

**Section I**  
**Notices of Development of Proposed Rules**  
**and Negotiated Rulemaking**

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Forestry**

RULE NO.: 5I-7.001  
 RULE TITLE: Rural and Family Lands Protection Program

**PURPOSE AND EFFECT:** This rule is required by Section 570.70 et seq., Florida Statutes, to implement the Rural and Family Lands Protection Act within the Division of Forestry.

**SUBJECT AREA TO BE ADDRESSED:** The new required rule concerns the establishment of an application process, a process and criteria for setting priorities for use of funds consistent with program purposes specified in statute, an appraisal process, and a process for title review and compliance with the requirements of law regarding the acquisition of conservation easements and rural-land-protection easements to maintain agricultural land in its current condition and free from subdivision and conversion to other uses.

**SPECIFIC AUTHORITY:** 570.71(10) FS.

**LAW IMPLEMENTED:** 570.71 FS.

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

**DATE AND TIME:** Friday, June 20, 2008, 9:00 a.m.

**PLACE:** Eyster Conference Room, Conner Building, 3125 Conner Boulevard, 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: Ed Kuester, (850)414-9929. If you are 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:** Ed Kuester, Division of Forestry, Department of Agriculture and Consumer Services, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650, (850)414-9929

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

**DEPARTMENT OF TRANSPORTATION**

RULE NO.: 14-15.0081  
 RULE TITLE: Toll Facilities Description and Toll Rate Schedule

**PURPOSE AND EFFECT:** The proposed rate increases will include an increase in the base SunPass and cash per mile rates, indexing the base rates to the annual rate of inflation, and establishing future base rate increases on an established schedule. Section 338.155(1), Florida Statutes, does not permit the use of the State's toll facilities without paying a toll.

**SUBJECT AREA TO BE ADDRESSED:** The present average toll rate for two-axle vehicles along I-75/Alligator Alley is 2.6 cents per mile for SunPass customers and 3.2 cents per mile for cash customers. The proposed rate increases will include an increase in the base SunPass and cash per mile rates, indexing the base rates to the annual rate of inflation, and establishing future base rate increases on an established schedule.

**SPECIFIC AUTHORITY:** 334.044(2), 338.155(1) FS.

**LAW IMPLEMENTED:** 338.155, 338.165, 338.222, 338.231, 338.26 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, 605 Suwannee Street, MS 58, Tallahassee, Florida 32399-0458

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:**

14-15.0081 Toll Facilities Description and Toll Rate Schedule.

The Toll Facilities Description and Toll Rate Schedule, adopted November 15, 1987, and amended on February 8, 1988, August 1, 1988, February 2, 1989, May 10, 1989, July 1, 1991, August 1, 1991, November 6, 1991, July 11, 1993, November 28, 1993, September 18, 1994, June 6, 1995, July 9, 1995, January 1, 1996, March 31, 1996, April 28, 1996, June 2, 1996, July 28, 1996, September 23, 1997, November 24, 1997, February 12, 1998, June 30, 1998, July 29, 1998, January 6, 1999, February 9, 1999, April 29, 1999, June 21, 1999, September 4, 2001, March 26, 2002, April 10, 2003, October 1, 2003, December 11, 2003, March 7, 2004, May 20, 2004, November 1, 2005, February 5, 2006, July 27, 2006, October 26, 2006, January 15, 2007, and \_\_\_\_\_ is hereby incorporated by this rule and made a part of the rules of the Department. Copies of this Department of Transportation Toll Facilities Description and Toll Rate Schedule and any amendments thereto are available at no more than cost.

Specific Authority 334.044(2), 338.155(1) FS. Law Implemented 338.155, 338.165, 338.222, 338.231, 338.26 FS. History—New 11-15-87, Amended 2-8-88, 8-1-88, 2-2-89, 5-10-89, 7-1-91, 8-1-91, 11-6-91, 7-11-93, 11-28-93, 9-18-94, 6-6-95, 7-9-95, 1-1-96, 3-31-96, 4-28-96, 6-2-96, 7-28-96, 9-23-97, 11-24-97, 2-12-98, 6-30-98, 7-29-98, 1-6-99, 2-9-99, 4-29-99, 6-21-99, 9-4-01, 3-26-02, 4-10-03, 10-1-03, 12-11-03, 3-7-04, 5-20-04, 11-1-05, 2-5-06, 7-27-06, 10-26-06, 1-15-07, \_\_\_\_\_.

**DEPARTMENT OF TRANSPORTATION**

RULE NO.: 14-85.004  
 RULE TITLE: Logo Sign Program  
 PURPOSE AND EFFECT: Rule 14-85.004, F.A.C., Logo Sign Program is being revised to implement provisions of Section 479.261, Florida Statutes, relating to business participant eligibility criteria, annual logo permit fees, and the implementation of a rotation-based program for participating businesses.

SUBJECT AREA TO BE ADDRESSED: The rule is being amended to implement the provisions of Section 479.261, Florida Statutes, regulating the logo sign program.

SPECIFIC AUTHORITY: 334.044(2), 479.02(7), 479.08, 479.261 FS.

LAW IMPLEMENTED: 334.044(28), 479.08, 479.261 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: 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 NOT AVAILABLE.

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

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

**STATE BOARD OF ADMINISTRATION**

RULE NO.: 19-8.010  
 RULE TITLE: Reimbursement Contract  
 PURPOSE AND EFFECT: To address a proposed amendment to Rule 19-8.010, F.A.C., the annual Reimbursement Contract.  
 SUBJECT AREA TO BE ADDRESSED: The proposed amendment to this rule addresses the changes made to Section 215.555, F.S., by the Legislature during the 2008 Legislative Session.

SPECIFIC AUTHORITY: 215.555(3) FS.

LAW IMPLEMENTED: 215.555 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Tracy Allen, Senior FHCF Attorney, State Board of Administration, P. O. Box 13300, Tallahassee, Florida 32317-3300, telephone: (850)413-1341, email: [tracy.allen@sbafla.com](mailto:tracy.allen@sbafla.com)

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE OR ON THE AGENCY WEBSITE: [www.sbafla.com](http://www.sbafla.com).

**STATE BOARD OF ADMINISTRATION**

RULE NO.: 19-15.001  
 RULE TITLE: Insurance Capital Build-Up Incentive Program

PURPOSE AND EFFECT: The Legislature made changes to the Insurance Capital Build-Up Incentive Program, Section 215.5595, F.S., during the 2008 Legislative Session. Due to this legislation, an amendment to Rule 19-15.001, F.A.C. is necessary.

SUBJECT AREA TO BE ADDRESSED: The proposed amendment to this rule addresses the changes made to Section 215.5595, F.S., by the Legislature during the 2008 Legislative Session.

SPECIFIC AUTHORITY: 215.5595 FS.

LAW IMPLEMENTED: 215.5595 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Tracy Allen, Senior FHCF Attorney, State Board of Administration, P. O. Box 13300, Tallahassee, Florida 32317-3300, telephone: (850)413-1341, email: [tracy.allen@sbafla.com](mailto:tracy.allen@sbafla.com)

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE OR ON THE AGENCY WEBSITE: [www.sbafla.com](http://www.sbafla.com).

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
40E-2.011	Policy and Purpose
40E-2.301	Conditions for Issuance of Permits
40E-2.331	Modification of Permits

**PURPOSE AND EFFECT:** To identify the implementation authorities and tools to be used to protect water for the natural system from consumptive uses, and specifically define the volume and timing of water to be reserved from allocation for the Picayune Strand Restoration Project, as part of the Comprehensive Everglades Restoration Plan.

**SUBJECT AREA TO BE ADDRESSED:** This rule is to be applied to protect waters for the natural systems that occur within the boundaries of the South Florida Water Management District.

**SPECIFIC AUTHORITY:** 373.016, 373.044, 373.103(1), 373.113, 373.171, 373.216, 373.219, 373.223, 373.229, 373.233 FS.

**LAW IMPLEMENTED:** 373.103(1), 373.103(4), 373.118, 373.203, 373.216, 373.219, 373.223, 373.229, 373.233, 373.239, 373.249 FS.

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

**DATE AND TIME:** June 17, 2008, 1:30 p.m.

**PLACE:** Collier County Commission Chambers, Third Floor, Collier County Government Center, Building F, 3301 East Tamiami Trail, Naples, 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: Clerk of the South Florida Water Management District, 1(800)432-2045, ext. 2087 or (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Brenda Mills, Lead Planner, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, ext. 4208 or (561)682-4208, email: bmills@sfwmd.gov, or Beth Lewis, Senior Supervising Attorney, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, ext. 6343 or (561)682-6343, email: belewis@sfwmd.gov. For procedural questions, contact Jan Sluth, Paralegal, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, ext. 6299 or (561)682-6299, email: jsluth@sfwmd.gov.

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

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
40E-10.011	Purpose and General Provisions
40E-10.021	Definitions
40E-10.031	Implementation Tools
40E-10.221	Protected Natural Systems Water Bodies
40E-10.321	Regional Wetland Systems
40E-10.421	Water Reservations
40E-10.431	Water Reservation Areas: Lower West Coast
40E-10.441	Water Reservation Areas: Lower East Coast
40E-10.451	Water Reservation Areas: Upper East Coast
40E-10.461	Water Reservation Areas: Kissimmee Planning Area
40E-10.471	Water Reservation Areas: Lake Okeechobee Service Area

**PURPOSE AND EFFECT:** To identify the authorities and regulatory tools to be used to protect water for the natural system from consumptive uses, and specifically define the volume and timing of water to be reserved from allocation for the Picayune Strand Restoration Project, as part of the Comprehensive Everglades Restoration Plan.

**SUBJECT AREA TO BE ADDRESSED:** The rule is to be applied to protect waters for the natural systems that occur within the boundaries of the South Florida Water Management District.

**SPECIFIC AUTHORITY:** 373.016, 373.044, 373.103(4), 373.113, 373.171, 373.219, 373.223 FS.

**LAW IMPLEMENTED:** 373.026(8), 373.036, 373.0361, 373.1501, 373.4592, 373.4595 FS.

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

**DATE AND TIME:** June 17, 2008, 1:30 p.m.

**PLACE:** Collier County Commission Chambers, Third Floor, Collier County Government Center, Building F, 3301 East Tamiami Trail, Naples, 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: Clerk of the South Florida Water Management District, 1(800)432-2045, ext. 2087 or (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Brenda Mills, Lead Planner, South Florida Water Management

District, P. O. Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, ext. 4208 or (561)682-4208, email: [bmills@sfwmd.gov](mailto:bmills@sfwmd.gov), or Beth Lewis, Senior Supervising Attorney, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, ext. 6343 or (561)682-6343, email: [belewis@sfwmd.gov](mailto:belewis@sfwmd.gov). For procedural questions, contact: Jan Sluth, Paralegal, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, ext. 6299 or (561)682-6299, email: [jsluth@sfwmd.gov](mailto:jsluth@sfwmd.gov).

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

RULE NOS.:	RULE TITLES:
40E-20.301	Conditions for Issuance of General Water Use Permits
40E-20.302	Types of General Water Use Permits
40E-20.331	Modification of General Water Use Permits

**PURPOSE AND EFFECT:** To identify the authorities and regulatory tools to be used to protect water from the natural system from consumptive uses and specifically to define the volume and timing of water to be reserved from allocation for the Picayune Strand Restoration Project as part of the Comprehensive Everglades Restoration Plan.

**SUBJECT AREA TO BE ADDRESSED:** The rule is to be applied to protect waters for the natural systems that occur within the boundaries of the South Florida Water Management District.

**SPECIFIC AUTHORITY:** 373.016, 373.044, 373.103(4), 373.113, 373.118, 373.171, 373.219, 373.223 FS.

**LAW IMPLEMENTED:** 373.026(8), 373.036, 373.0361, 373.103(4), 373.118, 373.1501, 373.223, 373.229, 373.4592, 373.4595 FS.

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

**DATE AND TIME:** June 17, 2008, 1:30 p.m.

**PLACE:** Collier County Commission Chambers, Third Floor, Collier County Government Center, Building F, 3301 East Tamiami Trail, Naples, 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 hours before the workshop/meeting by contacting: Clerk of the South Florida Water Management District, 1(800)432-2045, ext. 2087 or (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Brenda Mills, Lead Planner, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, ext. 4208 or (561)682-4208, email: [bmills@sfwmd.gov](mailto:bmills@sfwmd.gov). or Beth Lewis, Senior Supervising Attorney, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, ext. 6343 or (561)682-6343, email: [belewis@sfwmd.gov](mailto:belewis@sfwmd.gov). For procedural questions, contact: Jan Sluth, Sr. Paralegal, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, ext. 6299 or (561)682-6299, email: [jsluth@sfwmd.gov](mailto:jsluth@sfwmd.gov).

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

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NOS.:	RULE TITLES:
59G-13.081	Developmental Disabilities Waiver Provider Rate Table
59G-13.084	Developmental Disabilities Waiver Residential Habilitation Services in a Licensed Facility Provider Rate Table

**PURPOSE AND EFFECT:** The purpose of the amendment to Rule 59G-13.081, F.A.C., is to incorporate by reference in rule the Developmental Disabilities Home and Community-Based Services Waiver Provider Rate Table, July 1, 2008. The purpose of Rule 59G-13.084, F.A.C., is to incorporate by reference in rule the Developmental Disabilities Home and Community-Based Services Waiver Residential Habilitation Services in a Licensed Facility Provider Rate Table, July 1, 2008. The rate tables were revised to comply with proviso language following Specific Appropriation 263 of the 2008-2009 General Appropriations Act. The effect of the amendment to Rule 59G-13.081, F.A.C., will be to incorporate by reference in rule the Developmental Disabilities Home and Community-Based Services Waiver Provider Rate Table, July 1, 2008. The effect of Rule 59G-13.084, F.A.C., will be to incorporate by reference in rule the Developmental Disabilities Home and Community-Based Services Residential Habilitation Services in a Licensed Facility Provider Rate Table, July 1, 2008.

**SUBJECT AREA TO BE ADDRESSED:** Developmental Disabilities Waiver Provider Rate Table and Developmental Disabilities Residential Habilitation Services in a Licensed Facility Provider Rate Table.

**SPECIFIC AUTHORITY:** 409.919 FS.

**LAW IMPLEMENTED:** 393.0661, 409.906, 409.908 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: Monday, June 16, 2008, 1:00 p.m. – 3:00 p.m.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Pamela Kyllonen, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, (850)414-9756, Kyllonep@ahca.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-13.081 Developmental Disabilities Waiver Provider Rate Table.

(1) No change.

(2) All developmental disabilities waiver services providers enrolled in the Medicaid program must be in compliance with the Developmental Disabilities Home and Community-Based Services Waiver Provider Rate Table, July 1, 2008 ~~January 1, 2007~~, which is incorporated by reference. The rate table is available from the Medicaid fiscal agent's Web Portal website at http://mymedicaid-Florida.com ~~floridamedicaid.aes-inc.com~~. Click on Provider Support, and then on Fees Schedules. Paper copies of the rate table may be obtained from the Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, M.S. 20, Tallahassee, Florida 32308.

Specific Authority 409.919 FS. Law Implemented 393.0661, 409.906, 409.908 FS. History–New 5-29-06, Amended 11-15-07, \_\_\_\_\_.

59G-13.084 Developmental Disabilities Waiver Residential Habilitation Services in a Licensed Facility Provider Rate Table.

(1) This rule applies to all developmental disabilities waiver services providers enrolled in the Medicaid program.

(2) All developmental disabilities waiver services providers enrolled in the Medicaid program must be in compliance with the Developmental Disabilities Waiver Residential Habilitation Services in a Licensed Facility Provider Rate Table, July 1, 2008, which is incorporated by reference. The rate table is available from the Medicaid fiscal agent's Web Portal at http://mymedicaid-Florida.com. Click on Provider Support, and then on Fee Schedules. Paper copies of the rate table may be obtained from the Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, M.S. 20, Tallahassee, Florida 32308.

Specific Authority 409.919 FS. Law Implemented 393.066, 409.906, 409.908 FS. History–New \_\_\_\_\_.

## DEPARTMENT OF MANAGEMENT SERVICES

### Agency for Workforce Innovation

RULE NO.: 60BB-9.115

RULE TITLE: School Readiness Plan Requirements

PURPOSE AND EFFECT: The purpose of the proposed rule development is to establish the criteria for approval of school readiness plans and the format and procedure for submission of early learning coalition plans to the Agency for Workforce Innovation for review and approval.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development will address development of plans for implementing school readiness programs to meet the requirements of Section 411.01, Florida Statutes, and the performance standards and outcome measures for school readiness programs; the criteria for approval of school readiness plans; the content and format of plans; and the procedure for submission and revision of plans.

SPECIFIC AUTHORITY: 411.01(4)(e), 411.01(4)(l) FS.

LAW IMPLEMENTED: 411.01(2), 411.01(4)(d), 411.01(4)(j), 411.01(4)(l), 411.01(4)(o), 411.01(5)(a)-(f), 411.01(6), 411.01(7)(a), 411.01(8) FS.

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

DATE AND TIME: Monday, June 23, 2008, 2:00 p.m. – 5:00 p.m.

PLACE: Agency for Workforce Innovation, 107 East Madison Street, Room B-29, Tallahassee, Florida 32399-4128

Pursuant to the provisions of 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: Audrey Gatén at (850)245-7160. If you are 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: C.J. Weinman, Assistant General Counsel, Agency for Workforce Innovation, Office of General Counsel, 107 East Madison Street, MSC #110, Tallahassee, Florida 32399-4128, (850)245-7150

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

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**RULE NO.:** 62-210.200 **RULE TITLE:** Definitions

**PURPOSE AND EFFECT:** The Department issued a Notice of Rule Development on April 4, 2008, for Chapter 62-210, F.A.C., Stationary Sources – General Requirements, involving corrective and clarifying amendments. This proposed rule development involves two additional amendments to rule language in Chapter 62-210, F.A.C. The amendments correct typographical/grammatical errors in the definitions of “Best Available Control Technology” or “BACT” and “Net Emissions Increase.”

**SUBJECT AREA TO BE ADDRESSED:** The proposed rule amendments address the department’s general requirements for stationary sources of air pollutant emissions.

**SPECIFIC AUTHORITY:** 403.061 FS.

**LAW IMPLEMENTED:** 403.031, 403.061, 403.087 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:** Ms. Terri Long at (850)921-9556 or terri.long@dep.state.fl.us

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

**DEPARTMENT OF HEALTH**

**Division of Medical Quality Assurance**

**RULE NO.:** 64B-9.002 **RULE TITLE:** Physician Survey Procedures

**PURPOSE AND EFFECT:** To update and expand the rule relating to physician workforce surveys.

**SUBJECT AREA TO BE ADDRESSED:** Physician Survey Procedures.

**SPECIFIC AUTHORITY:** 458.3191(4), 459.0081(4) FS.

**LAW IMPLEMENTED:** 381.4018, 458.3191, 459.0081 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:** Lola Pouncey, Bureau Chief, 4052 Bald Cypress Way, Bin #C10, Tallahassee, Florida 32399-3255

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

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Economic Self-Sufficiency Program**

**RULE NO.:** 65A-4.220 **RULE TITLE:** Amount and Duration of Cash Payment

**PURPOSE AND EFFECT:** This proposed rule amendment explains agency error policy for purposes of cash assistance benefits. The effect of the proposed rule amendment is to clarify when agency policy will not result in a redetermination of cash assistance benefit amount.

**SUBJECT AREA TO BE ADDRESSED:** The proposed rule amendment clarifies agency policy pertaining to agency error and the effect of agency error on the calculation of the cash assistance benefit amount.

**SPECIFIC AUTHORITY:** 414.45 FS.

**LAW IMPLEMENTED:** 414.095 FS.

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

**DATE AND TIME:** June 16, 2008, 1:30 p.m.

**PLACE:** 1317 Winewood Boulevard, Building 3, Room 455, Tallahassee, Florida 32399-0700

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Cindy Keil, ACCESS Florida Program Policy, 1317 Winewood Boulevard, Building 3, Room 413, Tallahassee, Florida 32399-0700, telephone (850)410-3291

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

**Section II  
Proposed Rules**

**DEPARTMENT OF LEGAL AFFAIRS**

**Division of Victim Services and Criminal Justice Programs**

**RULE NO.:** 2A-8.005 **RULE TITLE:** Adjustments to Reflect Consumer Price Index

**PURPOSE AND EFFECT:** The proposed rule amendments are intended to reflect changes to benefits with regard to the recent changes in the Consumer Price Index.

**SUMMARY:** The proposed rule amendments reflect revised benefit payments in response to adjustments to the Consumer Price Index.

**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: 112.19 FS.

LAW IMPLEMENTED: 112.19 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rick Nuss, Chief, Bureau of Criminal Justice Programs, Department of Legal Affairs, PL-01, The Capitol, Tallahassee, Florida 32399-1050

THE FULL TEXT OF THE PROPOSED RULE IS:

2A-8.005 Adjustments to Reflect Consumer Price Index.

(1) Section 112.19(2)(j), Florida Statutes, requires the Bureau to adjust the statutory amount on July 1 of each year based on the Consumer Price Index for all urban consumers published by the United States Department of Labor, using the most recent figures available. The Bureau will utilize the previous March Consumer Price Index published by the United States Department of Labor and the benefits shall be adjusted from the benefit amount of the year before.

(2) The Consumer Price Index amount in March ~~2007~~ 2008 was ~~4.0~~ 2.8 percent. Therefore, the statutory amount for the period July 1, ~~2008~~ 2009 through June 30, ~~2009~~ 2008, is:

(a) For those benefits paid or to be paid under paragraph (a) of subsection (2); ~~\$59,694.46~~ \$57,398.52.

(b) For those benefits paid or to be paid under paragraph (b) of subsection (2); ~~\$59,694.46~~ \$57,398.52.

(c) For those benefits paid or to be paid under paragraph (c) of subsection (2); ~~\$179,083.29~~ \$172,195.47.

Specific Authority 112.19 FS. Law Implemented 112.19 FS. History—New 12-10-03, Amended 8-17-04, 7-26-05, 7-26-06, 7-15-07, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Rick Nuss, Chief, Bureau of Criminal Justice Programs

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Bill Stewart, Deputy Chief of Staff

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 25, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 2, 2008

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

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

**DEPARTMENT OF CORRECTIONS**

RULE NOS.:	RULE TITLES:
33-104.201	Representation of News Media at Executions
33-104.202	Procedures to be Applied to News Media Representatives Attending Executions
33-104.203	News Media Access to Inmates Under Sentence of Death

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to provide consistency and maintain security and order for visitation of inmates under the sentence of death and attending executions.

SUMMARY: The proposed rule amends Rules 33-104.201, 33-104.202, and 33-104.203, F.A.C. to replace "United Press International Wire Service" with "Florida Radio Network." The proposed rule amends Rule 33-104.201 to require designated representatives and alternate names be received by the department at least seven (7) working days prior to the execution. The proposed rule amends Rule 33-104.202 to prohibit media representatives from bringing cell phones into the execution observation room. The proposed rule amends Rule 33-104.203 in the following ways: removing the language requiring news media representatives to make prior arrangements where state holidays fall on Tuesday, Wednesday, or Thursday and giving the decision of whether to allow media interviews on those days to the Warden; requiring that inmates request group and individual interviews within one (1) week after his or her execution date is set; and by allowing all media representative to bring the same types of equipment and assistants.

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: 922.11, 944.09, 944.23 FS.

LAW IMPLEMENTED: 922.11, 944.23 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: 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 RULES IS:

- 33-104.201 Representation of News Media at Executions.
- (1) No change.

(a) The ~~Director Florida Editor~~ of the Florida Radio Network United Press International Wire Service may designate one news reporter to be its media representative.

(b) through (d) No change.

(2) The names of the news reporters who will represent each of the above-mentioned classes of news media and designated alternates shall be sent in writing to the Secretary of the Department of Corrections and signed by the person authorized to make the designation. Only properly designated representatives or their designated alternates whose names are received by the Secretary at least seven working days 72 hours prior to the execution, or a shorter time period when determined necessary by the Secretary, shall be admitted to witness the execution. In the event that any designee fails to appear as set out in Rule 33-104.202, F.A.C., the next available alternate designated for such class shall be admitted to attend in the absent designee's place.

(3) No change.

(4) In the event of a stay, the same media witnesses will be retained so long as the execution is rescheduled and held within sixty days.

Specific Authority 922.11, 944.09, 944.23 FS. Law Implemented 922.11, 944.23 FS. History—New 10-11-77, Amended 3-10-80, Formerly 33-15.01, 33-15.001, Amended \_\_\_\_\_.

33-104.202 Procedures to be Applied to News Media Representatives Attending Executions.

(1) The following procedures shall apply to representatives of the news media who are selected to witness executions:

(a) No change.

(b) No electronic or mechanical devices, including but not limited to still, moving picture or video-tape cameras, tape recorders or similar devices, cell phones, or artistic paraphernalia, will be permitted in the execution observation room.

(c) No change.

(2) through (4) No change.

Specific Authority 922.11, 944.09, 944.23 FS. Law Implemented 922.11, 944.23 FS. History—New 10-11-77, Amended 3-10-80, Formerly 33-15.02, 33-15.002, Amended \_\_\_\_\_.

33-104.203 News Media Access to Inmates Under Sentence of Death.

(1) Regularly scheduled news media interviews with inmates under sentence of death will be permitted each week on Tuesday, Wednesday, and Thursday, between the hours of 1:00 p.m. and 3:00 p.m., and will be contingent upon the consent of the inmate. If a state holiday falls on Tuesday, Wednesday, or Thursday, the warden may set interviews on another day during the week at his discretion. The warden may authorize additional visits if staff are available and the need exists. ~~News media representatives who have made prior~~

~~arrangements with the Office of Public Affairs may be allowed admittance to regularly scheduled news media interviews to the extent that accommodations are available and security risks are not created.~~

(2) through (3) No change.

(4)(a) During the calendar week of the execution, the offender sentenced to death will be allowed to have one group interview with a total of thirty media representatives and one (1) individual interview with a news media representative selected by the offender sentenced to death, provided the inmate requests said interviews in writing no later than one week after an execution date is set.

(b) The group and individual said interviews shall will be conducted within forty-eight hours prior to the scheduled time of execution at a place and time designated by the warden of Florida State Prison and shall not exceed one hour each in duration.

~~(c)(b)~~ Within a reasonable period of time prior to the scheduled group interview, the Secretary or a person designated by the Secretary will notify the office of the Director Florida Editor of the Florida Radio Network United Press International Wire Service, the office of the Florida Bureau Chief of the Associated Press Wire Service, the Florida Association of Broadcasters, and the Florida Press Association of the date, time and place of the group interview. A total of thirty media representatives will be permitted to attend the group interview. The Florida Radio Network United Press International and the Associated Press will each be entitled to two representatives at the group interview. The Florida Association of Broadcasters and the Florida Press Association will each be permitted to designate thirteen representatives and designated alternates. Such representatives may include photographers, cameramen and sound operators, and they may bring and use a reasonable amount of appropriate equipment and paraphernalia.

~~(d)(e)~~ A print media Rrepresentatives selected for the individual interview, including print media, radio and television representatives, may use the following: a tape recorder, camera, and sound equipment. Representatives and may designate the following to assist during the interview: a bona fide still photographer, ~~to participate in the interview. A radio representative selected may use a tape recorder and may designate a technical assistant, for the interview. A television representative selected may designate a camera operator, and sound operator to assist during the interview.~~

(5) No change.

Specific Authority 922.11, 944.09, 944.23 FS. Law Implemented 922.11, 944.23 FS. History—New 3-10-80, Formerly 33-15.03, 33-15.003, Amended 3-22-05, \_\_\_\_\_.



NAME OF PERSON ORIGINATING PROPOSED RULE:  
Gretl Plessinger, Public Affairs Director, Office of the Secretary

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Richard D. Davison, Deputy Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 13, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 11, 2008

**WATER MANAGEMENT DISTRICTS**

**St. Johns River Water Management District**

RULE NOS.:	RULE TITLES:
40C-1.003	The Governing Board
40C-1.010	Procedure for Voting Conflicts of Interest

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend the sections of Chapter 40C-1, F.A.C., that address operation of the Governing Board The rule development proposes to: (1) change the date of the regular meeting of the Governing Board; (2) provide for the creation of standing committees of the Board and appointment of committee members; (3) provide for the annual election of Board officers; (4) amend the circumstances in which a Governing Board member may abstain from voting on an official decision; and (5) repeal Rule 40C-1.010, F.A.C.

SUMMARY: The proposed rule amends provisions relating to the operation of the Governing Board and changes the circumstances in which Governing Board members may abstain from voting on an official decision.

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 FS.

LAW IMPLEMENTED: 112.326, 373.073, 373.079, 373.083, 373.103 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: July 8, 2008, following the regularly scheduled Regulatory/Governing Board Meeting, which begins at 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, District Clerk at (386)329-4127 or (386)329-4450 (TDD). If you are 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: 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, email address: nmesser@sjrwmd.com

THE FULL TEXT OF THE PROPOSED RULES IS:

40C-1.003 The Governing Board.

(1) No change.

(2) The Governing Board will meet the second Tuesday ~~Wednesday and preceding Tuesday~~ of each month unless otherwise announced.

(3) The Governing Board may create standing committees, and the chair of the Board shall appoint members to each standing committee. The Chairman of the Board may appoint standing committees or ad hoc committees.

(4) On an annual basis ~~Immediately after appointment, and annually thereafter,~~ Board members will meet and elect a chair chairman, vice chair chairman, secretary, and treasurer ~~and secretary treasurer~~. The Executive Director will serve as the assistant secretary ~~treasurer~~.

(5) through (6) No change.

(7) The Board may vote only when a quorum of its members is present and only at a public meeting which has been properly noticed. A quorum consists of five members. A simple majority of members present is necessary to carry a motion. ~~All members of the Board, including the chairman, shall vote on every issue or publicly state a conflict of interest as specified in Rule 40C-1.010, F.A.C.~~

(8) No member of the Governing Board who is present at any meeting at which an official decision, ruling, or other official act is to be taken or adopted may abstain from voting in regard to any such decision, ruling, or act; and a vote shall be recorded or counted for each such member present, except when, with respect to any such member, there is, or appears to be, a possible conflict of interest under the provisions of Sections 112.311, 112.313, or 112.3143, F.S. In such case, the member shall comply with the disclosure requirements of Section 112.3143, F.S.

Specific Authority ~~120.53(1),~~ 373.044, 373.113 FS. Law Implemented 112.326, 120.53(1), 373.073, ~~373.076,~~ 373.079, 373.083, 373.103-~~373.171~~ FS. History—New 8-1-89, Amended 10-8-91, \_\_\_\_\_.

40C-1.010 Procedure for Voting Conflicts of Interest.

Specific Authority 120.53(1), 373.044, 373.113 FS. Law Implemented 112.3143, 120.53, 373.079 FS. History—New 4-18-83, Formerly 40C-1.20, 40C-1.201, Amended 8-1-89, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Kathryn Mennella, General Counsel, Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, (386)329-4215  
 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: May 13, 2008  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 23, 2008

**WATER MANAGEMENT DISTRICTS**

**St. Johns River Water Management District**

RULE NO.:	RULE TITLE:
40C-2.101	Publications Incorporated by Reference

PURPOSE AND EFFECT: The purpose and effect of this proposed rule is to amend section 5.4.2.1 of the Applicant’s Handbook: Consumptive Uses of Water, incorporated by reference, to change the date of regular meetings of the Governing Board.

SUMMARY: The subject area of proposed rule is the operation of the Governing Board, specifically the meeting dates of the Board.

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 FS.

LAW IMPLEMENTED: 373.073, 373.079, 373.103 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: July 8, 2008, following the regularly scheduled Regulatory/Governing Board Meeting, which begins at 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, Asst. District Clerk, (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, email address: nmesser@sjrwmd.com

THE FULL TEXT OF THE PROPOSED RULE IS:

40C-2.101 Publications Incorporated by Reference.

(1) The Governing Board hereby adopts by reference parts I, II, and III, the “Water Conservation Public Supply” requirements in Appendix I, and “Legal Description of the Central Florida Coordination Area of the St. Johns River Water Management District” in Appendix L of the document entitled “Applicant’s Handbook, Consumptive Uses of Water,” *(effective date)* ~~2-13-08~~.

(2) No change.

Specific Authority 373.044, 373.113, 373.118, 373.171 FS. Law Implemented ~~373.073, 373.079, 373.103~~, 373.109, 373.196, 373.219, 373.223, 373.229, 373.233, 373.236, 373.239, 373.250 FS. History– New 1-1-83, Amended 5-31-84, Formerly 40C-2.101, 40C-2.0101, Amended 10-1-87, 1-1-89, 8-1-89, 10-4-89, 7-21-91, 7-23-91, 11-12-91, 9-16-92, 1-20-93, 12-6-93, 2-15-95, 7-10-95, 4-25-96, 10-2-96, 1-7-99, 2-9-99, 4-10-02, 2-15-06, 2-13-08, \_\_\_\_\_.

**APPLICANT’S HANDBOOK SECTION:**

5.4.2 Regulatory Meeting

5.4.2.1 The Governing Board of the SJRWMD normally meets on the second Tuesday ~~preceding the second Wednesday~~ of each month to act on permit applications. At each regulatory meeting the Board has copies of the staff reports, along with the staff’s recommendations, which were provided to them several days before the meeting to allow time for consideration. When applications are formally presented to the Board for action, the Board invites comments from the applicants, District staff, persons who may be impacted by the use, and members of the general public.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Kathryn Mennella, General Counsel, Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, (386)329-4215

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: May 13, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 23, 2008

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Construction Industry Licensing Board**

RULE NO.: 61G4-16.0021  
 RULE TITLE: Written Examination for Swimming Pool Specialty Contractors

**PURPOSE AND EFFECT:** The Board proposes the rule amendment to update the time limit the Board will accept practical examination for licensure of any category of swimming pool specialty contractor as specified in Rule 61G4-15.032, F.A.C.

**SUMMARY:** The rule amendment will update the time limit the Board will accept practical examination for licensure of any category of swimming pool specialty contractor as specified in Rule 61G4-15.032, F.A.C.

**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:** 455.217(1), 489.113(6), 489.115(5) FS.

**LAW IMPLEMENTED:** 455.217(1), 489.113(6), 489.115(5) FS.

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** G. W. Harrell, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399

**THE FULL TEXT OF THE PROPOSED RULE IS:**

61G4-16.0021 Written Examination for Swimming Pool Specialty Contractors.

(1) The examination for licensure for any category of swimming pool specialty contractor as specified in Rule 61G4-15.032, F.A.C., shall consist of a written examination or until January 1, 2012 ~~2008~~, a practical examination. The written examination shall test the applicant's ability to perform the scope of work for the category of swimming pool specialty contractor for which the applicant applied.

(2) through (4) No change.

Specific Authority 455.217(1), 489.113(6), 489.115(5) FS.  
 Law Implemented 455.217(1), 489.113(6), 489.115(5) FS.  
 History--New 3-21-06, Amended\_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Construction Industry Licensing Board

**NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE:** Construction Industry Licensing Board

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** April 8, 2008

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:** May 2, 2008

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NO.: 62-204.800  
 RULE TITLE: Federal Regulations Adopted by Reference

**PURPOSE, EFFECT AND SUMMARY:** The proposed rule amendments update, through March 31, 2008, the department's adoption-by-reference of air pollution regulations promulgated by the U.S. Environmental Protection Agency (EPA) at 40 CFR Parts 50, 60, 63, 65, 72 and 75.

**SPECIFIC AUTHORITY:** 403.8055 FS.

**LAW IMPLEMENTED:** 403.061, 403.087, 403.8055 FS.

**THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION 403.8055, F.S. WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE TO:** Ms. Patricia E. Comer, Office of General Counsel, Department of Environmental Protection, 3900 Commonwealth Blvd., MS 35, Tallahassee, Florida 32399-3000.

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

**THE FULL TEXT OF THE PROPOSED RULE IS:**

62-204.800 Federal Regulations Adopted by Reference.

All federal regulations cited throughout the air pollution rules of the Department are adopted and incorporated by reference in this rule. The purpose and effect of each such federal regulation is determined by the context in which it is cited. Procedural and substantive requirements in the incorporated federal regulations are binding as a matter of state law only where the context so provides.

(1) through (12) No change.

13. 40 CFR 50, Appendix N, Interpretation of the National Ambient Air Quality Standards for PM<sub>2.5</sub>; promulgated October 17, 2006, at 71 FR 61143; amended January 9, 2008, at 73 FR 1497.

14. No change.

(2) through (7) No change.

(8) Title 40, Code of Federal Regulations, Part 60, Standards of Performance for New Stationary Sources.

(a) No change.

(b) Standards Adopted. The following Standards of Performance for New Stationary Sources contained in 40 CFR Part 60, revised as of July 1, 2001, or later as specifically indicated, are adopted and incorporated by reference:

1. through 50. No change.

51. 40 CFR 60, Subpart VV, Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry; amended November 16, 2007, at 72 FR 64859; except that the Secretary is not the Administrator for the purposes of 40 CFR 60.482-1(c)(2) and 40 CFR 60.484.

52. 40 CFR 60, Subpart VVa, Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry; for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006; promulgated November 16, 2007, at 72 FR 64859; except that the Secretary is not the Administrator for purposes of 40 CFR 60.484a.

(52) through (56) renumbered (53) through (57) No change.

~~58,57.~~ 40 CFR 60, Subpart GGG, Equipment Leaks of VOC in Petroleum Refineries; amended August 2, 2001, at 66 FR 40121; amended August 6, 2003, at 68 FR 46489; amended November 16, 2007, at 72 FR 64859.

59. 40 CFR 60, Subpart GGGa, Standards of Performance for Equipment Leaks of VOC in Petroleum Refineries for which Construction, Reconstruction, or Modification Commenced After November 7, 2006; promulgated November 16, 2007, at 72 FR 64859; except that the Secretary is not the Administrator for purposes of 40 CFR 60.592a(c).

(58) through (75) renumbered (60) through (77) No change.

~~78,76.~~ 40 CFR 60, Subpart IIII, Standards of Performance for Stationary Compression Ignition Internal Combustion Engines; promulgated July 11, 2006, at 71 FR 39153; except that the Secretary is not the Administrator for purposes of 40 CFR 60.4201, 60.4202, 60.4203, and 60.4210.

79. 40 CFR 60, Subpart JJJJ, Standards of Performance for Stationary Spark Ignition Internal Combustion Engines; promulgated January 18, 2008, at 73 FR 3567; except that the Secretary is not the Administrator for purposes of 40 CFR 60.4231, 60.4232, 60.4238, 60.4239, 60.4240, 60.4241, 60.4242, and 60.4247.

(80)(77) No change.

(c) No change.

(d) General Provisions Adopted. The general provisions of 40 CFR Part 60, Subpart A, revised as of July 1, 2001; amended August 27, 2001, at 66 FR 44978; amended July 8, 2004, at 69 FR 41346; amended May 18, 2005, at 70 FR 28605; amended December 16, 2005, at 70 FR 74869; amended June 1, 2006, at 71 FR 31100; amended July 6, 2006, at 71 FR 38481; amended July 11, 2006, at 71 FR 39153; amended May 16, 2007, at 72 FR 27437; amended June 13, 2007, at 72 FR 32709; amended November 16, 2007, at 72 FR 64859; amended January 18, 2008, at 73 FR 3567; are adopted and incorporated by reference except that the Secretary is not the Administrator for purposes of 40 CFR 60.4, 40 CFR 60.8(b)(2) and (3), 40 CFR 60.11(e)(7) and (8), 40 CFR 60.13(g), (i) and (j)(2), and 40 CFR 60.16.

(e) Appendices Adopted. The following appendices of 40 CFR Part 60, revised as of July 1, 2001, or later as specifically indicated, are adopted and incorporated by reference:

1. No change.

2. 40 CFR 60, Appendix A-2, Test Methods 2G through 3C; amended May 15, 2006, at 71 FR 28081; ~~amended September 7, 2007, at 72 FR 51365.~~

3. No change.

4. 40 CFR 60, Appendix A-4, Test Methods 6 through 10B; amended May 15, 2006, at 71 FR 28081; ~~amended September 7, 2007, at 72 FR 51365.~~

5. through 6. No change.

7. 40 CFR 60, Appendix A-7, Test Methods 19 through 25E; amended May 15, 2006, at 71 FR 28081; amended September 21, 2006, at 71 FR 55119; ~~amended September 7, 2007, at 72 FR 51365.~~

8. through 12. No change.

(9) through (10) No change.

(11) Title 40, Code of Federal Regulations, Part 63, National Emission Standards for Hazardous Air Pollutants for Source Categories.

(a) No change.

(b) Standards Adopted. The following National Emission Standards for Hazardous Air Pollutants contained in 40 CFR Part 63, revised as of July 1, 2001, or later as specifically indicated, are adopted and incorporated by reference:

1. through 81. No change.

82. 40 CFR 63, Subpart ZZZZ, Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines, promulgated June 15, 2004, at 69 FR 33473; amended April 20, 2006, at 71 FR 20445; amended June 23, 2006, at 71 FR 36014; amended January 18, 2008, at 73 FR 3567.

83. through 86. No change.

87. 40 CFR 63, Subpart EEEEE, Iron and Steel Foundries; promulgated April 22, 2004, at 69 FR 21905; amended May 20, 2005, at 70 FR 29399; amended April 20,

2006, at 71 FR 20445; amended February 7, 2008, at 73 FR 7210; except that the Secretary is not the Administrator for the purposes of 40 CFR 63.7761(c)(1) through (4).

88. through 101. No change.

102. 40 CFR 63, Subpart YYYYYY, National Emission Standards for Hazardous Air Pollutants for Area Sources: Electric Arc Furnace Steelmaking Facilities; promulgated December 28, 2007, at 72 FR 74087; except that the Secretary is not the Administrator for purposes of 40 CFR 63.10691(c)(1) through (6).

103. 40 CFR 63, Subpart ZZZZZZ, National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries Area Sources; promulgated January 2, 2008, at 73 FR 225; except that the Secretary is not the Administrator for purposes of 40 CFR 63.10905(c)(1) through (6).

(102) through (105) renumbered (104) through (107) No change.

~~108.406.~~ 40 CFR 63, Subpart LLLLLL, National Emission Standards for Hazardous Air Pollutants for Acrylic and Modacrylic Fibers Production Area Sources, promulgated July 16, 2007, at 72 FR 38863; amended March 26, 2008, at 73 FR 15923; except that the Secretary is not the Administrator for purposes of 40 CFR 63.11399(b)(1) through (4).

~~109.407.~~ 40 CFR 63, Subpart MMMMMM, National Emission Standards for Hazardous Air Pollutants for Carbon Black Production Area Sources, promulgated July 16, 2007, at 72 FR 38863; amended March 26, 2008, at 73 FR 15923; except that the Secretary is not the Administrator for purposes of 40 CFR 63.11406(b)(1) through (4).

~~110.408.~~ 40 CFR 63, Subpart NNNNNN, National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources: Chromium Compounds, promulgated July 16, 2007, at 72 FR 38863; amended March 26, 2008, at 73 FR 15923; except that the Secretary is not the Administrator for purposes of 40 CFR 63.11413(b)(1) through (4).

~~111.409.~~ 40 CFR 63, Subpart OOOOOO, National Emission Standards for Hazardous Air Pollutants for Flexible Polyurethane Foam Production and Fabrication Area Sources, promulgated July 16, 2007, at 72 FR 38863; amended March 26, 2008, at 73 FR 15923; except that the Secretary is not the Administrator for purposes of 40 CFR 63.11420(b)(1) through (4).

~~112.410.~~ 40 CFR 63, Subpart PPPPPP, National Emission Standards for Hazardous Air Pollutants for Lead Acid Battery Manufacturing Area Sources, promulgated July 16, 2007, at 72 FR 38863; amended March 26, 2008, at 73 FR 15923; except that the Secretary is not the Administrator for purposes of 40 CFR 63.11427(b)(1) through (4).

~~113.411.~~ 40 CFR 63, Subpart QQQQQQ, National Emission Standards for Hazardous Air Pollutants for Wood Preserving Area Sources, promulgated July 16, 2007, at 72 FR

38863; amended March 26, 2008, at 73 FR 15923; except that the Secretary is not the Administrator for purposes of 40 CFR 63.11434(b)(1) through (4).

114. 40 CFR 63, Subpart RRRRRR, National Emission Standards for Hazardous Air Pollutants for Clay Ceramics Manufacturing Area Sources; promulgated December 26, 2007, at 72 FR 73179; except that the Secretary is not the Administrator for purposes of 40 CFR 63.11445(c)(1) through (4).

115. 40 CFR 63, Subpart SSSSSS, National Emission Standards for Hazardous Air Pollutants for Glass Manufacturing Area Sources; promulgated December 26, 2007, at 72 FR 73179; except that the Secretary is not the Administrator for purposes of 40 CFR 63.11460(b)(1) through (4).

116. 40 CFR 63, Subpart TTTTTT, National Emission Standards for Hazardous Air Pollutants for Secondary Nonferrous Metals Processing; promulgated December 26, 2007, at 72 FR 73179; except that the Secretary is not the Administrator for purposes of 40 CFR 63.11473(c)(1) through (4).

(c) No change.

(d) General Subparts Adopted. The following general subparts of 40 CFR Part 63, revised as of July 1, 2001, or later as specifically indicated, are adopted and incorporated by reference:

1. 40 CFR Part 63, Subpart A, General Provisions; amended February 27, 2002, at 67 FR 9156; amended April 5, 2002, at 67 FR 16581; amended February 18, 2003, at 68 FR 7706; amended April 21, 2003, at 68 FR 19375; amended May 20, 2003, at 68 FR 27645; amended May 23, 2003, at 68 FR 28605; amended May 27, 2003, at 68 FR 28774; amended May 28, 2003, at 68 FR 31745; amended May 29, 2003, at 68 FR 32171; amended May 30, 2003, at 68 FR 32585; amended November 13, 2003, at 68 FR 64431; amended December 19, 2003, at 68 FR 70959; amended January 2, 2004, at 69 FR 129; amended February 3, 2004 at 69 FR 5038; amended April 19, 2004, at 69 FR 20967; amended April 22, 2004, at 69 FR 21905; amended April 26, 2004, at 69 FR 22601; amended June 15, 2004, at 69 FR 33473; amended July 30, 2004, at 69 FR 45943; amended April 15, 2005, at 70 FR 19991; amended May 20, 2005, at 70 FR 29399; amended October 12, 2005, at 70 FR 59401; amended April 20, 2006, at 71 FR 20445; amended December 6, 2006, at 71 FR 70651; amended January 3, 2007, at 72 FR 26; amended January 23, 2006, at 72 FR 2929; amended May 16, 2007, at 72 FR 27437; amended July 16, 2007, at 72 FR 38863; amended October 29, 2007, at 72 FR 61060; amended November 16, 2007, at 72 FR 64859; amended December 26, 2007, at 72 FR 73179; amended December 28, 2007, at 72 FR 74087; amended January 2, 2008, at 73 FR 225; amended January 18, 2008, at 73 FR 3567; amended February 7, 2008, at 73 FR 7210; except that the

Secretary is not the Administrator for purposes of 40 CFR 63.5(e), 40 CFR 63.5(f), 40 CFR 63.6(g), 40 CFR 63.6(h)(9), 40 CFR 63.6(j), 40 CFR 63.13, and 40 CFR 63.14.

2. through 5. No change.

(e) No change.

(12) No change.

(13) Title 40, Code of Federal Regulations, Part 65, Consolidated Federal Air Rule. The following subparts of 40 CFR Part 65, revised as of July 1, 2001, or later as specifically indicated, are adopted and incorporated by reference.

(a) 40 CFR 65, Subpart A, General Provisions; amended April 20, 2006, at 71 FR 20445; amended August 27, 2007, at 72 FR 48938; amended December 28, 2007, at 72 FR 73625.

(b) through (g) No change.

(14) though (15) No change.

(16) Title 40, Code of Federal Regulations, Part 72, Permits Regulation.

(a) The following subparts of 40 CFR Part 72, revised as of July 1, 2005, or later as specifically indicated, are adopted and incorporated by reference:

1. 40 CFR 72, Subpart A, Acid Rain Program General Provisions; amended April 28, 2006, at 71 FR 25327; amended September 7, 2007, at 72 FR 51493; amended January 24, 2008, at 73 FR 4311.

2. through 9. No change.

(b) No change.

(17) through (18) No change.

(19) Title 40, Code of Federal Regulations, Part 75, Continuous Emission Monitoring.

(a) The following subparts of 40 CFR Part 75, revised as of July 1, 2005, or later as specifically indicated, are adopted and incorporated by reference:

1. 40 CFR 75, Subpart A, General; amended January 24, 2008, at 73 FR 4311.

2. 40 CFR 75, Subpart B, Monitoring Provisions; amended September 7, 2007, at 72 FR 51493; amended January 24, 2008, at 73 FR 4311.

3. 40 CFR 75, Subpart C, Operation and Maintenance Requirements; amended September 7, 2007, at 72 FR 51493; amended January 24, 2008, at 73 FR 4311.

4. 40 CFR 75, Subpart D, Missing Data Substitution Procedures; amended January 24, 2008, at 73 FR 4311.

5. No change.

6. 40 CFR 75, Subpart F, Recordkeeping Requirements; amended January 24, 2008, at 73 FR 4311.

7. 40 CFR 75, Subpart G, Reporting Requirements; amended January 24, 2008, at 73 FR 4311.

8. 40 CFR 75, Subpart H, NO<sub>x</sub> Mass Emissions Provisions; amended January 24, 2008, at 73 FR 4311.

9. 40 CFR 75, Subpart I, Hg Mass Emission Provisions; amended January 24, 2008, at 73 FR 4311.

(b) The following appendices of 40 CFR Part 75, revised as of July 1, 2005, or later as specifically indicated, are adopted and incorporated by reference:

1. Appendix A, Specifications and Test Procedures; amended January 24, 2008, at 73 FR 4311.

2. Appendix B, Quality Assurance and Quality Control Procedures; amended January 24, 2008, at 73 FR 4311.

3. No change.

4. Appendix D, Optional SO<sub>2</sub> Emissions Data Protocol for Gas-Fired and Oil-Fired Units; amended January 24, 2008, at 73 FR 4311.

5. Appendix E, Optional NO<sub>x</sub> Emissions Estimation Protocol for Gas-Fired Peaking Units and Oil-Fired Peaking Units; amended January 24, 2008, at 73 FR 4311.

6. Appendix F, Conversion Procedures; amended January 24, 2008, at 73 FR 4311; amended February 13, 2008, at 73 FR 8408.

7. Appendix G, Determination of CO<sub>2</sub> Emissions; amended January 24, 2008, at 73 FR 4311.

8. through 10. No change.

11. Appendix K, Quality Assurance and Operating Procedures for Sorbent Trap Monitoring Systems; amended January 24, 2008, at 73 FR 4311.

(20) through (26) No change.

Specific Authority 403.061, 403.8055 FS. Law Implemented 403.031, 403.061, 403.087, 403.8055 FS. History—New 3-13-96, Amended 6-25-96, 10-7-96, 10-17-96, 12-20-96, 4-18-97, 6-18-97, 7-7-97, 10-3-97, 12-10-97, 3-2-98, 4-7-98, 5-20-98, 6-8-98, 10-19-98, 4-1-99, 7-1-99, 9-1-99, 10-1-99, 4-1-00, 10-1-00, 1-1-01, 8-1-01, 10-1-01, 4-1-02, 7-1-02, 10-1-02, 1-1-03, 4-1-03, 10-1-03, 1-1-04, 4-1-04, 7-1-04, 10-1-04, 1-1-05, 4-1-05, 7-1-05, 10-1-05, 1-1-06, 4-1-06, 7-1-06, 9-4-06, 9-6-06, 1-8-07, 1-31-07, 4-2-07, 5-31-07, 7-2-07, 10-1-07, 2-1-08, 7-1-08.

**DEPARTMENT OF JUVENILE JUSTICE**

**Residential Services**

RULE NOS.:	RULE TITLES:
63E-7.001	Purpose and Scope
63E-7.002	Definitions
63E-7.004	Youth Intake
63E-7.008	Facility and Food Services
63E-7.009	Behavior Management
63E-7.012	Transfer, Release and Discharge
63E-7.013	Safety and Security
63E-7.016	Program Administration

PURPOSE AND EFFECT: The amendments update and clarify portions of the rule governing the operation of residential commitment programs as follows: The amendments expand the scope of the rule to cover sex offender programs. They also eliminate an unnecessary medical authorization form, and clarify references to “treatment” so as to differentiate criminogenic intervention from clinical treatment. Best practices are incorporated with corresponding definitions.

