57, Physical Therapy, Limitations, and page 2-87, Speech Therapy, Documentation Requirements. In the last sentence of the Note, we corrected the rule citation in which the Florida Medicaid Therapy Services Coverage and Limitations Handbook is incorporated by reference to read, "59G-4.320."

Page 2-65, Minimum Staffing Requirements for Standard and Behavior Focus Residential Habilitation Services Provided in a Licensed Facility. In the first sentence, after "providers of", we added, "standard and behavior focus." After the second

sentence, we added, “The provider will meet the minimum staffing levels on a per day basis for each home, or shall provide the required staffing over a seven day period for each home to accommodate for absences from the home and to establish optimal coverage on weekends.”

In the second paragraph, we revised the Direct Care Staff Hours per Person per 24 Hour Day to read, “Basic Level = 2 hours per day or 14 hours per week; Minimal Level = 5 hours per day or 35 hours per week; Moderate Level = 8 hours per day or 56 hours per week; Extensive 1 Level = 10 hours per day or 70 hours per week; Extensive 2 Level = 14 hours per day or 98 hours per week.”

In the third paragraph, we added a fourth sentence that reads, “The number of all available staff hours is multiplied by seven to establish a weekly minimum total.”

In the fourth paragraph, we revised the first sentence to read, “6 recipients X 8 direct care staff hours per person per 24 hour day = 48 available direct care staff hours per day, or 336 available direct care staff hours per week.”

We moved the last paragraph to page 2-66.

Page 2-66, Minimum Staffing Requirements for Standard and Behavior Focus Residential Habilitation Services Provided in a Licensed Facility, continued. We added to the end of last sentence, “and to optimize coverage on the weekends and holidays.”

Page 2-107, Supported Living Coaching, Description. In the first paragraph, second sentence, after “These services,” we added, “are provided by qualified supported living coaches to a recipient residing in a living setting meeting the requirements set forth in Rule 65G-5.004, F.A.C., and.” In the last paragraph, after Core Assurance, we added, “Chapter 59G-5, F.A.C.”

Page 1-108, Supported Living Coaching, Limitations. In the fourth paragraph, we revised the second sentence to read, “The homes of recipients receiving supported living coaching services shall meet requirements set forth in Rule 65G-5.004, F.A.C.” We deleted, “account for no more than ten percent of the housing in the smallest identifiable geographical area in which the homes are located, which may be a city block, subdivision, neighborhood, apartment complex or mobile home park. The recipient’s home shall be scattered, noncontiguous, and dispersed throughout that area. Waiver requests, regarding the density requirements can be submitted in writing to APD.” In the fifth paragraph, second sentence, we added, “However,” before “recipients.”

Page 3-1, Procedure Codes. In the first paragraph, we deleted, “The codes are part of the standard code set described in the Physician’s Current Procedure Terminology (CPT) book. Please refer to the CPT book for complete descriptions of the standard codes. CPT codes and descriptions are copyrighted 2007 by the American Medical Association. All rights

reserved.” This information is also in the second paragraph, where it is applicable. It had been erroneously repeated in the first paragraph.

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 JUVENILE JUSTICE

Probation

RULE NOS.:	RULE TITLES:
63D-4.002	Definitions
63D-4.005	Admission of Youth
63D-4.006	Medication Management
63D-4.008	Release of Youth

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 34, No. 7, February 15, 2008 issue of the Florida Administrative Weekly.

63D-4.002 Definitions.

For purposes of this rule chapter, the following terms shall be defined as follows:

(1) through (2) No change.

(3) Criminal Street Gang – A formal or informal ongoing organization, association, or group that has as one of its primary activities the commission of criminal or delinquent acts, and that consist of three or more persons who have a common name or common identifying signs, colors, or symbols and who have two or more members who, individually or collectively, engage in or have engaged in a pattern of criminal street gang activity as defined in Chapter 874, F.S.

(4) through (10) No change.

Specific Authority 985.64 FS. Law Implemented 985.135 FS. History–New_____.

63D-4.005 Admission of Youth ~~to a JAC.~~

(1) In order to implement the statutory prohibition in Section 985.115(2), F.S., against the acceptance into the JAC of youth exhibiting symptoms or demonstrating behaviors that suggest the youth is in need of immediate evaluation or treatment due to physical illness/injury, mental illness, or intoxication, each youth must receive an initial medical clearance.

(2) Medical/Mental Health Screening process.

(a) Each youth must receive an initial medical and mental health clearance. Using the Probation Medical and Mental Health Clearance Form (Form HS 051) the screener shall evaluate the condition of each youth prior to being accepted into the JAC for detention screening. The clearance process

will help ensure an appropriate response when law enforcement delivers a youth for screening who appears to be physically impaired due to drugs, alcohol, injury, or illness.

(b) If the clearance process reveals one or more of the conditions described in the statute, the law enforcement officer must be informed immediately so they can transport the child to the appropriate facility or to be seen by a qualified health care professional as defined in this protocol. The original police report should not be left at the JAC, but should accompany the child.

(c) There may be situations in which the clearance process indicates one or more of the conditions described in the statute, however, the law enforcement officer disagrees with the resulting need for medical clearance and immediate transport to a more appropriate facility. If the DJJ screener and the law enforcement officer disagree, or if law enforcement refuses to transport the youth to the appropriate facility, the screener will provide the law enforcement officer with copies of Section 985.115(2)(c)-(d)(e), F.S., and the local interagency agreement. (Both should be posted in a prominent place.) If the disagreement has still not been resolved, the screener will contact his/her immediate supervisor who will contact the law enforcement officer's supervisor, or Shift Commander. The screening supervisor's decision will be final. Department staff (including providers) and law enforcement staff should subsequently resolve any issues of dispute following the appropriate chain of command

(d) No change.

(e) If EMS determines that the youth requires prompt medical attention or prompt treatment, the youth will be immediately transported to the hospital via ambulance, regardless of his or her screening status. The JAC interagency agreement must identify which staff will accompany the youth to and remain present at the hospital until such time as the parent or guardian arrives (in the case of a youth not eligible for secure detention).

(f) through (h) No change.

(3) No change.

Specific Authority 985.64 FS. Law Implemented 985.135 FS. History--New_____.

63D-4.006 Medication Management ~~While Youth are in a JAC.~~

(1) through (2) No change.

(3) If any youth taking the medication identified in (1) or (2) above is screened as eligible for secure detention, detention staff will be notified that a youth awaiting placement is using one of the critical medications. JAC staff will need to exhort the parents or guardians to deliver the youth's medication as soon as possible. Once the medication is available at the JAC, detention staff will be required to retrieve and transport the youth as soon as possible but no later than three (3) hours following notification.

(4) If the youth is on ~~a critical~~ medication, in need of the next dose, and is not eligible for secure detention, the parent or guardian will be notified (with notification attempts documented) to bring the medication when they come to the JAC to pick up their child. In the event that the screener cannot reach the parent or guardian or if they refuse to respond, the screener will make arrangements to transport the youth home, or to a responsible adult and the assigned staff member will verbally advise the parent or the responsible adult of the youth's need for medication or to a shelter.

(5) No change.

Specific Authority 985.64 FS. Law Implemented 985.135 FS. History--New_____.

63D-4.008 Release of Youth ~~from a JAC.~~

(1) through (3) No change.

(4) If a youth admitted to a JAC is identified through screening or other sources as a potential suicide threat, but he or she does not meet the criteria requiring immediate transportation to a facility for evaluation, the following is required:

(a) If the youth is to be released to the parent or guardian, the parent or guardian must be informed that suicide risk factors were disclosed during preliminary screening, and that a full assessment of suicide risk should be conducted by a qualified mental health professional. The parent or guardian shall be provided with the form entitled "Suicide Risk Screening Parent /Guardian Notification," ~~at Appendix O of the Mental Health and Substance Abuse Services Manual (2006).~~ A copy of the youth's "Suicide Risk Screening Parent /Guardian Notification" form signed by the parent or guardian, is to be permanently filed in the youth's case management record.

(b) If the youth is being detained in secure detention a Suicide Risk Alert must be immediately entered into JJIS and the youth placed on constant observation until an Assessment of Suicide Risk is conducted. The screener will write "suicide risk" on the top page of the detention packet, verbally notify the Detention Center Superintendent or designee prior to the youth's transfer from the JAC and notify the transportation staff upon arrival. All of the above must be chronologically documented.

Specific Authority 985.64 FS. Law Implemented 985.135 FS. History--New_____.

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.:
64B16-26.103

RULE TITLE:
Continuing Education Credits;
License Renewal; Consultant
Pharmacist License Renewal;
Nuclear Pharmacist License
Renewal

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 33, No. 45, November 9, 2007 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Mental Health Program

RULE NOS.: RULE TITLES:
 65E-5.100 Definitions
 65E-5.180 Right to Quality Treatment

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 34, No. 3, January 18, 2008 issue of the Florida Administrative Weekly. The date the Notice of Proposed Rule Development was published in the FAW was 9-1-06, not on 9-18-08 as previously published.

**Section IV
 Emergency Rules**

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF THE LOTTERY

RULE NO.: RULE TITLE:
 53ER08-18 Instant Game Number 743, SPADES

SUMMARY: This emergency rule describes Instant Game Number 743, "SPADES," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning; value and number of prizes in the game.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER08-18 Instant Game Number 743, SPADES.

(1) Name of Game. Instant Game Number 743, "SPADES."

(2) Price. SPADES lottery tickets sell for \$2.00 per ticket.

(3) SPADES lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on

the ticket. To be a valid winning SPADES lottery ticket, the ticket must meet the applicable requirements of Rule 53ER07-68, F.A.C.

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



(5) The "LEAD CARD" play symbols and play symbol captions are as follows:



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


TICKET	\$2.00	\$4.00	\$5.00				
TICKET	THO	FOUR	FIVE				
\$6.00	\$10.00	\$15.00	\$20.00				
SIX	TEN	FIFTEEN	TWENTY				
\$25.00	\$40.00	\$50.00	\$100	\$500	\$1,000	\$5,000	\$25,000
THY FIVE	FORTY	FIFTY	ONE HUN	FIVE HUN	ONE THOU	FIVE THOU	THTYFV THOU

(7) The legends are as follows:

BOOK 1	BOOK 2	BOOK 3	BOOK 4	BOOK 5	BOOK 6	BOOK 7	BOOK 8	BOOK 9	BOOK 10	
					YOUR CARD	LEAD CARD	PRIZE			

(8) Determination of Prizewinners.

(a) There are ten books on a ticket. Each book is played separately. A ticket having a play symbol and corresponding play symbol caption in the YOUR CARD play area that beats the play symbol and corresponding play symbol caption in the LEAD CARD play area shall entitle the claimant to the corresponding prize shown for that book. A ticket having a

"" symbol in a book shall entitle the claimant to the prize shown for that book.

(b) The prizes are: TICKET, \$2.00, \$4.00, \$5.00, \$6.00, \$10.00, \$15.00, \$20.00, \$25.00, \$40.00, \$50.00, \$100, \$500, \$1,000, \$5,000 and \$25,000. A claimant who is entitled to a prize of a "TICKET" shall be entitled to a prize of a \$2.00 instant ticket or combination of instant tickets with a total value of \$2.00, except as follows. A person who submits by mail a SPADES lottery ticket which entitles the claimant to a prize of a \$2.00 instant ticket and whose mailing address is outside the state of Florida will receive a check for \$2.00 in lieu of an actual ticket.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 743 are as follows:

GAME PLAY	WIN	ODDS OF	NUMBER OF WINNERS IN 42 POOLS OF 180,000 TICKETS PER POOL
TICKET	\$2 TICKET	12.50	604,800
\$2	\$2	50.00	151,200
\$2 x 2	\$4	37.50	201,600
\$4	\$4	37.50	201,600
\$2 x 3	\$6	50.00	151,200
\$6	\$6	75.00	100,800
(\$2 x 2) + \$6	\$10	75.00	100,800
\$10	\$10	75.00	100,800
(\$2 x 5) + \$5	\$15	150.00	50,400
\$15	\$15	150.00	50,400
\$4 x 10	\$40	900.00	8,400
(\$5 x 4) + (\$10 x 2)	\$40	900.00	8,400
\$20 x 2	\$40	900.00	8,400
\$40	\$40	900.00	8,400
\$10 x 6	\$60	18,000.00	420
(\$25 x 2) + \$10	\$60	18,000.00	420
\$10 x 10	\$100	22,500.00	336
\$100	\$100	22,500.00	336
(\$25 x 2) + (\$50 x 2) + \$100	\$250	45,000.00	168
\$25 x 10	\$250	45,000.00	168
\$100 x 5	\$500	90,000.00	84
\$500	\$500	90,000.00	84
\$100 x 10	\$1,000	180,000.00	42
\$1,000	\$1,000	180,000.00	42
\$5,000 x 5	\$25,000	1,260,000.00	6
\$25,000	\$25,000	1,260,000.00	6

(10) The estimated overall odds of winning some prize in Instant Game Number 743 are 1 in 4.32. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 743, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

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

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

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

Specific Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 3-14-08.

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

EFFECTIVE DATE: March 14, 2008

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER08-19
 RULE TITLE: Instant Game Number 744, TAKE 5
 SUMMARY: This emergency rule describes Instant Game Number 744, "TAKE 5," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER08-19 Instant Game Number 744, TAKE 5.

(1) Name of Game. Instant Game Number 744, "TAKE 5."

(2) Price. TAKE 5 lottery tickets sell for \$5.00 per ticket.

(3) TAKE 5 lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning TAKE 5 lottery ticket, the ticket must meet the applicable requirements of Rule 53ER07-68, F.A.C.

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



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





(6) The legends are as follows:


GAME 1	GAME 2	GAME 3	GAME 4	GAME 5	GAME 6	GAME 7
GAME 8	GAME 9	GAME 10	GAME 11	GAME 12	GAME 13	GAME 14
GAME 15						

(7) Determination of Prizewinners.

(a) There are fifteen games on a ticket. Each game is played separately.

1. A ticket having one “” play symbol and corresponding play symbol caption in a game shall entitle the claimant to the prize shown for that game.

2. A ticket having three “” play symbols and corresponding play symbol captions in a game shall entitle the claimant to triple the prize shown for that game.

3. A ticket having a “” play symbol and corresponding play symbol caption in a game shall entitle the claimant to all fifteen prizes.

(b) The prizes are: \$2.00, \$5.00, \$7.00, \$10.00, \$15.00, \$20.00, \$25.00, \$40.00, \$50.00, \$75.00, \$100, \$150, \$250, \$300, \$750, \$1,000, \$5,000, \$15,000 and \$75,555.

(8) The estimated odds of winning, value and number of prizes in Instant Game Number 744 are as follows:

GAME PLAY	WIN	ODDS OF 1 IN	NUMBER OF WINNERS IN 52 POOLS OF 120,000 TICKETS PER POOL
\$5	\$5	10.00	624,000
\$2 + \$5	\$7	20.00	312,000
\$7	\$7	30.00	208,000
\$5 x 2	\$10	60.00	104,000
\$10	\$10	30.00	208,000
\$5 (TRIPLE 5)	\$15	60.00	104,000
\$5 + \$10	\$15	60.00	104,000
\$5 x 4	\$20	120.00	52,000
\$20	\$20	120.00	52,000
\$10 (TRIPLE 5) + \$10	\$40	200.00	31,200
\$40	\$40	1,200.00	5,200
\$10 (TRIPLE 5) + \$20	\$50	1,200.00	5,200
\$25 x 2	\$50	1,200.00	5,200
\$50	\$50	1,200.00	5,200
\$5 x 15 (STAR)	\$75	533.33	11,700
\$25 (TRIPLE 5)	\$75	6,000.00	1,040
\$20 (TRIPLE 5) + \$15	\$75	6,000.00	1,040
\$75	\$75	6,000.00	1,040
\$50 (TRIPLE 5)	\$150	12,000.00	520

\$10 x 15 (STAR)	\$150	12,000.00	520
\$5 + (\$10 x 2) + \$25 (TRIPLE 5) + \$50	\$150	12,000.00	520
(\$10 x 5) + (\$25 x 4)	\$150	12,000.00	520
\$150	\$150	12,000.00	520
\$100 (TRIPLE 5)	\$300	24,000.00	260
\$20 x 15 (STAR)	\$300	24,000.00	260
\$300	\$300	24,000.00	260
\$250 (TRIPLE 5)	\$750	120,000.00	52
\$50 x 15 (STAR)	\$750	120,000.00	52
(\$15 x 2) + \$20 + (\$25 x 4) + (\$50 x 4) + (\$100 x 4)	\$750	120,000.00	52
\$5,000 (TRIPLE 5)	\$15,000	312,000.00	20
\$1,000 x 15 (STAR)	\$15,000	312,000.00	20
\$15,000	\$15,000	445,714.29	14
\$75,555	\$75,555	390,000.00	16

(9) The estimated overall odds of winning some prize in Instant Game Number 744 are 1 in 3.39. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(10) For reorders of Instant Game Number 744, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(11) By purchasing a TAKE 5 lottery ticket the player agrees to comply with and abide by all prize payment rules of the Florida Lottery.

(12) Payment of prizes for TAKE 5 lottery tickets shall be made in accordance with rules of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Specific Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 3-14-08.

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

EFFECTIVE DATE: March 14, 2008

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

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF TRANSPORTATION

NOTICE IS HEREBY GIVEN THAT the Florida Department of Transportation received a Petition for Variance from St. Lucie County Transportation Planning Organization on February 29, 2008, seeking a variance from the provisions of Rule 14-73.001, F.A.C. Rule 14-73.001, F.A.C., establishes requirements for the recipients of the Department's transit grant funds. St. Lucie County Transportation Planning Organization proposes the Department grant a variance to the deadline for adoption of the County's Major Transit Development Plan update.

Comments on this proposed variance should be filed with: Clerk of Agency Proceedings, Department of Transportation, 605 Suwannee Street, M.S. 58, Tallahassee, Florida 32399-0458, within 14 days of the publication of this notice. A copy of the Petition for Variance may be obtained from the Clerk of Agency Proceedings. For additional information, contact: Katie S. Buchanan, Assistant General Counsel at (850)414-5265.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN THAT on March 11, 2008, the Suwannee River Water Management District has issued an order.

This Order granted variance under Section 120.542, F.S., to George & Charlotte Young, for a Work of the District residence (ERP07-0235). The petition for variance was received by SRWMD on September 17, 2007. Notice of receipt of the petition requesting variance was published in the F.A.W., Vol. 33, No. 35, on August 31, 2007. No public comment has been received. This Order provides a variance of SRWMD's criteria for paragraph 40B-4.3030(12)(b), F.A.C., to the 75-foot setback requirements within Township 11 South, Range 13 East, Section 11, Dixie County. SRWMD granted the petition because the petitioners have demonstrated that the purpose of the statute underlying the rule will be met and that the principle of fairness would be violated if petitioners were required to comply with this rule.

