

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection’s home page at <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-103.007
 RULE TITLE: Appeals to the Office of the Secretary

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to remove the requirement of maintaining a complete copy of the inmate grievance on file in the Bureau of Inmate Grievance Appeals.

SUBJECT AREA TO BE ADDRESSED: Approved inmate grievances.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS., 45 C.F.R. Part 160, 164

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-103.007 Appeals to the Office of the Secretary.

(1) through (7) No change.

(8) Copies.

(a) through (c) No change.

~~(d) A complete copy of the grievance shall be kept on file in the Bureau of Inmate Grievance Appeals.~~

~~(d)~~(e) Attachments are considered a part of the grievance and shall not be returned to the inmate, except in those cases where the inmate submits sufficient copies of attachments at the time the grievance appeal is filed.

Specific Authority 944.09 FS. Law Implemented 944.09 FS., 45 C.F.R. Part 160, 164. History–New 10-12-89, Amended 1-15-92, 12-22-92, 4-10-95, 8-10-97, 12-7-97, 10-7-98, 2-17-99, Formerly 33-29.007, Amended 8-1-00, 6-29-03, 2-9-05, _____.

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-103.016
 RULE TITLE: Follow Through on Approved Grievances

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to remove language stating that the original form DC1-306 is attached to the copy of the approved grievance in the bureau file. This is for consistency with an amendment to Rule 33-103.007, F.A.C., which deletes the requirement of maintaining a complete copy of the inmate grievance on file in the Bureau of Inmate Grievance Appeals.

SUBJECT AREA TO BE ADDRESSED: Approved inmate grievances.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-103.016 Follow Through on Approved Grievances.

(1) through (f) No change.

(2) Appeals to the Office of the Secretary. All grievances which are approved by the Office of the Secretary/Bureau of Inmate Grievance Appeals shall be handled as follows:

(a) through (e) No change.

(f) The grievance coordinator shall place a copy of the completed form in the inmate’s institutional file, retain a copy for his record, and forward the original and canary copy of form DC1-306 to the Chief of Inmate Grievance Appeals within 45 calendar days from the grievance approval date. The Chief shall ensure that the inmate grievance log in the Bureau of Inmate Grievance Appeals is updated and that ~~the original form DC1-306 is attached to the copy of the approved grievance in the bureau file~~ and a copy of form DC1-306 is sent to the central office inmate file.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History–New 4-10-95, Amended 12-7-97, Formerly 33-29.0155, Amended 8-1-00, 1-1-01, _____.

FLORIDA LAND AND WATER ADJUDICATORY COMMISSION

Sarasota National Community Development District

RULE CHAPTER NO.: 42EEE-1
 RULE CHAPTER TITLE: Sarasota National Community Development District

RULE NOS.: 42EEE-1.001, 42EEE-1.002, 42EEE-1.003
 RULE TITLES: Establishment, Boundary, Supervisors

PURPOSE AND EFFECT: The purpose of this proposed rule is to establish a community development district (“CDD”), the Sarasota National Community Development District (“District”), pursuant to Chapter 190, F.S. The petition, as amended, filed by Tuscano, LLC, requests the Commission establish a community development district located within Sarasota County, Florida. A Notice of Receipt of Petition for the Sarasota National Community Development District (originally filed under the name of Tuscano Community Development District) was published in the March 17, 2006, edition of the *Florida Administrative Weekly*. The land area proposed to be served by the District comprises approximately 2,353.80 acres (The original petition described the proposed District as approximately 2,375.12 acres in size. However, the District’s legal description was amended to approximately 2,353.80 in size.). A general location map is contained as Exhibit 1 to the amended petition to establish the District. The proposed District is bounded on the north by U.S. 41, the east by the City of North Port, the south by Manasota Beach Road, and on the west by a single-family subdivision. There is no developable real property located within the external boundaries of the proposed District which is to be excluded from the District. The Petitioner either owns or has written consent to establish the District from the landowners of one hundred percent (100%) of the real property located within the proposed District. All of the land in the proposed District will be part of a golf course residential community comprising 1,584 residential units. It is presently anticipated that the proposed District will construct or provide for certain infrastructures, which include public roads, provisions for water and sewer facilities and water management facilities.

SUBJECT AREA TO BE ADDRESSED: Establishment of the Sarasota National Community Development District.

SPECIFIC AUTHORITY: 190.005 FS.

LAW IMPLEMENTED: 190.004, 190.005 FS.

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

DATE AND TIME: Tuesday, June 6, 2006, 2:00 p.m.
PLACE: Room 1802M, The Capitol, Tallahassee, Florida 32399-0001

Any person requiring a special accommodation to participate in the workshop because of a disability should contact Barbara Leighty, (850)487-1884, at least two (2) business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Michael H. Krul, Ruden, McClosky, Smith, Schuster & Russell, P.A., 200 East Broward Boulevard, Suite 1500, Fort Lauderdale, Florida 33301, Telephone (954)764-6660; or Barbara Leighty, Florida Land and Water Adjudicatory Commission, Office of Policy and Budget, Executive Office of the Governor, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, Telephone (850)487-1884.

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

FLORIDA LAND AND WATER ADJUDICATORY COMMISSION

Kendall Creek Community Development District

RULE CHAPTER NO.: 42FFF-1
 RULE CHAPTER TITLE: Kendall Creek Community Development District

RULE NOS.: 42FFF-1.001, 42FFF-1.002, 42FFF-1.003
 RULE TITLES: Establishment, Boundary, Supervisors

PURPOSE AND EFFECT: The purpose of this proposed rule is to establish a community development district (“CDD”), the Kendall Creek Community Development District (“District”), pursuant to Chapter 190, F.S. The petition filed by The St. Joe Company requests the Commission establish a community development district located entirely within the unincorporated limits of St. Johns County, Florida. A Notice of Receipt of Petition for the Kendall Creek Community Development District was published in the February 3, 2006, edition of the *Florida Administrative Weekly*. The land area proposed to be served by the District comprises approximately 4,086.6 acres. A general location map is contained as Exhibit 1 to the petition to establish the District. There are no out-parcels within the external boundaries of the proposed District which are to be excluded from the District. The Petitioner either owns or has obtained written consent to establish the District from the landowners of one hundred percent (100%) of non-governmental real property located within the proposed District. The lands within the Kendall Creek CDD will accommodate approximately 3,700 single-family homes; 775 multi-family units; 80,000 square feet of retail/commercial/service space; 11,000 square feet of offices; 100,000 square feet of light industrial space; 18 holes of golf; 131 acres of parks; and 1 public school. The lands to be included in the District are located in the RiverTown Development of Regional Impact. The District, if established,

plans to fund, own, operate and maintain the stormwater management system, certain roadways and the District's recreation facilities including parks and amenities. The District will fund and construct the County public roadways and County public parks, and will dedicate them to the County. Water and wastewater utilities will be provided by JEA and owned by the JEA.

SUBJECT AREA TO BE ADDRESSED: Establishment of the Kendall Creek Community Development District.

SPECIFIC AUTHORITY: 190.005 FS.

LAW IMPLEMENTED: 190.004, 190.005 FS.

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

DATE AND TIME: Tuesday, June 6, 2006, 10:00 a.m.

PLACE: Room 1802M, The Capitol, Tallahassee, Florida 32399-0001

Any person requiring a special accommodation to participate in the workshop because of a disability should contact Barbara Leighty, (850)487-1884, at least two (2) business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jonathan T. Johnson, Hopping Green & Sams, P.A., Post Office Box 6526, Tallahassee, Florida 32314, Telephone (850)222-7500; or Barbara Leighty, Florida Land and Water Adjudicatory Commission, Office of Policy and Budget, Executive Office of the Governor, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, Telephone (850)487-1884

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.:	RULE TITLE:
59G-4.002	Medicaid Provider Reimbursement Schedule

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference errata January 2006 to the Florida Medicaid Provider Reimbursement Schedule. The errata contain corrected fees for the Hearing Services Fee Schedule and the Podiatry Services Fee Schedule. The effect will be to incorporate into rule errata January 2006 to the Florida Medicaid Provider Reimbursement Schedule.

SUBJECT AREA TO BE ADDRESSED: Medicaid Provider Reimbursement Schedule.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.905, 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: Tuesday, June 6, 2006, 10:00 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, Conference Room B, Tallahassee, Florida
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Jason Ottinger, Bureau of Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida, 32308, (850)922-7314

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.002 Medicaid Provider Reimbursement Schedule.

Medicaid providers who provide the following services and their billing agents who submit claims on behalf of an enrolled Medicaid provider must be in compliance with the provisions of the Florida Medicaid Provider Reimbursement Schedule, January 2006, errata January 2006, which is incorporated by reference: advanced registered nurse practitioner, birth center, chiropractic, dental, hearing, independent laboratory, licensed midwife, optometric, outpatient hospital laboratory, physician, physician assistant, podiatry, portable x-ray, registered nurse first assistant, and visual.

Specific Authority 409.919 FS. Law Implemented 409.905, 409.906, 409.908 FS. History--New 8-18-05, Amended 11-30-05, 4-16-06,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Surveyors and Mappers

RULE NOS.:	RULE TITLES:
61G17-6.003	General Survey, Map, and Report Content Requirement
61G17-6.004	Specific Survey, Map, and Report Requirements

PURPOSE AND EFFECT: The Florida Board of Professional Surveyors and mappers is deleting language from paragraph 61G17-6.003(3)(p), F.A.C., to update the rule based upon the Board's rule hearing involving this rule on January 2006.

SUBJECT AREA TO BE ADDRESSED: General Survey, Map, and Report Content Requirement; Specific Survey, Map, and Report Requirements.

SPECIFIC AUTHORITY: 472.008, 472.015, 472.027, 472.003(1)(h) FS.

LAW IMPLEMENTED: 472.015, 472.025, 472.027, 472.033(1)(h) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Rick Morrison, Executive Director, Board of Professional Surveyors and Mappers, 1940 North Monroe Street, Tallahassee, Florida 32399-0767

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G17-6.003 General Survey, Map, and Report Content Requirement.

- (1) through (3)(o)2. No change.
- (p) Map Accuracy. ~~The expected accuracies of features shown on a survey map must be stated.~~
 - 1. through 2.d. No change.

Specific Authority 472.008, 472.015, 472.027, 472.003(1)(h) FS. Law Implemented 472.015, 472.025, 472.027 FS. History—New 9-1-81, Amended 7-29-85,_____.

61G17-6.004 Specific Survey, Map, and Report Requirements.

- (1) through (2) No change.
- (3)(a) When the surveyor and mapper provides construction staking, these stakes must be based on controls established using the survey standards set out in Rules 61G17-6.003 and 61G17-6.004, ~~paragraph 61G17-6.003(3)(p)~~ F.A.C., of this chapter. The stakes provided should be adequate in number and position so that the physical items can be constructed from the plans as designed.
- (b) through (12)(b)5. No change.

Specific Authority 472.008, 472.027, 472.033(1)(h) FS. Law Implemented 472.027, 472.033(1)(h) FS. History—New 9-1-81, Formerly 21HH-6.04, Amended 12-18-88, Formerly 21HH-6.004, Amended 12-25-95, 5-13-96, 5-25-99, 4-4-06,_____.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection’s home page at <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

DEPARTMENT OF HEALTH

Board of Hearing Aid Specialists

RULE CHAPTER NO.: RULE CHAPTER TITLE:
64B6-3

Application for Initial License,
Renewal of Active License,
Inactive Status, Renewal of Inactive
License, Reactivation

PURPOSE AND EFFECT: The Board proposes to review the entirety of this Chapter to ensure that all rules conform with existing statutory requirements and to determine if

amendments and/or new rule language is necessary pertaining to all matters concerning the hearing aid specialist profession or other mandatory requisites, pursuant to Section 120.74, F.S. SUBJECT AREA TO BE ADDRESSED: Application for Initial License, Renewal of Active License, Inactive Status, Renewal of Inactive License, Reactivation.

SPECIFIC AUTHORITY: 456.036, 484.024, 484.044, 484.044(1) FS.

LAW IMPLEMENTED: 456.013, 456.024, 456.036, 456.036(4), (10), 484.0447(4), (5), 484.045, 484.046 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: Sue Foster, Executive Director, Board of Hearing Aid Specialists, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Hearing Aid Specialists

RULE CHAPTER NO.: RULE CHAPTER TITLE:
64B6-7

Complaints, Investigations, Probable
Cause Determination, Disciplinary
Guidelines

PURPOSE AND EFFECT: The Board proposes to review the entirety of this Chapter to ensure that all rules conform with existing statutory requirements and to determine if amendments and/or new rule language is necessary pertaining to all matters concerning the hearing aid specialist profession or other mandatory requisites, pursuant to Section 120.74, F.S. SUBJECT AREA TO BE ADDRESSED: Complaints, Investigations, Probable Cause Determination, Disciplinary Guidelines.

SPECIFIC AUTHORITY: 120.695, 456.072(3), 456.073(3), 456.073(4), 456.077, 456.078, 456.079, 484.042(4), 484.044 FS.

LAW IMPLEMENTED: 120.695, 456.072(2), 456.073(3), 456.073(4), 456.077, 456.078, 456.079, 484.042(4), 484.056, 484.056(1)(f) 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: Sue

Foster, Executive Director, Board of Hearing Aid Specialists, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Hearing Aid Specialists

RULE CHAPTER NO.: RULE CHAPTER TITLE:

64B6-8 Trainee Program

PURPOSE AND EFFECT: The Board proposes to review the entirety of this Chapter to ensure that all rules conform with existing statutory requirements and to determine if amendments and/or new rule language is necessary pertaining to all matters concerning the hearing aid specialist profession or other mandatory requisites, pursuant to Section 120.74, F.S.

SUBJECT AREA TO BE ADDRESSED: Trainee Program.

SPECIFIC AUTHORITY: 484.044, 484.0445, 484.0445(1), 484.0445(2) FS.

LAW IMPLEMENTED: 484.041, 484.0445, 484.0445(1), 484.045 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: Sue Foster, Executive Director, Board of Hearing Aid Specialists, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3253.

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

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: RULE TITLE:

64B9-8.009 Payment of Fines

PURPOSE AND EFFECT: To delineate guidelines and parameters for the payment of fines and of monthly payment plans.

SUBJECT AREA TO BE ADDRESSED: Payment of Fines.

SPECIFIC AUTHORITY: 456.072(4), 464.006 FS.

LAW IMPLEMENTED: 456.072(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Jr., Acting Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B9-8.009 Payment of Fines.

(1) Unless stated otherwise in the Final Order, fines are payable within sixty days of the filing of the order.

(2) Individuals may file a petition for indigent status with the board office. The petition must include, at a minimum, the following financial information:

(a) Net income, consisting of total salary and wages, minus deductions required by law, including court-ordered support payments.

(b) Other income, including, but not limited to, social security benefits, union funds, veterans' benefits, workers' compensation, other regular support from absent family members, public or private employee pensions, unemployment compensation, dividends, interest, rent, trusts, and gifts.