Intake classification factors are clarified in subsection 63E-7.004(8), F.A.C., and consistent amendments are made in subsection 63E-7.013(7), F.A.C. The need for digital video cameras and recording equipment is modified to accommodate smaller facilities, and an amendment clarifies the escape notification procedure.

SUMMARY: The amended rule expands the scope to cover sex offender programs, clarifies the distinction between treatment and intervention, modifies youth classification, incorporates effective practices, modifies facility requirements for video recording, and clarifies escape notification procedures.

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: 20.316, 985.64, 985.601(3)(a) FS.

LAW IMPLEMENTED: 985.601(3)(a), 985.03(44), 985.441(1)(b), 985.48 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: Thursday, June 26, 2008, 10:00 a.m.

PLACE: DJJ Headquarters, 2737 Centerview Dr., General Counsel's Conference Room 3223, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: John Milla, 2737 Centerview Dr., Ste. 3200, Tallahassee, FL 32399-3100, e-mail: john.milla@djj.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

#### 63E-7.001 Purpose and Scope.

This rule establishes the requirements for the department's administration and operation of residential commitment programs for juvenile offenders, with the exception of serious habitual offender programs, intensive residential treatment programs, sex offender programs, sheriff's training and respect programs, and expedition programs specifically addressed in Chapters 63E-3, 63E-4, ~~63E-5~~, 63E-6, and 63E-8, F.A.C., respectively.

Specific Authority 985.64, 985.601(3)(a), 20.316 FS. Law Implemented 985.601(3)(a), 985.03(44), 985.441(1)(b), 985.48 FS. History—New 9-30-07, Amended \_\_\_\_\_.

#### 63E-7.002 Definitions.

For the purpose of this rule chapter, the following words shall have the meanings indicated.

(1) Accountability – Refers to a youth taking personal responsibility for his or her actions and harm caused to others, making amends or restoring loss to those harmed, and changing behavior to reduce future harm and victimization.

~~(2)(4)~~ Admission – The admitting of a youth, committed by the court, into a specific residential commitment facility.

~~(3)(2)~~ Alert System – A method of alerting staff that a youth has physical health, mental health, or security issues that may require individual attention or closer supervision. An alert system is a tool for staff to use in making treatment, security and safety decisions as they relate to youth behavior, but does not provide detailed information about the conditions that resulted in the youth being identified for inclusion in the alert system.

~~(4)(3)~~ Apology letter – A youth's letter to the victim of his or her crime, or the next of kin in cases of homicide, or the parent or legal guardian in cases involving minor victims, in which the youth acknowledges personal accountability for the harm he or she caused the victim, as well as sincerely expresses remorse.

~~(5)(4)~~ Assessment – An evaluation of the youth to determine delinquency intervention and treatment needs. A residential commitment program's assessment process is a gender-specific, comprehensive assessment of a youth that is based on the systematic review of ~~all~~ existing information and updated information secured through interviews and assessment tools. The assessment process ~~identifies risk factors and protective factors, including the youth's strengths, and~~ culminates in prioritization of the youth's ~~criminogenic~~ needs.

~~(6)(5)~~ Authority for Evaluation and Treatment (AET) or ~~Authority for Evaluation and Treatment For Youth Over 18 Years of Age~~ – The document that, when signed by a parent or guardian ~~if the youth is 18 years or younger or signed by the youth if he or she is over 18 years of age~~, gives the department the authority to assume responsibility for the provision of necessary and appropriate physical and mental health care to a youth in the department's physical custody. The Authority for Evaluation and Treatment (HS 002, May 2007) ~~is and the Authority for Evaluation and Treatment For Youth Over 18 Years of Age (HS 003, May 2007) are~~ incorporated into this rule and ~~is~~ are accessible electronically at [http://www.djj.state.fl.us/forms/health\\_services\\_forms\\_index.html](http://www.djj.state.fl.us/forms/health_services_forms_index.html).

~~(6) Balanced Approach to Restorative Justice (BARJ) – A blueprint for putting the restorative justice philosophy into practice that involves active participation of victims, the community, and youthful offenders. The BARJ approach focuses on accountability to victims and the community, competency development, and community safety.~~

~~(a) Accountability – Refers to a youth taking personal responsibility for his or her actions and harm caused to others, making amends or restoring loss to those harmed, and changing behavior to reduce future harm and victimization.~~

~~(b) Competency Development — Refers to opportunities for youth to obtain and practice social, vocational, employability, academic, and other life skills so he or she is more capable of living responsibly and productively in the community upon release from a residential commitment program.~~

~~(c) Community Safety — Refers to a physically and emotionally safe environment or condition that exists when a community manages behavior so that its members live in peace and mutual respect, with minimal threat of victimization and harm. A residential commitment program promotes community safety by:~~

~~1. Implementing strategies that focus on the short-term external control of youth to reduce immediate or imminent risk of harm; and~~

~~2. Developing youths' capacity to manage their behavior to deter future victimization.~~

~~(7) Case Management Process — Refers to the process a residential commitment program uses to assess a youth, develop goals to address the youth's prioritized criminogenic risks and needs, review and report the youth's progress, and plan for the youth's transition to the community upon release. This process is implemented within the context of BARJ that focuses on accountability, competency development and community safety.~~

~~(8) Central Communications Center (CCC) — A 24-hour 7-day per week system to which incidents occurring at department or contract operated facilities or programs are reported.~~

~~(9) Classification and Placement Administration — The Department's unit responsible for providing statewide direction and oversight responsibilities to regional placement supervisors and their commitment staff.~~

~~(10) Commitment Manager — A department employee responsible for coordinating the placement of youth in residential commitment programs with the department's Classification and Placement Administration and the programs.~~

~~(11) Commitment/Transfer Packet — A compilation of legal, medical, mental health, substance abuse, and social history documents provided to a residential commitment program for each youth admitted to the program.~~

~~(12) Commitment/Transfer Packet Checklist — A checklist to ensure that documents needed for an admission, including a transfer, to a residential commitment program are included in the Commitment/Transfer Packet. The Commitment/Transfer Packet Checklist (JJ/IS Form 20, September 2006) is incorporated into this rule and is accessible electronically at [http://www.djj.state.fl.us/forms/residential\\_rule63E\\_forms.html](http://www.djj.state.fl.us/forms/residential_rule63E_forms.html).~~

~~(13) Community Safety — Refers to a physically and emotionally safe environment or condition that exists when a community manages behavior so that its members live in peace~~

and mutual respect, with minimal threat of victimization and harm. A residential commitment program promotes community safety by:

1. Implementing strategies that focus on the short-term external control of youth to reduce immediate or imminent risk of harm; and

2. Developing youths' capacity to manage their behavior to deter future victimization.

~~(14)(43) Community Service — A structured public service activity wherein youth contribute to the community and make amends, while developing community awareness and skill competencies.~~

~~(15) Competency Development — Refers to opportunities for youth to obtain and practice social, vocational, employability, academic, and other life skills so he or she is more capable of living responsibly and productively in the community upon release from a residential commitment program.~~

~~(16)(44) Comprehensive Physical Assessment — A comprehensive physical assessment (exam) performed by a physician (MD), osteopathic physician (DO), physician's assistant (PA), or advanced registered nurse practitioner (ARNP). The purpose of this assessment is the establishment of a data point which is used to facilitate the following:~~

~~(a) Identification and treatment of acute, chronic, and functional medical and dental problems;~~

~~(b) Promotion of growth and development;~~

~~(c) Prevention of communicable diseases; and~~

~~(d) Provision of health education.~~

~~(17)(45) Conflict Resolution — A dialogue process wherein all parties involved in a conflict feel safe and have a chance to be heard while working out differences and reaching a reasonable and fair agreement.~~

~~(18)(46) Continuity of Operations Plan (COOP) — For purposes of this rule, a plan that provides for the continuity of mission-essential functions of a residential commitment program in the event an emergency prevents occupancy of its primary physical plant or facility.~~

~~(19)(47) Contracted Provider — An entity contractually providing juvenile services to the department.~~

~~(20)(48) Controlled Observation — An immediate, short-term strategy, not intended as punishment or discipline, wherein a youth in a residential commitment program is placed in a safe and secure room in response to a sudden or unforeseen onset of behavior that substantially threatens the physical safety of others, creating a volatile situation that requires staff to quickly regain control to avert serious injuries, security breaches, or major property destruction.~~

~~(a) The Controlled Observation Report (RS 001, June 2008 ~~September 2006~~), that documents the approval, use and administrative review of each use of controlled observation, is incorporated into this rule and is accessible electronically at [http://www.djj.state.fl.us/forms/residential\\_rule63E\\_forms.html](http://www.djj.state.fl.us/forms/residential_rule63E_forms.html).~~



(b) The Controlled Observation Safety Checks form (RS 002, ~~June 2008~~ ~~September 2006~~), that documents monitoring of youth and their behavior while placed in controlled observation, is incorporated into this rule and is accessible electronically at [http://www.djj.state.fl.us/forms/residential\\_rule63E\\_forms.html](http://www.djj.state.fl.us/forms/residential_rule63E_forms.html).

~~(21)(19)~~ Criminogenic – Refers to the factors or characteristics found in empirical research studies to be predictors of delinquency and recidivism.

(22) Criminogenic Assessment Tool – An assessment tool that is based on factors demonstrated in empirical research to have strong predictive and context validity relative to delinquency, criminogenic need and recidivism and that have been validated and normed on the population to which the instrument is administered.

(23) Delinquency Intervention Services – Those services implemented or delivered by program staff to address youths' performance plan goals.

~~(24)(20)~~ Designated Health Authority – The individual who is responsible for the provision of necessary and appropriate health care to youth in a residential commitment program. Individual Designated Health Authorities must be a physician (MD) or osteopathic physician (DO) who holds a clear and active license pursuant to Chapter 458 or Chapter 459, F.S., respectively, and meets all requirements to practice independently in the State of Florida.

~~(25)(21)~~ Designated Mental Health Authority – A licensed mental health professional who is a psychiatrist licensed pursuant to Chapter 458 or 459, F.S., psychologist licensed pursuant to Chapter 490, F.S., mental health counselor, clinical social worker, or marriage and family therapist licensed pursuant to Chapter 491, F.S., or psychiatric nurse as defined in Section 394.455(23), F.S., who, through employment or contract, is designated as accountable to the facility superintendent for ensuring appropriate coordination and implementation of mental health and substance abuse services in a departmental facility or program.

~~(26)(22)~~ Direct-Care Staff – An employee whose primary job responsibility is to provide care, custody, and control of youth committed to a residential commitment program. This definition includes those who directly supervise staff responsible for the daily care, custody, and control of youth.

~~(27)(23)~~ Disaster Plan – A plan that addresses a residential commitment program's response to potential disaster or emergency situations.

~~(28)(24)~~ Discharge – The release of a youth from a residential commitment program who is no longer under the jurisdiction of the court.

~~(29)(25)~~ DJJ ID Number – A number generated by the Juvenile Justice Information System (JJIS) that is used to identify each youth entered into JJIS.

~~(30)(26)~~ Evidence-based Delinquency Interventions Treatment and Practices – Interventions Treatment and practices, which have been independently evaluated and found to reduce the likelihood of recidivism or at least two criminogenic needs, with a juvenile offending population. The evaluation must have used sound methodology, including, but not limited to, random assignment, use of control groups or matched comparison groups, valid and reliable measures, low attrition, and appropriate analysis. Such studies shall provide evidence of statistically significant positive effects of adequate size and duration. In addition, there must be evidence that replication by different implementation teams at different sites is possible with similar positive outcomes.

~~(31)(27)~~ Exit Conference – A conference that a residential commitment program conducts at least 14 days prior to a youth's targeted release date, wherein the youth, residential program staff, the youth's Juvenile Probation Officer and/or post-residential services counselor, the youth's parent or guardian, and other pertinent parties, review the status of the youth's transitional activities and finalize plans for the youth's release and re-entry into the community.

~~(32)(28)~~ Expedition Program – A wilderness based residential program for committed youth wherein the primary program component is a mobile environmental experience such as a canoe or hiking expedition.

~~(33)(29)~~ Face Sheet – Youth specific demographic information that is generated by the department's Juvenile Justice Information System (JJIS).

~~(34)(30)~~ Facility Entry Physical Health Screening – A standardized initial health screening, conducted at the time of a youth's admission or re-admission to each residential commitment program. The purpose of this screening is to ensure that the youth has no immediate health conditions or medical needs that require emergency services. The Facility Entry Physical Health Screening form (HS 010, May 2007), used to conduct and document the screening, is incorporated into this rule and is available electronically at [http://www.djj.state.fl.us/forms/residential\\_rule63E\\_forms.html](http://www.djj.state.fl.us/forms/residential_rule63E_forms.html).

~~(35)(31)~~ Facility Entry Screening – The gathering of preliminary information used in determining a youth's need for emergency services, further evaluation, assessment, or referral.

~~(36)(32)~~ Grievance Procedure – A procedure for addressing youth grievances in residential commitment programs.

~~(37)(33)~~ High-risk Restrictiveness Level – One of five statutorily authorized restrictiveness levels, defined in Section 985.03(44), F.S., to which courts commit youth to the department.

~~(38)(34)~~ Home Visit – A court-approved, temporary release of a youth from a residential commitment program wherein the youth is under the care, supervision and control of a parent or guardian for a period not to exceed three days before returning to the program.

(a) The Home Visit Plan/Notification form (RS 003, September 2006), that notifies the committing court, the parent or guardian, the Juvenile Probation Officer, and other pertinent parties of a planned home visit and goals for the youth to accomplish during the visit, is incorporated into this rule and is accessible electronically at [http://www.djj.state.fl.us/forms/residential\\_rule63E\\_forms.html](http://www.djj.state.fl.us/forms/residential_rule63E_forms.html).

(b) The Home Visit Plan Approval form (RS 004, September 2006), that the program sends to the committing court with the Home Visit Plan/Notification form to secure the court's approval for the home visit, is incorporated into this rule and is accessible electronically at [http://www.djj.state.fl.us/forms/residential\\_rule63E\\_forms.html](http://www.djj.state.fl.us/forms/residential_rule63E_forms.html).

~~(39)~~(35) Individual Healthcare Record – The unified cumulative collection of records, histories, assessments, treatments, diagnostic tests and other documents which relate to a youth's medical, mental/behavioral, and dental health, and which have been obtained to facilitate care while the youth is in the custody of a detention center or residential commitment program or which document care provided while the youth is in the custody of these facilities.

~~(40)~~(36) Individual Management Record – The organized collection of records and documents that relate to a youth's care, custody and treatment in a residential commitment program, with the exception of records relating to the youth's medical, mental/behavioral, and dental health that comprise the youth's individual healthcare record as defined in this rule.

~~(37) Institutional Review Board (IRB) Process – The department's IRB reviews research proposals that seek access to departmental records or youth in the department's care, custody, or under the department's supervision. The board reviews all aspects of a research proposal and evaluates potential risks and benefits to participating juveniles and the department, as well as the researcher's plan to diminish risks. Based on this evaluation, the IRB makes recommendations to the department's Secretary or his or her designee who decides whether or not the proposal is approved.~~

(41) Intervention and Treatment Team – A multidisciplinary team responsible for implementing the case management process that focuses on planning for and ensuring delivery of coordinated delinquency intervention and treatment services to meet the youth's prioritized needs. The team is comprised of the youth, representatives from the program's administration and residential living unit, and others responsible for delinquency intervention and treatment services for the youth. Refer to the definition of case management process included in this rule section.

~~(42)~~(38) Involuntary Civil Commitment of Sexually Violent Predators: Refers to Sections 394.910 – 394.932, F.S., that sets forth the process that determines if individuals whose offense(s) has been of a sexual nature meet the statutory criteria for civil commitment to the Department of Children and Family Services.

~~(43)~~(39) Jimmy Ryce Act For Violent Sexual Offenders/Residential Program Notification Checklist – A checklist that a residential commitment program sends, along with supporting documents, to the youth's Juvenile Probation Officer to be reviewed by the Department of Children and Family Services to determine eligibility for civil commitment as a sexually violent predator pursuant to Chapter 394, F.S. The Jimmy Ryce Act For Violent Sexual Offenders/Residential Program Notification Checklist form (DJJ/BCS Form 23, February 2005) is incorporated into this rule and is accessible electronically at [http://www.djj.state.fl.us/forms/residential\\_rule63E\\_forms.html](http://www.djj.state.fl.us/forms/residential_rule63E_forms.html).

~~(44)~~(40) Juvenile Justice Information System (JJIS) – The department's electronic information system used to gather and store information on youth having contact with the department.

~~(45)~~(41) Juvenile Probation Officer (JPO) – Serves as the primary case manager for the purpose of managing, coordinating and monitoring the services provided and sanctions required for youth on probation, post-commitment probation or conditional release supervision. In this chapter, whenever a reference is made to the tasks and duties of a JPO, it shall also apply to case management staff of a provider agency contracted to perform these duties and tasks.

(46) Juvenile Sex Offender – A juvenile who has been found by the court under Section 985.35, F.S., to have committed a violation of Chapters 794, 796, and 800, Section 827.071 or Section 847.0133, F.S.

~~(47)~~(42) Length of Stay – Refers to the length of time a youth resides in a residential commitment program or to the designed length of stay for a particular residential commitment program, reflecting the anticipated time it will take most youth placed in the program to successfully complete it.

~~(48)~~(43) Licensed Mental Health Professional – A psychiatrist licensed pursuant to Chapter 458 or 459, F.S., who is board certified in Child and Adolescent Psychiatry or Psychiatry by the American Board of Psychiatry and Neurology or who has completed a training program in Psychiatry approved by the American Board of Psychiatry and Neurology for entrance into its certifying examination, a psychologist licensed pursuant to Chapter 490, F.S., a mental health counselor, marriage and family therapist, or clinical social worker licensed pursuant to Chapter 491, F.S., or a psychiatric nurse as defined in Section 394.455, F.S.

~~(49)~~(44) Low-risk Restrictiveness Level – One of five statutorily authorized restrictiveness levels, defined in Section 985.03(44), F.S., to which courts commit youth to the department.

~~(50)~~(45) Massachusetts Youth Screening Instrument, Second Version (MAYSI-2) – The mental health and substance abuse screening instrument designed to identify signs of mental/emotional disturbance or distress and authorized by the department for use at intake into the juvenile justice system and upon admission to a residential commitment program.

~~(51)~~(46) Maximum-risk Restrictiveness Level – One of five statutorily authorized restrictiveness levels, defined in Section 985.03(44), F.S., to which courts commit youth to the department.

~~(52)~~(47) Moderate-risk Restrictiveness Level – One of five statutorily authorized restrictiveness levels, defined in Section 985.03(44), F.S., to which courts commit youth to the department.

~~(48) Nationally Validated Criminogenic Assessment Tool – An assessment tool that has been demonstrated in national, empirical peer-reviewed research literature to have strong predictive and context validity relative to delinquency and recidivism and that has been validated and normed on the population to whom the instrument is administered.~~

~~(53)~~(49) Notification of Escape – A form used by a residential commitment program to notify law enforcement and the department when a youth escapes or absconds and is away from the facility premises without permission. It provides youth-specific information that might be helpful in locating the youth. The Notification of Escape form (RS 005, September 2006) is incorporated into this rule and is accessible electronically at [http://www.djj.state.fl.us/forms/residential\\_rule63E\\_forms.html](http://www.djj.state.fl.us/forms/residential_rule63E_forms.html).

~~(54)~~(50) Notification of Transfer Staffing – A form letter that a residential commitment program uses to notify a youth's parent or guardian that a transfer staffing or conference has been scheduled to address the youth's potential transfer to another program. The Notification of Transfer Staffing form (RS 006, September 2006) is incorporated into this rule and is accessible electronically at [http://www.djj.state.fl.us/forms/residential\\_rule63E\\_forms.html](http://www.djj.state.fl.us/forms/residential_rule63E_forms.html).

~~(55)~~(51) Official Youth Case Record – A case record, comprised of the individual management record and the individual healthcare record, that a residential commitment program maintains on each youth.

~~(56)~~(52) Off-campus Activity – Any activity that involves youth leaving the residential commitment program's premises.

~~(57)~~(53) Orientation – The process that begins within 24 hours of the youth's admission whereby facility staff inform the youth of the rules, expectations, services, and goals of the residential program.

~~(58)~~(54) Performance Plan – A youth's individualized plan that addresses needed delinquency interventions identified through the assessment process and includes his or her criminogenic risks and needs through measurable goals that the youth is expected to achieve prior to release from a residential commitment program. Any treatment service as defined in this rule section is addressed in a separate treatment plan.

~~(59)~~(55) Performance Summary – A written document used to inform the youth, committing court, the youth's JPO, parent or guardian, and other pertinent parties of the youth's performance in the program, including status of and progress toward performance plan goals, academic status, behavior and

adjustment to the program, significant incidents (positive and negative), and justification for a request for release, discharge or transfer, if applicable. The Performance Summary form (RS 007, September 2006) is incorporated into this rule and is accessible electronically at [http://www.djj.state.fl.us/forms/residential\\_rule63E\\_forms.html](http://www.djj.state.fl.us/forms/residential_rule63E_forms.html).

~~(60)~~(56) Physically Secure – The use of hardware security devices, such as security fences and locks, to ensure that all facility entrances and exits of a residential commitment program are under the exclusive control of program staff, preventing youth from leaving the program without permission.

~~(61)~~(57) Positive Achievement Change Tool (PACT) – A JJIS web-based assessment tool that is scored automatically to determine the risk of a youth to reoffend. The PACT, incorporated into Chapter 63D-5, F.A.C., uses a series of risk factors such as antisocial attitudes, delinquent peers, impulsivity, substance abuse, mental illness or family history that have proven to be related to future offending. As progress is made in the problem areas specific to each child, the PACT is used to calculate and document how the risk level has increased or decreased over time.

~~(62)~~(58) Post-residential Services Counselor – The person supervising the youth's post-commitment probation or conditional release after the youth's release or discharge from a residential commitment program.

~~(63) Practices with Demonstrated Effectiveness – Practices based on general principles, strategies, and modalities reported in criminological, psychological, or other social science research as being effective with a juvenile offending population. These practices must be outlined in a format that ensures consistent delivery by the facilitator across multiple groups.~~

~~(64)~~(59) Predisposition Report (PDR) – Pursuant to Rule 63D-1.002, F.A.C., a multidisciplinary assessment reporting the youth's needs, recommendations as to a classification of risk for the youth in the context of his or her program and supervision needs, and a plan for treatment that recommends the most appropriate placement setting to meet the youth's needs with the minimum program security that reasonably ensures public safety.

~~(65)~~(60) Pre-Release Notification and Acknowledgement – A three-part form initiated by a residential commitment program to give prior notification to the JPO of a youth's planned release, then allows for the JPO to add additional information pertinent to the release, and finally allows for the court's approval of the release. The Pre-Release Notification and Acknowledgement form (RS 008, September 2006) is incorporated into this rule and is accessible electronically at [http://www.djj.state.fl.us/forms/residential\\_rule63E\\_forms.html](http://www.djj.state.fl.us/forms/residential_rule63E_forms.html).

~~(66)(61)~~ Program Director – The on-site administrator of a residential commitment program, whether state or privately operated, who is accountable for the on-site operation of the program.

~~(67)(62)~~ Protective Action Response (PAR) – As defined in Rule 63H-1.002, F.A.C.

~~(68)(63)~~ Protective Action Response (PAR) Certification – As defined in Rule 63H-1.002, F.A.C.

~~(69)~~ Residential Services Management System (RSMS) – A web-based component of JJIS and software application designed to store information pertaining to each residential commitment program's performance that, in the case of a contracted program, reflects the program's compliance with their contract terms and conditions.

~~(70)(64)~~ Release – Refers to when a youth re-enters his or her home community after successfully completing and exiting a residential commitment program.

~~(71)(65)~~ Request for Notification When Youth Is Ready for Release – This form is completed by a residential commitment program and provided to law enforcement when a youth is removed from the program for incarceration in a county jail. The Request for Notification When Youth is Ready for Release form (RS 009, September 2006) is incorporated into this rule and is available electronically at [http://www.djj.state.fl.us/forms/residential\\_rule63E\\_forms.html](http://www.djj.state.fl.us/forms/residential_rule63E_forms.html).

~~(72)(66)~~ Request for Transfer – A form initiated by a residential commitment program to request and justify a transfer of a youth to another program and that allows for approval of the request by a transfer administrator designated by the department. The Request for Transfer form (RS 010, September 2006) is incorporated into this rule and is available electronically at [http://www.djj.state.fl.us/forms/residential\\_rule63E\\_forms.html](http://www.djj.state.fl.us/forms/residential_rule63E_forms.html).

~~(73)(67)~~ Residential Commitment Program – A low-risk, moderate-risk, high-risk, or maximum-risk residential delinquency program for committed youth. Although serious habitual offender programs, intensive residential treatment programs, sex offender programs, sheriff's training and respect programs, and expedition programs are considered residential commitment programs, for purposes of this chapter of this rule, they are excluded.

~~(74)(43)~~ Residential Community – The community within a residential commitment program comprised of its youth, staff, and other service providers.

~~(75)(69)~~ Responsivity – Refers to a youth's amenability to treatment and the capacity to respond to programming due to his or her characteristics, such as gender, mental health status, physical health status, cognitive performance, age, and prior victimization.

~~(76)(70)~~ Restitution – The court-ordered requirement that an adjudicated youth financially compensate his or her crime victim in cash or through performance of a beneficial service.

~~(77)(71)~~ Restrictiveness Level – As defined in Section 985.03, F.S.

~~(78)(72)~~ Sexually Violent Predator (SVP) – As defined in Section 394.912, F.S. For purposes of this chapter of this rule, SVP eligible refers to a youth being subject to the requirements of Sections 394.910 – 394.932, F.S.

~~(79)(73)~~ Staff Secure – The provision of 24-hour awake supervision in a residential commitment program, with staffing levels sufficient to preclude the need for physical security features, such as security fences and locks.

~~(80)(74)~~ Temporary Release – As defined in Section 985.03, F.S.

~~(81)(75)~~ Transfer – For purposes of this rule, the movement of a youth from one residential commitment program to another, at the same, lower or higher restrictiveness level.

~~(82)(76)~~ Transition Conference – A conference, conducted at least 60 days prior to a youth's anticipated release from a residential commitment program, wherein the youth, residential program staff, the youth's JPO and/or post-residential services counselor, and the youth's parent or guardian establish transition activities, with accompanying responsibilities and timelines, to facilitate the youth's successful release and reintegration into the community.

~~(83)(77)~~ Transition Planning – The process of establishing transition activities to facilitate a youth's successful release from a residential commitment program and reintegration into the community.

~~(84)~~ Treatment Plan – For purposes of this rule chapter, a written guide that structures the focus of a youth's short-term or ongoing treatment services in the areas of mental health, substance abuse, developmental disability or physical health services.

~~(85)~~ Treatment Services – Services delivered by clinicians in accordance with a mental health, substance abuse, physical health, or developmental disability treatment plan. This includes implementation of any curriculum specifically designed to be delivered by clinicians.

~~(78)~~ Treatment Team – A multidisciplinary team, comprised of representatives from the program's administrative, educational, vocational, residential, medical, mental health, substance abuse, and counseling components, which assesses each youth to identify needs and risk factors, develops rehabilitative treatment goals, ensures service delivery, and assesses and reports the youth's progress. The youth is a member of the treatment team.

~~(86)(79)~~ Victim – A person who suffers physical, financial or emotional harm as a result of a crime and who is identified on a law enforcement victim notification card, a police report, or other official court record as a victim.

~~(87)(80)~~ Victim Notification of Release – A letter that a residential commitment program sends to the victim, or the next of kin in cases of homicide, or the parent or legal guardian

in cases involving minor victims, prior to any discharge or release, including a temporary release, of a youth whose committing offense meets the criteria for victim notification pursuant to Chapter 960, F.S. The Victim Notification of Release form (RS 011, September 2006) is incorporated into this rule and is accessible electronically at [http://www.djj.state.fl.us/forms/residential\\_rule63E\\_forms.html](http://www.djj.state.fl.us/forms/residential_rule63E_forms.html).

~~(81) Victim Speaker—A victim of a crime who speaks to others about a personal experience as a crime victim and its impact on his or her life.~~

Specific Authority 985.64, 985.601(3)(a), 20.316 FS. Law Implemented 985.601(3)(a), 985.03(44), 985.441(1)(b) FS. History—New 9-30-07, Amended.

#### 63E-7.004 Youth Intake.

(1) through (7) No change.

(8) Based on a review of all documentation and interactions with a newly admitted youth, a residential commitment program shall classify the youth for purposes of assigning to a room or living area. Factors to consider when classifying the youth shall include, at a minimum but are not limited to, physical characteristics including sex, height, weight and general physical stature, gender, age and maturity, size, physical or mental health problems, identified special needs, including mental, developmental or intellectual, and physical disabilities, history of violence, criminal behavior, or sexual aggression or vulnerability to victimization, security risks, identified or suspected risk factors such as medical, suicide, and escape or security risks, and gang affiliations and skill levels.

(9) through (11) No change.

Specific Authority 985.64, 985.601(3)(a), 20.316 FS. Law Implemented 985.601(3)(a), 985.03(44), 985.441(1)(b) FS. History—New 9-30-07, Amended.

#### 63E-7.008 Facility and Food Services.

(1) through (5) No change.

(6) The siting of any new facility or structure for the purpose of operating a residential commitment program shall be in accordance with the following:

(a) Local zoning codes and ordinances per Section 125.01, F.S.;

(b) Provisions as specified in Rule Title 62, F.A.C., pertaining to new construction and site development;

(c) Florida Building Code and Florida Fire Prevention Code pursuant to Section 125.56, F.S.;

(d) Office of State Fire Marshall requirements for new construction pursuant to Section 633.01, F.S.;

(e) Provisions as outlined in Section 985.03(44), F.S., based on the restrictiveness level of the program; and

(f) Additional minimum requirements to include:

1. Sleeping quarters.

a. 35 square feet unencumbered space, defined as usable space that is not encumbered by furnishings or fixtures, per youth in the sleeping quarters, with at least one dimension of the unencumbered space no less than seven feet;

b. One partition for every four youth in shared sleeping areas; and

c. A bed, a mattress that meets the national fire safety performance requirements, a pillow, a desk, a chair or stool, and personal storage space for every youth.

2. 35 square feet per youth for dayroom and multi-purpose room activities;

3. 50 square feet outdoor recreational space per youth;

4. 56.25 square feet per youth for rooms used for educational purposes, with a classroom size based on a maximum of 16 youth;

5. Natural and artificial light to accommodate daily activities of the program;

6. Heating and air conditioning equipment with the capacity to maintain indoor temperatures between 68 and 75 degrees Fahrenheit;

7. Space to accommodate dining, individual counseling, group meetings and other activities involving youth and staff that are integral to the program design; and

8. A closed circuit television system that includes but is not limited to, a color digital recording device. The digital video recorder (DVR) must be capable of a minimum of 30 days recorded event storage within the hard drive, have a minimum setting of eight frames per second, and be capable of remote viewing. Programs with 15 beds or more must have a minimum of 16 camera inputs, and be capable of remote viewing. All equipment must be surge protected and have a universal surge protector backup and be connected to an emergency power supply.

(7) Any facility, building or structure newly leased for the purpose of operating a residential commitment program or any facility or structure whose usage is being changed to house a residential commitment program shall be in accordance with paragraphs 63E-7.008(6)(a), 63E-7.008(6)(c), 63E-7.008(6)(e) and for programs with 15 beds or more, 63E-7.008(6)(f) and 7.008(6)(e)-(f), F.A.C. Additionally, newly leased facilities shall be in accordance with the Office of State Fire Marshall requirements for leased space as specified in Section 633.01, F.S.

(8) through (12) No change.

Specific Authority 985.64, 985.601(3)(a), 20.316 FS. Law Implemented 985.601(3)(a), 985.03(44), 985.441(1)(b) FS. History—New 12-24-07, Amended.

#### 63E-7.009 Behavior Management.

(1) Consistent with its approach to treatment and delinquency intervention treatment approach, a residential commitment program shall establish a behavior management system, utilizing practices with demonstrated effectiveness

~~evidence-based techniques~~, that is responsive to the unique characteristics of the program's population. Only someone with training or experience in behavior management techniques or systems shall develop or modify a program's behavior management system. A program's behavior management system shall foster accountability for behavior and compliance with the residential community's rules and expectations.

(2) A residential commitment program's behavior management system shall be described in writing and designed to:

(a) Maintain order and security;

(b) Promote safety, respect, fairness, and protection of rights within the residential community;

(c) Provide constructive discipline and a system of positive and negative logical consequences to encourage youth to meet expectations for behavior;

(d) Provide opportunities for positive reinforcement and recognition for accomplishments and positive behaviors;

(e) Promote socially acceptable means for youth to meet their needs;

(f) Include a process that addresses the following and is conducted in a manner that accommodates the cognitive capacity of individual youth:

1. Staff explain to the youth the reason for any sanction imposed;

2. The youth is given an opportunity to explain his or her behavior; and

3. Staff and the youth discuss the behavior's impact on others, reasonable reparations for harm caused to others, and alternative acceptable behaviors;

(g) Promote dialogue and peaceful conflict resolution;

(h) Minimize separation of youth from the general population; and

(i) Complement the performance planning process, including coordination with any individual behavior plan when applicable. A copy of an individual behavior plan for any youth who has been identified as a client of the Agency for Persons with Disabilities will be provided to that agency.

(3) through (4) No change.

(5) A moderate-risk, high-risk, or maximum-risk residential commitment program with a bed capacity of 50 beds or more may designate a living unit within the facility as a behavior management unit. The purpose of a behavior management unit is to provide a delinquency intervention and a treatment environment that provides opportunities for youth to make positive changes in behavior that will facilitate progress in his or her overall treatment in the program. Any behavior management unit shall be designed and operated as follows:

(a) The program shall document the following before a youth is placed in a behavior management unit:

1. The youth continues to demonstrate a pattern of maladaptive behavior that is highly disruptive to his or her responsivity to delinquency interventions and treatment, as well as other youths' ongoing rehabilitation treatment, after the program has documented attempts to address the behavior using less restrictive alternative intervention strategies that have proven to be ineffective;

2. The youth is assessed and it is determined that he or she is not a danger to self and there are no identified mental health, physical health or other factors that contraindicate placement; and

3. At least two members of the youth's intervention and treatment team recommends the youth's placement in the behavior management unit, and the program director approves the placement or, in his or her absence, a program management level staff person designated by the program director grants approval.

(b) A behavior management unit's bed capacity shall not exceed 15. The unit may be secure with locking exit doors, but shall not be comprised of secure rooms wherein youth placed in the unit are kept in lock-down status. Sleeping rooms for youth shall have a minimum of 35 square feet of unencumbered space and shall meet the following specifications:

1. Solid core hardwood or metal door with a shatter-resistant observation window;

2. Vents not easily accessible from the toilet, sink or bed that are covered with small mesh or a metal plate (holes no larger than 3/16 inch) with no edges exposed;

3. A mattress that meets national fire safety performance requirements and that is suitable for use on the floor or a suicide-resistant bed;

4. Recessed light fixtures covered with shatter-resistant material or alternative lighting reviewed and approved by the department;

5. Shatter-resistant windows or, if glass windows that are not shatter resistant, covered with security-rated screens or other materials that prevent access to the glass;

6. No electrical outlets; and

7. Electrical switches located outside the sleeping rooms or covered and secured if located inside the rooms.

(c) The staff-to-youth ratio in a behavior management unit shall be at least that provided in the general population and sufficient to operate the unit safely and securely. Staff whose regular assignment is to work in the behavior management unit shall be trained in implementation of the program's behavior management system, as well as specific intervention strategies as needed to implement the behavioral goals for each youth in the unit.

(d) The unit shall provide an intervention and treatment environment that focuses specifically on youths' maladaptive behavior and provides opportunities for the youth to make positive changes in behavior that facilitate progress in their

overall rehabilitation ~~treatment~~. Additionally, the program shall provide basic rights, care and services to any youth in a behavior management unit consistent with the other sections of this rule chapter.

(e) Consistent with the cognitive capacity of each youth placed in the behavior management unit, staff shall engage the youth in a process as follows:

1. Staff shall discuss with the youth the pattern of maladaptive behavior that resulted in placement in the behavior management unit, as well as the consequences of behavior, alternative acceptable behaviors, harm caused to others as a result of the maladaptive behavior and possible reparations.

2. Staff shall advise the youth that release from the behavior management unit is based upon his or her achievement of short-term goals established by the treatment team to address maladaptive behavior. Staff shall also explain that making positive behavior changes while in the behavior management unit will help him or her progress in the overall program.

(f) Reviews and Release.

1. The youth's intervention and treatment team shall review the case within 72 hours of the youth being placed in a behavior management unit. If the ~~treatment~~ team decides to continue the youth's placement in the unit, they ~~team~~ shall develop short-term goals to assist the youth with accountability for behavior and changing or controlling maladaptive behaviors. The youth shall be present when the intervention and treatment team meets and be given an opportunity to give input.

2. Release from the behavior management unit is contingent upon a youth's completion of his or her behavioral goals. While the youth is in the behavior management unit, the intervention and treatment team may revise the youth's behavioral goals to assist him or her in changing the targeted pattern of maladaptive behavior and facilitate release from the unit.

3. If the youth remains in the behavior management unit for 14 days, the intervention and treatment team shall review the youth's progress in attaining the short-term goals to determine whether the youth is to be released or placement continued.

4. Every 72 hours that the youth remains in the behavior management unit after the 14-day review, the intervention and treatment team shall review the youth's progress toward meeting his or her behavioral goals and recommend continued placement or release. At this stage, continued placement requires approval of the program director or, in his or her absence, a management level staff person designated by the program director.

5. If possible, the youth shall participate in all intervention and treatment team reviews, but if not, a representative of the ~~treatment~~ team shall discuss review findings with the youth.

6. The program director or, in his or her absence, a management level staff person designated by the program director, may approve release of a youth from the behavior management unit at any time it is determined that continued placement would be detrimental to the youth's well being.

(g) Mechanical restraints may be used in the behavior management unit only as a last resort and any use shall be pursuant to Rule 63H-1.005, F.A.C., and documented pursuant to Rule 63H-1.007, F.A.C.

(h) A program with a behavior management unit shall establish a system of documentation and record maintenance to include, at a minimum, the following:

1. Ongoing log of placements, including the name of each youth placed, date of placement, date of release, and the name of the program director or designee who approved the placement;

2. Documentation of intervention and treatment team meetings and reviews while the youth is in the behavior management unit, including initial short-term goals and any subsequent modifications, review date and signatures of participants, description of the youth's progress, and recommendations; and

3. Documentation of the program director's or his or her designee's approval of a recommendation for continued placement resulting from any 72-hour review conducted after the youth's 14th day in the unit.

Specific Authority 985.64, 985.601(3)(a), 20.316 FS. Law Implemented 985.601(3)(a), 985.03(44), 985.441(1)(b) FS. History—New 12-24-07, Amended.

63E-7.012 Transfer, Release and Discharge.

(1) No change.

(2) Release.

(a) through (b) No change.

(c) In addition to complying with the provisions of paragraph (2)(a) or (2)(b) of this section of this rule chapter, when planning for the release of any sex offender who is identified on his or her commitment packet as being subject to registration requirements pursuant to Section 943.0435, F.S., a residential commitment program shall take a digitized photograph of the youth within 60 days prior to release. Prior to the youth's release, the program shall provide the digitized photograph to the youth's JPO or, if there is a web camera, the program shall download the youth's photograph into JJIS for inclusion in the youth's file.

(3) through (5) No change.

Specific Authority 985.64, 985.601(3)(a), 20.316 FS. Law Implemented 985.601(3)(a), 985.03(44), 985.441(1)(b) FS. History—New 1-3-08, Amended.

63E-7.013 Safety and Security.

(1) through (6) No change.

(7) Classification of Youth. A residential commitment program shall establish a classification system that promotes safety and security, as well as effective delivery of treatment services, based on determination of each youth's individual needs and risk factors, that addresses, at a minimum, the following:

(a) Classification factors to include, at a minimum, the following:

1. Physical characteristics, including sex, height, weight, and general physical stature;

2. Age and maturity level;

3. Identified special needs, including mental, developmental or intellectual, and physical disabilities;

4. ~~History of violence~~ Seriousness of the current offense, including whether or not the offense was against person or property;

5. ~~Gang affiliations~~ Prior delinquent history and background, including gang affiliation, if applicable;

6. ~~Criminal behavior~~ Current or past involvement in assaultive or aggressive behavior, sexual misconduct, or demonstration of emotional disturbance; and

7. Sexual aggression or vulnerability to victimization; and

8.7. Identified or suspected risk factors, such as medical, suicide, and escape or security risks;

(b) Initial classification of each newly admitted youth for the purpose of assigning him or her to a living unit, sleeping room, and youth group or staff advisor;

(c) Reassessment of a youth's needs and risk factors and reclassification, if warranted, prior to considering:

1. An increase in the youth's privileges or freedom of movement;

2. The youth's participation in work projects or other activities that involve tools or instruments that may be used as potential weapons or means of escape; and

3. The youth's participation in any off-campus activity; and

(d) A continually updated, internal alert system that is easily accessible to program staff and keeps them alerted about youth who are security or safety risks, including escape risks, suicide or other mental health risks, medical risks, sexual predator risks, and other assaultive or violent behavior risks. The program shall design and implement this system to reduce risks by alerting program staff when there is a need for specific follow-up or precautionary measures or more vigilant or increased levels of observation or supervision, and by assisting staff when making treatment or safety and security decisions. Although a direct care, supervisory, or clinical staff may place a youth on alert status if he or she meets the criteria for inclusion in the program's alert system, only the following may recommend downgrading or discontinuing a youth's alert status:

1. A licensed mental health professional or mental health clinical staff person for suicide risks or other mental health alerts;

2. A medical staff person for medical alerts upon verification that the health condition or situation no longer exists; or

3. The program director, assistant program director, or on-site supervisor for security alerts.

(8) through (16) No change.

(17) Escapes. For purposes of this rule, the definition of escape is consistent with Section 985.721, F.S.

(a) When a youth escapes from the facility or escapes from supervised activities away from the facility or while in transit to and from such activities, the program shall report the incident by telephone to law enforcement and the department's Central Communications Center immediately or within a timeframe not to exceed two hours of becoming aware of the escape. The program shall notify the youth's parent or guardian immediately or as soon as is practicable thereafter, with the first attempt at notification being made within a timeframe not to exceed two hours of becoming aware of the escape. Additionally, the program shall telefax the completed Notification of Escape form to the following persons or entities as soon as practicable or within a timeframe not to exceed four hours:

1. Local law enforcement agency having jurisdiction over the locale where the program is sited;

2. The state attorney in the jurisdiction where the delinquency petition was filed;

3. The sentencing judge;

4. The department's residential regional director or designee;

5. The youth's JPO or his or her supervisor; and

6. The youth's parents or legal guardian; and

6.7. Detention screening.

(b) The program shall maintain a separate log that documents each notification, including each person contacted, the date and time of contact, and the program staff making the contact. In addition, all pertinent information relating to the escape shall be documented in the program's daily logbook and the youth's individual management record.

(c) If law enforcement declines to accept a report alleging that a youth has committed the felony offense of escape, the program shall notify the youth's JPO or his or her supervisor who will request the court of jurisdiction to issue an order to take the youth into custody.

(d) If the youth is not apprehended within 48 hours of the escape, the program shall release the youth from the program in the department's JJIS Bed Management System or, if the program does not have direct access to JJIS, shall notify the department's regional commitment manager via telephone.



(e) As soon as possible after the program becomes aware of the youth's apprehension, the program shall advise all parties whom they previously notified of the escape.

(f) The program shall review circumstances pertinent to an escape within 48 hours, cooperate with the department in any review or investigatory activities following an escape, and implement corrective actions as needed to prevent future escapes.

(g) If a youth absconds while on temporary release status and does not return to the program as expected, the program shall contact:

1. The youth's family within four hours of becoming aware of the event to request their assistance in facilitating the youth's return to the program; and

2. The youth's JPO or his or her supervisor to request their assistance in facilitating the youth's return or to expedite issuance of a pick-up order. The program shall make this contact as soon as is practicable, but no later than the end of the same workday in which the program becomes aware of the event if it falls within the traditional workweek or, if not, before the end of the next traditional workday.

(18) through (22) No change.

Specific Authority 985.64 FS. Law Implemented 985.601(3)(a), 985.441(1)(b), 985.03(44) FS. History–New 4-13-08, Amended \_\_\_\_\_.

63E-7.016 Program Administration.

(1) through (2) No change.

(3) A residential commitment program's written description shall, at a minimum, address the following:

(a) The program's delinquency intervention strategy and, if specialized services are provided, the treatment model approach;

(b) Services the program provides; and

(c) The program's service delivery system.

(4) through (7) No change.

(8) A residential commitment program shall update information in the department's Juvenile Justice Information System (JJIS) as follows:

(a) Updates to the Bed Management System to include:

1. Any youth admission, transfer, release or discharge within 24 hours of the event; and

2. Placement of any youth on inactive status within 48 hours of an escape or admission to a juvenile detention center or jail; and

(b) Updates in the Residential Services Monitoring System (RSMS), ~~a web based component of JJIS and software application designed to store information pertaining to each residential commitment program's performance that, in the ease of a contracted program, reflects the program's compliance with their contract terms and conditions.~~

(9) through (14) No change.

Specific Authority 985.64 FS. Law Implemented 985.601(3)(a) FS. History–New 4-13-08, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Pamela Brantley, Residential Services, Policy Development and Planning

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Rex Uberman, Assistant Secretary for Residential Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 19, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 2, 2008

**DEPARTMENT OF HEALTH**

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

RULE NO.: 64B4-5.006  
 RULE TITLE: Probable Cause Panel

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete unnecessary language and to add new language to clarify who will serve on the probable cause panels and when they shall meet.

SUMMARY: The rule amendment will delete unnecessary language and to add new language to clarify who will serve on the probable cause panels and when they shall meet.

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

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

SPECIFIC AUTHORITY: 456.073, 491.004(5) FS.

LAW IMPLEMENTED: 456.073 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: Susan Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B4-5.006 Probable Cause Panel.

(1) through (2) No change.

(3) ~~There shall be two probable cause panels.~~ The Probable Cause Panels shall consist of at least two professional members and one consumer member if one is available and

willing to serve. Any of the appointments may be a past Board member, but at least one must be a current member of the Board.

(4) The probable cause panel members shall be assigned by the Chairman of the Board and each panel shall meet as necessary ~~on an alternating basis.~~

Specific Authority 456.073, 491.004(5) FS. Law Implemented 456.073 FS. History–New 1-3-91, Amended 2-24-93, Formerly 21CC-5.006, 61F4-5.006, 59P-5.006, Amended 8-9-00,\_\_\_\_\_.

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

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Social Work, Marriage and Family Therapy and Mental Counseling

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 8, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 11, 2008

**DEPARTMENT OF HEALTH**

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

RULE NOS.:	RULE TITLES:
64B4-6.002	Approved Courses for Continuing Education
64B4-6.0025	Approved Continuing Education Course for Supervisory Training
64B4-6.004	Approval of Continuing Education Providers

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete unnecessary language and to add language to update and clarify approved courses for continuing education, approved continuing education course for supervisory training and for approved continuing education providers.

SUMMARY: The rule amendment delete unnecessary language and add language to update and clarify approved courses for continuing education, approved continuing education course for supervisory training and for approved continuing education providers.

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

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

SPECIFIC AUTHORITY: 456.013(6), 491.004(5), 491.085 FS.

LAW IMPLEMENTED: 456.013(6), 491.007, 491.0085 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: Susan Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling/MQA, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULES IS:

64B4-6.002 Approved Courses for Continuing Education.

(1) through (3) No change.

(4) Three (3) hours of continuing education credit in risk management may be obtained once per biennium by attending one day of a Board meeting at which disciplinary hearings are conducted by the Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling, in compliance with the following:

(a) through (c) No change.

(5) through (6) No change.

Specific Authority 456.013(6), 491.004(5), 491.0085 FS. Law Implemented 456.013(6), 491.007(2), 491.0085(1) FS. History–New 4-4-89, Amended 10-16-90, 6-19-91, 9-2-91, 8-24-92, Formerly 21CC-6.002, Amended 1-9-94, Formerly 61F4-6.002, Amended 10-4-94, 12-22-94, 1-7-96, 12-29-96, Formerly 59P-6.002, Amended 12-11-97, 2-9-99, 8-9-00, 6-30-02, 7-8-03, 2-8-05, 5-14-06, 12-17-06,\_\_\_\_\_.

64B4-6.0025 Approved Continuing Education Course for Supervisory Training.

The continuing education course required to meet the qualifications for a qualified supervisor pursuant to Section 491.005, F.S., and subparagraphs 64B4-11.007(3)(a)2., paragraph 64B4-21.007(3)(b), and subparagraph 64B4-31.007(3)(a)2., F.A.C., must be offered by a Board approved provider of continuing education and consist of the following:

(1) No change.

(2) It must be 16 clock hours of in person didactic and interactional instruction; and

(3) No change.

Specific Authority 491.004(5), 491.0085 FS. Law Implemented 491.007, 491.0085 FS. History–New 12-29-96, Formerly 59P-6.0025, Amended 12-11-97,\_\_\_\_\_.

64B4-6.004 Approval of Continuing Education Providers.

(1) No change.

(2) Continuing education provider status shall be granted to continuing education providers who satisfy the following requirements:

(a) through (f) No change.

(g) Provide a Statement about what steps would be taken if a course participant submitted a grievance about the course.

(3) through (6) No change.

Specific Authority 491.004(5), 491.0085(1), (3), (4) FS. Law Implemented 491.0085(1) FS. History--New 1-9-94, Formerly 61F4-6.004, Amended 10-2-94, 12-29-96, Formerly 59P-6.004, Amended 12-11-97, 2-9-99, 6-30-02,\_\_\_\_\_.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 8, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 11, 2008

**DEPARTMENT OF HEALTH**

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

RULE NO.: 64B4-10.003  
 RULE TITLE: Psychotherapist – Client Relationship

PURPOSE AND EFFECT: The Board proposes the rule amendment to update language to modify the time frame defining the length of time for the psychotherapist-client relationship.

SUMMARY: The rule amendment will update language to modify the time frame defining the length of time for the psychotherapist-client relationship.

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: 491.004(5), 491.0111 FS.

LAW IMPLEMENTED: 491.0111 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: Susan Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B4-10.003 Psychotherapist – Client Relationship.

A psychotherapist-client relationship is established between a psychotherapist and a person once a psychotherapist renders, or purports to render, clinical social work, marriage and family therapy or mental health services including, but not limited to, psychotherapy, counseling, assessment or treatment to that person. A formal contractual relationship, the scheduling of professional appointments, or payment of a fee for services are not necessary conditions for the establishment of a psychotherapist-client relationship, although each of these may be evidence that such a relationship exists.

(1) No change.

(2) For purposes of determining the existence of sexual misconduct the psychotherapist-client relationship, once established, is deemed to continue for a minimum of 2 years after termination of psychotherapy or the date of the last professional contact with the client. However, beyond that 2 year time period, the mere passage of time since the client’s last visit with the psychotherapist is not the sole determinative of whether or not the psychotherapist-client relationship has been terminated. Some of the factors considered by the Board in determining whether the psychotherapist-client relationship has terminated include, but are not limited to, the following:

- (a) Formal termination procedures;
- (b) Transfer of the client’s case to another psychotherapist;
- (c) The length of the professional relationship;
- (d) The extent to which the client has confided personal or private information to the psychotherapist;
- (e) The nature of the client’s problem; and
- (f) The degree of emotional dependence that the client has on the psychotherapist.

(3) The psychotherapist shall not engage in or request sexual contact with a former client at any time if engaging with that client would be exploitative, abusive or detrimental to that client’s welfare or if the sexual contact is a result of the exploitation of trust, knowledge, influence or emotions, derived from the professional relationship.