A copy of the Order may be obtained by contacting: Robin Lamm, Administrative Assistant, Suwannee River Water Management District, 9225 CR 49, Live Oak, FL 32060, (386)362-1001 or 1(800)226-1066 in Florida only.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that on February 29, 2008, the Department of Business and Professional Regulation, received a petition for Waiver of Florida Administrative Code Rule 61A-2.014, subsection (6), by Petitioner Hyatt Corporation, Inc. Florida Administrative Code Rule 61A-2.014, subsection (6), requires all directors or officers of a corporation with an interest in an alcoholic beverage license to file a set of fingerprints at the time of making application for a beverage license or at the time an interest is created after a license has been issued. Petitioner does not qualify as any of the three exceptions also created by Florida Administrative Code Rule 61A-2.014, but requests the waiver of application of the rule to Petitioner's positions of Assistant Secretary, since such positions are not involved in the operation, control or management of any Florida hotel or any alcoholic beverage sales at a Florida location.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Deanna Owens, Administrative Assistant, (850)414-8125

NOTICE IS HEREBY GIVEN THAT on January 28, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for paragraphs 61C-1.004(1)(a), 61C-1.004(1)(d) and subsection 61C-4.010(6), Florida Administrative Code, (F.A.C.) from Haagen Dazs located in Miami. The above referenced F.A.C. state that the water supply shall meet the standards provided in Chapters 64E-8, 62-550 and 62-555 F.A.C.; sewage shall be disposed of in a public sewerage system or other approved sewerage system in accordance with the provisions of Chapter 64E-6 or 62-601 F.A.C.; and physical facilities at public food service establishments shall be subject to the provisions of Chapter 6 of the Food Code. They are requesting a variance to not have hard plumbing in their kiosk and use alternative methods for sewage disposal and obtaining potable water.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN that on March 4, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code from L'Olivier Bistro located in St. Petersburg. The above referenced F.A.C. states ...each public food service establishment shall maintain a minimum of one

public bathroom for each sex, properly designated.... . The proposed establishment has one bathroom for patrons and they are requesting a variance to have a seating capacity of thirty (30).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN that on March 10, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, Sanitation and Safety Requirements, from Monkey Paws Ice Cream and Coffee House located in Parrish. The above referenced F.A.C. states ...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.... . The proposed establishment has one bathroom for patrons and they are requesting a variance to have a seating capacity of twenty-five (25).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN that on March 10, 2008, Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, Sanitation and Safety Requirements, from Mocha Jo's located in Sarasota. The above referenced F.A.C. states ...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.... . The proposed establishment has one bathroom for patrons and they are requesting a variance to have a seating capacity of twenty (20).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN that on March 12, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, Sanitation and Safety Requirements, from Chompers Diner located in Fanning Springs. The above referenced F.A.C. states ...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.... . The proposed establishment has one bathroom for patrons and they are requesting a variance to have a seating capacity of twenty-five (25).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT on March 12, 2008, the Board of Pharmacy, received a petition from Miriam Lourdes Hernandez, seeking a variance or waiver of Rule 64B16-26.2031, Florida Administrative Code, which requires that no program of work activity will be approved for any applicant until said applicant has been certified by FPGEE Foreign Pharmacy Graduate Examination Commission.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254, (850)245-4292. Comments on the petition should be filed with the Board of Pharmacy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on March 12, 2008, the Board of Pharmacy, received a petition from Vipul Patel, seeking a variance or waiver of Rule 64B16-26.2031, Florida Administrative Code, which requires that no program of work activity will be approved for any applicant until said applicant has been certified by FPGEE Foreign Pharmacy Graduate Examination Commission.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254, (850)245-4292. Comments on the petition should be filed with the Board of Pharmacy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN that on March 13, 2008, the Board of Pharmacy, received a petition from Valliammai Natarajan, seeking a variance or waiver of Rule 64B16-26.2031, Florida Administrative Code, which requires that no program of work activity will be approved for any applicant until said applicant has been certified by FPGEE Foreign Pharmacy Graduate Examination Commission.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254, or telephone (850)245-4292. Comments on the petition should be filed with the Board of Pharmacy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN that on March 12, 2008, the Board of Pharmacy, received a petition from Nabil Khalil, seeking a variance or waiver of Rule 64B16-26.2031, Florida

Administrative Code, which requires that no program of work activity will be approved for any applicant until said applicant has been certified by FPGEE Foreign Pharmacy Graduate Examination Commission.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254, or telephone (850)245-4292. Comments on the petition should be filed with the Board of Pharmacy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN that on March 18, 2008, the Board of Pharmacy, received a petition from Katerina Vigoa Zamora, seeking a variance or waiver of Rule 64B16-26.2031, Florida Administrative Code, which requires that no program of work activity will be approved for any applicant until said applicant has been certified by FPGEE Foreign Pharmacy Graduate Examination Commission.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254, or telephone (850)245-4292. Comments on the petition should be filed with the Board of Pharmacy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN that on March 5, 2008, the Board of Pharmacy, received a petition from Nengying Fan, seeking a variance or waiver of Rule 64B16-26.2031, Florida Administrative Code, which requires that no program of work activity will be approved for any applicant until said applicant has been certified by FPGEE Foreign Pharmacy Graduate Examination Commission.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254, or telephone (850)245-4292. Comments on the petition should be filed with the Board of Pharmacy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN that on March 12, 2008, the Board of Pharmacy, received a petition from Shahida Khanum, seeking a variance or waiver of Rule 64B16-26.2031, Florida Administrative Code, which requires that no program of work activity will be approved for any applicant until said applicant has been certified by FPGEE Foreign Pharmacy Graduate Examination Commission.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee,

Florida 32399-3254, or telephone (850)245-4292. Comments on the petition should be filed with the Board of Pharmacy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN that on March 13, 2008, the Board of Pharmacy, received a petition from Xuejun Fan, seeking a variance or waiver of Rule 64B16-26.2031, Florida Administrative Code, which requires that no program of work activity will be approved for any applicant until said applicant has been certified by FPGEE Foreign Pharmacy Graduate Examination Commission.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254, or telephone (850)245-4292. Comments on the petition should be filed with the Board of Pharmacy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN that on March 13, 2008, the Board of Pharmacy, received a petition from John H. Neamatalla, seeking a variance or waiver of Rule 64B16-26.2031, Florida Administrative Code, which requires that no program of work activity will be approved for any applicant until said applicant has been certified by FPGEE Foreign Pharmacy Graduate Examination Commission.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254, or telephone (850)245-4292 on the petition should be filed with the Board of Pharmacy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN that on February 15, 2008, the the Department of Health, Bureau of Emergency Medical Services has issued an order.

The original Disposition for Variance, published on January 25, 2008, for the petition of Miles V. Nelson, M.D., has been amended to include Taylor Technical Institute. The Petition from Miles V. Nelson, M.D., was received by the Department on October 1, 2007 and published on October 19, 2007 in the F.A.W. The Petitioner requested variance from paragraph 64E-2.004(3)(c), F.A.C., Medical Direction, which requires Medical Directors of and emergency medical services (EMS) provider or EMS training center to be board certified. The Department has determined that the Petitioner has met the general requirements for variance because the Petitioner has demonstrated that the purpose of the underlying statute has been achieved by other means through the Petitioner's competence in the practice of emergency medicine and the Petitioner and his employers have demonstrated substantial hardship if the Petition is not granted. Wherefore, based on the Findings of Fact and Conclusions of Law, the Petition has been granted and allows Miles V. Nelson, M.D., to continue serving

as the Medical Director for Doctor’s Memorial EMS, AirMedic, and Taylor Technical Institute without the required board certification.

A copy of the Order may be obtained by contacting: Lisa Walker, Government Analyst II, Bureau of Emergency Medical Services, 4052 Bald Cypress Way, Bin C-18, Tallahassee, FL 32399, Lisa_Walker2@doh.state.fl.us or (850)245-4440, ext. 2733.

NOTICE IS HEREBY GIVEN that on March 13, 2008, the Department of Health, received a petition for variance from Paul Grybowski, representing GreenLeach Rights Holders. Specifically, the petitioner seeks a variance from subsections 64E-6.014(5) and (5)(c), Florida Administrative Code, which requires drain trenches and absorption beds containing mineral aggregate to use aggregate meeting certain ASTM standards and sizing criteria.

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

NOTICE IS HEREBY GIVEN that on March 12, 2008, the Department of Health, received a petition for variance from subsection 64E-3.002(1), F.A.C., from the following persons:

- Leon Geroy
- Yanin Finol
- Ileana Moro
- Yanet Jimenez
- Danizabeth Piedra Rodriguez
- Su-yet Silva Chang

The Petitions request a variance from the rule that defines “approved program” due to the date that the program from which they graduated is anticipated to meet the parameters of the rule. Comments on these Petitions should be filed with: Elizabeth B. Hines, Administrator, 4052 Bald Cypress Way, Bin #C85, Tallahassee, FL 32399-3255.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Elizabeth B. Hines, Administrator, 4052 Bald Cypress Way, Bin #C85, Tallahassee, FL 32399-3255.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE IS HEREBY GIVEN that on February 05, 2008, the Dept. of Children and Families, received a petition for Waiver of subsection 65C-14.024(2), F.A.C., Staffing Requirements. The petition was received from Seamark Ranch, assigned Case No. 08-003W. Subsection 65C-14.024(2), F.A.C., states the facility shall have adequate staff coverage at all times to provide the services identified in the agency's statement of purpose.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Office of the Agency Clerk, Dept. of Children and Families, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

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

The following state governmental agencies, boards and commissions announce a public meeting to which all persons are invited:

- State Board of Administration
 - Financial Services Commission
 - Department of Veterans’ Affairs
 - Department of Highway Safety and Motor Vehicles
 - Department of Law Enforcement
 - Department of Revenue
 - Department of Education
 - Administration Commission
 - Florida Land and Water Adjudicatory Commission
 - Board of Trustees of the Internal Improvement Trust Fund
 - Department of Environmental Protection
- DATE AND TIME: April 15, 2008, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular scheduled meeting of the Governor and Cabinet

The State Board of Administration will take action on matters duly presented on its agenda, which may include such matters as Executive Director’s reports; approval of fiscal sufficiency of state bond issues; approval of sale of local bonds at an interest rate in excess of statutory interest rate limitation; report on investment performance; designation of banks as depositories for state funds; adoption of rules and regulations; investment of state funds pursuant to Chapter 215, F.S.; and consideration of other matters within its authority pursuant to Chapters 215 and 344, F.S., and Section 16 of Article IX of the Florida Constitution of 1885, as continued by subsection 9(c) of Article XII of the Florida Constitution of 1968. The Division of Bond Finance of the State Board of Administration will take action on matters duly presented on its agenda, which will deal with the issuance of State bonds, arbitrage compliance and related matters.

The Financial Services Commission will take action on matters duly presented on its agenda which may include, but not be limited to, matters relating to rulemaking for all activities concerning insurers and other risk bearing entities, including licensing, rates, policy forms, market conduct, claims, adjusters, issuance of certificates of authority, solvency, viatical settlements, premium financing, and administrative

supervision, as provided under the Insurance Code or Chapter 636, F.S., and for all activities relating to the regulation of banks, credit unions, other financial institutions, finance companies, and the securities industry.

The Department of Veterans' Affairs will take action on matters duly presented on its agenda which may include the administration of the Department as well as actions taken to further the Department's mission of providing assistance to veterans and their dependents, pursuant to Section 292.05, F.S.

The Department of Highway Safety and Motor Vehicles will take action on matters duly presented on its agenda, which may include such matters as approval of agency policies, taking agency action with regard to administrative procedure matters, and considering other matters within its authority pursuant to Florida Statutes.

The Department of Law Enforcement will take action on matters duly presented on its agenda which may include but not be limited to such matters as transfer of agency funds or positions, formulation of Departmental Rules, administrative procedure matters, submittal of reports as required, enter into contracts as authorized and to consider other matters within its authority pursuant to Chapters 20, 23, 120 and 943, F.S.

The Department of Revenue will act on matters duly presented on its agenda which may include approval of rules, legislative concept proposals, contracts over \$100,000, Departmental budgets, taking final action on formal and informal hearings under Chapter 120, F.S., and consideration of other matters within its authority.

The Department of Education will finalize agency action on the business of the Florida Department of Education.

The Administration Commission will take action on matters duly presented on its agenda which may include such matters as to create or transfer agency funds or positions, approve Career Service rules, administrative procedure matters, environmental matters arising under Chapter 380, F.S., comprehensive planning issues pursuant to Section 163.3184, F.S., determine sheriffs' budget matters, and consider other matters within its authority pursuant to Chapters 110, 215 and 216, F.S.

The Florida Land and Water Adjudicatory Commission will take action on matters duly presented on its agenda including appeals of local government development orders in areas of critical state concern or of developments of regional impact under Section 380.07, F.S.; and review of water management matters under Chapter 373, F.S. The Commission will also review Department of Environmental Protection's rules and orders which, prior to July 1, 1993, the Governor and Cabinet, sitting as the head of the Department of Natural Resources, had authority to issue or promulgate.

The Board of Trustees of the Internal Improvement Trust Fund will take action on matters duly presented on its agenda which may include such matters as mineral leases or sales, state or sovereign land leases, sales, exchanges, dedications, and

easements, Conservation and Recreation Lands (CARL) and other land purchases; land planning matters and other matters within its authority. Additionally, the Board will take action on matters presented by the Marine Fisheries Commission as set forth in Sections 370.025, 370.026 and 370.027, F.S., and matters pertaining to the Office of Greenways Management, the Office responsible for the management of lands which formerly fell within the Cross Florida Barge Canal project corridor.

The Department of Environmental Protection, while not a Cabinet agency, will present for consideration on its agenda those matters required by law to be reviewed by the Governor and Cabinet and those pertaining to the siting of power plants, electric and natural gas transmission lines and hazardous waste facilities; coastal zone management consistency and standards adopted by the Environmental Regulation Commission.

A copy of any of the above agendas (when applicable) may be obtained by contacting each agency.

Accommodations can be made for persons with disabilities provided several days' notification is received. Please notify the Governor's Cabinet Office, (850)488-5152.

The Governor and Cabinet will proceed through each agenda, item by item, in the order given above.

CABINET AIDES BRIEFING: On the Wednesday of the week prior to the above meeting, there will be a meeting of the aides to the Governor and Cabinet Members at 9:00 a.m., Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida. The purpose of this briefing is to review and gather information regarding each agenda to be considered by the Governor and Cabinet.

DEPARTMENT OF STATE

The **Department of State, Division of Cultural Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 17, 2008, 3:30 p.m.

PLACE: Conference Room, Gulf County Health Department, Wewahitchka, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Art Selection Committee will determine artwork sites for Art in State Buildings Project #7042-3100, Gulf CHD in Wewahitchka, Gulf County.

A copy of the agenda may be obtained by contacting: Lee Modica, Division of Cultural Affairs, 500 S Bronough St, 3rd Floor, Tallahassee, FL 32399-0250, (850)245-6476.

Pursuant to the provisions of 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: Morgan Lewis, Division of Cultural Affairs, (850)245-6356. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

DEPARTMENT OF LEGAL AFFAIRS

The Florida **Commission on the Status of Women** announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 8, 2008, 10:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Legislative Committee

DATE AND TIME: April 8, 2008, 11:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Awards & Recognition Task Force

DATE AND TIME: April 8, 2008, 3:00 p.m.

PLACE: Please call (850)414-3300 for instructions on participation.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Bylaws Committee

DATE AND TIME: April 9, 2008, 10:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Annual Report Committee

DATE AND TIME: April 10, 2008, 9:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Finance & Budget Committee.

A copy of the agenda may be obtained by contacting: Florida Commission on the Status of Women at the Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, Phone: (850)414-3300; Fax: (850)921-4131.

Pursuant to the provisions of 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: Florida Commission on the Status of Women at the Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, Phone: (850)414-3300; Fax: (850)921-4131. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Florida Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, Phone: (850)414-3300; Fax: (850)921-4131

The **Florida Commission on the Status of Women** announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 16, 2008, 3:00 p.m.

PLACE: call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: Women's Hall of Fame Committee.

DATE AND TIME: April 17, 2008, 10:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: Executive Committee.

DATE AND TIME: April 23, 2008, 10:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Outreach Task Force.

NOTE: In the absence of quorum, items on this agenda will be discussed as workshop, and notes will be recorded although no formal action will be taken. If you have any questions, please call (850)414-3300.

A copy of the agenda may be obtained by contacting: Florida Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050 Phone: (850)414-3300; Fax: (850)921-4131.

Pursuant to the provisions of 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: Florida Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, Telephone: (850)414-3300; Fax: (850)921-4131. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Florida Commission on the Status of Women at the Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, Telephone: (850)414-3300; Fax: (850)921-4131.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

NOTICE OF CORRECTION – The **Florida State Fair Authority** announces a public meeting to which all persons are invited. (The city was listed incorrectly in the March 14, 2008, Vol. 34, No. 11, issue of the F.A.W.)

DATE AND TIME: April 8, 2008, 9:00 a.m. – 3:00 p.m.

PLACE: Florida State Fairgrounds, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Old and New Business.

A copy of the agenda may be obtained by contacting Kathleen Fisher at (813)627-4221.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Kathleen Fisher at (813)627-4221. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact Kathleen Fisher at (813)627-4221.

The **Pesticide Registration Evaluation Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: May 1, 2008, 9:00 a.m.

PLACE: Bureau of Pesticides Conference Room, 3125 Conner Boulevard, Building 6, Room 606, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee discusses and makes recommendations on pesticide registration issues impacting human health and safety and the environment.

A copy of the agenda may be obtained by contacting: Pesticide Registration Section, (850)487-2130 or: <http://www.flaes.org/pesticide/pesticideregistration.html>.

For more information, you may contact: Mr. Charlie L. Clark, Administrator, Pesticide Registration Section, 3125 Conner Boulevard, Building 6, Room 601, Tallahassee, Florida 32399-1650, (850)487-2130.

The **Florida Citrus Production Research Advisory Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday April 11, 2008, 10:00 a.m.

PLACE: Sebring Agri-Civic Center, 4509 George Blvd., Sebring, FL 33875

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting to discuss council issues.

A copy of the agenda may be obtained by contacting: Marshall Wiseheart (850)488-4366.

Pursuant to the provisions of 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: Marshall Wiseheart, (850)488-4366. If you are 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: Marshall Wiseheart (850)488-4366.

DEPARTMENT OF EDUCATION

The **Florida Rehabilitation Council Evaluation Committee** announces a telephone conference call to which all persons are invited.

DATES AND TIME: April 3, 2008, 12:30 p.m. – 1:30 p.m.; May 1, 2008, 12:30 p.m. – 1:30 p.m.; July 3, 2008, 12:30 p.m. – 1:30 p.m.; August 7, 2008, 12:30 p.m. – 1:30 p.m.

PLACE: 2002 A Old St. Augustine Road, Tallahassee, Florida 32301-4862

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a conference call of the Florida Rehabilitation Council Evaluation Committee. Any interested parties that need further information may contact Yolanda Manning at (850)245-3320 for all conference call information.

COMMITTEE MEETINGS: Please note that committees of the Florida Rehabilitation Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meeting may request to be put on mailing list for such notices by writing to Yolanda Manning at the Council's address.

Notices of meetings and hearings must advise that a record is required to appeal. Each board, commission, agency of this state or of any political subdivision; thereof shall include in the notice any meeting or hearing, if notice of the meeting or hearing is required of such board, commission, or agency, conspicuously on such notice, they advise that if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to

ensure that a verbatim record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, 286.0105)

A copy of the agenda may be obtained by contacting: Yolanda Manning, Florida Rehabilitation Council, 2002 Old Saint Augustine Road, Building A, Tallahassee, FL 32301-4862, Telephone (850)245-3320.

The **Florida Rehabilitation Council Legislative Committee** announces a public meeting to which all persons are invited.

DATES AND TIME: April 16-17, 2008, 8:00 a.m. – 6:00 p.m.

PLACE: Division of Vocational Rehabilitation, 2002 A Old St. Augustine Road, Tallahassee, Florida 32301-4862

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a conference call of the Florida Rehabilitation Council Legislative Committee. Any interested parties that need further information may contact Yolanda Manning at (850)245-3320.

COMMITTEE MEETINGS: Please note that committees of the Florida Rehabilitation Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meeting may request to be put on mailing list for such notices by writing to Yolanda Manning at the Council's address.

Notices of meetings and hearings must advise that a record is required to appeal. Each board, commission, agency of this state or of any political subdivision; thereof shall include in the notice any meeting or hearing, if notice of the meeting or hearing is required of such board, commission, or agency, conspicuously on such notice, they advise that if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, 286.0105)

A copy of the agenda may be obtained by contacting: Yolanda Manning, Florida Rehabilitation Council, 2002 Old Saint Augustine Road, Building A, Tallahassee, FL 32301-4862, Telephone (850)245-3320.

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

DATE AND TIME: April 9, 2008, 9:30 a.m. – until completion

PLACE: Department of Education, 325 W Gaines Street, Suite 1706, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Commission meeting.

A copy of the agenda may be obtained by contacting Rudy.Rodriguez@fldoe.org.

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

The **Florida Education Foundation** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, April 11, 2008, 8:30 a.m. – 2:00 p.m. (Or upon adjournment)

PLACE: Hyatt Regency Jacksonville Riverfront, 225 East Coastline Drive, Jacksonville, Florida 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Foundation including but not limited to: Approval of minutes from January 29, 2008 meeting; executive director's report; Commissioner's report; program updates; financial report; revision/update of Foundation policies and procedures; and general discussion of Foundation.

A copy of the agenda may be obtained by contacting Tatiana Fernandez at (850)245-9671 (Voice).

Pursuant to the provisions of 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 the Office of Access and Equity at (850)245-9531 (Voice). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact the Foundation office at (850)245-9671.

The Board of Trustees Endowment Investment Committee of the **Florida School for the Deaf and the Blind** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, April 11, 2008, 4:00 p.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 contacting: L. Daniel Hutto, Interim 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.

Pursuant to the provisions of 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 days before the workshop/meeting by contacting L. Daniel Hutto at the aforementioned 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The Board of 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, April 12, 2008, 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, including a rule development workshop on Rule 6D-4.002, F.A.C., President.

A copy of the agenda may be obtained by contacting: L. Daniel Hutto, Interim President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084-2799, (904)827-2200.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: L. Daniel Hutto, Interim 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.

The **Florida Community College** at Jacksonville District Board of Trustees announces the following meetings to which the public is invited.

STRATEGIC CONVERSATION:

DATE AND TIME: April 8, 2008, 12:00 Noon – 2:00 p.m.

PLACE: South Campus, Nathan H. Wilson Center for the Arts, Room M-1140, 11901 Beach Blvd., Jacksonville, Florida 32246

GENERAL SUBJECT MATTER TO BE CONSIDERED: Communiversity.

REGULAR MONTHLY BOARD MEETING:

DATE AND TIME: April 8, 2008, 2:00 p.m. – 3:00 p.m.

PLACE: South Campus, Nathan H. Wilson Center for the Arts, Room M-1140, 11901 Beach Blvd., Jacksonville, Florida 32246

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting.

DISCUSSION OF COLLEGE OPERATIONAL MATTERS, TIME PERMITTING:

DATE AND TIME: April 8, 2008, 3:00 p.m. – 5:00 p.m.

PLACE: South Campus, Nathan H. Wilson Center for the Arts, Room M-1142, 11901 Beach Blvd., Jacksonville, Florida 32246

GENERAL SUBJECT MATTER TO BE CONSIDERED: College operational matters.