(c) Assets, including, but not limited to, cash, savings accounts, bank accounts, stocks, bonds, certificates of deposit, equity in real estate, and equity in a boat or a motor vehicle or in other tangible property.

(d) All liabilities and debts.

(3) Upon review and approval by the Executive Director, the Department may issue an order for monthly payment plan within the following parameters:

(a) For fines and costs up to \$2,000, payments may be distributed over a period not to exceed 24 months.

(b) For fines and costs up to \$5,000, payments may be distributed over a period not to exceed 48 months.

(c) For fines and costs over \$5,000, payments may be distributed over a period not to exceed 120 months at a minimum payment of \$100 per month.

Specific Authority 456.072(4), 464.006 FS. Law Implemented 456.072(4) FS. History—New 9-11-83, Formerly 21O-10.06, 21O-10.006, 61F7-8.009, 59S-8.009, Amended _____.

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE NO.: RULE TITLE:

64B10-16.007 Out-of-State Administrator-in Training Programs

PURPOSE AND EFFECT: The Board proposes to eliminate two references to the word "completed" because the word is unnecessary in the context of the sentences.

SUBJECT AREA TO BE ADDRESSED: Out-of-State Administrator-in Training Programs.

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

LAW IMPLEMENTED: 468.1695(2) FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B10-16.007 Out-of-State Administrator-in-Training Programs.

If an applicant has completed an AIT program outside of Florida, the Board will review the AIT program ~~completed~~ and determine whether the ~~completed~~ program fulfills the requirements of a Florida AIT program. The applicant is required to provide documentation to the Board concerning the out-of-state AIT program, the facility where the program was completed and the qualifications and training of the preceptor.

Specific Authority 468.1685(1)(2), 468.1695(2) FS. Law Implemented 468.1695(2) FS. History—New 7-21-97, Formerly 59T-16.00, Amended.

DEPARTMENT OF FINANCIAL SERVICES

Division of Agent and Agency Services

RULE NOS.:	RULE TITLES:
69B-231.010	Purpose
69B-231.020	Scope
69B-231.030	Definitions
69B-231.040	Calculating Penalty
69B-231.070	Prosecutorial Discretion
69B-231.080	Penalties for Violation of Section 626.611, F.S.
69B-231.090	Penalties for Violation of Section 626.621, F.S.
69B-231.100	Penalties for Violation of Subsection 626.9541(1), F.S.
69B-231.110	Penalties for Violation of Other Specific Provisions of the Florida Insurance Code
69B-231.120	Penalties for Violation of Other Insurance Code Provisions
69B-231.130	Penalties for Violation of Department Rules

69B-231.140 Penalties for Violation of Department Orders

69B-231.150 Criminal Proceedings

69B-231.160 Aggravating/Mitigating Factors

PURPOSE AND EFFECT: The purpose of the proposed rule development is to update the rules that govern suspension and revocation of licenses of insurance agents, customer representatives, service representatives and adjusters. The rules are updated by adding new regulations adopted by the Florida Legislature and deleting laws that have been repealed. The rules are also updated by increasing penalties for violating certain laws in order to reflect the Department's experience in dealing with the frequency and severity of these violations. The purpose of other changes is to clarify the rules.

SUBJECT AREA TO BE ADDRESSED: Guidelines for determining administrative penalties for insurance agents, customer representatives, service representatives and adjusters. SPECIFIC AUTHORITY: 624.308(1), 626.207(2) FS.

LAW IMPLEMENTED: 624.307(1), 626.308, 626.207(2), 626.611, 626.621, 626.631, 626.641, 626.681, 626.691, 626.9521, 626.9541, 626.9561, 626.9571, 626.9581 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Barry Lanier, Chief of the Bureau of Investigations, Division of Agent and Agency Services, Department of Financial Services, 200 E. Gaines Street, 412 Larson Building, Tallahassee, FL 32399-0319, (850)413-5601

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in a workshop or hearing, please advise the Department at least 5 calendar days before the workshop or hearing by contacting Serica Johnson, (850)413-4241.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69B-231.010 Purpose.

The purpose of this rule chapter is to implement the Department's duty under Sections 624.307(1) and 626.207(2), F.S., to enforce Sections 626.611, 626.621, 626.631, 626.641, 626.681, 626.691, F.S., by establishing standards for penalties described in those statutory sections, and interpreting provisions in those sections as they relate to penalties imposed upon licensees specified in Rule 69B-231.020, F.A.C.

Specific Authority 624.308, 626.207(2) FS. Law Implemented 624.307(1), 624.308, 626.207(2), ~~626.611, 626.621, 626.631, 626.641, 626.681, 626.691~~ FS. History—New 7-13-93, Amended 9-23-02, Formerly 4-231.010, Amended.

69B-231.020 Scope.

(1) This rule chapter shall apply to all resident and nonresident insurance agents, customer representatives, ~~solicitors~~, adjusters and service representatives ~~claims investigators~~ licensed under Chapter 626, F.S., who are subject to discipline under Sections 626.611 and 626.621, F.S.

(2) This rule chapter does not apply to insurance agencies, title insurance agencies, title insurance agents, insurance administrators, surplus lines agents, bail bond agents or managing general agents.

Specific Authority 624.308, 626.207(2) FS. Law Implemented 624.307(1), 624.308, 626.207(2), 626.611, 626.621, ~~626.681~~, ~~626.691~~ FS. History—New 7-13-93, Amended 8-15-00, 9-23-02, Formerly 4-231.020, Amended.

69B-231.030 Definitions.

The following definitions shall apply for purposes of this rule chapter.

(1) through (3) No change.

(4) “Crimes involving moral turpitude” means each felony crime identified in subsection 69B-211.042(21)(23), F.A.C., and each felony crime not identified in subsection 69B-211.042(21), F.A.C., that is substantially similar to a crime identified in subsection 69B-211.042(21), F.A.C.

(5) through (9) No change.

Specific Authority 624.308, 626.207(2) FS. Law Implemented 624.307(1), 624.308, 626.207(2), 626.611, 626.621, ~~626.681~~, ~~626.691~~ FS. History—New 7-13-93, Amended 9-23-02, Formerly 4-231.030, Amended.

69B-231.040 Calculating Penalty.

(1) through (2) No change.

(3) Final Penalty.

(a) The final penalty which will be imposed against a licensee under these rules shall be the total penalty, as adjusted, to take into consideration any aggravating or mitigating factors provided however.

(b) The Department may shall convert the total penalty to an administrative fine and probation if the licensee has not previously been subjected to an administrative penalty and the current action does not involve in the absence of a violation of Section 626.611, F.S., if warranted upon.

(c) The Department’s will consideration of the factors set forth in rule subsection 69B-231.160(1), F.A.C., in determining whether to convert the total penalty to an administrative fine and probation.

(d) In the event that the final penalty would exceed a suspension of twenty-four (24) months, the final penalty shall be revocation.

Specific Authority 624.308, 626.207(2) FS. Law Implemented 624.307(1), 624.308, 626.207(2), 626.611, 626.621, 626.641, 626.681, 626.691 FS. History—New 7-13-93, Formerly 4-231.040, Amended.

69B-231.070 Prosecutorial Discretion.

(1) No change.

(2) Stipulated Disposition. The provisions of this rule are not intended and shall not be construed to limit the ability of the Department to informally dispose of disciplinary actions by stipulation, agreed settlement or consent order whether or not the Department has initiated administrative charges.

Specific Authority 624.308, 626.207(2) FS. Law Implemented 624.307(1), 624.308, 626.207(2), 626.611, 626.621, 626.681, 626.691, 626.9521, 626.9561, 626.9571, 626.9581 FS. History—New 7-13-93, Formerly 4-231.070, Amended.

69B-231.080 Penalties for Violation of Section 626.611, F.S.

If it is found that the licensee has violated any of the following subsections of Section 626.611, F.S., for which compulsory suspension or revocation of license(s) and appointment(s) is required, the following stated penalty shall apply:

(1) Section 626.611(1), F.S. – revocation ~~surrender of license~~.

(2) Section 626.611(2), F.S.

(a) Suspension 12 months if, had the license application been accurate, the application would have been granted, based on the statutes and Department licensing rules applicable to the application at the time the Department issued the license, and the documentation in the applicant’s file at the time the Department issued the license.

(b) Revocation if, had the license application been accurate, the application would have been denied, based on the statutes and Department licensing rules applicable to the application at the time the Department issued the license.

(3) Section 626.611(3), F.S. – revocation ~~surrender of license~~.

(4) Section 626.611(4), F.S. – suspension 6 ~~3~~ months.

(5) Section 626.611(5), F.S. – suspension 9 ~~6~~ months.

(6) Section 626.611(6), F.S. – suspension 9 ~~6~~ months.

(7) through (9) No change.

(10) Section 626.611(10), F.S. – suspension 12 ~~9~~.

(11) Section 626.611(11), F.S. – suspension 6 months. This provision does not apply if the facts constitute a violation of section 626.753, F.S.

(12) through (14) No change.

(15) Section 626.611(15), F.S. – suspension 12 ~~3~~.

(16) No change.

Specific Authority 624.308, 626.207(2) FS. Law Implemented 624.307(1), 624.308, 626.207(2), 626.611, ~~626.621~~, ~~626.681~~, ~~626.691~~ FS. History—New 7-13-93, Amended 9-23-02, Formerly 4-231.080, Amended.

69B-231.090 Penalties for Violation of Section 626.621, F.S.

If it is found that the licensee has violated any of the following subsections of Section 626.621, F.S., for which suspension or revocation of license(s) and appointment(s) is discretionary, the following stated penalty shall apply:

- (1) Section 626.621(1), F.S. – ~~revocation suspension 3 months.~~
- (2) through (5) No change.
- (6) Section 626.621(6), F.S. – ~~see suspension 6 months of Rule 69B-231.100, F.A.C.~~
- (7) through (11) No change.
- (12) Section 626.621(12), F.S. – suspension ~~6~~ 3 months.

Specific Authority 624.308, ~~626.207(2)~~ FS. Law Implemented 624.307(1), ~~624.308, 626.207(2), 626.611, 626.621, 626.681, 626.691~~ FS. History–New 7-13-93, Formerly 4-231.090, ~~Amended~~.

69B-231.100 Penalties for Violation of Section ~~626.621(6)~~ ~~626.9541(1)~~, F.S.

If a licensee is found to have violated Section 626.621(6), F.S., by engaging in unfair methods of competition or in unfair or deceptive acts or practices as defined in any of the following paragraphs of Section 626.9541(1), F.S., the following stated penalty shall apply:

- (1) through (4) No change.
- (5) Section 626.9541(1)(e), F.S. – suspension 6 months; except that the penalty for a violation of Section 626.9541(1)(e)1., F.S., shall be a suspension of 12 months.
- (6) through (10) No change.
- (11) Section 626.9541(1)(k), F.S. – suspension ~~2~~ 6 months.
- (12) Section 626.9541(1)(l), F.S. – suspension ~~2~~ 6 months.
- (13) Section 626.9541(1)(m), F.S. – suspension ~~3~~ 2 months.
- (14) through (26) No change.
- (27) Section 626.9541(1)(aa), F.S. – suspension 9 months.
- (28) Section 626.9541(1)(bb), F.S. – suspension 3 months.

Specific Authority 624.308, ~~626.207(2)~~ FS. Law Implemented 624.307(1), ~~624.308, 626.207(2), 626.611, 626.621, 626.681, 626.691, 626.9541(1)~~ FS. History–New 7-13-93, Formerly 4-231.100, ~~Amended~~.

69B-231.110 Penalties for Violation of Other Specific Provisions of the Florida Insurance Code.

If the licensee is found to have violated any of the following provisions of the Insurance Code, the following stated penalty shall apply:

- (1) Section ~~624.318(2)~~ ~~626.041(2)~~, F.S. – suspension 3 months.
- ~~(2) Section 626.051(2), F.S. – suspension 3 months.~~
- ~~(3) Section 626.062(2), F.S. – suspension 3 months.~~
- (2)(4) Section 626.112(2), F.S. – suspension 3 months.
- (3)(5) Section 626.342(1), F.S. – suspension 3 months.

- ~~(4)(6) Section 626.441, F.S. – suspension 6 months.~~
- (5) Section 626.536, F.S. – administrative fine of \$500.
- ~~(6)(7) Section 626.541 F.S. – suspension 2 months.~~
- (7)(8) Section 626.551, F.S. – administrative fine of not more than \$250 for the first violation; administrative fine of not less than \$500 for the second violation; administrative fine of not less than \$500 and suspension for 2 months for the third and subsequent violations.

- ~~(8)(9) Section 626.561(1), F.S. – suspension 9 months.~~
- ~~(9)(10) Section 626.561(2), F.S. – suspension 3 2 months.~~
- ~~(10)(11) Section 626.572, F.S. – suspension 3 months.~~
- ~~(11)(12) Section 626.591 626.592(1), F.S. – suspension 6 3 months.~~

- ~~(13) Section 626.592(4), F.S. – suspension 6 months.~~
- ~~(14) Section 626.592(5), F.S. – suspension 9 months.~~
- ~~(15) Section 626.592(6), F.S. – suspension 6 months.~~
- ~~(16) Section 626.592(7), F.S. – suspension 3 months.~~
- (12) Section 626.593, F.S. – suspension 3 months.
- ~~(13)(17) Section 626.601(2), F.S. – suspension 3 2 months.~~

- ~~(14)(18) Section 626.631(1), F.S. – revocation.~~
- ~~(15)(19) Section 626.641(4), F.S. – revocation.~~
- (16) Section 626.7315, F.S. – suspension 3 months.
- ~~(17)(20) Section 626.741(3), F.S. – suspension 3 months.~~
- ~~(18)(21) Section 626.741(4), F.S. – suspension 6 months.~~
- ~~(19)(22) Section 626.747, F.S. – suspension 3 months.~~
- ~~(20)(23) Section 626.748, F.S. – suspension 2 months.~~
- ~~(21)(24) Section 626.752, F.S. – suspension 3 months.~~
- ~~(22)(25) Section 626.753, F.S. – revocation.~~
- (23) Section 626.7845, F.S. – suspension 3 months.
- ~~(24)(26) Section 626.792(3), F.S. – suspension 3 months.~~
- ~~(25)(27) Section 626.792(6), F.S. – revocation.~~
- ~~(26)(28) Section 626.793, F.S. – suspension 2 months.~~
- ~~(27)(29) Section 626.794, F.S. – suspension 6 months.~~
- ~~(28)(30) Section 626.798, F.S. – suspension 2 6 months.~~
- (29) Section 626.8305, F.S. – suspension 3 months.
- ~~(30)(31) Section 626.835(3), F.S. – suspension 3 months.~~
- ~~(31)(32) Section 626.835(6), F.S. – revocation.~~
- ~~(32)(33) Section 626.837, F.S. – suspension 6 months.~~
- ~~(33)(34) Section 626.8373, F.S. – suspension 6 months.~~
- ~~(34)(35) Section 626.838, F.S. – suspension 6 months.~~
- ~~(35)(36) Section 626.901(1), F.S. – suspension 6 months.~~
- ~~(36)(37) Section 626.901(2), F.S. – suspension 12 months.~~
- (37) Section 627.4554, F.S. – suspension 12 months.
- (38) Section 627.901, F.S. – suspension 3 months.