(4) A client’s consent to, initiation of, or participation in sexual behavior or involvement with a psychotherapist does not change the nature of the conduct nor lift the prohibition.

Specific Authority 491.004(5), 491.0111 FS. Law Implemented 491.0111 FS. History--New 3-5-90, Formerly 21CC-10.003, 61F4-10.003, 59P-10.003, Amended 5-21-98,\_\_\_\_\_.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 8, 2008  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 7, 2007

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 2, 2008  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 7, 2008

**DEPARTMENT OF HEALTH**

**Board of Osteopathic Medicine**

RULE NO.: 64B15-19.008  
RULE TITLE: Mediation

PURPOSE AND EFFECT: The Board proposes the rule amendment in order include an additional offense which may be mediated.

SUMMARY: An additional offense which may be mediated will be added to the rule.

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

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

SPECIFIC AUTHORITY: 456.078 FS.

LAW IMPLEMENTED: 456.078 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pamela King, Executive Director, Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B15-19.008 Mediation.

(1) No change.

(2) The board finds that the following offenses may be mediated if the offense meets the criteria of Section 456.078, F.S.:

(a) through (e) No change.

(f) Section 459.015(1)(g), F.S., failure to perform any statutory or legal obligation placed upon a licensed osteopathic physician; through a violation of Section 456.072(1)(w), F.S., by failing to comply with the requirements for profiling and credentialing.

Specific Authority 456.078 FS. Law Implemented 456.078 FS. History–New 11-30-94, Formerly 59W-19.008, Amended 5-3-05,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Osteopathic Medicine

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

**FINANCIAL SERVICES COMMISSION**

**OIR – Administration**

RULE NO.: 69N-121.066  
RULE TITLE: Informal Conferences

PURPOSE AND EFFECT: The rule sets out the process the Office is to follow after an examination of an insurer is performed and the Office provides the insurer with a draft of the report of examination. The rule should be repealed as it is unnecessary as the statute is self-explanatory.

SUMMARY: The rule is unnecessary as the statute is self-explanatory.

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: 120.05(5), 120.53, 624.308 FS.

LAW IMPLEMENTED: 120.53, 120.54, 120.56, 120.57, 120.58, 624.307(1), 624.319, 624.324 FS.

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

DATE AND TIME: June 26, 2008, 9:30 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Bob Prentiss, Assistant General Counsel, Office of Insurance Regulation, E-mail: Bob.Prentiss@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 IS: Bob Prentiss, Assistant General Counsel, Office of Insurance Regulation, E-mail: Bob.Prentiss@fldfs.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69N-121.066 Informal Conferences.

Specific Authority 120.05(5), 120.53, 624.308 FS. Law Implemented 120.53, 120.54, 120.56, 120.57, 120.58, 624.307(1), 624.319, 624.324 FS. History—New 1-1-75, Formerly 4-38.37, Amended 2-5-87, Formerly 4-38.037, Amended 12-19-94, Formerly 4-121.066, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Bob Prentiss, Assistant General Counsel, Office of Insurance Regulation, E-mail: Bob.Prentiss@fldfs.com

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Steven H. Parton, General Counsel, Office of Insurance Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 21, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 16, 2005

**FINANCIAL SERVICES COMMISSION**

**OIR – Insurance Regulation**

RULE NOS.:	RULE TITLES:
69O-149.0025	Definitions
69O-149.005	Reasonableness of Benefits in Relation to Premiums
69O-149.006	Actuarial Memorandum

PURPOSE AND EFFECT: To answer questions on health rate filings.

SUMMARY: Section 627.410(6)(b), F.S., states that the Commission may establish by rule procedures to be used in ascertaining the reasonableness of benefits in relation to premium rates. These rules establish such procedures. The rule is being amended to clarify the standards for credibility in using company experience as support for rate filings. Though these standards are in the present rules, the standards have not been stated clearly enough to guarantee that the intent of the existing rule is being met. Consequently, these amendments will tighten up the language.

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

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

SPECIFIC AUTHORITY: 624.308 FS.

LAW IMPLEMENTED: 627.410 FS.

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

DATE AND TIME: June 25, 2008, 9:30 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Gerry Smith, L&H Product Review, Office of Insurance Regulation, E-mail: 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 RULES IS: Gerry Smith, L&H Product Review, Office of Insurance Regulation, E-mail: gerry.smith@fldfs.com

THE FULL TEXT OF THE PROPOSED RULES IS:

69O-149.0025 Definitions.

(1) through (5) No change.

(6) Credible Data:

(a) Except as provided in paragraph (b), if a policy form has 2,000 or more policies in force, then full (100 percent) credibility is given to the experience; if fewer than 500 policies are in force, then zero (0 percent) credibility is given.

(b)1. For policy forms with low expected claims frequency, the data from the fewest number of years, starting with the most recent experience year and looking back year by year as necessary, to accumulate such as accident and long term care at least 1,000 claims, ~~over a period not to exceed the most recent 5-year period~~, shall be assigned 100 percent credibility; 200 claims shall be assigned 0 percent credibility. If 100 percent credibility is not achieved by using the most recent five year period, the data from the most recent five year period only shall be used. The determination of low expected claims frequency is determined at issue and not at different durations of the coverage.

(I) Policy forms that are determined not to be low expected claims frequency forms include, but are not limited to: Medicare Supplement, vision, dental, hospital indemnity, medical expense and other coverage described in Section 627.6561(5), F.S., as creditable coverage.

(II) Policy forms that are determined to be low expected claims frequency forms include, but are not limited to: accident, disability with benefit periods of 24 months or longer, coverage subject to the Long Term Care Insurance Policies Act, s. 627.9401 et. al., cancer, specified disease, and critical illness.

2. For purposes of this section, a claim is counted as the first incidence or diagnosis of an event resulting in a covered benefit or series of covered benefits. It is not each provider encounter or service that may provide care or benefits due to such event.

3. A distinct incident resulting from a recurring chronic condition may be considered as a new claim if the incident triggering the claim is distinct from the incident triggering the prior claim, and the insured had recovered from the prior claim.

(c) Linear interpolation is used for inforce amounts between the low and high values in paragraph (a) or (b).

(d) For group policy forms, the numbers in this definition refer to individual group certificates or subscribers, not policies.

(e) For coverage that is not subject to paragraph (f) below:

1. Florida only experience shall be used if it is 100 percent credible.

2.a. If Florida experience is not 100 percent credible, a combination of Florida and nationwide experience shall be used.

b. The Florida data shall be given the weight of the ratio of the Florida credibility to the nationwide credibility. For example, if Florida data is 10 percent credible and nationwide is 40 percent credible, the Florida data will be given the weight of  $[10\%/40\%]$  25 percent.

c. The nationwide data shall be given the weight of the ratio of the nationwide credibility less the Florida credibility to the nationwide credibility. In the above example, the nationwide data will be given the weight of  $[(40\%-10\%)/40\%]$  75 percent.

d. The data is combined using the indicated weights (in the example above, the experience data would be weighted 25%/75%). The combination of the two weights will always equal 100 percent. A rate change is determined from the blended data. If the nationwide credibility is less than 100 percent, the indicated rate change is weighted by the nationwide credibility (40 percent in the above example) and medical trend, if applicable, by the compliment of the nationwide credibility (60 percent in the above example). If nationwide credibility is 100 percent, there would be no trend component.

3. The analysis in subparagraph 2. above is equivalent to determining the indicated rate increase from the Florida only data and the total nationwide data separately, and then weighting the resulting rate changes from each distinct analysis by the credibility of each distinct component. In the example above, the Florida rate increase would be weighted by 10 percent, the nationwide rate increase would be weighted by 30 percent  $(40\%-10\% = \text{the non-Florida credibility component})$  and trend would be weighted by the complement of the nationwide credibility  $(1-40\%)$  60 percent.

(f) Due to the geographic pricing of medical expense coverage, Florida-only data shall be used. When Florida data is not fully credible, the complement of the experience credibility factor shall be weighted with medical trend.

(7) Durational Loss Ratio Table: The table of annual loss ratios where a loss ratio is the ratio of incurred claims divided by earned premium for each policy duration, by policy duration determined from the original actuarial memorandum when the form was first approved.

(a) No change.

(b) The approved durational loss ratio table is the durational loss ratio table contained in the filing when the form was originally approved, or any subsequent durational loss ratio table filed where the Office explicitly approved the table. The present value of these durational loss ratios is designated as the lifetime target loss ratio.

(8) through (23) No change.

(24) Target Loss Ratio: The lifetime loss ratio and the present value of the durational loss ratios developed in initial pricing projections as may be subsequently amended and approved pursuant to this rule chapter. For annually rated groups, the anticipated loss ratio over the rating period.

Specific Authority 624.308(1), 627.410(6)(b), (e) FS. Law Implemented 627.410(1), (2), (6), 627.411(1)(e) FS. History—New 6-19-03, Formerly 4-149.0025, Amended 5-18-04, 12-22-05,\_\_\_\_\_.

69O-149.005 Reasonableness of Benefits in Relation to Premiums.

(1) No change.

(2) A premium schedule is not excessive if the following are true:

(a) No change.

(b)1. For individual forms, and group policy forms other than annually rated group policy forms, approved on or after 2/1/94 or issued on or after 6/1/94, the Premium Schedule satisfies the following:

a. No change.

b. The current lifetime loss ratio, as defined in subparagraph 69O-149.006(3)(b)24., F.A.C., is not less than the initial filed target loss ratio for the form as may be subsequently amended and approved pursuant to this rule chapter.

2. For annually rated group policy forms, the target loss ratio is not less than the loss ratio anticipated in the current premium schedule, as may be subsequently amended and approved pursuant to this rule chapter.

(c) through (d) No change.

Specific Authority 624.308(1), 626.9611, 627.410(6)(b), (d), (e) FS. Law Implemented 626.9541(1), 627.410(6)(d), (e), 627.410(7), 627.411(1)(a), (e), 627.9175 FS. History—New 7-1-85, Formerly 4-58.05, 4-58.005, Amended 4-18-94, 11-20-02, Formerly 4-149.005, Amended 5-18-04, 11-2-06, 6-18-07,\_\_\_\_\_.

69O-149.006 Actuarial Memorandum.

(1) through (2) No change.

(3) Descriptions.

(a) No change.

(b) The descriptions, by item number, of the terms listed above in subsection (2) follow:

1. through 19. No change.

20. Anticipated Loss Ratio: This section shall provide the anticipated loss ratio and the interest rate(s) used in the determination of the value. The target loss ratio for an annually rated group policy form may be reduced upon demonstration and justification of an increase in administrative costs, but not less than the minimum required standard for the policy form.

a. No change.

b. This section shall also include the current approved durational loss ratio table for the form.

(I) through (III) No change.

(IV) A new table shall produce a lifetime loss ratio at least as great as the lifetime loss ratio developed from the current approved loss ratio table and shall become the lifetime standard or target loss ratio for the form.

(V) No change.

21. through 22. No change.

23. Experience on the Form (Past and Future Anticipated): This section shall display the actual experience on the form and that expected for the future.

a. No change.

b. Future periods where the projected values are based on inforce experience:

(I) The experience period used as the basis for determining projected values shall be clearly indicated.

(II) The experience period shall reflect the most current data available. For forms subject to the credibility standards of paragraph 69O-149.0025(6)(b), F.A.C., the experience period shall be generally the most recent 12 months for coverage subject to medical inflation or, the period of time used to determine credible data pursuant to paragraph subsection 69O-149.0025(6)(b), F.A.C. For other forms, the experience period shall be the period consisting of the most recently completed four (4) calendar quarters, where such period must end at least 45 days before the date of the filing. (For example, the experience period for a filing submitted on August 1 would be April 1 of the prior year through March 31 of the current year. The experience period for a filing submitted on September 1 would be July 1 of the prior year through June 30 of the current present year). Use of other data shall be justified to the office as to why the requisite data is not available or appropriate to use.

(III) through (VIII) No change.

c. through d. No change.

24. through 28. No change.

Specific Authority 624.308(1), 627.410(6)(b), (e) FS. Law Implemented 627.410(1), (2), (6), 627.411(1)(e) FS. History—New 7-1-85, Formerly 4-58.06, 4-58.006, Amended 4-18-94, 4-9-95, 11-20-02, 6-19-03, Formerly 4-149.006, Amended 5-18-04, 11-2-06, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Gerry Smith, L&H Product Review, Office of Insurance Regulation, E-mail: gerry.smith@fldfs.com

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: MaryBeth Senkewicz

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 6, 2007

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

## FINANCIAL SERVICES COMMISSION

### OIR – Insurance Regulation

RULE NO.: RULE TITLE:

69O-149.003 Rate Filing Procedures

PURPOSE AND EFFECT: This rule change is being made to accommodate the rate filing collection system which is currently being developed for Medicare Supplement products. The rule revision is needed to require issuers to submit their rate information using the rate collection system rather than the format of their choice. This is in response to the Legislature in 2007 allocating funds to establish a system to collect Medicare Supplement rates and publish a premium search and comparison tool on the consumer website.

SUMMARY: The Legislature in 2007 allocated funds for the Office to establish a system to collect Medicare Supplement rates and publish a premium search and comparison tool on the Office's consumer website. This tool would allow consumers to shop and compare, online, Medicare Supplemental products from the different insurers. This rule change is being made to adopt the new rate filing collection system which allows this search and comparison tool to work.

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: 624.308(1), 624,424(1)(c), 627.410(6)(b), (e) FS.

LAW IMPLEMENTED: 119.07(1)(b), 624.307(1), 626.9541(1), 627.410 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: July 1, 2008, 2:00 p.m.

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

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

contacting: Gerry Smith, L&H Product Review, Office of Insurance Regulation, E-mail: 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 IS: Gerry Smith, L&H Product Review, Office of Insurance Regulation, E-mail: gerry.smith@fldfs.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69O-149.003 Rate Filing Procedures.

(1) No change.

(2) Filing Format for Individual Policies and Group Policies and Certificates.

(a)1. All filings shall be made in accordance with paragraph (b) below.

2. No change.

(b) A health insurance rate filing shall consist of the following items:

1. A brief letter explaining the type and nature of the filing. The letter shall indicate if the filing is for a new policy form, a benefit revision, a rate revision, justification of existing rates, or a resubmission. If the filing is a resubmission, the letter shall indicate the Florida filing number of the prior filing.

2. Form OIR-B2-1507, "Office of Insurance Regulation Life and Health Forms and Rates Universal Standardized Data Letter" as adopted in Rule 69O-149.022, F.A.C., completely filled out in accordance with Form OIR-B2-1507A, "Office of Insurance Regulation Life and Health Forms and Rates Universal Standardized Data Letter Instruction Sheet" as adopted in Rule 69O-149.022, F.A.C.

3. The actuarial memorandum, completed as required by Rule 69O-149.006, F.A.C.

4. Rate pages that define all proposed rates, rating factors and methodologies for determining rates applicable in the state.

a. For companies that have a complete rate manual on file with the Office, only the pages that are being changed need to be filed, unless requested by the Office.

b. For Medicare Supplement filings, rates must be submitted through the on-line Medicare Supplement Rate Collection System which is part of the i-file system.

(3) Filings shall be submitted electronically to <https://iportal.fldfs.com/>.

(4) through (6) No change.

Specific Authority 624.308(1), 624,424(1)(c), 627.410(6)(b), (e) FS. Law Implemented 119.07(1)(b), 624.307(1), 626.9541(1), 627.410 FS. History—New 7-1-85, Formerly 4-58.03, 4-58.003, Amended 8-23-93, 4-18-94, 8-22-95, 4-4-02, 10-27-02, 6-19-03, Formerly 4-149.003, Amended 5-18-04, 12-22-05,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Gerry Smith, L&H Product Review, Office of Insurance Regulation, E-mail: gerry.smith@fldfs.com

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: MaryBeth Senkewicz

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 22, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 7, 2008

**FINANCIAL SERVICES COMMISSION**

**OIR – Insurance Regulation**

RULE NOS.:	RULE TITLES:
69O-149.003	Rate Filing Procedures
69O-149.005	Reasonableness of Benefits in Relation to Premiums
69O-149.007	Annual Rate Certification (ARC) Filing Procedures

PURPOSE AND EFFECT: To provide more pooling of cancer forms and to make a few clarifications to existing provisions.

SUMMARY: Provides for more spreading of risk in cancer pools. All forms where more than half the benefits are attributable to cancer claims will be pooled, regardless of whether the benefits are paid on an indemnity or an expense basis.

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: 624.424, 627.410 FS.

LAW IMPLEMENTED: 627.9175 FS.

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

DATE AND TIME: June 27, 2008, 9:00 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Gerry Smith, L&H Product Review, Office of Insurance Regulation, E-mail: 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 RULES IS: Gerry Smith, L&H Product Review, Office of Insurance Regulation, E-mail: gerry.smith@fldfs.com

THE FULL TEXT OF THE PROPOSED RULES IS:

690-149.003 Rate Filing Procedures.

(1)(a) Pooling. For purposes of submitting a rate filing under this part for individual policy forms and for group Medicare supplement and long-term care group policy forms, in order to encourage adequate risk sharing for all generations of policyholders, the experience of all policy forms providing similar benefits, whether open or closed, shall be combined.

1. Separate rating pools may be used for policy forms defined in subsections 690-149.005(5) and (6), F.A.C., and for stop-loss insurance policy forms.

2. Once policy forms have been combined, they remain so for all rating purposes, unless otherwise approved by the Office. This combining of the experience of policy forms is referred to as pooling. All policy forms within a pool are reviewed based on the analysis of the aggregate experience.

3. The same percentage rate adjustment shall be applicable to all policy forms within the pool.

4. In lieu of subparagraph 3., above, percentage rate adjustments that are not the same for all policy forms within the pool shall be permitted subject to the following:

a. Resulting premium rate schedules are actuarially equivalent based on benefit differences or different regulatory standards, such as margins or retentions, between the policy forms within the pool;

b. Assumptions used to determine future experience and actuarial equivalence shall be based on the same set of common morbidity assumptions for all policy forms within the pool;

c. Policy forms with existing premium rate schedules not meeting the standards of sub-subparagraphs a. and b. above shall not be required to reduce rates to bring the policy forms into compliance, but any proposed rate adjustment shall be required to improve the relationship of the policy forms' premium rate schedules to bring them closer to compliance with sub-subparagraphs a. and b. above; and

d. Non-uniform rate increases shall be subject to the implementation provisions of sub-sub-subparagraph 690-149.006(3)(b)20.b.(V), F.A.C., on a revenue neutral basis as though a level percentage adjustment had been applied.

5. The experience of policies and policy forms where the rate schedule is not subject to change, such as non-cancellable policy forms and paid up policies, shall not be pooled with policy forms where the rates are subject to change.

6. The rate increase for a Medicare supplement form may be adjusted, on a revenue neutral basis, to mitigate the impact on the refund credit calculation required for the form pursuant

to Rule 690-156.011, F.A.C., where the company can demonstrate that without such adjustment, the rate increase will result in refunds being required.

7. Notwithstanding the provisions of subsection 690-149.0025(22), F.A.C., the experience of all policy forms with at least 50% of anticipated claims costs within the form at the time of the filing attributed to cancer claims and claims related to the cancer treatment shall be combined. This percentage of anticipated claims would be determined over the next projection year. If so indicated, notwithstanding the provisions of subparagraph 690-149.003(1)(a)2., F.A.C., form(s) may be required to move from one pool to another. In such a situation, all experience associated with a form likewise changes pools. When forms are moved into a pool, all forms shall be reevaluated subject to 4. above with any rate increase due to the transfer of experience being phased in over a three year period.

(b) Credibility. In analyzing the experience of policy forms, and to improve the statistical credibility and predictability of anticipated experience, credible data shall be used.

(2) Filing Format for Individual Policies and Group Policies and Certificates.

(a)1. All filings shall be made in accordance with paragraph (b) below.

2.a. For purposes of the rules in this part and the time periods in Section 627.410, F.S., a filing is considered "filed" with the Office upon the receipt of the material required by paragraph (b), on business days between the hours of 8:00 a.m. and 5:00 p.m. eastern time. Filings received after 5:00 p.m. shall be considered to be received the following business day.

b. For purposes of the rules in this Part, the term "filed" does not mean "approved." The term "filed" refers to the date on which the filing is filed with the Office and is the date on which the approval process of Section 627.410, F.S., commences.

c. Filings shall be made on a company distinct basis.

(b) A health insurance rate filing shall consist of the following items:

1. A brief letter explaining the type and nature of the filing. The letter shall indicate if the filing is for a new policy form, a benefit revision, a rate revision, justification of existing rates, or a resubmission. If the filing is a resubmission, the letter shall indicate the Florida filing number of the prior filing.

2. Form OIR-B2-1507, "Office of Insurance Regulation Life and Health Forms and Rates Universal Standardized Data Letter" as adopted in Rule 690-149.022, F.A.C., completely filled out in accordance with Form OIR-B2-1507A, "Office of Insurance Regulation Life and Health Forms and Rates Universal Standardized Data Letter Instruction Sheet" as adopted in Rule 690-149.022, F.A.C.

3. The actuarial memorandum, completed as required by Rule 690-149.006, F.A.C.

4. Rate pages that define all proposed rates, rating factors and methodologies for determining rates applicable in the state. For companies that have a complete rate manual on file with the Office, only the pages that are being changed need to be filed, unless requested by the Office.

(3) Filings shall be submitted electronically to <https://iportal.fldfs.com/>.

(4)(a) Every insurer submitting a rate filing shall be notified as to whether the filing has been affirmatively approved by the Office or has been disapproved by the Office within any statutory review period of the date of receipt of the filing.

(b) Submissions that do not include the required material to meet the definition of a filing, or that include material that is illegible, shall not be accepted and shall be returned as incomplete without processing.

(c) Every insurer submitting a rate filing which does not comply with the requirements of Rules 69O-149.002 through 69O-149.006, F.A.C., or for which the Office determines that additional information is necessary for a proper review, will be notified of the additional information necessary within the statutory limit. Every insurer shall submit the required data by a date certain stated in the clarification letter, to allow the Office sufficient time to perform a proper review. Failure to correct the filing by the date certain in the clarification letter will result in an affirmative disapproval of the filing by the Office.

(5)(a) Insurers with fewer than 1,000 Florida policyholders, under medical expense forms with coverage meeting the definition of Section 627.6561(5)(a)2., F.S., or any form or pooled group of Medicare supplement forms with fewer than 1,000 nationwide policyholders, or medical expense forms with coverage meeting the definition of Section 627.6561(5)(a)2., F.S., may, at their option, file a streamlined rate increase filing where the annualized rate increase does not exceed annual medical trend as provided in subsection (6) below.

(b) The number indicated in paragraph (5)(a) above represents the individual primary insureds and does not include spouses or dependants.

(c) For group coverage, the number indicated in paragraph (5)(a) above represents the individual certificateholders or subscribers.

(d) For Medicare supplement business, this provision applies for each type considered separately: Standard, Pre-standard and Select Medicare supplement coverage.

(e) The filing:

1. Shall be made in accordance with paragraph 69O-149.003(2)(b), F.A.C.; and

2. Shall provide a certification that the filing includes all forms with similar benefits in lieu of the actuarial memorandum referenced in subparagraph 69O-149.003(2)(b)3., F.A.C.

(f) This provision is an option available to the company. The company may choose, at its option, to make a complete filing in accordance with paragraph 69O-149.003(2)(b), F.A.C., including a complete actuarial memorandum in accordance with Rule 69O-149.006, F.A.C.

(6) No change.

Specific Authority 624.308(1), 624.424(1)(c), 627.410(6)(b), (e) FS. Law Implemented 119.07(1)(b), 624.307(1), 626.9541(1), 627.410 FS. History—New 7-1-85, Formerly 4-58.03, 4-58.003, Amended 8-23-93, 4-18-94, 8-22-95, 4-4-02, 10-27-02, 6-19-03, Formerly 4-149.003, Amended 5-18-04, 12-22-05, \_\_\_\_\_.

69O-149.005 Reasonableness of Benefits in Relation to Premiums.

(1) Benefits will be determined to be reasonable in relation to the premium rates charged if the premium schedule is not excessive, not inadequate and not unfairly discriminatory. In determining whether a premium schedule satisfies these requirements, the Office will consider all items presented in the filing with special emphasis placed on the information included in the actuarial memorandum.

(2) A premium schedule is not excessive if the following are true:

(a) For a new policy form, group or individual,

1. The anticipated loss ratio is not less than the indicated adjusted entry in the loss ratio tables, in subsection (4), below.

2. The insurer does not knowingly price any individual rate within the rate schedule to be charged to an insured to be excessive. This requirement does not apply to any group policy where the final premium charged to the employer is an average of the premium charged to the individual members.

(b)1. For individual forms, and group policy forms other than annually rated group policy forms, approved on or after 2/1/94 or issued on or after 6/1/94, the Premium Schedule satisfies the following:

a. An Anticipated Loss Ratio test such that the present value of projected claims is not less than the present value of expected claims over the entire future lifetime of the form. This is equivalent to the present value of the future A/E ratio not being less than 1.0; and

b. The current lifetime loss ratio, as defined in subparagraph 69O-149.006(3)(b)24., F.A.C., is not less than the initial filed loss ratio for the form as may be subsequently amended and approved pursuant to this rule chapter.

2. For annually rated group policy forms, the target loss ratio is not less than the loss ratio anticipated in the current premium schedule, as may be subsequently amended and approved pursuant to this rule chapter.

(c) For an existing Individual Policy Form issued up to 6/1/94 for forms approved prior to 2/1/94, the Premium Schedule satisfies subparagraphs 1. and 2., below:

1. The anticipated Loss Ratio is not less than the initial filed loss ratio; and

2. The current lifetime Loss Ratio is not less than the initial filed loss ratio.

(d) For an existing group policy form issued up to 6/1/94 for forms approved prior to 2/1/94, the anticipated loss ratio is not less than the appropriate adjusted entry in the loss ratio tables in subsection (3), below.

(3) Loss Ratios for Individual Policies and Group Certificates issued up to 6/1/94 for forms approved prior to 2/1/94. The loss ratios in the table in paragraph (d), below, are adjusted pursuant to paragraph (a), (b), or (c), below, where

$$I = (\text{CPI-U, year N-1})/103.9$$

N-1 is the calendar year immediately preceding the calendar year (N) in which the rate filing is submitted in Florida, and

CPI-U is the consumer price index for all urban consumers, for all items and for all regions of the U.S. combined, as determined by the U.S. Department of Labor, Bureau of Labor Statistics; and the CPI-U for any year is the value as of September.

(a) If the average annual premium per individual policy or group certificate, (X), is less than \$ 300xI, then the minimum loss ratio is adjusted to R' by the following formula:  $R' = R \times ((800xI + X)/(1100xI))$ , where the reduction cannot exceed 10 percentage points.

(b) If the average annual premium per individual policy or group certificate, (X) exceeds \$ (I\*2000), then the minimum loss ratio is adjusted to R' by the following formula:  $R' = R \times ((I*9000)+X)/(I*11000)$ . R' cannot exceed R by more than 10 percentage points.

(c) For group insurance certificates, there is an additional adjustment R".

1. For E greater than 0 and less than or equal to 100

$$R'' = R' \times ((550 + E) / 550)$$

2. For E greater than 100

$$R'' = R' \times ((6400 + E) / 5500)$$

3. E is normally the average number of certificateholders in a group rating class.

4. However, where a group is composed of subgroups, e.g., multiple employer trusts, E is the average number of certificateholders per subgroup. Where a group is composed of certificateholders issued as a result of solicitations of individuals through the mail or by mass media advertising, including both print and broadcast advertising, E shall be 50. In no event will R" be greater than 80%. The average annual premium (X) shall be per certificate under a group policy and shall be estimated by the insurer based on an anticipated distribution of business considering all significant criteria having a rate difference. Such estimate shall assume an annual mode for all certificates, i.e., the fractional premium loading shall not affect the average annual premium or anticipated loss ratio calculation. The value of X shall be determined on the basis of the rates being filed.

(d) Loss Ratio Table:

Renewal Clauses	Loss Ratio in %
Optionally Renewable	60
Conditionally Renewable	55
Guaranteed Renewable	55
Non-cancellable	50
Non-renewable	50

(4) Loss Ratios for Individual Policies and Group Certificates approved on or after 2/1/94 or issued on or after 6/1/94. These tables are not applicable to Medicare Supplement or Long-Term Care Policy Forms. The minimum loss ratios for those policy forms are found in Rule Chapters 69O-156 and 69O-157, F.A.C., respectively.

(a) The loss ratios in the tables below are adjusted in accordance with the following formula, where

R = the loss ratio from the table,

A = the average annual premium per individual policy or per group certificate,

R' = the adjusted loss ratio, and

I is as defined in subsection 69O-149.005(3), F.A.C.

Then  $R' = (A-25I)R/A$  and R' cannot be more than 10 percentage points less than R, for coverage with at least 12 months and pro rata for coverage with less than 12 months, nor less than 50 percent; except R' cannot be less than 45 percent as to accident only non-cancellable policies.

(b) Loss Ratio Table – Group Policy Forms

Group Size	Medical Expense Loss Ratio	Medical Indemnity or any policy with an average annual premium per certificate less than \$1000 Loss Ratio
Fewer than 51 certificates	65%	57.5%
51 through 500 certificates	70%	62.5%
All others	75%	67.5%

(c)1. Loss Ratio Table – Individual and Stop-loss Policy Forms.

Renewal Clause	Medical Expense Loss Ratio %	Medical Indemnity, Loss of Income Loss Ratio
Non-Cancellable	55%	50%
Non-Renewable	60%	55%
Guaranteed	65%	60%
Renewable		
All Other	70%	65%
Minimum Acceptable	55%	50%

2. For purposes of determining the minimum required loss ratio for stop-loss policies, the average annual premium for purposes of determining the R' above, shall be the average premium per employee covered by the employer's stop-loss policy.

(5)(a) Group conversion insurance, other than long-term care and medicare supplement insurance, issued on either a group or an individual basis, is exempt from the loss ratios required above.

(b) The loss ratio for group conversion insurance shall not be less than 120 percent.

(c) The insurer may charge the excess of the group conversion loss ratio over that required for group insurance on active lives to the experience for insurance on active lives.

(d) The premium to be charged for group conversion insurance subject to Section 627.6675, F.S., shall not exceed the limits of Section 627.6675(3), F.S., based on the standard risk rates as established in Part X of this rule chapter.

(6) Blanket Insurance is exempt from the loss ratios required above. The minimum loss ratio for blanket insurance is 65%.

(7) As provided by Section 627.411(3)(a), F.S., the minimum loss ratio in the above tables for health insurance coverage as described in Section 627.6561(5)(a)2., F.S., shall be at least 65 percent.

(8) Anticipated loss ratios lower than those otherwise required by this part shall not be permitted unless the insurer demonstrates that the proposed loss ratios are in accordance with sound actuarial principles; do not result in unfair discrimination in sales practices; and are otherwise in substantial compliance with the requirements of this part.

(9) A premium schedule shall not be disapproved on the grounds of inadequacy if:

(a) The expected profit margin on the policy form is non-negative. This margin equals the sum of premium income and investment income, minus the sum of benefit payments, expenses, taxes and contingency margins;

(b) The premium schedule incorporates for the entire future lifetime of the policy, the projected entire effects of insurance trend; and

(c) The premium schedule is determined such that if all assumptions are satisfied, the annual rate increases needed will not be greater than medical trend, as defined in subparagraph 69O-149.006(3)(b)18., F.A.C.

(10) through (14) No change.

(15) Rates charged for periods where a certification has been made to the office that the rates, at the time of the certification, met the standards of Florida law and promulgated rules and which after investigation by the office have been determined to fail to meet such standards, or are for periods where the insurer has failed to make the required annual filing, shall constitute an unfair and deceptive trade practice in violation of Section 626.9541(1)(e), F.S.

(a) In making the determination that the benefits are not reasonable in relationship to the rates charged for any rating period, the office shall make its determination based on the information used and relied upon by the actuary, as well as all company related information and other information that was

readily available to the company's actuary upon using due diligence, which information would provide an impact to the analysis using generally accepted actuarial standards and practices, at the time the certification was made.

(b) For purposes of this rule, the office shall limit its investigation of rates to the period beginning twelve months subsequent to the date of the most recent rate filing, filed under Section 627.410(7)(b)1., F.S., explicitly approved by the office, e.g. the office shall limit its investigation to rates charged after 7/1/07 where the last approved rate was 7/1/06.

(c) If the office determines that such violation has occurred:

1. The insurer may agree that any subsequent rate increase to existing insureds shall be implemented over a period equal to the length of time the rates charged have failed to comply with the provisions of Section 627.410(6) or (7), F.S. and these rules. The rate for any new insured shall be an adequate rate approved by the office.

2. Benefit enhancements, rate reductions, rate credits refunds, or any combination thereof, shall be determined to return the rates to a level that meet the standards of these rules, to be implemented through a filing submitted to the Office for approval within 30 days of the determination by the Office that such a violation has occurred.

(d) If the insurer does not agree to the corrective actions outlined in paragraph (c), then the Office may pursue administrative action and remedies, including the penalties provided by Section 624.418, F.S.

(e) Nothing in this rule effects or limits in anyway the remedies and penalties that are available under Chapter 626, Part IX, F.S.

Specific Authority 624.308(1), 626.9611, 627.410(6)(b), (d), (e) FS. Law Implemented 626.9541(1), 627.410(6)(d), (e), 627.410(7), 627.411(1)(a), (e), 627.9175 FS. History—New 7-1-85, Formerly 4-58.05, 4-58.005, Amended 4-18-94, 11-20-02, Formerly 4-149.005, Amended 5-18-04, 11-2-06, 6-18-07,\_\_\_\_\_.

69O-149.007 Annual Rate Certification (ARC) Filing Procedures.

(1) This rule applies to filings made pursuant to Section 627.410(7)(b)2., F.S., in which no rate change is proposed.

(2) The filings required by this rule shall be on an individual company basis.

(3) This rule is not applicable for Medicare supplement coverage. Medicare supplement forms are subject to Rule 69O-149.003, F.A.C.

(4) Non-cancellable coverages which are no longer available for sale and which have not been sold or marketed for at least 5 years and are in compliance with the reasonableness standards of Rule 69O-149.005, F.A.C., shall be exempt from the filing requirements of this rule. If a company is subsequently discovered not to have met the standards, they shall, in addition to other administrative remedies, be required

to enhance benefits and make premium refunds to bring the form into full compliance with the loss ratio standards of Rule 690-149.005, F.A.C.

(5) An ARC filing shall consist of:

(a) A cover letter indicating the nature of the filing;

(b) Form OIR-B2-1507, as adopted in Rule 690-149.022, F.A.C.; Form OIR-B2-1507, "Office of Insurance Regulation Life and Health Forms and Rates Universal Standardized Data Letter" as adopted in Rule 690-149.022, F.A.C., completely filled out in accordance with Form OIR-B2-1507A, "Office of Insurance Regulation Life and Health Forms and Rates Universal Standardized Data Letter Instruction Sheet" as adopted in Rule 690-149.022, F.A.C.; and

(c) A certification by an actuary, that is in accordance with subparagraph 690-149.006(3)(b)28., F.A.C. In addition, the certification should include a statement that, based on current experience and projection assumptions, rates schedules are not forecast to increase over the next twelve (12) months.

(6) A filing shall include only forms that are pooled together for rating purposes as provided by subsection 690-149.003(1), F.A.C. Separate filings shall be made for separate rating pools.

(7) For noncredible blocks of business on a nationwide basis, the company may request a waiver of the requirement. The request shall be made annually and be accompanied by a letter indicating the nature of the filing, the type of product, and the reason for the request.

(8) When a company using a current rate schedule is unable to demonstrate that the minimum loss ratio standards in Rule 690-149.005, F.A.C., are met, it shall make a rate filing with the Office pursuant to Rule 690-149.003, F.A.C., to reduce rates, enhance benefits, make refunds, or a combination of these to satisfy the standards.

(a) A company may make a certification in compliance with this rule without such change to benefits, refunds, or premiums if the A/E ratio for the past experience periods are, both in pattern and aggregate value, consistently at or in excess of .85; or

(b) For rating pools that are not fully credible, the company may make a certification in compliance with this rule if both the lifetime A/E ratio and the future A/E ratio are at or in excess of .85 when assuming best estimate assumptions in determining projected values.

(c) If the certification in paragraph (a) or (b) is unable to be made, and the company has been in compliance with these rules, the company shall make a rate filing pursuant to Rule 690-149.003, F.A.C., to reduce rates, enhance benefits, make refunds, or a combination of these which shall target a future A/E ratio of at least 1.0.

(9) A company may request exemption from all future ARC filings upon demonstration that the form or rating pool consists only of policy forms which are no longer available for sale and:

(a) The company has no other form with similar benefits that is currently available for sale,

(b) The accumulated experience from inception to date exceeds the required lifetime loss ratio standard for the form,

(c) The present value of future premiums is less than 10 percent of the accumulated value of past earned premiums or the data is 0 percent credible, and

(d) The company certifies that it will not increase premiums in the future.

(10) All filings made pursuant to this rule shall be on a company distinct basis and submitted electronically to <https://iportal.fldfs.com>.

Specific Authority 624.308 FS. Law Implemented 627.410 FS. History—New 5-14-92, Amended 11-20-02, Formerly 4-149.007, Amended 5-18-04, 11-2-06,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Gerry Smith, L&H Product Review, Office of Insurance Regulation, E-mail: [gerry.smith@fldfs.com](mailto:gerry.smith@fldfs.com)

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: MaryBeth Senkewicz

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 6, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 7, 2008

**FINANCIAL SERVICES COMMISSION**

**OIR – Insurance Regulation**

RULE NOS.:	RULE TITLES:
690-157.301	Rate Increase Standards
690-157.302	Facility Only Rates
690-157.303	Home Health Care Only Rates
690-157.304	Comprehensive Only Rates

PURPOSE AND EFFECT: To establish a framework for evaluating rate increases for long term care insurance, and to ensure that the rate increases are not excessive.

SUMMARY: Section 627.9407(7)(c), Florida Statutes, provides that rates charged to an insured for renewal of an existing long term care insurance policy may not exceed the price the insurer charges for newly issued policies. The problem this statute addresses relates to "closed blocks" of business. A closed block of business occurs when a particular approved policy is no longer being sold to new customers. There will be a group of insureds who have the insurance, and they will continue to be renewed, but no new customers will be sold that policy. This statute protects those insureds in that closed block by precluding an insurer from having higher renewal rates than its rates for new business. This new rule implements this statute by defining terms used in the statute and explaining how calculations are to be done so the insurer can be sure it is in compliance with the statute.

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: 627.9408(1) FS.

LAW IMPLEMENTED: 627.031(1)(a), 627.062, 627.9407(7) 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: July 2, 2008, 9:00 a.m.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Gerry Smith, L&H Product Review, Office of Insurance Regulation, E-mail: gerry.smith@fldfs.com

THE FULL TEXT OF THE PROPOSED RULES IS:

690-157.301 Rate Increase Standards.

(1) Rate increase filings for long term care insurance shall be filed in accordance with filing requirements and standards of Rule Chapters 690-149 and 690-157, F.A.C.

(2) The term "policies with similar coverage" has the same meaning as "similar policy forms" as defined in subsection 690-157.103(17), F.A.C.

(3) The footnote following Section 627.9407, F.S., states that Section 11, Ch. 2006-254, L.O.F., provides that "[t]his act shall apply to long-term care insurance policies issued or renewed on or after July 1, 2006. For any long-term care insurance policy issued prior to July 1, 2006, the provisions of [Section 627.94076, F.S.] shall apply to such policy only upon renewal of such policy on or after July 1, 2008, and the policy shall so provide by endorsement to the policy."

(4) Pursuant to the provisions of Section 627.9407(7)(c), F.S., for insurers that are currently actively marketing and issuing similar coverage, the rates resulting after a rate increase filing shall not exceed the insurer's new business rate.

(5)(a) Section 627.9407(7)(c), F.S., requires that the office annually determine and publish the currently available new business rates for similar coverage being sold in Florida. The published new business rates represent the maximum annual rate that may be charged after a rate increase for insurers not currently issuing new coverage.

(b) The published rates shall be determined by first identifying those carriers currently issuing policies with similar coverage. For each of the similar coverage categories, the Florida new business earned premium, defined as first year

premium in Florida, is determined for the prior calendar year. Those insurers reporting at least the top 80% of that earned premium, cumulatively, starting with the largest, will be used to tabulate the new business rate. The new business rate shall be the weighted average of the insurers' rates, using the market share, as measured by first year premium in Florida, as the weight.

(c)1. The new business rates are for the standard underwriting class for the insurer. Standard underwriting class is the underwriting class with the most predominant sales, measured by number of policies, regardless of the name given to it by the insurer.

2. The new business rates for other underwriting classes, as well as for more liberal or more restrictive standards for benefit triggers as defined by Section 627.94074, F.S., or area factors, shall bear the same relationship to the standard rate schedules that the insurer has filed and approved. For example, if an insurer's preferred rate is 85% of its standard rate, the premium limit applicable to the rate increase for business sold as preferred will be 85% of the standard rate schedule.

(d)1. The published new business rates represent the particular benefit configuration listed. If an insurer has policies in force that have benefits different from the benefit used to determine the published rates, including differences in benefit triggers, the insurer may contact the office for the new business rate that reflect the different benefits.

2. The office shall determine the new business rates for the requested benefit configuration in the same manner as it used for determining the published rates. The resulting rates shall be consistent with the published new business rates reflecting benefit differences only.

3. Insurers needing a different benefit configuration should make such request of the office in advance of a rate filing so as to give the office time to determine such rates and provide them to the insurer.

4. If the office is unable to determine the rates by a tabulation of the insurers currently selling similar coverage, the office shall use its best actuarial judgment in determining the new business rates using the information available from the insurers in the 80% market share. Alternatively in such cases, If the Office is unable to determine the new business rates based on the above procedures, at the option of the insurer, the insurer may, at its option, submit the results of a model used to price new long term care products by an actuarial consulting firm currently pricing long term care for other clients, who is independent of the insurer, acceptable to the office, and contracted by the insurer. The assumptions used shall be available to the office for review and approval. The model will be used to develop the new business pricing for the insurer's policy benefit configuration, the new business pricing for the published benefit configuration, and to develop a factor which is the ratio of the insurer's policy benefits to the published benefits. It is noted that the provisions of Section

627.9407(7)(c), F.S., provide that the differences shall be benefit differences only; all other provisions of the two policies being modeled shall be identical. Such factor, representing benefit differences only, shall be used to adjust the published new business rates. Independent, as used in this section, shall mean that the actuarial consulting firm or the actuary to be involved in the project has no relationship currently or for the last three years with the insurers for pricing, valuation, or other reviews.

(e) If the application of this rule results in different increases being applied to different plans within the filing, the requirements of subparagraph 69O-149.003(1)(a)4., F.A.C., shall apply.

~~(f) The published rates apply to sales in Hillsborough County. For all other counties, the rate from the published table should be adjusted by the insurer's current area factor applicable in that county relative to the insurer's area factor in Hillsborough County.~~

~~(g)~~(f) The premium for all additional benefits provided in the policy or by rider to the policy shall be the same proportion of the base rates after any rate change as they were before such change.

Specific Authority 627.9408(1) FS. Law Implemented 627.9407(7) FS. History--New 11-1-07, Amended \_\_\_\_\_.

69O-157.302 Facility Only Rates.

(1) The footnote following Section 627.9407, F.S., states that Section 11, Ch. 2006-254, L.O.F., provides that “[t]his act shall apply to long-term care insurance policies issued or renewed on or after July 1, 2006. For any long-term care insurance policy issued prior to July 1, 2006, the provisions of [Section 627.94076, F.S.] shall apply to such policy only upon renewal of such policy on or after July 1, 2008, and the policy shall so provide by endorsement to the policy.”

(2) The following maximum new business rates are effective for ~~2006 rate increase filings and for 20087 and later~~ rate filings until new rates are published: These annual rates are appropriate for:

- (a) Tax qualified policies;
- (b) A benefit of \$100/day;
- (c) An elimination period of 90 days.
- (d) Policies offering Restoration of Benefits, and
- (e) Sales in Hillsborough County. For all other counties, the rate from this table should be adjusted by the insurer's current area factor applicable in that county relative to the insurer's area factor in Hillsborough County.

(f) Insurers who did not use area factors in the closed blocks for which a rate change is being requested may calculate the new business rate as a weighted average of the Hillsborough and the South Florida area factors, where the weights used are in-force premium by county. For the purposes

of this calculation, the South Florida area factors are those that apply in Broward, Duval and Palm Beach county. The South Florida area factor is equal to 1.00.

(3)(a) Facility Only Rates:

<u>Issue Age</u>	<u>3-Yr Benefit Period</u>	<u>5-Yr Benefit Period</u>	<u>Unlimited Benefit Period</u>
30	\$284.03	\$350.92	\$459.40
31	\$287.49	\$356.69	\$468.20
32	\$291.06	\$362.46	\$477.10
33	\$294.63	\$368.43	\$486.30
34	\$298.31	\$374.41	\$495.60
35	\$301.98	\$380.48	\$505.10
36	\$305.97	\$386.97	\$514.70
37	\$310.07	\$393.46	\$524.50
38	\$314.16	\$400.05	\$534.50
39	\$318.36	\$406.75	\$544.70
40	\$322.67	\$413.65	\$555.00
41	\$326.97	\$420.55	\$565.60
42	\$331.28	\$427.66	\$576.40
43	\$335.69	\$434.87	\$587.40
44	\$340.20	\$442.18	\$598.60
45	\$344.72	\$449.60	\$610.00
46	\$350.81	\$457.76	\$623.20
47	\$357.00	\$468.14	\$636.70
48	\$363.30	\$477.71	\$650.50
49	\$369.71	\$487.50	\$664.60
50	\$376.22	\$497.49	\$679.00
51	\$382.83	\$507.69	\$693.80
52	\$389.55	\$518.09	\$708.80
53	\$396.38	\$528.70	\$724.20
54	\$403.41	\$539.51	\$739.90
55	\$410.55	\$550.54	\$755.90
56	\$440.48	\$588.75	\$809.80
57	\$472.61	\$629.64	\$867.50
58	\$507.05	\$673.31	\$929.30
59	\$543.90	\$720.07	\$995.50
60	\$583.59	\$770.03	\$1,066.40
61	\$626.12	\$823.49	\$1,142.40
62	\$671.79	\$880.65	\$1,223.80
63	\$733.74	\$962.95	\$1,339.80
64	\$801.47	\$1,052.97	\$1,466.80
65	\$865.58	\$1,126.68	\$1,569.48
66	\$934.83	\$1,216.81	\$1,679.34
67	\$1,009.62	\$1,314.16	\$1,796.89
68	\$1,090.38	\$1,419.29	\$1,930.23
69	\$1,211.81	\$1,547.81	\$2,150.64
70	\$1,340.75	\$1,729.87	\$2,396.25
71	\$1,540.77	\$1,933.44	\$2,669.85
72	\$1,735.55	\$2,160.93	\$2,974.77
73	\$1,924.97	\$2,433.75	\$3,335.67
74	\$2,109.14	\$2,740.95	\$3,740.31
75	\$2,346.15	\$3,087.00	\$4,194.18
76	\$2,642.60	\$3,476.81	\$4,702.95
77	\$2,976.56	\$3,915.74	\$5,273.55
78	\$3,282.46	\$4,316.20	\$5,783.13
79	\$3,619.73	\$4,757.64	\$6,342.03
80	\$3,991.68	\$5,244.13	\$6,954.93
81	\$4,401.81	\$5,867.91	\$7,804.10
82	\$4,854.18	\$6,530.20	\$8,685.00
83	\$5,343.31	\$7,198.98	\$9,574.40
84	\$5,881.77	\$7,874.25	\$10,472.40
85	\$6,474.57	\$8,556.00	\$11,379.10
86	\$7,127.00	\$9,704.97	\$12,907.30
87	\$7,845.30	\$10,842.09	\$14,419.60
88	\$8,524.85	\$11,967.26	\$15,916.00
89	\$9,263.27	\$13,080.28	\$17,396.40

Issue Age	3-Yr Benefit Period	5-Yr. Benefit Period	Unlimited Benefit Period
35	\$247.43	\$302.74	\$378.50
45	\$363.53	\$446.70	\$555.75
55	\$522.32	\$646.08	\$810.43
65	\$1,126.33	\$1,406.97	\$1,750.61
75	\$3,073.57	\$3,879.00	\$4,769.07

(b) The insurers used to tabulate the above rates are:

Insurer	Weighing Percentage
Metropolitan Life Insurance Company	25.5%
Bankers Life & Casualty Company	90.3%
Penn Treaty Network America Insurance Company	74.5% 9.7%

Specific Authority 627.9408(1) FS. Law Implemented 627.9407(7) FS. History—New 11-1-07, Amended.

69O-157.303 Home Health Care Only Rates.

(1) The footnote following Section 627.9407, F.S., states that Section 11, Ch. 2006-254, F.S., provides that “[t]his act shall apply to long-term care insurance policies issued or renewed on or after July 1, 2006. For any long-term care insurance policy issued prior to July 1, 2006, the provisions of [Section 627.94076, F.S.] shall apply to such policy only upon renewal of such policy on or after July 1, 2008, and the policy shall so provide by endorsement to the policy.”

(2) The following maximum new business rates are effective for ~~2006 rate increase filings and for 20087 and later~~ rate filings until new rates are published. These annual rates are appropriate for:

- (a) Tax qualified policies;
- (b) A benefit of \$100/day;
- (c) An elimination period of 90 days;
- (d) Policies offering Restoration of Benefits, and
- (e) Sales in Hillsborough County. For all other counties, the rate from this table should be adjusted by the insurer’s current area factor applicable in that county relative to the insurer’s area factor in Hillsborough County.

(f) Insurers who did not use area factors in the closed blocks for which a rate change is being requested may calculate the new business rate as a weighted average of the Hillsborough and the South Florida area factors, where the weights used are in-force premium by county. For the purposes of this calculation, the South Florida area factors are those that apply in Broward, Duval and Palm Beach county. The South Florida area factor is equal to 1.30.