Copies of the agenda for the regular monthly Board meeting will be available for inspection on and after Tuesday, April 1, 2008, and copies will be provided upon written request and the payment of approved duplicating charges. Any person wishing to address agenda items at the Board of Trustees meeting will be provided an opportunity to do so by appearing before the Board at the meeting. All objections to this notice or the propriety of the scheduled public meeting should be filed in writing with the College President, Florida Community College at Jacksonville, on or before April 8, 2008. All legal issues should be brought to the College's attention and an attempt made to resolve them prior to the public meeting. Any person wishing to appeal a decision made by the Board with respect to any matter considered at this meeting will need a record of the proceeding for such an appeal and may, therefore, need to ensure that a verbatim record is made. Through the months of April and May, 2008, the Board will hold informal meetings each Thursday from noon to 4:00 p.m. at the Donald T. Martin Center for College Services, Room 462, for the purpose of discussing College business as appropriate. FCCJ does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services and is an equal access/equal opportunity/affirmative action college. If special accommodations are required, please advise human resources 24 hours in advance of the meeting.

DEPARTMENT OF TRANSPORTATION

The **Commercial Motor Vehicle Review Board** announces a public meeting to which all persons are invited.

DATE AND TIME: April 10, 2008, 9:00 a.m.

PLACE: Florida Department of Transportation, Burns Building Auditorium, 605 Suwannee Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a monthly meeting of the Commercial Motor Vehicle Review Board for the purpose of reviewing penalties imposed upon any vehicle or person under the provisions of Chapter 316, Florida Statutes, relating to weights imposed on the

highway by the axles and wheels of motor vehicles, to special fuel and motor fuel tax compliance, or to violations of safety regulations.

Any person aggrieved by the imposition of a civil penalty pursuant to Section 316.3025 or 316.550, Florida Statutes, may apply to the Commercial Motor Vehicle Review Board for a modification, cancellation, or revocation of the penalty.

A copy of the agenda may be obtained by contacting Christine Jones at (850)245-7914.

Pursuant to the provisions of 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 Christine Jones at (850)245-7914. If you are 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: Christine Jones, Executive Assistant, Commercial Motor Vehicle Review Board, 325 John Knox Rd., Bldg. K, Tallahassee, FL 32303.

The **Florida Transportation Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: April 17, 2008, 2:00 p.m. – 3:00 p.m. Central Time

PLACE: Northwest Florida Transportation Corridor Authority, 132 Harrison Avenue, Panama City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discuss Transportation Authority Oversight – HB 985.

A copy of the agenda may be obtained by contacting: Cathy Goodman at (850)414-4105.

Pursuant to the provisions of 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: Cathy Goodman at (850)414-4105. If you are 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 Transportation Commission, Room 176, M.S. 9, 605 Suwannee Street, Tallahassee, Florida 32399-0450 (Phone (850)414-4105).

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

The **Investment Advisory Council (IAC)** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 17, 2008, 9:30 a.m.

PLACE: The Hermitage Centre, 1801 Hermitage Blvd., Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled quarterly meeting of the Investment Advisory Council. The IAC is a six-member advisory council, which reviews the investments made by the staff of the State Board of Administration and makes recommendations to the board regarding investment policy, strategy, and procedures. The IAC operates under Section 215.444, Florida Statutes.

A copy of the agenda may be obtained by contacting: Diane Bruce, State Board of Administration of Florida, 1801 Hermitage Blvd., Suite 100, Tallahassee, FL 32308, or call (850)413-1253.

Pursuant to the provisions of 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: James Linn, (850)413-1166. If you are 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 CITRUS

The Florida **Department of Citrus**, Citrus Harvesting Research Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, April 8, 2008, 10:00 a.m.

PLACE: Florida's Natural Grove House, 20160 Highway 27, Lake Wales, FL 33853

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will meet to hear reports on mechanical harvesting, robotics and CMNP registration, and to discuss any other matters which might relate to this committee.

A copy of the agenda may be obtained by contacting Sandy Barros at (863)295-5932.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting Bill Jones at (863)499-2500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Sandy Barros at (863)295-5932.

FLORIDA PAROLE COMMISSION

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 16, 2008, 9:00 a.m.

PLACE: Florida Parole Commission, 2601 Blair Stone Road, Bldg. C, Tallahassee, FL 32399-2450

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery and Control Release matters as well as other Commission business.

A copy of the agenda may be obtained by contacting: Florida Parole Commission, 2601 Blair Stone Road, Bldg. C, Tallahassee, FL 32399-2450, (850)488-3417.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Florida Parole Commission, 2601 Blair Stone Road, Bldg. C, Tallahassee, FL 32399-2450, (850)488-3417. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Florida Parole Commission, 2601 Blair Stone Road, Bldg. C, Tallahassee, FL 32399-2450, (850)488-3417.

PUBLIC SERVICE COMMISSION

The Florida Public Service Commission announces a customer meeting to which all persons are invited.

DATE AND TIME: Monday, April 14, 2008, 4:00 p.m.

PLACE: Century Fairfield-Village Clubhouse, 6866 Southwest 58 Place, Ocala, Florida 34474

GENERAL SUBJECT MATTER TO BE CONSIDERED: DOCKET NO. 070548-WS – Application for certificates to provide water and wastewater service in Marion County by Century-Fairfield Village, Ltd.

The purpose of the meeting is take public comment on the proposed water and wastewater rates for Century-Fairfield Village, Ltd.

One or more of the Commissioners of the Florida Public Service Commission may attend and participate in the meeting. Emergency Cancellation of Customer Meeting: If a named storm or other disaster requires cancellation of the meeting, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation of the meeting will also be provided on the Commission's website

(<http://www.psc.state.fl.us/>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199.

A copy of the agenda may be obtained by contacting: n/a Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Office of Commission Clerk at (850)413-6770. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Florida Public Service Commission, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

The Telecommunications Access System Act (TASA) Advisory Committee to the Florida **Public Service Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 17, 2008, 1:00 p.m.

PLACE: Room 148, Betty Easley Conference Center, 2075 Esplanade Way, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Docket No. 040763-TP – Request for submission of proposals for relay service, beginning in June 2005, for the hearing and speech impaired, and other implementation matters in compliance with the Florida Telecommunications Access System Act of 1991. The purpose of this committee meeting is to discuss current relevant issues related to relay such as CapTel, Service Quality and other TRS updates. If settlement of the case or a named storm or other disaster requires cancellation of the proceedings, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation will also be provided on the Commission's website (<http://www.psc.state.fl.us/>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199. A copy of the agenda may be obtained by contacting: Lee Eng Tan at (850)413-6185.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Office of the Commission Clerk at (850)413-6770. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Lee Eng Tan, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850 or (850)413-6185.

REGIONAL PLANNING COUNCILS

The **Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: April 9, 2008, 9:30 a.m.

PLACE: Historic Bok Sanctuary Lecture Hall, 1151 Tower Boulevard, Lake Wales, FL 33853

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting of the Council and/or its Executive Committee.

A copy of the agenda may be obtained by contacting: Patricia M. Steed, Executive Director.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Patricia M. Steed, CFRPC Executive Director, 555 East Church Street, Bartow, FL 33830, (863)534-7130 x130.

WATER MANAGEMENT DISTRICTS

The **R.O. Ranch**, a Florida non-profit corporation announces a public meeting to which all persons are invited.

DATE AND TIME: April 3, 2008, 6:30 p.m.

PLACE: The Chateau in Mayo, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly Board of Directors meeting to discuss the development of equestrian facilities on Suwannee River Water Management District properties.

A copy of the agenda may be obtained by contacting: Pennie Flickinger, Administrative Assistant at (386)362-1001 or pff@srwmd.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Pennie Flickinger, Administrative Assistant at (386)362-1001 or pff@srwmd.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Brian Kauffman, Facilities Director at (386)362-1001 or bck@srwmd.org.

The **Southwest Florida Water Management District**, Industrial Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, April 8, 2008, 9:00 a.m.

PLACE: Tampa Service Office, 7601 Highway 301 North, Tampa, FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a regularly scheduled meeting of the Industrial Advisory Committee to discuss committee business and issues. A copy of the agenda may be obtained by contacting: SWFWMD, 2379 Broad Street, Brooksville, FL 34604-6899, or 1(800)423-1476 (FL only) or (352)796-7211, ext. 4400.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: General Services Department at 1(800)423-1476, ext. 4527, TDD only 1(800)231-6103. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Paula McCleery at the above address.

The **Southwest Florida Water Management District**, Public Supply Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, April 8, 2008, 1:30 p.m.

PLACE: Tampa Service Office, 7601 Highway 301 North, Tampa, FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a regularly scheduled meeting of the Public Supply Advisory Committee to discuss committee business and issues. A copy of the agenda may be obtained by contacting: SWFWMD, 2379 Broad Street, Brooksville, FL 34604-6899, or 1(800)423-1476 (FL only) or (352)796-7211, ext. 4400

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: General Services Department at 1(800)423-1476, ext. 4527, TDD only 1(800)231-6103. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Paula McCleery at the above address.

The **Southwest Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 16, 2008, 1:30 p.m.

PLACE: Tampa Service Office, 7601 Highway 301, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of the Well Drillers Advisory Committee (WDAC) business. Some members of the District's Governing and Basin Boards may also attend the meeting.

A copy of the agenda may be obtained by contacting: Patty McLeod, Regulation Performance Management Department, Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 33604-6899, (352)796-7211, ext. 4346.

Pursuant to the provisions of 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: Lori Manuel at 1(800)423-1476 or (352)796-7211, ext. 4341. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **South Florida Water Management District** announces a workshop to which all persons are invited.

Project & Lands Committee Meeting

DATE AND TIME: April 8, 2008, 9:00 a.m.

PLACE: SFWMD Okeechobee Service Center, 205 North Parrott Ave, Suite 201, Okeechobee, Florida

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation by Governing Board members.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Lake Okeechobee Restoration Inspection.

A copy of the agenda may be obtained by contacting: Jacki McGorty, (561)682-2087, or at https://my.sfwmd.gov/portal/page?_pageid=2574,13014318&_dad=portal&_schema=PORTAL.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: District Clerk's Office, (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Annette Carter at (561)682-6433 or at acarter@sfwmd.gov.

The **South Florida Water Management District** announces a private closed door attorney-client session.

DATE AND TIME: April 9, 2008, 9:00 a.m. – completed

PLACE: South Florida Water Management District Headquarters, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406

DATE AND TIME: April 10, 2008, 9:00 a.m. – completed

PLACE: South Florida Water Management District Headquarters, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Closed door attorney-client session pursuant to Section 286.011(8)(2007), Florida Statutes, to discuss strategy related to litigation expenditures in South Florida Water Management District v. Wherrell, et al., Nineteenth Judicial Circuit, Okeechobee County, Florida, Case No. 2007-CA-253. The subject matter shall be confined to the pending litigation. (All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members).

ATTENDEES: Governing Board Members E. Buermann, M. Collins, C. Dauray, S. Estenoz, N. Gutierrez, M. Meeker, P. Rooney, H. Thornton, M. Wade; Executive Director C. Wehle; District attorneys S. Wood, S. Echemendia, S. Nall, C. Kowalsky, K. Rizzardi, M. Compagno.

Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation.

A copy of the agenda may be obtained by contacting: District Clerk's Office at (561)682-2087 or www.sfwmd.gov.

Pursuant to the provisions of 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 District Clerk's Office at (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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DATE AND TIME: April 10, 2008, 9:00 a.m. – completed

PLACE: South Florida Water Management District Headquarters, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Closed door attorney-client session pursuant to Section 286.011(8)(2007), Florida Statutes, to discuss strategy related to litigation expenditures in *Teitelbaum, et al., v. South Florida Water Management District*, Eleventh Judicial Circuit, Miami-Dade County, Florida, Case No. 04-21282 CA 15. The subject matter shall be confined to the pending litigation. (All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members).

ATTENDEES: Governing Board Members E. Buermann, M. Collins, C. Dauray, S. Estenoz, N. Gutierrez, M. Meeker, P. Rooney, H. Thornton, M. Wade; Executive Director C. Wehle; District attorneys S. Wood, S. Echemendia, S. Nall, C. Kowalsky, K. Rizzardi, E. Artau, J. Nutt, P. Nettleton.

Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation.

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DATE AND TIME: April 10, 2008, 9:00 a.m. – completed

PLACE: South Florida Water Management District Headquarters, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Closed door attorney-client session pursuant to Section 286.011(8)(2007), Florida Statutes, to discuss strategy related to litigation expenditures in *Natural Resources Defense Council, Inc., et al. v. Van Antwerp, et al.*, United States District Court, Southern District of Florida, Case No. 07-80444-CIV-Middlebrooks. The subject matter shall be confined to the pending litigation. (All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members).

ATTENDEES: Governing Board Members E. Buermann, M. Collins, C. Dauray, S. Estenoz, N. Gutierrez, M. Meeker, P. Rooney, H. Thornton; Executive Director C. Wehle; District attorneys S. Wood, S. Echemendia, S. Nall, C. Kowalsky, K. Rizzardi, J. Nutt.

Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation.

A copy of the agenda may be obtained by contacting: District Clerk's Office at (561)682-2087 or www.sfwmd.gov.

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If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

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PLACE: South Florida Water Management District Headquarters, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406

DATE AND TIME: April 10, 2008, 9:00 a.m. – completed

PLACE: South Florida Water Management District Headquarters, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Closed door attorney-client session pursuant to Section 286.011(8)(2007), Florida Statutes, to discuss strategy related to litigation expenditures in *United States of America v. South Florida Water Management District, et al.*, United States

District Court, Southern District of Florida, Case No. 88-1886-CIV-Moreno. The subject matter shall be confined to the pending litigation. (All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members).

ATTENDEES: Governing Board Members E. Buermann, M. Collins, C. Dauray, N. Gutierrez, M. Meeker, P. Rooney, H. Thornton; Executive Director C. Wehle; District attorneys S. Wood, S. Echemendia, S. Nall, C. Kowalsky, K. Rizzardi, K. Burns.

Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation.

A copy of the agenda may be obtained by contacting: District Clerk's Office, (561)682-2087 or www.sfwmd.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: District Clerk's Office at (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: District Clerk's Office at (561)682-2087.

The **South Florida Water Management District** announces a private closed door attorney-client session.

DATE AND TIME: April 9, 2008, 9:00 a.m. – completed

PLACE: South Florida Water Management District Headquarters, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406

DATE AND TIME: April 10, 2008, 9:00 a.m. – completed

PLACE: South Florida Water Management District Headquarters, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Closed door attorney-client session pursuant to Section 286.011(8)(2007), Florida Statutes, to discuss strategy related to litigation expenditures in Friends of the Everglades, Inc. and Fishermen Against Destruction of the Environment, Inc. v. South Florida Water Management District, et al., United States District Court, Southern District of Florida, Case No. 02-80309-CV-Altonaga/Turnoff; Miccosukee Tribe of Indians of Florida v. South Florida Water Management District, et al., United States District Court, Southern District of Florida, Case

No. 98-6056-CIV-Lenard/Klein; and Friends of the Everglades v. South Florida Water Management District, United States District Court, Southern District of Florida, Case No. 98-6057-CIV-Lenard/Klein. The subject matter shall be confined to the pending litigation. (All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members).

ATTENDEES: Governing Board Members E. Buermann, M. Collins, C. Dauray, S. Estenoz, N. Gutierrez, M. Meeker, P. Rooney, H. Thornton; Executive Director C. Wehle; District attorneys S. Wood, S. Echemendia, S. Nall, C. Kowalsky, K. Rizzardi, J. Nutt.

Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation.

A copy of the agenda may be obtained by contacting: District Clerk's Office at (561)682-2087 or www.sfwmd.gov.

Pursuant to the provisions of 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 District Clerk's Office at (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: the District Clerk's Office at (561)682-2087.

The **South Florida Water Management District** announces a public meeting to which all persons are invited.

Audit & Finance Committee Meeting

DATE AND TIME: April 9, 2008, 10:00 a.m.

PLACE: SFWMD Headquarters, B-1 Building, 3301 Gun Club Road, West Palm Beach, Florida 33406

Workshop

DATE AND TIME: April 9, 2008, 1:00 p.m.

PLACE: SFWMD Headquarters, B-1 Building, 3301 Gun Club Road, West Palm Beach, Florida 33406

Business Meeting

DATE AND TIME: April 10, 2008, 9:00 a.m.

PLACE: SFWMD Headquarters, B-1 Building, 3301 Gun Club Road, West Palm Beach, Florida 33406

All or part of these meetings may be conducted as a teleconference in order to permit maximum participation by Governing Board members. The Governing Board may take

official action at the meeting on any item appearing on the agenda and on any item that is added to the agenda as a result of a change to the agenda approved by the presiding officer of the meeting pursuant to Section 120.525, Florida Statutes. Governing Board action may be taken at the Governing Board Workshop or Meeting. If Workshop items are not discussed on 4/9, the items may be discussed on 4/10.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board to discuss and consider District business, including regulatory and non-regulatory matters and may include an amendment to the District's Fiscal Year 2008 budget to revise revenues and expenditures.

A copy of the agenda may be obtained by contacting: Jacki McGorty, (561)682-2087, or at https://my.sfwmd.gov/portal/page?_pageid=2574,13014318&_dad=portal&_schema=PORTAL

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: District Clerk's Office, (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: District Clerk's Office (561)682-2087.

REGIONAL UTILITY AUTHORITIES

The **Tampa Bay Water Regional Water Supply Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, April 21, 2008, 8:30 a.m.

PLACE: 2575 Enterprise Road, Clearwater, Florida 33763

GENERAL SUBJECT MATTER TO BE CONSIDERED: 2008/2009 Budget Workshop immediately followed by the Regular Board Meeting and an Attorney/Client Briefing to commence at 10:00 a.m. between the Tampa Bay Water Board of Directors and legal counsel pursuant to Section 286.011(8), Florida Statutes, to discuss settlement negotiations and litigation expenditures in Saddlewood Estates, Inc. v. Tampa Bay Water.

Attorney/Client Briefing Attendees: Board of Directors of Tampa Bay Water, General Manager Gerald Seeber, General Counsel Rick Lotspeich, Senior Assistant Counsel Barrie Buenaventura, Richard Harrison, Esquire, Dave Forziano, Esquire, and a certified court reporter.

The Board of Directors of Tampa Bay Water approved the Attorney/Client session at its regularly scheduled meeting on February 18, 2008. The entire Attorney/Client briefing session

will be recorded by a certified court reporter, transcribed within a reasonable time after the meeting, and filed with Tampa Bay Water's Records Manager. The transcript of the private session shall be made part of the public record upon the conclusion of the litigation.

A copy of the agenda may be obtained by contacting: Tampa Bay Water or can be accessed on the Web at www.tampabaywater.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting Holly Wells at (727)796-2355. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact Records Department at (727)796-2355.

DEPARTMENT OF ELDER AFFAIRS

The **Department of Elder Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 17, 2008, 10:00 a.m. – 2:00 p.m. EST.

PLACE: Florida Farm Bureau, 5700 S. W. 34th Street, Gainesville, Florida 32608

GENERAL SUBJECT MATTER TO BE CONSIDERED: To identify the needs and address the independence and well-being of Florida's seniors.

A copy of the agenda may be obtained by contacting: Janine Rogers-Harris, Department of Elder Affairs, Communities for a Lifetime Bureau, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, Telephone No.: (850)414-2000, SunCom 994-2000; E-mail address: communities@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Janine Rogers-Harris, Department of Elder Affairs, Communities for a Lifetime Bureau, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, Telephone No.: (850)414-2000, SunCom 994-2000; E-mail address: communities@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Janine Rogers-Harris, Department of Elder Affairs, Communities for a Lifetime Bureau, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, Telephone No.: (850)414-2000, SunCom 994-2000; E-mail address: communities@elderaffairs.org.

The **Department of Elder Affairs** announces a hearing to which all persons are invited.

DATE AND TIME: April 23, 2008, 11:00 a.m. – 1:00 p.m. EDT.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of the notice of change for Hospice Rules 58A-2.003, 2.005, 2.010, 2.012, and 2.0322, F.A.C., that was published on February 29, 2008 in the Florida Administrative Weekly.

A copy of the agenda may be obtained by contacting: Jim Crochet, Department of Elder Affairs, Office of the General Counsel, 4040 Esplanade Way, Tallahassee, Florida 32399-7000; Telephone number: (850)414-2000, SunCom 994-2000; Email address: crochetj@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Jim Crochet, Department of Elder Affairs, Office of the General Counsel, 4040 Esplanade Way, Tallahassee, Florida 32399-7000; Telephone number: (850)414-2000, SunCom 994-2000; Email address: crochetj@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Jim Crochet, Department of Elder Affairs, Office of the General Counsel, 4040 Esplanade Way, Tallahassee, Florida 32399-7000; Telephone number: (850)414-2000, SunCom 994-2000; Email address: crochetj@elderaffairs.org.

The **Department of Elder Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: April 10, 2008, 10:00 a.m.

PLACE: 7601 Little Rd., New Port Richey, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Long-Term Care Ombudsman Program, District Council Business.

A copy of the agenda may be obtained by contacting Michele Mule at (727)943-4655.

Pursuant to the provisions of 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 Michele Mule at (727)943-4655. If you are 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 Michele Mule at (727)943-4655.

The **Department of Elder Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: April 10, 2008, 12:00 Noon

PLACE: 988 Woodcock Rd., Conference Room, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Long-Term Care Ombudsman Program, District Council Business.

A copy of the agenda may be obtained by contacting LaShea Heidelberg at (407)228-7752.

Pursuant to the provisions of 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 LaShea Heidelberg at (407)228-7752. If you are 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 LaShea Heidelberg at (407)228-7752.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: April 3, 2008, 1:00 p.m. – 3:00 p.m.