Specific Authority 624.308, ~~626.207(2)~~ FS. Law Implemented 624.307(1), ~~624.308, 626.207(2), 626.611, 626.621, 626.681, 626.691~~ FS. History–New 7-13-93, Formerly 4-231.110, ~~Amended~~.

69B-231.120 Penalties for Violation of Other Insurance Code Provisions.

If the licensee is found to have violated a provision of the Insurance Code, the stated penalty, unless otherwise prescribed in these rules or in the code provision violated, shall be a six (6) month suspension if the violation was willful, or shall be a three (3) month suspension if the violation was nonwillful.

Specific Authority 624.308, 626.207(2) FS. Law Implemented 624.307(1), 624.308, 626.207(2), 626.611, 626.621, ~~626.681, 626.691~~ FS. History—New 7-13-93, Formerly 4-231.120, Repromulgated

69B-231.130 Penalties for Violation of Department Rules.

If the licensee is found to have violated a Department rule, the stated penalty, unless otherwise prescribed in these rules or in the specific rule violated, shall be a six (6) month suspension if the violation was willful, or shall be a three (3) month suspension if the violation was nonwillful.

Specific Authority 624.308, 626.207(2) FS. Law Implemented 624.307(1), 624.308, 626.207(2), 626.611, 626.621, ~~626.681, 626.691~~ FS. History—New 7-13-93, Formerly 4-231.130, Repromulgated

69B-231.140 Penalties for Violation of Department Orders.

If a licensee is found to have violated a Department order, the stated penalty shall be a six (6) month suspension if the violation was willful, or shall be a three (3) month suspension if the violation was nonwillful, unless the penalty is prescribed in the order itself; except that if a licensee or an affiliated party transacts insurance in violation of an order of suspension, the penalty shall be revocation of license(s) and appointment(s) if the violation was willful, or shall be an additional suspension of three (3) months if the violation was nonwillful.

Specific Authority 624.308, 626.207(2) FS. Law Implemented 624.307(1), 624.308, 626.207(2), 626.611, 626.621, 626.681, 626.691 FS. History—New 7-13-93, Formerly 4-231.140, Amended

69B-231.150 Criminal Proceedings.

(1) If it is found that a licensee has violated either Section 626.611(14) or 626.621(8), F.S., the following stated penalty shall apply:

(1)(a) If a the licensee is convicted by a court of a violation of the Insurance Code or a felony (regardless of whether or not such felony is related to an insurance license), the penalty shall be immediate revocation.

(2)(b) If a the licensee is not convicted of, but has been found guilty of or has pleaded guilty or nolo contendere to, a felony or a crime punishable by imprisonment of 1 year or more under the law of the United States of America or of any state thereof or under the law of any other country, which is a crime involving involves moral turpitude and is a crime involving breach of trust or dishonesty, the penalty shall be revocation.

(3)(e) If a the licensee is not convicted of, but has been found guilty of or has pleaded guilty or nolo contendere to, a felony or a crime punishable by imprisonment of 1 year or more under the law of the United States of America or of any state thereof or under the law of any other country, which is a crime involving involves moral turpitude or is a crime involving breach of trust or dishonesty, the penalties are as follows:

(a) If the conduct directly relates to activities involving the business of insurance an insurance license, the penalty shall be revocation a 24 month suspension.

(b) If the conduct indirectly relates to the business of insurance or involves dishonesty or breach of trust, such as theft of money or property, or mishandling or misappropriation of money, the penalty shall be a 12 month suspension.

(c) If the conduct is not related to the business of insurance and does not involve dishonesty or breach of trust license, the penalty shall be a 6 month suspension.

(4)(d) If a the licensee is not convicted of, but has been found guilty of or has pleaded guilty or nolo contendere to, a felony or a crime punishable by imprisonment of 1 year or more under the laws of the United States of America or of any state thereof or under the law of any other country, which is not a crime involving does not involve moral turpitude and is not a crime involving breach of trust or dishonesty, the penalties are as follows:

(a) If the conduct directly relates to the business of insurance activities involving an insurance license, the penalty shall be a 24-month suspension.

(b) If the conduct indirectly relates to the business of insurance involves dishonesty or breach of trust such as theft of money or property, or mishandling or misappropriation of money, the penalty shall be a 12-month suspension.

(c) If the conduct is not related to the business of insurance license, the penalty shall be a 3-month suspension.

(2) Foreign Law Enforcement Records. In the event that a law enforcement record includes convictions, charges, or arrests outside the United States, the Department shall consider the following factors to reduce, eliminate, or apply a waiting period:

(a) Whether the crime in the criminal record would be a crime under the laws of the United States or any state within the United States;

(b) The degree of penalty associated with the same or similar crimes in the United States; and

(c) The extent to which the foreign justice system provided safeguards similar to those provided criminal defendants under the Constitution of the United States.

Specific Authority 624.308, 626.207(2) FS. Law Implemented 624.307(1), 624.308, 626.207(2), ~~626.604, 626.611, 626.621, 626.631, 626.631(1), 626.681, 626.691~~ FS. History—New 7-13-93, Amended 9-23-02, Formerly 4-231.150, Amended

69B-231.160 Aggravating/Mitigating Factors.

The Department shall consider the following aggravating and mitigating factors and apply them to the total penalty in reaching the final penalty assessed against a licensee under this rule chapter. After consideration and application of these factors, the Department shall, if warranted by the Department's consideration of the factors, either decrease or increase the penalty to any penalty authorized by law.

(1) For penalties other than those assessed under Rule 69B-231.150, F.A.C.:

- (a) Willfulness of licensee's conduct;
 - (b) Degree of actual injury to victim;
 - (c) Degree of potential injury to victim;
 - (d) Age or capacity of victim;
 - (e) Timely restitution;
 - (f) Motivation of licensee agent;
 - (g) Financial gain or loss to licensee agent;
 - (h) Cooperation with the Department;
 - (i) Vicarious or personal responsibility;
 - (j) Related criminal charge; disposition;
 - (k) Existence of secondary violations in counts;
 - (l) Previous disciplinary orders or prior warning by the Department; and
 - (m) Other relevant factors.
- (2) No change.

Specific Authority 626.308, 626.207(2) FS. Law Implemented 624.307(1), 624.308, 626.207(2), 626.611, 626.621, 626.631, 626.681, 626.9541 FS. History--New 7-13-93, Formerly 4-231.160, Amended _____.

Section II Proposed Rules

DEPARTMENT OF STATE

Division of Historical Resources

RULE NO.:	RULE TITLE:
1A-37.001	Use or Rental of Mission San Luis Facilities

PURPOSE AND EFFECT: The purpose is to put those who use or rent Mission San Luis facilities on notice of the fees and rental guidelines.

SUMMARY: This rule establishes the fees and rental guidelines for the use and rental of Mission San Luis Facilities.

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

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

SPECIFIC AUTHORITY: 267.17 FS.

LAW IMPLEMENTED: 267.17(2)(b) FS.

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

DATE AND TIME: Monday, June 12, 2006, 9:00 a.m.

PLACE: Florida Heritage Hall, First Floor, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Stephen S. Mathues, Assistant General Counsel, Office of the General Counsel, 500 South Bronough Street, Tallahassee, Florida 32399-0250, (850)245-6208

THE FULL TEXT OF THE PROPOSED RULE IS:

1A-37.001 Use and Rental of Mission San Luis Facilities.

(1) Pursuant to Section 267.17, F.S., the grounds and buildings of Mission San Luis (Mission) may be made available through an agreement with the Friends of Mission San Luis, Inc. (FOMSL).

(a) The Mission welcomes site uses or rentals that are appropriate and consistent with the seventeenth-century setting at this historic property. The use of the Mission grounds or the rental of Mission facilities should advance public knowledge and appreciation of the site.

(b) Mission San Luis is a National Historic Landmark and an important archaeological site. No digging or ground disturbance of any kind is permitted. Events shall not permanently alter the site with equipment or decorations.

(c) Historical Reconstructions at the Mission, including the church, council house, Spanish house, friary, kitchen, and any future reconstructions are designated as museum exhibits. The archaeological sensitivity and historical integrity of these buildings must be maintained at all times.

(d) The entire site is a non-smoking area.

(e) Food and beverages may be permitted in site facilities with proper approval.

(f) The sale of alcoholic beverages is prohibited on the site, however, alcoholic beverages may be served free of charge at planned events.

(g) Except for designated parking areas, no vehicles are permitted on the site grounds without proper approval. Service roads may be used for unloading or loading, but vehicles must be parked in visitor parking areas or other areas designated for special events.

(2)(a) Visitors to the Mission may, without application or cost, use designated areas of the site for picnics and programs during the Mission's normal operating hours posted on site.

(b) No fires or cooking of any kind is permitted by visitors.

(3) Applicants may rent site facilities for planned events.

(a) The Education Building may be made available for private meetings for up to 50 persons during or after normal operating hours.

(b) The Historic Reconstructions may be made available for rental during and after normal operating hours. Any scheduled event taking place during normal operating hours shall be open to the public and the event must not interfere with other visitors' enjoyment of the site.

(4) Any person desiring to obtain approval for the rental of a Mission San Luis facility shall submit the Application for the Rental of a Mission San Luis Facility Form, Form #####, Effective #####, prescribed by the Department of State, Division of Historical Resources. The form is incorporated by reference herein and is available from the Mission San Luis Visitor Center.

(5) Unless otherwise specified, application and approval for the rental of a Historic Reconstruction facility is for a single event not to exceed one day. The application and approval for the rental of the Education Building is for a single event not to exceed four hours. An Education Building event that exceeds four hours will be subject to an additional four hour fee.

(a) Facilities must be used in a manner consistent with the Legislature's intent to preserve the historic nature and dignity of state properties as enunciated in Sections 267.061 and 267.14, F.S. Events that do not uphold or that interfere with the historic nature of the Mission shall not be approved. An approved event that the Mission subsequently determines does not uphold or that interferes with the historic nature of the Mission shall be cancelled.

(6) Applications and supporting documents shall be filed with the Director, Mission San Luis, 2021 Mission Road, Tallahassee, Florida 32304, no less than sixty (60) days in advance of the planned event.

(7) Definitions. The following words shall have the following meanings for the purposes of this rule:

(a) "Facility" shall be defined as any structure, building, or open area that the Mission opens for rental use.

(b) "Site" refers to the entire grounds and facilities of the Mission.

(8) Rental fees for specific facilities are listed on Form #####. An initial deposit of fifty (50) percent of the listed fee is required at least forty (45) days prior to the date of the event. The remaining fifty (50) percent is due the day of the event. Cancellation of an event more than thirty (30) days prior to the scheduled date is without penalty and the Mission will return the deposit. Persons canceling an event less than thirty (30) days prior to the scheduled date will be responsible for one hundred (100) percent of the fee.

(a) Rental fees only include the rental of the facilities. Additional fees will apply if:

1. The event requires the use of the Mission's audio-visual equipment; or

2. If the event requires special staffing, set-up, and clean-up; or

3. If the scheduled event takes place after normal hours.

4. The fee for the use of Mission personnel will be at a rate of ten (10) dollars per hour per Mission employee. The number of Mission employees will be determined prior to event approval and will be based on size and nature of the event.

(b) With the exception of the tables and chairs provided with the rental of the Education Building and the outdoor picnic benches, the Mission does not supply tables, chairs or tents. Applicants are responsible for providing all equipment needed for an event. All equipment must be approved for use at an event. Tents which require stakes to be driven into the ground are prohibited.

(c) An agency, as defined by subsections 120.52(1) and (2), F.S., but not including subparagraph 120.52(1)(b)8., F.S., authorized staff members of that agency, FOMSL, and contributors to FOMSL may use the facilities free of charge for official agency functions or official FOMSL business; but must comply with all other facility rental requirements. Events by the abovementioned parties, not in the course of official FOSML business or an official agency function are permitted, free of charge, but require prior approval.

Specific Authority 267.17 FS. Law Implemented 267.13(b) FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Bonnie McEwan

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Fred Gaske

DATE OF PROPOSED RULE APPROVED BY AGENCY HEAD: May 9, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 14, 2006

DEPARTMENT OF LEGAL AFFAIRS

RULE NO.: 2-37.010 RULE TITLE: Attorney Services

PURPOSE AND EFFECT: The proposed rule amendment is intended to incorporate the revised form entitled "Office of the Attorney General Attachment A for Private Attorney Services" into the rule.

SUMMARY: The proposed rule amendment incorporates a revised form into 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 the statement of estimated costs, or to provide a proposal for a lower regulatory cost alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 287.059 FS.

LAW IMPLEMENTED: 16.015, 287.059 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Larry Daugherty, Government Analyst, Office of the Attorney General, PL-01, The Capitol, Tallahassee, Florida 32399-1050

THE FULL TEXT OF THE PROPOSED RULE IS:

2-37.010 Attorney Services.

(1) No change.

(2) All contracts for private attorney services shall contain an addendum entitled "Office of the Attorney General Attachment A for Private Attorney Services," Form OAG-002, (rev. 4/2006), effective _____, (rev. 9/2001), effective 12-17-01, which is hereby incorporated by reference.

(3) Copies of the forms may be obtained from the General Legal Division, Office of the Attorney General, The Capitol, PL-01, Tallahassee, Florida 32399-1050, or from the following web sites: myfloridalegal.com/aglink or myfloridalegal.com/outside.html.

Specific Authority 287.059 FS. Law Implemented 16.015, 287.059 FS. History—New 10-7-90, Formerly 2-1.013, Amended 7-12-93, 10-29-97, 5-18-00, 6-5-01, 12-17-01, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Larry Daugherty, Government Analyst

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Gerald B. Curington, Assistant Deputy Attorney General

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 21, 2006

DEPARTMENT OF EDUCATION

State Board of Education

RULE NOS.:	RULE TITLES:
6A-1.09412	Course Requirements – Grades 6-12 Basic and Adult Secondary Programs
6A-1.09441	Requirements for Programs and Courses Which Are Funded Through the Florida Education Finance Program and for Which the Student May Earn Credit Toward High School Graduation

PURPOSE AND EFFECT: The purpose of this amendment is to obtain approval of an addendum to the "Course Code Directory and Instructional Personnel Assignments" for 2006-2007, as required in SBE subsection 6A-1.09441(5), F.A.C. This rule provides specific conditions for which students may earn credit toward high school graduation and for

which the courses are funded through the Florida Education Finance Program (FEFP). Revisions to the narrative section will be made to align course requirements with state law. The addendum will also incorporate the course descriptions of new courses into the "Course Code Directory and Instructional Personnel Assignments" for 2006-2007, as required in SBE subsection 6A-1.09441(5), F.A.C.