(3)(a) Home Health Care Only Rates:

Issue Age	3-Yr Benefit Period	5-Yr. Benefit Period	Unlimited Benefit Period
30	\$269.87	\$312.28	\$349.95
31	\$269.87	\$312.28	\$349.95
32	\$269.87	\$312.28	\$349.95
33	\$269.87	\$312.28	\$349.95
34	\$269.87	\$312.28	\$349.95
35	\$289.72	\$338.50	\$387.94

36	\$289.72	\$338.50	\$387.94
37	\$289.72	\$338.50	\$387.94
38	\$289.72	\$338.50	\$387.94
39	\$289.72	\$338.50	\$387.94
40	\$322.79	\$378.01	\$432.23
41	\$322.79	\$378.01	\$432.23
42	\$322.79	\$378.01	\$432.23
43	\$322.79	\$378.01	\$432.23
44	\$322.79	\$378.01	\$432.23
45	\$369.28	\$443.74	\$508.03
46	\$369.28	\$443.74	\$508.03
47	\$369.28	\$443.74	\$508.03
48	\$369.28	\$443.74	\$508.03
49	\$369.28	\$443.74	\$508.03
50	\$419.54	\$503.66	\$578.79
51	\$432.77	\$523.33	\$597.70
52	\$452.62	\$536.43	\$623.00
53	\$465.85	\$562.65	\$648.29
54	\$485.87	\$582.50	\$673.50
55	\$529.97	\$636.44	\$726.61
56	\$556.75	\$663.03	\$768.52
57	\$590.32	\$699.83	\$810.60
58	\$630.64	\$749.93	\$865.74
59	\$670.96	\$796.74	\$921.05
60	\$708.00	\$853.39	\$976.28
61	\$754.93	\$903.67	\$1,034.35
62	\$802.05	\$956.95	\$1,095.97
63	\$865.99	\$1,040.67	\$1,184.05
64	\$933.27	\$1,124.47	\$1,281.90
65	\$1,010.63	\$1,214.83	\$1,376.28
66	\$1,087.98	\$1,301.72	\$1,476.97
67	\$1,165.25	\$1,398.64	\$1,583.96
68	\$1,262.76	\$1,515.59	\$1,707.65
69	\$1,366.99	\$1,642.56	\$1,844.12
70	\$1,477.73	\$1,772.81	\$1,986.80
71	\$1,595.09	\$1,912.89	\$2,135.79
72	\$1,712.46	\$2,056.24	\$2,297.47
73	\$1,840.71	\$2,204.01	\$2,445.41
74	\$1,968.78	\$2,355.32	\$2,599.83
75	\$2,106.93	\$2,516.29	\$2,763.85
76	\$2,248.33	\$2,680.72	\$2,930.87
77	\$2,389.72	\$2,848.23	\$3,104.12
78	\$2,571.75	\$3,056.67	\$3,308.54
79	\$2,753.77	\$3,268.58	\$3,519.36
80	\$2,949.12	\$3,483.48	\$3,726.71
81	\$3,151.09	\$3,715.14	\$3,950.13
82	\$3,359.66	\$3,949.80	\$4,179.86
83	\$3,571.71	\$4,188.29	\$4,410.21
84	\$3,793.92	\$4,433.35	\$4,656.64
85	\$4,025.90	\$4,688.13	\$4,899.59
86	\$4,267.96	\$4,952.94	\$5,158.79
87	\$4,513.17	\$5,224.30	\$5,420.66
88	\$4,885.73	\$5,633.61	\$5,792.96
89	\$5,261.44	\$6,049.38	\$6,171.47

Issue Age	3-Yr Benefit Period	5-Yr. Benefit Period	Unlimited Benefit Period
35	\$166.18	\$203.65	\$242.26
45	\$245.38	\$306.44	\$366.65
55	\$369.58	\$455.50	\$548.26
65	\$691.78	\$836.06	\$989.23
75	\$1,318.83	\$1,520.52	\$1,702.93

(b) The insurers used to tabulate the above rates are:

Insurer	Weighing Percentage
Bankers Life & Casualty Company	97.2% 79.2%



Colonial American Life Insurance Company	2.3% <del>20.8%</del>	43	\$434.51	\$552.75	\$733.25		
	0.5%	44	\$445.46	\$558.21	\$740.15		
Penn Treaty Network America Insurance Company		45	\$457.15	\$588.24	\$767.35		
		46	\$469.07	\$593.07	\$782.73		
Specific Authority 627.9408(1) FS. Law Implemented 627.9407(7) FS. History--New 11-1-07, Amended _____.		47	\$474.02	\$599.22	\$790.99		
		48	\$479.33	\$605.50	\$799.51		
69O-157.304 Comprehensive Only Rates.		49	\$492.01	\$611.69	\$822.72		
(1) The footnote following Section 627.9407, F.S., states that Section 11, Ch. 2006-254, L.O.F., provides that "[t]his act shall apply to long-term care insurance policies issued or renewed on or after July 1, 2006. For any long-term care insurance policy issued prior to July 1, 2006, the provisions of [Section 627.94076, F.S.] shall apply to such policy only upon renewal of such policy on or after July 1, 2008, and the policy shall so provide by endorsement to the policy."		50	\$502.21	\$631.63	\$839.32		
		51	\$518.00	\$648.72	\$859.73		
		52	\$533.51	\$674.20	\$887.15		
		53	\$550.58	\$693.44	\$918.49		
		54	\$568.09	\$721.86	\$949.96		
		55	\$588.25	\$733.65	\$980.98		
		56	\$626.56	\$787.13	\$1,040.83		
		57	\$661.34	\$841.03	\$1,109.08		
(2) The following maximum new business rates are effective for <del>2006 rate increase filings and for 20087 and later</del> rate filings until new rates are published. These annual rates are appropriate for:		58	\$705.13	\$905.55	\$1,179.64		
(a) Tax qualified policies;		59	\$741.88	\$954.58	\$1,260.83		
(b) A benefit of \$100/day;		60	\$795.99	\$1,022.36	\$1,336.52		
(c) An elimination period of 90 days;		61	\$852.97	\$1,093.08	\$1,431.38		
(d) Policies offering Restoration of Benefits, and		62	\$919.59	\$1,166.20	\$1,537.41		
(e) Sales in Hillsborough County. For all other counties, the rate from this table should be adjusted by the insurer's current area factor applicable in that county relative to the insurer's area factor in Hillsborough County.		63	\$991.75	\$1,254.51	\$1,661.23		
		64	\$1,059.64	\$1,337.42	\$1,777.18		
		65	\$1,130.19	\$1,414.66	\$1,895.31		
		66	\$1,239.89	\$1,554.84	\$2,083.84		
		67	\$1,369.00	\$1,719.56	\$2,290.03		
		68	\$1,512.16	\$1,894.92	\$2,524.36		
		69	\$1,651.51	\$2,086.98	\$2,776.71		
(f) Insurers who did not use area factors in the closed blocks for which a rate change is being requested may calculate the new business rate as a weighted average of the Hillsborough and the South Florida area factors, where the weights used are in-force premium by county. For the purposes of this calculation, the South Florida area factors are those that apply in Broward, Duval and Palm Beach county. The South Florida area factor is equal to 1.00.		70	\$1,802.07	\$2,295.68	\$3,049.92		
		71	\$2,041.92	\$2,572.02	\$3,414.19		
		72	\$2,293.64	\$2,876.35	\$3,811.27		
		73	\$2,557.01	\$3,196.06	\$4,229.60		
		74	\$2,833.53	\$3,547.08	\$4,682.75		
		75	\$3,132.41	\$3,931.85	\$5,162.40		
		76	\$3,519.05	\$4,396.08	\$5,779.67		
(3)(a) Comprehensive Only Rates:		77	\$3,925.72	\$4,914.88	\$6,453.45		
Issue Age	3-Yr Benefit Period	5-Yr. Benefit Period	Unlimited Benefit Period	78	\$4,344.97	\$5,450.22	\$7,131.36
30	\$357.66	\$452.19	\$592.98	79	\$4,779.15	\$5,988.95	\$7,829.68
31	\$359.27	\$454.73	\$596.13	80	\$5,206.95	\$7,201.34	\$9,704.96
32	\$360.91	\$457.15	\$599.55	81	\$5,695.37	\$7,855.63	\$10,582.32
33	\$362.81	\$467.83	\$610.09	82	\$6,200.20	\$8,560.10	\$11,522.41
34	\$372.25	\$470.36	\$613.92	83	\$6,772.84	\$9,335.36	\$12,551.65
35	\$392.37	\$485.24	\$646.03	84	\$7,380.07	\$10,190.80	\$13,680.13
36	\$394.19	\$495.83	\$656.91	85	\$8,971.35	\$11,276.50	\$15,228.74
37	\$396.24	\$498.95	\$660.88	86	\$10,532.62	\$13,010.62	\$17,716.18
38	\$398.57	\$501.94	\$664.98	87	\$11,566.04	\$14,303.82	\$19,459.57
39	\$408.46	\$505.21	\$669.38	88	\$12,659.68	\$15,643.72	\$21,277.97
40	\$422.18	\$538.84	\$704.43	89	\$13,799.95	\$17,046.75	\$23,185.77
41	\$426.52	\$542.98	\$711.03				
42	\$430.28	\$547.83	\$717.94				

Issue Age	3-Yr Benefit Period	5-Yr. Benefit Period	Unlimited Benefit Period
35	\$332.88	\$414.10	\$574.47
45	\$474.36	\$592.44	\$822.62
55	\$666.65	\$824.77	\$1,151.34
65	\$1,313.19	\$1,640.75	\$2,259.55
75	\$3,288.22	\$4,210.08	\$5,603.51

(b) The insurers used to tabulate the above rates are:

Insurer	Weighting Percentage
<u>Allianz Life Insurance Company of North America</u>	<u>3.3%</u>
Bankers Life & Casualty Insurance Company	<u>4.1%</u> 52.7%
Blue Cross Blue Shield of Florida	<u>8.1%</u> 5.1%
Genworth Life Insurance Company	<u>23.3%</u> 11.5%
Great American Life Insurance Company	9.8%
John Hancock Life Insurance Company	<u>25.5%</u> 14.2%
<u>Metropolitan Life Insurance Company</u>	<u>20.5%</u> 6.7%
<u>New York Life Insurance Company</u>	<u>3.0%</u>
<u>Northwestern Long Term Care Insurance Company</u>	<u>3.6%</u>
<u>Provident Life &amp; Accident Insurance Company</u>	<u>3.1%</u>
<u>Unum Life Insurance Company of America</u>	<u>5.5%</u>

Specific Authority 627.9408(1) FS. Law Implemented 627.9407(7) FS. History—New 11-1-07, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Gerry Smith, L&H Product Review, Office of Insurance Regulation, E-mail: gerry.smith@fldfs.com

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: MaryBeth Senkewicz

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 28, 2007

**FINANCIAL SERVICES COMMISSION**

**OIR – Insurance Regulation**

RULE NOS.:	RULE TITLES:
690-220.001	Pre-Qualification and Licensure of Emergency Adjusters
690-220.051	Conduct of Public Adjusters
690-220.201	Ethical Requirements

PURPOSE AND EFFECT: Repealing Chapter 690-220, F.A.C., establishes the Department of Financial Services as the administrative agency responsible for regulating these laws, and eliminates confusion over whether the Office of Insurance Regulation or the Department of Financial Services is the regulatory agency for these issues.

SUMMARY: When the Department of Insurance (DOI) was reorganized into the Office of Insurance Regulation (OIR) and the Department of Financial Services (DFS), the regulation of insurance adjusters, Chapter 626, Part VI, F.S., was assigned to DFS. All DOI rules became rules of either DFS, OIR or both agencies. The rules regulating adjusters, rule Chapter 4-144, F.A.C., were assigned to both agencies, for joint administration.

The Office has determined that only DFS has regulatory authority over adjusters, pursuant to Chapter 626, Part VI, F.S.; OIR does not have any authority. Nor does the Commission have any authority to promulgate rules to regulate adjusters. Consequently, this OIR rule chapter needs to be repealed. DFS actively regulates the adjusters and has rules implementing the applicable statutes.

SUMMARY: Rule 690-220.001, F.A.C., states default rules for licensure of emergency adjusters, including methods and timelines for filing applications. Rule 690-220.051, F.A.C., declares policies and regulations regarding solicitation and advertising by public adjusters. Rule 690-220.201, F.A.C., establishes a Code of Ethics for insurance adjusters, requiring disclosures of financial interests, unbiased reports, and equal treatment of claimants, among other obligations.

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: 626.874 FS.

LAW IMPLEMENTED: 624.307(1) FS.

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

DATE AND TIME: June 26, 2008, 1:30 p.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Laura Parsons, Assistant General Counsel, Office of Insurance Regulation, E-mail: Laura.Parsons@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 RULES IS: Laura Parsons, Assistant General Counsel, Office of Insurance Regulation, E-mail: Laura.Parsons@fldfs.com

THE FULL TEXT OF THE PROPOSED RULES IS:

69O-220.001 Pre-Qualification and Licensure of Emergency Adjusters.

Specific Authority 624.308(1) FS. Law Implemented 624.307(1), 626.8732, 626.8734 FS. History–New 2-25-93, Amended 8-18-94, 1-7-97, 10-20-97, 1-9-03, Formerly 4-220.001, Repealed.

69O-220.051 Conduct of Public Adjusters.

Specific Authority 624.308(1), 626.9611 FS. Law Implemented 624.307(1), 626.112(1), 626.865(2), 626.874, 626.9541(1)(b), (i) FS. History–New 4-26-94, Amended 12-18-01, Formerly 4-220.051, Repealed.

69O-220.201 Ethical Requirements.

Specific Authority 624.308, 626.878, 626.9611 FS. Law Implemented 624.307(1), 626.611, 626.621, 626.865(2), 626.878, 626.9541(1)(i) FS. History–New 6-2-93, Amended 12-18-01, Formerly 4-220.201, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Laura Parsons, Assistant General Counsel, Office of Insurance Regulation, E-mail: Laura.Parsons@fldfs.com

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Steven H. Parton, General Counsel, Office of Insurance Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 7, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 9, 2003

**FINANCIAL SERVICES COMMISSION**

**Residual Markets and Special Risk Pools**

RULE NOS.:	RULE TITLES:
69P-2.001	Purpose
69P-2.002	Adoption of Property and Casualty Risk Apportionment Plan

PURPOSE AND EFFECT: In Special Session in January, 2007, the legislature, in House Bill 1A, § 22 deactivated the Property and Casualty Joint Underwriting Association (PCJUA).

SUMMARY: In accordance with the House Bill 1A, § 22, all policies in the PCJUA were assumed by Citizens Property Insurance Corporation (Citizens). Consequently, this rule, which is the Plan of Operation of the PCJUA, needs to be repealed.

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

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

SPECIFIC AUTHORITY: 627.351 FS.

LAW IMPLEMENTED: 627.351 FS.

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

DATE AND TIME: June 24, 2008, 9:30 a.m.

PLACE: 143 Larson Building, 200 East Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Belinda Miller, P&C Product Review, Office of Insurance Regulation, E-mail: belinda.miller@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 RULES IS: Belinda Miller, P&C Product Review, Office of Insurance Regulation, E-mail: belinda.miller@fldfs.com

THE FULL TEXT OF THE PROPOSED RULES IS:

69P-2.001 Purpose.

Specific Authority 627.351 FS. Law Implemented 627.351 FS. History–New 8-13-89, Formerly 4-87.001, 4J-2.001, Amended 11-21-06, Repealed.

69P-2.002 Adoption of Property and Casualty Risk Apportionment Plan.

Specific Authority 624.308(1), 627.351(5) FS. Law Implemented 624.307(1), 627.351(5) FS. History–New 8-13-89, Amended 8-18-91, Formerly 4-87.002, Amended 10-9-94, 5-26-96, Formerly 4J-2.002, Amended 11-21-06, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Belinda Miller, P&C Product Review, Office of Insurance Regulation, E-mail: belinda.miller@fldfs.com

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Belinda Miller, P&C Product Review, Office of Insurance Regulation, E-mail: belinda.miller@fldfs.com

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 11, 2006

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NOS.:	RULE TITLES:
6A-6.03028	Development of Individual Educational Plans for Students with Disabilities
6A-6.030281	Development of Services Plans for Students with Disabilities Enrolled in Private School by Their Parents and Provided with Specially Designed Instruction and Related Services by the Local School Board
6A-6.0331	Identification and Determination of Eligibility of Exceptional Students for Specially Designed Instruction
6A-6.03311	Procedural Safeguards for Students with Disabilities
6A-6.03312	Discipline Procedures for Students with Disabilities
6A-6.03314	Procedural Safeguards for Students with Disabilities Enrolled in Private Schools by Their Parents
6A-6.0333	Surrogate Parents
6A-6.0334	Temporary Assignment of Transferring Exceptional Students
6A-6.03411	Policies and Procedures for the Provision of Specially Designed Instruction and Related Services for Exceptional Students

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule published in Vol. 34, No. 21, May 23, 2008 issue of the Florida Administrative Weekly.

The date and time of the public hearing on Rules 6A-6.03028, 6A-6.030281, 6A-6.0331, 6A-6.03311, 6A-6.03312, 6A-6.03314, 6A-6.0333, 6A-6.0334 and 6A-6.03411 was inadvertently omitted. The public hearing will be held:

DATE AND TIME: June 17, 2008, 8:30 a.m.

PLACE: Tampa Airport Marriott, Tampa, Florida

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

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NO.:	RULE TITLE:
62-304.726	Pompano Canal TMDL

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to proposed rule published in Vol. 34, No. 13, March 28, 2008 issue of the Florida Administrative Weekly.

The Notice of Proposed Rule was published as Rule 62-304.725, Southeast Coast Basin TMDLs, and has been changed to Rule 62-304.726, Pompano Canal TMDL

**DEPARTMENT OF HEALTH**

**Board of Nursing Home Administrators**

RULE NO.:	RULE TITLE:
64B10-11.0011	Mandatory HIV/AIDS and Prevention of Medical Education for Initial Licensure and Renewal

**NOTICE OF WITHDRAWAL OF RULE DEVELOPMENT**

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 12, on March 21, 2008, Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Mental Health Program**

RULE NOS.:	RULE TITLES:
65E-9.001	Applicability
65E-9.002	Definitions
65E-9.003	Licensure
65E-9.005	Operating Standards
65E-9.006	Program Standards
65E-9.007	Staffing
65E-9.008	Admission
65E-9.009	Treatment Planning
65E-9.011	Discharge and Discharge Planning
65E-9.012	Rights of Children
65E-9.013	Restraint, Seclusion, and Time Out

**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. 16, April 18, 2008 issue of the Florida Administrative Weekly, and Notice of Change published in Vol. 34, No. 20, May 16, 2008.

THE PRELIMINARY TEXT OF THE PROPOSED RULE IS:

## 65E-9.001 Applicability.

These rules shall apply to all residential treatment centers, including therapeutic group homes under contract with the department or the agency to provide treatment services to children with an emotional disturbance or serious emotional disturbance who are admitted to services pursuant to Chapter 39 or Chapter 394, F.S. These rules shall also apply to providers that serve children through age 20 who are committed under Section chapter 985.19 223, F.S.

Specific Authority ~~39.407~~, 394.875(8)(40) FS. Law Implemented 394.875 FS. History–New 7-25-06, Amended.

## 65E-9.002 Definitions.

(1) through (21) No change.

(22) “Multidisciplinary team” means the group of individuals brought together to plan and coordinate mental health and related services to meet the needs of the child and their family in the most appropriate, and least restrictive setting. Members of the team should include the child, unless clinically contraindicated, the child’s parent or legal guardian and other caregivers, such as: the foster parent; the child welfare service worker; the child’s therapist; the child’s behavioral analyst; the child’s Individual Education Plan surrogate; and others who have information or services to offer for the child’s treatment plan.

(22) through (27) renumbered (23) through (28) No change.

~~(28) “Residential treatment center” means a 24-hour residential program, including a therapeutic group home which provides mental health treatment and services to children as defined in Section 394.492(2) or (6), F.S., and which is a private for profit or not for profit corporation, under contract with the department or the agency. This rule does not change the Chapter 419, F.S., designation of a program as a “community residential home.”~~

(28) through (38) renumbered (29) through (39) No change.

Specific Authority ~~39.407~~, 394.875(8)(40) FS. Law Implemented 394.875 FS. History–New 7-25-06, Amended.

## 65E-9.003 Licensure.

(1) through (3) No change.

(4) Initial license – New construction, new operation, or change of licensed operator. Applicants for an initial license shall submit ~~the most current a completed~~ AHCA Form 3180-5004, ~~June 2004~~, “Residential Treatment Centers for Children and Adolescents,” dated 1/2008, which is incorporated by reference and may be obtained from the agency. The application must be submitted to the agency at least 60 days prior to the date the facility would be available for inspection. The applicant shall provide all the information required by Sections 394.875 and 394.876, F.S., and any other information determined to be needed by the agency. The

application shall be under oath and must be accompanied by the appropriate license fee in order to be accepted and considered timely. The following information shall be submitted with the application.

(a) through (g)8. No change.

~~9. A copy of the current signed contract with the department.~~

~~9.10. For~~ Facilities that would be considered a community residential home under Chapter 419, F.S., who are being licensed for the first time or existing facilities that have changed location or ownership shall provide a completed Community Residential Home Affidavit of Compliance Form, dated August 2006 DCF Form 1786, “Community Residential Home Sponsor Form,” which is incorporated by reference and may be obtained on the agency’s website ~~from the department.~~ [http://ahca.myflorida.com/MCHQ/Long\\_Term\\_Care/Assisted\\_living/afc/CRH\\_InterimAffidavit%20afch\\_3.pdf](http://ahca.myflorida.com/MCHQ/Long_Term_Care/Assisted_living/afc/CRH_InterimAffidavit%20afch_3.pdf). For all other residential treatment centers, being licensed for the first time or who have changed location or ownership shall provide a report or letter from the zoning authority dated within the last six months indicating the street location is zoned appropriately for its use.

~~10.H.~~ A copy of the center’s occupational license.

(5) through (7)(a) No change.

(b) All applicants shall submit an application on the most current version of AHCA Form 3180-5004, dated 1/2008 ~~June 2004~~, “Residential Treatment Centers for Children and Adolescents Application”, which is incorporated by reference, which is provided by the AHCA. The application is available on the agency’s web site at [http://www.ahca.ahca-myflorida.com/MCHQ/Health\\_Facility\\_Regulation/Hospital\\_Outpatient/index.shtml](http://www.ahca.ahca-myflorida.com/MCHQ/Health_Facility_Regulation/Hospital_Outpatient/index.shtml). The application shall include: all information required by Sections 394.875 and 394.876, F.S., and any other information determined to be needed by the agency; and

(c) through (18) No change.

Specific Authority ~~39.407~~, 394.875(8)(40) FS. Law Implemented 394.875 FS. History–New 7-25-06, Amended.

## 65E-9.004 Administrative Enforcement.

(1) through (3) No change.

Specific Authority ~~39.407~~, 394.875(8)(40) FS. Law Implemented 394.875 FS. History–New 7-25-06, Amended.

## 65E-9.005 Operating Standards.

(1) through (3)(d) No change.

(e) Fees. ~~A For children placed by the department and funded in full or in part by state, Medicaid, or local matching funds,~~ a sliding fee schedule shall be developed consistent with the provisions Rule 65E-14.018, F.A.C. Section 394.674(4), F.S. If fees are charged, the provider shall have a written policy describing the relationships between fees and services

provided and the conditions under which fees are charged or waived. This policy shall be available to any person upon request.

(f) through (9) No change.

(10) Disaster and emergency preparedness.

(a) EMERGENCY PLAN COMPONENTS. Each facility shall prepare a written comprehensive emergency management plan in accordance with CF-MH 1065, "Emergency Management Planning Criteria for Residential Treatment Facilities," dated 08/2007, which is incorporated by reference. This document is available on the Department's website at <http://www.dcf.state.fl.us/publications/eforms/mh1065>. The comprehensive emergency management plan must, at a minimum address the following: ~~The provider shall develop and implement on an ongoing basis procedures for fire and other emergencies including bomb threats, weather emergencies such as tornadoes and hurricanes. Disaster preparedness and evacuation procedures, that address where and how children are transported during disasters, staffing, notification of families and the department, and how the provider shall obtain and provide general and specialized medical, surgical, psychiatric, nursing, pharmaceutical, and dental services, shall be reviewed and approved by the county emergency management agency where the facility is located.~~

1. Provision for all hazards.

2. Provision for the care of residents remaining in the facility during an emergency including pre-disaster or emergency preparation; protecting the facility; supplies; emergency power; food and water; staffing; and emergency equipment.

3. Provision for the care of residents who must be evacuated from the facility during an emergency including identification of such residents and transfer of resident records; evacuation transportation; sheltering arrangements; supplies; staffing; emergency equipment; and medications.

4. Provision for the care of additional residents who may be evacuated to the facility during an emergency including the identification of such residents, staffing, and supplies.

5. Identification of residents with mobility limitations who may need specialized assistance either at the facility or in case of evacuation.

6. Identification of and coordination with the local emergency management agency.

7. Arrangement for post-disaster activities including responding to family inquiries, obtaining medical intervention for residents; transportation; and reporting to the county office of emergency management the number of residents who have been relocated and the place of relocation.

8. The identification of staff responsible for implementing each part of the plan.

(b) Evacuation routes shall be posted in conspicuous places and reviewed with staff and children on a semi-annual basis. Evidence of these periodic reviews shall be maintained in the facility's files and available upon request.

(c) EMERGENCY PLAN APPROVAL. The plan shall be submitted for review and approval to the county emergency management agency.

1. Any revisions must be made and the plan resubmitted to the county office of emergency management within 30 days of receiving notification from the county agency that the plan must be revised.

2. Newly-licensed facility and facilities whose ownership has been transferred, must submit an emergency management plan within 30 days after obtaining a license.

3. The facility shall review its emergency management plan on an annual basis. Any substantive changes must be submitted to the county emergency agency for review and approval.

a. Changes in the name, address, telephone number, or position of staff listed in the plan are not considered substantive revisions for the purposes of this rule.

b. Changes in the identification of specific staff must be submitted to the county emergency management agency annually as a signed and dated addendum that is not subject to review and approval.

4. Any plan approved by the county emergency management agency shall be considered to have met all the criteria and conditions established in this rule.

(d) PLAN IMPLEMENTATION. In the event of an internal or external disaster the facility shall implement the facility's emergency management plan in accordance with Section 252.356 F.S. Section 252.36, F.S.

1. All staff must be trained in their duties and are responsible for implementing the emergency management plan.

2. If telephone service is not available during an emergency, the facility shall request assistance from local law enforcement or emergency management personnel in maintaining communication.

(e) FACILITY EVACUATION. The facility must evacuate the premises during or after an emergency if so directed by the local emergency management agency.

1. The facility shall report the evacuation to the local office of emergency management or designee and to the area Department of Children Mental Health Program Office within six hours of the evacuation order and when the evacuation is complete if the evacuation is not completed within the six hour period.

2. The facility shall not be re-occupied until the area is cleared for reentry by the local emergency management agency or its designee and the facility can meet the immediate needs of the residents.

3. A facility with significant structural damage must relocate residents until the facility can be safely re-occupied.

4. The facility is responsible for knowing the location of all residents until the resident has been relocated from the facility.

5. The facility shall provide the agency with the name of a contact person who shall be available by telephone 24-hours a day, seven days a week, until the facility is re-occupied.

6. The facility shall assist in the relocation of residents and shall cooperate with outreach teams established by the Department of Health or emergency management agency to assist in relocation efforts. Resident needs and preferences shall be considered to the extent possible in any relocation decision.

(11) No change.

Specific Authority ~~39.407, 394.875(8)(40)~~ FS. Law Implemented 394.875 FS. History—New 7-25-06, Amended.

65E-9.006 Program Standards.

(1) through (2)(c) No change.

(3) Treatment and services.

(a) Treatment shall be individualized, child and family centered, culturally competent, and based on the child’s assessed strengths, needs, and presenting problems that precipitated admission to the program.

(b) Treatment services shall be provided as part of an individualized written treatment ~~services~~ plan that complies with Rule 65E-9.009, F.A.C., of this rule.

(c) through (4)(g) No change.

(5) Education. The provider shall arrange for or provide an educational program for children, that complies with the State Board of Education, Rule 6A-6.0361, F.A.C., hereby incorporated by reference. Chapter 65A-15, F.A.C.

(6) through (12) No change.

Specific Authority ~~39.407, 394.875(8)(40)~~ FS. Law Implemented 394.875 FS. History—New 7-25-06, Amended.

65E-9.007 Staffing.

(1) through (2) No change.

(3) Staff Composition. The provider shall have the following staffing, any of which may be part-time, if the required equivalent full-time coverage is provide, except for those positions with a required specified staffing ratio:

(a) Psychiatrist.

1. For residential treatment centers, the provider shall have on staff or under contract a psychiatrist, licensed under Chapter 458, F.S., who is board certified or board eligible in child and adolescent psychiatry to serve as medical director for the program and such position shall oversee the development and revision of the treatment plan and the provision of mental health services provided to children. A similarly qualified psychiatrist who consults with the board certified psychiatrist

may provide back-up coverage. A psychiatrist shall be on call 24 “hours a day”, seven “days-a-week”, and shall participate in staffings. For children committed under Section 985.19.223, F.S., a psychologist as defined in paragraph 65E-9.007(3)(d), F.A.C., may be used in lieu of the medical director to oversee the development and revision of the treatment plan and the provision of mental health services provided to children.

(a)2. through (b) No change.

(c) Registered nurse.

1. ~~A registered nurse shall supervise the nursing staff. For residential treatment centers that use seclusion or restraint in their program, a registered nurse shall supervise the nursing staff. At a minimum, a licensed practical nurse shall be on duty 24 hours a day, 7 days a week.~~ During the times that the children are present in the facility and normally awake, the nursing staff to child ratio shall be no less than 1:30, and during normal sleeping hours, the nursing staff to child ratio shall be no less than 1:40.

2. For therapeutic group homes ~~residential treatment centers~~ that do not use restraint or seclusion in their program, the provider is not required to have a registered nurse or other nursing staff on duty, but shall have definitive written agreements for obtaining necessary nursing services.

(d) through (e)4. No change.

5. While transporting residents of residential treatment centers other than group homes, the driver shall not be counted as the direct care staff providing care, assistance or supervision of the child. For therapeutic group home residents, prior to a single staff person transporting one or more children in a motor vehicle, children must be assessed to ensure the safety of the children and staff.

(f) If the provider’s program includes behavior analysis services, a certified behavior analyst, a master’s level practitioner, or professionals licensed under Chapter 490 or 491, F.S., with documented training and experience in behavior management program design and implementation shall be employed on staff or under contract, either full or part time, to provide ongoing staff training and quality assurance in the use of the behavior management techniques, which may include, but are not limited to those listed in paragraph 65E-9.007(5)4.c.(e), F.A.C.

(g) through (6) No change.

Specific Authority ~~39.407, 394.875(8)(40)~~ FS. Law Implemented 394.875 FS. History—New 7-25-06, Amended.

65E-9.008 Admission.

(1) Admission procedures subsections (3) through (6) do not apply to children placed in accordance with Section 985.19, F.S. The following admission procedures do not apply to children placed in accordance with Chapter 985, F.S.

(2) No change.

(3) Acceptance of a child for residential treatment in a residential treatment center, including therapeutic group home, ~~(excluding children placed under Chapter 985, F.S.)~~ shall be based on the assessed needs of the child, family, or guardian recommendations, and the determination that the child requires treatment of a comprehensive and intensive nature and the provider's ability to meet those needs.

(4) Children placed by the department ~~(excluding children placed under Chapter 985, F.S.)~~ and funded in full or in part by state, Medicaid, or local matching funds shall be admitted only after they have, on recommendation of the appropriate multidisciplinary team, been personally examined and assessed for suitability for residential treatment. For children in departmental custody, the assessment must be by a qualified evaluator as defined in Section 39.407(6)(b), F.S. Children in parental custody must be assessed by a clinical psychologist or by a psychiatrist licensed to practice in the State of Florida, with experience or training in children's disorders. For children currently in residential placement, recommendations of the facility treatment team may serve as authorization for placement in therapeutic group homes. The assessment must result in a report by a licensed psychologist or psychiatrist who has at least three years of experience in the diagnosis and treatment of serious emotional disturbances in children and adolescents and who has no actual or perceived conflict of interest with any inpatient facility or residential treatment center, whose written findings are that:

- (a) The child has an emotional disturbance as defined in Section 394.492(5), F.S., or a serious emotional disturbance as defined in Section 394.492(6), F.S.;
  - (b) The emotional disturbance or serious emotional disturbance requires treatment in a residential treatment center;
  - (c) All available treatment that is less restrictive than residential treatment has been considered or is unavailable;
  - (d) The treatment provided in the residential treatment center is reasonably likely to resolve the child's presenting problems as identified by the qualified evaluator;
  - (e) The provider is qualified by staff, program and equipment to give the care and treatment required by the child's condition, age and cognitive ability;
  - (f) The child is under the age of 18; and
  - (g) The nature, purpose and expected length of the treatment have been explained to the child and the child's parent or guardian and guardian ad litem.
- (5) through (7)(m) No change.

1. If a physical examination was not performed within the 90 days prior to admission and documentation of such examination was not provided, a physical examination shall be initiated within 24 hours of admission by a medical professional licensed physician. This medical professional may be a registered nurse, physician's assistant. Advanced

Registered Nurse Practitioner or medical doctor who has authority to perform physical examinations of a medical nature shall be initiated within 24 hours of admission.

- 2. through (8)(e) No change.
- (f) Provisions for treatment ~~service~~ plan reviews;
- (g) through (9)(c) No change.

Specific Authority ~~39.407, 394.875(8)(10)~~ FS. Law Implemented 394.875 FS. History–New 7-25-06, Amended.

65E-9.009 Treatment Planning.

- (1) through (6) No change.

Specific Authority ~~39.407, 394.875(8)(10)~~ FS. Law Implemented 394.875 FS. History–New 7-25-06, Amended.

65E-9.0010 Length of Stay.

- (1) through (3) No change.

Specific Authority ~~39.407, 394.875(8)(10)~~ FS. Law Implemented 394.875 FS. History–New 7-25-06, Amended.

65E-9.011 Discharge and Discharge Planning.

- (1) through (11) No change.
- (12) Notwithstanding subsections (1)-(11) of Rule 65E-9-001, F.A.C., Providers who serve children committed under Section 985.19 ~~223~~, F.S., shall abide by the following standards with regard to discharge planning:

(a) The provider shall finalize the discharge summary and have it approved and signed by the treatment team. At least 30 days before the proposed discharge, a copy of the discharge summary shall be sent to the child's home district. The provider and district shall coordinate with each other to assist the district in the development of the discharge plan based on the provider's recommendations for services after discharge.

(b) Once noticed by the court of a pending hearing related to child's competency to proceed, the discharge summary shall be copied to the parties identified in Section 985.19.223, F.S.

- (c) through (13) No change.

Specific Authority ~~39.407, 394.875(8)(10)~~ FS. Law Implemented 394.875 FS. History–New 7-25-06, Amended.

65E-9.012 Rights of Children.

- (1) through (3)(b) No change.
- (c) The provider shall establish and implement a written procedure for the immediate protection of the alleged victim or any other potential victim and prevention of a recurrence of the alleged incident pending investigation by the department or law enforcement.
- (d) through (3) No change.
- (4) Confidentiality related to HIV-infected children. The provider shall protect the confidentiality of HIV-infected children as specified in Section ~~381.004, 381.400~~ F.S. The provider shall also ensure that:
  - (a) through (d) No change.



Specific Authority ~~39.407~~, 394.875(8)(40) FS. Law Implemented 394.875 FS. History—New 7-25-06, Amended.

65E-9.013 Restraint, Seclusion, and Time-Out.

(1) through (2) No change.

(3) Authorization of restraint or seclusion.

(a) Restraint or seclusion shall be used and continued only pursuant to an order by a board certified or board eligible psychiatrist licensed under Chapter ~~458~~ 409, F.S., or licensed physician with specialized training and experience in diagnosing and treating mental disorders and who is the child's treatment team physician. If the child's treatment team physician is unavailable, the physician covering for the treatment team physician may meet these qualifications. Physicians allowed to order seclusion and restraint, pursuant to this rule, must be trained in the use of emergency safety interventions prior to ordering them.

(b) through (j)2. No change.

3. The emergency safety intervention ordered, including the length of time for which the physician authorized its use, which length of time shall not exceed the time limits set forth in subsection 65E-9.013(3)(f) 1.-3. (~~4~~), F.A.C.

(4) through (11) No change.

Specific Authority ~~39.407~~, 394.875(8)(40) FS. Law Implemented 394.875 FS. History—New 7-25-06, Amended.

65E-9.014 Medication Administration and Use of Psychotropic Medications

(1) through (14) No change.

Specific Authority ~~39.407~~, 394.875(8)(40) FS. Law Implemented 394.875 FS. History—New 7-25-06, Amended.

**FINANCIAL SERVICES COMMISSION**

**OIR – Insurance Regulation**

RULE NO.:                      RULE TITLE:  
69O-167.004                    Required Preinsurance Inspection of  
Private Passenger Motor Vehicles

**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.

1. Subsection (9) is changed as follows; An insurer may defer an inspection for thirty (30) seven (7) calendar days following the effective date of coverage for a new policy or the actual notice to the insurer or its agent of additional or replacement vehicle(s) to an existing policy, as permitted by Section 627.744(6), F.S. if an inspection at the time of the request for coverage would create a serious inconvenience for the applicant. The insurance file shall contain information necessary to identify those circumstances justifying the deferral resulting in serious inconvenience.

2. The Office's website is corrected to read <http://www.floir.com>.

3. Forms OIR-B1-506, OIR-B1-507 and OIR-B1-508 have been revised to conform to the rule.

The remainder of the reads as previously published and as revised by the Notice of Change published April 19, 2008 in Vol. 34, No. 16 of the Florida Administrative Weekly.

**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:  
53ER08-30                      CASH 3®

SUMMARY: This emergency rule sets forth the provisions for the conduct of CASH 3®.

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:

53ER08-30 CASH 3®.

(1) How to Play CASH 3®.

(a) CASH 3 is a lottery on-line game in which a player must select any two (2)- or three (3)-digit number from 000 to 999 inclusive. The digits may be the same or different; for example, 111, 122, and 123 are all valid selections.

(b) Players may choose play amounts of \$.50 or \$1.00 per play, per drawing, for a total of \$.50, \$1.00, \$1.50, \$3.00, or \$6.00, depending upon the play type selected and number of combinations covered.

(c) Players may make their CASH 3 ticket selections by marking a play slip or by telling the retailer their desired selections.

1. There are five panels on a play slip. Players electing to use a play slip to make their CASH 3 selections must mark the play type, draw time, play amount and number selection (or mark the "Quick Pick" box located at the bottom of each panel for the terminal to randomly select one (1) or more of the numbers for each panel played. If the draw time is not marked, the ticket will automatically be entered into the next available draw. A "Void" box is also located at the bottom of each panel and should be marked by the player if an error was made in his

or her selections in a panel. Players may mark the \$5 "Quick Picks" box to receive five (5) \$1.00 tickets, each with one (1) set of three (3) randomly selected numbers (straight play) for the next available CASH 3 drawing, or may mark the \$10 "Quick Picks" box to receive ten (10) \$1.00 tickets, each with one (1) set of three (3) randomly selected numbers (straight play) for the next available CASH 3 drawing. Players may mark Quick Picks in addition to panel plays. Players must use only blue or black ink or pencil for making selections. Play slips must be processed by a retailer in order to obtain a ticket.

2. Players electing to make their CASH 3 ticket selections by telling the retailer may specify the play type, play amount, draw time, and their desired number selections (or tell the retailer they desire to use the quick pick feature for the terminal to randomly select one (1) or more of the numbers). The terminal defaults to a \$1.00 straight play for the next available draw if the play type, play amount, and draw time are not specified by the player in conjunction with the selection of the quick pick feature.

(d) A player who selects the combo play type and who elects to use the quick pick feature will not be able to select the total cost of the ticket. The total cost will be determined by whether the quick pick numbers selected by the terminal comprise a 3-way combo or 6-way combo play type as described in paragraph (1)(g) below.

(e) A player who selects the box play type or the straight/box play type and who elects to use the quick pick feature will not be able to select the type of box play. The type of box play will be determined by whether the quick pick numbers selected by the terminal comprise a 3-way or 6-way box combination as described below.

(f) Players may play future consecutive midday, evening or both drawings within a fourteen (14)-day period or non-consecutive drawings within a seven-day period by using the "advance play" feature. To use the advance play feature, players may either mark the play slip or tell the retailer the advance play selections and draw time(s) they desire. For purposes of this paragraph (1)(f), both a fourteen (14)-day and a seven (7)-day period begin on the date of the next available CASH 3 drawing for the draw time(s) selected and continue through the next thirteen (13)/six (6) consecutive days for the draw time(s) selected. The advance play options are described more fully in subparagraphs 1. and 2. below.

1. Advance Play by Play Slip. Advance play selections made on a play slip are for consecutive drawings for the draw time(s) selected only. Players shall mark the desired number of consecutive drawings in the "Days" section and the desired draw time(s) in the "Draw Time" section of the play slip. The number of consecutive drawings marked will include the next available drawing for the draw time(s) selected and will apply to each panel (A-E) played. Advance Play does not apply to selections in the Quick Picks box.

a. If the midday (MID) box is selected, the ticket will be entered into the next available midday draw and consecutive midday draws through the selected number of days.

b. If the evening (EVE) box is selected, the ticket will be entered into the next available evening draw and consecutive evening draws through the selected number of days.

c. If the both (BOTH) box is selected, the ticket will be entered into the next available draw and consecutive midday and evening draws through the selected number of days.

2. Advance Play by Telling the Retailer. Players shall specify to the retailer their desired selections in one of the following advance play parameters:

a. Any single day for the draw time(s) selected in a seven (7)-day period;

b. Any two (2) non-consecutive days for the draw time(s) selected in a seven (7)-day period;

c. Any two (2) or more consecutive days for the draw time(s) selected in a seven (7)-day period, not including the next available drawing.

d. Up to fourteen (14) consecutive days for the draw time(s) selected, including the next available drawing.

(g) CASH 3 can be played and won as follows:

1. "Straight" play. In a straight play, if a player's digits are drawn in the exact order as they were chosen by the player, the player wins \$250.00 for a 50-cent play or \$500 for a \$1.00 play.

2. "Box" play. A box play allows a player to win if the player's selections are drawn in any order.

a. A "3-way box" is a play in which the player has selected a number with two (2) identical digits. Therefore, the play involves three (3) combinations; for example, a 122 box covers the combinations 122, 212, and 221, and pays a winner \$80.00 for a 50-cent play or \$160.00 for a \$1.00 play.

b. A "6-way box" is a play in which the player has selected a number in which all three (3) digits are different. Therefore, the play involves six (6) combinations; for example, a 123 box covers the combinations 123, 132, 213, 231, 312, and 321, and pays a winner \$40.00 for a 50-cent play or \$80.00 for a \$1.00 play.

3. "Straight and Box" play. A straight and box play combines a 50-cent straight play and a 50-cent box play for a \$1.00 play.

a. A "Straight and 3-way box" play pays a winner \$330.00 if a player's digits are drawn in the exact order as printed on the player's ticket, or \$80.00 if the player's digits are drawn in any other order.

b. A "Straight and 6-way box" play pays a winner \$290.00 if a player's digits are drawn in the exact order as printed on the ticket, or \$40.00 if the player's digits are drawn in any order.

4. “Combo” play. A combo is a play covering all straight combinations of a 3-digit number and will cost \$1.50 to \$6.00 depending upon the amount played (50 cents or \$1.00) and the number of like digits in the 3-digit number selected.

a. A “3-way combo” is a play in which the player has selected a number with two (2) identical digits. The combo involves three (3) straight play combinations; for example, a 122 combo covers the combinations 122, 212, and 221. A “3-way combo” pays \$250 for a \$1.50 play (\$.50 per combination) or \$500 for a \$3.00 play (\$1.00 per combination).

b. A “6-way combo” is a play in which the player has selected a number in which all three (3) digits are different. The combo involves six (6) straight play combinations; for example, a 123 combo covers the combinations 123, 132, 213, 231, 312, and 321. A “6-way combo” pays \$250 for a \$3.00 play (\$.50 per combination) or \$500 for a \$6.00 play (\$1.00 per combination).

5. “Front Pair” play. A front pair play allows a player to select only two (2) digits and pays \$25.00 for a 50-cent play or \$50.00 for a \$1.00 play if the two (2) digits as printed on the ticket match, in exact order, the first two (2) numbers drawn by the Lottery.

6. “Back Pair” play. A back pair play allows a player to select only two (2) digits and pays \$25.00 for a 50-cent play or \$50.00 for a \$1.00 play if the two (2) digits as printed on the ticket match, in exact order, the last two (2) numbers drawn by the Lottery.

(h) A liability limit of \$10 million is established for CASH 3. When the play of a particular three digit number for a drawing reaches the Lottery’s CASH 3 liability limit of \$10 million, no further ticket sales for any type of play that would involve that three digit number will be allowed for that drawing. In addition, no Front Pair or Back Pair play that involves the first two or last two digits, respectively, of the three digit number will be allowed for that drawing.

(2) CASH 3 Drawings.

(a) CASH 3 drawings are conducted twice daily.

(b) CASH 3 drawings shall be public and witnessed by an accountant employed by an independent certified public accounting firm (“Accountant”) who shall certify to the integrity, security, and fairness of each drawing.

(c) The equipment (ball set(s) and drawing machine(s)) used in a CASH 3 drawing shall be determined by random selection and shall be inspected by an employee of the Florida Lottery’s Security Division (“Draw Manager”) and the Accountant before and after each drawing.

(d) The equipment shall be configured so that one ball is drawn from each of three units of balls numbered zero through nine.

(e) Once the ball set(s) has been selected and inspected, the selected drawing machine(s) shall be loaded by the Draw Manager and the ball set(s) mixed by the action of an air blower.

(f) Three balls shall be drawn by vacuum action, one (1) each into three (3) separate display devices. The numbers shown on the three (3) balls, after certification by the Draw Manager and the Accountant, shall be the official winning numbers for the drawing.

(g) In the event a malfunction in the drawing procedures occurs, or the drawing equipment malfunctions, the Florida Lottery shall use such substitute procedures as are fair and effective to perform the drawing. Such substitute procedures shall be determined in consultation with the Accountant referred to in paragraph (2)(b). In using such substitute procedures the Florida Lottery shall strive to maintain the highest level of public confidence, security and integrity.

(h) The Florida Lottery shall not be responsible for incorrect circulation, publication or broadcast of official winning numbers.

(3) CASH 3 Odds of Winning. The odds of winning in CASH 3 are as follows:

(a) Straight	1 in 1000
(b) Box 3-Way	1 in 333.33
(c) Box 6-Way	1 in 166.67
(d) Straight and Box 3-Way	1 in 1000 and 1 in 333.33
(e) Straight and Box 6-Way	1 in 1000 and 1 in 166.67
(f) Combo 3-Way	1 in 333.33
(g) Combo 6-Way	1 in 166.67
(h) Front Pair	1 in 100
(i) Back Pair	1 in 100.

(4) CASH 3 Rules and Prohibitions.

(a) By purchasing a CASH 3 ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(b) CASH 3 prize payments shall be made in accordance with rules of the Florida Lottery governing payment of prizes.

(c) Tickets shall not be purchased by or sold to persons under the age of eighteen (18).

(d) Subject to a retailer’s hours of operation and on-line system availability, CASH 3 lottery tickets are available for purchase daily between the hours of 6:00 a.m. and midnight, Eastern Time (ET).

(e) The scheduled time for the daily CASH 3 drawing is approximately 1:30 p.m. ET for the midday draw and 7:57 p.m. ET for the evening draw. Ticket sales for a specific CASH 3 drawing will close approximately ten (10) minutes prior to that drawing. Any ticket sold after the close of game will be printed with the next available CASH 3 draw date and draw time unless the player specifies another CASH 3 draw date and draw time within the selection parameters.

(f) Retailer cancellations of CASH 3 tickets can only be performed by the retailer who sold the ticket, using the selling terminal's optical mark reader, and within two (2) hours after printing, except that no CASH 3 ticket can be cancelled after game close for the related drawing. The two (2)-hour ticket cancellation period may be reduced due to the selling retailer's hours of business operation, the hours of on-line system availability, or the time of the related CASH 3 close of game.

(g) It is the responsibility of the player to determine the accuracy of the selected panels of numbers, draw date(s) and time(s), and play types on tickets. In the event that a ticket given to the player by the retailer contains selections that are not consistent with the player's selections, it shall be the responsibility of the player to immediately advise the retailer of that fact. In such event and upon request of a player, the retailer shall make a good faith effort to cancel the ticket. A retailer is not required to cancel a ticket produced upon request of a player by the "quick pick" method of number selection. 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.

(5) This emergency rule replaces 53ER05-22, Florida Administrative Code.

Specific Authority 24.105(2), 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.109(1), 24.115(1) FS. Law Implemented 24.105(2), 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.115(1), 24.116(1), 24.117(2), 24.124(1) FS. History—New 5-16-08, Replaces 53ER05-22.

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: May 16, 2008

## DEPARTMENT OF THE LOTTERY

RULE NO.:                    RULE TITLE:  
53ER08-31                    PLAY 4™

SUMMARY: This emergency rule sets forth the provisions for the conduct of PLAY 4™.

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:

### 53ER08-31 PLAY 4™.

#### (1) How to Play PLAY 4™.

(a) PLAY 4 is a lottery on-line game in which a player must select any two (2)- or four (4)-digit number from 0000 through 9999 inclusive. The digits may be the same or different; for example, 1111, 1212, and 1348 are all valid selections.

(b) Players may choose play amounts of \$.50 or \$1.00 per play, per drawing, for a total of \$.50, \$1.00, \$2.00, \$3.00, \$4.00, \$6.00, \$12.00, or \$24.00, depending upon the play type selected and number of combinations covered.

(c) Players may make their PLAY 4 ticket selections by marking a play slip or by telling the retailer their desired selections.

1. There are five panels on a play slip. Players electing to use a play slip to make their PLAY 4 ticket selections must mark the play type, draw time, play amount, and number selection (or mark the "Quick Pick" box located at the bottom of each panel for the terminal to randomly select one (1) or more of the numbers) for each panel played. If the draw time is not marked, the ticket will automatically be entered into the next available draw. A "Void" box is also located at the bottom of each panel and should be marked by the player if an error was made in his or her selections in a panel. Players may mark the \$5 "Quick Picks" box to receive five (5) \$1.00 tickets each with one (1) set of four (4) randomly selected numbers (straight play) for the next PLAY 4 drawing, or may mark the \$10 "Quick Picks" box to receive ten (10) \$1.00 tickets, each with one (1) set of four (4) randomly selected numbers (straight play) for the next available PLAY 4 drawing. Players may mark Quick Picks in addition to panel plays. Players must use only blue or black ink or pencil for making selections. Play slips must be processed by a retailer in order to obtain a ticket.

2. Players electing to make their PLAY 4 ticket selections by telling the retailer may specify the play type, draw time, play amount, and their desired number selections (or tell the retailer they desire to use the quick pick feature for the terminal to randomly select one (1) or more of the numbers). The terminal defaults to a \$1.00 straight play for the next available draw if the play type, play amount, and draw time are not specified by the player in conjunction with the selection of the quick pick feature.

(d) A player who selects the combo play type and who elects to use the quick pick feature will not be able to select the total cost of the ticket. The total cost will be determined by whether the quick pick numbers selected by the terminal comprise a 4-way combo, 6-way combo, 12-way combo, or 24-way combo play type as described below.

(e) A player who selects the box play type or the straight/box play type and who elects to use the quick pick feature will not be able to select the type of box play. The type of box play will be determined by whether the quick pick numbers selected by the terminal comprise a 4-way box, 6-way box, 12-way box, or 24-way box combination as described in paragraph (1)(g) below.

(f) Players may play future consecutive midday, evening, or both drawings within a fourteen (14)-day period or non-consecutive drawings within a seven (7)-day period by using the "advance play" feature. To use the advance play feature, players may either mark the play slip or tell the retailer

the advance play selections and draw times they desire. For purposes of this paragraph (1)(f), both a fourteen (14)-day and a seven (7)-day period begin on the date of the next available PLAY 4 drawing for the draw time selected and continue through the next thirteen (13)/six (6) consecutive days for the draw time selected. The advance play options are described more fully in subparagraphs 1. and 2. below.

1. Advance Play by Play Slip. Advance play selections made on a play slip are for consecutive drawings for the draw time(s) selected only. Players shall mark the number of consecutive drawings in the "Days" section and the desired draw time(s) in the "Draw Time" section of the play slip. The number of consecutive drawings marked will include the next available drawing for the draw time(s) selected and will apply to each panel (A-E) played. Advance play does not apply to Quick Picks.

a. If the midday (MID) box is selected, the ticket will be entered into the next available midday draw and consecutive midday draws through the selected number of days.

b. If the evening (EVE) box is selected, the ticket will be entered into the next available evening draw and consecutive evening draws through the selected number of days.

c. If the both (BOTH) box is selected, the ticket will be entered into the next available draw and consecutive midday and evening draws through the selected number of days.

2. Advance Play by Telling the Retailer. Players shall specify to the retailer their desired selections in one (1) of the following advance play parameters:

a. Any single day for the draw time(s) selected in a seven (7)-day period;

b. Any two (2) non-consecutive days for the draw time(s) selected in a seven (7)-day period;

c. Any two (2) or more consecutive days for the draw time(s) selected in a seven (7)-day period, not including the next available drawing.

d. Up to fourteen (14) consecutive days for the draw times selected, including the next available drawing.

(g) PLAY 4 can be played and won as follows:

1. "Straight" play. In a straight play, if a player's digits are drawn in the exact order as they were chosen by the player, the player wins \$2,500 for a 50-cent play or \$5,000 for a \$1.00 play.