PLACE: By telephone conference call (dial-in instructions will be posted at <http://ahca.myflorida.com/dhit/FHINgrantsProgram/20072008grantProgMeetings.shtml>) and at the Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room D, Tallahassee, FL 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: The FY 2007-2008 Florida Health Information Network (FHIN) Grants Program grantees will meet for their quarterly grant meeting.

A copy of the agenda may be obtained by contacting: Lloyd J. Tribley, Agency for Health Care Administration, Florida Center for Health Information and Policy Analysis, Office of Health Information Technology, 2727 Mahan Drive, Bldg. 3, Mail Stop #16, Tallahassee, FL 32308. The Agenda and telephone conference call dial-in instructions will be posted at <http://ahca.myflorida.com/dhit/FHINgrantsProgram/20072008grantProgMeetings.shtml> seven (7) days prior to the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 7 days before the workshop/meeting by contacting Lloyd J. Tribley at (850)414-9634. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Agency for Health Care Administration** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, April 10, 2008, 3:30 pm.

PLACE: This is a Teleconference Meeting. Any person interested in participating by telephone may dial (713)481-0090/Pass Code: 9701442#. If you have any difficulty accessing the teleconference, please call the Florida Center's main number at (850)922-5771.

GENERAL SUBJECT MATTER TO BE CONSIDERED:

This is a teleconference meeting of the State Consumer Health Information and Policy Advisory Council to which all interested parties are invited. The purpose is to conduct a meeting of key health care stakeholders to discuss issues relating to implementing Florida Statutes mandating transparency in health care through public reporting of health care data.

A copy of the agenda may be obtained by contacting: Cheryl Barfield, Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, Mail Stop #16, Tallahassee, FL 32308-5403. The agenda will also be posted at <http://ahca.myflorida.com/SCHS/chismetings.shtml> seven (7) days prior to the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Cheryl Barfield at (850)414-5422. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Cheryl Barfield at (850)414-5422.

The **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: April 11, 2008, 1:00 p.m. – 4:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Dr., Building 3, Conference Room A, Tallahassee, FL 32308, Dial-in Number: 1(877)328-7346, Conf. ID #36430145

GENERAL SUBJECT MATTER TO BE CONSIDERED: Medicaid Reform Technical Advisory Panel.

A copy of the agenda may be obtained by contacting: dilmores@ahca.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting dilmores@ahca.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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 dilmores@ahca.myflorida.com.

DEPARTMENT OF MANAGEMENT SERVICES

The **Department of Management Services** announces a joint meeting of the Standard Operating Procedures and Technical Committees of the Joint Task Force on State Agency Law Enforcement Communications to which all interested persons are invited.

DATE AND TIME: April 8, 2008. The meeting will begin at the conclusion of the Rule Development Workshop that starts at 9:00 a.m. – 3:00 p.m.

PLACE: Florida Department of Law Enforcement Headquarters, 2331 Phillips Road, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss operational matters of the Statewide Law Enforcement Radio System. For more information about the agenda, contact Victor Cullars, Florida Department of Law Enforcement, (850)410-8300 or Todd Preston, Fish and Wildlife Conservation Commission (850)410-0656.

The Florida **Commission on Human Relations** announces a public meeting to which all persons are invited.

DATE AND TIME: April 14, 2008, 12:00 Noon

PLACE: Florida Commission on Human Relations, 2009 Apalachee Parkway, Oakland Building, Suite 100, Tallahassee, FL 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: Casey Snipes, Executive Assistant, Florida Commission on Human Relations, 2009 Apalachee Parkway, Oakland Building, Suite 100, Tallahassee, FL 32301, (850)488-7082.

Pursuant to the provisions of 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: Casey Snipes, Executive Assistant, Florida Commission on Human Relations, 2009 Apalachee Parkway, Oakland Building, Suite 100, Tallahassee, FL 32301, (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).

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: Casey Snipes, Executive Assistant, Florida Commission on Human Relations, 2009 Apalachee Parkway, Oakland Building, Suite 100, Tallahassee, FL 32301, (850)488-7082.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Construction Industry Licensing Board** announces a public meeting to which all persons are invited.

DATES AND TIMES: Wednesday, April 9, 2008, 8:30 a.m.; Thursday, April 10, 2008, 8:30 a.m.; Friday, April 11, 2008, 8:30 a.m.

PLACE: Hilton Melbourne Beach Oceanfront, 3003 North A1A, Indialantic, FL 32903

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee, disciplinary actions and general session meetings of the Board.

A copy of the agenda may be obtained by contacting: Andy Janecek, Construction Industry Licensing Board, 1940 North Monroe Street, MS N-14, Tallahassee, FL 32399-1039, or by phone at (850)922-2887.

Pursuant to the provisions of 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: Andy Janecek, Construction Industry Licensing Board, 1940 North Monroe Street, MS N-14, Tallahassee, FL 32399-1039, or by phone at (850)922-2887. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The Florida **Board of Professional Engineers**, Rules Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, April 15, 2008, 1:00 p.m.

PLACE: 2507 Callaway Road, Suite 200, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Committee.

A copy of the agenda may be obtained by contacting: Carrie A. Flynn.

Pursuant to the provisions of 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: Carrie A. Flynn. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Carrie A. Flynn.

The Florida **Board of Professional Engineers** – Probable Cause Panel announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 20, 2008, 8:30 a.m.

PLACE: 2507 Callaway Road, Suite 200, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Although this meeting is open to the public, portions of the Probable Cause Panel meeting may be closed consistent with law.

A copy of the agenda may be obtained by contacting: Carrie A. Flynn.

Pursuant to the provisions of 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: Carrie A. Flynn. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Carrie A. Flynn.

The Florida **Board of Professional Engineers**, Probable Cause Panel announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, July 15, 2008, 8:30 a.m.

PLACE: 2507 Callaway Road, Suite 200, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Although this meeting is open to the public, portions of the Probable Cause Panel meeting may be closed consistent with law.

A copy of the agenda may be obtained by contacting: Carrie A. Flynn.

Pursuant to the provisions of 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: Carrie A. Flynn. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Carrie A. Flynn.

The Florida **Board of Professional Engineers**, Legislative Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, July 15, 2008, 1:00 p.m.

PLACE: 2507 Callaway Road, Suite 200, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Committee.

A copy of the agenda may be obtained by contacting: Carrie A. Flynn.

Pursuant to the provisions of 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: Carrie A. Flynn. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Carrie A. Flynn.

The Florida **Board of Professional Engineers**, Probable Cause Panel announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, September 16, 2008, 8:30 a.m.

PLACE: 2507 Callaway Road, Suite 200, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Although this meeting is open to the public, portions of the Probable Cause Panel meeting may be closed consistent with law.

A copy of the agenda may be obtained by contacting: Carrie A. Flynn.

Pursuant to the provisions of 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: Carrie A. Flynn. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Carrie A. Flynn.

The Florida **Board of Professional Engineers**, Probable Cause Panel announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, November 18, 2008, 8:30 a.m.

PLACE: 2507 Callaway Road, Suite 200, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Although this meeting is open to the public, portions of the Probable Cause Panel meeting may be closed consistent with law.

A copy of the agenda may be obtained by contacting: Carrie A. Flynn.

Pursuant to the provisions of 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: Carrie A. Flynn. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Carrie A. Flynn.

The **Building Code Administrators and Inspectors Board** announces a workshop to which all persons are invited.

DATE AND TIME: April 24, 2008, 9:00 a.m.

PLACE: Hyatt Regency Miami, Miami Convention Center, 400 S. E. 2nd Avenue, Miami, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Rule Development. Whether and how to amend Chapter 61G19-7, F.A.C.

A copy of the agenda may be obtained by contacting: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750.

For more information, you may contact: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750, (850)487-1395.

The **Board of Accountancy** announces a public meeting to which all persons are invited.

DATES AND TIMES: Monday, April 7, 2008, 9:00 a.m. until all Board business is concluded; Tuesday, April 29, 2008, 10:30 a.m. until all Probable Cause Panel business is concluded; Tuesday, April 29, 2008, 1:00 p.m. until all Long Range Planning business is concluded; Wednesday, April 30, 2008, 9:00 a.m. until all Board Meeting business is concluded

PLACE: Sheraton Suites Tampa Airport, 4400 West Cypress Street, Tampa, FL 33607

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 Long Range Planning issues. The Board will meet to consider enforcement proceedings including consideration of investigation officers' reports and other general business. This is a public meeting.

A copy of the agenda may be obtained by contacting: June Carroll, 240 N.W. 76th Drive, Suite A, Gainesville FL 32607.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: June Carroll at (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: June Carroll at (850)487-1395.

The Florida **Board of Accountancy** announces a public meeting to which all persons are invited.

DATE AND TIME: May 20, 2008, 10:00 a.m.

PLACE: Via Conference Call, Dial-In Number: 1(888)808-6959, Conference Code: 3332505

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review sponsors and individual courses approval.

A copy of the agenda may be obtained by contacting: Karan Lee, 240 N. W. 76th Drive, Suite A, Gainesville, FL 32607, (850)487-1395.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Florida Board of Accountancy, 240 N. W. 76th Drive, Suite A, Gainesville, FL 32607. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

The Florida **Department of Environmental Protection, Division of Recreation & Parks** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, April 15, 2008, 7:00 p.m.

PLACE: Roy E. Campbell Civic Center Auditorium, Ravine Gardens State Park, 1600 Twigg Street, Palatka, Florida 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presentation and discussion of the proposed management plan for Ravine Gardens State Park. A copy of the management plan will be available at Ravine Gardens State for review.

A copy of the agenda may be obtained by contacting: Nathan Sommons, Ravine Gardens State Park Manger at (386)329-3721.

Pursuant to the provisions of 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: Nathan Sommons, Park Manager (386)329-3721 or email (Nathan.Sommons@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: Nathan Sommons, Park Manager (386)329-3721 or email (Nathan.Sommons@dep.state.fl.us)

The Florida **Department of Environmental Protection, Division of Recreation & Parks** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 16, 2008, 9:00 a.m.
 PLACE: Roy E. Campbell Civic Center Auditorium, Ravine Gardens State Park, 1600 Twigg Street, Palatka, Florida 32177
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Presentation and discussion of the proposed land management plan for Ravine Gardens State Park with the park Advisory Group members

A copy of the agenda may be obtained by contacting: Nathan Sommons, Ravine Gardens State Park Manager at (386)329-3721

Pursuant to the provisions of 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: Nathan Sommons, Park Manager (386)329-3721 or email (Nathan.Sommons@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: Nathan Sommons, Park Manager (386)329-3721 or email (Nathan.Sommons@dep.state.fl.us).

The Department of Environmental Protection, Division of Water Resource Management announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 16, 2008, 10:00 a.m. – 3:00 p.m. (EDT)

PLACE: Science Applications International Corp. (SAIC), Science Bldg. II, Florida Room, 12901 Science Drive, Orlando, FL 32826

GENERAL SUBJECT MATTER TO BE CONSIDERED: This will be the second meeting of the Technical Advisory Committee to consider development of a new rule, Chapter 62-347, F.A.C., to update stormwater quality treatment design and performance standards for stormwater treatment systems, with particular emphasis on reducing nutrient discharges.

A copy of the agenda may be obtained by contacting: Mary VanTassel, Department of Environmental Protection, Office of Submerged Lands and Environmental Resources, 2600 Blair Stone Road, MS 2500, Tallahassee, FL 32399-2400, (850)245-8486, e-mail Mary.VanTassel@dep.state.fl.us or facsimile (850)245-8499. (The file tracking number is OGC 07-0552.)

Pursuant to the provisions of 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 Mary VanTassel at (850)245-8486. If you are

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**, Industrial Wastewater Section announces a workshop to which all persons are invited.

DATE AND TIME: Thursday, April 17, 2008, 9:00 a.m.

PLACE: Southwest Florida Water Management District, Governing Board Meeting Room, 2379 Broad Street, Brooksville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department will present draft revisions to Chapters 62-670 Feedlot and Dairy Wastewater Treatment and Management Requirements; 62-620 Wastewater Facilities and Activities Permitting; 62-4 Permits and 62-621 Generic Permits, Florida Administrative Code (F.A.C.). The revisions address animal feeding operations. The Department will take public input on the draft rule revisions which affect the various parties and activities related to animal feeding operations. This rulemaking effort will establish and expand permitting and registration requirements for animal feeding operations.

A copy of the agenda may be obtained by contacting: Shirley Shields, Department of Environmental Protection, MS 3545, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)245-8589, email shirley.shields@dep.state.fl.us. Copies of the draft of the proposed rule amendments may be obtained by visiting http://www.dep.state.fl.us/water/rules_dr.htm or contacting Mary Smith, Department of Environmental Protection, MS 3545, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)245-8591 or at email mary.k.smith@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Shirley Shields, Department of Environmental Protection, MS 3545, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)245-8589, or email at shirley.shields@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 series of public meetings to which all persons are invited.

Energy Supply and Demand Technical Workgroup

DATE AND TIME: April 23, 2008, 1:30 p.m. – 3:30 p.m. or until completion of business.

PLACE: The meeting will be held via teleconference and members of the public may join the meeting by dialing (800)704-9804 and entering the following code: 612147

Agriculture, Forestry and Waste Technical Workgroup

DATE AND TIME: April 30, 2008, 1:00 p.m. – 3:00 p.m. or until completion of business.

PLACE: The meeting will be held at the Douglas Building in conference room B via teleconference and members of the public may join the meeting by dialing (800)704-9804 and entering the following code: 436766

Transportation and Land Use Technical Workgroup

DATE AND TIME: April 23, 2008, 1:00 p.m. – 3:00 p.m. or until completion of business.

PLACE: The meeting will be held at the Carr Building in room 153 via teleconference and members of the public may join the meeting by dialing (800)704-9804 and entering the following code: 372144

Cap and Trade Technical Workgroup

DATE AND TIME: April 25, 2008, 2:00 p.m. – 4:00 p.m. or until completion of business.

PLACE: The meeting will be held at the Carr Building in conference room 170 via teleconference and members of the public may join the meeting by dialing (800)704-9804 and entering the following code: 162223

Government Policy Coordination Technical Workgroup

DATE AND TIME: May 1, 2008, 9:00 a.m. – 11:00 a.m. or until completion of business.

PLACE: The meeting will be held at the Bob Martinez Center in room 609 via teleconference and members of the public may join the meeting by dialing (800)704-9804 and entering the following code: 232679

Adaptation Technical Workgroup

DATE AND TIME: April 21, 2008, 10:00 a.m. – 12:00 Noon or until completion of business.

PLACE: The meeting will be held at the Douglas Building in conference room A via teleconference and members of the public may join the meeting by dialing (800)704-9804 and entering the following code: 883437

GENERAL SUBJECT MATTER TO BE CONSIDERED: These are meetings of the technical workgroups associated with the Governor's Action Team on Energy and Climate Change to continue discussion of policy issues regarding the development of a comprehensive Energy and Climate Change Action Plan that will address statewide greenhouse gas reductions specified in Executive Order 07-127.

A copy of the agenda may be obtained by contacting: Florida Department of Environmental Protection, Attn.: Allena Nelson (allena.nelson@dep.state.fl.us), Office of Strategic Planning, 3900 Commonwealth Blvd., M.S. 18, Tallahassee, Florida 32399-3000 or by calling (850)245-2002.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Florida Department of Environmental Protection, Attn: Allena Nelson (allena.nelson@dep.state.fl.us), Office of

Strategic Planning, 3900 Commonwealth Blvd., M.S. 18, Tallahassee, Florida 32399-3000 or by calling (850)245-2002. If you are 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, Attn: Allena Nelson (allena.nelson@dep.state.fl.us), Office of Strategic Planning, 3900 Commonwealth Blvd., M.S. 18, Tallahassee, Florida 32399-3000 or by calling (850)245-2002.

DEPARTMENT OF HEALTH

The Governor's Task Force on Autism Spectrum Disorders announces a public meeting to which all persons are invited.

DATES AND TIMES: Day One – Wednesday, April 2, 2008, 10:00 a.m. – 2:30 p.m., at the Florida State University College of Law Rotunda, 425 W. Jefferson Street, Tallahassee, Florida 32306. The meeting will reconvene at 3:00 p.m. until conclusion at the Capitol Building, 22nd Floor, Tallahassee, Florida; Day Two – Thursday, April 3, 2008, 9:00 a.m. – 2:30 p.m.

PLACE: Florida State University College of Law Rotunda, 425 W. Jefferson Street, Tallahassee, Florida 32306 and The Capitol Building, 22nd Floor, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The task force will work to address the growing health crisis that autism represents through coordinating efforts and setting a proactive agenda. The task force, made up of leaders in autism advocacy and treatment, health care practitioners, and family members of persons with autism, will hear presentations from various state agencies and interested parties in preparation for the submission of a final report of recommendations to the Governor by March 20, 2009.

A copy of the agenda may be obtained by contacting: Lona Gibson-Taylor at Lona_Gibson-Taylor@doh.state.fl.us or (850)245-4242.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Lona Gibson-Taylor at Lona_Gibson-Taylor@doh.state.fl.us or (850)245-4242. If you are 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: Lona Gibson-Taylor at Lona_Gibson-Taylor@doh.state.fl.us or (850)245-4242.

The Board of Chiropractic Medicine announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, April 18, 2008, commencing at 8:30 a.m., and will also be held by conference call if necessary.
PLACE: Palmer College of Chiropractic, Allen Green Civic Center, 4705 S. Syde Morris Boulevard, Port Orange, Florida
GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257 or accessing www.doh.state.fl.us/mqa/chiro/index.html

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Board of Chiropractic Medicine. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The Florida **Board of Massage Therapy** announces a public meeting to which all persons are invited.

DATES AND TIME: Thursday, April 24, 2008; Friday, April 25, 2008, 9:00 a.m. or shortly thereafter

PLACE: Marriott Orlando Airport, 7499 Augusta National Drive, Orlando, FL 32822, (407)851-9000

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Board business.

A copy of the agenda may be obtained by contacting: Pamela King, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, or you may call (850)245-4161. You will be charged seventeen cents per page for the number of copies desired.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Christy Robinson, (850)245-4161, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired, can contact Christy Robinson using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he may need to ensure that a verbatim record of the proceedings is made, which records includes the testimony and evidence upon which the appeal is to be based.

The **Board of Medicine**, PCP South Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, April 11, 2008, 2:00 p.m.

PLACE: To be held via meet-me number (888)808-6959, conference code 2454131

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases for which a determination of probable cause is to be made and to conduct a public meeting to review cases on which probable cause has been made.

A copy of the agenda may be obtained by contacting: Trisha L. Grubbs at (850)245-4640, ext. 8145 or email her at Trisha_Grubbs@doh.state.fl.us

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Trisha L. Grubbs at (850)245-4640, ext. 8145 or email her at Trisha_Grubbs@doh.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Board of Nursing**, South Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 17, 2008, 2:00 p.m.

PLACE: Department of Health, Tallahassee at Meet Me Number (888)808-6959 conference code (2458182)

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

A copy of the agenda item may be obtained by writing: Florida Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3257.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Board of Nursing. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Department of Health, Board of Psychology** announces a public meeting to which all persons are invited.

DATE AND TIME: April 4, 2008, beginning at approximately 9:00 a.m. or soon thereafter

PLACE: Marriott Tampa Airport, Tampa International Airport, (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: the Department of Health, Board of Psychology, 4052 Bald Cypress Way, BIN C05, Tallahassee, FL 32399-3255.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Board Office at (850)488-0595. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Florida Tobacco Education and Use Prevention Advisory Council** announces a series of conference call meetings of its subcommittees to which all interested parties are invited to participate. The subcommittees are the Youth Programs, Health Communications, and Surveillance and Evaluation.

Committee: Youth Programs.

DATE AND TIME: Friday, April 4, 2008, 1:00 p.m. – 3:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Code 9344074

DATE AND TIME: Friday, May 2, 2008, 1:00 p.m. – 3:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Code 9344074

DATE AND TIME: Monday, June 2, 2008, 9:00 a.m. – 4:00 p.m.

PLACE: No call. Subcommittees meet during council meetings.

DATE AND TIME: Friday, July 11, 2008, 1:00 p.m. – 3:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Code 9344074

DATE AND TIME: Friday, August 8, 2008, 1:00 p.m. – 3:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Code 9344074:

DATE AND TIME: Monday, September 8, 2008, 9:00 a.m. – 4:00 p.m.

PLACE: Subcommittees meet during council meeting

DATE AND TIME: Friday, October 10, 2008, 1:00 p.m. – 3:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Code 9344074

DATE AND TIME: Friday, November 7, 2008, 1:00 p.m. – 3:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Code 9344074

DATE AND TIME: Monday, December 1, 2008, 9:00 a.m. – 4:00 p.m.

PLACE: No call. Subcommittees meet during council meeting. Committee: Health Communications.

DATE AND TIME: Monday, March 31, 2008, 9:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Code 9344074

DATE AND TIME: Monday, April 28, 2008, 9:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Code 9344074

DATE AND TIME: Monday, June 2, 2008, 9:00 a.m. – 4:00 p.m.

PLACE: Subcommittees meet during council meeting

DATE AND TIME: Monday, July 7, 2008, 9:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Code 9344074

DATE AND TIME: Monday, August 4, 2008, 9:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Code 9344074

DATE AND TIME: Monday, September 8, 2008, 9:00 a.m. – 4:00 p.m.