SUMMARY: Revisions to the "Course Code Directory and Instructional Personnel Assignments" will be made to include new courses, align teacher certification, and revise the narrative section to reflect recent changes in state laws. The new courses and course descriptions direct school and district personnel by providing the essential content and course requirements for each course in grades 6-12 contained in the "Course Code Directory and Instructional Personnel Assignments" and ensure consistency and alignment with the Sunshine State Standards.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A Statement of Estimated Regulatory Cost has not been prepared.

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

SPECIFIC AUTHORITY: 1011.62 FS.

LAW IMPLEMENTED: 1011.62(1)(r), 1001.03(1) FS.

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

DATE AND TIME: June 20, 2006, 8:30 a.m.

PLACE: Orlando, Florida (For exact location please contact Lynn Abbott, Department of Education, 325 West Gaines Street, #1514, Tallahassee, Florida 32399-0400; (850)245-9661

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Mary Jo Butler, Bureau of Public School Options, K-12 Public Schools, Florida Department of Education, Tallahassee, FL.

THE FULL TEXT OF THE PROPOSED RULES IS:

6A-1.09412 Course Requirements – Grades 6-12 Basic and Adult Secondary Programs.

A course description directs district personnel by providing the essential content and course requirements for each course in grades 6-12 contained in the "Course Code Directory and Instructional Personnel Assignments" adopted by Rule 6A-1.09441, F.A.C. Course requirements approved by the State Board of Education are contained in the publication ~~"2002-2003 Florida Course Descriptions for Grades 6-12/Adult, Basic Education," "2005 Florida Course Descriptions for Grades 6-12/Adult, Basic Education," and "2006-2007 Florida Course Descriptions for Grades 6-12/Adult, Basic Education,"~~ and "Addendum to the

2006-2007 Florida Course Descriptions for Grades 6-12/Adult, Basic Education.” which are hereby incorporated by reference and made a part of this rule. District school boards of education are authorized, through local rules, to approve a variance of up to ten (10) percent of the course requirements of each course description. Copies of approved course descriptions may be obtained from K-12 Public Schools, the Division of Public Schools and Community Education, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399.

Specific Authority 1001.03(1), 1011.62(1)(r) FS. Law Implemented 1001.42(7), 1003.42, 1011.62(1)(r) FS. History—New 2-21-85, Formerly 6A-1.9412, Amended 1-29-86, 1-1-87, 9-6-88, 12-13-88, 12-11-89, 1-15-91, 2-20-92, 6-6-93, 10-18-94, 8-28-95, 5-14-96, 9-15-97, 10-13-98, 5-3-99, 5-3-01, 10-15-01, 12-17-02, 7-26-05, 11-21-05,_____.

6A-1.09441 Requirements for Programs and Courses Which Are Funded Through the Florida Education Finance Program and for Which the Student May Earn Credit Toward High School Graduation.

For student membership in a program or course to generate funding through the Florida Education Finance Program and for the student to receive elective or required credit toward high school graduation for such a program or course, the following conditions shall be met:

(1) The program in which the student is in membership shall be one of the programs listed in Section 1011.62(1)(c), Florida Statutes.

(2) The course or program in which the student is in membership shall be an educational activity which constitutes a part of the instructional program approved by the district school board.

(3) The student shall be under the supervision of an instructional staff member as defined in Rule 6A-1.0501, F.A.C.

(4) The course or program shall be listed in the “Course Code Directory and Instructional Personnel Assignments” for the year in which the student is in membership.

(5) The “Course Code Directory and Instructional Personnel Assignments 2006-2007,” and “Addendum to the Course Code Directory and Instructional Personnel Assignments 2006-2007” are hereby incorporated by reference and made a part of this rule. The Commissioner may publish the document in appropriate and useful formats such as printed copy, electronic database access, or electronic disc. The ~~directories directory~~ may be obtained from K-12 Public Schools, the Division of Public Schools and Community Education, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399. The Commissioner of Education may approve additional courses for which funding could be generated through the Florida Education Finance Program. Such additional course listings will be made available as approved.

Specific Authority 1001.02(1), 1011.62(1)(r) FS. Law Implemented 1011.62(1) FS. History—New 12-20-83, Formerly 6A-1.9441, Amended 2-6-86, Amended 12-28-86, 4-4-88, 12-13-88, 12-11-89, 1-15-91, 2-20-92, 7-13-93, 10-18-94, 8-28-95, 4-18-96, 7-17-97, 8-12-98, 5-3-99, 5-3-01, 10-16-01, 7-30-02, 4-21-05, 11-21-05,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mary Jane Tappen, Deputy Chancellor for Student Achievement, Department of Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Cheri Pierson-Yecke, Chancellor, K-12 Public Schools, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 9, 2006

DATE NOTICE OF PROPOSED DEVELOPMENT PUBLISHED IN FAW: March 17, 2006

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-4.002 RULE TITLE: General Provisions

PURPOSE AND EFFECT: The purpose of the rule amendment is to align the provisions for the use of classroom teaching experience to the proposed new requirements for the college courses option for teacher professional preparation in Rule 6A-4.006, F.A.C., and to add language to establish that the recognition of national certificates shall be for subjects comparable and at the same degree level of training as Florida certification. The effect is consistency with Rule 6A-4.006, F.A.C., and current statutes.

SUMMARY: The change to the provisions for the use of classroom teaching experience in lieu of college credit is necessary to align to the proposed changes to the college course requirements in the teacher preparation course analysis option. Clarification relating to national certificates is provided to ensure a uniform standard for all Florida certificates issued.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A Statement of Estimated Regulatory Cost has not been prepared.

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

SPECIFIC AUTHORITY: 1001.02, 1012.55, 1012.56 FS.

LAW IMPLEMENTED: 1001.02, 1012.54, 1012.55, 1012.56 FS.

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

DATE AND TIME: June 20, 2006, 8:30 a.m.

PLACE: Orlando, Florida (For exact location please contact Lynn Abbott, Department of Education, 325 West Gaines Street, #1514, Tallahassee, Florida 32399-0400; (850)245-9661

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Beverly Gregory, Chief, Bureau of Educator Certification, 325 West Gaines Street, Room 201, Tallahassee, FL 32399-0400

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-4.002 General Provisions.

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

(j) Certificates from national certification organizations. Certificates issued by national certification organizations approved in Florida Statute or by the State Board of Education shall:

1. Be issued in a subject comparable to a Florida certification subject.

2. Require the same or higher degree level of training required for certification in that subject in Florida, and

3. Official documentation of the national certificate shall be a photocopy of the front and back of the original certificate.

(k)(i) Alteration of certificates. The alteration of any certificate with the intent to mislead or defraud shall be sufficient grounds for revocation of the certificate. It shall be incumbent upon the certificate holder to establish evidence of the absence of intent to mislead or defraud.

(2) through (4) No change.

(5)(a) No change.

(b) Utilization of teaching experience. A year of full-time teaching experience may be accepted in lieu of three (3) semester hours of college credit. A maximum of three (3) years of teaching experience may be used in lieu of nine (9) semester hours of college credit. Not more than one (1) year of teaching experience may be used in lieu of three (3) semester hours of college credit toward satisfying requirements in professional preparation. Not more than two (2) years of teaching experience may be used in lieu of six (6) semester hours of college credit toward satisfying requirements in ~~professional preparation~~, or a specialization area. When teaching experience is used to satisfy a course requirement in a specialization area or to satisfy a subject special methods course requirement in professional preparation, the teaching experience shall be comparable to the course requirement acquired in the subject or field and at the appropriate instructional level to which it is applied.

(6) No change.

(a) An Official Statement of Status of Eligibility shall be issued when the applicant meets requirements specified in Section 1012.56(1), Florida Statutes.

(b) through (c) No change.

Specific Authority 1001.02, 1012.55, 1012.56 FS. Law Implemented 1001.02, 1012.54, 1012.55, 1012.56 FS. History—Amended 4-10-64, 4-8-68, 4-11-70, 10-18-71, 3-19-72, 12-18-72, 6-17-73, 4-19-74, Repromulgated 12-5-74, Amended 6-22-76, 6-27-77, 12-26-77, 4-27-78, 7-1-79, 7-2-79, 6-26-80, 7-28-81, 1-3-82, 5-11-82, 6-22-83, 3-28-84, 1-31-85, 3-13-85, Formerly 6A-4.02, Amended 12-25-86, 10-18-88, 10-10-89, 4-15-91, 11-10-92, 5-30-94, 11-13-96, 10-15-01, 12-27-04, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Pam Stewart, Deputy Chancellor, K-12 Educator Quality, Department of Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Chancellor Cheri Pierson-Yecke, K-12 Public Schools

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 5, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 7, 2006

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-4.006 General and Professional Preparation

PURPOSE AND EFFECT: The purpose of the rule amendments is to include professional education requirements via the course analysis option provided in Section 1012.56(5)(f), Florida Statutes, that more closely align to the updated requirements in other certification options or pathways for teacher preparation. The effect will be a rule that is current and includes the most critical competencies, knowledge, and skills for teachers in providing quality instruction to improve student achievement.

SUMMARY: The additional pathways for certification professional preparation such as district alternative certification, educator preparation institutes, and traditional college programs have updated competency requirements in the areas of classroom management, reading, assessment and use of student data to improve learning, etc. The rule has to be amended in order to align with current provisions.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A Statement of Estimated Regulatory Cost has not been prepared.

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

SPECIFIC AUTHORITY: 1001.02, 1012.55, 1012.56 FS.

LAW IMPLEMENTED: 1001.02, 1012.54, 1012.55, 1012.56 FS.

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

DATE AND TIME: June 20, 2006, 8:30 a.m.

PLACE: Orlando, Florida (For exact location please contact Lynn Abbott, Department of Education, 325 West Gaines Street, #1514, Tallahassee, Florida 32399-0400; (850)245-9661

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Beverly Gregory, Chief, Bureau of Educator Certification, 325 West Gaines Street, Room 201, Tallahassee, FL 32399-0400

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 6A-4.006 follows. See Florida Administrative Code for present text.)

6A-4.006 General and Professional Preparation.

(1) General preparation. A bachelor's or higher degree from an accredited or approved institution as described in Rule 6A-4.003, F.A.C., shall be considered to have met the general preparation course requirements.

(2) Professional preparation.

(a) Courses for the professional preparation and education competence requirement pursuant to the college course certification option in Section 1012.56(5)(f), Florida Statutes, are fifteen (15) semester hours with credit in the following professional education areas:

1. Classroom management including safe learning environments.

2. Human development and learning.

3. Educational assessment to include the content measured by state achievement tests and the interpretation and utilization of data to improve student achievement.

4. Effective instructional strategies including the needs of diverse learners.

5. For the middle (grades 5-9) and secondary (grades 6-12) level subject coverages and the K-12 level subject coverages: art, music, dance, computer science, health, foreign languages, and humanities, curriculum and special methods of teaching the subject, and

6. For middle (grades 5-9) and secondary (grades 6-12) level subject coverages, foundations of research-based practices in teaching reading-competency two of the State Board approved reading endorsement competencies.

(b) Practical experience in teaching. Practical experience in teaching may be satisfied by one of the following methods:

1. One year of full-time teaching experience in an elementary or secondary school as specified in Rule 6A-4.002, F.A.C., or

2. Six semester hours earned in a college student teaching or supervised internship completed in an elementary or secondary school.

(c) Additional requirements in teaching reading and professional education for grades kindergarten through grade six and for exceptional education students are included in the separate certification subject specialization State Board Rules.

(d) All the professional education requirements for preschool and prekindergarten – grade three subject coverages in lieu of the requirements in paragraph (2)(a) of this rule are included in the separate certification subject specialization State Board Rules.

(e) The requirements of paragraph (2)(a) of this rule are not applicable and shall not be required for school social worker or speech-language impaired certification.

(3) Professional preparation for agriculture (grades 6-12).

(a) Courses for professional preparation and education competence requirement pursuant to the college course certification option in Section 1012.56(5)(f), Florida Statutes, for agriculture are fifteen (15) semester hours with credit in the following professional agricultural education areas:

1. Curriculum development and educational assessment in agriculture.

2. Instructional strategies of teaching agriculture.

3. Program planning in agricultural education.

4. An agriscience teacher induction course which includes:

a. Basic principles and philosophy of agricultural education, and

b. Strategies for classroom management.

(b) The practical teaching experience requirement may be satisfied as specified in paragraph (2)(b) of this rule.

Specific Authority 1001.02, 1012.55, 1012.56 FS. Law Implemented 1001.02, 1012.54, 1012.55, 1012.56 FS. History—Amended 4-20-64, 4-8-68, 7-7-68, 4-11-69, 6-17-73, Repromulgated 12-5-74, Amended 10-12-76, 7-1-79, 11-5-84, Formerly 6A-4.06, Amended 9-12-89, 5-30-94, 7-17-00, 10-15-01, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Pam Stewart, Deputy Chancellor, K-12 Educator Quality,
Department of Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Chancellor Cheri Pierson-Yecke,
K-12 Public Schools

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: May 5, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: April 7, 2006

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.:
6A-6.040

RULE TITLE:
Voluntary Prekindergarten (VPK)
Director Endorsement for Private
Providers

PURPOSE AND EFFECT: The purpose of this rule is to specify the minimum standards for a credential for prekindergarten directors of private prekindergarten providers delivering the Voluntary Prekindergarten (VPK) Education Program, as required by Section 1002.57(1), F.S. The effect of this rule is to provide for an enhanced educational credential for the directors of private prekindergarten providers delivering the VPK program.

SUMMARY: This rule identifies the standards, training requirements, and procedures for renewing the VPK Director endorsement.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A Statement of Estimated Regulatory Cost has not been prepared.

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

SPECIFIC AUTHORITY: 1002.79(1) FS.

LAW IMPLEMENTED: 1002.55(3)(f), 1002.57 FS.

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

DATE AND TIME: June 20, 2006, 9:00 a.m.

PLACE: Orlando, Florida (For exact location please contact Lynn Abbott, Department of Education, 325 West Gaines Street, #1514, Tallahassee, Florida 32399-0400; (850)245-9661

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Shan Goff, Executive Director, Office of Early Learning, Department of Education, 325 W. Gaines Street, Suite 1524, Tallahassee, Florida 32399-0400, (850)245-0445

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.040 Voluntary Prekindergarten (VPK) Director Endorsement for Private Providers.

(1) Requirements for the Endorsement. Consistent with the requirements of Section 1002.55(3)(f), Florida Statutes, a private prekindergarten program delivering the Voluntary Prekindergarten (VPK) Education Program must have a director who has a VPK Director Endorsement, issued by the Department of Children and Families (DCF), that meets the requirements of subsection (2) of this rule. Successful completion of the Director Credential, as required by Section 402.305(2)(f), Florida Statutes, and paragraph 65C-22.003(8)(a), F.A.C., prior to July 1, 2006, shall satisfy this requirement.