2. "Box" play. A box play allows a player to win if the player's selections are drawn in any order.

a. A "4-way box" is a play in which the player has selected a number with three (3) identical digits. Therefore, the play involves four (4) combinations; for example, a 1112 box covers the combinations 1112, 1121, 1211 and 2111, and pays a winner \$599 for a 50-cent play or \$1,198 for a \$1.00 play.

b. A "6-way box" is a play in which the player has selected a number with pairs of two (2) unique digits. Therefore, the play involves six (6) combinations; for example, a 1122 box

covers the combinations 1122, 1212, 1221, 2112, 2121, and 2211, and pays a winner \$400 for a 50-cent play or \$800 for a \$1.00 play.

c. A "12-way box" is a play in which the player has selected a number with two (2) identical digits. Therefore, the play involves twelve (12) combinations; for example, a 1123 box covers the combinations 1123, 1132, 1213, 1231, 1312, 1321, 2113, 2131, 2311, 3112, 3121, and 3211, and pays a winner \$200 for a 50-cent play or \$400 for a \$1.00 play.

d. A "24-way box" is a play in which the player has selected a number with four (4) unique digits. Therefore, the play involves twenty-four (24) combinations; for example, a 1234 box covers the combinations 1234, 1243, 1324, 1342, 1423, 1432, 2134, 2143, 2314, 2341, 2413, 2431, 3124, 3142, 3214, 3241, 3412, 3421, 4123, 4132, 4213, 4231, 4312, and 4321, and pays a winner \$100 for a 50-cent play or \$200 for a \$1.00 play.

3. "Straight and Box" play. A straight and box play combines a 50-cent straight play and a 50-cent box play for a \$1.00 play.

a. A "Straight and 4-way box" play pays a winner \$3,099 if a player's digits are drawn in the exact order as printed on the player's ticket, or \$599 if the player's digits are drawn in any other order.

b. A "Straight and 6-way box" play pays a winner \$2,900 if a player's digits are drawn in the exact order as printed on the player's ticket, or \$400 if the player's digits are drawn in any other order.

c. A "Straight and 12-way box" play pays a winner \$2,700 if a player's digits are drawn in the exact order as printed on the player's ticket, or \$200 if the player's digits are drawn in any other order.

d. A "Straight and 24-way box" play pays a winner \$2,600 if a player's digits are drawn in the exact order as printed on the player's ticket, or \$100 if the player's digits are drawn in any other order.

4. "Combo" play. A combo is a play covering all straight combinations of a four (4)-digit number and will cost \$2.00 to \$24.00 depending upon the amount played (50 cents or \$1.00) and the number of like digits in the four (4)-digit number selected.

a. A "4-way combo" is a play in which the player has selected a number with three (3) identical digits. The 4-way combo is comprised of four (4) straight play combinations; for example, a 1112 4-way combo covers the combinations 1112, 1121, 1211, and 2111 and pays a winner \$2,500 for a \$2.00 play or \$5,000 for a \$4.00 play.

b. A "6-way combo" is a play in which the player has selected a number with two (2) pairs of unique digits. The 6-way combo is comprised of six (6) straight play combinations; for example, a 1122 6-way combo covers the

combinations 1122,1212, 1221, 2112, 2121, and 2211, and pays a winner \$2,500 for a \$3.00 play or \$5,000 for a \$6.00 play.

c. A "12-way combo" is a play in which the player has selected a number with two (2) identical digits. The 12-way combo is comprised of twelve (12) straight play combinations; for example, a 1123 12-way combo covers combinations 1123, 1132, 1213, 1231, 1312, 1321, 2113, 2131, 2311, 3112, 3121, and 3211, and pays a winner \$2,500 for a \$6.00 play or \$5,000 for a \$12.00 play.

d. A "24-way combo" is a play in which the player has selected a number with four (4) unique digits. The 24-way combo is comprised of twenty-four (24) straight play combinations; for example, a 1234 24-way combo covers the combinations 1234, 1243, 1324, 1342, 1423, 1432, 2134, 2143, 2314, 2341, 2413, 2431, 3124, 3142, 3214, 3241, 3412, 3421, 4123, 4132, 4213, 4231, 4312, and 4321, and pays a winner \$2,500 for a \$12.00 play or \$5,000 for a \$24.00 play.

5. "Front Pair" play. A front pair play allows a player to select only two (2) digits and pays \$25.00 for a 50-cent play or \$50.00 for a \$1.00 play if the two (2) digits as printed on the ticket match, in exact order, the first two (2) numbers drawn by the Lottery.

6. "Mid Pair" play. A mid pair play allows a player to select only two (2) digits and pays \$25.00 for a 50-cent play or \$50.00 for a \$1.00 play if the two (2) digits as printed on the ticket match, in exact order, the middle two (2) numbers drawn by the Lottery.

7. "Back Pair" play. A back pair play allows a player to select only two (2) digits and pays \$25.00 for a 50-cent play or \$50.00 for a \$1.00 play if the two (2) digits as printed on the ticket match, in exact order, the last two (2) numbers drawn by the Lottery.

(h) A liability limit of \$5 million is established for PLAY 4. When the play of a particular four digit number for a drawing reaches the Lottery's PLAY 4 liability limit of \$5 million, no further ticket sales for any type of play that would involve that four digit number will be allowed for that drawing.

(2) PLAY 4 Drawings.

(a) PLAY 4 drawings are conducted twice daily.

(b) PLAY 4 drawings shall be public and witnessed by an accountant employed by an independent certified public accounting firm ("Accountant") who shall certify to the integrity, security, and fairness of each drawing.

(c) The equipment (ball set(s) and drawing machine(s)) used in a PLAY 4 drawing shall be determined by random selection and shall be inspected by an employee of the Florida Lottery's Security Division ("Draw Manager") and the Accountant before and after each drawing.

(d) The equipment shall be configured so that one ball is drawn from each of four units of balls numbered zero through nine.

(e) Once the ball set(s) has been selected and inspected, the selected drawing machine(s) shall be loaded by the Draw Manager, and the ball set(s) mixed by the action of an air blower.

(f) Four balls shall be drawn by vacuum action, one each into four separate display devices. The numbers shown on the four balls, after certification by the Draw Manager and the Accountant, shall be the official winning numbers for the drawing.

(g) In the event a malfunction in the drawing procedures occurs or the drawing equipment malfunctions, the Florida Lottery shall use such substitute procedures as are fair and effective to perform the drawing. Such substitute procedures shall be determined in consultation with the Accountant referred to in paragraph (2)(b). In using such substitute procedures the Florida Lottery shall strive to maintain the highest level of public confidence, security and integrity.

(h) The Florida Lottery shall not be responsible for incorrect circulation, publication or broadcast of official winning numbers.

(3) PLAY 4 Odds of Winning.

The odds of winning in PLAY 4 are as follows:

(a) Straight	1 in 10,000
(b) Box 4-Way	1 in 2,500
(c) Box 6-Way	1 in 1,666.67
(d) Box 12-Way	1 in 833.33
(e) Box 24-Way	1 in 416.67
(f) Straight/ Box 4-Way	1 in 10,000 and 1 in 2,500
(g) Straight/ Box 6-Way	1 in 10,000 and 1 in 1,666.67
(h) Straight/ Box 12-Way	1 in 10,000 and 1 in 833.33
(i) Straight/ Box 24-Way	1 in 10,000 and 1 in 416.67
(j) Combo 4-Way	1 in 2,500
(k) Combo 6-Way	1 in 1,666.67
(l) Combo 12-Way	1 in 833.33
(m) Combo 24-Way	1 in 416.67
(n) Front Pair	1 in 100
(o) Middle Pair	1 in 100
(p) Back Pair	1 in 100.

(4) PLAY 4 Rules and Prohibitions.

(a) By purchasing a PLAY 4 ticket a player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(b) PLAY 4 prize payments shall be made in accordance with rules of the Florida Lottery governing payment of prizes.

(c) Tickets shall not be purchased by or sold to persons under the age of eighteen (18).

(d) Subject to a retailer's hours of operation and on-line system availability, PLAY 4 lottery tickets are available for purchase daily between the hours of 6:00 a.m. and midnight, Eastern Time (ET).

(e) The scheduled time for the daily PLAY 4 drawing is approximately 1:30 p.m. ET for the midday draw and 7:57 p.m., ET for the evening draw. Ticket sales for a specific PLAY 4 drawing will close approximately ten (10) minutes prior to that drawing. Any ticket sold after the close of game will be printed with the next available PLAY 4 draw date and time unless the player specifies another PLAY 4 draw date and time within the selection parameters.

(f) Retailer cancellations of PLAY 4 tickets can only be performed by the retailer who sold the ticket, using the selling terminal's optical mark reader, and within two (2) hours after printing, except that no PLAY 4 ticket shall be cancelled after close of game for the related drawing. The two (2)-hour ticket cancellation period may be reduced due to the selling retailer's hours of business operation, the hours of on-line system availability, or the time of the related PLAY 4 close of game.

(g) It is the responsibility of the player to determine the accuracy of the selected panels of numbers, draw date(s), draw time(s) and play types on tickets. In the event that a ticket given to the player by the retailer contains selections that are not consistent with the player's selections, it shall be the responsibility of the player to immediately advise the retailer of that fact. In such event and upon request of a player, the retailer shall make a good faith effort to cancel the ticket. A retailer is not required to cancel a ticket produced upon request of a player by the "quick pick" method of number selection.

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.

(5) This emergency rule replaces 53ER05-23, Florida Administrative Code.

Specific Authority 24.105(2), 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.109(1), 24.115(1) FS. Law Implemented 24.105(2), 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.115(1), 24.116(1), 24.117(2), 24.124(1) FS. History—New 5-16-08, Replace 53ER05-23.

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: May 16, 2008

#### **DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER08-32  
 RULE TITLE: Retailer Bonus Sales Commission  
 SUMMARY: Effective May 19, 2008 through June 22, 2008, the Florida Lottery will award retailers a bonus sales commission on each \$2.00 and \$3.00 Lotto Plus™ ticket sold in their store.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

#### 53ER08-32 Retailer Bonus Sales Commission.

(1) Beginning May 19 through June 22, 2008, the Florida Lottery will pay retailers a bonus sales commission of five percent (5%), in addition to the regular commission set forth in Rule 53ER05-14, F.A.C., for each \$2.00 and \$3.00 Lotto Plus™ ticket sold in their store.

(2) The bonus sales commissions will be paid by electronic funds transfer within two weeks of the end of the promotion. The Lottery reserves the right to apply a bonus commission earned against a retailer's outstanding debt to the Lottery and to award the remaining balance of the bonus commission, if any.

(3) Bonus sales commissions will be considered compensation to the retailer for Internal Revenue Service purposes.

(4) Retailers whose Florida Lottery contracts are terminated or inactivated prior to the bonus commission award shall be paid the bonus commission earned provided said termination or inactivation was not due to noncompliance with Chapter 24, Florida Statutes, Chapter 53, Florida Administrative Code, or contract terms.

Specific Authority 24.105(9)(i), 24.109(1), 24.112(1) FS. Law Implemented 24.105(9)(i), 24.112(1) FS. History—New 5-16-08.

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: May 16, 2008

#### **DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER08-33  
 RULE TITLE: Instant Game Number 753, DIAMONDS & 7's

SUMMARY: This emergency rule describes Instant Game Number 753, "DIAMONDS & 7's," 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:

53ER08-33 Instant Game Number 753, DIAMONDS & 7's.

(1) Name of Game. Instant Game Number 753, "DIAMONDS & 7's."

(2) Price. DIAMONDS & 7's lottery tickets sell for \$2.00 per ticket.

(3) DIAMONDS & 7's 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 DIAMONDS & 7's lottery ticket, the ticket must meet the applicable requirements of Rule 53ER08-20, F.A.C.

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



(5) The legends are as follows:

- SPIN 1
- SPIN 2
- SPIN 3
- SPIN 4
- SPIN 5
- SPIN 6
- SPIN 7

(6) Determination of Prizewinners.

(a) There are seven (7) SPINs on a ticket. Each SPIN is played separately. A ticket having three play symbols and play symbol captions in a SPIN that match three play symbols in the exact order shown in the PRIZE LEGEND play area shall entitle the claimant to the corresponding prize shown.

(b) The prizes are: TICKET, \$3, \$7, \$17, \$27, \$77, \$777 and \$7,777. 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 DIAMONDS & 7's 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.

(7) The estimated odds of winning, value and number of prizes in Instant Game Number 753 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
\$3	\$3	10.00	756,000
\$7	\$7	21.43	352,800
\$17	\$17	75.00	100,800
\$27	\$27	150.00	50,400
\$77	\$77	486.49	15,540
\$777	\$777	90,000.00	84
\$7,777	\$7,777	540,000.00	14

(8) The estimated overall odds of winning some prize in Instant Game Number 753 are 1 in 4.02. 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.

(9) For reorders of Instant Game Number 753, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(10) By purchasing a DIAMONDS & 7's lottery ticket the player agrees to comply with and abide by all prize payment rules of the Florida Lottery.

(11) Payment of prizes for DIAMONDS & 7's 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 5-16-08.

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: May 16, 2008

**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER08-34  
 RULE TITLE: Instant Game Number 752, 9s IN A LINE

SUMMARY: This emergency rule describes Instant Game Number 752, "9s IN A LINE," 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:

53ER08-34 Instant Game Number 752, 9s IN A LINE.

(1) Name of Game. Instant Game Number 752, "9s IN A LINE."

(2) Price. 9s IN A LINE lottery tickets sell for \$1.00 per ticket.

(3) 9s IN A LINE 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 9s IN A LINE lottery ticket, the ticket must meet the applicable requirements of Rule 53ER08-20, F.A.C.



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



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



(6) The legends are as follows:

PRIZE

(7) Determination of Prizewinners.



(a) A ticket having three "9" play symbols and corresponding play symbol captions in any vertical, horizontal or diagonal row shall entitle the claimant to the prize shown in the "PRIZE" box.

(b) The prizes are: TICKET, \$1.00, \$2.00, \$4.00, \$5.00, \$9.00, \$10.00, \$19.00, \$25.00, \$50.00, \$99.00, \$250 and \$999. A claimant who is entitled to a prize of a "TICKET" shall be entitled to a prize of a \$1.00 instant ticket, except as follows. A person who submits by mail a 9s IN A LINE lottery ticket which entitles the claimant to a prize of a \$1.00 instant ticket and whose mailing address is outside the state of Florida will receive a check for \$1.00 in lieu of an actual ticket.

(8) The estimated odds of winning, value and number of prizes in Instant Game Number 752 are as follows:

GAME PLAY	WIN	NUMBER OF WINNERS IN 56 POOLS OF 180,000 TICKETS	
		ODDS OF 1 IN	PER POOL
TICKET	\$1 TICKET	10.00	1,008,000
\$1	\$1	18.75	537,600
\$2	\$2	30.00	336,000
\$4	\$4	60.00	168,000
\$5	\$5	75.00	134,400
\$9	\$9	150.00	67,200
\$10	\$10	300.00	33,600
\$19	\$19	300.00	33,600
\$25	\$25	300.00	33,600
\$50	\$50	9,000.00	1,120
\$99	\$99	15,000.00	672
\$250	\$250	45,000.00	224
\$999	\$999	90,000.00	112

(9) The estimated overall odds of winning some prize in Instant Game Number 752 are 1 in 4.28. 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 752, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(11) By purchasing a 9s IN A LINE lottery ticket the player agrees to comply with and abide by all prize payment rules of the Florida Lottery.

(12) Payment of prizes for 9s IN A LINE 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 5-16-08.

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: May 16, 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**

**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 May 1, 2008, the Suwannee River Water Management District, received a petition for variance from Wayne and Suzanne Timmerman, 4917 W. San Rafael Street, Tampa, FL 33629, pursuant to Section 120.542, F.S. Petitioner is seeking a variance from subsection 40B-4.3030(9), F.A.C., to the zero-rise certification requirement, and paragraph 40B-4.3030(12)(b), F.A.C., to the 75-foot setback requirement. The permit applicant has reconstructed an existing structure in Levy County, Township 12 South, Range 13 East, Section 32, partially within the 75-foot setback of the Suwannee River. These rules are intended to set forth criteria for development activities within a

Work of the District. Comments on this petition should be filed with: Jon Dinges, District Clerk, SRWMD, 9225 CR 49, Live Oak, FL 32060, within 14 days of publication of this notice. The petition has been assigned ERP Number 07-0519.

A copy of the Petition for Variance or Waiver 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.

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NOTICE IS HEREBY GIVEN THAT on May 15, 2008, the South Florida Water Management District (SFWMD) Governing Board has issued an order.

Order No. 2008-222-DAO-ROW grants a Waiver under Section 120.542, Florida Statutes, to Collier County Board of County Commissioners. The Petition for Waiver was received by the SFWMD on November 27, 2007 and amended on March 28, 2008. Notice of receipt of the original petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 33, No. 50, on December 14, 2007 and Notice of receipt of the Amended Petition was published in the Florida Administrative Weekly, Vol. 34, No. 15, on April 11, 2008. No public comment was received. This Order provides a waiver of the District's criteria for the proposed installation of bollards (posts) and signage within the north right of way of the Cocohatchee Canal beginning 1/4 mile east of C.R. 951 easterly approximately 1 & 1/2 miles where it connects with an existing County pathway; Sections 23 and 24, Township 48 South, Range 26 East, Collier County. Specifically, the Order grants a waiver from paragraph 40E-6.221(2)(a) and (j), Florida Administrative Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications within the South Florida Water Management District, incorporated by reference in subsection 40E-6.091(1), Florida Administrative Code, which governs the placement of permanent and/or semi-permanent above ground facilities within 40 feet of the top of the canal bank within Works or Lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver as follows: 1) the facilities will not significantly interfere with the District's current ability to perform necessary construction, alteration, operation, and routine maintenance activities; and 2) the Order granting a waiver from the subject rule would prevent Collier County Board of County Commissioners from suffering a substantial hardship.

A copy of the Order may be obtained by contacting: Kathie Ruff, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, (561)682-6320 or by e-mail [kruff@sfwmd.gov](mailto:kruff@sfwmd.gov).

NOTICE IS HEREBY GIVEN THAT on May 15, 2008, the South Florida Water Management District (SFWMD) Governing Board has issued an order.

Order No. 2008-223-DAO-ROW grants a waiver under Section 120.542, Florida Statutes, to Okeechobee Utility Authority. The Petition for Waiver was received by the SFWMD on February 12, 2008. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 34, No. 10, on March 7, 2008. No public comment was received. This Order provides a waiver of the District's criteria for the proposed placement of buried transmission (force main) facilities to be located within the east right of way of L-63N beginning approximately 2,800 feet north of the C-59 Navigational Channel and running northerly 9,500 feet where it exits the right of way; Sections 12, 30, and 31, Township 37 South, Range 36 East, Okeechobee County. Specifically, the Order grants a waiver from paragraph 40E-6.221(2)(j), Florida Administrative Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications within the South Florida Water Management District, incorporated by reference in subsection 40E-6.091(1), Florida Administrative Code, which governs the use of the District's Right of Way for placement of buried parallel transmission (force main) facilities within Works or Lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver as follows: 1) the facilities will not significantly interfere with the District's property interests and ability to construct, operate, and maintain Works or Lands of the District; and 2) the Order granting a waiver from the subject rule would prevent Okeechobee Utility Authority from suffering a substantial hardship.

A copy of the Order may be obtained by contacting: Kathie Ruff, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, (561)682-6320 or e-mail [kruff@sfwmd.gov](mailto:kruff@sfwmd.gov).

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

NOTICE IS HEREBY GIVEN THAT on May 7, 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, from Hartell's Village Diner located in San Destin. The above referenced F.A.C. states that all bathrooms shall be of easy and convenient access to both patrons and employees...They are requesting a variance to use public bathrooms located in a common area and have seating for seventy-one.

A copy of the Petition for Variance or Waiver may be obtained by contacting: [Xenia.Bailey@dbpr.state.fl.us](mailto:Xenia.Bailey@dbpr.state.fl.us).

NOTICE IS HEREBY GIVEN THAT on May 13, 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, from Reggae Cafe located in Fort Myers. 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-one (31).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

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NOTICE IS HEREBY GIVEN THAT on May 15, 2008, the Board of Accountancy has issued an order.

The Order is regarding the Petition for Waiver or Variance, filed on January 9, 2008, by Waifon Ana Lam. The Notice of Petition for Waiver or Variance was published in Vol. 34, No. 04, of the January 25, 2008, Florida Administrative Weekly. Petitioner sought a waiver or variance of paragraph 61H1-28.0052(1)(b), F.A.C., entitled "Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules" which requires candidates to pass all four test sections of the CPA Examination within a rolling eighteen-month period, that begins on the date that the first test section passed is taken. The Board considered the instant Petition at a duly-noticed public telephonic meeting on March 14, 2008.

The Board's Order granted the petition finding that Petitioner established that the purpose of the underlying statute, Section 473.306, Florida Statutes, would be met by granting a variance or waiver from paragraph 61H1-28.0052(1)(b), F.A.C. The Board further found that Petitioner had established that applying the requirements of the aforementioned Rule to her circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607.

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NOTICE IS HEREBY GIVEN THAT on May 15, 2008, the Board of Accountancy has issued an order.

The Order is regarding the Petition for Waiver or Variance, filed on January 3, 2008, by W.H. McGregor. The Notice of Petition for Waiver or Variance was published in Vol. 34, No. 04, of the January 25, 2008, Florida Administrative Weekly. The Petitioner sought a waiver or variance of subsections 61H1-29.003(2) and (4), F.A.C., entitled "Licensure by Endorsement" which requires an applicant seeking licensure by endorsement to have completed continuing education required by that state, so long as the requirements are equivalent to those required by Rule 61H1-33.003, F.A.C., and

that college courses used to meet education requirements of Rules 61H1-27.001 and 61H1-27.002, F.A.C., not also be used to meet the initial continuing professional requirements of subsection 61H1-29.003(1) or (2), F.A.C. The Board considered the instant Petition at a duly-noticed public telephonic meeting on March 14, 2008.

The Board's Order granted the petition finding that Petitioner established that the purpose of the underlying statute would be met were his petition to be granted. The Board further found that Petitioner established that applying the requirements of the aforementioned Rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607.

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NOTICE IS HEREBY GIVEN THAT on April 28, 2008, the Board of Accountancy, received a petition for Kenneth S. Pinsky, seeking a variance or waiver of subsection 61H1-33.001(1), Florida Administrative Code, which requires that each licensee complete on-line or mail completed answers to the examination on Chapters 455 and 473 F.S., and related administrative rules with a passing score of at least 80, on or before December 31, prior to the licensee's biennial renewal period.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607, (352)333-2505. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

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NOTICE IS HEREBY GIVEN THAT on May 12, 2008, the Board of Accountancy, received a petition for Scott M. Sander, seeking a variance or waiver of subsection 61H1-31.001(9), Florida Administrative Code, which requires that the CPE reporting form must be postmarked by or on July 15, 2008. If it is postmarked or completed on-line after July 15, 2008, but by December 31, 2008, a \$50.00 delinquency fee will be imposed by the Board. No CPE reporting form will be accepted if it is postmarked or completed on-line after December 31, 2008.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607, or by telephone at (352)333-2505. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

NOTICE IS HEREBY GIVEN THAT on April 28, 2008, the Florida Department of Environmental Protection, received a petition for a waiver under Section 120.542, Florida Statutes, from Freeport 860, LLC, to obtain a waiver of the provisions of subsection 62-312.080(7), Florida Administrative Code, which restricts the Department when issuing a permit for dredging and filling in Class II or III waters approved for shellfish harvesting. The petition was assigned OGC File No. 08-0771. The original notice published in the Florida Administrative Weekly on May 16, 2008 (Vol. 34, No. 20), inadvertently left out the name of the petitioner.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Susan Radford, Florida Department of Environmental Protection, Northwest District Office, 160 Governmental Center, Pensacola, Florida 32501, (850)595-8300, ext. 1133. Any written comments regarding the petition must be submitted to the Department at the above address no later than fourteen days from the date of publication of this notice.

**DEPARTMENT OF HEALTH**

NOTICE OF AMENDMENT – The Board of Dentistry hereby gives notice of the issuance of an Order regarding the Petition for Variance for Oscar Arevalo. The Notice of Petition for Variance was published in Vol. 33, No. 49, of the December 7, 2007, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on March 7, 2008. The petition requested a waiver of the remedial education requirement of subsection 64B5-2.0146(2), F.A.C.

The Board's Order, filed on March 31, 2008, grants the Petition for Variance or Waiver, finding that Petitioner has complied with the requirements of Section 120.542(2), Florida Statutes. Specifically: Petitioner is otherwise qualified in accordance with Section 466.006(3), Florida Statutes; Petitioner has demonstrated how the purpose of the underlying statute would be achieved or has been achieved by other means as evidenced through his residency experience; Additionally, Petitioner has demonstrated that strict application of subsection 64B5-7.003(4), Florida Administrative Code, would create a substantial hardship or violate principles of fairness within the meaning of Section 120.542(2), Florida Statutes. Based upon the foregoing, the Board determined that Petitioner is eligible for a waiver or variance of Section 64B5-2.0146(2), F.A.C.

A copy of the Board's Order may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258.

NOTICE OF AMENDMENT – The Board of Dentistry hereby gives notice of the issuance of an Order regarding the Petition for Variance for Angela T. Cannon. The Notice of Petition for Variance was published in Vol. 34, No. 10, of the March 7, 2008, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on March 6, 2008. The petition requested a waiver or variance of the requirement imposed by paragraph 64B5-9.011(4)(b), F.A.C., that dental radiographer training be under the supervision of a Florida licensed dentist.

The Board's Order, filed on April 3, 2008, denies the Petition for Variance or Waiver, finding that Petitioner has not complied with the requirements of Section 120.542(2), Florida Statutes. Specifically, Petitioner has not demonstrated how the purpose of the underlying statute has been achieved. Additionally, Petitioner has not demonstrated that strict application of paragraph 64B5-9.011(4)(b), Florida Administrative Code, would create a substantial hardship or violate principles of fairness within the meaning of Section 120.542(2), Florida Statutes. Based upon the foregoing, the Board determined that Petitioner is not eligible for a waiver or variance of paragraph 64B5-9.011(4)(b), F.A.C.

A copy of the Board's Order may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

NOTICE OF AMENDMENT – The Board of Dentistry hereby gives notice of the issuance of an Order regarding the Petition for Variance for Mounika Falemban, D.D.S. The Notice of Petition for Variance was published in Vol. 33, No. 47, of the November 21, 2007, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on December 7, 2007. The petition requested a waiver of the remedial education requirement of subsection 64B5-2.0146(2), F.A.C.

The Board's Order, filed on January 4, 2008, grants the Petition for Variance or Waiver, finding that Petitioner has complied with the requirements of Section 120.542(2), Florida Statutes. Specifically: Petitioner is otherwise qualified in accordance with Section 466.006(3), Florida Statutes; Petitioner has demonstrated how the purpose of the underlying statute would be achieved or has been achieved by other means as evidenced through her supplemental studies and practice experience; Additionally, Petitioner has demonstrated that strict application of subsection 64B5-2.0146(2), Florida Administrative Code, would create a substantial hardship or violate principles of fairness. Moreover, Petitioner has complied with Sections 120.542(2), Florida Statutes and subsection 64B5-2.0146(2),

Florida Administrative Code. Based upon the foregoing, the Board determined that Petitioner is eligible for a waiver or variance of subsection 64B5-2.0146(2), F.A.C.

A copy of the Board's Order may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258.

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NOTICE OF AMENDMENT – The Board of Dentistry hereby gives notice of the issuance of an Order regarding the Petition for Variance for Ernesto Ganaim, D.D.S. The Notice of Petition for Variance was published in Vol. 34, No. 8, of the February 22, 2008, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on March 6, 2008. The petition requested a waiver of the remedial education requirement of subsection 64B5-2.0146(2), F.A.C.

The Board's Order, filed on March 31, 2008, grants the Petition for Variance or Waiver, finding that Petitioner has complied with the requirements of Section 120.542(2), Florida Statutes. Specifically: Petitioner is otherwise qualified in accordance with Section 466.006(3), Florida Statutes; Petitioner has demonstrated how the purpose of the underlying statute would be achieved or has been achieved by other means as evidenced through her supplemental studies and practice experience; Additionally, Petitioner has demonstrated that strict application of subsection 64B5-2.0146(2), Florida Administrative Code, would create a substantial hardship or violate principles of fairness. Moreover, Petitioner has complied with Sections 120.542(2), Florida Statutes and subsection 64B5-2.0146(2), Florida Administrative Code. Based upon the foregoing, the Board determined that Petitioner is eligible for a waiver or variance of subsection 64B5-2.0146(2), F.A.C.

A copy of the Board's Order may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258.

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NOTICE OF AMENDMENT – The Board of Dentistry hereby gives notice of the issuance of an Order regarding the Petition for Variance for Maurice Goldberg, D.D.S. The Notice of Petition for Variance was published in Vol. 34, No. 8, of the February 22, 2008, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on March 6, 2008. The petition requests a waiver of the requirement to pay a one-time fee provided for in Rule 64B5-15.030, F.A.C.

The Board's Order, filed on March 31, 2008, dismisses and denies the Petition for Variance or Waiver, finding that Petitioner has not complied with the requirements of Section 120.542(2), Florida Statutes and Rule 28-104.002, Florida Administrative Code. Specifically, the Petition did not contain the following: appropriate caption, citation to applicable rule, citation to the statute the rule is implementing, specific facts demonstrating hardship or a violation of principles of fairness,

or reasons why the waiver would serve the purpose of the underlying statute. Based upon the foregoing, the Board determined that Petition for a waiver or variance is DISMISSED and DENIED.

A copy of the Board's Order may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258.

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NOTICE OF AMENDMENT – The Board of Dentistry hereby gives notice of the issuance of an Order regarding the Petition for Variance for Taeheon Kang, D.D.S. The Notice of Petition for Variance was published in Vol. 34, No. 9, of the February 29, 2008, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on March 6, 2008. The petition requested a waiver of the remedial education requirement of subsection 64B5-2.0146(2), F.A.C.

The Board's Order, filed on March 31, 2008, grants the Petition for Variance or Waiver, finding that Petitioner has complied with the requirements of Section 120.542(2), Florida Statutes. Specifically: Petitioner is otherwise qualified in accordance with Section 466.006(3), Florida Statutes; Petitioner has demonstrated how the purpose of the underlying statute would be achieved or has been achieved by other means as evidenced through his supplemental studies practice experience; Additionally, Petitioner has demonstrated that strict application of subsection 64B5-7.003(4), Florida Administrative Code, would create a substantial hardship or violate principles of fairness. Moreover, Petitioner has complied with Sections 120.542(2) of the Florida Statutes and subsections 64B5-2.0146(2) and 64B5-7.003(4), Florida Administrative Code. Based upon the foregoing, the Board determined that Petitioner is eligible for a waiver or variance of subsections 64B5-2.0146(2) and 64B5-7.003(4), F.A.C.

A copy of the Board's Order may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

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NOTICE OF AMENDMENT – The Board of Dentistry hereby gives notice of the issuance of an Order regarding the Petition for Variance for Lan-Chen Kou. The Notice of Petition for Variance was published in Vol. 34, No. 8, of the February 22, 2008, Florida Administrative Weekly. The Petitioner filed an Amended Petitioner for Variance or Waiver from subsection 64B5-2.0146(2), F.A.C. on February 20, 2008. The Amended Petition for Variance or Waiver was noticed in the Florida Administrative Weekly in Vol. 34, No. 10 on March 7, 2008. The Board considered the Petition at a duly-noticed public meeting held on March 6, 2008. The amended petition requested a waiver of the remedial education requirement of subsection 64B5-2.0146(2), F.A.C.

The Board's Order, filed on March 31, 2008, grants the Petition for Variance or Waiver, finding that Petitioner has complied with the requirements of Section 120.542(2), Florida Statutes. Specifically: Petitioner is otherwise qualified in accordance with Section 466.006(3), Florida Statutes; Petitioner has demonstrated how the purpose of the underlying statute would be achieved or has been achieved by other means as evidenced through her supplemental studied practice experience; Additionally, Petitioner has demonstrated that strict application of subsection 64B5-7.003(4), Florida Administrative Code, would create a substantial hardship or violate principles of fairness. Moreover, Petitioner has complied with Sections 120.542(2), Florida Statutes and subsections 64B5-2.0146(2) and 64B5-7.003(4), Florida Administrative Code. Based upon the foregoing, the Board determined that Petitioner is eligible for a waiver or variance of subsection 64B5-2.0146(2), F.A.C. A copy of the Board's Order may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

NOTICE OF AMENDMENT – The Board of Dentistry hereby gives notice of the issuance of an Order regarding the Petition for Variance for Hossein Pahanhi, D.M.D. The Notice of Petition for Variance was published in Vol. 34, No. 8, of the February 22, 2008, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on March 6, 2008. The petition requested a waiver of the remedial education requirement of subsection 64B5-2.0146(2), F.A.C.

The Board's Order, filed on March 31, 2008, grants the Petition for Variance or Waiver, finding that Petitioner has complied with the requirements of Section 120.542(2), Florida Statutes. Specifically: Petitioner is otherwise qualified in accordance with Section 466.006(3), Florida Statutes; Petitioner has demonstrated how the purpose of the underlying statute would be achieved or has been achieved by other means as evidenced through his residency experience; Additionally, Petitioner has demonstrated that strict application of subsections 64B5-2.0146(2) and/or 64B5-7.003(4), Florida Administrative Code, would create a substantial hardship or violate principles of fairness within the meaning of Section 120.542(2), Florida Statutes. Based upon the foregoing, the Board determined that Petitioner is eligible for a waiver or variance of subsections 64B5-2.0146(2) and 64B5-7.003(4), F.A.C.

A copy of the Board's Order may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

NOTICE OF AMENDMENT – The Board of Dentistry hereby gives notice of the issuance of an Order regarding the Petition for Variance for Brenda L. Pedroza. The Notice of Petition for Variance was published in Vol. 34, No. 10, of the March 7, 2008, Florida Administrative Weekly. The Board considered

the Petition at a duly-noticed public meeting held on March 6, 2008. The petition requested a waiver or variance from the requirement imposed by paragraph 64B5-9.011(4)(b), F.A.C., that dental radiographer training be under the supervision of a Florida licensed dentist.

The Board's Order, filed on April 3, 2008, denies the Petition for Variance or Waiver, finding that Petitioner has not complied with the requirements of Section 120.542(2), Florida Statutes. Specifically, Petitioner has not demonstrated how the purpose of the underlying statute has been achieved. Additionally, Petitioner has not demonstrated that strict application of paragraph 64B5-9.011(4)(b), Florida Administrative Code, would create a substantial hardship or violate principles of fairness within the meaning of Section 120.542(2), Florida Statutes. Based upon the foregoing, the Board determined that Petitioner is not eligible for a waiver or variance of paragraph 64B5-9.011(4)(b), F.A.C.

A copy of the Board's Order may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

NOTICE OF AMENDMENT – The Board of Dentistry hereby gives notice of the issuance of an Order regarding the Petition for Variance for Allyn Segelman, D.M.D, S.M. The Notice of Petition for Variance was published in Vol. 33, No. 50, of the December 14, 2007, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on December 7, 2007, in Ft. Lauderdale, Florida. An Order Denying Petition for Variance or Waiver was filed January 4, 2008. The Respondent verbally declined to amend his Petition and waived his right to a Section 120.57(1), F.S., hearing requesting to be heard by the Board for a hearing not involving disputed issues of material fact pursuant to Section 120.57(2), Florida Statutes at their March 7, 2008 meeting. The matter came before the Board of Dentistry at a duly-noticed public meeting on March 7, 2008, in Tampa, Florida, pursuant to Section 120.57(2), Florida Statutes. Petitioner requested a waiver or variance from the grading scheme provided for in Rule 64B5-2.013, F.A.C.

The Board's Final Order, filed on March 26, 2008, grants the Petition for Variance or Waiver for this very unique case, finding that 1) Petitioner has complied with the requirements of Section 120.542(2), Florida Statutes, in that he demonstrated that the purpose of the underlying statute, Section 466.006, Florida Statutes, will be achieved by other means. This conclusion was supported by information provided in his Petition for Variance or Waiver, the Petition for Hearing, his testimony at the December 7, 2007 hearing and his testimony at the March 7, 2008 hearing; 2) Petitioner demonstrated that in this very unique situation, strict application of Rule 64B5-2.013, Florida Administrative Code, would create a substantial hardship. The Board made this conclusion based on from information provided in the Petition for Variance or

Waiver, the Petition for Hearing, his testimony at the December 7, 2007 hearing, his testimony at the March 2008 hearing and the supplemental information he provided to the Board; 3) The Board concluded that Petitioner demonstrated that in his very unique situation, strict application of Rule 64B5-2.013, Florida Administrative Code, would violate the principles of fairness. The Board based this conclusion on information provided in the Petition for Variance or Waiver, the Petition for Hearing, his testimony at the December 7, 2007 hearing, his testimony at the March 7, 2008 hearing and the supplemental information he provided to the Board.

A copy of the Board's Final Order may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

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NOTICE OF AMENDMENT – The Board of Dentistry hereby gives notice of the issuance of an Order regarding the Petition for Variance for Kesia C. Sexton. The Notice of Petition for Variance was published in Vol. 34, No. 10, of the March 7, 2008, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on March 6, 2008. The petition requested a waiver or variance from the requirement imposed by paragraph 64B5-9.011(4)(b), F.A.C., that dental radiographer training be under the supervision of a Florida licensed dentist.

The Board's Order, filed on April 3, 2008, denies the Petition for Variance or Waiver, finding that Petitioner has not complied with the requirements of Section 120.542(2), Florida Statutes. Specifically, Petitioner has not demonstrated how the purpose of the underlying statute has been achieved. Additionally, Petitioner has not demonstrated that strict application of paragraph 64B5-9.011(4)(b), Florida Administrative Code, would create a substantial hardship or violate principles of fairness within the meaning of Section 120.542(2), Florida Statutes. Based upon the foregoing, the Board determined that Petitioner is not eligible for a waiver or variance of paragraph 64B5-9.011(4)(b), F.A.C.

A copy of the Board's Order may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

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NOTICE OF AMENDMENT – The Board of Dentistry hereby gives notice of the issuance of an Order regarding the Petition for Variance for Jennifer J. Schuttig. The Notice of Petition for Variance was published in Vol. 34, No. 10, of the March 7, 2008, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on March 6, 2008. The petition requested a waiver or variance from the requirement imposed by paragraph 64B5-9.011(4)(b), F.A.C., that dental radiographer training be under the supervision of a Florida licensed dentist.

The Board's Order, filed on April 3, 2008, denies the Petition for Variance or Waiver, finding that Petitioner has not complied with the requirements of Section 120.542(2), Florida Statutes. Specifically, Petitioner has not demonstrated how the purpose of the underlying statute has been achieved. Additionally, Petitioner has not demonstrated that strict application of paragraph 64B5-9.011(4)(b), Florida Administrative Code, would create a substantial hardship or violate principles of fairness within the meaning of Section 120.542(2), Florida Statutes. Based upon the foregoing, the Board determined that Petitioner is not eligible for a waiver or variance of paragraph 64B5-9.011(4)(b), F.A.C.

A copy of the Board's Order may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

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NOTICE OF AMENDMENT – The Board of Dentistry hereby gives notice of the issuance of an Order regarding the Petition for Variance for Flavio Soares, D.D.S. The Notice of Petition for Variance was published in Vol. 34, No. 9, of the February 29, 2008, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on March 6, 2008. The petition requested a waiver or variance from the remedial education requirement of subsection 64B5-2.0146(2), F.A.C.

The Board's Order, filed on March 31, 2008, grants the Petition for Variance or Waiver, finding that Petitioner has complied with the requirements of Section 120.542(2), Florida Statutes. Specifically: Petitioner is otherwise qualified in accordance with Section 466.006(3), Florida Statutes; Petitioner has demonstrated how the purpose of the underlying statute would be achieved or has been achieved by other means as evidenced through his supplemental studies practice experience; Additionally, Petitioner has demonstrated that strict application of subsection 64B5-7.003(4), Florida Administrative Code, would create a substantial hardship or violate principles of fairness within the meaning of Section 120.542(2), Florida Statutes. Based upon the foregoing, the Board determined that Petitioner is eligible for a waiver or variance of subsections 64B5-2.0146(2) and 64B5-7.003(4), F.A.C.

A copy of the Board's Order may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

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NOTICE OF AMENDMENT – The Board of Dentistry hereby gives notice of the issuance of an Order regarding the Petition for Variance for Jennifer P. Sorroza, D.D.S. The Notice of Petition for Variance was published in Vol. 33, No. 19, of the December 7, 2007, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on December 7, 2007. The petition requested a waiver or variance from the remedial education requirement of subsection 64B5-2.0146(2), F.A.C.

The Board's Order, filed on March 31, 2008, grants the Petition for Variance or Waiver, finding that Petitioner has complied with the requirements of Section 120.542(2), Florida Statutes. Specifically: Petitioner is otherwise qualified in accordance with Section 466.006(3), Florida Statutes; Petitioner has demonstrated how the purpose of the underlying statute would be achieved or has been achieved by other means as evidenced through her supplemental studies practice experience; Additionally, Petitioner has demonstrated that strict application of subsection 64B5-7.003(4), Florida Administrative Code, would create a substantial hardship or violate principles of fairness within the meaning of Section 120.542(2), Florida Statutes. Based upon the foregoing, the Board determined that Petitioner is eligible for a waiver or variance of subsections 64B5-2.0146(2) and 64B5-7.003(4), F.A.C.

A copy of the Board's Order may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258.

**NOTICE OF AMENDMENT** – The Board of Dentistry hereby gives notice of the issuance of an Order regarding the Petition for Variance for Karen Way. The Notice of Petition for Variance was published in Vol. 34, No. 10, of the March 7, 2008, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on March 6, 2008. The petition requested a waiver or variance from the requirement imposed by paragraph 64B5-9.011(4)(b), F.A.C., that dental radiographer training be under the supervision of a Florida licensed dentist.

The Board's Order, filed on April 3, 2008, denies the Petition for Variance or Waiver, finding that Petitioner has not complied with the requirements of Section 120.542(2), Florida Statutes. Specifically, Petitioner has not demonstrated how the purpose of the underlying statute has been achieved. Additionally, Petitioner has not demonstrated that strict application of paragraph 64B5-9.011(4)(b), Florida Administrative Code, would create a substantial hardship or violate principles of fairness within the meaning of Section 120.542(2), Florida Statutes. Based upon the foregoing, the Board determined that Petitioner is not eligible for a waiver or variance of paragraph 64B5-9.011(4)(b), F.A.C.

A copy of the Board's Order may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

**NOTICE IS HEREBY GIVEN THAT** on May 16, 2008, the Board of Optometry, received a petition for Variance or Waiver filed on May 16, 2008 on behalf of Patricia Anderson, O.D. Petitioner seeks a variance of Rule 64B13-4.001, F.A.C. Specifically, the Petitioner, a fully-credentialed Wyoming and U.S. Navy optometrist is seeking to be included in the Board hearing scheduled for June 9, 2008, for the purpose of presenting her appeal to be allowed to take the Florida State

practical exam on July 2008 and to be granted a conditional variance of the requirement under Rule 64B13-4.001, F.A.C., entitled "Examination Requirements," which governs the Petitioner's current licensure standing, for reasons of being a displaced military optometric provider under severe economical hardship.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3257.

**NOTICE IS HEREBY GIVEN THAT** on May 12, 2008, the Board of Podiatric Medicine, received a petition for Mark Light, DPM, seeking a variance or waiver of Rule 64B18-12.004, F.A.C., which states that in order to maintain active status of licensure, a podiatric physician shall pay a biennial renewal fee of three hundred fifty dollars (\$350.00) if the biennial renewal fee is received by the Department during the timeframe established by the Department as the timeframe for the biennial renewal of licensure; otherwise, the podiatric physician shall pay a delinquency fee of three hundred and fifty dollars (\$350.00) in addition to the biennial renewal fee.

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

#### **DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**NOTICE IS HEREBY GIVEN THAT** on April 18, 2008, the Department of Children and Family Services, received a petition for waiver of Rule 65C-14.079, F.A.C., from Children's Home Society and Linda P. Ellis, assigned Case No.: 08-010W. Rule 65C-14.079, F.A.C., relates to Staffing Requirements for Maternity Residences.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Family Services, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

**NOTICE IS HEREBY GIVEN THAT** on April 30, 2008, the Department of Children and Family Services has issued an order.

On February 5, 2008, Petitioner, Seamark Ranch, filed a petition for waiver of subsection 65C-14.024(2), F.A.C. Subsection 65C-14.024(2), F.A.C., states the facility shall have adequate staffing coverage at all times to provide the services identified in the agency's statement of purpose. Petitioner's petition fails to sufficiently demonstrate that compliance with the rule constitutes a substantial hardship. In addition, the



petition does not demonstrate that the rule affects petitioner in a manner significantly differently than other similarly-situated licensed child-caring agencies. The Department entered an Order denying petitioner's request for waiver.

A copy of the Order may be obtained by contacting: Agency Clerk, Department of Children and Family Services, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

NOTICE IS HEREBY GIVEN THAT on May 5, 2008, the Department of Children and Family Services has issued an order.

On January 28, 2008, the Department of Children and Family Services received a petition for waiver of subsection 65C-15.017(3), F.A.C., from Devereux Florida and petitioners Donna Blackman, Erica Tollett and Jennifer Davenport. Subsection 65C-15.017(3), F.A.C., states staff of a licensed child-placing agency responsible for performing casework services possess at least a bachelor's degree in social work or a related field. Petitioners have demonstrated that they possess the knowledge, skills and abilities represented by the social work degree requirement in the rule. The Department issued an Order Granting Petitioners' Waiver Request.

A copy of the Order may be obtained by contacting: Agency Clerk, Department of Children and Family Services, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

NOTICE IS HEREBY GIVEN THAT on May 5, 2008, the Department of Children and Family Services has issued an order.

On March 18, 2008, the Department of Children and Family Services received a petition from Children's Home Society of Florida and Frank R. Bosley for waiver of Rule 65C-15.017, F.A.C. Rule 65C-15.017, F.A.C., states that staff of a licensed child-placing agency responsible for performing casework services possess at least a bachelor's degree in social work or a related field. Petitioner Frank Bosley has demonstrated that he possesses the knowledge, skills and abilities represented by the social work degree requirement in the rule. The Department issued an Order granting petitioner's waiver request.

A copy of the Order may be obtained by contacting: Agency Clerk, Department of Children and Family Services, 1317 Winewood Blvd., Bldg. 2, Room 204 Tallahassee, FL 32399-0700.

NOTICE IS HEREBY GIVEN THAT on May 5, 2008, the Department of Children and Family Services has issued an order.

On February 29, 2008, the Department of Children and Family Services received a petition for waiver of subsection 65C-15.017(3), F.A.C., from Children's Home Society of Florida and Ryan Costello. Subsection 65C-15.017(3), F.A.C.,

states staff of a licensed child-placing agency responsible for performing casework services possess at least a bachelor's degree in social work or a related field. Petitioner has demonstrated that he possesses the knowledge, skills, and abilities represented by the social work degree requirement in the rule. The Department issued an Order granting petitioner's request for waiver.

A copy of the Order may be obtained by contacting: Agency Clerk, Department of Children and Family Services, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

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

### DEPARTMENT OF STATE

The Florida **Department of State** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 25, 2008, 10:00 a.m. (EDT)

PLACE: R. A. Gray Building, Room 409, 500 S. Bronough St., Tallahassee, FL 32399-0250

GENERAL SUBJECT MATTER TO BE CONSIDERED: Applications for state historical markers.

A copy of the agenda may be obtained by contacting: Catherine Clark at (850)877-5226.

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

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact Catherine Clark at (850)877-5226.

### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Pest Control Enforcement Advisory Council** announces a public meeting to which all persons are invited.

DATE AND TIME: July 15, 2008, 9:00 a.m.

PLACE: Duval County Extension Office, 1010 North McDuff Avenue, Jacksonville, Florida 32254, (904)387-8850

GENERAL SUBJECT MATTER TO BE CONSIDERED: The business of the Council.

For more information, you may contact: Mr. Michael J. Page, Chief of Bureau of Entomology and Pest Control, 1203 Governors Square Boulevard, Suite 300, Tallahassee, Florida 32301, (850)921-4177.

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The **Florida Citrus Production Research Advisory Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday June 12, 2008, 2:00 p.m.

PLACE: Hyatt Coconut Point, 5001 Coconut Road, Bonita Springs, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting to discuss council issues.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Marshall Wiseheart at (850)488-4366.

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The Florida **Department of Agriculture and Consumer Services, Division of Forestry** (DOF) and the Picayune Strand State Forest Management Plan Advisory Group announces a public meeting to which all persons are invited.

PLACE: Collier County University Extension Office, 14700 Immokalee Road, Naples, FL 34120

Public Meeting

DATE AND TIME: Tuesday, June 10, 2008, 6:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To allow the Picayune Strand State Forest Management Plan Advisory Group to prepare for a public hearing the evening of June 10, 2008 and provide recommendations to the DOF to help in preparation of a management plan for the Picayune Strand State Forest.

Public Hearing

DATE AND TIME: Tuesday, June 10, 2008, 6:15 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To solicit comments on management of the Picayune Strand State Forest. Comments may be presented orally or in writing at the hearing. Written comments may also be submitted to the Caloosahatchee Forestry Center, 10941 Palm Beach Blvd., Ft. Myers, FL 33905, Attention: Kevin Podkowka and should be mailed so as to arrive at the office by the date of the public hearing.

Public Meeting

DATE AND TIME: Wednesday, June 11, 2008, 9:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To allow the Picayune Strand Forest Management Plan Advisory Group to review comments from the public hearing of June 10, 2008, and provide recommendations to the DOF to help in preparation of a management plan for the Picayune Strand State Forest.

A copy of the agenda may be obtained by contacting: DOF Caloosahatchee Forestry Center, Forest Resource Administrator, Kevin Podkowka at (239)690-3500, ext. 104. A copy of the working draft of the management plan, or viewing of the management prospectus may also be obtained by contacting the DOF Caloosahatchee Forestry Center.

Pursuant to the provisions of 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.

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## DEPARTMENT OF EDUCATION

The **Education Practices Commission** announces a hearing to which all persons are invited.

DATE AND TIMES: An Administrator Hearing Panel: June 12, 2008, 9:00 a.m. or as soon thereafter as can be heard; A Teacher Hearing Panel: 10:00 a.m. or as soon thereafter as can be heard; Training for New Commission Members: 2:00 p.m. or as soon thereafter

PLACE: Senate Office Building (S-37), 404 South Monroe Street, Tallahassee, Florida 32399, (850)245-0455

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Hearing Panel of the Education Practices Commission will consider final agency action in matters dealing with the disciplining of certified educators.

A copy of the agenda may be obtained by contacting: Education Practices Commission, 325 W. Gaines Street, 224 Turlington Building, Tallahassee, Florida 32399-0400.

Pursuant to the provisions of 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: Kathleen M. Richards at (850)245-0455. If you are 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: Janice Harris or Kathleen M. Richards.

The **Education Practices Commission** announces a hearing to which all persons are invited.

A Teacher Hearing Panel

DATE AND TIME: June 13, 2008, 9:00 a.m. or as soon thereafter as can be heard

PLACE: Senate Office Building (S-37), 404 South Monroe Street, Tallahassee, Florida 32399, (850)245-0455

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Hearing Panel of the Education Practices Commission will consider final agency action in matters dealing with the disciplining of certified educators.

A copy of the agenda may be obtained by contacting: Education Practices Commission, 325 W. Gaines Street, 224 Turlington Building, Tallahassee, Florida 32399-0400.

Pursuant to the provisions of 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: Kathleen M. Richards at (850)245-0455. If you are 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: Janice Harris or Kathleen M. Richards.

#### DEPARTMENT OF COMMUNITY AFFAIRS

The **Florida Building Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: June 9, 2008, 9:00 a.m.

PLACE: 2555 Shumard Oak Boulevard, Room 210L, Tallahassee, Florida 32399-2100, 1(888)808-6959

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose is to consider the effective date of the 2007 Florida Building Code in light of recent Commission action on Chapter 9B-13, F.A.C. (2008 Florida Energy Efficiency Code for Building Construction), and to consider extending the timeline for the glitch cycle.

A copy of the agenda may be obtained by contacting: Ms. Betty Stevens, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, or call (850)487-1824.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, or call (850)487-1824 or Fax (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Ms. Betty Stevens, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100 or call (850)487-1824.

The **Florida Building Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: June 18, 2008, 9:00 a.m.

PLACE: 305 Kelly Training Room, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32311, (850)487-1824

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Special Occupancy Technical Advisory Committee to consider and provide recommendation on the 2007 glitch code changes for consideration by the Florida Building Commission.