PLACE: Subcommittees meet during council meeting

DATE AND TIME: Monday, October 6, 2008, 9:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Code 9344074

DATE AND TIME: Monday, November 3, 2008, 9:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Code 9344074

DATE AND TIME: Monday, December 1, 2008

PLACE: No call. Subcommittees meet during council meeting. Committee: Surveillance and Evaluation.

DATE AND TIME: Friday, April 4, 2008, 9:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Code 9344074

DATE AND TIME: Friday, May 2, 2008, 9:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Code 9344074

DATE AND TIME: Monday, June 2, 2008, 9:00 a.m. – 4:00 p.m.

PLACE: Subcommittees meet during council meeting

DATE AND TIME: Friday, July 11, 2008, 9:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Code 9344074

DATE AND TIME: Friday, August 8, 2008, 9:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Code 9344074

DATE AND TIME: Monday, September 8, 2008, 9:00 a.m. – 4:00 p.m.

PLACE: Subcommittees meet during council meeting

DATE AND TIME: Friday, October 10, 2008, 9:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Code 9344074

DATE AND TIME: Friday, October 10, 2008, 9:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Code 9344074

DATE AND TIME: Friday, November 7, 2008, 9:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Code 9344074

DATE AND TIME: Monday, December 1, 2008, 9:00 a.m. – 4:00 p.m.

PLACE: No call. Subcommittees meet during council meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: These conference calls will address the committees' continued development of policy recommendations and work tasks to address the mandates of the Tobacco Education and Use Prevention Program as instituted in Section 381.84, F.S.

A copy of the agenda for any of the conference calls may be obtained one week prior to each meeting at the Florida Department of Health's tobacco website <http://www.doh.state.fl.us/tobacco/TAC.html#Sub-Committees>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these conference calls is asked to advise the agency at least 2 days before the conference call by contacting: Mr. Carlos Martinez, (850)245-4144, ext. 2473 or email carlos_martinez@doh.state.fl.us.

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

If any person decides to appeal any decision made by a subcommittee with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

A copy of the agenda is below:

1. Roll call
2. Subcommittee business
3. Next steps including
 - a. Agenda for the next meeting
 - b. Recommendations to the Advisory Council, if any

Additional information may be obtained by contacting Carlos Martinez at (850)245-4144 ext. 2473 (email carlos_martinez@doh.state.fl.us).

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Department of Children and Family Services**, Circuit 10 announces a public meeting to which all persons are invited.

DATE AND TIME: April 9, 2008, 2:30 p.m. – 4:00 p.m.

PLACE: United Way of Central Florida, 5605 U.S. Hwy. 98 South, Highland City, FL 33846

GENERAL SUBJECT MATTER TO BE CONSIDERED: Heart of Florida Community Alliance.

A copy of the agenda may be obtained by contacting: Diane Dvorak, Department of Children and Family Services, 4720 Old Hwy. 37, Lakeland, FL 33813, (863)619-4100.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Diane Dvorak, Department of Children and Family Services, 4720 Old Hwy. 37, Lakeland, FL 33813, (863)619-4100. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Diane Dvorak, Department of Children and Family Services, 4720 Old Hwy. 37, Lakeland, FL 33813, (863)619-4100.

FISH AND WILDLIFE CONSERVATION COMMISSION

The **Fish and Wildlife Conservation Commission** announces a series of public workshops concerning the Florida Quota Hunt Program, to which all interested persons are invited:

DATE AND TIME: April 16, 2008, 5:00 p.m. – 9:00 p.m.

PLACE: Gulf Coast Community College, Gibson Lecture Hall, 5230 West U.S. HWY 98, Panama City, FL

DATE AND TIME: April 22, 2008, 6:00 p.m. – 10:00 p.m.

PLACE: IGFA Fishing Hall of Fame, 300 Gulf Stream Way, Dania Beach, FL.

DATE AND TIME: April 29, 2008, 6:00 p.m. – 10:00 p.m.

PLACE: Columbia County School Board Administrative Auditorium, 372 West Duval Street, Lake City, FL

DATE AND TIME: May 13, 2008, 6:00 p.m. – 10:00 p.m.

PLACE: Bass Pro Shops, 5156 International Drive, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Fish and Wildlife Conservation Commission, in response to agency observations and concerns expressed by the public is conducting an assessment of the Florida Quota Hunt Program. The assessment is designed to identify concerns associated with the Quota Hunt Program and develop ideas for making improvements. This meeting is being held to invite members of the public to share their ideas with facilitators and agency staff on this topic.

Pursuant to the provisions of 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: Robert Jones or Jeff Blair at Florida Conflict Resolution Consortium, Morgan Building, Suite 236, 2035 East Paul Dirac Drive, Tallahassee, FL 32310, or at (850)644-6320.

FINANCIAL SERVICES COMMISSION

The **Financial Services Commission, Office of Insurance Regulation** announces a hearing to which all persons are invited.

DATE AND TIME: April 15, 2008, 9:00 a.m., during a regular meeting of the Financial Services Commission

PLACE: Cabinet Meeting Room Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the Final Public Hearing on the adoption of proposed amendments to Rules 69O-204.010, 69O-204.020, 69O-204.030, 69O-204.040, and 69O-204.070, Florida Administrative Code, published on December 14, 2007 in Vol. 33, No. 50, of the Florida Administrative Weekly, No notice of change was published.

A copy of the agenda may be obtained by contacting: The Governor and Cabinet Website at <http://www.myflorida.com/myflorida/cabinet/mart.html>. The agenda should be available approximately one week before the cabinet meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the contact person at least 5 calendar days before the program by contacting Bernie Stoffel at E-mail bernie.stoffel@fldfs.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Bernie Stoffel bernie.stoffel@fldfs.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

69O-204 VIATICAL SETTLEMENT PROVIDERS

69O-204.010 Purpose and Scope.

The purpose of this Rule Chapter is to implement the provisions of Chapter 626, Part X, Florida Statutes.

Specific Authority 626.9925 FS. Law Implemented 626.991 FS. History—New _____.

69O-204.020 Definitions.

In addition to the definitions in Section 626.9911, Florida Statutes, the following definitions apply to this regulation:

(1) "Control" or "effective control" as used in the Viatical Settlement Act and this rule chapter means the possession, directly or indirectly, of the power to direct or cause the direction of the management or policies of a person.

(2) "Secondary market" means the assignment, transfer, sale, devise, or bequest of the death benefit or ownership of all or a portion of a viaticated life insurance policy or viaticated certificate of insurance.

Specific Authority 626.9925 FS. Law Implemented 626.9911(2), 626.9912(4), 626.9913(2), 626.9922(2), 626.9924, 626.9913(2) FS. History—New _____.

69O-204.030 Forms Incorporated By Reference.

(1) The following forms are incorporated by reference to implement the provisions of Chapter 626, Part X, Florida Statutes.

(a) Form OIR-A3-1288, Viatical Settlement Provider Annual Report (REV 2/08).

(b) Form OIR-C1-1294, Notice of Intent to Use a Related Provider Trust (REV 10/05).

(2) All of the above referenced forms are available from the Office's website: <http://www.floir.com>.

(3) All applications, annual report filings, forms submitted by licensees for approval and associated documentation shall be submitted electronically to <http://portal.fldfs.com>.

Specific Authority 626.9925 FS. Law Implemented 626.9912(2), 626.9912(3), 626.9913(2), 626.9921(3), 626.9921(4), 626.9928 FS. History—New _____.

69O-204.040 Prohibited Practices.

A viatical settlement provider shall not act also as a viatical settlement broker, whether entitled to collect a fee directly or indirectly, in the same viatical settlement.

Specific Authority 626.9925 FS. Law Implemented 626.9911(9), 626.9916(1), 626.9916(5) FS. History—New _____.

69O-204.070 Anti-Fraud.

Every licensed viatical settlement provider shall establish and maintain in accordance with the provisions of Section 626.9922, F.S.:

(1) Documentation of compliance with its anti-fraud plan and procedures filed in accordance with Section 626.99278, F.S.

(2) All documentation pertaining to resolved and unresolved material inconsistencies between medical records and insurance applications.

(3) Documentation pertaining to the mandatory reporting of possible fraudulent acts and prohibited practices set forth in section 626.99275 to the Division of Insurance Fraud of the department.

Specific Authority 626.9925 FS. Law Implemented 626.99278, 626.9922, 626.99275 FS. History–New

FLORIDA INDEPENDENT LIVING COUNCIL

The **Florida Independent Living Council**, Inc. announces a public meeting to which all persons are invited.

MEETING: SPIL Work Plan Development

DATE AND TIME: April 1, 2008, 10:00 a.m. (EST)

PLACE: 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the council.

COMMITTEE AND TASK FORCE MEETINGS: Please note that committees and task forces of the Florida Independent Living Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meetings may request to be put on the mailing list for such notices by writing to Molly Gosline at the council address.

A copy of the agenda may be obtained by contacting: Florida Independent Living Council, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271, (850)488-5624 or Toll Free 1(877)822-1993.

FLORIDA SPORTS FOUNDATION

The **Florida Sports Foundation** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, March 31, 2008, 8:30 a.m. – 9:30 a.m.

PLACE: Conference Call: Call in Number (888)808-6959 (toll Free). Conference Code: 4888347

GENERAL SUBJECT MATTER TO BE CONSIDERED: Grant Committee Meeting to review and discuss quarterly grant applications.

A copy of the agenda may be obtained by contacting: Christy Peacock, (850)488-1297.

The **Florida Sports Foundation** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 3, 2008, 9:30 a.m. – 10:30 a.m.

PLACE: Conference Call: 1(888)808-6959 (Toll Free). Conference Code: 4888347

GENERAL SUBJECT MATTER TO BE CONSIDERED: Junior Golf Grant Committee Meeting to review and discuss quarterly grant applications.

A copy of the agenda may be obtained by contacting Christy Peacock at (850)488-1297.

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.

ENTERPRISE FLORIDA, INC.

The **Enterprise Florida, Inc.**, Legislative Policy Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 4, 2008, 10:00 a.m.

PLACE: Conference Call: 1(866)861-4345, Conference Code 8502986636

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss business climate issues that may be improved by the proactive support of the legislature.

A copy of the agenda may be obtained by contacting April Money at (850)294-5864.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting April Money at (850)294-5864. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

SOIL AND WATER CONSERVATION BOARD

The **Clay Soil and Water Conservation Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, April 7, 2008, 1:00 p.m.

PLACE: Clay County Extension Office, 2463 State Road 16 West, Green Cove Springs, FL 32043

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Meeting.

A copy of the agenda may be obtained by contacting: P. O. Box 278, Green Cove Springs, FL 32043, (904)284-6355 or spikins@ufl.edu.

CITIZENS PROPERTY INSURANCE CORPORATION

The **Citizens Property Insurance Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: April 10, 2008, 9:00 a.m. (EDT)

PLACE: Teleconference

GENERAL SUBJECT MATTER TO BE CONSIDERED: Items of discussion include, but are not limited to, the 2009 product filings update, and a commercial nonresidential update.

For additional information, please contact Rachel Miller at 1(800)807-7647, extension 3773.

Special Accommodations: In accordance with the Americans with Disabilities Act, people with disabilities or physical impairments who require assistance to participate in this meeting are requested to contact Rachel Miller at least five days prior to the meeting.

A copy of the agenda may be obtained by contacting Rachel Miller.

For more information, you may contact Rachel Miller at 1(800)807-7647, extension 3773.

COMMISSION ON MARRIAGE AND FAMILY SUPPORT INITIATIVES

The **Commission on Marriage and Family Support Initiatives** announces a public meeting to which all persons are invited.

DATE AND TIME: April 2, 2008, 8:30 a.m.

PLACE: Teleconference

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly Executive committee meeting.

A copy of the agenda may be obtained by contacting Susan Baxter at sbaxter@ounce.org.

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

For more information, you may contact Susan Baxter at sbaxter@ounce.org.

The **Commission on Marriage and Family Support Initiatives** announces a public meeting to which all persons are invited.

DATE AND TIME: April 3, 2008, 9:00 a.m.

PLACE: Teleconference

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly Research and Policy Committee Meeting.

A copy of the agenda may be obtained by contacting Susan Baxter at sbaxter@ounce.org.

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

For more information, you may contact Susan Baxter at sbaxter@ounce.org.

TAMPA BAY ESTUARY PROGRAM

The **Tampa Bay Estuary Program** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, April 8, 2008, 1:00 p.m. – 4:00 p.m.

PLACE: Tampa Bay Regional Planning Council, 4000 Gateway Centre Boulevard, Suite 100, Pinellas Park, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To begin development of regional guidelines for residential fertilizer use in Tampa Bay.

A copy of the agenda may be obtained by contacting: nanette@tbep.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: nanette@tbep.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: nanette@tbep.org.

FLORIDA WORKERS' COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC

The **FWCJUA Audit Committee** announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 9, 2008, 10:00 a.m.

PLACE: To participate in the teleconference meeting, please contact Kathy Coyne at (941)378-7408.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda items will include the 2007 Financial Audit; Audit Committee Charter procedures checklist; update on the Private Letter Ruling; and 2008 Audit Committee meeting schedule.

A copy of the agenda may be obtained by contacting: Kathy Coyne at (941)378-7408 or from the FWCJUA's website, www.fwcjua.com.

The **FWCJUA Producer Appeals Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: April 15, 2008, 11:00 a.m.

PLACE: Tampa Airport Marriott, Tampa International Airport, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda items shall include an agency/producer's request for reinstatement of privileges to submit business to the FWCJUA; the Executive Director's decision to revoke/suspend an agency/producer's authorization to submit business to the FWCJUA; and a review of Committee duties.

A copy of the agenda may be obtained by contacting: Kathy Coyne at (941)378-7408 or from the FWCJUA's website, www.fwcjua.com.

Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has received the petition for declaratory statement from Steven M. Sincere, P.E. on March 12, 2008, regarding whether chapters 16 and/or 20 of the Florida Building Code, Building Volume (2007 as amended) allow the use of removable screen panels in the design and fabrication of screen enclosures. It has been assigned the number DCA08-DEC-083. A copy of the request may be obtained by writing to: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has issued an order disposing of the petition for declaratory statement filed by Mr. James DiPietro, on behalf of the Broward County Board of Rules and Appeals on March 13, 2008. The following is a summary of the agency's disposition of the petition:

It was assigned the number DCA07-DEC-252. The Commission determined that the adoption of a proposed local amendment allowing local amendment in Broward County allowing building officials within Broward County to reinstate inactive building permits that have been nullified by operation of Section 105.4.1.2., Florida Building Code, Building Volume (2007 as amended) would not violate Section 553.73(4)(a), Florida Statutes (2007).

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has received the petition for declaratory statement from Ruben Fabian Arroyo, President of Arroyo Enterprises, Inc., on March 17, 2008, regarding whether glass panels in the roof of a glass sunroom are exempt from the requirement of shutter protection under section 1609.1.2 of the Florida Building Code, Building Volume (2007 as amended), as long as the sunroom is separated from the existing structure by a wall and all openings in the existing wall are protected. The petitioner also asks whether a sunroom can be built as partially enclosed; whether a structure with its own new roof can built

as partially enclosed; whether a partially enclosed structure has to be shuttered, and whether section 16.091.2 applies to a conservatory. It has been assigned the number DCA08-DEC-086.

A copy of the request may be obtained by writing to Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has received the petition for declaratory statement from Robert A. Walz, P.E., on March 17, 2008, regarding whether the "open areas" in the walls of a sunroom, as defined in section R202 of the Florida Building Code, Residential Volume (2007 as amended) include fixed glass windows and sliding glass door panels that do not "open" to let in outdoor air. It was assigned the number DCA08-DEC-085.

A copy of the request may be obtained by writing to Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has received the petition for declaratory statement from Joseph Herrmann, Production Manager, on behalf of Arroyo Enterprises, Inc., on March 17, 2008, regarding whether a glass sunroom with a glass roof is a non-habitable structure; whether a non-habitable structure it can be built as partially enclosed; and what categories of sunroom are required to be shuttered under the Florida Building Code (2007 as amended). It has been assigned the number DCA08-DEC-087.

A copy of the request may be obtained by writing to Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has issued an order disposing of the petition for declaratory statement filed by Mr. Gary Swartz, on behalf of E-Z Taping System, Inc. on September 26, 2007. The following is a summary of the agency's disposition of the petition:

It was assigned the number DCA07-DEC-194. The Commission determined that Petitioner's product, a taping system for use in conjunction with fire-rated gypsum board, is not subject to the requirements of Chapter 9B-72, Florida Administrative Code, and approval by the Commission for statewide use is not required to use the product.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has received the petition for declaratory statement from G. David Rogers, Executive Vice President, on behalf of Florida Propane Gas Association, on March 4, 2008, regarding whether liquefied petroleum/propane gas tanks, cylinders or containers are structures that are subject to section 1606.1 of the Florida Building Code, Building Volume (2004 as amended 12/05, 12/06 and 12/07). It has been assigned the number DCA08-DEC-071.

A copy of the request may be obtained by writing to: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has received the petition for declaratory statement from Dwight E. Holmes, FAIA, on behalf of Holmes Hepner & Associates Architects, on February 21, 2008, regarding whether section 1025.4.1 of the Florida Building Code, Building Volume (2004 as amended) allows side-hinged emergency escape and rescue windows to swing inwards into the occupied space in a school building, provided all requirements of subparagraphs 1 and 2 have been met. It has been assigned the number DCA08-DEC-059.

A copy of the request may be obtained by writing to: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has issued an order disposing of the petition for declaratory statement filed by Mr. Mark S. Speckin., on behalf of SPX Cooling Technologies, Inc. on September 12, 2007. The following is a summary of the agency's disposition of the petition:

It was assigned the number DCA07-DEC-182. The Commission determined that the Florida Building Code (2007 as amended) requires the structure and anchorage of exterior mounted cooling towers that are subject to the forces of wind to be designed to withstand the applied wind force; and the wind design date for those towers must be included within the construction documents submitted to the local authority having jurisdiction.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has issued an order disposing of the petition for declaratory statement filed by Mr. Mark S. Speckin, on behalf of SPX Cooling Technologies, Inc. on September 12, 2007. The following is a summary of the agency's disposition of the petition:

It was assigned the number DCA07-DEC-183. The Commission determined that the Florida Building Code (2007 as amended) requires the mechanical equipment and supports being replaced during a level 1 alteration to meet the wind design criteria of the current code, not the code in effect when the building was originally constructed, and that the new mechanical equipment must be designed for wind forces for both the structure and anchorage of mechanical equipment as specified in the code in effect at the time that application is made for a permit for the alteration.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT Florida Building Commission has received the petition for declaratory statement from Abe Sacks, on behalf of Structa Wire Corporation, on February 18, 2008, regarding whether the Petitioner's line of welded wire stucco reinforcing products are within the scope of Chapter 9B-72, F.A.C. The Petition has been assigned the number DCA08-DEC-047.

A copy may be obtained by contacting: Paula Ford, Commission Clerk, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT Florida Building Commission has received the petition for declaratory statement from Fred R. Dudley, Holland & Knight, on behalf of Verizon Wireless, on February 22, 2008, regarding whether commercial wireless communication towers and antenna attachments are structures which require an importance factor of 1.00 for wind load design under sections 3108.4 and 1609.1.1.7 of the Florida Building Code, Building Volume (2004 as amended). It has been assigned the number DCA08-DEC-062.

A copy of the request may be obtained by writing to: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE IS HEREBY GIVEN THAT Agency for Health Care Administration has received the petition for declaratory statement from Ace Drug, Inc. d/b/a Hollywood Medical Supply. The petition seeks the agency's opinion as to the applicability of as it applies to the petitioner.

The provisions on which the declaratory statement are sought are: Section 409.913(7)(d), Florida Statutes; Section 409.920, Florida Statutes; Rule 59G-4.070, Florida Administrative Code; and Florida Provider General Handbook, Chapter 1-5 (entitled Medicaid Payment is Payment in Full). The Petitioner is requesting that the Agency issue a declaratory statement advising that providing the proposed services described in the petition, and allowing beneficiaries to pay for upgrades, would not subject Hollywood to disciplinary action under Section 409.913(7)(d), Florida Statutes; Section 409.920, Florida Statutes; Rule 59G-4.070, Florida Administrative Code; and/or Florida Provider General Handbook, Chapter 1-5.

A copy of the petition may be obtained by writing to: Richard J. Shoop, Esquire, Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #3, Tallahassee, Florida 32308.

DEPARTMENT OF MANAGEMENT SERVICES

NOTICE IS HEREBY GIVEN THAT the Public Employees Relations Commission has issued an order disposing of the petition for declaratory statement filed by School Board of Escambia County, Florida (School Board) and the Union of Escambia Education Staff Professionals (Union) on February 13, 2008. The following is a summary of the agency's disposition of the petition:

Case No. DS-2008-001. The Commission determined that the substitution of the Union as the bargaining agent for three separate School Board bargaining units through amendment to certification petitions did not act to merge the three units into a single bargaining unit.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: The Clerk, Public Employees Relations Commission, 4050 Esplanade Way, Suite 150, Tallahassee, Florida 32399-0950

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida has received the petition for declaratory statement from Michael David Drinkwine, Petitioner; Docket No. 2008015352. The petition seeks the agency's opinion as to the applicability of Chapter 326, Florida Statutes, as it applies to the petitioner.

Whether Michael Drinkwine, a defendant in Martin County Circuit Court in criminal case no. 432007CF319, violated Section 326.005(3), Florida Statutes, in that case by intentionally failing to place funds received pursuant to a sales transaction involving a new yacht into a trust account.