(2) Training Requirements. To be eligible for the Voluntary Prekindergarten (VPK) Director Endorsement, issued by the Department of Children and Families (DCF), applicants must successfully complete:

(a) A Florida credential certificate program, as referenced in paragraph 65C-22.003(8)(a), F.A.C., approved by DCF and the Department of Education (DOE);

(b) DOE-approved training on the VPK Education standards adopted by the State Board of Education;

(c) DOE-approved course(s) on emergent literacy; and

(d) DOE-approved course(s) that address the following VPK Director competencies:

1. Organizational Leadership and Management – To implement strategies and techniques that promote a responsive work and learning environment, VPK directors shall be able to demonstrate knowledge and application of:

a. Management strategies that support a professional culture and climate;

b. Instructional leadership skills and the provision of supports to VPK instructors;

c. Available resources and supports for VPK instructors and parents; and

d. Local processes and procedures for the transition of VPK children to public and private kindergarten programs.

2. Financial and Legal – To maintain effective financial planning and budgeting systems and sound practices related to legal obligations and responsibilities, VPK directors shall be able to demonstrate knowledge and application of:

a. Applicable laws and rules and legal responsibilities;

b. Roles and responsibilities of state agencies, local coalitions, and providers;

c. Monitoring requirements; and

d. Financial operating procedures.

3. Program and Performance Standards – To maintain an instructional leadership role in creating and sustaining an effective learning environment, VPK directors shall be able to demonstrate knowledge and application of:

a. Developmentally appropriate and research-based instructional practices and their application in the classroom;

b. Evaluation of the appropriateness and effectiveness of available prekindergarten curricula;

c. Effective implementation of a prekindergarten curriculum in the classroom;

d. Effective instructional strategies for children with disabilities or other special needs and for English language learners;

e. Developmentally appropriate methods for the on-going assessment of young children and interpretation of these data for program planning and the delivery of instruction; and

f. Local and state accountability systems.

(3) Renewal. To maintain an active VPK Director Endorsement, the director of a private prekindergarten program delivering the Voluntary Prekindergarten (VPK) Education Program must meet the requirements in subparagraphs 65C-22.003(8)(h)1-4., F.A.C.

Specific Authority 1002.79(1) FS. Law Implemented 1002.55(3)(f), 1002.57 FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Gloria Hearn, Office of Early Learning, Department of Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Shan Goff, Executive Director, Office of Early Learning, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 8, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 17, 2006

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

STATE BOARD OF ADMINISTRATION

Florida Prepaid College Board

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

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

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

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

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

LAW IMPLEMENTED: 1009.98, 1009.81 FS.

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

DATE AND TIME: June 12, 2006, 2:00 p.m.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

19B-4.005 Maximum Account Balance Limit.

(1) The maximum account balance limit shall be determined annually by the Board. The maximum account balance limit shall be calculated by multiplying the qualified higher education expenses, including tuition fees, room and board, and supplies, at the most expensive eligible educational institution, as reported in College Cost and Financial Aid Handbook 2006 ~~2004~~, published by the College Board, by seven (7), and rounding the resulting product downward to the nearest \$1,000.00 increment. The maximum account balance limit shall not exceed the amount permitted pursuant to s. 529 of the Internal Revenue Code. The Board will publish the amount of the maximum account balance limit annually in the

Florida Administrative Weekly. The redemption value of an advance payment contract plus the account balance of an account in the Florida College Investment Plan, for the same beneficiary shall not exceed the maximum account balance limit.

(2) through (3) No change.

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

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Prepaid College Board

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

DATE OF PROPOSED RULE APPROVED BY AGENCY HEAD: March 9, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 21, 2006

STATE BOARD OF ADMINISTRATION

Florida Prepaid College Board

RULE NO.: 19B-16.003
 RULE TITLE: Participation Agreement
 PURPOSE AND EFFECT: To update the Florida College Investment Plan Participation Agreement Form.

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

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

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

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

LAW IMPLEMENTED: 1009.81(2) FS.

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

DATE AND TIME: June 12, 2006, 2:00 p.m.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

19B-16.003 Participation Agreement.

(1) The contract between the Board and a benefactor shall consist of the benefactor's completed application and the participation agreement. The Florida College Investment Plan Participation Agreement, Form No. FPCB 2006~~5~~-4, is hereby incorporated by reference. The form may be obtained from the Board by calling 1(800)552-GRAD (4723) (prompt 1).

(2) through (4) No change.

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

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Prepaid College Board
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Prepaid College Board
DATE OF PROPOSED RULE APPROVED BY AGENCY HEAD: March 9, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 21, 2006

STATE BOARD OF ADMINISTRATION

Florida Prepaid College Board

RULE NO.: 19B-16.005
RULE TITLE: Maximum Account Balance Limit
PURPOSE AND EFFECT: To update the reference to the College Cost and Financial Aid Handbook.

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

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

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

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

LAW IMPLEMENTED: 1009.98, 1009.81 FS.

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

DATE AND TIME: June 12, 2006, 2:00 p.m.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

19B-16.005 Maximum Account Balance Limit.

(1) The maximum account balance limit shall be determined annually by the Board. The maximum account balance limit shall be calculated by multiplying the qualified higher education expenses, including tuition fees, room and board, and supplies, at the most expensive eligible educational institution, as reported in College Cost and Financial Aid Handbook ~~2004~~ 2006, published by the College Board, by seven (7), and rounding the resulting product downward to the nearest \$1,000.00 increment. The maximum account balance limit shall not exceed the amount permitted pursuant to s. 529 of the Internal Revenue Code. The Board will publish the amount of the maximum account balance limit annually in the Florida Administrative Weekly. The account balance for a designated beneficiary plus the redemption value of an advance payment contract under the Florida Prepaid College Plan for the same beneficiary shall not exceed the account balance limit. However, accounts for a designated beneficiary that have reached the maximum account balance limit may continue to accrue investment earnings. The redemption value of an advance payment contact shall be as provided in subsection 19B-4.005(2), F.A.C.

(2) No change.

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

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Prepaid College Board
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Prepaid College Board
DATE OF PROPOSED RULE APPROVED BY AGENCY HEAD: March 9, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 21, 2006

PUBLIC SERVICE COMMISSION

DOCKET NO. 050152-EU

RULE NO.: 25-6.049
RULE TITLE: Measuring Customer Service
PURPOSE AND EFFECT: The Commission has granted several waivers of the individual metering requirements of Rule 25-6.049, F.A.C., for condominiums that operate in a manner similar to hotels and motels. The Commission is now proposing rule language to create an exemption for these types of facilities.

SUMMARY: The amendment would eliminate the requirement that the occupancy units in certain new and existing residential condominiums and cooperatives that operate like hotels and motels be individually metered for their electricity usage.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The SERC concluded that there should be no negative impact on regulated utilities, the agency, small businesses, cities or county. These entities should benefit as the amendments made the rule clearer.

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

SPECIFIC AUTHORITY: 366.05(1) FS.

LAW IMPLEMENTED: 366.05(1), 366.80, 366.81, 366.82 FS.

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

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 THE PROPOSED RULE IS: Lawrence D. Harris, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0862, (850)413-6245

THE FULL TEXT OF THE PROPOSED RULE IS:

25-6.049 Measuring Customer Service.

(1) through (4) No change.

(5)~~(a)~~ Individual electric metering by the utility shall be required for each separate occupancy unit of new commercial establishments, residential buildings, condominiums, cooperatives, marinas, and trailer, mobile home and recreational vehicle parks. However, individual metering shall not be required for any such occupancy unit for which a construction permit was issued before, and which has received master-metered service continuously since, is commenced after January 1, 1981. In addition, individual electric meters shall not, however, be required:

1. through 2. renumbered (a) through (b) No change.

~~(c)3~~ For electricity used in specialized-use housing accommodations such as hospitals, nursing homes, living facilities located on the same premises as, and operated in conjunction with, a nursing home or other health care facility providing at least the same level and types of services as a nursing home, convalescent homes, facilities certificated under Chapter 651, Florida Statutes, college dormitories, convents, sorority houses, fraternity houses, ~~motels, hotels~~, and similar facilities;

(d) For lodging establishments such as hotels, motels, and similar facilities which are rented, leased, or otherwise provided to guests by an operator providing overnight occupancy as defined in paragraph (8)(b).

~~(e)4~~ For separate, specially-designated areas for overnight occupancy, as defined in paragraph (8)(b), at trailer, mobile home and recreational vehicle parks and marinas where permanent residency is not established.

~~(f)5~~ For new and existing time-share plans, provided that all of the occupancy units which are served by the master meter or meters are committed to a time-share plan as defined in Section 721, Florida Statutes, and none of the occupancy units are used for permanent occupancy. When a time-share plan is converted from individual metering to master metering, the customer must reimburse the utility for the costs incurred by the utility for the conversion. These costs shall include, but not be limited to, the undepreciated cost of any existing distribution equipment which is removed or transferred to the ownership of the customer, plus the cost of removal or relocation of any distribution equipment, less the salvage value of any removed equipment.

(g) For condominiums that meet the following criteria:

1. The declaration of condominium requires that at least 95 percent of the units are used solely for overnight occupancy as defined in paragraph (8)(b) of this rule;

2. A registration desk, lobby and central telephone switchboard are maintained; and,

3. A record is kept for each unit showing each check-in and check-out date for the unit, and the name(s) of the individual(s) registered to occupy the unit between each check-in and check-out date.

(6) Master-metered condominiums

(a) Initial Qualifications – In addition to the criteria in paragraph (5)(g), in order to initially qualify for master-metered service, the owner or developer of the condominium, the condominium association, or the customer must attest to the utility that the criteria in paragraph (5)(g) and in this subsection have been met, and that any cost of future conversion to individual metering will be the responsibility of the customer, consistent with subsection (7) of this rule. Upon request and reasonable notice by the utility, the utility shall be allowed to inspect the condominium to collect evidence needed to determine whether the condominium is in compliance with this rule. If the criteria in paragraph (5)(g) and in this subsection are not met, then the utility shall not provide master-metered service to the condominium.

(b) Ongoing Compliance – The customer shall attest annually, in writing, to the utility that the condominium meets the criteria for master metering in paragraph (5)(g). The utility shall establish the date that annual compliance materials are due based on its determination of the date that the criteria in paragraphs (5)(g) and (6)(a) were initially satisfied, and shall inform the customer of that date before the first annual notice

is due. The customer shall notify the utility within 10 days if, at any time, the condominium ceases to meet the requirements in paragraph (5)(g).

(c) Upon request and reasonable notice by the utility, the utility shall be allowed to inspect the condominium to collect evidence needed to determine whether the condominium is in compliance with this rule.

(d) Failure to comply – If a condominium is master metered under the exemption in this rule and subsequently fails to meet the criteria contained in paragraph (5)(g), or the customer fails to make the annual attestation required by paragraph (6)(b), then the utility shall promptly notify the customer that the condominium is no longer eligible for master-metered service. If the customer does not respond with clear evidence to the contrary within 30 days of receiving the notice, the customer shall individually meter the condominium units within six months following the date on the notice. During this six month period, the utility shall not discontinue service based on failure to comply with this rule. Thereafter, the provisions of Rule 25-6.105, F.A.C., apply.

(7) When a structure or building is converted from individual metering to master metering, or from master metering to individual metering, the customer shall be responsible for the costs incurred by the utility for the conversion. These costs shall include, but not be limited to, any remaining undepreciated cost of any existing distribution equipment which is removed or transferred to the ownership of the customer, plus the cost of removal or relocation of any distribution equipment, less the salvage value of any removed equipment.

(8)(b) For purposes of this rule:

(a)1- No change.

2. The construction of a new commercial establishment, residential building, marina, or trailer, mobile home or recreational vehicle park shall be deemed to commence on the date when the building structure permit is issued.

(b)3- No change.

4. The term "cost", as used herein means only those charges specifically authorized by the electric utility's tariff, including but not limited to the customer, energy, demand, fuel, and conservation charges made by the electric utility plus applicable taxes and fees to the customer of record responsible for the master meter payments. The term does not include late payment charges, returned check charges, the cost of the distribution system behind the master meter, the cost of billing, and other such costs.

(9)(6)(a) Where individual metering is not required under subsection (5) and master metering is used in lieu thereof, reasonable apportionment methods, including sub-metering may be used by the customer of record or the owner of such facility solely for the purpose of allocating the cost of the electricity billed by the utility. The term "cost" as used herein means only those charges specifically authorized by the

electric utility's tariff, including but not limited to the customer, energy, demand, fuel, conservation, capacity and environmental charges made by the electric utility plus applicable taxes and fees to the customer of record responsible for the master meter payments. The term does not include late payment charges, returned check charges, the cost of the customer-owned distribution system behind the master meter, the customer of record's cost of billing the individual units, and other such costs.

(b) through (c) No change.

Specific Authority 366.05(1) FS. Law Implemented 366.05(1), ~~366.05(2)~~, 366.80, 366.81, 366.82 FS. History—Amended 7-29-69, 11-26-80, 12-23-82, 12-28-83, Formerly 25-6.49, Amended 7-14-87, 10-5-88, 3-23-97, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Connie Kummer
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 2, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 31, No. 48, December 2, 2005

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-208.504
RULE TITLE: Criteria for Assignment to Staff Housing

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to add the position of licensed practical nurse to the list of priority assignments for staff housing.

SUMMARY: Amends the rule to add the position of licensed practical nurse to the list of priority staff of a major institution for staff housing assignments.

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

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

SPECIFIC AUTHORITY: 20.213, 944.09, 945.025 FS.

LAW IMPLEMENTED: 20.315, 944.09, 945.025 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dorothy M. Ridgway, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-208.504 Criteria for Assignment to Staff Housing.

The warden shall assign staff housing based upon the best interests of the institution and the following:

(1) Houses, Apartments and Mobile Homes.

(a) To the extent that houses, apartments and mobile homes are available, certain priority staff of a major institution shall be required to live at the institution of their assignment so that emergencies can be resolved with a minimum of delay. An institution with insufficient housing for its priority staff may be allocated such housing at a nearby institution by the Regional Director. The following priority staff are listed in the order of priority by which the assignment of at least one employee in each category shall be considered by the warden. The warden also has authority to recommend that these personnel live off the grounds. Only the Secretary may alter these priorities based upon proof of an employee’s significant personal hardship or in the best interests of the Department.

- 1. Warden.
 - 2. Assistant Warden.
 - 3. Chief of Security.
 - 4. Licensed Medical Representative, who is either a Physician, Clinical Associate, ~~or~~ Registered Nurse, or Licensed Practical Nurse.
 - 5. through 7. No change.
- (b) No change.
- (2) through (5) No change.

Specific Authority 20.315, 944.09(1), 945.025(1) FS. Law Implemented 20.315, 944.09(1), 945.025(1) FS. History—New 9-1-88, Amended 9-5-89, Formerly 33-26.004, 33-602.504, Amended 8-16-00, 4-8-02, 1-19-03, 3-30-05,_____.