A copy of the agenda may be obtained by contacting: Ms. Betty Stevens, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, or call (850)487-1824 or Fax (850)414-8436, or go to the web site at [www.floridabuilding.org](http://www.floridabuilding.org).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, or call

(850)487-1824 or Fax (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Ms. Betty Stevens, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, or call (850)487-1824 or Fax (850)414-8436, or go to the web site at [www.floridabuilding.org](http://www.floridabuilding.org).

The **Division of Emergency Management** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 9, 2008, 9:30 a.m.

PLACE: Institute for Business and Home Safety (IBHS), 4775 East Fowler Avenue, Tampa, Florida 33617

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a Hurricane Loss Mitigation Advisory Council (RCMP) meeting pursuant to Section 215.559, Florida Statutes.

A copy of the agenda may be obtained by contacting: Shemeeka Hopkins, Community Assistance Consultant, Division of Emergency Management at (850)922-4079.

Pursuant to the provisions of 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: Iris Stanley, Planning Manager, Division of Emergency Management at (850)922-4454. If you are 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: Iris Stanley, Planning Manager, Division of Emergency Management, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)922-4454

**DEPARTMENT OF TRANSPORTATION**

The **Department of Transportation**, District 6 announces a hearing to which all persons are invited.

DATE AND TIME: Thursday, June 26, 2008, 6:00 p.m.

PLACE: Miami Beach City Hall, 1700 Convention Center Drive, 3rd Floor, Commission Chambers, Miami Beach, Florida 33139

GENERAL SUBJECT MATTER TO BE CONSIDERED: This public hearing is being conducted to provide interested persons the opportunity to express their views concerning the location, conceptual design, social, economic and environmental effects of Financial Project ID Number 249911-2-22-01, Federal-Aid Project Number (To Be Assigned), otherwise known as the Project Development and Environment (PD&E) Study of SR 907/Alton Road. The limits of the PD&E Study are along Alton Road from 5th Street to Michigan Avenue, including the "5th Street Flyover" from eastbound State Road A1A (MacArthur Causeway) in Miami Beach, Florida.

A copy of the agenda may be obtained by contacting: Holt Communications, 250 Catalonia Ave., Suite 401, Coral Gables, Florida 33134, e-mail [Yvette@HoltCommunications.net](mailto:Yvette@HoltCommunications.net).

Pursuant to the provisions of 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: Holt Communications at 250 Catalonia Ave., Suite 401, Coral Gables, Florida 33134, e-mail [Yvette@HoltCommunications.net](mailto:Yvette@HoltCommunications.net). If you are 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 HIGHWAY SAFETY AND MOTOR VEHICLES**

The **Department of Highway Safety and Motor Vehicles** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, June 10, 2008, 9:00 a.m.

PLACE: The Capitol, Lower Level, The Cabinet Meeting Room, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Proposed adoption of Administrative Rule Chapter 15C-16 will be considered by the Governor and Cabinet. A notice of Proposed Rule Making regarding the above rule was published in the May 2, 2008 issue of the F.A.W., Vol. 34 No. 18.

A copy of the agenda may be obtained by contacting: Palmer Brand, Bureau of Titles and Registrations, Division of Motor Vehicles, Room A-334, MS-68, Neil Kirkman Building, Tallahassee, Florida 32399-0500, (850)617-3001.

Pursuant to the provisions of 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: Palmer Brand at (850)617-3001 or email [palmerbrand@flhsmv.gov](mailto:palmerbrand@flhsmv.gov) at least 48 hours before the hearing. If you

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

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

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The **Department of Environmental Protection**, Office of Coastal and Aquatic Managed Areas, acting as staff to the **Board of Trustees of the Internal Improvement Trust Fund** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 18, 2008, 6:00 p.m.

PLACE: Guana Tolomato Matanzas NERR, 505 Guana River Road, Ponte Vedra Beach, Florida 32082

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Management Advisory Group (MAG) for the Guana Tolomato Matanzas National Estuarine Research Reserve (GTMNERR) will hold its next meeting on Wednesday, June 18th at 6:00 p.m. The MAG provides advisory input to the Office of Coastal and Aquatic Managed Areas for the management of the GTMNERR.

A copy of the agenda may be obtained by contacting: Annette Odom at (904)823-4500.

Pursuant to the provisions of 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: Annette Odom at (904)823-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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### **STATE BOARD OF ADMINISTRATION**

The **Florida Hurricane Catastrophe Fund Advisory Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 9, 2008, 9:00 a.m. – 12:00 Noon (ET)

PLACE: This meeting will be held via teleconference. Persons who wish to participate may call: 1(888)808-6959, Conference Code: 4765251363.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Proposed financial products and other general business of the Council.

A copy of the agenda may be obtained by contacting: Donna Sirmons, Florida Hurricane Catastrophe Fund, P. O. Drawer 13300, Tallahassee, Florida 32317, donna.sirmons@sbafla.com or (850)413-1349.

Pursuant to the provisions of 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: Donna Sirmons, at the address given above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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The **Florida Hurricane Catastrophe Fund Finance Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: June 10, 2008, 9:00 a.m. (ET), immediately following the conclusion of the meeting of the Governor and Cabinet

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Board of Directors for the Florida Hurricane Catastrophe Fund Finance Corporation, a public benefits corporation created under Section 215.555, F.S., to which all persons are invited. The Board of Directors will address and take action on the need to raise additional revenue to fund the obligations, costs and expenses of the Florida Hurricane Catastrophe Fund and the Florida Hurricane Catastrophe Fund Finance Corporation. In addition, other general business may be addressed.

For more information, you may contact: Tracy Allen, Florida Hurricane Catastrophe Fund at (850)413-1341 or [tracy.allen@sbafla.com](mailto:tracy.allen@sbafla.com).

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The **State Board of Administration (SBA)** announces a public meeting to which all persons are invited.

DATE AND TIME: June 10, 2008, 9:00 a.m. (ET).

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Trustees of the SBA to address and take action on the need to raise additional revenue to fund the obligations, costs and expenses of the Florida Hurricane Catastrophe Fund and the Florida Hurricane Catastrophe Fund Finance Corporation. Permission is also sought to file emergency Rule 19ER08-2, F.A.C., Insurance Capital Build-Up Incentive Program to implement new legislation and to allow a Notice of Proposed Rulemaking and adoption for Rule 19-15.001, F.A.C., Insurance Capital Build-Up Incentive Program, if no hearing is requested in a timely manner. In addition, other general business may be addressed.

For more information, you may contact: Tracy Allen, Florida Hurricane Catastrophe Fund at (850)413-1341 or [tracy.allen@sbafla.com](mailto:tracy.allen@sbafla.com).

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**FLORIDA PAROLE COMMISSION**

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 18, 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)488-1293.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Florida Parole Commission, 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)922-6137.

**PUBLIC SERVICE COMMISSION**

The Florida **Public Service Commission** announces its Internal Affairs Meeting to which all interested persons are invited.

DATE AND TIME: \*June 16, 2008, 9:30 a.m.

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Conference Room 140, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and make decisions on matters which affect the operation of the Commission.

A copy of the agenda of the Internal Affairs Meeting may be obtained by contacting: Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation at this conference should contact the Office of Commission Clerk no later than 48 hours prior to the conference at (850)413-6770 or via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD) Florida

Relay Service. Assistive Listening Devices are available at the Office of Commission Clerk, Betty Easley Conference Center, Room 110.

\*In the event of a change or cancellation, notice will be published at the earliest practicable time on the Commission's website at <http://www.psc.state.fl.us/agendas/internalaffairs/>.

The Florida **Public Service Commission** announces a prehearing to be held in the following docket, to which all interested persons are invited.

Docket No. 070699-TP – Petition by Intrado Communications, Inc. for arbitration of certain rates, terms, and conditions for interconnection and related arrangements with Embarq Florida, Inc., pursuant to Section 252(b) of the Communications Act of 1934, as amended, and Section 364.162, F.S.

DATE AND TIME: June 16, 2008, 1:00 p.m.

PLACE: Betty Easley Conference Center, Joseph P. Cresse Hearing Room 148, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider (1) the simplification of the issues; (2) the identification of the positions of the parties on the issues; (3) the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) the identification of the exhibits; (5) the establishment of an order of witnesses; and (6) such other matters as may aid in the disposition of the action.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation at this conference should contact the Office of Commission Clerk no later than 48 hours prior to the conference at (850)413-6770 or via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD) Florida Relay Service. Assistive Listening Devices are available at the Office of Commission Clerk, Betty Easley Conference Center, Room 110.

The Florida **Public Service Commission** announces a prehearing to be held in the following docket, to which all interested persons are invited.

Docket No. 070736-TP – Petition by Intrado Communications, Inc. for arbitration of certain rates, terms, and conditions for interconnection and related arrangements with BellSouth Telecommunications, Inc. d/b/a AT&T Florida, pursuant to Section 252(b) of the Communications Act of 1934, as amended, and Sections 120.80(13), 120.57(1), 364.15, 364.16, 364.161, and 364.162, F.S., and Rule 28-106.201, F.A.C.

DATE AND TIME: June 16, 2008, 2:30 p.m.

PLACE: Betty Easley Conference Center, Joseph P. Cresse Hearing Room 148, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider (1) the simplification of the issues; (2) the identification of the positions of the parties on the issues; (3) the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) the

identification of the exhibits; (5) the establishment of an order of witnesses; and (6) such other matters as may aid in the disposition of the action.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation at this conference should contact the Office of Commission Clerk no later than 48 hours prior to the conference at (850)413-6770 or via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD) Florida Relay Service. Assistive Listening Devices are available at the Office of Commission Clerk, Betty Easley Conference Center, Room 110.

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The Florida **Public Service Commission** announces its regularly scheduled conference to which all interested persons are invited.

DATE AND TIME: June 17, 2008, 9:30 a.m.

PLACE: Betty Easley Conference Center, Joseph P. Cresce Hearing Room 148, 4075 Esplanade Way, Tallahassee, Florida  
GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider those matters ready for decision.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350, 364, 366 and 367, F.S.

Persons who may be affected by Commission action on certain items on the conference agenda may be allowed to address the Commission, either informally or by oral argument, when those items are taken up for discussion at the conference, pursuant to Rules 25-22.0021 and 25-22.0022, F.A.C.

A copy of the agenda may be obtained by any person who requests a copy and pays the reasonable cost of the copy (\$1.00, see Copying Charges for Commission Records), by contacting the Office of Commission Clerk at (850)413-6770 or writing: Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. The agenda and recommendations are also accessible on the PSC Website: <http://www.floridapsc.com> at no charge.

Persons deciding to appeal any decisions made by the Commission with respect to any matter considered at this conference will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which appeal is based.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation at this conference should contact the Office of Commission Clerk no later than 48 hours prior to the conference at (850)413-6770 or via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD) Florida Relay Service. Assistive Listening Devices are available at the Office of Commission Clerk, Betty Easley Conference Center, Room 110.

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## EXECUTIVE OFFICE OF THE GOVERNOR

The **Office of Suicide Prevention** announces a public meeting to which all persons are invited.

DATE AND TIME: July 10, 2008, 1:00 p.m. – 4:00 p.m.

PLACE: Room 2103, The Capitol, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Suicide Prevention.

A copy of the agenda may be obtained by contacting: Erin MacInnes at (850)922-0498.

Pursuant to the provisions of 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: Erin MacInnes at (850)922-0498. If you are 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: Erin MacInnes at (850)922-0498.

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The **Office of Suicide Prevention, Office of Drug Control** announces a public meeting to which all persons are invited.

DATE AND TIME: October 28, 2008, 1:00 p.m. – 4:00 p.m.

PLACE: Room 2103, The Capitol, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Suicide Prevention.

A copy of the agenda may be obtained by contacting: Erin MacInnes at (850)922-0498.

Pursuant to the provisions of 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: Erin MacInnes at (850)922-0498. If you are 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: Erin MacInnes at (850)922-0498.

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## ADMINISTRATION COMMISSION

The **Administration Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, June 10, 2008, 9:00 a.m.

PLACE: Room LL03, Cabinet Meeting Room, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is a regularly scheduled meeting of the Governor and Cabinet. The Governor and Cabinet, sitting as the Administration Commission, will consider the Walton County Sheriff's Budget Application for funding of the E911 System.

A copy of the agenda may be obtained by contacting: Melissa Patino, Office of the Governor, Office of Policy and Budget, Room 1802, The Capitol, Tallahassee, Florida 32399, (850)922-4020.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least two days before the workshop/meeting by contacting: Melissa Patino, Office of the Governor, Office of Policy and Budget, Room 1802, The Capitol, Tallahassee, Florida 32399, (850)922-4020. If you are 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: Melissa Patino, Office of the Governor, Office of Policy and Budget, Room 1802, The Capitol, Tallahassee, Florida 32399, (850)922-4020.

**REGIONAL PLANNING COUNCILS**

The **Northeast Florida Regional Council**, Planning and Growth Management Policy Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 5, 2008, 8:30 a.m.

PLACE: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss pending planning and growth management issues.

Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

The **Northeast Florida Regional Council**, Personnel, Budget, and Finance Policy Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 5, 2008, 9:00 a.m.

PLACE: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, Florida, 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss pending personnel, budget, and finance policy matters.

Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, Florida 32216.

The **Northeast Florida Regional Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 5, 2008, 10:00 a.m.

PLACE: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Monthly Meeting.

Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, Florida 32216.

Pursuant to the provisions of 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: Angela Giles at (904)279-0880, or agiles@nefrc.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: Angela Giles at (904)279-0880 or agiles@nefrc.org.

The **Northeast Florida Regional Council**, Legislative Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 5, 2008, immediately following the monthly Board meeting

PLACE: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, Florida 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss legislative issues. Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, Florida 32216.

For more information, you may contact: Angela Giles at (904)279-0880 or agiles@nefrc.org.

The **Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: June 11, 2008, 9:30 a.m.

PLACE: Colonial Bank Building, 3rd Floor Conference Room, 600 North Broadway Avenue, Bartow, FL 33830



**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Regular monthly meeting of the Council and/or it's 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, Executive Director, 555 East Church Street, Bartow, FL 33830 (863)534-7130, ext. 130.

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The **Treasure Coast Regional Planning Council** announces a public meeting to which all persons are invited.

**DATE AND TIME:** June 20, 2008, 9:30 a.m.

**PLACE:** Wolf High Technology Center, Indian River Community College, 2400 S. E. Salerno Road, Stuart, FL 34997

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct the monthly meeting of the Council.

A copy of the agenda may be obtained by contacting: Liz Gulick at (772)221-4060.

Pursuant to the provisions of 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: Liz Gulick at (772)221-4060. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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## **DEPARTMENT OF CORRECTIONS**

The Florida **Department of Corrections** announces a hearing to which all persons are invited.

**DATE AND TIME:** Tuesday, July 1, 2008, 10:00 a.m.

**PLACE:** Department of Corrections Central Office, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Rule 33-602.210, F.A.C., Use of Force.

Pursuant to the provisions of 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. If you are 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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## **WATER MANAGEMENT DISTRICTS**

The **Suwannee River Water Management District** announces a public meeting to which all persons are invited.

**DATE AND TIME:** June 10, 2008, 9:00 a.m.

**PLACE:** Live Oak City Hall, 101 White Avenue, S. E., Live Oak, Florida, (386)362-2276

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Board Meeting – to consider District business, and conduct public hearings on regulatory and land acquisition matters. A workshop will follow the Governing Board Meeting.

A copy of the agenda may be obtained by contacting: Lisa Cheshire at (386)362-1001.

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

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

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The **Southwest Florida Water Management District** announces a public meeting to which all persons are invited.

**DATE AND TIME:** Monday, June 9, 2008, 9:00 a.m.

**PLACE:** Tampa Service Office, 7601 U.S. Highway 301 North, Tampa, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** HILLSBOROUGH RIVER BASIN BOARD MEETING: Consider Basin business including Basin Board review of Cooperative Funding proposals and adoption of proposed millage for Fiscal Year 2009. Ad Order 52446.

A copy of the agenda may be obtained by contacting: SWFWMD Executive Department, 2379 Broad Street, Brooksville, Florida 34604, 1(800)423-1476 (Florida) or Frances Sesler at (352)796-7211, extension 4608.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: General Services Department at 1(800)423-1476 (Florida) or (352)796-7211, extension 4527, TDD only 1(800)231-6103. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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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.

For more information, you may contact SWFWMD Executive Department at the address above.

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**The Southwest Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 11, 2008, 9:00 a.m.

PLACE: Sarasota Service Office, 6750 Fruitville Road, Sarasota, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: MANASOTA BASIN BOARD MEETING: Consider Basin business including Basin Board review of Cooperative Funding proposals and adoption of proposed millage for Fiscal Year 2009. Ad Order 52446.

A copy of the agenda may be obtained by contacting: SWFWMD Executive Department, 2379 Broad Street, Brooksville, Florida 34604, 1(800)423-1476 (Florida) or Frances Sesler at (352)796-7211, extension 4608.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: General Services Department at 1(800)423-1476 (Florida) or (352)796-7211, extension 4527, TDD only 1(800)231-6103. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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For more information, you may contact SWFWMD Executive Department at the address above.

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**The Southwest Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 12, 2008, 9:00 a.m.

PLACE: District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: WITHLACOOCHEE RIVER BASIN BOARD MEETING: Consider Basin business including Basin Board review of Cooperative Funding proposals and adoption of proposed millage for Fiscal Year 2009. Ad Order 52446.

A copy of the agenda may be obtained by contacting: SWFWMD Executive Department, 2379 Broad Street, Brooksville, Florida 34604, 1(800)423-1476 (Florida) or Frances Sesler at (352)796-7211, extension 4608.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: General Services Department at 1(800)423-1476 (Florida) or (352)796-7211, extension 4527, TDD only 1(800)231-6103. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact SWFWMD Executive Department at the address above.

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**The Southwest Florida Water Management District** (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 12, 2008, 1:00 p.m.

PLACE: District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: COASTAL RIVERS BASIN BOARD MEETING: Consider Basin business including Basin Board review of Cooperative Funding proposals and adoption of proposed millage for Fiscal Year 2009. Ad Order 52446.

A copy of the agenda may be obtained by contacting: SWFWMD Executive Department, 2379 Broad Street, Brooksville, Florida 34604, 1(800)423-1476 (Florida) or Frances Sesler at (352)796-7211, extension 4608.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: General Services Department at 1(800)423-1476 (Florida) or (352)796-7211, extension 4527, TDD only 1(800)231-6103. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact SWFWMD Executive Department at the address above.

The **Southwest Florida Water Management District** announces a public meeting to which all persons are invited.

DATES AND TIMES: Thursday, June 12, 2008, 4:00 p.m.; Friday – Saturday, June 13-14, 2008, 8:30 a.m.

PLACE: Girl Scouts of Gulfcoast Florida Headquarters, 4780 Cattlemen Road, Sarasota, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: SARASOTA GROUND WATER INSTITUTE FOR TEACHERS: Three-day event will include teacher trainings and an educational field trip focusing on groundwater issues. Ad Order 52446.

A copy of the agenda may be obtained by contacting: SWFWMD Executive Department, 2379 Broad Street, Brooksville, Florida 34604, 1(800)423-1476 (Florida) or Frances Sesler at (352)796-7211, extension 4608.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: General Services Department at 1(800)423-1476 (Florida) or (352)796-7211, extension 4527, TDD only 1(800)231-6103. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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For more information, you may contact SWFWMD Executive Department at the address above.

The **South Florida Water Management District** announces a private closed door attorney-client session.

DATE AND TIME: June 11, 2008, 9:00 a.m. – completion

PLACE: Edison College, Taeni Hall, Rooms 106 & 107, 8099 College Parkway, Fort Myers, FL 33919

DATE AND TIME: June 12, 2008, 9:00 a.m. – completed

PLACE: Edison College, Taeni Hall, Rooms 106 & 107, 8099 College Parkway, Fort Myers, FL 33919

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 and/or settlement negotiations 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, P. Huck, M. Meeker, R. Montgomery, P. Rooney; 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 the 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 private closed door attorney-client session.

DATE AND TIME: June 11, 2008, 9:00 a.m. – completed

PLACE: Edison College, Taeni Hall, Rooms 106 & 107, 8099 College Parkway, Fort Myers, FL 33919

DATE AND TIME: June 12, 2008, 9:00 a.m. – completed

PLACE: Edison College, Taeni Hall, Rooms 106 & 107, 8099 College Parkway, Fort Myers, FL 33919

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 and/or settlement negotiations 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, P. Huck, M. Meeker, R. Montgomery, P. Rooney; 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 the District Clerk's Office at (561)682-2087 or [www.sfwmd.gov](http://www.sfwmd.gov).

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For more information, you may contact the District Clerk's Office at (561)682-2087.

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The **South Florida Water Management District** announces a private closed door attorney-client session.

**DATE AND TIME:** June 11, 2008, 9:00 a.m. – completed

**PLACE:** Edison College, Taeni Hall, Rooms 106 & 107, 8099 College Parkway, Fort Myers, FL 33919

**DATE AND TIME:** June 12, 2008, 9:00 a.m. – completed

**PLACE:** Edison College, Taeni Hall, Rooms 106 & 107, 8099 College Parkway, Fort Myers, FL 33919

**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 and/or settlement negotiations 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, P. Huck, M. Meeker, R. Montgomery, P. Rooney; 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 the District Clerk's Office at (561)682-2087 or [www.sfwmd.gov](http://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.

For more information, you may contact the District Clerk's Office at (561)682-2087.

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The **South Florida Water Management District** announces a public meeting to which all persons are invited.

**Workshop**

**DATE AND TIME:** June 11, 2008, 1:00 p.m.

**PLACE:** Edison College, Taeni Hall, Rooms 106 & 107, 8099 College Parkway, Fort Myers, FL 33919

**Business**

**DATE AND TIME:** Meeting, June 12, 2008, 9:00 a.m.

**PLACE:** Edison College, Taeni Hall, Rooms 106 & 107, 8099 College Parkway, Fort Myers, FL 33919

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 Business 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. If Workshop items are not discussed on 6/11, the items may be discussed on 6/12.

**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 at (561)682-2087, or [https://my.sfwmd.gov/portal/page?\\_pageid=2574,13014318&\\_dad=portal&\\_schema=PORTAL](https://my.sfwmd.gov/portal/page?_pageid=2574,13014318&_dad=portal&_schema=PORTAL).

Pursuant to the provisions of 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.

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The **South Florida Water Management District** announces a public meeting to which all persons are invited.

South Florida Water Management District Leasing Corporation  
DATE AND TIME: Wednesday, June 11, 2008, Immediately following the conclusion of the workshop meeting of the Governing Board of the South Florida Water Management District until complete

PLACE: Edison College, Taeni Hall, Rooms 106 & 107, 8099 College Parkway, Fort Myers, FL 33919. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of 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.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Annual Meeting of the South Florida Water Management District Leasing Corporation to discuss leasing corporation business.

A copy of the agenda may be obtained by contacting: Jacki McGorty at (561)682-2087, or [https://my.sfwmd.gov/portal/page?\\_pageid=2574,13014451&\\_dad=portal&\\_schema=PORTAL](https://my.sfwmd.gov/portal/page?_pageid=2574,13014451&_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 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.

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The **South Florida Water Management District** announces a public meeting to which all persons are invited.

Special meeting of the Everglades Technical Oversight Committee (TOC).

DATE AND TIME: June 17, 2008, 10:00 a.m.

PLACE: South Florida Water Management District Headquarters, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Special meeting of the Everglades Technical Oversight Committee (TOC).

A copy of the agenda may be obtained by contacting: (1) District Website ([http://www.sfwmd.gov/org/ema/toc/draft\\_agenda.html](http://www.sfwmd.gov/org/ema/toc/draft_agenda.html)) or (2) by writing to the South Florida Water Management District, Mail Stop 2130, P. O. Box 24680, West Palm Beach, FL 33416-4680.

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

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The **South Florida Water Management District** announces a public meeting to which all persons are invited.

Special meeting of the Everglades Technical Oversight Committee (TOC).

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

PLACE: South Florida Water Management District Headquarters, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Special meeting of the Everglades Technical Oversight Committee (TOC).

A copy of the agenda may be obtained by contacting: (1) District Website ([http://www.sfwmd.gov/org/ema/toc/draft\\_agenda.html](http://www.sfwmd.gov/org/ema/toc/draft_agenda.html)) or (2) by writing to the South Florida Water Management District, Mail Stop 2130, P. O. Box 24680, West Palm Beach, FL 33416-4680.

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

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#### 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, June 16, 2008, 9:00 a.m.

PLACE: 2575 Enterprise Road, Clearwater, Florida 33763

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Hearing on the Tampa Bay Water FY 2008/2009 Proposed Budget, followed immediately by the Regular Board Meeting where Final Budget Action will be considered.

A copy of the agenda may be obtained by contacting: Tampa Bay Water at (727)796-2355 or can be accessed on the Web at [www.tampabaywater.org](http://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.

The **Peace River Manasota Regional Water Supply Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: June 4, 2008, 9:30 a.m.

PLACE: Sarasota County Administration Center, 1660 Ringling Boulevard, Sarasota, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors will convene to conduct regular business of the Authority.

A copy of the agenda may be obtained by contacting: Peace River Manasota Regional Water Supply Authority, 6311 Atrium Drive, Suite 100, Bradenton, Florida.

Pursuant to the provisions of 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 calling: (941)316-1776. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may call: (941)316-1776.

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#### DEPARTMENT OF ELDER AFFAIRS

The **Department of Elder Affairs**, Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 19, 2008, 10:00 a.m. – 2:00 p.m. (EST)

PLACE: Senior Resource Alliance, 988 Woodcock Road, Suite 200, Orlando, Florida 32803

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of the initiatives that the advisory council and the department wish to undertake.

A copy of the agenda may be obtained by contacting: W. John Matthews III, Department of Elder Affairs, 4040 Esplanade Way, Suite 235R, Tallahassee, FL 32399-7000, (850)414-2311, [matthewsw@elderaffairs.org](mailto:matthewsw@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: W. John Matthews III, Department of Elder Affairs, 4040 Esplanade Way, Suite 235R, Tallahassee, FL 32399-7000, (850)414-2311, [matthewsw@elderaffairs.org](mailto:matthewsw@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: W. John Matthews III, Department of Elder Affairs, 4040 Esplanade Way, Suite 235R, Tallahassee, FL 32399-7000, (850)414-2311, matthewsw@elderaffairs.org.

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#### DEPARTMENT OF MANAGEMENT SERVICES

The **Agency for Workforce Innovation's**, Office of Early Learning announces a public meeting to which all persons are invited.

DATE AND TIME: June 13, 2008, 9:00 a.m. – 3:00 p.m.

PLACE: Tampa Airport Marriott, Tampa, FL. The meeting will be held at the Tampa Airport Marriott located at the Tampa International Airport. Call 1(800)564-3440 and reference that you are with the Agency for Workforce Innovation to receive the special group rate.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Early Learning Advisory Council Meeting.

A copy of the agenda may be obtained by contacting: Lisa Billups at (850)921-3413 or lisa.billups@flaawi.com.

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The Florida **Commission on Human Relations** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 26, 2008, 9:00 a.m.

PLACE: Florida Commission on Human Relations, The phone number to contact is: 1(888)808-6959, when prompted enter the VCS Conference Code: 1021548, followed by the # key.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will be held to deliberate cases that have come before the Commission for determination.

A copy of the agenda may be obtained by contacting: Denise Crawford, Clerk of the Commission, Florida Commission on Human Relations, 2009 Apalachee Parkway, Suite 100, Tallahassee, Florida 32301, (850)488-7082, ext. 1032.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Denise Crawford, Clerk of the Commission, Florida Commission on Human Relations, 2009 Apalachee Parkway, Suite 100, Tallahassee, Florida 32301, (850)488-7082, ext. 1032. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Denise Crawford, Clerk of the Commission, Florida Commission on Human Relations, 2009 Apalachee Parkway, Suite 100, Tallahassee, Florida 32301, (850)488-7082, ext. 1032.

#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Bureau of Elevator Safety** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, July 8, 2008, 9:00 a.m. – 1:00 p.m.

PLACE: Meeting Room, Royal Plaza Hotel in the Walt Disney World Resort, 1905 Hotel Plaza Blvd., Lake Buena Vista, FL 32830

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Elevator Safety Technical Advisory Council will be meeting to discuss issues pertaining to elevator safety within the state of Florida.

A copy of the agenda may be obtained by contacting: Doug Melvin, Chief, Bureau of Elevator Safety 1940 N. Monroe St., Tallahassee, FL 32399-1013, (850)488-9098.

Pursuant to the provisions of 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: Doug Melvin, Chief, Bureau of Elevator Safety 1940 N. Monroe St., Tallahassee, FL 32399-1013, (850)488-9098. If you are 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: Doug Melvin, Chief, Bureau of Elevator Safety 1940 N. Monroe St., Tallahassee, FL 32399-1013, (850)488-9098.

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The **Department of Business and Professional Regulation, Board of Employee Leasing Companies** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 18, 2008, 10:00 a.m. or soon thereafter

PLACE: The Four Seasons Resort, 2800 South Ocean Boulevard, Palm Beach, Florida 33480, (561)582-2800

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting of the Board.

A copy of the agenda may be obtained by contacting: Department of Business and Professional Regulation, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767, or by calling their office at (850)487-1395.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting the board office at (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

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The **Florida Real Estate Commission** announces a hearing to which all persons are invited.

DATE AND TIME: Monday, June 16, 2008, 2:30 p.m. or the soonest thereafter. Portions of the probable cause proceedings are not open to the public.

PLACE: Zora Neale Hurston Building, North Tower, Suite 901N, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases to determine probable cause and to conduct a public meeting to review cases where probable cause was previously found. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Commission members or its counsel.

A copy of the agenda may be obtained by contacting: Deputy Clerk, Florida Real Estate Commission, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772. Only certain portions of the agenda are available for public inspection.

Pursuant to the provisions of 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 Division of Real Estate at (407)481-5662 (between the hours of 8:30 a.m. – 4:00 p.m.). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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The **Florida Real Estate Commission** announces a public meeting to which all persons are invited.

DATES AND TIME: Tuesday, June 17, 2008; Wednesday, June 18, 2008, 8:30 a.m.

PLACE: Division of Real Estate, Conference Room N901, North Tower, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of Commission – among topics included, but not limited to, are proposed legislation affecting Chapter 475, Part I, F.S., rule development workshops, Florida Administrative Code 61J2 rule amendments, budget discussions, escrow disbursement requests, recovery fund claims, education issues, petitions for declaratory statement, petitions for rule variance/waiver, and disciplinary actions.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Commission members or its counsel.

A copy of the agenda may be obtained by contacting: Deputy Clerk, Florida Real Estate Commission, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772, (407)481-5632.

Pursuant to the provisions of 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 Department of Business and Professional Regulation at (407)481-5632. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Deputy Clerk, Florida Real Estate Commission, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772.

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The **Florida Real Estate Commission** announces a workshop to which all persons are invited.

DATE AND TIME: Wednesday, June 18, 2008, 1:00 p.m. or soon thereafter

PLACE: Division of Real Estate, Conference Room N901, North Tower, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the workshop is to discuss issues relating to duties of unlicensed assistants.

A copy of the agenda may be obtained by contacting: Deputy Clerk, Florida Real Estate Commission, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772, (407)481-5662

Pursuant to the provisions of 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 Division of Real Estate at (407)481-5662. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Deputy Clerk, Florida Real Estate Commission, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772.



**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**, Office of Coastal and Aquatic Managed Areas announces a public meeting to which all persons are invited.

**DATES AND TIMES:** June 11, 2008, 1:00 p.m. – 6:00 p.m. or until Completed; June 12, 2008, 8:00 a.m. – 3:00 p.m. or until Completed

**PLACE:** South Florida Water Management District, Orlando Service Center, Suite 200, Shingle Creek Conference Room, 1707 Orlando Central Parkway, Orlando, FL 32809

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Florida Water Resources Monitoring Council is meeting to pursue their charges to coordinate and standardize monitoring in Florida inland and coastal waters.

A copy of the agenda may be obtained by contacting: Steve Wolfe at (850)245-2102 or [Steven.Wolfe@dep.state.fl.us](mailto:Steven.Wolfe@dep.state.fl.us).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Steve Wolfe at (850)245-2102 or [Steven.Wolfe@dep.state.fl.us](mailto:Steven.Wolfe@dep.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**DEPARTMENT OF HEALTH**

The **Board of Acupuncture** announces a public meeting to which all persons are invited.

**DATE AND TIME:** Friday, June 20, 2008, 9:00 a.m. or soon thereafter

**PLACE:** Renaissance Orlando Hotel Airport, 5445 Forbes Place, Orlando, FL 32812, (407)240-1000

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct general business of the Board.

A copy of the agenda may be obtained by contacting: Board of Acupuncture, 4052 Bald Cypress Way, Bin C-06, Tallahassee, Florida 32399-3256.

Please note, that if a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he will need a record of the proceedings, and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring special accommodations at this meeting due to disability or physical impairment should contact the Board of Acupuncture, (850)245-4161 at least five (5) calendar days prior to the meeting. If you are hearing or speech

impaired, please contact the Board office using the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Nursing**, South Probable Cause Panel announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** June 19, 2008, 2:00 p.m.

**PLACE:** Department of Health, Tallahassee at Meet Me Number 1(888)808-6959, Passcode 2458182

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** For cases previously heard by the panel.

A copy of the agenda may be obtained by writing: Rick García, Executive Director, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3257.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting the Florida 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 **Board of Opticianry** announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** June 11, 2008, 2:00 p.m.

**PLACE:** (850)245-4461 to inquire about call-in number

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Probable Cause Panel and Reconsiderations.

A copy of the agenda may be obtained by contacting: Sue Foster, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, BIN #C08, Tallahassee, FL 32399-3258, or call (850)245-4474.

Any person requiring special accommodations for this conference call due to disability or physical impairment should call (850)245-4474, at least five (5) calendar days prior to the conference call. If you are hearing or speech impaired, please contact the office using the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Board of Opticianry** announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** June 26, 2008, 8:00 a.m.

**PLACE:** (850)245-4461 to inquire about call-in number

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General business meeting.

A copy of the agenda may be obtained by contacting: Sue Foster, Executive Director, Department of Health, Board of Opticianry 4052 Bald Cypress Way, BIN #C08, Tallahassee, Florida 32399-3258.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she may need to ensure that a verbatim record of the proceeding is made, which records include the testimony and evidence upon which the appeal is to be made.

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD). Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster, (850)245-4474 at least one week prior to the meeting date.

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The **Department of Health** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, June 2, 2008, 3:00 p.m. – 5:00 p.m.

PLACE: Toll-Free Conference Call Number: 1(888)808-6959, Conference Code: 2454242

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is a conference call for the Governor’s Task Force on Autism Spectrum Disorders Putting the Pieces Together Committee. On this call, members will discuss the next in-person meeting of the Task Force. The Task Force will discuss the scope and prioritization of autism issues to be addressed as listed in Executive Order 08-36 for the development of a report of recommendations due to the Governor by March 20, 2009.

A copy of the agenda may be obtained by contacting: Lona Taylor at (850)245-4242.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Lona Taylor at (850)245-4242. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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The **Department of Health** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, June 4, 2008, 3:30 p.m. – 5:00 p.m.

PLACE: Toll-Free Conference Call Number: 1(888)808-6959, Conference Code: 2454242

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is a conference call for the Governor’s Task Force on Autism Spectrum Disorders Costs of Autism Committee. The committee will discuss the scope and prioritization of autism issues to be addressed as listed in Executive Order 08-36 for the development of a report of recommendations due to the Governor by March 20, 2009.

A copy of the agenda may be obtained by contacting: Lona Taylor at (850)245-4242.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Lona Taylor at (850)245-4242. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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The **Department of Health** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, June 9, 2008, 1:00 p.m. – 2:00 p.m.

PLACE: Toll-Free Conference Call Number: 1(888)808-6959, Conference Code: 2454242

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is an organizational conference call for the Governor’s Task Force on Autism Spectrum Disorders subcommittee co-chairs. On this call, members will discuss the next in-person meeting of the Task Force.

A copy of the agenda may be obtained by contacting: Lona Taylor at (850)245-4242.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Lona Taylor at (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).

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The Florida **Department of Health** announces a public meeting to which all persons are invited.

DATES AND TIMES: June 9, 2008, 1:00 p.m.; June 10, 2008, 3:00 p.m.

PLACE: Marriott Tampa Airport, Tampa International Airport, Tampa, Florida 33607, (813)879-5151

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Summer Wellness Institute is an annual conference focusing on worksite wellness tools and strategies, including employee

wellness policy development, social marketing, and evidence-informed programs. This Institute is open to the public.

A copy of the agenda may be obtained by contacting: <http://www.doh.state.fl.us/Family/chronicdisease/> Registration for the conference will continue until a maximum of 250 participants is reached.

Pursuant to the provisions of 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: Deborah Glotzbach at (850)245-4444, ext. \*3808. If you are 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: Deborah Glotzbach at (850)245-4444, ext. \*3808.

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The **Department of Health** announces a public meeting to which all persons are invited.

DATES AND TIMES: Wednesday, June 11, 2008, 10:30 a.m. – Conclusion; Thursday, June 12, 2008, 8:30 a.m. – Conclusion; Friday, June 13, 2008, 8:00 a.m. – 12:00 Noon

PLACE: University of Central Florida Executive Development Center, 36 West Pine Street, Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the second in-person meeting of the Governor's Task Force on Autism Spectrum Disorders will take place Wednesday, June 11 through Friday, June 13, 2008, in Orlando. The meetings and conference calls are primarily designed as work time for Task Force members. The Task Force will meet in person and by conference call in committees and as a full Task Force. The Task Force will discuss the scope and prioritization of autism issues to be addressed as listed in Executive Order 08-36 for the development of a report of recommendations due to the Governor by March 20, 2009.

\*Public comments will be heard on Wednesday, June 11, 2008 and Friday, June 13, 2008. The general public is encouraged to attend. However, their role is observational. Members of the general public can present comments on the dates listed above. Public comments will be accepted by members of the general public during the full Task Force meeting only on the dates noted above. Times and deadlines for public comment will be noted on meeting agendas available at the meeting site. Public comment forms and meeting/conference call agendas are also available on the internet at [www.healthyfloridians.com/autism.html](http://www.healthyfloridians.com/autism.html) or by contacting: Lona Taylor at (850)245-4242.

A copy of the agenda may be obtained by contacting: [www.healthyfloridians.com/autism.html](http://www.healthyfloridians.com/autism.html) or by contacting: Lona Taylor at (850)245-4242.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 5 days before the workshop/meeting by contacting: Lona Taylor at (850)245-4242. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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The Florida **Department of Health, Division of Health Access and Tobacco** announces a public meeting to which all persons are invited.

DATE AND TIME: June 2, 2008, 9:00 a.m. – 4:00 p.m.

PLACE: The Grand Ballroom of the Doubletree Hotel, 101 South Adams Street, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the fourth meeting of an Advisory Council required by Section 381.84, Florida Statutes. The council meets four times per year to provide advice to the Department of Health relating to the Comprehensive Tobacco Education and Use Prevention Program. The meeting will provide updates for the council about media, tobacco cessation, and community program contracts which have been awarded since the last meeting. In addition, there will be breakouts of the Youth Programs, Health Communications and Evaluation and Surveillance Subcommittees.

A copy of the agenda is posted on [http://www.doh.state.fl.us/Tobacco/tobacco\\_home.html](http://www.doh.state.fl.us/Tobacco/tobacco_home.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 3 days before the workshop/meeting by contacting: Carlos Martinez at (850)245-4444, ext. 2473 or [carlos\\_martinez@doh.state.fl.us](mailto: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 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: Carlos Martinez at (850)245-4444, ext. 2473 or [carlos\\_martinez@doh.state.fl.us](mailto:carlos_martinez@doh.state.fl.us).

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The Florida **Department of Health** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, June 11, 2008, 1:00 p.m. – 3:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Passcode: 2454144

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Health is holding a conference call to discuss issues related to the physician component of the Healthcare Practitioner Workforce Ad Hoc Committee.

A copy of the agenda may be obtained by contacting: Jessica Swanson Rivenbark at (850)245-4144, ext. 2711 or via email Jessica\_Swanson@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 2 days before the workshop/meeting by contacting: Jessica Swanson Rivenbark at (850)245-4144, ext. 2711 or via email Jessica\_Swanson@doh.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Jessica Swanson Rivenbark at (850)245-4144, ext. 2711 or via email Jessica\_Swanson@doh.state.fl.us.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

The Florida **Department of Children and Family Services** announces a public meeting to which all persons are invited.

DATE AND TIME: May 30, 2008, 9:00 a.m.

PLACE: 584 N. W. University Boulevard, Port Saint Lucie, Florida 34986

GENERAL SUBJECT MATTER TO BE CONSIDERED: A public meeting to plan and provide direction on the Circuit 19 Prevention and Permanency Planning Team under the direction of the statewide advisory council and the Office of the Governor.

A copy of the agenda may be obtained by contacting: Department of Children and Family Services, 337 N. U.S. Highway #1, Ft. Pierce, FL 34950 (Attn: Melissa McInturff).

Pursuant to the provisions of 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: Melissa McInturff at (772)429-2109. If you are 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: Melissa McInturff at (772)429-2109.

**FLORIDA HOUSING FINANCE CORPORATION**

The **Florida Housing Finance Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: June 12, 2008, 8:30 a.m. – 3:00 p.m.

PLACE: Marriott Harbor Beach, 3030 Holiday Drive, Fort Lauderdale, FL 33316

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors will hold a Retreat and discuss the following items:

1. Consideration of matters relating to the stated purpose of the Corporation to provide safe and sanitary housing that is affordable for the residents of Florida.
2. Such other matters as may be included on the Agenda for the June 12, 2008, Board Retreat.

A copy of the agenda may be obtained by contacting: Sheila Freaney, Board Liaison, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197, or by visiting the Corporation's website at www.floridahousing.org. The agenda will be available approximately two days before 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: Sheila Freaney at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Florida Housing Finance Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: June 13, 2008, 9:00 a.m. – until adjourned

PLACE: Marriott Harbor Beach, 3030 Holiday Drive, Fort Lauderdale, FL 33316. The meeting will also take place telephonically, and some Board Members may participate and vote telephonically. To participate by telephone: Call In Number: 1(888)808-6959, Conference Code: 4884197

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors of Florida Housing Finance Corporation will consider the following items:

1. Consider financing and acknowledgement resolutions for various multifamily developments, under any multifamily program, including the ranking of developments.
2. Consider appointment of professionals including but not limited to trustee and/or originator/servicer for upcoming and/or past multifamily programs and single-family programs.
3. Consider approval of all bond documents for and terms of all upcoming single-family and multifamily bond sales, including those secured by third-party guarantors, letters-of-credit, insurance or other mechanisms.
4. Consider adopting resolutions authorizing negotiated or competitive sale of bonds on various single-family and multifamily issues.
5. Consider directing Staff to submit summaries of various TEFRA/Public Hearings to the Governor.

6. Consideration of policy issues concerning ongoing and upcoming single-family bond issues including initiation of request for proposals on an emergency basis, and structuring new issues.
7. Consideration of all necessary actions with regard to the Multifamily Bond Program.
8. Consideration of approval of underwriters for inclusion on approved master list and teams.
9. Consideration of all necessary actions with regard to the HOME Rental Program.
10. Consideration of all necessary actions with regard to the HC (Housing Credits) Program.
11. Consideration of all necessary actions with regard to the SAIL (State Apartment Incentive Loan) Program.
12. Consideration of all necessary actions with regard to the SHIP (State Housing Initiatives Partnership) Program.
13. Consideration of all necessary actions with regard to the PLP (Predevelopment Loan) Program.
14. Consideration of all necessary actions with regard to the Homeownership Programs.
15. Consideration of all necessary actions for initiating new rules or rule amendments on an emergency or non-emergency basis.
16. Consideration of Appeals from Universal Cycle ranking and grading with entry of final orders.
17. Consideration of workouts or modifications for existing projects funded by the Corporation.
18. Consideration of matters relating to the stated purpose of the Corporation to provide safe and sanitary housing that is affordable for the residents of Florida.
19. Consideration of funding additional reserves for the Guarantee Fund.
20. Consideration of audit issues.
21. Evaluation of professional and consultant performance.
22. Such other matters as may be included on the Agenda for the June 13, 2008, Board Meeting.

A copy of the agenda may be obtained by contacting: Sheila Freaney, Board Liaison, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197 or by visiting the Corporation's website at [www.floridahousing.org](http://www.floridahousing.org). The agenda will be available approximately two days before 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: Sheila Freaney at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Florida Housing Finance Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: June 17, 2008, 10:00 a.m. (Tallahassee local time)

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Concerning Issuance of Bonds to Finance Multifamily Residential Rental Developments.

Notice is hereby given that the Florida Housing Finance Corporation ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA").

To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Autumn Place Apartments, a 120-unit multifamily residential rental development located on the east side of Davis Road, approximately 3/4 of a mile north of the intersection of Bullard Parkway and Davis Road with a street address of 10410 Davis Road, Tampa, Hillsborough County, 33637. The prospective owner and operator of the proposed development is Foxtrail Acres, Ltd., 580 Village Blvd., Ste. 360, West Palm Beach, FL 33409, or such successor in interest in which The Richman Group of Florida, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is WRMC, Inc., 340 Pemberwick Road, Greenwich, CT 06831. The total tax-exempt bond amount is not to exceed \$8,000,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 16, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 5 days before the workshop/meeting by contacting: Wayne Conner at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

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The **Florida Housing Finance Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: June 17, 2008, 10:00 a.m. (Tallahassee Local Time)

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Concerning Issuance of Bonds to Finance Multifamily Residential Rental Developments.

Notice is hereby given that the Florida Housing Finance Corporation ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA").

To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Cutler Manor Apartments, a 220-unit multifamily residential rental development located at 108745 S. W. 216th Street, Miami, Dade County, FL 33170. The prospective owner and operator of the proposed development is POAH Cutler Manor LLC, 40 Court Street, Suite 650, Boston, MA 02108, or such successor in interest in which Preservation of Affordable Housing, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Preservation Housing Management, 3100 Broadway, Suite 1234, Kansas City, MO 64111. The total tax-exempt bond amount is not to exceed \$14,500,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee Local Time), June 16, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Wayne Conner at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

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The **Florida Housing Finance Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: June 17, 2008, 10:00 a.m. (Tallahassee Local Time)

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Concerning Issuance of Bonds to Finance Multifamily Residential Rental Developments.

Notice is hereby given that the Florida Housing Finance Corporation ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA").

To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Cutler Meadows Apartments, a 150-unit multifamily residential rental development located at 11240 and 11280 S. W. 196th Street, Miami, Miami-Dade County, FL 33157 and Cutler Glen Apartments, a 75-unit multifamily residential rental development located at 11100 S. W. 196th Street, Miami, Miami-Dade County, FL 33157 to be known collectively as Cutler Meadows Apartments. The prospective owner and operator of the proposed development is POAH Cutler Meadows LLC, 40 Court Street, Suite 650, Boston, MA 02108 or such successor in interest in which Preservation of Affordable Housing, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Preservation Housing Management, 3100 Broadway, Suite 1234, Kansas City, MO 64111. The total tax-exempt bond amount is not to exceed \$16,400,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee Local Time), June 16, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

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DATE AND TIME: June 17, 2008, 10:00 a.m. (Tallahassee local time)

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Notice of Public Hearing.

Concerning Issuance of Bonds to Finance Multifamily Residential Rental Developments.

Notice is hereby given that the Florida Housing Finance Corporation ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA").

To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Hudson Ridge Apartments, a 168-unit multifamily residential rental development located on the south side of SR 52, 800 feet west of the intersection of SR 52 and Lamadera Blvd., Hudson, Pasco County, FL 34667. The prospective owner and operator of the proposed development is Hudson Ridge, Ltd., 580 Village Blvd., Ste. 360, West Palm Beach, FL 33409, or such successor in interest in which The Richman Group of Florida,

Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is WRMC, Inc., 340 Pemberwick Road, Greenwich, CT 06831. The total tax-exempt bond amount is not to exceed \$11,500,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 16, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

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DATE AND TIME: June 17, 2008, 10:00 a.m. (Tallahassee local time)

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GENERAL SUBJECT MATTER TO BE CONSIDERED: Concerning Issuance of Bonds to Finance Multifamily Residential Rental Developments.

Notice is hereby given that the Florida Housing Finance Corporation ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA").

To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Madison View, a 120-unit multifamily residential rental development located on the west side of N. W. 5th Ave., between N. W. 6th Street and N. W. 7th Street, Miami,

Miami-Dade County, FL 33136. The prospective owner and operator of the proposed development is Madison Housing, Ltd., 120 Forbes Blvd., Mansfield, MA 02048, or such successor in interest in which The Gatehouse Group, LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Gatehouse Management, Inc., 120 Forbes Blvd., Mansfield, MA 02048. The total tax-exempt bond amount is not to exceed \$13,250,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 16, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

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GENERAL SUBJECT MATTER TO BE CONSIDERED: Concerning Issuance of Bonds to Finance Multifamily Residential Rental Developments.

Notice is hereby given that the Florida Housing Finance Corporation ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA").

To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Mariner's Cay Apartments, a 160-unit multifamily residential rental development located on the northwest corner of Lamson Ave. and Northcliffe Blvd., Spring Hill, Hernando County, FL 34608. The prospective owner and operator of the proposed development is Lamson Avenue Apartments, Ltd., 580 Village Blvd., Ste. 360, West Palm Beach, FL 33409, or such successor in interest in which The Richman Group of Florida, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is WRMC, Inc., 340 Pemberwick Road, Greenwich, CT 06831. The total tax-exempt bond amount is not to exceed \$12,500,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 16, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

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GENERAL SUBJECT MATTER TO BE CONSIDERED: Concerning Issuance of Bonds to Finance Multifamily Residential Rental Developments.



Notice is hereby given that the Florida Housing Finance Corporation ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA").

To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Middletowne Apartments, a 100-unit multifamily residential rental development located at 1809 Debarry Avenue, Orange Park, Clay County, FL 32073. The prospective owner and operator of the proposed development is POAH Middletowne Apartments, LLC, 40 Court Street, Suite 650, Boston, MA 02108, or such successor in interest in which Preservation of Affordable Housing, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Preservation Housing Management, 3100 Broadway, Suite 1234, Kansas City, MO 64111. The total tax-exempt bond amount is not to exceed \$5,600,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee Local Time), June 16, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

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PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Concerning Issuance of Bonds to Finance Multifamily Residential Rental Developments.

Notice is hereby given that the Florida Housing Finance Corporation ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA").

To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Mirabella Apartments, a 204-unit multifamily residential rental development located on the northwest corner of S. W. 128th Ave. and S. W. 252nd Terrace, Miami, Miami-Dade County, FL 33032. The prospective owner and operator of the proposed development is Mirabella I Associates, Ltd., 2121 Ponce De Leon Blvd., PH, Coral Gables, FL 33134, or such successor in interest in which Cornerstone Development Management Services, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Cornerstone Residential Management LLC, 2121 Ponce De Leon Blvd., PH, Coral Gables, FL 33134. The total tax-exempt bond amount is not to exceed \$15,400,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 16, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

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GENERAL SUBJECT MATTER TO BE CONSIDERED: Concerning Issuance of Bonds to Finance Multifamily Residential Rental Developments.

Notice is hereby given that the Florida Housing Finance Corporation ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA").

To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Oakwood Villa Apartments, a 200-unit multifamily residential rental development located at 8201 Kona Avenue, Jacksonville, Duval County, FL 32211. The prospective owner and operator of the proposed development is POAH Oakwood Villa LLC, 40 Court Street, Suite 650, Boston, MA 02108, or such successor in interest in which Preservation of Affordable Housing, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Preservation Housing Management, 3100 Broadway, Suite 1234, Kansas City, MO 64111. The total tax-exempt bond amount is not to exceed \$8,000,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee Local Time), June 16, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

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GENERAL SUBJECT MATTER TO BE CONSIDERED: Concerning Issuance of Bonds to Finance Multifamily Residential Rental Developments.

Notice is hereby given that the Florida Housing Finance Corporation ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA").