A copy of the Petition for Declaratory Statement may be obtained by contacting: the Division Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Philip Monte, Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Patrick Carr, Petitioner, Old Port Cove Property Owners Association, Inc.; Docket No. 2006061569 on November 2, 2007. The following is a summary of the agency's declination of the petition:

The Division declined to issue an order because of a factual dispute between the parties, which may not be resolved by declaratory statement.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: the Division Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

The Board of Employee Leasing Companies hereby amends the notice regarding a Petition for Declaratory Statement filed on behalf of American Pool Service of Orlando, LLC. on February 5, 2008. The initial notice was published on February 22, 2008 in Vol. 34, No. 8 of the Florida

Administrative Weekly. The Petitioner seeks the Board’s opinion as to whether the terms of an agreement to provide personnel to one of its customers amounts to a “temporary help arrangement” within the meaning of Section 468.520(4)(a), Florida Statutes (2007), or a “facilities staffing arrangement” within the meaning of Section 468.520(4)(c), Florida Statutes (2007). The Board originally planned to consider this Petition during a telephonic conference call to be held on March 19, 2008. The Petition will now be heard during the Board’s regularly scheduled, public meeting that will be held in St. Petersburg Beach, Florida on April 16, 2008.

Copies of the Petition may be obtained by writing Mr. Richard Morrison, Executive Director, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

The Board of Respiratory Care hereby gives notice that on March 17, 2008, it received a Petition for Declaratory Statement filed by Robert D. Clark, on behalf of Air Products Healthcare Southeast, Inc., d.b.a. MedSafety (“Air Products Healthcare”). The petition seeks the Board’s interpretation of Section 468.35, Florida Statutes, in regards to whether an employee or independent contractor of a home respiratory equipment company is required to be licensed by the Florida Board of Respiratory Care to perform some of all of the following activities: deliver, assemble, set-up and/or test Continuous Positive Airway Pressure (CPAP) or Bi-level therapy equipment; follow-up to ensure that the equipment is functioning properly and educate patients no how to use the nasal mask or to interface with a Positive Airway Pressure (PAP) device.

Copies of the petition may be obtained from: Allen Hall, Executive Director, Board of Respiratory Care, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

NOTICE IS HEREBY GIVEN THAT the Department of Health, Bureau of Emergency Medical Services has declined to rule on the petition for declaratory statement filed by Martin County Fire Rescue on February 4, 2008. The following is a summary of the agency's declination of the petition:

The Department dismisses the Petition without prejudice for the following reasons. The petition does not comply with several of the formal requirements for petitions for declaratory statement. Subsections 28-105.002(1), (2), (4), and (5), F.A.C.

The petition does not specify the statutory provision, rule or order that the Petitioner believes applies to the relevant set of circumstances.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Lisa Walker, Bureau of EMS, Lisa_Walker2@doh.state.fl.us, 4052 Bald Cypress Way Bin C-18, Tallahassee, FL 32399, fax: (850)488-9408.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN THAT Department of Financial Services, Division of State Fire Marshal, has declined to rule on the petition for declaratory statement filed by from American Promotional Events, Inc. c/b/a TNT Fireworks, Petitioner on March 17, 2008. The following is a summary of the agency’s declination of the petition:

The Petitioner emailed his withdrawal of petition for declaratory statement stating that he was informed by the Florida State Fire Marshal’s Office that it does not have jurisdiction to the issue requested by declaratory statement.

Please refer all comments to: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0340.

**Section VIII
Notices of Petitions and Dispositions
Regarding the Validity of Rules**

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

**Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges**

NONE

Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF EDUCATION

The University of Florida, Purchasing & Disbursement Services will receive sealed bids for the following: ITB08SV-276, IFAS Project 07081 Ona Graduate Residence and Forage Field Lab, estimated budget: \$450,000, to be opened April 22, 2008, at 2:00 p.m., in 101 Elmore Hall, Radio Road, Gainesville, FL. Scope of work: Construction of a 1,643 GSF residence and a 2,075 GSF general purpose lab building with fume hood at the Range Cattle Research and Education Center in Ona. Mandatory Pre-Bid Meeting will be held April 8, 2008 at 10:00 a.m., at the Range Cattle REC, 3401 Experiment Station, Ona, FL. For directions go to <http://rcrec-ona.ifas.ufl.edu/local.html>. Specifications and Plans are available at www.purchasing.ufl.edu. Questions should be directed to Karen Olitsky, kolitsk@ufl.edu or (352)392-1331. AMERICANS WITH DISABILITY ACT OF 1991 – If special accommodations are needed in order to attend the Pre-Bid Meeting or the Bid opening, contact Purchasing, purchasing@ufl.edu or (352)392-1331 within three (3) days of the event.

RFP 78-033 – Football Stadium Artificial Playing Surface Replacement

NOTICE OF COMPETITIVE SOLICITATION

The Florida International University Board of Trustees announces that design-installation services will be required for the project listed below:

Project Name and Number: RFP 78-033 – Football Stadium Artificial Playing Surface Replacement (BT-842)

Project Location: This facility is located at Florida International University, University Park.

Project Description: Florida International University is soliciting proposals for a firm to design and replace the artificial playing surface system at the existing football stadium located at University Park, Miami, Florida. The scope of the project may include, but is not limited to, removal of the existing artificial turf playing surface system; removal or abandonment of existing drainage system and structures; potential replacement or modification of subgrade; design and

construction of new drainage system for larger field and surrounding paved areas; installation of new artificial playing surface system.

Qualifications Requirements: In addition to other requirements included in the RFP, all applicants must be licensed to practice as general contractor in the State of Florida or must hold an engineering contractor license within Miami-Dade County. As required by Section 287.133, Florida Statutes, applicants may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months.

The Request for Proposal may be obtained by mail from: Purchasing Services Department, Florida International University, CSC 411, University Park, Miami, Florida 33199. Requests may be made by calling, faxing, or e-mailing Doreatha Belton at (305)348-2574 (voice), (305)348-3600 (fax) or beltond@fiu.edu. Requests for meetings by individual firms will not be granted.

One (1) original and ten (10) bound copies of the Response to the RFP should be delivered to: Purchasing Services Department, Florida International University, Campus Support Complex, Room 411, University Park, 11200 S.W. 8th Street, Miami, Florida 33199, and clearly marked with the title “RFP 78-033 Football Stadium Artificial Playing Surface Replacement (BT-842)”

Submittals must be received by 11:00 a.m. local time (E.S.T.), on Monday, April 28, 2008. Facsimile (FAX) submittals are not acceptable and will not be considered.

Notice of Bid/Request for Proposal

NOTICE TO PROFESSIONAL CONSULTANTS

The Florida International University Board of Trustees, announces that professional services in the discipline of Mechanical/Electrical Engineer will be required for the project listed below:

Project and Location: Continuing Consulting Engineering Services Contract, Florida International University, all sites, Miami, Florida

Continuing Services Contracts are specific projects for Mechanical, Electrical and Plumbing for renovations, alterations, and additions that have a basic construction budget estimated to be \$1,000,000 or less, or studies for which the fee for professional services is \$100,000 or less. This will be a multiple award contract for an initial period of one year with an Owner’s option to renew an additional year. Two contracts will be awarded to two different firms. Continuing Services Contracts provide that the consultant will be available on an as-needed basis for the Fiscal Year, July 1 – June 30.

Firms desiring to provide professional services shall apply by letter specifying the discipline for which they are applying. Proximity of location will be a prime factor in the selection of the firm.

Attach to each letter of application:

1. A completed (former Board of Regents) "Professional Qualifications Supplement (SUSPQS)," dated September 1999 with FIU revisions dated 2/22/2008. Applications on any other form will not be considered. It is the intent of FIU to encourage participation by qualified Minority Business Enterprises, however, State of Florida MBE Certification is not a factor in the selection process. Disregard paragraph 4 on page 2 of the instructions.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be properly chartered by the Florida Department of State to operate in Florida.

Submit six (6) copies of the above requested data bound in the order listed above. Applications that do not comply with the above instructions will not be considered. Application material will not be returned. The University reserves the right to suspend or discontinue the selection process at any time and to return or reject any or all submissions of qualifications without obligation to the respondent.

The plans and specifications for A/E are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualifications Supplement forms and the Project Fact Sheet may be obtained from the web-site <http://facilities.fiu.edu> (Applicant firms may find project under Selection Process Information). Requests for meetings by individual firms will not be granted. Once the firm acquires the required forms, questions may be directed to Facilities Planning at (305)348-4090 or via email to cecilia@fm.fiu.edu. Submit qualifications to: Selection Committee, Florida International University, Facilities Planning, Campus Support Complex, Room 236, University Park, Miami, Florida 33199, by 2:00 p.m. (Local Time), on April 25, 2008. Late submittals shall be disqualified. Facsimile (FAX) submittals are not acceptable and will not be considered.

ADVERTISEMENT FOR BID

The School Board of Pinellas County, Florida will receive sealed bids in the Purchasing Department of the Walter Pownall Service Center, 11111 South Belcher Road, Largo, Florida until 1:00 p.m. (Local Time), on April 8, 2008, for the

purpose of selecting a Contractor for supplying all labor, material, and ancillary services required for the scope listed below.

Chiller Replacement
 Bid #08-968-636

Sutherland Elementary School, 3150 Belcher Rd.
 Palm Harbor, FL 34683

SCOPE OF PROJECT: This bid will select a "Mechanical Contractor". The work shall consist of furnishing all materials, labor, tools, equipment and supervision required to demolish an existing chilled water plant and replace with two (2) new air cooled chillers, chilled water piping, pumps, controls and associated components. All remodeling shall be in accordance with plans and specifications.

BID AND PERFORMANCE SECURITY: Bid and Performance Security is required with this bid

LICENSING REQUIREMENTS: Mechanical Contractor

PRE-BID CONFERENCE: A pre-bid conference will be held at the Main Office of Sutherland Elementary School located at 3150 Belcher Rd., Palm Harbor, FL 34683, March 24, 2008, 9:00 a.m. Attendance at this pre-bid conference is MANDATORY in order for all potential bidders to receive the benefit of answers to theirs and other's technical questions first hand. If you are not the prime bidder but are attending on behalf of someone else, please make note of this when signing the attendance roster where indicated. We apologize for any inconvenience this may cause you, but it is imperative that all information be disseminated in a public forum with all potential bidders present to minimize confusion or misunderstandings. Additions or changes to the original bid documents resulting from this conference of a material nature, will be documented in the form of written addenda and distributed to all attendees. Please note that if you are late to the pre-bid conference and are unable to sign the attendance roster, you will lose eligibility to submit a bid. You may still, however, attend the conference if you wish.

Purchasing Department
 Walter Pownall Service Center
 11111 So. Belcher Road
 Largo, FL 33773
 (727)547-7230

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

REGIONAL PLANNING COUNCILS

NOTICE TO PROFESSIONAL CONSULTANTS

The Metropolitan Transportation Planning Organization (MTPO) for the Gainesville Urbanized Area desires that consultants qualified pursuant to law and regulations submit a Letter of Qualifications for professional services on the following project in Alachua County:

PROJECT NAME: Gainesville Urbanized Area Year 2035 Long Range Transportation Plan Update and the University of Florida Campus Master Plan, 2010-2020, Transportation Element- Data and Analysis.

DESCRIPTION: Assist in this project by accomplishing the following tasks:

- Task 1 – Public Involvement;
- Task 2 – Data Collection, Mapping and Data Development;
- Task 3 – Data Review and Verification;
- Task 4 – Model Update and Validation;
- Task 5 – Year 2035 Transportation Needs Plan and Cost Feasible Plan; and
- Task 6 – Required Documents.

This project also includes assisting the University of Florida in preparing its Campus Master Plan, 2010-2020, Transportation Element – Data and Analysis by accomplishing the following tasks:

- Task 1 – Public Involvement;
- Task 2 – Mapping and Data Development;
- Task 3 – Data Review and Verification;
- Task 4 – Model Update and Validation;
- Task 5 – 2020 UF Transportation Needs Plan Update; and
- Task 6 – 2020 UF Traffic Impact Assessment;

QUALIFICATION REQUIREMENTS: Consultant must submit project experience demonstrating thorough knowledge of land use, environmental, and transportation planning procedures and methods.

RESPONSE EVALUATION: All respondents will be evaluated in accordance with Section 287.055(4), Florida Statutes, and must be determined to be qualified to do business in Florida and qualified to perform the advertised work requirements.

SUBMITTAL REQUIREMENTS: Firms desiring consideration for this project must submit three (3) copies of their letters of qualifications to the requesting unit listed below. One of these copies must be a clean, single-side original that can be used to make additional copies. The Letter of Qualifications must, as a minimum, include the following information:

1. Name, address, contact person and phone number;
2. Listing of key staff and resumes;

3. Listing of any subconsultants anticipated to be used on this project;

4. An indication of the firm’s potential (available manpower) for additional work in the next 30 months;

5. Experience on similar type projects, including location, date completed, contact (reference) name and phone number; and

6. Proof of professional liability insurance or letter of credit in accordance with Chapter 14-75, Florida Administrative Code.

SHORTLIST SELECTION PROCESS: From the Letters of Qualifications received, the MTPO’s Technical Review Committee shall shortlist a minimum of three (3) firms. The shortlist date is scheduled for May 14, 2008.

NOTE: After completion of the shortlist process, at least three (3) firms will be requested to submit written proposals and make oral presentations. The final selection date is scheduled for July 16, 2008.

LETTER OF QUALIFICATION DEADLINE: April 30, 2008, at 5:00 p.m. Late letters will be returned unopened with the notation, “This letter of interest was received after the delivery time designated for receipt and opening in the legal notice.”

REQUESTING RESPONSE ADDRESS: Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area, ATTN: Mr. Marlie Sanderson, AICP, 2009 N.W. 67 Place, Suite A, Gainesville, FL 32653-1603, Telephone (352)955-2200.

Faxed and e-mailed responses will not be accepted.

ESTIMATED PROJECT BUDGET FOR MTPO TASKS: \$400,000.

ESTIMATED PROJECT BUDGET FOR UNIVERSITY TASKS: \$100,000.

The Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area reserves the right to accept or reject any and all responses.

MINORITY BUSINESS ENTERPRISE (MBE) AND DISADVANTAGED BUSINESS ENTERPRISE (DBE)

Minority business enterprises and disadvantaged business enterprises are encouraged to apply.

Request for Proposal for Website Development

The East Central Florida Regional Planning Council (ECFRPC) seeks qualified providers to design and develop a new website for the agency. Proposals will be received until April 21, 2008. To view the complete RFP document, please visit our website at www.ecfrpc.org and click on Job Opportunities. Contact Kimberly Loewen, operations manager, with any questions at loewen@ecfrpc.org or (407)623-1075.

DEPARTMENT OF CORRECTIONS

Okeechobee C.I. – Work Camp and Future Annex (CM008)

BUREAU OF PROCUREMENT AND SUPPLY

PUBLIC ANNOUNCEMENT FOR

CONSTRUCTION MANAGEMENT SERVICES

Project Name: Construction Management Services

Project Description: Okeechobee Work Camp and future Annex – Okeechobee, Florida

The Department of Corrections, Bureau of Procurement and Supply, requests qualifications from CONSTRUCTION MANAGEMENT firms to provide services for the construction of a prototype Work Camp and future Annex; and expansion of the existing water and wastewater treatment plants at Okeechobee Correctional Institution. The total construction budget for the project is estimated to be \$89,630,000. This project will be funded in phases with future phases contingent upon appropriations by the legislature. Planning funds are currently available for limited pre-construction services, with the remaining funding, over a two year period, pending Legislative appropriation of funds in July 2008 for the work camp and July 2009 for the Annex.

Applicant must be a licensed general contractor in the State of Florida at the time of application. Further, if a corporation, the applicant must be registered by the Department of State, Division of Corporations, to operate in the State of Florida at the time of application.

The selection will be made in accordance with Chapter 60D-5, Florida Administrative Code, and the Request for Qualification procedures and criteria which may be obtained from Julyn Hussey at the address and phone number below. Firms interested in being considered for this project are encouraged to attend an information meeting at the Department of Corrections, Central Office, on the second floor in Classroom B, 2601 Blair Stone Road, Tallahassee, Florida on April 16, 2008 at 10:00 a.m. EDT.

To be considered, interested firms must submit an application in accordance with the Request for Qualifications by May 5, 2008 at 5:00 p.m. eastern daylight time (EDT), faxed submissions are not acceptable. Submit copies of your Statement of Qualification to the Department of Corrections' Attn., Julyn Hussey, Bureau of Procurement and Supply, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500, (850)410-4049.

The State of Florida's performance and obligation to contract for these services are contingent upon annual appropriations by the Legislature.

DEPARTMENT OF MANAGEMENT SERVICES

PUBLIC ANNOUNCEMENT

ADVERTISEMENT FOR BIDS FOR GENERAL CONTRACTORS

PROPOSALS ARE REQUESTED FROM QUALIFIED GENERAL CONTRACTORS BY THE DEPARTMENT OF MANAGEMENT SERVICES.

PROJECT NUMBER: MSFM-26005135

PROJECT NAME: Maintenance Office & Conference Renovations, Fletcher Building

PROJECT LOCATION: Tallahassee, Florida

ESTIMATED CONSTRUCTION BUDGET: \$210,000.00

The award will be made in accordance with Section 255.29, F.S., and the procedures and criteria of the Departments Division of Real Estate Development and Management. For details please visit the Department's website listed below and click on "Search Advertisements – Division of Real Estate Development and Management." http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

NOTICE OF INVITATION TO BID

BID NO. BDC 64-07/08

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Construction is soliciting formal competitive bids for the project listed below:

PROJECT NAME: TH Stone Memorial St. Joseph Peninsula State Park-Resurface Park Drive

SCOPE OF WORK: Furnish all materials and labor to repave with 1.5 inches of asphalt overlay approximately 3.7 miles of the park drive and roads. This work shall include costs associated with patching all potholes within the work area.

PARK LOCATION: TH Stone Memorial, St. Joseph Peninsula State Park, On CR 30 off U.S. 98, 8899 Cape San Blas Rd., Port St. Joe, FL 32456 (Gulf County)

PROJECT MANAGER: Kimsey Helms, Bureau of Design and Construction, Alfred B. Maclay Gardens State Park, 3540 Thomasville Road, Tallahassee, Florida, (850)488-5372, Fax (850)488-3537.

MINORITY BUSINESS REQUIREMENT: The Department of Environmental Protection supports diversity in its Procurement Program and requests that all sub-contracting opportunities afforded by this bid embrace diversity enthusiastically. The award of sub-contracts should reflect the

full diversity of the citizens of the State of Florida. The Department will be glad to furnish a list of Minority Owned Firms that could be offered sub-contracting opportunities.

PREQUALIFICATION: When the total bid price including alternates exceeds \$200,000.00, each bidder whose field is governed by Chapter 399, 455, 489, and 633 of the Florida Statutes, for licensure or certification must submit prequalification data of their eligibility at least five (5) calendar days prior to the bid closing date.

INSTRUCTIONS: Any firm desiring plans and bid specifications for this project may obtain a copy by writing the address or calling the telephone number below. A compact disk (CD) containing plans and specifications will be available on Friday, March 28, 2008 at: TH Stone Memorial St. Joseph Peninsula State Park, 8899 Cape San Blas Rd., Port St. Joe, FL 32456, Attention: Brian Addison, (850)227-1327, Fax (850)227-1488.

ADA REQUIREMENTS: Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact Michael Renard with the Bureau of Design and Construction, (850)488-5372, at least five (5) workdays prior to openings. If you are hearing or speech impaired, please contact the Florida Relay Services by calling 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

PRE-BID MEETING ON SITE (NON-MANDATORY): An on-site meeting at the Visitor Center, next to the boat ramp, with prospective bidders will be held on Thursday, April 17, 2008, 10:30 a.m. (ET) with the DEP Project Manager and Park/District Staff to examine site conditions and answer questions regarding the scope of the project.

BID SUBMITTAL DUE DATE: No later than 3:30 p.m., Tuesday, April 29, 2008, to the below address: Florida Department of Environmental Protection Bureau of Design and Construction, 3540 Thomasville Road, Tallahassee, Florida 32309, attention Michael Renard, Construction Projects Administrator, Bureau of Design and Construction, (850)488-5372. The Department reserves the right to reject any or all bids.

BID POSTING DATE: No later than 2:00 p.m., Friday, May 2, 2008, unless extended by the Department for good cause.

DESOTO COUNTY COMMUNITY SERVICE

REQUEST FOR LETTERS OF INTEREST AND QUALIFICATIONS FOR DESOTO COUNTY COMMUNITY TRANSPORTATION COORDINATOR.

The DeSoto County Board of County Commissioners, as the Designated Official Planning Agency, is seeking Letters of Interest from qualified agencies or firms interested in coordinating transportation services for the transportation

disadvantaged in DeSoto County, Florida. The selected contractor will be designated as the Community Transportation Coordinator for the Transportation Disadvantaged Program, as authorized by Chapter 427, Florida Statutes, and more fully described in Chapter 41-2, Florida Administrative Code.

The Community Transportation Coordinator is defined by Chapter 427, Florida Statutes, as a transportation entity recommended by the appropriate designated official planning agency to ensure that coordinated transportation services are provided to the transportation disadvantaged population in a designated service area. The Community Transportation Coordinator has full responsibility for the delivery of transportation services for the transportation disadvantaged as outlined in Section 427.015(2), Florida Statutes.