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

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 21, 2006

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-601.314
RULE TITLE: Rules of Prohibited Conduct and Penalties for Infractions

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to provide more specific disciplinary charges for situations previously addressed by more general charges.

SUMMARY: The proposed rule provides a specific charge for lewd and lascivious conduct that does not involve physical or sexual contact with the victim, adds creating a disturbance to the charge for participating in or inciting a disturbance, and provides a specific disciplinary charge for failure to repay work release expense money advanced by a contract facility.

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

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

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09, 944.14, 944.279, 944.28 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: Jason Hand, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.314 Rules of Prohibited Conduct and Penalties for Infractions.

The following table shows established maximum penalties for the indicated offenses. As used in the table, “DC” means the maximum number of days of disciplinary confinement that may be imposed and “GT” means the maximum number of days of gain time that may be taken. Any portion of either penalty may be applied.

Maximum
Disciplinary
Actions

SECTION 1 – ASSAULT, BATTERY, THREATS, AND DISRESPECT

1-1 through 1-5 No change.

1-6 1-6 Lewd or lascivious exhibition by intentionally masturbating, intentionally exposing genitals in a lewd or lascivious manner, or intentionally committing any other sexual act in the presence of the victim that does not involve physical or sexual contact with the victim

60 DC + 90 GT

SECTION 2 – RIOTS, STRIKES, MUTINOUS ACTS AND DISTURBANCES

2-1 through 2-2 No change.

2-3 Creating, participating in, or inciting a minor disturbance 30 DC + 60 GT
 2-4 No change.
 SECTION 3 through SECTION 9 – No change.
 SECTION 10 – COMMUNITY RELEASE PROGRAM VIOLATIONS – WORK RELEASE, STUDY RELEASE, FURLOUGH AND VOLUNTEER SERVICE
 10-1 through 10-7 No change.
 10-8 Failure to repay advancement of monies as stipulated in the inmate’s financial plan 10 DC + 15 DC
 SECTION 11 – No change.

Specific Authority 944.09 FS. Law Implemented 20.315, 944.09, 944.14, 944.279, 944.28 FS. History–New 3-12-84, Amended 1-10-85, Formerly 33-22.12, Amended 12-30-86, 9-7-89, 11-22-90, 6-2-94, 10-01-95, 3-24-97, 7-9-98, 8-13-98, Formerly 33-22.012, Amended 9-30-99, 6-7-00, 4-18-02, 10-10-04, 1-9-05, 4-17-05, 6-5-05, 10-27-05,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Franchatta Barber, Deputy Assistant Secretary of Institutions Programs
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Laura Bedard, Ph.D., Deputy Secretary of Department of Corrections
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 6, 2006
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 21, 2006

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-601.502
 RULE TITLE: Discharge Gratuity
 PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to allow for payment of a discharge gratuity to inmates not otherwise eligible when the warden or his designee determines that such payment is in the best interest of the inmate and the state, and to increase the amount of the gratuity paid to inmates reinstated or restored to supervision.
 SUMMARY: Inmates being released with a balance of \$100 or more in their account have historically been denied a discharge gratuity. The proposed rule will allow the warden or designee to provide a discharge gratuity of up to \$40 for these inmates who were previously ineligible for such. The proposed rule also increased the amount of the gratuity paid to inmates reinstated or restored to supervision from \$15 to \$20.
 SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.
 Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower regulatory cost alternative must do so in writing within 21 days of this notice.
 SPECIFIC AUTHORITY: 20.315, 944.09 FS.
 LAW IMPLEMENTED: 944.09 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: Jason Hand, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.502 Discharge Gratuity.

(1) The secretary shall authorize the payment of a discharge gratuity to inmates discharged from the custody of the Department of Corrections in such amounts as the Legislature may from time to time provide. A discharge gratuity shall be provided to any inmate released on parole, expiration of sentence, pardon or permanent court order, except those inmates released in any of the following situations:

(a) through (b) No change.

(c) Any inmate to be released to the Department of Children and Family Services or a state or county mental health facility under an order for involuntary commitment, or

(d)(2) Should a review of inmate bank trust fund records disclose that an inmate has an account balance of \$100 or more at the time of release or has previously had maintained an account balance of \$100 or more at any time and transferred funds out of his account during the 180 days prior to his release date, the inmate shall be denied a discharge gratuity, except as provided in subsection (2) below.

(2) If the warden or his designee determines that the best interests of the inmate and the state is served by the payment of a discharge gratuity to an inmate not otherwise eligible, a gratuity not to exceed \$40.00 shall be provided.

(3) In the case of an inmate who is reinstated or restored to supervision, a discharge gratuity in an amount of \$20.00 ~~\$15.00~~ will be provided.

(4) through (5) No change.

Specific Authority 20.315, 944.09 FS. Law Implemented 944.09 FS. History–New 10-8-76, Formerly 33-7.06, Amended 1-4-87, 1-1-89, 1-18-89, 12-20-91, 4-14-92, 4-28-99, Formerly 33-7.006, Amended 8-28-01, 2-10-04, 9-21-05,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
George Sapp, Assistant Secretary of Institutions
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Laura Bedard, Ph.D., Deputy
Secretary of Department of Corrections
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: March 15, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: April 14, 2006

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NO.: 40C-8.031 RULE TITLE: Minimum Surface Water Levels and
Flows and Groundwater Levels

PURPOSE AND EFFECT: The purpose and effect of this
proposed rule amendment is to establish a minimum flow
regime for Blue Spring in Volusia County.

SUMMARY: The proposed rule would establish minimum
mean flows for Blue Spring. The proposed minimum flows
increase incrementally during the time period from 2006 to
2024. As with the minimum flows and levels previously
established by the District, if adopted, this rule amendment
would require an applicant for a permit, pursuant to Chapters
40C-2, 40C-20, 40C-4, or 40C-40, F.A.C., to provide
assurance that minimum flows would not be violated by a
proposed water withdrawal or the construction or operation of
a proposed surface water management system.

SUMMARY OF STATEMENT OF ESTIMATED
REGULATORY COSTS: No statement of estimated regulatory
cost has been prepared.

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

SPECIFIC AUTHORITY: 373.044, 373.113 FS.

LAW IMPLEMENTED: 373.042, 373.0421 FS.

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

DATE AND TIME: August 8, 2006, Following the regularly
scheduled 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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

40C-8.031 Minimum Surface Water Levels and Flows and
Groundwater Levels

(1) The following minimum surface water levels and flows
and minimum groundwater levels are established:

(a) through (f) No change.

(g) Blue Spring, Volusia County

<u>Minimum Long Term Mean Flow Cfs</u>	
<u>(effective date) through March 31, 2009</u>	<u>132</u>
<u>April 1, 2009 through March 31, 2014</u>	<u>136</u>
<u>April 1, 2014 through March 31, 2019</u>	<u>140</u>
<u>April 1, 2019 through March 31, 2024</u>	<u>145</u>
<u>After March 31, 2024</u>	<u>157</u>

(2) through (4) No change.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.042,
373.0421, 373.103, 373.415 FS. History—New 9-16-92, Amended
8-17-94, 6-8-95, 1-17-96, 8-20-96, 10-20-96, 11-4-98, 6-27-00,
2-13-01, 3-19-02, 5-11-03, 11-10-03, 1-12-04, 2-1-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Sonny Hall, Technical Program Manager, Department of
Resource Management, St. Johns River Water Management
District, 4049 Reid Street, Palatka, Florida 32177-2529,
(386)329-4368, suncom 860-4368

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 9, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: November 23, 2005

If a person decides to appeal any decision with respect to any
matter considered at the above listed public hearing, such
person may need to ensure that a verbatim record of the
proceeding is made to include testimony and evidence upon
which the appeal is to be based.

Anyone requiring special accommodations to participate in this
meeting is requested to advise the District at least 5 work days
before the meeting by contacting Norma Messer at
(386)329-4459 or (386)329-4450 (TDD)

AGENCY FOR HEALTH CARE ADMINISTRATION

Division of Medicaid

RULE NO.: 59G-4.140 RULE TITLE: Hospice Services

PURPOSE AND EFFECT: The purpose of this rule is to
incorporate by reference update January 2006 to the Florida
Medicaid Hospice Services Coverage and Limitations
Handbook. The handbook update contains the January 2006
fee schedule for direct care services provided by physicians.
The effect will be to incorporate by reference update January
2006 to the Florida Medicaid Hospice Services Coverage and
Limitations Handbook.

SUMMARY: The purpose of this rule amendment is to incorporate by reference update January 2006 to the Florida Medicaid Hospice Services Coverage and Limitations Handbook.

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

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

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 400 Part II, 409.902, 409.905, 409.908 FS.

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

DATE AND TIME: Monday, June 12, 2006, 2:00 p.m.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Claudia Treadwell, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, (850)410-1677

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.140 Hospice Services.

(1) No change.

(2) All hospice services providers enrolled in the Medicaid program must comply with the Florida Medicaid Hospice Services Coverage and Limitations Handbook, October 2003, updated January 2005 and January 2006, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, UB-92, incorporated by reference in Rule 59G-4.160, F.A.C. Both handbooks are available from the Medicaid fiscal agent's website at <http://floridamedicaid.acs-inc.com>. Click on Provider Support, and then on Handbooks. Paper copies of the handbooks may be obtained by calling Provider Inquiry at (800)377-8216.

(3) No change.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.908 FS. History--New 1-1-87, Amended 10-9-90, 5-13-92, 10-8-92, Formerly 10C-7.0533, Amended 2-14-95, 12-27-95, 9-21-99, 8-4-04, 10-2-05, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Claudia Treadwell

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Alan Levine, Secretary

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

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

DEPARTMENT OF MANAGEMENT SERVICES

Agency for Workforce Innovation

RULE NO.: 60BB-2.031
RULE TITLE: Succession and Transfer of Unemployment Experience

PURPOSE AND EFFECT: This rule implements Section 443.131(3)(g), Florida Statutes and describes the process by which the Agency for Workforce Innovation and its tax collection service provider, the Department of Revenue, determine how the unemployment experience and contribution rate of a business will be affected by the transfer of workforce from or acquisition of another business.

SUMMARY: This rule sets forth uniform general requirements for transfer of employment history, implements the provisions of Section 443.131(3)(g), Florida Statutes, provides criteria for determining whether a reduced unemployment compensation contribution liability was a primary purpose of a business transfer, provides penalties for violating the law regarding such transfers, and reorganizes the rule into three subsections dealing with general requirements for all successions, requirements for voluntary transfer of tax rate, and conditions for mandatory transfer of tax rate where common ownership, management and control exist between predecessor and successor.

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

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

SPECIFIC AUTHORITY: 443.131(1)(b) FS.

LAW IMPLEMENTED: 443.131(3)(g) FS.

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

DATE AND TIME: June 13, 2006, 9:00 a.m. – 11:00 a.m.

PLACE: Agency for Workforce Innovation, Caldwell Building, 107 E. Madison Street, Room B-49, Tallahassee, Florida 32399

Any person requiring special accommodations to participate in this hearing is asked to advise the agency at least forty-eight (48) hours before the meeting by contacting: Ms. Veronica Moss, (850)245-7150.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John R. Perry, Senior Attorney, 107 East Madison Street, MSC 110, Tallahassee, Florida 32399-4128, (850) 245-7150

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 60BB-2.031 follows. See Florida Administrative Code for present text)

60BB-2.031 Succession and Transfer of Unemployment Experience.

(1) Commencement Date and Records Regarding All Successions.

(a) A succession commences when all or part of a trade or business is transferred from one employer to another. If a transfer of workforce is involved, the succession commences when any of the transferred workers begin working for the successor employer.

(b) Each employing unit must keep complete, true and accurate records of any transfer or acquisition of a trade or business or portion thereof and make those records available to the Department upon request.

(2) Voluntary Transfer of Tax Rate.

(a) Requirements for Voluntary Transfer of Employment Records.

1. Timely Written Notification to the Department. A successor employer must notify the Department in writing of a total or partial succession within 90 days after the date the succession commenced or any application for transfer of employment records will be denied. Notification may be made on Form DR-1, *Application to Collect and/or Report Tax in Florida*, or UCS-1S, *Report to Determine Succession and Application for Transfer of Experience Rating Records*, both of which are incorporated by reference in Rule 60BB-2.037, F.A.C. If the initial written notification is not on Form UCS-1S or Form UCS-1S is incomplete, a completed Form UCS-1S must be filed within 30 days after the Department mails written notification of the requirement to the employer, or the application for transfer of employment records will be denied.

2. Time Limit for Application to transfer employment records. Pursuant to Section 443.131(3)(h)1., F.S., the Department will notify each successor who was not an employer prior to the succession of its liability and the right to apply for transfer of the predecessor's employment records. The Department will issue written notification to each successor who was already an employer of the right to apply for transfer of the predecessor's employment records. The successor must file a written application for transfer of the predecessor's employment records within 30 days from the mailing date of the Department's written notification or the application will be denied.

3. Notification of Tax Rate Change Resulting from Transfer of Employment Records. Upon being notified in writing that a succession occurred, the Department will notify each affected employer of any tax rate change that would result from transfer of the predecessor's employment records,

pursuant to Sections 443.131(3) and 443.1316, F.S., as well as the tax rate that would be assigned if employment records were not transferred.

4. Withdrawal of Application. The successor and predecessor employer will each have 30 days from the mailing date of the Department's notice of proposed tax rate to withdraw in writing the application or agreement to transfer employment records. Failure to timely withdraw an application or agreement will constitute acceptance of the transfer.

(b) Partial Succession.

1. In addition to the provisions of subsection (1) and paragraph (2)(a) of this rule, a partial successor must submit information from the predecessor's records regarding all employees who worked in the unit being transferred during any part of the 14 calendar quarters immediately preceding and up to the date the succession commenced, by completing and submitting Form UCS-1SA "List of Employees Employed in the Transferred Unit" within 30 days after the Department mails written notification of the UCS-1SA requirement to the employer, or the application will be denied. Form UCS-1SA is incorporated by reference in Rule 60BB-2.037, F.A.C. If 10 or more employees were transferred, filing of the UCS-1SA must be by electronic means in accordance with the provisions of Rule 12-24, F.A.C.

2. A partial successor's application for transfer of employment records must include the written agreement of the predecessor for transfer of the employment records of each identifiable and segregable unit to be transferred, or the application will be denied.

3. The partial successor must establish that the records to be transferred are those of an identifiable and segregable unit or units and provide the date workers were first employed in each unit being transferred, even if the unit began employing workers under a previous legal entity. An identifiable, segregable unit is a distinct entity that could operate independently of the remainder of the business. If timely written notification of partial succession is filed and the Department determines additional information is needed, the partial successor will have the later of 90 days after the commencement of the partial succession or 30 days after the Department's mailed notification that additional information is needed to file the required information, or the application for transfer of employment records will be denied.