To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Pine Grove Apartments, a 168-unit multifamily residential rental development located on the west side of Powers Avenue, 500 feet north of the intersection of Powers Avenue and Toledo Road, Jacksonville, Duval County, FL 32217. The prospective owner and operator of the proposed development is Powers Avenue Apartments, Ltd., 580 Village Blvd., Ste. 360, West Palm Beach, FL 33409, or such successor in interest in which The Richman Group of Florida, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is WRMC, Inc., 340 Pemberwick Road, Greenwich, CT 06831. The total tax-exempt bond amount is not to exceed \$11,000,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 16, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

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GENERAL SUBJECT MATTER TO BE CONSIDERED: Concerning Issuance of Bonds to Finance Multifamily Residential Rental Developments.

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To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Timber Trace, a 116-unit multifamily residential rental development located on N. 58th Street, approximately 120 feet south of the southwest corner of the intersection of N. 58th Street and 122nd Ave. E., and on N. 58th Street, approximately 240 feet south of the southwest corner of the intersection of N. 58th Street and 122nd Ave. E., and on N. 58th Street, approximately 360 feet south of the southwest corner of the intersection of N. 58th Street and 122nd Ave. E., and on N. 58th Street, approximately 510 feet south of the southwest corner of the intersection of N. 58th Street and 122nd Ave. E., and on N. 58th Street, approximately 630 feet south of the southwest corner of the intersection of N. 58th Street and 122nd Ave. E., and on N. 58th Street, approximately 630 feet south of the southeast corner of the intersection of N. 58th Street and 122nd Ave. E with a street address 11716 N. 58th Street, Tampa, Hillsborough County, FL 33617. The

prospective owner and operator of the proposed development is CEC Timber Trace, LLC, 151 Summer Street, Somerville, MA 02143, or such successor in interest in which Created Equal Communities, LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Royal American Management, 1002 West 23rd Street, Suite 400, Panama City, FL 32405. The total tax-exempt bond amount is not to exceed \$5,800,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 16, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

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To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Valencia Pointe, a 148-unit multifamily residential rental development located on N. W. 79th Avenue, approximately 100 feet west of N. W. 25th Avenue with a street address of 2542 N. W. 79th Street, Miami, Miami-Dade County, FL 33147. The prospective owner and operator of the proposed development is Valencia Pointe Associates, Ltd., 2121 Ponce De Leon Blvd., PH, Coral Gables, FL 33134, or such successor in interest in which Cornerstone Group Development, LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Cornerstone Residential Management LLC, 2121 Ponce De Leon Blvd., PH, Coral Gables, FL 33134. The total tax-exempt bond amount is not to exceed \$10,500,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 16, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

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Concerning Issuance of Bonds to Finance Multifamily Residential Rental Developments.

Notice is hereby given that the Florida Housing Finance Corporation ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA").

To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Willow Lakes, a 304-unit multifamily residential rental development located on Hare Ave., approximately 135 feet west from the southwest corner of the intersection of Hare Ave. and Pecan St., and on Hare Ave., approximately 1,100 feet east from the northeast corner of the intersection of N. Arlington Ave. and Hare Ave., and on Hare Ave., approximately 850 feet east from the northeast corner of the intersection of N. Arlington Ave. and Hare Ave., and on Hare Ave., approximately 550 feet east from the northeast corner of the intersection of N. Arlington Ave. and Hare Ave., and on Hare Ave., approximately 350 feet east from the northeast corner of the intersection of N. Arlington Ave. and Hare Ave., and on India Ave., approximately 1,000 feet east of the northeast corner of the intersection of N. Arlington Ave. and India Ave., and on India Ave., approximately 800 feet east of the northeast corner of the intersection of N. Arlington Ave. and India Ave., and on India Ave., approximately 750 feet east of the northeast corner of the intersection of N. Arlington Ave. and India Ave., and on India Ave., approximately 350 feet east of the northeast corner of the intersection of N. Arlington Ave. and India Ave., and on Jasper Ave., approximately 550 feet west of the northwest corner of the intersection of Jasper Ave. and Pecan St., and on Kona Ave. at the northwest intersection of Kona Ave. and Pecan St., with a street address of 7703 Hare Avenue, Jacksonville, Duval County, FL 32211. The prospective owner and operator of the proposed development is CEC Willow Lakes, LLC, 151 Summer Street, Somerville, MA 02143, or such successor in interest in which Created Equal Communities, LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Royal American Management, 1002 West 23rd Street, Suite 400, Panama City, FL 32405. The total tax-exempt bond amount is not to exceed \$9,800,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 16, 2008, and should

be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Wayne Conner at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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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#### DEPARTMENT OF FINANCIAL SERVICES

The **Department of Financial Services** announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 9, 2008, 2:00 p.m. – 4:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Code: 4132880

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Task Force on Citizens Property Insurance Corporation Claims Handling and Resolution.

A copy of the agenda may be obtained by contacting: [www.taskforceoncitizenclaimshandling.org](http://www.taskforceoncitizenclaimshandling.org).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Gloria Strickland at (850)413-2859 or e-mail [gloria.strickland@fldfs.com](mailto:gloria.strickland@fldfs.com). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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The **Department of Financial Services, Division of State Fire Marshal** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday June 26, 2008, 1:00 p.m.

PLACE: State Fire Marshal Conference Room, Third Floor, Atrium, 325 John Knox Road, Tallahassee, Florida 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting of the Florida Fire Safety Board.

A copy of the agenda may be obtained by contacting: Donald Rollins, Division of State Fire Marshal, Bureau of Fire Prevention, Regulatory Licensing Section, 200 East Gaines Street, Tallahassee, FL 32399-0342, or by calling him at (850)413-3628.

Pursuant to the provisions of 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. The person named above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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#### FLORIDA SPORTS FOUNDATION

The **Florida Sports Foundation** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 29, 2008, 2:00 p.m. – 3:00 p.m.

PLACE: Conference Call: 1(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 at (850)488-1297.

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#### FLORIDA NETWORK OF YOUTH AND FAMILY SERVICES

The **Florida Network of Youth and Family Services** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 2, 2008, 10:00 a.m. – 3:30 p.m.

PLACE: Tampa Airport Marriott Hotel, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: 10:00 a.m. Call to Order

Brief Review By-Laws & formal approval of minutes of last meeting & conference call minutes

Board Structure and Operation

Business Action Items

Association Committee Structure

Annual Calendar

Priority Setting and Planning

Local Programs Update

1. Policy & Procedures handbook for services
2. Competitive procurement process of local contracts
3. Budget reduction plan principles
4. Training services to WPB-CHS shelter
5. Local Provider Performance Report Discussion
6. Upcoming OPPAGA Evaluation of the Florid Network & Pace

7. Legislative Wrap-up & Education Plan for upcoming year; report from the Governmental Affairs Committee  
 Recruitment of additional Board Members  
 A copy of the agenda may be obtained by contacting: Mary "Dee" Richter, Executive Director, Florida Network of Youth and Family Services.

**FLORIDA COMMUNITY COLLEGES RISK MANAGEMENT CONSORTIUM**

The **Florida Community Colleges Risk Management Consortium** announces a workshop to which all persons are invited.  
 DATE AND TIME: Thursday, June 5, 2008, 8:00 a.m. – 1:00 p.m.  
 PLACE: Crowne Plaza, Orlando Airport, Orlando, FL  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.  
 A copy of the agenda may be obtained by contacting: FCCRMC, 5700 S. W. 34th Street, Suite 1205, Gainesville, FL32608.  
 For more information, you may call: (352)955-2190, ext. 111.

**VOLUNTEER FLORIDA FOUNDATION**

The **Florida Faith-based and Community-based Council** announces a public meeting to which all persons are invited.  
 DATE AND TIME: June 5, 2008, 1:00 p.m.  
 PLACE: Leland Family Ministries, 1715 Highway 17 South, Bartow, FL 33830  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a quarterly meeting of the council and reports from committees will be made along with general discussion of matters pertaining to Florida families and how the faith-based and community-based organizations can be of greater service to the state.  
 A copy of the agenda may be obtained by contacting: Suzanne Yack at [suzanne.yack@vfffund.org](mailto:suzanne.yack@vfffund.org).  
 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: [Suzanne.Yack@vfffund.org](mailto:Suzanne.Yack@vfffund.org) or (904)755-7740.

**FLORIDA LEAGUE OF CITIES**

The **Florida Municipal Insurance Trust** announces a public meeting to which all persons are invited.  
 DATE AND TIME: Friday, June 6, 2008, 9:30 a.m.  
 PLACE: Ritz Carlton Hotel, 280 Vanderbilt Beach Road, Naples, Florida, (239)598-3300

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business meeting of the Board of Trustees.  
 A copy of the agenda may be obtained by contacting: Linda Bridges, Florida League of Cities, Inc., Tallahassee, FL, (850)222-9684.  
 If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

**OUNCE OF PREVENTION FUND OF FLORIDA**

The **Commission on Marriage and Family Support Initiatives** announces a public meeting to which all persons are invited.  
 DATE AND TIME: Tuesday, June 10, 2008, 10:00 a.m. – 12:00 Noon  
 PLACE: The meeting will be held via conference call at 111 N. Gadsden Street, Suite 100, Tallahassee, FL 32301  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission on Marriage and Family Support Initiatives.  
 For a copy of the agenda and more information about how to attend the meeting, contact: Kathy Richardson at [krichardson@ounce.org](mailto:krichardson@ounce.org) or (850)488-4952, ext. 135.  
 Pursuant to the provisions of 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: Kathy Richardson at [krichardson@ounce.org](mailto:krichardson@ounce.org) or (850)488-4952, ext. 135. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**FLORIDA WORKERS' COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC.**

The **Florida Workers' Compensation Joint Underwriting Association, Inc.**, Board of Governors announces a public meeting to which all persons are invited.  
 DATE AND TIME: June 11, 2008, 10:00 a.m.  
 PLACE: The Hyatt Regency, Orlando International Airport, 9300 Airport Blvd., Orlando, Florida  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda topics may include approval of minutes; 2008 meeting schedule; legislative report; operations report; financial report; and Committees' reports on: Policy Administration Services RFP; Reinsurance Intermediary RFQ; Actuarial Services RFP; return of premium dividend; program to eliminate 2007 subplan D deficit; review of rates, rating plans and policy forms and associated matters to include application forms; Operations Manual reformatting & revision; 2008 loss ratio selection; fixed administrative expense considerations; disaster recovery matters; Telecommuting Policy; budget expense

considerations; 2007 operations report; Investment Policy; policies and guidelines for investment of assets and associated matters; investment manager's performance/selection; Market Assistance Plan; commutation matters; reinsurance intermediary selection process; 2007 financial audit; Audit Committee Charter procedures checklist; private letter ruling update; 2008 Audit Committee meeting schedule; cause, frequency & severity analysis; producer's appeal for reinstatement.

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](http://www.fwcjua.com).

The **Florida Workers' Compensation Joint Underwriting Association, Inc.**, Investment Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 27, 2008, 10:00 a.m.

PLACE: To participate in the teleconference meetings, please contact Kathy Coyne at (941)378-7408

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda topics will include the approval of minutes; Review of Policy and Guidelines for the Investment of Assets and Associated Matters; and a compliance review of the current investment portfolio.

A copy of the agenda may be obtained by contacting: Kathy Coyne at (941)378-7408 or from the FWCJUA's website: [www.fwcjua.com](http://www.fwcjua.com).

#### **ENTERPRISE FLORIDA, INC.**

The **Enterprise Florida, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: June 12, 2008, 8:30 a.m. – 12:30 p.m.

PLACE: Hyatt Regency Orlando International Airport, 9300 Airport Boulevard, Orlando, FL 32827

GENERAL SUBJECT MATTER TO BE CONSIDERED: Enterprise Florida Board of Directors meeting. This meeting will discuss on-going issues, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Ellen Stalnaker at (407)956-5615.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Ellen Stalnaker at (407)956-5615.

#### **SOIL AND WATER CONSERVATION DISTRICTS**

The **Osceola Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: June 12, 2008, 6:00 p.m.

PLACE: Osceola County Extension Office, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Supervisor Election and Responsibilities, County Budget.

A copy of the agenda may be obtained by calling: (407)847-4465, ext. 3.

#### **PASCO-PINELLAS AREA AGENCY ON AGING**

The **Area Agency on Aging of Pasco-Pinellas** announces a public meeting to which all persons are invited.

DATE AND TIME: June 16, 2008, 9:30 a.m.

PLACE: 9887 4th St. N., Suite 100, Saint Petersburg, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Items related to Area Agency on Aging of Pasco-Pinellas business and Board of Directors over-site.

A copy of the agenda may be obtained by contacting: Elizabeth Laubach at (727)570-9696.

Pursuant to the provisions of 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: Elizabeth Laubach at (727)570-9696. If you are 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: Elizabeth Laubach at (727)570-9696.

## **Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements**

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

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

**PUBLIC SERVICE COMMISSION**

NOTICE IS HEREBY GIVEN THAT the Florida Public Service Commission has issued an order disposing of the petition for declaratory statement filed by Town of Palm Beach, Town of Jupiter Island, and Town of Jupiter Inlet colony on January 10, 2008. The following is a summary of the agency's disposition of the petition:

Applicants choosing to perform the construction work themselves on conversions of overhead electric distribution facilities to underground are entitled to payment for, and the utility may include in rate base, credits for any applicable adjustments (credits) to the contributions-in-aid-of-construction (CIAC) calculation for the cost of the hypothetical overhead construction, and the net present value of the operational cost differential related to the underground construction as defined in Rule 25-6.115, F.A.C. At no time, however, will Florida Power & Light Co.'s (FPL) payments to an applicant be greater than the costs FPL would have expected to incur had FPL performed all the construction itself. The remaining petitioned for statements were denied. Docket No. 080035-EU.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Office of Commission Clerk, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6770.

**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 Susan E. Cohn, Petitioner, In RE: The Grand Condominium Association, Inc., Docket No. 2008027979. The petition seeks the agency's opinion as to the applicability of Chapter 718, Florida Statutes, as it applies to the petitioner.

Whether The Grand Condominium Association, Inc. may permit a corporate unit owner to assign by voting certificate its voting right to an association director or other person who is not affiliated with the corporation under Section 718.112(2)(d)3., Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida 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.

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 Heron at Destin West Beach & Bay Resort Condominium Association, Inc., Docket No. 2008027432. The petition seeks the agency's opinion as to the applicability of Chapter 718, Florida Statutes, as it applies to the petitioner.

Whether the developer of Heron at Destin West Beach & Bay Resort is responsible for an operating deficit where it has not guaranteed the expenses under Sections 718.112(2)(c), (2)(e), Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida 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 Construction Industry Licensing Board has issued an order disposing of the petition for declaratory statement filed by Florida Workers Compensation Joint Underwriting Association, Inc. on January 14, 2008. The following is a summary of the agency's disposition of the petition:

The Construction Industry Licensing Board hereby gives notice that it has issued an Order on the Petition for Declaratory Statement, which was filed on August 21, 2007 on behalf of Florida Workers Compensation Joint Underwriting Association, Inc. The Notice of Petition for Declaratory Statement was published in Vol. 33, No. 38, of the September 21, 2007, Florida Administrative Weekly. The Petitioner sought the Board's interpretation of certain provisions of Sections 489.117(4)(e) and 489.103(2), Florida Statutes. To resolve questions concerning practices by Division II licensed contractors, who are policy-holders of the Petitioner, and whose employment practices present potential liability for the Petitioner, the Petitioner is requesting that the Board issue a Declaratory Statement as to whether the above cited statutes require workers performing work for a contractor licensed



under Section 489.105(3)(e) through (q), F.S., to be employees of that Division II contractor. The Construction Industry Licensing Board considered the Petition at its meeting held on October 12, 2007, in Orlando, Florida and issued an order, filed on January 14, 2008, denying the Petition, finding that Petitioner was seeking to obtain a policy statement of general applicability and a declaratory statement is not the appropriate means to accomplish such a purpose.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF HEALTH**

NOTICE IS HEREBY GIVEN THAT the Board of Nursing has received the petition for declaratory statement from Ann Waltz, R.N., B.S.N. The petition seeks the agency's opinion as to the applicability of Chapter 464, F.S. as it applies to the petitioner.

The Board of Nursing hereby gives notice that it has received a Petition for Declaratory Statement filed on May 13, 2008 on behalf of Ann Waltz, R.N., B.S.N. The Petitioner seeks the Board's interpretation of the application of certain statutory requirements under Chapter 464, F.S. Specifically, the Petitioner requests that the Board issue a Declaratory Statement determining under the provisions of Chapter 464, F.S., whether it is within the scope of practice of a Florida Registered Nurse working in a County Health Department (1) to administer HIRG by infiltrating HRIG around and into the bite wound from an animal that could potentially have rabies and where post exposure prophylaxis may be required; (2) to determine when the infiltration technique is indicated or not indicated; and (3) to determine if infiltrating around a wound is anatomically feasible, especially if the wound is on the face and neck. This petition will be considered by the Board at its meeting on June 4 to 6, 2008.

**DEPARTMENT OF FINANCIAL SERVICES**

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, Division of State Fire Marshal has declined to rule on the petition for declaratory statement filed by John Berry on April 29, 2008. The following is a summary of the agency's declination of the petition:

Rule 9B-3.0472, F.A.C., Carbon Monoxide Protection is administered by the Department of Community Affairs and not the Florida State Fire Marshal.

Please refer all comments to: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0340.

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, Division of State Fire Marshal has declined to rule on the petition for declaratory statement filed by Scott Pridgen, Beach Brothers, LLC on March 25, 2008. The following is a summary of the agency's declination of the petition:

Petitioner has not confirmed that the local appeal process has been exhausted.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, FL 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

#### NOTICE TO PROFESSIONAL CONSULTANTS:

The University of Florida Board of Trustees announces that Professional Services in the discipline of architecture and historic preservation planning will be required for the project listed below:

Project: MP-330 St. Augustine Historic District Strategic Plan (St. Augustine, Florida)

The project consists of developing a Strategic Plan that will lay the foundation for property use, visitor experience, interpretive exhibits, educational programs and coordinated planning with the City of St. Augustine and other stakeholders. The study area shall focus on the National Register St. Augustine Historic District with special emphasis on 33 state-owned properties containing 34 state-owned structures. However, the Strategic Plan will make recommendations for these elements in a context of the larger downtown St. Augustine area and other non-state-owned historic and tourist resources.

The selected firm will provide historic preservation, heritage tourism, marketing, business planning, capital improvement programming & planning, and urban design services for the referenced project. Blanket professional liability insurance will be required for this project in the amount of \$1,000,000, and will be provided as a part of Basic Services. Plans and specifications for University of Florida projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes.

Applicants will be evaluated on the basis of their past performance, experience, personnel, design ability, references, workload, and responses to questions posed both in the shortlist and interview phases. The Selection Committee may reject all proposals and stop the selection process at any time.

At the time of application, the applicant and its landscape architectural and engineering consultants must possess current design licenses from the appropriate governing board and be properly registered to practice its profession in the State of Florida. If the applicant is a corporation, must be chartered by the Florida Department of State to operate in Florida.

Applicants desiring to provide professional services for the project shall submit a proposal only after thoroughly reviewing the work program, Project Fact Sheet, and other background information available at <http://www.facilities/ufl.edu/viewprj.php?prj=6538>. The proposal shall be limited to 40 single-sided, consecutively-numbered pages or 20 double-sided, consecutively-numbered pages and shall include:

1. A Letter of Application that concisely illustrates the applicant's understanding of the scope of services, design intent, and other goals and considerations as outlined in the Project Fact Sheet and work program.
2. A completed, project-specific "Professional Qualifications Supplement" (PQS) proposal with signed certification. Applications on any other form will not be considered.
3. Resumes, LEED accreditation, and other pertinent credentials for all proposed staff (applicant and consultants).
4. Proof of the applicant's corporate status in Florida (if applicable) and copies of current licenses for applicant and all engineering and landscape architecture consultants from the appropriate governing board.
5. Proof of the applicant's and all engineering consultants' ability to be insured for the level of professional liability coverage demanded for this project.

As required by Section 287.133, Florida Statutes, an applicant 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 professional 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.

Unsigned proposals or proposals containing expired or invalid licenses will be disqualified. Submittal materials will not be returned.

The project-specific PQS form, instructions, Project Fact Sheet, facilities program, UF Design Services Guide, UF Design and Construction Standards, standard University of Florida Owner-Professional agreement, and other project and process information can be found on the Facilities Planning & Construction website.

Finalists may be provided with supplemental interview requirements and criteria as needed.

Provide the number of copies prescribed in the Project Fact Sheet. Submittals must be received in the Facilities Planning and Construction office by 3:00 p.m. (Local Time), on Friday, June 27, 2008. Facsimile (FAX) submittals are not acceptable and will not be considered.

Facilities Planning and Construction  
232 Stadium / P. O. Box 115050  
Gainesville, FL 32611-5050  
Telephone: (352)392-1256  
FAX: (352)392-6378  
Internet: [www.facilities/ufl.edu](http://www.facilities/ufl.edu)

## NOTICE TO PROFESSIONAL CONSULTANTS

FLORIDA ATLANTIC UNIVERSITY, on behalf of its Board of Trustees, announces that professional services are required in the following discipline(s):

## GEOTECHNICAL SERVICES.

Project(s): Campus Service for Minor Projects

Project(s) Location: Florida Atlantic University, All Campuses.

Projects included in the scope of this agreement will be for specific projects for which the fee for professional services is \$100,000.00 or less. Campus Service contracts for minor projects provide that the consultant will be available on an as-needed basis for the upcoming year. The consultants receiving the award will not have an exclusive contract to perform services for these projects. The University may have additional campus service professionals under contract during the same time period. The initial term of agreement is for one year with the option to extend the agreement for two additional one year terms, to be evaluated annually, for a total of three years. Two firms will be selected for these services.

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. Design ability will NOT be considered as a selection category.

Attach to each letter of application:

1. A completed Florida Atlantic University "Professional Qualifications Supplement" (FAUPQS revised January, 2004) completed by the applicant. Applications on any other form will not be considered.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be properly chartered by the Florida Department of State to operate in Florida.

Submit five (5) copies of the above requested data bound in the order listed above. Applications which do not comply with the above instructions will not be considered. Application material will not be returned.

The plans and specifications for A/E projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$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.

Sole Point of Contact: The FAU Professional Qualifications Supplement, and the Project Fact Sheet are available online at <http://wise.fau.edu/facilities/uavp/AE-CM-advertise-home.php> or by contacting the University's Sole Point of Contact for this project: Ms. Jill Rosen, Department of Facilities Planning, (561)297-4110, Fax: (561)297-2260, or e-mail: [jrosen58@fau.edu](mailto:jrosen58@fau.edu).

From the date of issuance of this Notice until a final selection of a consultant is made or a notice of cancellation is posted, the consultant must not make available or discuss its proposal, or any part thereof, with any member of the Selection Committee, unless permitted by the Sole Point of Contact, in writing, for purposes of clarification only, as set forth herein.

Any individual associated with a consultant who contacts members of the Selection Committee, regarding any aspect of this project, whether such contact be in person, telephone, or through electronic or written correspondence, may be determined to have violated the terms and conditions of this solicitation. If that determination is made, any proposal received from such an individual OR their company may be rejected as non-responsive and not subject to evaluation. If there are any changes or additions to the Sole Point of Contact information at any time in the process, participating consultants will be notified via an addendum to the Notice.

Questions regarding the Notice and/or process should be submitted via fax or email to the Sole Point of Contact. No oral communications shall be considered as a change to the Notice. FAU may respond to questions deemed by the University to be material in nature via a written addendum to the Notice. Interpretation of the wording of this document shall be the responsibility of the FAU and that interpretation shall be final.

All postings referred to in this Notice will be posted electronically on the FAU Facilities website: <http://wise.fau.edu/facilities/uavp/AE-CM-advertise-home.php>. At all times it shall remain the responsibility of the consultants participating in this solicitation to check the website for postings of addenda, short lists, and award decisions. No further notice will be given.

Submittals must be received in the Facilities Planning Department, Florida Atlantic University, Attention: Jill Rosen, 777 Glades Road, Bldg. CO-69, Room #107, Boca Raton, Florida 33431, by 5:00 p.m. (Local Time), July 9, 2008. Facsimile (FAX) submittals are not acceptable and will not be considered.

## PROJECT FACT SHEET

Geotechnical Continuing Services Contract  
Florida Atlantic University  
All Campuses

## PROJECT DESCRIPTION

The geotechnical engineer will function as an independent consultant with regard to the specific discipline on multiple construction projects. Two contracts will be awarded, the

initial term of agreement is for one year with the option to extend the agreement for two additional one year terms, to be evaluated annually, for a total of three years.

**SELECTION CRITERIA**

Firms will be evaluated in the following areas: current workload, location, past performance, volume of state work, and experience and ability to provide service. Experience and ability scores will be based on the following criteria:

1. Experience of firm with projects of similar size and scope.
2. Experience of firm and individual members in working with the State University System.
3. Ability to provide professional and quality service.

**SELECTION COMMITTEE:**

1. Robert Richman, Associate Director, Facilities Planning
2. Azita Dashtaki, Assistant Vice President for Facilities
3. Jim Baker, Director, Engineering & Utilities
4. Paulo Brida, Project Manager, Facilities Planning

**SELECTION SCHEDULE:**

The anticipated schedule for selection, award, and negotiation is as follows:

Submittal Due:	July 9, 2008
Shortlist Meeting:	TBD
Final Interviews:	TBD
Contract Negotiation:	TBD

**GENERAL INFORMATION**

1. The University is not liable for any costs incurred by the Applicants prior to the issuance of an executed contract.
2. In order to minimize the possibility of unethical pressures or influences on the recommendation of the Selection Committee, no verbal or written communication is permitted between the applicants and the members of the Selection Committee. Any questions or requests for project information must be in writing to Jill Rosen, Department of Facilities Planning Telephone (561)297-4110, Fax (561)297-2260, or e-mail jrosen58@fau.edu.
3. All applicants will be notified of the results of the shortlist in writing. Finalists will be informed of the interview date and time and will be provided with additional project information, if available.
4. The Selection Committee will make a recommendation to the President of the University. All finalists will be notified in writing of the President's action. Upon approval by the President, negotiations will be conducted in accordance with Section 287.055, Florida Statutes.

estimated budget: \$950,000, to be opened July 24, 2008, 2:00 p.m., in Purchasing Services, 11200 S. W. 8 ST, CSC 410, Miami, Florida 33199. Scope of Work: F.I.U. Biscayne Bay Campus Academic I Building has 10 existing restrooms stacks with 2 single existing restrooms totaling approx. 13,000 Sq. Ft. on the ground, second and third floors which will be renovated. All fixtures, finishes, accessories, ceiling and associated plumbing and mechanical will be new. The project will be in four phases having one set of restrooms operable for students. The project is based on the Contract Documents. Mandatory Pre-Bid Meeting will be held June 18, 2008, 10:30 a.m., Building S03, Physical Plant, Room 210, Biscayne Bay Campus, 3000 N. E. 151st Street, N. Miami, FL. Bid Documents are available in Purchasing Services, University Park CSC 414, 11200 S. W. 8th Street, Miami, FL (305)348-2161, website: [finance.fiu.edu/purchasing](http://finance.fiu.edu/purchasing).

**AMERICANS WITH DISABILITY ACT OF 1990** – If special accommodations are needed in order to attend the pre-bid meeting or bid opening, contact Purchasing at (305)348-2161 or [purchasing@fiu.edu](mailto:purchasing@fiu.edu) within three (3) days of the event.

**PUBLIC ANNOUNCEMENT FOR PROFESSIONAL SERVICES – FOR ARCHITECTURE-ENGINEERING**

The Florida School for the Deaf and the Blind (FSDB) announces that professional services are required for the project listed below.

**PROJECT NUMBER:** FSDB-20080002

**PROJECT NAME:** Bloxham Hall Renovations

**PROJECT LOCATION:** The Florida School for the Deaf and the Blind, 207 N. San Marco Ave., St. Augustine, FL 32084-2799.

**SERVICES TO BE PROVIDED:** Architectural and engineering services including, but not limited to: interior demolition, reconfiguring of HVAC chilled water loop system, electrical, interior framing, drywall, flooring, data communication systems, fire alarm and sprinkler system, interior finishes, and ADA upgrades.

The building is a 13,245 square feet, two story structure and the second floor is currently dormitory space. The project goal is to create new dormitory rooms to house twenty students on the second floor with minor renovations of the first floor administrative offices. The construction shall start 2008/2009.

**PROJECT BUDGET:** \$2,000,000.00

**FSDB PROJECT MANAGER:** Brad Meade

**PHONE NUMBER:** (904)827-2360

**RESPONSE DUE DATE:** Monday, June 30, 2008, no later than 3:00 p.m.

**INSTRUCTIONS FOR SUBMITTAL:** Firms interested in being considered for this project should contact The Florida School for the Deaf and the Blind by email; Laura Bowden, Contract Administrator at [bowdenl@fsdb.k12.fl.us](mailto:bowdenl@fsdb.k12.fl.us) or John

**Notice of Bid/Request for Proposal**

ITB78-040, Academic I – Restrooms renovation, FM061023  
 Florida International University, Purchasing Services Department will receive sealed bids for the following:  
 ITB78-040, Academic I – Restrooms renovation, FM061023,

Connor, Purchasing Director at connorj@fsdb.k12.fl.us requesting instruction booklet "Selection Criteria of the Architect/Engineer dated December 2007."

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

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

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## **EXECUTIVE OFFICE OF THE GOVERNOR**

Economic Development Project for Lantana, FL  
A.G. Holley Hospital  
Invitation to Negotiate

### **I. OVERVIEW**

This document outlines an invitation to negotiate (ITN) created to facilitate economic development in Lantana, Florida on state-owned property currently occupied by A.G. Holley Hospital (AGH Hospital). AGH Hospital has been established in Lantana since 1950. Currently, AGH Hospital's mission, as a public health institute, is to care for noncompliant, as well as medically complex patients who, if not confined, treated and subsequently cured, would cause a threat to public health. The AGH Hospital complex is located on approximately 145 acres on Lantana Road just east of I-95. The property represents about 8% of the total land area of the Town of Lantana.

Dramatic growth in the region has increased demand for space and increased the value of real estate. Local residents have expressed concern that the property is underutilized and have encouraged the State to work collaboratively in pursuit of its highest and best use, specifically potential redevelopment with the designation of mixed-use tax-producing property, preservation of the natural scrub habitat, and preservation of recreational ball fields on the site. Multiple tenants currently occupy non-hospital related structures on the property.

### **II. INVITATION TO NEGOTIATE OVERVIEW**

This ITN, extended to all qualifying parties by the State of Florida, will conclude on or about the week of October 27, 2008, with a final decision by Governor Charlie Crist to initiate contractual negotiations congruent to the stated objectives of this project as met by plans articulated in proposal(s) submitted by the designated awardee. Note that the deadlines as originally detailed in this document (see also Exhibit A) may be subject to extension to provide more time as determined necessary.

Proposals submitted for consideration in this review process must address, to the greatest extent possible, the economic development objectives identified in the Project Objectives and Project Requirements sections (IV and V) of this document. Proposals may be rejected if minimum requirements (see

Section III) are not met. A single entity may submit a proposal on behalf of a consortium of partners whose individual roles address specific components of a collective plan.

Florida law requires the Department of Health to exercise the policy powers of the State for the control of tuberculosis for those persons who are posing a public health threat. Only the Department of Health may seek an order for hospitalization, residential isolation, or placement of a non-compliant patient with active TB. Circuit courts in Florida, on petition of the DOH and after hearing, may order a sheriff to take custody of a patient and deliver them to A.G. Holley. Tuberculosis is the only communicable disease which, under Florida law, may subject a person to involuntary hospitalization for up to 180 days. See Exhibit D: Admission Criteria for State Tuberculosis Hospital for additional background related to TB care in the State of Florida.

All proposers wishing clarification of elements in this document must submit questions via e-mail to Michelle Ramsey, Senior Attorney, in the Governor's Office of Tourism, Trade and Economic Development (OTTED) as prescribed under Review Process Timeline no later than 5:00 p.m. on June 23, 2008 (Eastern Daylight Savings Time). All questions posed by qualifying proposers (see Section III: Minimum Requirements) will be compiled within a single, collective document with corresponding answers and sent back to all qualified proposers via e-mail on or before July 11, 2008.

Additional detail on the timeline is provided under the Review Process Timeline in Exhibit A.

Costs for developing proposals are entirely the responsibility of the proposer and shall not be reimbursed by the State of Florida. All proposals received in response to this process will be evaluated by a committee (See Exhibit B) charged with making a recommendation to the Governor.

The award of a final invitation to negotiate (ITN) does not guarantee the awarding of a contract, rather it allows both parties to engage in negotiations toward a mutually beneficial relationship. In the event that negotiations fail to realize a binding contract, the State retains the right to re-open negotiations with an alternative proposer(s) until a mutually beneficial relationship is secured. The State also retains the right to enter into multiple independent negotiations based on desirable portions of different qualifying proposals; however, preference will be given to comprehensive plans.

### **III. MINIMUM REQUIREMENTS**

1. Notice of Intent to Submit: A written Notice of Intent to Submit must be received by June 9, 2008. The notice letter should be e-mailed as an attachment to Michelle Ramsey, OTTED's Senior Attorney, at [michelle.ramsey@eog.myflorida.com](mailto:michelle.ramsey@eog.myflorida.com). A return e-mail acknowledgment will be issued, which will serve as confirmation of receipt. The Notice of Intent to Submit is non-binding; however, it ensures the

delivery of all addenda related to this review process. Proposals will be accepted and considered only from applicants who submitted a timely Notice of Intent to Submit.

2. Response to Project Scope: Seven (7) hard copies must be delivered to OTTED by close of business on September 22, 2008. All proposals must sufficiently detail a plan, including financial pro formas and demonstration of meeting requirements articulated in Sections IV and V below. Proposals that involve multiple organizations within a single plan should describe and reveal the roles and responsibilities of each organization, including corporate structures, and business relationships or affiliations created to fulfill specific elements of the proposal.

#### IV. PROJECT OBJECTIVES

The desired proposal will provide for economic development, including higher-wage job creation and the generation of local and state tax revenues creating the greatest financial benefit to the Town of Lantana and Palm Beach County while also accommodating the best fit addressing the Town of Lantana's vision and concerns listed below:

##### Vision

- Use public/private partnerships to attract high quality businesses and jobs to Lantana;
- Redevelop site as an integral part of the surrounding community;
- Create revenue producing light industrial/flex-space and mixed use areas;
- Address cost of Town services;
- Maintain recreational areas on site or nearby;
- Preserve the natural habitat.

##### Local Concerns

- Ensure redevelopment benefits community by:
- Providing for participation of the Town of Lantana in redevelopment plan;
- Weaving the plan into the fabric of the community;
- Addressing financial impacts on the Town of Lantana.

In addition to applying the above general considerations in the review of proposals, specific objectives have been identified against which proposals merit will be weighed:

- a) The main undeveloped vegetative area on the site, referred to as "scrub" habitat, which occupies approximately 35 acres along the north side of the site, has been identified for preservation. A long-term lease of the land from the State to the County is anticipated. This portion of the property will not be available for redevelopment or inclusion in proposals outside of this intended use. Greenway-type development that may be necessary, as well as ongoing maintenance costs, will be assigned to the County as a term of the lease.
- b) Execution of the proposed plan(s) must be cost neutral for the State, County and Town. Financial contributions made by the State are limited to the market or potential value of the land and buildings.

- c) Considering the critical care nature of the services provided by AGH Hospital, it is the State's desire to continue the services provided by the hospital in its current or alternative location within Florida; and that its employees will remain on staff, or at the minimum, be given first consideration for hire, should the program be successfully transitioned.
- d) Provision for the preservation of current recreational space (i.e., ball fields) on some portion of the property is desirable; relocation is also an option.
- e) Academic and private partners should be key players in the plans developed for this project. Academic collaboration may include, but not be limited to, research and development, tech transfer, clinical services and education. Private partner involvement may include, but not be limited to, financing, business incubation, and commercial and/or residential development.
- f) Preference will be given to plans that use a portion of the property to create a center for technology and innovation that leverages the areas designation as one of the emerging centers of bioscience innovation in the world.

#### V. PROJECT REQUIREMENTS

##### Health Care Provider

In addition to the Project Objectives herein, there are expected elements within submissions of proposals, or portions of proposals, specifically related to the provision of health care services consistent with those currently provided by AGH Hospital:

1. Must demonstrate expertise and capabilities necessary to provide care for the most difficult cases of tuberculosis (TB) that cannot be treated in the community, including details on the provision of all of the following services: medical, surgical, psychological, behavioral, pharmacologic, nursing, infection control, radiological, respiratory, legal, environmental control, nutritional, medical records, laboratory, and transport, as well as the public health aspects, including epidemiologic responsibilities.
2. Must have expertise and proven experience (at least ten years of documented performance) in core public health care activities and evidence of integration into the public health infrastructure.
3. Must be intimately involved in protecting the public's health from TB, including those patients who cannot be treated in the community.
4. To protect the public's health specific to tuberculosis patients, must consult with and abide by Bureau of TB/DOH physician decisions concerning admissions, discharges and subsequent community care coordination. Must admit tuberculosis patients that meet admissions criteria as set forth by the Bureau of TB/DOH (see attachment), regardless of reimbursement for care.

5. Must be willing to provide all necessary care, including but not limited to, surgery and pharmacologic support, regardless of reimbursement. Must be able to provide all necessary consultant specialty services either in-house or have the mechanisms to provide for such services via contract or agreement, with close proximity to a comprehensive medical center, including assuming cost of care in other facilities if transfer is necessary.

6. Must be willing to keep patients as in-patients until cured, in cases where they have failed therapy as outpatients or such therapy cannot be accomplished in such setting.

7. Must be willing to allow the Bureau of TB or the Florida DOH to make decisions concerning admissions and discharges specific to TB cases.

8. Must have expertise and proven documented experience in the provision of the necessary TB training, education and consultation (24 hour, 365 days a year) to medical professionals and must be willing and able to continue the obligations of the grants and studies that have been procured by AGH Hospital and its partners.

9. Must work with the Bureau of TB, which will serve as the contract manager, and agree to comply with the prescribed monitoring of the contract.

10. Must maintain all licensure requirements.

11. Must have the facilities and serve as an airborne infection isolation facility, as determined by the DOH, in case of an outbreak of an airborne spread pathogen, such as SARS, avian or pandemic flu and/or massive displacement/migration of at-risk populations.

12. Any new or refurbished building(s) must exceed all applicable hurricane requirements and must be able to be prepared to function during and after such an event (i.e., backup generators, etc.).

13. Provide a safe environment with the required specialized environmental protections and maintenance to assure the safety of the patients, staff and community.

14. Provide a safe environment with the required specialized security to assure the precautions for elopement of patients to assure cure as well as the safety of the patients, staff and community.

#### Land Redeveloper

In addition to the Project Objectives herein, there are desired elements and minimum requirements for submission of proposals specifically related to the provision of land redevelopment. Exhibits to this ITN include aerial photographs of the existing site for reference and planning purposes. The proposals shall include the following elements:

#### a) Feasibility Study

Responders shall provide a property valuation report on highest and best use of site. This analysis shall include a feasibility study outlining the financial impact based upon the following:

- Land use options, zoning, and site suitability.
- DRI/permitting and/or regulatory constraints that may currently exist on the site and options to overcome those challenges
- Options related to the use of the existing AG Holley Hospital as outlined earlier in this ITN. That analysis should include keeping the existing hospital in the plan, subdividing it as part of a teaching hospital, relocating the services of that hospital altogether, asbestos abatement, etc. Each scenario should outline cost/benefits of each option and how it impacts the overall development plan for the site.
- Incorporation of the following elements into the proposed development plan:
  - Possible conference/hotel facilities to allow for hosted events for scientists and industry experts
  - Protection and preservation of the “scrub” area for habitat and conservation
  - Research, laboratory and business incubator space to support core functions of resident high-growth companies. Offering resources for these companies provides a constant supply of innovation and new business ventures to existing efforts.
  - Development of a campus environment to encourage social interaction
  - Housing options for students and professional resources that would provide opportunities for a “live, work and play” atmosphere
  - Access to transportation options for the site and greater Lantana area
  - Allow for future growth if possible
  - Relocation of the ball fields on or off site

Each of these elements shall be addressed both “as-is” and “to-be” for redevelopment scenario considerations. Additionally, options that include proposals for the relocation of the AG Holley facility to another site must also address the construction and operational costs of the new facility.

Site development scenarios should include both phased development and full build out options. Include description of space to be developed for primary bio-science user and space for ancillary or support uses. Primary uses may include stand alone clients or hybrid clients supporting other bio-science/life science businesses in the State.

#### b) Financing Options

The State will entertain any/all financing options that would enable the desired program to be developed on this site. Those options may include:

- Sale/lease-back scenario
- Tax Exempt (COPS) capital lease financing
- Credit Tenant Lease financing
- Full disposition of the site to the Land Developer
- Long term land-lease with reverter after 50 years
- Others

c) Sustainability

All new building(s) will be constructed to USGBS LEED sustainability standards, with preference given to proposals attaining the higher certification level.

d) Qualifications

Specific related and recent experience in site design, engineering, land use planning, programming, architectural services, infrastructure, estimating, financing and real property master planning is desired. Selection of finalists for interview will be made on the basis of qualifications including the specific experience, ability, location, volume of workload, experience with State Agency construction/development projects, and current workload. Firms must provide proof of proper registration at the time of submittal for any professional services listed in the submittal. Selections will be made in accordance with Section 287.055, F.S. utilizing the DMS Professional Services Selection form.

**BIDDING DOCUMENTS:** Full sets of bid documents including exhibits may be obtained by contacting the Office of Tourism, Trade, and Economic Development at (850)487-2568 or by e-mail: michelle.ramsey@eog.myflorida.com.

**REGIONAL TRANSPORTATION AUTHORITY**

**REQUEST FOR PROPOSAL NO. 08-004 – OPERATING SERVICES FOR SFRTA’S SHUTTLE BUS SYSTEM**

The South Florida Regional Transportation Authority (SFRTA), an agency of the State of Florida, operates Tri-Rail, a seventy-two (72) mile commuter rail service with eighteen (18) stations in Miami-Dade, Broward, and Palm Beach counties.

**THE PURPOSE** of this Request for Proposal (RFP) is to enter into an agreement with a qualified contractor to operate various shuttle bus routes to complement the Tri-Rail commuter rail service. Bus services will include fixed route shuttle service, emergency service, and additional as needed service. SFRTA currently contracts for 11 fixed shuttle service routes. The term of the agreement will be for a period of seven (7) years.

**A REQUEST FOR DOCUMENTS** should be directed to Mr. Robert Becker at SFRTA, 800 N. W. 33 Street, Pompano Beach, Florida 33064, (954)788-7909. The cost of the solicitation document is Fifty Dollars (\$50.00) non-refundable. Checks or money orders made payable to SFRTA should be forwarded to Mr. Becker at the address above. Solicitation documents will be available on or about June 2, 2008.

**A PRE-PROPOSAL CONFERENCE** will be held in the SFRTA Board Room at the address above on June 10, 2008, 10:00 a.m. The purpose of the meeting will be for SFRTA to

respond to questions from document holders and clarify requirements in an open forum. Attendance is not mandatory but is recommended.

**RECEIPT OF SEALED PROPOSALS:** All proposals must be received as per the RFP instructions no later than 5:00 p.m. (Eastern Time), July 9, 2008, at the SFRTA office in Pompano Beach.

SFRTA reserves the right to postpone, accept, or reject any and all proposals in whole or in part. All Proposers must certify that they are not on the State of Florida Comptroller General’s List of Ineligible Bidders. All proposals shall remain in effect for One Hundred Eighty (180) days from the RFP submission due date.

**DBE PARTICIPATION:** SFRTA solicits and encourages Disadvantaged Business Enterprise (DBE) participation. DBEs will be afforded full consideration of their responses and will not be subject to discrimination.

**CONE OF SILENCE:** Any verbal or written communications between any Proposer (potential or actual), or its representatives and any SFRTA Board Member, staff member, committee member, or consultant regarding this procurement are strictly prohibited from the date of the RFP advertisement through the date of execution of the contract. The only exceptions to this are: (1) written requests regarding information or clarification made to SFRTA’s designated contract specialist during the allowable time period under the solicitation; (2) any communications at a publicly noticed meeting of SFRTA; and (3) any communications with the SFRTA Director of Procurement. Any violation of the requirements set forth in this section shall constitute grounds for immediate and permanent disqualification of the Proposer/violator from participation in this procurement.

Christopher C. Bross, CPPO, FCPM  
 Director, Procurement

**DEPARTMENT OF CORRECTIONS**

**PROPOSALS ARE REQUESTED FROM QUALIFIED GENERAL CONTRACTORS SECTION A**

**PROPOSALS ARE REQUESTED FROM QUALIFIED GENERAL CONTRACTORS BY THE STATE OF FLORIDA, DEPARTMENT OF CORRECTIONS, FOR THE CONSTRUCTION OF:**

**PROJECT NO:** EK-02-(WT)

**PROJECT NAME AND LOCATION:** Water System Improvements – Apalachee Correctional Institution

**FOR:** FLORIDA DEPARTMENT OF CORRECTIONS

**PERFORMANCE BOND AND LABOR AND MATERIAL PAYMENT BOND:** If the construction contract award amount is \$100,000.00 or less, a Performance Bond and a Labor And Material Payment Bond are not required.



**PUBLIC ENTITY CRIME INFORMATION STATEMENT:** A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, F.S., for Category Two for a period of 36 months from the date of being placed on the convicted vendor list.

**PREQUALIFICATION:** Each bidder whose field is governed by Chapters 399, 489 and 633, Florida Statutes, for licensure or certification must submit prequalification data of their eligibility to submit proposals five (5) calendar days prior to the bid opening date if not previously qualified by the Department for the current biennium (July 1 through June 30) of odd numbered years, or if you are not sure, please call Ms. Sandra Rogers at (850)922-8855, for Prequalification Requirements. You must be prequalified five (5) working days prior to bid opening; otherwise you will be ineligible to bid. After the bid opening the low bidder must qualify in accordance with Rule 60D-5.004, F.A.C. A copy of the rule requirements is included in the Instruction To Bidders under Article B-2 "Bidder Qualification Requirements and Procedures".

Sealed bids will be received, publicly opened and read aloud on:

**DATE AND TIME:** Wednesday, July 8, 2008, 2:00 p.m. (Eastern Daylight Time)

**PLACE:** Baskerville-Donovan, Inc., Woodcrest Office Park, 325 John Knox Road, EX 200, Tallahassee, FL 32303

**PROPOSAL:** Bids must be submitted in full in accordance with the requirements of the Drawings, Specifications, Bidding Conditions and Contractual Conditions, which may be examined and obtained from the:

**ARCHITECT-ENGINEER:** Baskerville-Donovan, Inc. Tallahassee Office, 325 John Knox Road, EX 200, Tallahassee, Florida 32303

**TELEPHONE:** (850)656-1212

**CONTACT PERSON:** Kenneth Hatcher, P.E.

A non-mandatory pre-bid conference will be held on Wednesday, June 18, 2008, 10:00 a.m. Local Time (Central Daylight Time) at the Correctional Institution's Administrations conference room.

Drawings and specifications may be purchased for \$100.00 per set from the Architect/Engineer, Baskerville-Donovan, Inc.'s Tallahassee Office, 325 John Knox Road, EX 200, Tallahassee, Florida 32303, (850)656-1212. Partial sets may not be purchased.

**CONTRACT AWARD:** Bid Tabulation and Notice of Award Recommendation will be sent to all bidders by Facsimile, (FAX), Return Receipt Required. If no protest is filed per Article B-20 of the Instructions to Bidders, "Bid Protests, Points of Entry", the contract will be awarded by the Secretary, Department of Corrections. Right is reserved to reject any or all bids.

**PROPOSALS ARE REQUESTED FROM GENERAL CONTRACTORS BY THE STATE OF FLORIDA, DEPARTMENT OF CORRECTIONS**

**ADVERTISEMENT FOR BIDS**

**PROPOSALS ARE REQUESTED FROM GENERAL CONTRACTORS BY THE STATE OF FLORIDA, DEPARTMENT OF CORRECTIONS, FOR THE CONSTRUCTION OF:**

**PROJECT NO:** EK-11 (WTI)

**PROJECT NAME AND LOCATION:** Marion Correctional Institution Water Treatment Plant Modifications

**FOR:** Construction of yard piping modifications and the change from gas chlorine to liquid chlorine

**PERFORMANCE BOND AND LABOR AND MATERIAL PAYMENT BOND:** If the construction contract award amount is \$100,000.00 or less, a Performance Bond and a Labor And Material Payment Bond are not required.

**PUBLIC ENTITY CRIME INFORMATION STATEMENT:** A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, F.S., for Category Two for a period of 36 months from the date of being placed on the convicted vendor list.

**PREQUALIFICATION:** Each bidder whose field is governed by Chapters 399, 489 and 633, Florida Statutes for licensure or certification must submit prequalification data of their eligibility to submit proposals five (5) calendar days prior to the bid opening date if not previously qualified by the Department for the current biennium (July 1 through June 30) of odd numbered years. Please call Ms. Sandra Rogers at (850)922-8855 for Prequalification Requirements. You must be prequalified five (5) days prior to bid opening. After the bid opening the low bidder must qualify in accordance with Rule 60D-5.004, F.A.C. A copy of the rule requirements is included in the Instruction To Bidders under Article B-2 "Bidder Qualification Requirements and Procedures".

Sealed bids will be received, publicly opened and read aloud on:

DATE AND TIME: Tuesday, July 8, 2008, 2:00 p.m. (EDT Local time)

Any person with a qualified disability requiring special accommodations at the pre-bid conference, and/or bid/proposal opening, shall contact the person listed below at least (5) working days prior to the event. If you are hearing or speech impaired, please contact this office by using Florida Relay Services by dialing 1(800)955-8771 (TDD).

PLACE: Tetra Tech, Inc., 4415 Metro Parkway, Suite 320, Fort Myers, FL 33916

PROPOSAL: Bids must be submitted in full in accordance with the requirements of the Drawings, Specifications, Bidding Conditions and Contractual Conditions, which may be examined and obtained from the:

ARCHITECT-ENGINEER: Tetra Tech, Inc., 4415 Metro Parkway, Suite 320, Fort Myers, FL 33916

TELEPHONE: (239)277-5155

Drawings and specifications may be purchased for \$75.00 per set from the Architect/Engineer.

PRE-BID CONFERENCE: There will be no pre-bid conference for this project. However, Contractors are encouraged to visit the site on June 12, 2008, 10:00 a.m., to inspect the site and familiarize themselves with the project conditions. Contractors shall contact Mr. Mike Hensley, Maintenance Supervisor at (352)401-6459, no later than June 6, 2007 to obtain clearance to visit the site, which is located at the Marion Correctional Institution, 3269 N. W. 105th Street, Lowell, Florida 32663-0158.

CONTRACT AWARD: Bid Tabulation and Notice of Award Recommendation will be sent to all bidders by Facsimile (FAX), Return Receipt Required. If no protest is filed per Article B-20 of the Instructions to Bidders, "Bid Protests, Points of Entry", the contract will be awarded by the Secretary, Department of Corrections. Right is reserved to reject any or all bids.

**WATER MANAGEMENT DISTRICTS**

**REQUEST FOR QUALIFICATIONS 07/08-042 LA  
APPROVED APPRAISER LIST**

To ensure a consistent level of quality in appraisal reports and reduce administrative costs, the Suwannee River Water Management District maintains a list of appraisers who are pre-qualified for District assignments.

After qualifications are received and reviewed by District staff, a list of appraisers will be submitted to the District's Governing Board for approval. These approved appraisers will receive Requests for Bids for appraisal work to be done during the upcoming Fiscal Year 2008-2009. This list can be re-approved on a yearly basis for up to two additional years upon mutual agreement of District and Appraisers.

Appraisers interested in being considered for District appraisal work should complete and submit an Appraiser Respondent Form prior to 4:00 p.m., June 30, 2008. Request for qualifications documents and additional information are available on the District website at [www.my.suwanneeriver.com](http://www.my.suwanneeriver.com) or by contacting: Gwen Lord, Administrative Assistant at (386)362-1001 or [gal@srwmd.org](mailto:gal@srwmd.org).