Interested providers are required to provide capabilities in the areas of experience with mass transit, Americans with Disabilities paratransit services, operations of coordinated services and eligibility-based ridership transportation services. Selection of potential providers will be based on a ranking of their expertise, overall capabilities, recent experience in similar programs and proposed methods of achieving cost-effective services. Letters of interest and qualifications should be limited to a maximum of eight (8) pages.

Potential providers should submit a copy of their expression of interest in a sealed envelope to: Community Services Department, 201 E. Oak Street, Suite 202, Arcadia, FL 34266. Letters and envelopes must be marked, "LETTER OF INTEREST FOR DESOTO COUNTY COMMUNITY TRANSPORTATION COORDINATOR." Letters of interest must be received by 3:00 p.m., April 10, 2008. Questions should be addressed to: Paul Erickson.

Faxed or e-mailed letters of interest will not be accepted. Late letters will be returned unopened. Only responses to the request for letters of interest will be considered if a request for proposals is issued for the Community Transportation Coordinator.

The DeSoto County Board of County Commissioners, as the Designated Official Planning Agency, reserves the right to accept or reject any and all responses in the best interest of the State.

EARLY LEARNING COALITION OF THE NATURE COAST

Request for Proposal # 2007-08-01

The Early Learning Coalition of the Nature Coast, Inc. is requesting proposals for auditing services. The potential contractor will be responsible for auditing the financial documents of the Early Learning Coalition of the Nature Coast, Inc. The request for proposal will be released on April 1, 2008. Copies may be obtained at www.elc-naturecoast.org or by writing the Procurement Manager at: 1564 North Meadowcrest Blvd., Crystal River, FL 34429. Notices of Intent to Submit are due to the Coalition by April 8, 2008. The

deadline for all applications to be submitted is March 27, 2008 4:30 p.m. The contract award notice will be posted on July 3, 2008. For more information contact Sonya Bosanko at (352)563-9939.

PETER R. BROWN CONSTRUCTION

Notice of Request for Proposals #2

Pasco County B.O.C.C.

Pasco County Jail

Land O'Lakes Detention Center Barracks Addition

Land O'Lakes, FL

Peter R. Brown Construction, Inc. (CGC-061419), the Construction Manager for the Pasco County B.O.C.C. – Pasco County Jail Land O'Lakes Detention Center Barracks Addition hereby solicits sealed proposals for the following trades for the referenced project in accordance with the proposal documents to include but not limited to the following:

This project is described as the construction of a new 3-story 91,000 sqft Housing Barracks building with a 2,100 sqft connecting corridor. The new building is a 3-story concrete tilt-up structure with a concrete slab-on-grade and elevated hollow-core planks at the floor and roof decks with a modified bitumen roof system. Interior partitions are a combination of masonry walls and tilt-up concrete panels. Ceilings are a

combination of painted hollow-core, security plaster and acoustical ceilings. Ceramic floor tile will be utilized in the group shower/toilet areas with epoxy wall paint. The remaining floor areas are a combination of sealed concrete, epoxy painted concrete and VCT. A control room will be located at each floor; a raised access floor system with a rubber flooring system will be utilized at each control room. The detention equipment and systems includes detention grade doors, frames, hardware, windows, accessories and furnishings. The security control system includes cameras, intercom, card readers, monitored and electronic door openings and control room equipment. The existing detention control system will be expanded to encompass this new addition. This building will be fully sprinklered, the fire alarm system will be tied into the existing building fire alarm system. The HVAC system will be four packaged roof-top units with separate energy recovery units (ERU), associated ductwork, air devices and controls. The DDC control system will be tied to the existing building automation system. The electrical system includes a new generator, automatic transfer switches, lighting, power, lightening protection & grounding and telecommunications.

Proposal packages included as part of this proposal request are as follows:

01B	Final Cleaning	07C	Waterproofing & Joint Sealants	10A	Misc. Accessories
02B	Selective Demolition	09A	Security Plaster	10C	Interior Signs
02D	Sodding and Seeding	09B	Drywall	10D	Access Flooring
03A	Cast-in-Place Concrete & Tilt-wall Panels	09C	Ceramic Tile	11A	Projection Screens
03C	Hollow Core Planks	09D	Acoustical Treatment	11B	Detention Equipment & Systems
04A	Masonry	09E	VCT Flooring & Base	15A	Fire Sprinklers
05A	Structural & Miscellaneous Steel	09F	Resinous Flooring	15B	Plumbing
06A	Cabinets	09G	Painting	15C	HVAC
07B	Roofing & Related Accessories	09H	Rubber Flooring	16A	Electrical & Low Voltage Systems

A pre-proposal meeting will be held at 3:00 p.m. local time; Tuesday, April 22, 2008 at the following location:

Peter R. Brown Construction, Inc.
13830 58th Street North
Suite 401
Clearwater, FL 33760

Deadline for receipt of All Proposal Packages has been set for 2:00 p.m. on Thursday, May 15, 2008. Only proposals received on or before the time and date listed will be considered. All proposals received after 2:00 p.m., of the day specified above, will be returned unopened.

All interested subcontractors must be pre-qualified or have completed the pre-qualification process within the last year. Subcontractors must submit pre-qualification prior to April 14,

2008 in order to be considered for this project. Please contact the following person to obtain information or documents about the pre-qualification requirements for this project:

Jenny Sanchez, Estimator
Phone: (727)535-6407 – Fax: (727)539-8485

Pasco County B.O.C.C. and Peter R. Brown Construction, Inc. are committed to provide equal opportunity and strongly encourage all interested M/WBE and SBE firms to submit proposals.

One set of plans and specifications will be supplied to all pre-qualified trade contractors at no cost. Drawings will be available March 17, 2008. Trade contractors are responsible for the cost of shipping. Additional sets may be purchased directly from the copy center. Copy center information will be distributed with the Proposal Packages.

Pasco County B.O.C.C. and Peter R. Brown Construction, Inc. reserve the right to accept or reject any and all proposals in whole or part and to waive informalities and irregularities.

No verbal instruction or directives will be accepted regarding this project during the proposal period. All instructions or directives must be clarified through written Addenda or Supplements. All questions regarding the work should be directed to the Construction Manager, in writing by April 28, 2008. The Owner and Architect will not accept calls regarding this project.

Section XII Miscellaneous

DEPARTMENT OF EDUCATION

K-12 Public Schools, Bureau of Exceptional Education and Student Services

The Individuals with Disabilities Education Act (IDEA) requires that states make available to the public the Annual State Application under Part B of IDEA for Federal Fiscal Year 2008 (Part B Application) for a period of 60 days, and accept comments for a period of 30 days. The Part B Application will be available to the public on the Florida Department of Education, Bureau of Exceptional Education and Student Services Web site until May 16, 2008 at www.fldoe.org/ese/. Comments will be accepted between April 1, 2008 and May 1, 2008. Comments may be submitted in writing: Dr. Kim Komisar, Administrator, ESE Program Administration and Quality Assurance, 325 West Gaines Street, Suite 614, Tallahassee, Florida 32399, via e-mail at Kim.Komisar@fldoe.org; or via fax at (850)245-0953. Copies may be obtained by contacting Dr. Komisar at the listed address or email.

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE OF INTENT TO FIND PUBLIC SCHOOLS INTERLOCAL AGREEMENT CONSISTENT WITH SECTION 163.3177(2) AND (3), FLORIDA STATUTES DCA DOCKET NO. 64-01

The Department gives notice of its intent to find the Public Schools Interlocal Agreement ("Agreement") entered into by Volusia County, Daytona Beach, Daytona Beach Shores, Debary, DeLand, Deltona, Edgewater, Holly Hill, Lake Helen, New Smyrna Beach, Oak Hill, Orange City, Ormond Beach, Pierson, Port Orange, South Daytona and the Volusia County School Board, pursuant to Section 163.3177, F.S., to be consistent with the minimum requirements of Sections 163.3177(2) and (3), F.S.

The Agreement is available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the Volusia County Growth & Resource Management Department, Thomas C. Kelly Administration Center, 123 West Indiana Avenue, Room 200, DeLand, Florida 32720-4604.

Any affected person, as defined in Section 163.3177(3)(b), F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Agreement is consistent with the minimum requirements of Sections 163.3177(2) and (3), F.S. The petition must be filed within twenty-one (21) days after publication of this notice in the Florida Administrative Weekly, and must include all of the information and contents described in Uniform Rule 28-106.201, F.A.C. The petition must be filed with the Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and a copy mailed or delivered to Volusia County, Daytona Beach, Daytona Beach Shores, Debary, DeLand, Deltona, Edgewater, Holly Hill, Lake Helen, New Smyrna Beach, Oak Hill, Orange City, Ormond Beach, Pierson, Port Orange, South Daytona and the Volusia County School Board. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C.

A petition for leave to intervene shall be filed at: Division of Administrative Hearings, Department of Management Services, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

If a formal or informal proceeding is commenced as described above, any party to that proceeding may suggest mediation under Section 120.573, F.S. Mediation is not available as of right, and will not occur unless all parties agree to participate in the mediation. Choosing mediation does not affect the right to an administrative hearing.

-s-Mike McDaniel, Chief
Office of Comprehensive Planning
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

NOTICE OF INTENT TO FIND
 PUBLIC SCHOOLS INTERLOCAL AGREEMENT
 CONSISTENT WITH SECTION 163.31777(2),
 FLORIDA STATUTES
 DCA DOCKET NO. 13-15

-s-Mike McDaniel, Chief
 Office of Comprehensive Planning
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

The Department gives notice of its intent to find the Public Schools Interlocal Agreement (“Agreement”) executed between the Miami-Dade County School Board and the City of Miami, pursuant to Section 163.31777, F.S., to be consistent with the minimum requirements of Sections 163.31777(2) and (3), F.S.

The Agreement is available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the City of Miami Planning Department, 444 S. W. 2nd Avenue, 3rd Floor, Miami, Florida 33130.

Any affected person, as defined in Section 163.31777(3)(b), F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Agreement is consistent with the minimum requirements of Section 163.31777(2), F.S. The petition must be filed within twenty-one (21) days after publication of this notice in the Florida Administrative Weekly, and must include all of the information and contents described in Uniform Rule 28-106.201, F.A.C. The petition must be filed with the Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and a copy mailed or delivered to Miami-Dade School Board and the City of Miami. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C. A petition for leave to intervene shall be filed at the Division of Administrative Hearings, Department of Management Services, 1230 Apalachee Parkway, Tallahassee, Florida 32399-1550. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

If a formal or informal proceeding is commenced as described above, any party to that proceeding may suggest mediation under Section 120.573, F.S. Mediation is not available as of right, and will not occur unless all parties agree to participate in the mediation. Choosing mediation does not affect the right to an administrative hearing.

NOTICE OF INTENT TO FIND
 PUBLIC SCHOOLS INTERLOCAL AGREEMENT
 CONSISTENT WITH SECTION 163.31777(2) AND (3),
 FLORIDA STATUTES
 DCA DOCKET NO. 59-01

The Department gives notice of its intent to find the Public Schools Interlocal Agreement (“Agreement”) entered into by Seminole County, Altamonte Springs, Casselberry, Lake Mary, Longwood, Oviedo, Sanford, Winter Springs and the Seminole County School Board, pursuant to Section 163.31777, F.S., to be consistent with the minimum requirements of Sections 163.31777(2) and (3), F.S.

The Agreement is available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the Seminole County Planning Division, 1101 East First Street, Sanford, Florida 32771-1468.

Any affected person, as defined in Section 163.31777(3)(b), F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Agreement is consistent with the minimum requirements of Section 163.31777(2) and (3), F.S. The petition must be filed within twenty-one (21) days after publication of this notice in the Florida Administrative Weekly, and must include all of the information and contents described in Uniform Rule 28-106.201, F.A.C. The petition must be filed with the Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and a copy mailed or delivered to Seminole County, Altamonte Springs, Casselberry, Lake Mary, Longwood, Oviedo, Sanford, Winter Springs and the Seminole County School Board. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C. A petition for leave to intervene shall be filed at the Division of Administrative Hearings, Department of Management Services, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060. Failure to petition to intervene within the allowed

time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

If a formal or informal proceeding is commenced as described above, any party to that proceeding may suggest mediation under Section 120.573, F.S. Mediation is not available as of right, and will not occur unless all parties agree to participate in the mediation. Choosing mediation does not affect the right to an administrative hearing.

-s-Mike McDaniel, Chief
Office of Comprehensive Planning
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

NOTICE OF INTENT TO FIND
PUBLIC SCHOOLS INTERLOCAL AGREEMENT
CONSISTENT WITH SECTION 163.31777(2) AND (3),
FLORIDA STATUTES
DCA DOCKET NO. 06-01

The Department gives notice of its intent to find the Public Schools Interlocal Agreement (“Agreement”) entered into by Broward County, Coconut Creek, Cooper City, Coral Springs, Dania Beach, Davie, Deerfield Beach, Fort Lauderdale, Hallandale Beach, Hollywood, Lauderdale Lakes, Lauderdale, Margate, Miramar, North Lauderdale, Oakland Park, Parkland, Pembroke Park, Pembroke Pines, Plantation, Pompano Beach, Southwest Ranches, Sunrise, Weston, West Park, Wilton Manors and the Broward County School Board, pursuant to Section 163.31777, F.S., to be consistent with the minimum requirements of Sections 163.31777(2) and (3), F.S.

The Agreement is available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the Broward County, Urban Planning and Redevelopment Department, 115 South Andrews Avenue, Room 329B, Fort Lauderdale, Florida 33301.

Any affected person, as defined in Section 163.31777(3)(b), F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Agreement is consistent with the minimum requirements of Sections 163.31777(2) and (3), F.S. The petition must be filed within twenty-one (21) days after publication of this notice in the Florida Administrative Weekly, and must include all of the information and contents described in Uniform Rule 28-106.201, F.A.C. The petition must be filed with the Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and a copy mailed or delivered to Broward County, Coconut Creek, Cooper City, Coral Springs, Dania Beach, Davie, Deerfield Beach, Fort Lauderdale, Hallandale Beach, Hollywood, Lauderdale Lakes, Lauderdale, Margate, Miramar, North Lauderdale, Oakland Park, Parkland, Pembroke Park, Pembroke Pines, Plantation, Pompano Beach, Southwest Ranches, Sunrise, Weston, West Park, Wilton

Manors and the Broward County School Board. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C. A petition for leave to intervene shall be filed at the Division of Administrative Hearings, Department of Management Services, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

If a formal or informal proceeding is commenced as described above, any party to that proceeding may suggest mediation under Section 120.573, F.S. Mediation is not available as of right, and will not occur unless all parties agree to participate in the mediation. Choosing mediation does not affect the right to an administrative hearing.

-s-Mike McDaniel, Chief
Office of Comprehensive Planning
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Sunbeam Motorsports, Inc., intends to allow the establishment of Beach Boulevard Automotive, Inc., as a dealership for the sale of motorcycles manufactured by Classic Motorcycles and Sidecars, Inc. (CLMS) at 6833 Beach Boulevard, Jacksonville (Duval County), Florida 32216, on or after February 20, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Beach Boulevard Automotive, Inc. are dealer operator(s): John King, 6833 Beach Boulevard, Jacksonville, Florida 32216; principal investor(s): John King, 6833 Beach Boulevard, Jacksonville, Florida 32216.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Michael Hughes, Sunbeam Motorsports, Inc., 5800 Beach Boulevard, Suite 203, Jacksonville, Florida 32207.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that China Off-Road Products, Inc., intends to allow the establishment of Fast Trixx Powersports, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Xingyue Vehicle Co. Ltd. (ZXYV) at 2386 Allen Road, Tallahassee, (Leon County), Florida 32312-2602, on or after March 7, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Fast Trixx Powersports, Inc. are dealer operator(s): Danny Maddox, 2386 Allen Road, Tallahassee, Florida 32312-2602; principal investor(s): Danny Maddox, 2386 Allen Road, Tallahassee, Florida 32312-2602.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Jessica Selsor, China Off-Road Products, Inc., 3122 Enterprise Avenue, Joplin, Missouri 64801.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that China Off-Road Products, Inc., intends to allow the establishment of Fast Trixx Powersports, Inc., as a dealership for the sale of motorcycles manufactured by Hensim USA (HNSM) at 2386 Allen Road, Tallahassee, (Leon County), Florida 32312-2602, on or after March 7, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Fast Trixx Powersports, Inc. are dealer operator(s): Danny Maddox, 2386 Allen Road, Tallahassee, Florida 32312-2602; principal investor(s): Danny Maddox, 2386 Allen Road, Tallahassee, Florida 32312-2602.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Jessica Selsor, China Off-Road Products, Inc., 3122 Enterprise Avenue, Joplin, Missouri 64801.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

NOTICE OF WITHDRAWAL

Notice is hereby given that the publication of All About Scooters, LLC, as a new point for Motive Power Industry Co. Ltd. (MOTI) motorcycle franchise dealership in Leon County

by Genuine Scooters, LLC, published in Volume 34, Number 11, pages 1629-1630 of the Florida Administrative Weekly on March 14, 2008, has been withdrawn.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Carter Brothers Manufacturing, intends to allow the establishment of Scooter Superstore of America, Inc., as a dealership for the sale of motorcycles manufactured by Sanyang Industry Co. Ltd. (SANY) at 203 Northeast 39th Avenue, Gainesville, (Alachua County), Florida 32601, on or after March 12, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Scooter Superstore of America, Inc. are dealer operator(s): Peter Warrick, 4360 Peters Road, Fort Lauderdale, Florida 33317; principal investor(s): Peter Warrick, 4360 Peters Road, Fort Lauderdale, Florida 33317.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Jack Mullinax, Carter Brothers Manufacturing Co. Ltd., 1871 US Highway 231 South, Brundidge, Alabama 36010.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that QLink, L.P., intends to allow the establishment of Discount Scooters, Inc., as a dealership for the sale of motorcycles manufactured by Guangzhou Panyu Huanan

Motors (GUNG) at 5908 North Armenia Avenue, Tampa (Hillsborough County), Florida 33603, on or after March 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Discount Scooters, Inc. are dealer operator(s): Tyde Gentile, 5908 North Armenia Avenue, Tampa, Florida 33603 and Brooke Gentile, 5908 North Armenia Avenue, Tampa, Florida 33603; principal investor(s): Tyde Gentile, 5908 North Armenia Avenue, Tampa, Florida 33603 and Brooke Gentile, 5908 North Armenia Avenue, Tampa, Florida 33603.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Johnny Tai, Vice President, QLink, L.P., 4055 Corporate Drive, Suite 200, Grapevine, Texas 76051.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Goldenvale, Inc., intends to allow the establishment of Motorsports Warehouse, Inc., as a dealership for the sale of Roketa motorcycles (RKTA) at 1115 Southeast 12th Court, Cape Coral (Lee County), Florida 33990, on or after March 11, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Motorsports Warehouse, Inc. are dealer operator(s): Gene Fedorovich, 1115 Southeast 12th Court, Cape Coral, Florida 33990; principal investor(s): Gene Fedorovich, 1115 Southeast 12th Court, Cape Coral, Florida 33990.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Marshal Ma, Goldenvale-Roketa, 2041 South Turner Avenue, Ontario, California 91761.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Genuine Scooters, LLC, intends to allow the establishment of Volusia Motorsports, Inc., as a dealership for the sale of motorcycles manufactured by Motive Power Industry Co. Ltd. (MOTI) at 1701 State Road 44, New Smyrna Beach (Volusia County), Florida 32168, on or after February 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Volusia Motorsports, Inc. are dealer operator(s): Andy Pallemerts, 1701 State Road 44, New Smyrna Beach, Florida 32168; principal investor(s): Andy Pallemerts, 1701 State Road 44, New Smyrna Beach, Florida 32168.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License

Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Jim Kolbe, Genuine Scooters, LLC, 5400 North Damen Avenue, Chicago, Illinois 60625.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that China Off-Road Products, Inc., intends to allow the establishment of Seven Bridges Cycle, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Xingyue Vehicle Co. Ltd. (ZXYV) at 8721 Atlantic Boulevard, Jacksonville (Duval County), Florida 32211, on or after March 7, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Seven Bridges Cycle, Inc. are dealer operator(s): Jeff Wiggins, 10963 Lippizan Drive, Jacksonville, Florida 32257; principal investor(s): Jeff Wiggins, 10963 Lippizan Drive, Jacksonville, Florida 32257.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Jessica Selsor, China Off-Road Products, Inc., 3122 Enterprise Avenue, Joplin, Missouri 64801.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that China Off-Road Products, Inc., intends to allow the establishment of Seven Bridges Cycle, Inc., as a dealership for the sale of motorcycles manufactured by Hensim USA (HNSM) at 8721 Atlantic Boulevard, Jacksonville (Duval County), Florida 32211, on or after March 7, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Seven Bridges Cycle, Inc. are dealer operator(s): Jeff Wiggins, 10963 Lippizan Drive, Jacksonville, Florida 32257; principal investor(s): Jeff Wiggins, 10963 Lippizan Drive, Jacksonville, Florida 32257.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Jessica Selsor, China Off-Road Products, Inc., 3122 Enterprise Avenue, Joplin, Missouri 64801.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Florida Health Information Network Grants Program
The Agency for Health Care Administration (Agency) announces the Florida Health Information Network (FHIN) Grants Program Requirements, 2008-2009. The Agency will accept applications for grants from eligible interested parties

beginning April 2, 2008. Awards are contingent upon authorization of the Legislature, subject to the availability of funds.