4. Upon receipt of a complete, timely Form UCS-1SA, the Department will identify the employment records to be transferred, based on wages and benefit charges associated with the transferred employees, and issue written notification of the determination to the predecessor and successor employers. The transferred employment records will be applied to the successor's records in the same calendar quarter that they are removed from the predecessor's records. The successor will be liable for charges associated with benefits paid to transferred employees for any claim based on wages

paid by the predecessor. The Department's determination will become final and binding unless the successor or predecessor files a written request for reconsideration or appeal within the time permitted on the determination issued by the Department. Once the determination becomes final, no changes to the application or request for transfer of employment records will be permitted. The Department will revoke a previously approved transfer within three (3) years of the date of the partial succession if the Department determines the predecessor or successor submitted materially inaccurate or incomplete information.

(c) Tax Rate of Successor and Predecessor Upon Voluntary Transfer of Employment Records.

1. Tax Rate of Partial Successor.

a. The tax rate of a partial successor who was already an employer will be computed by the Department using the combination of the successor's own employment records, if any, and the transferred employment records of the predecessor, effective at the beginning of the calendar quarter immediately following the effective date of the succession.

b. A partial successor who was not already an employer will become an employer as of the effective date of the succession. The tax rate from the date of succession and until the partial successor becomes eligible for an earned rate will be the initial rate provided in Section 443.131(2)(a), F.S. Thereafter, the Department will compute the tax rate pursuant to Section 443.131(3), F.S., on the basis of the successor's own employment records and the transferred records.

2. Tax Rate of the Predecessor.

a. The transferred portion of the predecessor's records will be removed from the employment records of the predecessor as of the effective date of the succession.

b. The tax rate of the predecessor will remain unchanged until the predecessor qualifies for computation of a benefit ratio. Should this occur prior to the approval of the transfer, the rate computation for the immediately following rate year will be based on the employment inclusive of the portion sought to be transferred. After approval, the Department will recompute the rate of the predecessor for the entire rate year using only that portion of the employment records remaining after the transfer is completed.

3. Tax Rate of Total Successor Who was Already an Employer. The tax rate of a total successor who was already an employer will remain unchanged for the remainder of the calendar quarter in which the total succession occurred. Thereafter, the rate will:

a. Be computed using the combination of the successor's own employment record with that of the predecessor; and

b. Be assigned from the first day of the calendar quarter immediately following the date of succession; and

c. Remain in effect until the successor next qualifies for computation of a benefit ratio.

4. Tax Rate of Total Successor Who was Not Already an Employer. Upon transfer of employment records, the tax rate of a total successor who was not already an employer will:

a. Be the tax rate of the predecessor employer from the date of succession; and

b. Remain in effect until the successor qualifies for computation of a benefit ratio.

5. Tax rate of Predecessor Upon Total Succession. When a total succession occurs, the tax rate of the predecessor will be:

a. The initial rate, if employment recommences; or

b. The earned rate, if the only wages paid are for employment that occurred prior to the total succession.

(3) Mandatory Transfer of Employment Records. Each employer must notify the Department in writing of any total or partial transfer of trade or business within 90 days after the date of transfer if there was any common ownership, management, or control of the two employers at the time of the transfer. For the purpose of implementing Section 443.131(3)(g), F.S.:

(a) The term "ownership" means any proprietary interest in a business, including, but not limited to, shares of stock in a corporation, partnership interest in a partnership or membership interest in a Limited Liability Company (LLC).

(b) "Common ownership" exists when a person has ownership in two or more businesses.

(c) A person in "management" includes any officer or director of a corporation, owner of a sole proprietorship, partner in a partnership, manager of an LLC, or person with the ability to direct the activities of an employing unit, either individually or in concert with others.

(d) "Common management" exists when a person concurrently occupies management positions in two or more businesses.

(e) A person in "control" of a business includes any officer or director of a corporation, owner of a sole proprietorship, partner in a partnership, manager of an LLC, or other person with the ability, directly or indirectly, individually or in concert with others, to influence or direct management, activities or policies of the business through ownership of stock, voting rights, contract, or other means. Control exists when an employee leasing company dictates or specifies the businesses with which a client company must contract.

(f) "Common control" exists when a person or group of persons has control of two or more businesses.

(g) The phrase "transfer or acquisition" encompasses any and all types of transfers and acquisitions including, but not limited to, assignments, changes in legal identity or form, consolidations, conveyances, mergers, name changes, purchase and sale agreements, reorganizations, stock transfers and successions.

(h) The phrase "trade or business or a portion thereof" includes but is not limited to assets, customers, management, organization and workforce.

(i) For the purpose of determining issues relating to the transfer of employment records upon transfer or acquisition of a business, the term “person” has the meaning set forth in Section 7701(a)(1) of the Internal Revenue Code.

(j) In determining whether common management, ownership, or control exists, the Department may consider common relationships between owners or persons who exert control over or occupy management positions in the businesses under consideration. For purposes of this rule, a common relationship exists when persons are related to each other by marriage, step- relationships, direct line blood relationships such as grandchild, child, parent, grandparent (lineal consanguinity) or adoption. A common relationship is also deemed to exist between affiliated groups as defined by Section 199.023(8), F.S. and between affiliated corporations as defined in Section 1504(a) of the Internal Revenue Code.

(k) A transfer of workforce includes direct transfers as well as those in which an employer transfers all or part of its trade or business to an employing unit for the purpose of reducing its unemployment tax rate and that employing unit subsequently transfers the acquired trade or business to an employer that has any common ownership, management or control with the first employer.

(l) Upon determining that conditions requiring mandatory transfer of employment records exist, the Department will issue a determination in accordance with Section 443.131(3)(i), F.S. Such determinations, including but not limited to determinations that change an employer’s tax rate, will be effective as of the beginning of the calendar quarter immediately following the date of the transfer unless the transfer occurred on the first day of a calendar quarter, in which case the rate will be recalculated as of that date.

(m) In determining, pursuant to Section 443.131(3)(g)1.b., F.S., whether a substantial purpose of a transfer was to obtain a reduced liability for contributions, the Department will consider whether retained or transferred employees were laid off and, if so, how soon after the transfer the layoff occurred. Obtaining a reduced liability for contributions will not be considered a substantial purpose of a transfer if a layoff occurs more than 6 months after the transfer and involves less than 25% of the employees transferred to the successor or retained by the predecessor.

(n) In determining, pursuant to Section 443.131(3)(g)2., F.S., whether a business was acquired solely or primarily to obtain a lower rate of contributions, the Department will consider the length of time the business enterprise of the acquired business is continued. Generally, the longer a business operation continues, the less likely it is that the Department will determine the business was acquired to obtain a lower rate of contributions, unless a substantial number of new employees are hired whose job functions are unrelated to the business activity conducted prior to the succession. In

determining whether the number is substantial, the number of new employees will be compared to the number of employees prior to the succession.

(o) If the transfer of trade or business involved a partial transfer of workforce and common ownership, management, or control, information from the predecessor’s records must be submitted regarding all employees being transferred who worked for the predecessor during any part of the 14 calendar quarters immediately preceding and up to the date the succession commenced, by completing and submitting Form UCS-ISA “List of Employees Employed in the Transferred Unit” within 30 days after the Department mails written notification of the UCS-ISA requirement to the employer. If 10 or more employees were transferred, filing of the UCS-ISA must be by electronic means in accordance with the provisions of Rule 12-24, F.A.C. If the successor employer cannot provide the information required on the UCS-ISA despite a good faith effort to obtain the information, the Department will combine the employment records of the employers to determine the tax rate. However, if an employer knowingly fails to provide the required information, the Department will impose the maximum rate in accordance with Section 443.131(3)(g)3.a., F.S. Additionally, if the Department determines an employer knowingly violated Section 443.131(3)(g), F.S., the Department will not give effect to the taxable wages paid by the predecessor in determining whether the taxable wage base of the first \$7,000 is met and will restart the taxable wage base for the individuals at zero.

(p) If the person in violation of Section 443.131(3)(g)1. or 2., F.S., is not an employer, the civil penalty imposed by Section 443.131(3)(g)3.b., F.S., will equal twice the amount of tax that was evaded or attempted to be evaded but not more than \$5,000.

(q) The fact that the employer had a legitimate business purpose for a transfer does not preclude a finding that a substantial reason for the transfer was to obtain a reduced liability for contributions.

(r) If a person who knowingly advises another person to violate the law is an employee, the employer of that employee will be subject to the rate increase penalty provided in Section 443.131(3)(g)3.a., F.S. If the person is a partner, member of an LLC or an officer or director of a corporation, then the partnership, LLC or the corporation will be subject to the rate increase.

Specific Authority 443.1317 FS. Law Implemented 443.036(18), (20), 443.1215, 443.131(3) FS. History—New 8-25-92, Amended 12-7-97, Formerly 38B-2.031, Amended 1-19-03.

NAME OF PERSON ORIGINATING PROPOSED RULE:
John R. Perry, Senior Attorney, 107 East Madison Street, MSC
110, Tallahassee, Florida 32399-4128, (850)245-7150

NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Mindy K. Raymaker, Deputy
General Counsel, 107 East Madison Street, MSC 110,
Tallahassee, Florida 32399-4128, (850)245-7150

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: May 5, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: April 14, 2006

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Land Sales, Condominiums, and Mobile Homes

RULE NO.: 61B-23.0029
RULE TITLE: Electronic Transmission of Notices
PURPOSE AND EFFECT: The 2003 Legislature enacted
changes to the Condominium Act (Chapter 718, Florida
Statutes) that permits the use of electronic transmission for
purposes of noticing elections and certain meetings with the
prior consent of unit owners. The new rule defines "electronic
transmission," provides for the association's adoption of
bylaws for the electronic notice of meetings and for providing
notice when it decides to stop noticing meetings by electronic
transmission, describes the method by which unit owners may
consent and revoke consent, delivery of notices and
attachments, receipt of an electronic transmission, and
provides that electronic addresses and other information is part
of the association's official records unless the owner has
revoked consent to the use of electronic transmissions.

SUMMARY: This proposed rule addresses the noticing of
condominium elections and meetings through the use of
electronic transmission.

SUMMARY OF STATEMENT OF ESTIMATED
REGULATORY COSTS: No Statement of Estimated
Regulatory Costs has been prepared.

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

SPECIFIC AUTHORITY: 718.501(1)(f), 718.112(2)(d)3. FS.
LAW IMPLEMENTED: 718.111(12)(a)7., 718.112(2)(c),
718.112(2)(d)2., 718.112(2)(d)3., 718.112(2)(d)5.,
718.112(2)(e) 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 12, 2006, 9:00 a.m.

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

Those persons who cannot attend in person may submit their
comments in writing to: Sharon A. Malloy, Senior
Management Analyst II, Division of Florida Land Sales,
Condominiums and Mobile Homes, 1940 North Monroe
Street, Tallahassee, Florida 32399-1030, within 21 days of this
notice. Written comments received after the hearing may not
be considered.

Pursuant to the provisions of the Americans with Disabilities
Act, any person requiring special accommodations to
participate in this workshop/hearing/meeting is asked to advise
the agency at least 48 hours before the
workshop/hearing/meeting by contacting Sharon A. Malloy,
Senior Management Analyst II, (850)488-1631. If you are
hearing or speech impaired, please contact the agency by
calling 1(800)955-8771.

THE PERSON TO BE CONTACTED REGARDING THE
PROPOSED RULE IS: Sharon A. Malloy, Senior Management
Analyst II, Division of Florida Land Sales, Condominiums and
Mobile Homes, 1940 North Monroe Street, Tallahassee,
Florida 32311-1030, (850)488-1631

THE FULL TEXT OF THE PROPOSED RULE IS:

61B-23.0029 Electronic Transmission of Notices.

(1) Definitions. "Electronic transmission" means any form of communication, not directly involving the physical transmission or transfer of paper, that creates a record that may be retained, retrieved, and reviewed by the recipient and that may be directly reproduced in a comprehensible and legible paper form by the recipient through an automated process such as a printer or a copy machine. Examples of electronic transmission include, but are not limited to, telegrams, facsimile transmission of images, and text that is sent via electronic mail between computers. Electronic transmission does not include oral communication by telephone.

(2) Association Notices.

(a) Associations may opt to deliver meeting notices by electronic transmission by following these rules or by adopting bylaws that are consistent with these requirements.

(b) Associations that decide to stop delivery of notices by electronic transmission shall notify all owners by electronic transmission of the date on which electronic transmission of notices will cease. Associations must mail the notice to those owners whose consent has been revoked or was never given.

(3)(a) Consent and Revocation of Consent. In order to be effective, any consent given by a unit owner to receive notices via electronic transmission, and any revocation of consent, must be in writing and must be signed by the owner of record or by a person holding a power of attorney executed by the owner of record. Consent or revocation of consent may be delivered to the association via electronic transmission, by hand-delivery, by United States mail, by certified United States mail, or by other commercial delivery service. The unit owner bears the risk of ensuring delivery.

(b) Delivery of Consent or Revocation of Consent. Any consent given by a unit owner to receive notices via electronic transmission must be actually received by a current officer, board member, or manager of the association, or by the association's registered agent. Unless otherwise agreed to by an association in advance of delivery of any consent or revocation of consent, delivery to an attorney who has represented the association in other legal matters will not be effective unless that attorney is also a board member, officer, or registered agent of the association.

(c) Automatic Revocation of Consent. Consent shall be automatically revoked if the association is unsuccessful in providing notice via electronic transmission for two consecutive transmissions to an owner, if and when the association becomes aware of such electronic failures.

(4) Attachments and Other Information. In order to be effective notice, notice of a meeting delivered via electronic transmission must contain all attachments and information required by law. For example, but not by way of limitation, the second notice of election provided by Section 718.112(2)(d)3., Florida Statutes, must contain a second notice of the election along with the ballot and any valid candidate information sheets that are timely received. As a further example, electronic transmission of the budget meeting shall only be effective if a copy of the proposed annual budget accompanies the notice of budget meeting.

(5) Effect of Sending Electronic Meeting Notice. Notice of a meeting is effective when sent by the association, regardless of when the notice is actually received by the owner, if directed to the correct address, location or number, or if posted on a web site or internet location to which the owner has consented. The owner, by consenting to notice via electronic transmission, accepts the risk of not receiving electronic notice, except as provided in paragraph (2)(c) of this rule, so long as the association correctly directed the transmission to the address, number, or location provided by the owner. An affidavit of the secretary or other authorized agent of the association filed among the official records of the association that the notice has been duly provided via electronic transmission is verification that valid electronic transmission of the notice has occurred. An association may elect to provide, but is not required to provide, notice of meetings via non-electronic transmission even if notice has been sent to the same owner or owners via electronic transmission.

(6) Official Records. The association shall maintain among its official records, which shall be accessible to the owners or their duly authorized representatives, all consent forms including electronic numbers, addresses and locations, all affidavits, all fax receipts of notice and related communications, copies of all electronic notices and attachments sent by the association, and any other record created or received by the association related to the electronic transmission of meeting notices, except as provided in Section

718.111(12)(a)7., F.S. Electronic records may be maintained in electronic or paper format, but must be available for inspection and copying upon unit owner request.