**REQUEST FOR QUALIFICATIONS 07/08-043 LA**

**Approved TIMBER Appraiser List**

To ensure a consistent level of quality in timber appraisal reports and reduce administrative costs, the Suwannee River Water Management District maintains a list of appraisers who are pre-qualified for District assignments. Applicants should be knowledgeable in the use of the sales comparison approach, income approach and cost approach when providing timber value data for use in real estate appraisal reports.

After qualifications are received and reviewed by District staff, a list of timber appraisers will be submitted to the District's Governing Board for approval. These approved appraisers will receive Requests for Bids for timber appraisal work to be done during the upcoming Fiscal Year 2008-2009. This list can be re-approved on a yearly basis for up to two additional years upon mutual agreement of District and Appraisers.

Appraisers interested in being considered for District timber appraisal work should complete and submit a Timber Appraiser Respondent Form prior to 4:00 p.m., June 30, 2008. Request for qualifications documents and additional information are available on the District website at [www.mysuwanneeriver.com](http://www.mysuwanneeriver.com) or by contacting: Gwen Lord, Administrative Assistant at (386)362-1001 or [www.my.suwanneeriver.com](http://www.my.suwanneeriver.com)

**REQUEST FOR QUALIFICATIONS 07/08-046 LA**

**Approved Environmental Auditor List**

To ensure a consistent level of quality in Phase 1 environmental assessment reports and environmental baseline documentation reports for real estate transactions, the Suwannee River Water Management District maintains a list of environmental/engineering consultants who are prequalified for District assignments. Generally, 10-12 firms may be chosen for this list. The list will be reviewed annually, and the District may, at its option, recommend reapproval of the list for up to two additional years.

Environmental/Engineering consulting firms interested in being considered for District assignments should complete and submit an Environmental Assessment Proposal Respondent Form prior to 3:00 p.m. June 26, 2008. Request for qualifications documents and additional information are available on the District website at [www.my.suwanneeriver.com](http://www.my.suwanneeriver.com)

suwanneeriver.com or by contacting: Gwen Lord, Administrative Assistant at (386)362-1001 or [www.mysuwanneeriver.com](http://www.mysuwanneeriver.com).

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## EXPRESSWAY AUTHORITIES

### DRAFT REQUEST FOR PROPOSAL (RFP) FOR MAINTENANCE MANAGEMENT PROGRAM FOR THEA ROADWAYS AND BRIDGES

The Tampa-Hillsborough County Expressway Authority ("THEA" or "Authority") is soliciting proposals for the Maintenance Management Program for THEA Roadways and Bridges. The Maintenance Management Program requirements and information about the proposal process and the planned pre-proposal conference are described in more detail within the Draft RFP and associated materials that can be viewed and downloaded from the Authority's website at [www.tampa-xway.com](http://www.tampa-xway.com) (the "Website").

The RFP process is to allow THEA to determine the value of a contractor managing and performing all routine maintenance activities associated with Roadway, Structures, Drainage, Roadside, Vegetation and Aesthetics on THEA right of way, Traffic Services (excluding signals and ITS equipment, but including advance warning beacons) for Incident Management and Incident/Event Restoration for all areas identified by THEA right-of-way and maintenance limits maps. These routine maintenance activities and information about the possible maintenance contract are described within the Draft RFP and available for review by potential proposers.

THEA will conduct a mandatory Pre-Proposal Conference at the THEA Traffic Management Center, First Floor, Board Room, 1104 E. Twiggs St., Tampa, Florida. The date, time and details of the Conference will be posted on the THEA website along with more information about the proposal process when available. Questions related to the postings may be submitted to Nancy Marino ([nancy@tampa-xway.com](mailto:nancy@tampa-xway.com)). Other contact or communication between any proposer and any THEA Board member, staff, consultants or member of the evaluation committee is strictly prohibited from the date of the Draft RFP posting with the following exceptions: (1) participation at the Pre-Proposal Conference or a publicly noticed meeting of THEA or its Evaluation Committee; and (2) written and oral Contract negotiations with the Executive Director or his designated representative.

Tampa-Hillsborough County Expressway Authority  
Attention: Nancy Marino  
1104 E. Twiggs St. – Suite 300  
Tampa, Florida 33602  
Phone: (813)272-6740  
Fax: (813)276-2492  
Email: [Nancy@tampa-xway.com](mailto:Nancy@tampa-xway.com)

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## DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

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### NOTICE OF INVITATION TO BID

BID NO. BDC 82-07/08

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:** Delnor-Wiggins State Park – New Managers Office

**SCOPE OF WORK:** The contractor shall provide the necessary labor, materials, equipment, supervision and permitting to construct a new manager's office. The work shall include an elevated 600 Sq. Ft. wood structure on a concrete pile foundation, paving and road improvements, a force main connection and dune crossover.

**PARK LOCATION:** Delnor-Wiggins State Park, 11135 Gulf Shores Drive, Naples, Florida 34108

**PROJECT MANAGER:** Hubert Baxter, Bureau of Design and Construction, Alfred B Maclay Gardens State Park, 3540 Thomasville Road, Tallahassee, Florida 32309, (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 including Alternates exceeds \$200,000, each Bidder whose field is governed by Chapter 399, 455, 489 or 633, Florida Statutes, for licensure or certification, must submit the following prequalification data of their eligibility to submit bids 240 hours (10 days) PRIOR TO the Bid Opening date, unless the Bidder has been previously qualified by the Department of Environmental Protection for the current biennium (July 1 – June 30) of odd numbered years in accordance with subsection 60D-5.004(2), F.A.C., as evidenced by a letter from DEP to the Bidder, which letter shall be presented to DEP upon request. If the Department requires clarification or additional information, Bidder shall submit such information by 120 hours (5 days) prior to Bid Opening. Material submitted after those deadlines shall disqualify the Bidder.

**INSTRUCTIONS:** Any firm desiring plans and bid specifications for this project may obtain a copy by writing the address or calling the telephone number below. Compact Disk (CD) containing the plans and specifications will be available

on May 30, 2008 at: Delnor-Wiggins State Park, 11135 Gulf Shores Drive, Naples, Florida 34108, Attention: Robert Steiger, Park Manager, (239)597-6196, Fax (239)597-8223.

**ADA REQUIREMENTS:** Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact Michael Renard with the Bureau of Design and Construction, (850)488-5372, at least five (5) workdays prior to openings. If you are hearing or speech impaired, please contact the Florida Relay Services by calling 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**BID SUBMITTAL DUE DATE:** No later than 4:30 p.m., Tuesday, June 24, 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 Administer, Bureau of Design and Construction, (850)488-3572. The Department reserves the right to reject any or all bids.

**BID POSTING DATE:** No later than 2:00 p.m., Thursday, June 27, 2008, unless extended by the Department for good cause.

**NOTICE OF RIGHTS:** Notice of Intent to Protest the Bid Specifications must be filed with (received by) the Agency Clerk, Lea Crandall, Department of Environmental Protection, Office of General Counsel, MS 35, 3900 Commonwealth Blvd., Tallahassee, FL 32399-3000, (850)245-2242, Fax (850)245-2303, Lea.Crandall@dep.state.fl.us during the 72-hour period after Bid Specifications are posted on the Vendor Bid System. Failure to file a Notice of Intent to Protest or a formal, written Protest in accordance with Chapter 28-110, F.A.C., within ten days after the 72-hour period ends, as prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of your right to an administrative hearing on the Bid Specifications under Chapter 120, Florida Statutes. Rules for bid protests can be found in sections 120.569 and 120.57, F.S., and Chapter 28-110, Florida Administrative Code. A bid protester shall comply with these statutes and rules.

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#### **FLORIDA HOUSING FINANCE CORPORATION**

Request for Qualifications 2008-02 for Trustee Services  
The Florida Housing Finance Corporation invites all qualified firms wishing to provide services typical of trustees under trust indentures securing revenue bonds for and on behalf of Florida Housing Finance Corporation to submit proposals for consideration. Proposals shall be accepted until 2:00 p.m. (Eastern Time), Friday, June 27, 2008, Attention: Robin L. Grantham, Contracts Administrator, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

For questions or additional information, please contact Robin L. Grantham at (850)488-4197 or robin.grantham@floridahousing.org. To obtain a copy of the Request for Qualifications, which outlines selection criteria and offeror's responsibilities, please submit your request to the attention of Robin L. Grantham, or you can download the Request for Qualifications from the Florida Housing Finance Corporation web site at: <http://www.floridahousing.org/Home/BusinessLegal/Solicitations/RequestForQualifications.htm>.

Any modifications that occur to the Request for Qualifications will be posted at the web site and may result in an extension of the deadline.

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#### **HILLSBOROUGH COUNTY AVIATION AUTHORITY**

##### **NOTICE TO CONSULTANTS**

The Hillsborough County Aviation Authority hereby requests, pursuant to the Consultants Competitive Negotiation Act, Florida Statutes 287.055, letters of interest from letters of interest architectural/engineering firms or individuals desiring to render professional services for the following project:

PAVEMENT REHABILITATION FOR RUNWAY 18L/36R,  
TAXIWAYS, APRONS AND RELATED WORK  
TAMPA INTERNATIONAL AIRPORT  
HCAA PROJECT NO. 5355 09

This project is to rehabilitate the concrete pavements for Runway 18L/36R, Taxiway C, Taxilane A, adjacent aircraft parking aprons and other taxiways at Tampa International Airport. The rehabilitation effort will consist of individual slab removal and replacement and joint sealant replacement. The firm will be required to perform a complete inventory and inspection of the concrete pavements and joints to determine the limits of rehabilitation. A more detailed scope of services will be included in the formal request for proposal.

Significant Dates:

Letters of interest due: NLT 5:00 p.m., Wednesday, June 4, 2008

RFP posted on web site: After 12:00 Noon, Thursday, June 12, 2008

Mandatory: At 10:00 a.m., Thursday, June 26, 2008, pre-proposal conference

Proposals Due: by 5:00 p.m., Friday, July 18, 2008

For additional information on submitting letters of interest, location of meeting and other project details, go to the Authority website at [www.tampairport.com](http://www.tampairport.com); Quick Links, Airport Business, RFP/RFQ Information. The RFP will be posted on the Authority website after 12:00 Noon, Thursday, June 12, 2008.

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**JACKSONVILLE TRANSPORTATION AUTHORITY**

08-013 Heckscher Drive (Zoo Parkway) Phase II

The Jacksonville Transportation Authority will require the services of a vendor to provide Heckscher Drive (Zoo Parkway), Phase II, Drummond Point to August Drive (08-013). This is a Bid to provide Heckscher Drive (Zoo Parkway), Phase II, Drummond Point to August Drive, for the Jacksonville Transportation Authority. Notice to Bidders regarding this bid is currently available by contacting: Sidney Reed at (904)630-3142 or on-line at <http://jtaprocurement.jtafla.com/>. All interested persons can contact the Jacksonville Transportation Authority, Procurement Division, 100 North Myrtle Avenue, Jacksonville, Florida 32204 or phone J.S. Reed at (904)630-3142, for a copy of the Bid which will be provided on a compact disk in PDF format. These compact disks will be available to be purchased for a cost of One hundred dollars (\$100.00) for each set of disks. **PAYMENT WILL BE ACCEPTED BY CHECK ONLY. NO REFUNDS WILL BE MADE FOR THESE COMPACT DISKS.** Checks are to be made payable to the Jacksonville Transportation Authority. There will not be any paper copies of this package available. There will be a pre-bid conference held on Tuesday, May 20, 2008, 10:00 a.m. at 100 North Myrtle Avenue, Administration Board Room, Jacksonville, Florida 32204. Deadline for questions pertaining to this bid is 5:00 p.m., Thursday, June 5, 2008. The Jacksonville Transportation Authority is an Equal Opportunity Employer and encourages expressions of interest for the described services from Disadvantaged Business Enterprises. Replies must be delivered either in person to the Jacksonville Transportation Authority, Receptionist Desk – Administration Building, Bid No. 08-013, 100 North Myrtle Avenue, Jacksonville, Florida 32204, or mailed to Jacksonville Transportation Authority, Administration Building, Attn: Receptionist Desk, Bid No. 08-013, Post Office Drawer “0”, Jacksonville, Florida 32203. Bids must be received no later than 2:00 p.m., Tuesday, June 17, 2008.

**TECHNOLOGICAL RESEARCH AND DEVELOPMENT AUTHORITY**

NOTICE IS HEREBY GIVEN THAT the Technological Research and Development Agency will accept information from interested parties for the following:

“Human Resources Administrative Services”

Responses must comply and be submitted in accordance with the RFP specifications which may be viewed by going to [http://www.trda.org/contact\\_us/rfps.asp](http://www.trda.org/contact_us/rfps.asp).

TRDA retains the right to reject any and all submittals.

**Section XII  
Miscellaneous****DEPARTMENT OF COMMUNITY AFFAIRS**

NOTICE OF INTENT TO FIND  
PUBLIC SCHOOLS INTERLOCAL AGREEMENT  
CONSISTENT WITH SECTION 163.31777(2), FLORIDA  
STATUTES – DCA DOCKET NO. 35-13

The Department gives notice of its intent to find the Public Schools Interlocal Agreement (“Agreement”) executed between the Lake County School Board and each of the following local government(s): Mount Dora, 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 Mount Dora, Planning and Development, City Hall, 510 North Baker Street, Mount Dora, Florida 32757.

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 Lake School Board, Mount Dora. 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.

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Mike McDaniel, Chief  
 Office of Comprehensive Planning  
 2555 Shumard Oak Boulevard  
 Tallahassee, Florida 32399-2100

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NOTICE IS HEREBY GIVEN THAT the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to Section 380.06(4)(a), Florida Statutes.

FILE NO.:	BLIM-09-2007-016/ BLID-09-2007-015
DATE RECEIVED:	May 27, 2008
DEVELOPMENT NAME:	BURNT STORE MARINA
DEVELOPER/AGENT:	Realmark Development, LLC/ Fowler White et. al.
DEVELOPMENT TYPE:	28-24.023, 28-24.020, 28-24.031, 28-24.026, F.A.C.
LOCAL GOVERNMENT:	Lee County

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**NOTICE OF INTENT TO FIND PUBLIC SCHOOLS  
 INTERLOCAL AGREEMENT CONSISTENT WITH  
 SECTION 163.31777(2), FLORIDA STATUTES  
 DCA DOCKET NO. 36-06**

The Department gives notice of its intent to find the Public Schools Interlocal Agreement (“Agreement”) executed between the Lee County School Board and each of the following local governments: Lee County, Bonita Springs, Cape Coral, Fort Myers, Fort Myers Beach and Sanibel, 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 Bonita Springs, 9101 Bonita Beach Road, Bonita Springs, Florida 34135; City of Cape Coral, Department of Community Development, 1015 Cultural Park Blvd., Cape Coral, Florida 33990; City of Fort Myers, 2200 Second Street, Fort Myers, Florida 33902; Town of Fort Myers Beach, 2523 Estero Boulevard, Fort Myers Beach, Florida 33931; City of Sanibel, 800 Dunlop Road, Sanibel, Florida 33957; Lee County Planning, 1500 Monroe Street, Fort Myers, Florida 33901; Lee County School District, 2855 Colonial Blvd., Fort Myers, Florida 33966-1012.

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 Lee County School Board, Cape Coral, Bonita Springs, Fort Myers, Fort Myers Beach, Sanibel and Lee County. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

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.

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-s-Mike McDaniel, Chief  
 Office of Comprehensive Planning  
 2555 Shumard Oak Boulevard  
 Tallahassee, Florida 32399-2100

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**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR  
 VEHICLES**

Notice of Publication for a New Point  
 Franchise Motor Vehicle Dealer in a County of More  
 than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Hidria USA, Inc., intends to allow the establishment of Steve’s Cycle, Inc., as a dealership for the sale of motorcycles manufactured by Xiamen Xiashing Motorcycle Co. Ltd. (XIXI) at 1045 West King Street, Cocoa (Brevard County), Florida 32922, on or after May 16, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Steve's Cycle, Inc. are dealer operator(s): Steven Foley, 955 Beechfront Lane, Rockledge, Florida 32955; principal investor(s): Steven Foley, 955 Beechfront Lane, Rockledge, Florida 32955.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Douglas V. Joseph, Tomos USA, a Division of Hidria USA, Inc., 202 Beechtree Boulevard, Greenville, South Carolina 29605.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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#### Notice of Publication for a New Point

##### Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Hidria USA, Inc., intends to allow the establishment of Palm City Corporation, Inc. d/b/a Dragon Cycle, as a dealership for the sale of motorcycles manufactured by Xiamen Xiashing Motorcycle Co. Ltd. (XIXI) at 1100 South Cleveland Avenue, Fort Myers (Lee County), Florida 33907, on or after June 15, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Palm City Corporation, Inc. d/b/a Dragon Cycle are dealer operator(s): James Wilson, 2104 West First Street, #1903, Fort Myers, Florida 33901 and Lucille D. Wilson, 2104 West First Street, #1903, Fort Myers, Florida 33901; principal investor(s): James Wilson, 2104 West First Street, #1903, Fort Myers, Florida 33901 and Lucille D. Wilson, 2104 West First Street, #1903, Fort Myers, Florida 33901.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Douglas V. Joseph, Tomos USA, a Division of Hidria USA, Inc., 202 Beechtree Boulevard, Greenville, South Carolina 29605.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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#### Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Hidria USA, Inc., intends to allow the establishment of Motorcycle Enthusiast, Inc., as a dealership for the sale of Xiamen Xiashing Motorcycle Co. Ltd. (XIXI) at 5138 Commercial Way, Spring Hill, (Hernando County), Florida 34606, on or after June 15, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Motorcycle Enthusiast, Inc. are dealer operator(s): David Bernard, 1311 Ken Lake Avenue, Spring Hill, Florida 34606; principal investor(s): David Bernard, 1311 Ken Lake Avenue, Spring Hill, Florida 34606.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License

Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Douglas V. Joseph, Tomos USA, a Division of Hidria USA, Inc., 202 Beechtree Boulevard, Greenville, South Carolina 29605.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of Less  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that LS Motor Sports, LLC, intends to allow the establishment of ESM Sales, as a dealership for the sale of motorcycles manufactured by Chunfeng Holding Group Co. Ltd. (CFHG) at 20625 North Road, Altoona (Lake County), Florida 32702, on or after May 8, 2008.

The name and address of the dealer operator(s) and principal investor(s) of ESM Sales are dealer operator(s): Edward May, 20625 North Road, Altoona, Florida 32702; principal investor(s): Edward May, 20625 North Road, Altoona, Florida 32702.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Mathu Solo, President, LS Motor Sports, LLC, 10215 Sam Houston Parkway West, Suite 100, Houston, Texas 77071.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of Less  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that LS Motor Sports, LLC, intends to allow the establishment of ESM Sales, as a dealership for the sale of motorcycles manufactured by Jiangsu Linhai Power Machinery Group (LINH) at 20625 North Road, Altoona (Lake County), Florida 32702, on or after May 8, 2008.

The name and address of the dealer operator(s) and principal investor(s) of ESM Sales are dealer operator(s): Edward May, 20625 North Road, Altoona, Florida 32702; principal investor(s): Edward May, 20625 North Road, Altoona, Florida 32702.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Mathu Solo, President, LS Motor Sports, LLC, 10215 Sam Houston Parkway West, Suite 100, Houston, Texas 77071.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of Less  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that LS Motor Sports, LLC, intends to allow the establishment of ESM Sales, as a dealership for the sale of motorcycles manufactured by Zongshen Industrial Group (ZONG) at 20625 North Road, Altoona (Lake County), Florida 32702, on or after May 8, 2008.



The name and address of the dealer operator(s) and principal investor(s) of ESM Sales are dealer operator(s): Edward May, 20625 North Road, Altoona, Florida 32702; principal investor(s): Edward May, 20625 North Road, Altoona, Florida 32702.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Mathu Solo, President, LS Motor Sports, LLC, 10215 Sam Houston Parkway West, Suite 100, Houston, Texas 77071.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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#### Notice of Publication for a New Point

##### Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that LS Motor Sports, LLC, intends to allow the establishment of ESM Sales, as a dealership for the sale of motorcycles manufactured by Zhejiang Lingyun Motorcycle Co. Ltd. (ZHEL) at 20625 North Road, Altoona (Lake County), Florida 32702, on or after May 8, 2008.

The name and address of the dealer operator(s) and principal investor(s) of ESM Sales are dealer operator(s): Edward May, 20625 North Road, Altoona, Florida 32702; principal investor(s): Edward May, 20625 North Road, Altoona, Florida 32702.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Mathu Solo, President, LS Motor Sports, LLC, 10215 Sam Houston Parkway, West, Suite 100, Houston, Texas 77071.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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#### Notice of Publication for a New Point

##### Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that LS Motor Sports, LLC, intends to allow the establishment of ESM Sales, as a dealership for the sale of motorcycles manufactured by Chongqing Lifan Industry Group (CHOL) at 20625 North Road, Altoona (Lake County), Florida 32702, on or after May 8, 2008.

The name and address of the dealer operator(s) and principal investor(s) of ESM Sales are dealer operator(s): Edward May, 20625 North Road, Altoona, Florida 32702; principal investor(s): Edward May, 20625 North Road, Altoona, Florida 32702.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Mathu Solo, President, LS Motor Sports, LLC, 10215 Sam Houston Parkway, West, Suite 100, Houston, Texas 77071.

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 LS Motor Sports, LLC, intends to allow the establishment of ESM Sales, as a dealership for the sale of motorcycles manufactured by Qianjiang Motorcycle Group Corporation (QINJ) at 20625 North Road, Altoona (Lake County), Florida 32702, on or after May 8, 2008.

The name and address of the dealer operator(s) and principal investor(s) of ESM Sales are dealer operator(s): Edward May, 20625 North Road, Altoona, Florida 32702; principal investor(s): Edward May, 20625 North Road, Altoona, Florida 32702.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Mathu Solo, President, LS Motor Sports, LLC, 10215 Sam Houston Parkway West, Suite 100, Houston, Texas 77071.

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 Sunset Choppers, Inc., intends to allow the establishment of Viper Auto Sales, as a dealership for the sale of motorcycles manufactured by Sunset Choppers, Inc. at 444 East Sunrise Boulevard, Fort Lauderdale (Broward County), Florida 33304, on or after May 20, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Viper Auto Sales are dealer operator(s): Danni Albo, 444 East Sunrise Boulevard, Fort Lauderdale, Florida 33304; principal investor(s): Danni Albo, 444 East Sunrise Boulevard, Fort Lauderdale, Florida 33304.

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-31,2 MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Rafael Mizrahi, Sunset Choppers Limited, 3658 Northwest 16th Street, Lauderhill, Florida 33311.

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 Scooter Management, LLC, intends to allow the establishment of Mobility Tech, Inc. d/b/a Charlie's Scooter Depot, as a dealership for the sale of motorcycles manufactured by Shanghai Meitian Motorcycle Co. Ltd. (MEIT) at 5720 North Florida Avenue, #2, Tampa (Hillsborough County), Florida 33604, on or after May 22, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Mobility Tech, Inc. d/b/a Charlie's Scooter Depot are dealer operator(s): Carlos Urbizu, 5720 North Florida Avenue, #2, Tampa, Florida 33604; principal investor(s): Carlos Urbizu, 5720 North Florida Avenue, #2, Tampa, Florida 33604 and Zenaida Urbizu, 5720 North Florida Avenue, #2, Tampa, Florida 33604.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Michael Klaiman, President, Scooter Management, LLC, 6910 Renwick Drive, Suite C, Houston, Texas 77081.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Scooter Management, LLC, intends to allow the establishment of Mobility Tech, Inc. d/b/a Charlie's Scooter Depot, as a dealership for the sale of motorcycles manufactured by Qianjiang Motorcycle Group Corporation (QINJ) at 5720 North Florida Avenue, #2, Tampa (Hillsborough County), Florida 33604, on or after May 22, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Mobility Tech, Inc. d/b/a Charlie's Scooter Depot are dealer operator(s): Carlos Urbizu, 5720 North Florida Avenue, #2, Tampa, Florida 33604; principal investor(s): Carlos Urbizu, 5720 North Florida Avenue, #2, Tampa, Florida 33604 and Zenaida Urbizu, 5720 North Florida Avenue, #2, Tampa, Florida 33604.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Michael Klaiman, President, Scooter Management, LLC, 6910 Renwick Drive, Suite C, Houston, Texas 77081.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Volkswagen of America, Inc., intends to allow the establishment of TT of Tamiami, Inc., as a dealership for the sale of Bugatti automobiles (BUGA) at 301 Airport Road South, Naples (Collier County), Florida 34104-3533, on or after May 8, 2008.

The name and address of the dealer operator(s) and principal investor(s) of TT of Tamiami, Inc. are dealer operator(s): Terry Taylor, 515 North Flagler Drive, Suite P400, West Palm Beach, Florida 33401 and John Harris, 800 North Tamiami Trail, Naples, Florida 34102; principal investor(s): Terry Taylor, 515 North Flagler Drive, Suite P400, West Palm Beach, Florida 33401 and John Harris, 800 North Tamiami Trail, Naples, Florida 34102.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Pamela Rupe, Volkswagen of America, Inc., 3800 Hamlin Road, Mail Code 4001, Auburn Hills, Michigan 48326.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of Less  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Piaggio Group Americas, Inc., intends to allow the establishment of Vero Beach Lincoln Mercury, Inc. d/b/a Vero Beach Jeep, as a dealership for the sale of Vespa motorcycles (VESP) at 1066 U.S. Highway 1, Vero Beach (Indian River County), Florida 32960, on or after May 19, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Vero Beach Lincoln Mercury, Inc. d/b/a Vero Beach Jeep are dealer operator(s): David Williamson, 1066 U.S. Highway 1, Vero Beach, Florida 32960 and Bill Williamson, 1066 U.S. Highway 1, Vero Beach, Florida 32960; principal investor(s): David Williamson, 1066 U.S. Highway 1, Vero Beach, Florida 32960 and Bill Williamson, 1066 U.S. Highway 1, Vero Beach, Florida 32960.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Angellina Fraser-Lubin, Piaggio Group Americas, Inc., 140 East 45th Street, 17th Floor, New York, New York 10017.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of Less  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Piaggio Group Americas, Inc., intends to allow the establishment of Vero Beach Lincoln Mercury, Inc. d/b/a Vero Beach Jeep, as a dealership for the sale of Piaggio motorcycles (PIAG) at 1066 U.S. Highway 1, Vero Beach (Indian River County), Florida 32960, on or after May 19, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Vero Beach Lincoln Mercury, Inc. d/b/a Vero Beach Jeep are dealer operator(s): David Williamson, 1066 U.S. Highway 1, Vero Beach, Florida 32960 and Bill Williamson, 1066 U.S. Highway 1, Vero Beach, Florida 32960; principal investor(s): David Williamson, 1066 U.S. Highway 1, Vero Beach, Florida 32960 and Bill Williamson, 1066 U.S. Highway 1, Vero Beach, Florida 32960.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Angellina Fraser-Lubin, Piaggio Group Americas, Inc., 140 East 45th Street, 17th Floor, New York, New York 10017.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Hidria USA, Inc., intends to allow the establishment of DK Cycle, Inc., as a dealership for the sale of motorcycles

manufactured by Xiamen Xiashing Motorcycle Co. Ltd. (XIXI) at 1333 Washington Avenue, Miami Beach (Dade County), Florida 33139, on or after May 16, 2008.

The name and address of the dealer operator(s) and principal investor(s) of DK Cycle, Inc. are dealer operator(s): David Buzaglo, 1341 Washington Avenue, Miami Beach, Florida 33139; principal investor(s): David Buzaglo, 1341 Washington Avenue, Miami Beach, Florida 33139.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Douglas V. Joseph, Tomos USA, a Division of Hidria USA, Inc., 202 Beechtree Boulevard, Greenville, South Carolina 29605.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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#### Notice of Publication for a New Point

##### Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Hidria USA, Inc., intends to allow the establishment of Superior Engineering Corp. of America, Inc., as a dealership for the sale of motorcycles manufactured by Xiamen Xiashing Motorcycle Co. Ltd. (XIXI) at 4520 North Tamiami Trail, Naples (Collier County), Florida 34103, on or after May 16, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Superior Engineering Corp. of America, Inc. are dealer operator(s): George Burt, 830 Cassena Road, Naples, Florida 34108; principal investor(s): George Burt, 830 Cassena Road, Naples, Florida 34108.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Douglas V. Joseph, Tomos USA, a Division of Hidria USA, Inc., 202 Beechtree Boulevard, Greenville, South Carolina 29605.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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#### Notice of Publication for a New Point

##### Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that QLink, L.P., intends to allow the establishment of Power and Play Warehouse, Inc., as a dealership for the sale of motorcycles manufactured by China Qingqi Group Co. Ltd. (QING) at 2328 A Hollywood Boulevard, Hollywood (Broward County), Florida 33020, on or after May 16, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Power and Play Warehouse, Inc. are dealer operator(s): Thomas McMahan, 2328 A Hollywood Boulevard, Hollywood, Florida 33020; principal investor(s): Thomas McMahan, 2328 A Hollywood Boulevard, Hollywood, Florida 33020.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: 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 WITHDRAWAL**

Notice is hereby given that the publication of AC Pro-Tect, LLC, as a new point for Zhejiang Summit Huawin Motorcycle Co. Ltd. (POPC) motorcycle franchise dealership in Pasco County by A & A Scooter, Inc., published in Vol. 34, No. 20, pps. 2172-2173 of the Florida Administrative Weekly on May 16, 2008, has been withdrawn.

**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 Zongshen, Inc., intends to allow the establishment of Cycle Masters of Tampa, Inc., as a dealership for the sale of motorcycles manufactured by Zongshen Industrial Group (ZONG) at 3100 Gulf to Bay Boulevard, Clearwater (Pinellas County), Florida 33759-4505, on or after July, 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Cycle Masters of Tampa, Inc. are dealer operator(s): Scott Bitman, 3100 Gulf to Bay Boulevard, Clearwater, Florida 33759-4505; principal investor(s): Scot Bitman, 3100 Gulf to Bay Boulevard, Clearwater, Florida 33759-4505.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Rose Perez, Zongshen, Inc., 3511 Northwest 113th Court, Miami, Florida 33178.

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 Power and Play Warehouse, Inc., as a dealership for the sale of motorcycles manufactured by Taizhou Zhongneng Motorcycle Co. Ltd. (ZHNG) at 2328 A Hollywood Boulevard, Hollywood (Broward County), Florida 33020, on or after May 16, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Power and Play Warehouse, Inc. are dealer operator(s): Thomas McMahan, 2328 A Hollywood Boulevard, Hollywood, Florida 33020; principal investor(s): Thomas McMahan, 2328 A Hollywood Boulevard, Hollywood, Florida 33020.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: 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 QLink, L.P., intends to allow the establishment of Power and Play Warehouse, Inc., as a dealership for the sale of motorcycles manufactured by Guangzhou Panyu Huanan Motors (GUNG) at 2328 A Hollywood Boulevard, Hollywood (Broward County), Florida 33020, on or after May 16, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Power and Play Warehouse, Inc. are dealer operator(s): Thomas McMahon, 2328 A Hollywood Boulevard, Hollywood, Florida 33020; principal investor(s): Thomas McMahon, 2328 A Hollywood Boulevard, Hollywood, Florida 33020.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: 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.

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#### Notice of Publication for a New Point

##### Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that QLink, L.P., intends to allow the establishment of Power and Play Warehouse, Inc., as a dealership for the sale of motorcycles manufactured by Chunfeng Holding Group Co. Ltd. (CFHG) at 2328 A Hollywood Boulevard, Hollywood (Broward County), Florida 33020, on or after May 16, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Power and Play Warehouse, Inc. are dealer operator(s): Thomas McMahon, 2328 A Hollywood Boulevard, Hollywood, Florida 33020; principal investor(s): Thomas McMahon, 2328 A Hollywood Boulevard, Hollywood, Florida 33020.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: 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.

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#### Notice of Publication for a New Point

##### Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Piaggio Group Americas, Inc., intends to allow the establishment of Cycle Image, Inc. d/b/a Cycle Image of Daytona, as a dealership for the sale of Aprilia motorcycles (APRI) at 1459 North U.S. Highway 1, Ormond Beach (Volusia County), Florida 32174, on or after May 30, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Cycle Image, Inc. d/b/a Cycle Image of Daytona are dealer operator(s): Jim Albano, 1459 North U.S. Highway 1, Ormond Beach, Florida 32174; principal investor(s): Jim Albano, 1459 North U.S. Highway 1, Ormond Beach, Florida 32174.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Angellina Fraser-Lubin, Piaggio Group Americas, Inc., 140 East 45th Street, 17th Floor, New York, New York 10017.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of Less  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Carter Brothers Manufacturing Co., Inc., intends to allow the establishment of O.P.E., Inc., as a dealership for the sale of motorcycles manufactured by Sanyang Industry Co. Ltd. (SANY) at 92 Monahan Drive, Fort Walton Beach, (Okaloosa County), Florida 32547, on or after May 12, 2008.

The name and address of the dealer operator(s) and principal investor(s) of O.P.E., Inc. are dealer operator(s): A.L. Stiles, 211 Costaki Court, Fort Walton Beach, Florida 32548; principal investor(s): A.L. Stiles, 211 Costaki Court, Fort Walton Beach, Florida 32548.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Jack Mullinax, Carter Brothers Manufacturing Co., Inc., 1871 Highway 231, Brundidge, Alabama 36010.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that American Lifan Industry, Inc., intends to allow the establishment of Power and Play Warehouse, Inc., as a

dealership for the sale of motorcycles manufactured by Chongqing Lifan Industry Group (CHOL) at 2328-A Hollywood Boulevard, Hollywood (Broward County), Florida 33020, on or after May 15, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Power and Play Warehouse, Inc. are dealer operator(s): Tom McMahon, 2328-A Hollywood Boulevard, Hollywood, Florida 33020; principal investor(s): Tom McMahon, 2328-A Hollywood Boulevard, Hollywood, Florida 33020.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Peter Xie, General Manager, American Lifan Industry, Inc., 10990 Petal Street, Suite 500, Dallas, Texas 75238.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Hyosung Motors America, Inc., intends to allow the establishment of Power and Play Warehouse, Inc., as a dealership for the sale of Hyosung motorcycles (HYOS) at 2701 Hollywood Boulevard, Hollywood (Broward County), Florida 33020, on or after May 15, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Power and Play Warehouse, Inc. are dealer operator(s): Thomas E. McMahon, 601 Northeast 1st, Pompano, Florida 33060; principal investor(s): Thomas E. McMahon, 601 Northeast 1st, Pompano, Florida 33060.



The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Eunsuk Tubbs, Hyosung Motors America, Inc., 5815 Brook Hollow Parkway, Suite B, Norcross, Georgia 30071.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Chuanl Motorcycle USA Co. Ltd., intends to allow the establishment of Power and Play Warehouse, Inc., as a dealership for the sale of motorcycles manufactured by Chuanl Motorcycle Manufacturing Co. Ltd. (CHUA) at 2328A, Hollywood (Broward County), Florida 33020, on or after May 16, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Power and Play Warehouse, Inc. are dealer operator(s): Thomas R. McMahon, 31 Northeast 1st Street, Pompano Beach, Florida 33060; principal investor(s): Thomas R. McMahon, 31 Northeast 1st Street, Pompano Beach, Florida 33060.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Cynthia Booker, Chuanl Motorcycle USA Co. Ltd., 9886 Chartwell Drive, Dallas, Texas 75243.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Chuanl Motorcycle USA Co. Ltd., intends to allow the establishment of Motorsport Warehouse, Inc., as a dealership for the sale of motorcycles manufactured by Chuanl Motorcycle Manufacturing Co. Ltd. (CHUA) at 1115 Southeast 12th Court, Cape Coral (Lee County), Florida 33990, on or after May 19, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Motorsport Warehouse, Inc. are dealer operator(s): Eugene Fedorovich, 1115 Southeast 12th Court, Cape Coral, Florida 33990; principal investor(s): Eugene 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, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Lingbin Chen, President, Chuanl Motorcycle USA Co. Ltd., 1036 Jacobson Road, Suite 200, Garland, Texas 75042.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Verucci Motorcycles, LLC, intends to allow the establishment of J A A World Motorcycle, as a dealership for the sale of motorcycles manufactured by Chongqing Lifan Industry Group (CHOL) at 5610 East 8th Avenue, Hialeah (Dade County), Florida 33013, on or after May 16, 2008.

The name and address of the dealer operator(s) and principal investor(s) of J A A World Motorcycle are dealer operator(s): Jan Alonso Artalejo, 5610 East 8th Avenue, Hialeah, Florida 33013; principal investor(s): Jan Alonso Artalejo, 5610 East 8th Avenue, Hialeah, Florida 33013.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Joyce Haddad, Verucci Motorcycles, LLC, 7836 Northwest 46 Street, Miami, Florida 33166.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Peace Industry Group, Inc., intends to allow the establishment of Mojo Powersports, Inc., as a dealership for the sale of motorcycles manufactured by Astronautical Bashan Motorcycle Manufacture Co. Ltd. (BASH) at 707 West Bay Drive, Largo (Pinellas County), Florida 33770, on or after May 30, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Mojo Powersports, Inc. are dealer operator(s): Pete Spoto, 707 West Bay Drive, Largo, Florida 33770; principal investor(s): Pete Spoto, 707 West Bay Drive, Largo, Florida 33770.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Lily Ji, Peace Industry Group, Inc., 6600 B Jimmy Carter Boulevard, Norcross, Georgia 30071.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Konced Motorcycle Co. USA Ltd., intends to allow the establishment of House of Scooters, Inc., as a dealership for the sale of Cixi Konced Motorcycle Co. Ltd. (KNCD) at 1313 North State Road 7, Hollywood (Broward County), Florida 33021, on or after May 7, 2008.

The name and address of the dealer operator(s) and principal investor(s) of House of Scooters, Inc. are dealer operator(s): Orestes Nunez, 1313 North State Road 7, Hollywood, Florida 33021; principal investor(s): Orestes Nunez, 1313 North State Road 7, Hollywood, Florida 33021.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Emily O, Konced Motorcycle, 17955 East Ajax Circle, City of Industry, California 91748.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of Less  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that KTM North America, Inc., intends to allow the establishment of WMR Competition Performance, Inc., as a

dealership for the sale of KTM motorcycles (KTM) at 7749 Southwest Ellipse Way, Stuart (Martin County), Florida 34997, on or after May 7, 2008.

The name and address of the dealer operator(s) and principal investor(s) of WMR Competition Performance, Inc. are dealer operator(s): Robert T. Brewster, Jr., 7749 Southwest Ellipse Way, Stuart, Florida 34997; principal investor(s): Robert T. Brewster, Jr., 7749 Southwest Ellipse Way, Stuart, Florida 34997.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Jon-Erik Burlison, KTM North America, Inc., 1119 Milan Avenue, Amherst, Ohio 44001.

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."

**STATE BOARD OF ADMINISTRATION**

## Estimated Borrowing Capacity

NOTICE IS HEREBY GIVEN by the State Board of Administration of Florida ("the Board") of its estimate of the borrowing capacity and the projected year-end (as of December 31, 2008) fund balance for the Florida Hurricane Catastrophe Fund ("the Fund"), in compliance with the requirements of Section 215.555(4)(c)2., Florida Statutes. This estimate is as of May 1, 2008. The projected year-end balance on December 31, 2008, is estimated to be \$3,621,600,000 which represents available funds to pay losses during the 2008/2009 Contract Year. The Fund's estimated borrowing capacity, defined as the amount that the Board will need to raise through the issuance of revenue bonds under Section 215.555(6), Florida Statutes, pursuant to the limitations in Section 215.555(4), Florida Statutes, is \$25,508,400,000. The liability of the Board under the Act and the Reimbursement Contracts for payment of reimbursable losses under all Reimbursement Contracts for a Contract Year in which a Covered Event has occurred will not exceed the actual claims-paying capacity of the Fund, up to a maximum limit of \$29,130,000,000 for that Contract Year. Given the projected year-end cash balance of \$3,621,600,000, the Board estimates that if interest rates and the Fund's credit ratings remain stable and if there are no unforeseen exogenous factors that impact the financial markets that the Fund's estimated borrowing capacity is \$25,508,400,000 given actual coverage selections by insurers for the 2008/2009 reimbursement contract year. This estimate is based upon the Board's good faith assessment of the current global market conditions and is net of required debt service reserve funds and the costs of issuing the bonds. These conditions may or may not be the same if and when the Board determines that it is necessary to seek the issuance of revenue bonds. The Board's estimate is also based upon projected year-end reimbursement premiums. Emergency assessments are based on the data available as of this estimate. This estimate is provided to comply with the requirements of Section 215.555(4)(c)2., Florida Statutes, and should only be relied upon after careful consideration of all relevant assumptions and reservations, including those set forth below.

Assumptions:

1) The Board assumes that both the annual reimbursement premiums and up to 6% emergency assessments as described in Section 215.555(6)(b)2., Florida Statutes, will be used as the revenue source to service the debt and to provide debt service coverage.

2) The debt service coverage ratio is assumed to be 1.73x, this means that the revenue stream available to service the debt is 1.73 times the amount actually needed to service the debt. The debt service coverage ratio is sensitive to actual reimbursement premiums collected during the year. Changes in deductible distributions and other factors that impact actual reimbursement premiums may impact the coverage ratio.

3) The Board has assumed interest rates reflecting market conditions on May 1, 2008. Many factors will impact the interest rates that will ultimately be used when the Board determines that bonds must be issued. It is not possible to predict the actual interest rate at the time of a bond issuance.

4) In response to the private letter ruling received in March 1998, and renewed on June 13, 2003, the Internal Revenue Service ruled that interest on the bonds issued under Section 215.555(6), Florida Statutes, is exempt from federal taxation.

5) The Fund has issued bonds. On July 6, 2006, Series 2006A, \$1,350,025,000 in post-event revenue bonds were issued. On July 21, 2006, Series 2006B, \$2,800,000,000 in pre-event extendable floating rate notes were issued. On October 3, 4, 5, 10, 12 and 15, 2007, a total of \$3,500,000,000 in Series 2007A pre-event floating rate notes were issued.

## Reservations:

1) If additional bonding is necessary, there are a number of uncertainties. Among these are the following: the financial condition of the insurance industry, the state, and the national economy at the time of a catastrophic loss. The stability of the revenue stream and potential litigation could adversely impact the Fund's bonding capacity.

2) A more general uncertainty is the condition of the financial markets at the time the bonds are issued and the familiarity of investors with the Fund.

3) Another general uncertainty is the ability of the capital markets to absorb a bond issue of the magnitude that may be required at the time of the bond issuance.

4) On May 14, 2008, the Florida Hurricane Catastrophe Fund Advisory Council members noted that they continue to be uncomfortable with the increased funding levels of the Fund since the enactment of CS/HB 1A in January 2007. This heightened level of concern stems from the recent increased

volatility in the financial markets, coupled with the additional uncertainty brought about by the financial market conditions evidenced since August 2007 associated with the sub-prime mortgage problem and the continuing impact on financial market liquidity. It is the Advisory Council's considered opinion that the additional capacity offered by the Fund should be reduced legislatively to a level which can be financed with greater certainty. The Advisory Council cautions that a large hurricane combined with unfavorable financial market conditions could result in liquidity issues, slower payments to insurers and a significant subsequent season shortfall in anticipated Fund capacity.

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## AGENCY FOR HEALTH CARE ADMINISTRATION

### NOTICE OF LITIGATION

The Agency for Health Care Administration has received the following petitions for administrative hearings as of the close of business on May 16, 2008, concerning certificate of need decisions. No decision has been made as to the sufficiency of these petitions. A brief description of these projects is listed below. Resolution of these requests for hearings by way of a grant or denial of their certificate of need at issue will determine the substantial interest of persons. Those persons whose substantial interest may be determined by these proceedings including settlements, grants, and denials are advised to govern themselves accordingly and may wish to exercise rights including intervention. See Chapter 120, F.S., as well as Section 408.039, F.S. and Rule 59C-1.012, F.A.C. In deference to rights of substantially affected persons, AHCA will not settle or otherwise reach a final resolution of these matters for a period of 30 days from the date of the publication.

CON# INITIAL DECISION, PROJECT, CTY, APPLICANT, PARTY REQUEST HEARING (PRH)  
 9863 Denial request for extension, establish a 13 bed freestanding inpatient hospice facility, Miami-Dade County, Catholic Hospice, Inc., (PRH) same as applicant,

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## DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

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The Department of Environmental Protection (Department) gives notice of its intent to issue a variance (175252-005-EV) to Rinker Materials of Florida, 1501 Belvedere Road, West Palm Beach, Florida 33406, under Sections 373.414(17) and 403.201(1)(a), Florida Statutes, (F.S.), from the provisions of subsection 62-302.530(31), Florida Administrative Code (F.A.C.), which provides minimum standards for dissolved oxygen levels in surface waters. This variance will apply to dissolved oxygen levels in the lower layers of all reclaimed lakes at the completion of mining proposed in Environmental Resource Permit modification application No. 175252-004.

On November 17, 2005, Rinker Materials of Florida, Inc., applied for a permit modification to permit No. 175252-003 for the SCL Quarry in Miami-Dade County, a limestone mining operation with a 1,071.65-acre project area. The modification will add an additional 57.69 acres to the 325.24 acre surface water management system currently permitted for mining. During mining, stormwater within the expanded mining area will be contained within the mine pits by using a system of berms. At the completion of mining, the reclaimed lakes will be re-connected with state waters by the removal of all upland berms, and the water quality standards listed in Rule 62-302.530, F.A.C. will apply to all surface waters within the mine. The project area will require a variance from the established water quality standard for dissolved oxygen in the lower layers of all reclaimed lakes (hypolimnion) within the project boundary, since dissolved oxygen at depths may not meet the minimum required by subsection 62-302.530(31), F.A.C. The dissolved oxygen levels in the hypolimnion are expected to drop below the mandatory minimum of 5.0 mg/l at times. Stratification and the associated reduction of dissolved oxygen in the hypolimnion are natural phenomena in

deep-water bodies, especially during warmer parts of the year. This was anticipated by the Florida Legislature in Section 373.414(6)(a), F.S., which states that “[w]here such mining activities otherwise meet the permitting criteria contained in this section, such activities may be eligible for a variance from the established water quality standard for dissolved oxygen within the lower layers of the reclaimed pit.” On April 7, 2008, Rinker Materials of Florida, Inc., submitted a petition for a variance, under Sections 373.414(17) and 403.201(1)(a), F.S., from the provisions of subsection 62-302.530(31), F.A.C., which provides minimum standards for dissolved oxygen levels in surface waters.

Low dissolved oxygen levels in the hypolimnion of the lakes are not expected to result in any adverse on-site or off-site impacts. Oxygen levels in the upper layers of the lakes are expected to meet the requirements of Rule 62-302.530, F.A.C., and be adequate to support healthy fish populations during warm months when lake water stratification occurs. It is not expected that the low dissolved oxygen water from the hypolimnion will be exchanged with off-site waters. The Department considered requiring a berm to sever the hydrologic connection between the reclaimed lakes and adjacent waters, alleviating the need to meet water quality standards within the lakes. This approach was rejected in favor of a variance for three reasons. Construction of a berm would provide no environmental benefit, would require the filling of wetland areas, and may reduce the habitat value of the area by restricting the movement of water, nutrients, and fish and wildlife between the lakes and the surrounding habitat. In addition, berms would provide potential vehicle and pedestrian access to the area, which may encourage dumping and other activities harmful to the habitat value and water quality of the lakes and surrounding areas.

There is no practicable means known or available to prevent the low dissolved oxygen levels at depth within the mining lakes. Therefore, the Department intends to issue a variance in conjunction with this permit, pursuant to Section 403.201(1)(a), F.S., for dissolved oxygen in the lower layers of the reclaimed lakes.

Under this intent to issue, this variance is hereby granted subject to the applicant’s compliance with any requirement in this intent to publish notice of this intent in a newspaper of general circulation and to provide proof of such publication in accordance with Section 50.051, Florida Statutes. This action is final and effective on the date filed with the Clerk of the Department unless a sufficient petition for an administrative hearing is timely filed under Sections 120.569 and 120.57,

Florida Statutes as provided below. If a sufficient petition for an administrative hearing is timely filed, this intent to issue automatically becomes only proposed agency action on the application, subject to the result of the administrative review process. Therefore, on the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. When proof of publication is provided, if required by this intent, and if a sufficient petition is not timely filed, the variance will be issued as a ministerial action. Because an administrative hearing may result in the reversal or substantial modification of this action, the applicant is advised not to commence construction or other activities until the deadlines noted below for filing a petition for an administrative hearing or request for an extension of time have expired and until the variance has been executed and delivered. Mediation is not available.

A person whose substantial interests are affected by the Department’s action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received by the clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Under subsection 62-110.106(4), Florida Administrative Code, a person whose substantial interests are affected by the Department’s action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

If a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Intervention will be permitted only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, Florida Administrative Code.

In accordance with Sections 373.414(17) and 403.201, Florida Statutes, petitions for an administrative hearing by the applicant must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), Florida Statutes, must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first. Under Section 120.60(3), Florida Statutes, however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, Florida Statutes.

A petition that disputes the material facts on which the Department's action is based must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, Florida Administrative Code. Under paragraphs 120.569(2)(c) and (d), Florida Statutes, a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This intent to issue a variance constitutes an order of the Department. Subject to the provisions of Section 120.68(7)(a), Florida Statutes, which may require a remand for an administrative hearing, the applicant has the right to seek judicial review of the order under Section 120.68, Florida Statutes, by the filing of a notice of appeal under rule 9.110 of the Florida Rules of Appellate Procedure with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the order is filed with the Clerk of the Department.

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#### 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.

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#### DEPARTMENT OF HEALTH

On May 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 Carol Jane Marino, R.N. license number RN 1655682. 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.

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On May 20, 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 Jennifer L. Ford, R.N. license number RN 3205832. 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.

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On May 20, 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 Janice M. Mosley, C.N.A., license number CNA 52022. 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.

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On May 16, 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 Candice Lee Turbeville, R.N. license number RN 3303842. 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.

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## **FINANCIAL SERVICES COMMISSION**

### **NOTICE OF FILINGS**

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., June 20, 2008):

#### **APPLICATION TO ESTABLISH A**

#### **INTERNATIONAL REPRESENTATIVE OFFICE**

Applicant and Location: Standard Chartered Bank, 1 Aldermanbury Square, London EC2V 7SB, United Kingdom

Proposed Florida Location: Mellon Financial Center, 1111 Brickell Avenue, 26th Floor, Miami, Florida 33131

Received: May 14, 2008

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**Section XIII**  
**Index to Rules Filed During Preceding Week**

**RULES FILED BETWEEN May 12, 2008  
 and May 16, 2008**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Agricultural Environmental Services**

5E-1.016	5/16/08	6/5/08	34/10	
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**DEPARTMENT OF REVENUE**

**Sales and Use Tax**

12A-1.001	5/15/08	6/4/08	34/4	
12A-1.0142	5/15/08	6/4/08	34/4	
12A-1.057	5/15/08	6/4/08	34/4	
12A-1.060	5/15/08	6/4/08	34/4	
12A-1.097	5/15/08	6/4/08	34/4	
12A-19.060	5/15/08	6/4/08	34/4	

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Electrical Contractors' Licensing Board**

61G6-8.001	5/16/08	6/5/08	34/15	
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**Board of Professional Engineers**

61G15-18.011	5/16/08	6/5/08	34/15	
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

62-304.330	5/14/08	6/3/08	34/13	
62-304.335	5/14/08	6/3/08	34/13	
62-304.415	5/14/08	6/3/08	34/12	
62-304.435	5/14/08	6/3/08	34/13	
62-304.520	5/14/08	6/3/08	34/13	
62-304.645	5/14/08	6/3/08	34/13	
62-304.725	5/14/08	6/3/08	34/13	
62-814.100	5/12/08	6/1/08	33/52	34/6
62-814.300	5/12/08	6/1/08	33/52	
62-814.450	5/12/08	6/1/08	33/52	34/16

**DEPARTMENT OF HEALTH**

**Board of Medicine**

64B8-30.005	5/13/08	6/2/08	34/14	
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**Board of Osteopathic Medicine**

64B15-6.0035	5/13/08	6/2/08	34/14	
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**DEPARTMENT OF FINANCIAL SERVICES**

**Funeral and Cemetery Services**

69K-1.002	5/12/08	6/1/08	34/9	34/15
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