PURPOSE: The program provides grants to health-related institutions and organizations that seek assistance to plan, deploy, and evaluate interoperable health information exchange projects in clinical settings. The program also provides grants to organizations that wish to implement outreach and technical assistance activities to encourage the rapid adoption of electronic health records by physicians and other practitioners. Implementing an information environment that crosses organizational boundaries is a complex task. The FHIN grants program does not provide support for the selection and installation of an electronic health record system, or laboratory reporting system, or another single-purpose information tool.

ELIGIBILITY: Florida-based non-profit organizations and institutions, public health departments, and units of local government.

TO APPLY: Program requirements, the application format, and instructions will be posted at: <http://ahca.myflorida.com/dhit/FHINgrantsProgram/20082009grantsAnnounceSched.shtml>. Letters of intent are due by April 18, 2008. Inquiries regarding program requirements must be submitted by April 18, 2008. Applications are due May 9, 2008.

INQUIRIES AND CONTACTS: All inquiries must be submitted by e-mail to FLHII@ahca.myflorida.com. Answers to inquiries received by April 18, 2008 will be made available on the grants program website as indicated in the Program Requirements. Applicants are responsible for checking the website regularly throughout the application, evaluation, and award process for any announcements. Applicants may not contact Agency personnel regarding advice in responding in this solicitation. Any violation of this requirement may result in applicant disqualification. All general correspondence relating to the grant program should be directed to: Florida Health Information Network Grants Program, Florida Center for Health Information and Policy Analysis, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #16, Tallahassee, FL 32308.

The Agency for Health Care Administration has received and accepted the following Certificate of Need applications for review in the batched Hospital Beds and Facilities review cycle with an application due date of March 12, 2008.

County: Marion District: 3
CON # 10009 Application Receipt Date: 3/11/2008
Facility/Project: HealthSouth Rehabilitation Hospital of Ocala, LLC
Applicant: HealthSouth Rehabilitation Hospital of Ocala, LLC
Project Description: Establish a comprehensive medical rehabilitation hospital of up to 40 beds

County: Pasco District: 5
 CON # 10010 Application Receipt Date: 3/12/2008
 Facility/Project: Ten Broeck Tampa, Inc.
 Applicant: Ten Broeck Tampa, Inc.
 Project Description: Establish an adult psychiatric hospital of up to 70 beds

County: Pasco District: 5
 CON # 10011 Application Receipt Date: 3/12/2008
 Facility/Project: Morton Plant Hospital Association, Inc.
 Applicant: Morton Plant North Bay Psychiatric Hospital
 Project Description: Establish an adult psychiatric hospital of up to 80 beds

County: Pasco District: 5
 CON # 10012 Application Receipt Date: 3/12/2008
 Facility/Project: Morton Plant Hospital Association, Inc.
 Applicant: Morton Plant North Bay Psychiatric Hospital
 Project Description: Establish a child/adolescent psychiatric hospital of up to 80 beds

County: Pasco District: 5
 CON # 10013 Application Receipt Date: 3/12/2008
 Facility/Project: Ten Broeck Tampa, Inc.
 Applicant: Ten Broeck Tampa, Inc.
 Project Description: Establish an adult substance abuse hospital of up to 70 beds

County: Pasco District: 5
 CON # 10014 Application Receipt Date: 3/12/2008
 Facility/Project: Morton Plant Hospital Association, Inc.
 Applicant: Morton Plant North Bay Psychiatric Hospital
 Project Description: Establish an adult substance abuse hospital of up to 80 beds

Also, IF REQUESTED, tentative public hearings have been scheduled as follows:

PROPOSAL: District 3
 DATE/TIME: Tuesday, April 22, 2008, 1:00 p.m. (until 4:00 p.m.)
 PLACE: WellFlorida Council, Inc.
 1785 N. W. 80th Boulevard
 Gainesville, FL 32606

PROPOSALS: District 5
 DATE/TIME: Tuesday, April 22, 2008, 9:00 a.m. (until 12:00 Noon)
 PLACE: Baker Building Conference Room
 888 Executive Center Drive
 St. Petersburg, FL 33702

Public hearing requests must be in writing and be received at the Agency for Health Care Administration, CON Office, 2727 Mahan Drive, Mail Stop 28, Tallahassee, Florida, 32308, attention James B. McLemore, by 5:00 p.m., April 11, 2008. In lieu of requesting and attending a public hearing, written comments submitted to the department relative to the merits of

these applications will become part of the official project application file. Pursuant to subsection 59C-1.010(3), F.A.C., written comments must be received by April 16, 2008.

The Agency for Health Care Administration authorized the following exemptions pursuant to Section 408.036(3), Florida Statutes:

County: Okeechobee District: 9
 ID # E0700010 Decision: A Issue Date: 3/11/2008
 Facility/Project: Okeechobee Health Care Facility
 Applicant: World Ministry Outreach, Inc.
 Project Description: Add seven community nursing home beds
 Proposed Project Cost: \$0.00

County: Hillsborough District: 6
 ID # E0700011 Decision: A Issue Date: 3/14/2008
 Facility/Project: Town & County Hospital
 Applicant: Town & County Hospital, L.P.
 Project Description: Add 40 adult psychiatric beds
 Proposed Project Cost: \$9,072,000.00

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 INTENT TO ISSUE PROPOSED MODIFICATION OF POWER PLANT CERTIFICATION

The Florida Department of Environmental Protection (Department) hereby provides notice of intent to modify the Power Plant Conditions of Certification issued pursuant to the Florida Electrical Power Plant Siting Act, Section 403.501 et seq., Florida Statutes, concerning the C.D. McIntosh, Jr. Power Plant, Power Plant Siting Application No. PA74-06O, OGC Case No. 08-0236. On February 12, 2008, the Department received an application to modify the Conditions of Certification for C.D. McIntosh, Jr. Power Plant from City of Lakeland pursuant to Section 403.516(1)(c), Florida Statutes for upgrades and replacement of structures and facilities within the Cane Island Tap to Taft Segment (1 1.2 miles) of the Lakeland-Taft Transmission Line.

A copy of the proposed modification may be obtained by contacting Michael P. Halpin, P.E., Administrator, Siting Coordination Office, Department of Environmental Protection, 2600 Blair Stone Road, M.S. 48, Tallahassee, Florida 32399-2400, (850)245-8002. Pursuant to Section 403.516(1)(c)2., Florida Statutes, parties to the certification proceeding have 45 days from issuance of notice to such party's last address of record in which to object to the requested modification. Failure of any of the parties to file a response will constitute a waiver of objection to the requested

modification. Any person who is not already a party to the certification proceeding and whose substantial interest is affected by the requested modification has 30 days from the date of publication of this public notice to object in writing. The written objection must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, M.S. 35, Tallahassee, Florida 32399-3000. If no objections are received, then a Final Order approving the modification shall be issued by the Department. If objections are raised and agreement can not be reached, then pursuant to Rule 62-17.211, Florida Administrative Code, the applicant may file a petition for modification seeking approval of those portions of the request for modification to which written objections were timely filed. Mediation is not available in this proceeding.

NOTICE OF INTENT TO GRANT

A WATER QUALITY CRITERIA EXEMPTION

The Department of Environmental Protection gives notice of its intent to grant an exemption from the Class G-II ground water standards for sodium, chloride, total dissolved solids, color, and odor pursuant to Rule 62-520.500, Florida Administrative Code, as part of domestic wastewater Permit Number FL0031216 for the Cedar Key Water Reclaiming Facility located north of 8th Street and west of G Street adjacent to Back Bayou, Cedar Key, Levy County, Florida. The facility is owned by the Cedar Key Water and Sewer District (CKWSD), 510 Third Street, Cedar Key, Florida 32625. The exemption is for the permitted discharge of treated domestic wastewater to Class G-II ground water. The exemption is granted for the duration of CKWSD's domestic wastewater Permit Number FL0031216, and made a part of the wastewater permit. The applicant, in conjunction with the domestic wastewater Permit Number FL0031216, must petition for any future exemptions.

A person whose substantial interests are affected by the Department's proposed exemption decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, within 21 days of publication of this notice. The petitioner must mail a copy of the petition to the applicant Ms. Thelma McCain, Chairperson, Cedar Key Water and Sewer District, 510 Third Street, Cedar Key, Florida 32625, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, Florida Statutes, or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will only be at the

discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, Florida Administrative Code.

A petition that disputes the material facts on which the Department's action is based must contain the following information:

- (a) The name, address, and telephone number of each petitioner; the name, address, and telephone number of the petitioner's representative, if any; the Department case or identification number and the county in which the subject matter or activity is located;
- (b) A statement of when and how each petitioner received notice of the Department action;
- (c) A statement of how each petitioner's substantial interests are affected by the Department action;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A statement of facts that the petitioner contends warrants reversal or modification of the Department action;
- (f) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief; and
- (g) Demand for relief (sought by the petitioner, stating precisely the action that the petitioner wants the Department to take).

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise contain the same information as set forth above, as required by Rule 28-106.301, Florida Administrative Code.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department on the petition have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation is not available for this proceeding.

The application is available for public inspection during normal business hours 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department's Tallahassee Office, 2600 Blair Stone Road, Room 232B, Tallahassee, Florida 32399-2400, telephone David James at (850)245-8648.

NOTICE OF AVAILABILITY

VILLAGE OF KEY BISCAIYNE, FLORIDA

The Florida Department of Environmental Protection is reaffirming its earlier determination that the proposed Key Biscayne sanitary sewer collection system project will not have a significant adverse affect on the environment. The project consists of construction of a wastewater collection system for

Zone 2 and Zone 3. Construction cost is estimated at \$8,422,000. The project is expected to qualify for a State Revolving Fund loan composed of federal and state matching funds.

A full copy of the Florida Reaffirmation Notice can be obtained by writing to: Bhupendra H. Vora, Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400.

**NOTICE OF AVAILABILITY
FLORIDA CATEGORICAL EXCLUSION NOTICE
CITY OF NICEVILLE, FLORIDA**

The Department of Environmental Protection has determined that Niceville's proposed project for the construction of stormwater facilities improvements will not have a significant adverse affect on the environment. The total project cost for the revision is estimated at \$510,000. The project is expected to qualify for a State Revolving Fund loan composed of federal and state matching funds.

A full copy of the Florida Categorical Exclusion Notice can be obtained by writing to: Bhupendra Vora, P.E., Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400 or by calling (850)245-8380.

FLORIDA STATE CLEARINGHOUSE

The state is coordinating reviews of federal activities and federally funded projects as required by Section 403.061(40), F.S. A list of projects, comments deadlines and the address for providing comments are available at: <http://approd.dep.state.fl.us/clearinghouse/>. For information, call (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

**NOTICE OF PUBLIC OPPORTUNITY TO COMMENT ON
INITIAL PLANS OF EXPLORATION FOR FEDERAL
WATERS OF THE CENTRAL GULF OF MEXICO
PLANNING AREA**

Interested persons are hereby given notice that U.S. Department of the Interior, Minerals Management Service, Initial Plans of Exploration submitted by Murphy, for Lloyd Ridge Block 180, Lloyd Ridge Blocks 412 & 456, and Lloyd Ridge Block 499, were received by the State of Florida. Proposed activities on Block 180 include drilling up to three exploration wells in approximately 8,800 feet of water located south of Alabama about 192 miles south southwest of Florida. Proposed activities on Blocks 412 and 456 include drilling up

to four exploration wells in approximately 9,850 feet of water located approximately 179 miles south of the nearest Florida shoreline. Proposed activities on Block 499 include drilling up to three exploration wells in approximately 9,850 feet of water located approximately 186 miles south of the nearest Florida shoreline.

The plans are available for inspection at the Florida Department of Environmental Protection (FDEP), Office of Intergovernmental Programs, Room 953 DA, Douglas Building, 3900 Commonwealth Boulevard, MS 47, Tallahassee, Florida 32399-3000, (850)245-2163. Written comments regarding these activities and consistency with the Florida Coastal Management Program should be submitted to FDEP, at the address listed above, by April 18, 2008. Contact: Shana Kinsey or Debby Tucker, (850)245-2163; email address Shana.Kinsey@dep.state.fl.us or Debby.Tucker@dep.state.fl.us.

This public notice fulfills the requirements of 15 CFR 930.

DEPARTMENT OF HEALTH

On March 13, 2008, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with the regard to the license of Fouad Sidawi, D.D.S. license number DN 13169. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On March 13, 2008, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with the regard to the license of Amber Lynn Herman, L.P.N. license number PN 5174873. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On March 13, 2008, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with the regard to the license

of Michelle Marion Smith, R.N. license number RN 9219390. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On March 17, 2008, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with the regard to the license of Angela L. Bynum Robinson, L.P.N. license number PN 924951. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On March 12, 2008, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with the regard to the license of Allison Jean Rice, L.P.N. license number PN 5164622. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE OF FILINGS

Financial Services Commission
Office of Financial Regulation

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received the following application. Comments may be submitted to the Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition with the Clerk, Legal Services

Office, Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0379. The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., April 18, 2008):

APPLICATION FOR CONVERSION OF

A NATIONAL BANK TO A STATE BANK

Applicant and Location: Enterprise National Bank of Palm Beach, 11811 U.S. Highway One, North Palm Beach, Palm Beach County, Florida 33408

With Title: Enterprise Bank of Florida

Correspondent: Michele R. Glorie, 3910 RCA Boulevard, Suite 1001, Palm Beach Gardens, Florida 33410

Received: March 11, 2008

EXPANDED FIELD OF MEMBERSHIP

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received a request by a credit union to expand its field of membership. Specific information regarding the expansion can be found at <http://www.fldfs.com/ofir/banking/cufm.asp>.

Name and Address of Applicant: Florida Transportation Credit Union, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309

Expansion Includes: Employer groups

Received: March 10, 2008

Name and Address of Applicant: City County Credit Union of Fort Lauderdale, 1982 North State Road 7, Margate, Florida 33063

Expansion Includes: Select groups

Received: March 13, 2008

Name and Address of Applicant: Service 1st Credit Union, 8916 Sabal Industrial Boulevard, Tampa, Florida 33619-1326

Expansion Includes: Geographic Area

Received: March 17, 2008

FLORIDA MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION

FMMJUA Request for Applications

Re: Notice of Decision to Reject All Proposal Responses, and Notice of Intent to Reissue the Request for Applications

To Whom It May Concern:

It is the decision of the Florida Medical Malpractice Joint Underwriting Association ("FMMJUA") to reject all applications received in response to the Request for Applications for Grants for Partnerships in Improving the

Safety of Health Care Services (“RFA”) that was issued on November 19, 2007. It is further the decision of the FMMJUA to issue another RFA. Notice of the issuance of a new RFA will be posted in the F.A.W, and on the FMMJUA website.

HARDEE COUNTY ECONOMIC DEVELOPMENT AUTHORITY

The Hardee County Economic Development Authority will accept grant applications for projects that provide economic development and infrastructure within the geographic boundaries of Hardee County. The Authority shall rank applications to the extent of estimated available program funds based on criteria relating to administrative capacity, public benefit, economic benefits, and public use.

Applications and Program Guidelines are available at the Hardee County Board of County Commissioners Office, 412 W. Orange Street, Room 103, Wauchula, FL 33873, (863)773-9430, Fax: (863)773-0958, e-mail: bcc@hardeecounty.net.

Applications will be accepted from May 1, 2008 through June 2, 2008, 8:00 a.m. – 5:00 p.m.

Please Note: Site of benefiting business for consideration of these funds must be located entirely within Hardee County.

For more information, please call (863)773-9430.

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN March 10, 2008
 and March 14, 2008

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
64C-9.003	3/12/08	4/1/08	33/50	
64C-9.004	3/12/08	4/1/08	33/50	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF REVENUE

Sales and Use Tax

12A-1.096	3/12/08	4/1/08	33/49	
12A-1.097	3/12/08	4/1/08	33/49	

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

61C-5.001	3/13/08	4/2/08	33/50	
61C-5.0012	3/13/08	4/2/08	33/50	
61C-5.004	3/13/08	4/2/08	33/50	
61C-5.0051	3/13/08	4/2/08	33/50	
61C-5.009	3/13/08	4/2/08	33/50	
61C-5.011	3/13/08	4/2/08	33/50	
61C-5.013	3/13/08	4/2/08	33/50	

DEPARTMENT OF ENVIRONMENTAL PROTECTION

62-4.241	3/13/08	4/2/08	33/51	
62-302.200	3/13/08	4/2/08	33/51	
62-620.620	3/13/08	4/2/08	33/51	34/7

DEPARTMENT OF HEALTH

Board of Massage Therapy

64B7-25.001	3/11/08	3/31/08	33/50	
64B7-25.004	3/11/08	3/31/08	33/50	

Division of Children's Medical Services

64C-7.001	3/12/08	4/1/08	34/1	34/7
64C-7.002	3/12/08	4/1/08	34/1	34/7
64C-7.0025	3/12/08	4/1/08	34/1	
64C-7.0026	3/12/08	4/1/08	34/1	34/7
64C-7.003	3/12/08	4/1/08	34/1	
64C-7.004	3/12/08	4/1/08	34/1	
64C-7.005	3/12/08	4/1/08	34/1	
64C-7.006	3/12/08	4/1/08	34/1	
64C-7.007	3/12/08	4/1/08	34/1	
64C-7.012	3/12/08	4/1/08	34/1	
64C-9.001	3/12/08	4/1/08	33/50	
64C-9.002	3/12/08	4/1/08	33/50	

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Medicaid

65G-7.001	3/10/08	3/30/08	33/40	34/7
65G-7.002	3/10/08	3/30/08	33/40	34/5
65G-7.003	3/10/08	3/30/08	33/40	34/5
65G-7.004	3/10/08	3/30/08	33/40	34/5
65G-7.005	3/10/08	3/30/08	33/40	34/5
65G-7.006	3/10/08	3/30/08	33/40	34/5
65G-7.007	3/10/08	3/30/08	33/40	34/5
65G-7.008	3/10/08	3/30/08	33/40	34/5
65G-7.009	3/10/08	3/30/08	33/40	34/5

FLORIDA HOUSING FINANCE CORPORATION

67-21.002	3/10/08	3/30/08	34/5	
67-21.003	3/10/08	3/30/08	34/5	
67-21.0035	3/10/08	3/30/08	34/5	
67-21.004	3/10/08	3/30/08	34/5	
67-21.0045	3/10/08	3/30/08	34/5	
67-21.006	3/10/08	3/30/08	34/5	
67-21.007	3/10/08	3/30/08	34/5	
67-21.008	3/10/08	3/30/08	34/5	
67-21.009	3/10/08	3/30/08	34/5	
67-21.010	3/10/08	3/30/08	34/5	
67-21.013	3/10/08	3/30/08	34/5	
67-21.014	3/10/08	3/30/08	34/5	
67-21.015	3/10/08	3/30/08	34/5	
67-21.017	3/10/08	3/30/08	34/5	
67-21.018	3/10/08	3/30/08	34/5	
67-21.019	3/10/08	3/30/08	34/5	
67-48.001	3/10/08	3/30/08	34/5	
67-48.002	3/10/08	3/30/08	34/5	
67-48.004	3/10/08	3/30/08	34/5	
67-48.005	3/10/08	3/30/08	34/5	
67-48.007	3/10/08	3/30/08	34/5	
67-48.0072	3/10/08	3/30/08	34/5	
67-48.0075	3/10/08	3/30/08	34/5	
67-48.009	3/10/08	3/30/08	34/5	
67-48.0095	3/10/08	3/30/08	34/5	
67-48.010	3/10/08	3/30/08	34/5	
67-48.0105	3/10/08	3/30/08	34/5	
67-48.013	3/10/08	3/30/08	34/5	
67-48.014	3/10/08	3/30/08	34/5	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.	Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
67-48.015	3/10/08	3/30/08	34/5		68A-9.010	3/14/08	7/1/08	34/1	34/8
67-48.017	3/10/08	3/30/08	34/5		68A-15.061	3/14/08	7/1/08	34/1	34/8
67-48.018	3/10/08	3/30/08	34/5		68A-15.062	3/14/08	7/1/08	34/1	34/8
67-48.019	3/10/08	3/30/08	34/5		68A-15.063	3/14/08	7/1/08	34/1	34/8
67-48.020	3/10/08	3/30/08	34/5		68A-15.065	3/14/08	7/1/08	34/1	34/8
67-48.0205	3/10/08	3/30/08	34/5		68A-20.005	3/14/08	7/1/08	34/1	34/8
67-48.022	3/10/08	3/30/08	34/5		68A-23.002	3/14/08	7/1/08	34/1	34/8
67-48.023	3/10/08	3/30/08	34/5		68A-23.003	3/14/08	7/1/08	34/1	34/8
67-48.027	3/10/08	3/30/08	34/5		68A-23.004	3/14/08	7/1/08	34/1	34/8
67-48.028	3/10/08	3/30/08	34/5		68A-23.005	3/14/08	7/1/08	34/1	34/8
67-48.029	3/10/08	3/30/08	34/5						
67-48.030	3/10/08	3/30/08	34/5						
67-48.031	3/10/08	3/30/08	34/5						

DEPARTMENT OF FINANCIAL SERVICES
Division of Funeral, Cemetery and Consumer Services
 69K-9.004 3/11/08 3/31/08 34/3

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

68A-4.002	3/14/08	4/3/08	34/1	34/8
68A-9.004	3/14/08	4/3/08	34/1	34/8