Specific Authority 718.501(1)(f), 718.112(2)(d)3. FS. Law Implemented 718.111(12)(a)7., 718.112(2)(c), 718.112(2)(d)2., 718.112(2)(d)3., 718.112(2)(d)5., 718.112(2)(e) FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Michael Cochran, Director of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1030

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Simone Marstiller, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 4, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 31, 2006

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.:	RULE TITLE:
64B9-15.009	Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances

PURPOSE AND EFFECT: The purpose and effect is to adjust the range of disciplinary guidelines for some violations.

SUMMARY: The range of disciplinary guidelines for some violations is adjusted.

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

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

SPECIFIC AUTHORITY: 464.204 FS.

LAW IMPLEMENTED: 456.079, 464.204 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Acting Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B9-15.009 Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances.

(1) through (2) No change.

(3) The following disciplinary guidelines shall be followed by the Board in imposing disciplinary penalties upon registrants for violation of the noted statutes and rules:

(a) No change.

(b) Being found guilty, regardless of adjudication, of a violation of Chapter 812, F.S., relating to theft, robbery, and related crimes. (Section 464.018(1)(d)2., F.S.)

FIRST OFFENSE	MINIMUM No change	MAXIMUM denial of certification or \$100 fine and suspension to be followed by a term of probation <u>or revocation</u>
SECOND OFFENSE	No change	No change

(c) Being found guilty, regardless of adjudication, of a violation of Chapter 817, F.S., relating to fraudulent practices. (Section 464.018(1)(d)3., F.S.)

FIRST OFFENSE	MINIMUM No change	MAXIMUM denial of certification or \$100 fine and suspension to be followed by a term of probation <u>or revocation</u>
SECOND OFFENSE	No change	No change

(d) Being found guilty, regardless of adjudication, of a violation of Chapter 800, F.S., relating to lewdness and indecent exposure. (Section 464.018(1)(d)4., F.S.)

FIRST OFFENSE	MINIMUM No change	MAXIMUM denial of certification or \$100 fine, IPN evaluation, and suspension to be followed by a term of probation <u>or revocation</u>
SECOND OFFENSE	No change	No change

(e) Being found guilty, regardless of adjudication, of a violation of Chapter 784, F.S., relating to assault, battery, and culpable negligence. (Section 464.018(1)(d)5., F.S.)

FIRST OFFENSE	MINIMUM No change	MAXIMUM denial of certification or \$100 fine and suspension to be followed by a term of probation <u>or revocation</u>
SECOND OFFENSE	No change	No change

(f) Being found guilty, regardless of adjudication, of a violation of Chapter 827, F.S., relating to child abuse. (Section 464.018(1)(d)6., F.S.)

FIRST OFFENSE	MINIMUM No change	MAXIMUM denial of certification or \$100 fine and suspension to be followed by a term of probation <u>or revocation</u>
SECOND OFFENSE	No change	No change

(g) Being found guilty, regardless of adjudication, of a violation of Chapter 415, F.S., relating to protection from abuse, neglect, and exploitation. (Section 464.018(1)(d)7., F.S.)

FIRST OFFENSE	MINIMUM No change	MAXIMUM denial of certification or \$100 fine and suspension to be followed by a term of probation <u>or revocation</u>
SECOND OFFENSE	No change	No change

(h) Being found guilty, regardless of adjudication, of a violation of Chapter 39, F.S., relating to child abuse, abandonment, and neglect. (Section 464.018(1)(d)8., F.S.)

FIRST OFFENSE	MINIMUM No change	MAXIMUM denial of certification or \$100 fine and suspension to be followed by a term of probation <u>or revocation</u>
SECOND OFFENSE	No change	No change

(i) Having been found guilty of, regardless of adjudication, or entered a plea of nolo contendere or guilty to, any offense prohibited under Section 435.03, F.S., or under any similar statute of another jurisdiction; or having committed an act which constitutes domestic violence as defined in Section 741.28, F.S.

(Section 464.018(1)(e), F.S.)

FIRST OFFENSE	MINIMUM No change	MAXIMUM denial of certification or \$100 fine and suspension to be followed by a term of probation <u>or revocation</u>
SECOND OFFENSE	No change	No change

(j) No change.

(k) Engaging or attempting to engage in the possession, sale, or distribution of controlled substances as set forth in Chapter 893, F.S., for any other than legitimate purposes authorized by this part. (Section 464.018(1)(i), F.S.)

FIRST OFFENSE	MINIMUM No change	MAXIMUM denial of certification or \$50 fine, IPN evaluation and suspension to be followed by a term of probation <u>or revocation</u>
SECOND OFFENSE	No change	No change
THIRD OFFENSE	No change	No change

(l) through (n) No change.

(o) Being convicted or found guilty of, or entering a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction which directly relates to the practice of a certified nursing assistant or to the ability to practice as a certified nursing assistant. (Section 456.072(1)(c), F.S.)

FIRST OFFENSE	MINIMUM No change	MAXIMUM denial of certification or \$100 fine and suspension to be followed by a term of probation <u>or revocation</u>
SECOND OFFENSE	No change	No change

(p) Having a license or the authority to practice any regulated profession revoked, suspended, or otherwise acted against, including the denial of licensure or certification, by the licensing authority of any jurisdiction, including its agencies or subdivisions, for a violation that would constitute a violation under Florida law. (Section 456.072(1)(f), F.S.)

FIRST OFFENSE	MINIMUM No change	MAXIMUM denial of certification or \$100 fine and suspension to be followed by a term of probation <u>or revocation</u>
SECOND OFFENSE	No change	No change
THIRD OFFENSE	No change	No change

(q) No change.

(r) Procuring, ~~or~~ attempting to procure, or renewing certification to practice as a CNA by bribery, by knowing misrepresentations, or through an error of the department or the board. (Section 456.072(1)(h), F.S.)

FIRST OFFENSE	MINIMUM No change	MAXIMUM No change
SECOND OFFENSE	No change	No change

(s) through (u) No change.

(v) Making deceptive, untrue, or fraudulent representations in or related to the practice of a profession or employing a trick or scheme in or related to the practice of a profession. (Section 456.072(1)(m), F.S.)

FIRST OFFENSE	MINIMUM No change	MAXIMUM denial of certification or \$100 fine and suspension to be followed by a term of probation <u>or revocation</u>
SECOND OFFENSE	No change	No change

(w) through (z) No change.

(aa) Engaging or attempting to engage in sexual misconduct as defined and prohibited in Section 456.063(1), F.S. (Section 456.072(1)(u), F.S.)

FIRST OFFENSE	MINIMUM No change	MAXIMUM denial of certification or \$125 fine, IPN evaluation and suspension to be followed by a term of probation <u>or revocation</u>
SECOND OFFENSE	No change	No change

(bb) through (gg) No change.

(hh) Being terminated from or failing to successfully complete an impaired practitioner treatment program (Section 456.072(1)(gg) F.S.):

Minimum: \$150 fine and suspension until successful completion or receipt of written confirmation from program that further treatment is neither required nor indicated.

Maximum: Permanent revocation or denial of licensure.

(4) through (6) No change.

(7) Unless stated otherwise in the Final Order, fines are payable within sixty days of the filing of the order.

(8) Individuals may file a petition for indigent status with the board office. The petition must include, at a minimum, the following financial information:

(a) Net income, consisting of total salary and wages, minus deductions required by law, including court-ordered support payments.

(b) Other income, including, but not limited to, social security benefits, union funds, veterans' benefits, workers' compensation, other regular support from absent family members, public or private employee pensions, unemployment compensation, dividends, interest, rent, trusts, and gifts.

(c) Assets, including, but not limited to, cash, savings accounts, bank accounts, stocks, bonds, certificates of deposit, equity in real estate, and equity in a boat or a motor vehicle or in other tangible property.

(d) All liabilities and debts.

(9) Upon review and approval by the Executive Director, the Department may issue an order for monthly payment plan within the following parameters:

(a) For fines and costs up to \$2,000, payments may be distributed over a period not to exceed 36 months.

(b) For fines and costs up to \$5,000, payments may be distributed over a period not to exceed 60 months.

(c) For fines and costs over \$5,000, payments may be distributed over a period not to exceed 180 months at a minimum payment of \$100 per month.

Specific Authority 464.204 FS. Law Implemented 456.079, 464.204 FS. History--New 10-28-02, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Nursing

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 9, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 7, 2006

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE NO.: 64B10-12.005
RULE TITLE: Active Renewal Fee

PURPOSE AND EFFECT: The proposed rule amendment is intended to increase the active renewal fee.

SUMMARY: The proposed rule amendment raises the active renewal fee from \$250.00 to \$325.00.

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

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

SPECIFIC AUTHORITY: 468.1685(1) FS.

LAW IMPLEMENTED: 468.1715 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Nursing Home Administrators/MQA, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B10-12.005 Active Renewal Fee.

The fee for active renewal of a nursing home administrator license is \$325 ~~\$250~~.

Specific Authority 468.1685(1) FS. Law Implemented 468.1715 FS. History--New 12-26-79, Amended 7-3-84, Formerly 21Z-12.05, Amended 1-22-90, Formerly 21Z-12.005, 61G12-12.005, 59T-12.005, Amended 2-26-02, 8-17-05, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Nursing Home Administrators

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Nursing Home Administrators

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 10, 2006.

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 21, 2006

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE NO.: 64B10-14.004
RULE TITLE: Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances

PURPOSE AND EFFECT: The Board proposes to amend Rule 64B10-14.004, F.A.C., to incorporate the changes to Section 456.072(1)(gg), Florida Statutes. A new ground for disciplinary action is being terminated from a treatment program for impaired practitioners, for failure to comply, without good cause, with the terms of the monitoring of treatment program, or for not successfully completing a drug or alcohol treatment program.

SUMMARY: The purpose of the Rule amendment is to incorporate the change to Section 456.072(1)(gg), F.S.

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

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

SPECIFIC AUTHORITY: 456.072(1)(gg), 456.073(3), 468.1685(1) FS.

LAW IMPLEMENTED: 456.072(1)(gg), 456.073(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Executive Director, Board of Nursing Home Administrators/MQA, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B10-14.004 Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances.

(1) No change.

(2) The following disciplinary guidelines shall be followed by the Board in imposing disciplinary penalties upon licensees for violation of the below mentioned statutes and rules:

Minimum Maximum

(a) through (oo) No change.
~~(pp) Being terminated from a treatment program for impaired practitioners, which is overseen by an impaired practitioner consultant as described in Section 456.076, F.S., for failure to comply, without good cause, with the terms of the monitoring or treatment contract entered into by the licensee, or for not successfully completing any drug-treatment or alcohol-treatment program.~~

First Offense:

Reprimand

Probation and \$500 fine

Second Offense:

Probation and \$1,000 fine

Revocation and \$1,000 fine.

(3) through (4) No change.

Specific Authority 456.079, 468.1685(1) FS. Law Implemented 456.072, 456.079, 468.1685(4), (5), (6), 468.1755(1)(a), (j), (q) FS. History—New 11-23-86, Amended 4-22-87, Formerly 21Z-14.004, 61G12-14.004, 59T-14.004, Amended 10-12-97, 10-16-00, 2-13-01, 2-10-03, 5-1-03,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Board of Nursing Home Administrators

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Nursing Home Administrators

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 8, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 25, 2005

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Services

RULE NOS.:	RULE TITLES:
65A-1.710	SSI-Related Medicaid Coverage Groups
65A-1.711	SSI-Related Medicaid Non-Financial Eligibility Criteria
65A-1.712	SSI-Related Medicaid Resource Eligibility Criteria
65A-1.713	SSI-Related Medicaid Income Eligibility Criteria

PURPOSE AND EFFECT: The proposed rule amendments reflect changes in legislation for the elimination of the Silver Saver Program. The program ended December 31, 2005, as the new federal Medicare Part D prescription drug program became effective January 1, 2006.

SUMMARY: The rule amendments remove the Silver Saver Program language from the mandatory and optional Medicaid coverage groups and eligibility criteria.

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

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

SPECIFIC AUTHORITY: 409.919 FS.

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

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

DATE AND TIME: June 12, 2006, 1:30 p.m.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Nathan Lewis, Acting Chief, Program Policy, Economic Self-Sufficiency, 1317 Winewood Boulevard, Building 3, Room 448, Tallahassee, Florida 32399-0700, telephone (850)414-5927

THE FULL TEXT OF THE PROPOSED RULES IS:

65A-1.710 SSI-Related Medicaid Coverage Groups.

The department covers all mandatory coverage groups and the following optional coverage groups:

(1) through (5) No change.

~~(6) Ron Silver Senior Drug Program. A coverage group as defined in subsection 59G-12.002(4), F.A.C. AHCA sets an enrollment ceiling for this program as specified in Rule 59G-12.003, F.A.C. Four forms specific to the program are used in the eligibility determination process for this program. The application form is CF ES Form 2935, Silver Saver (Application), Sept. 2002, and the eligibility notices are CF ES Form 2936, Silver Saver Drug Program Notice of Case Action, Sept. 2002, CF ES Form 2936A, Ron Silver Senior Drug Program "Silver Saver" Notice of Case Action, October 2002, and CF ES 2937 "Silver Saver" Redetermination Notice, Feb 2004 (all four forms are incorporated by reference).~~

~~(6)(7)~~ No change.

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

Specific Authority 409.919 FS. Law Implemented 409.902, 409.903, 409.904, 409.906, 409.919 FS. History--New 10-8-97, Amended 1-27-99, 4-1-03, 6-13-04,_____.

65A-1.711 SSI-Related Medicaid Non-Financial Eligibility Criteria.

To qualify for Medicaid an individual must meet the general and categorical requirements in 42 C.F.R. Part 435, subparts E and F, with the exception that individuals who are neither aged nor disabled may qualify for breast and cervical cancer treatment, and the following program specific requirements as appropriate:

(1) through (7) No change.

~~(8) For the Ron Silver Senior Drug Program the individual must meet the requirements of subsection 59G-12.003(1), F.A.C. A face-to-face interview is not required for this program.~~

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

Specific Authority 409.919 FS. Law Implemented 409.902, 409.903, 409.904, 409.906, 409.919 FS. History--New 10-8-97, Amended 4-1-03,_____.

65A-1.712 SSI-Related Medicaid Resource Eligibility Criteria.

(1) Resource Limits. If an individual's total resources are equal to or below the prescribed resource limits at any time during the month the individual is eligible on the factor of resources for that month. The resource limit is the SSI limit specified in Rule 65A-1.716, F.A.C., with the following exceptions:

(a) through (e) No change.

~~(f) For the Ron Silver Senior Drug Program, there is no resource limit.~~

~~(f)(g)~~ No change.

Specific Authority 409.919 FS. Law Implemented 409.902, 409.903, 409.904, 409.906, 409.919 FS. History--New 10-8-97, Amended 1-27-99, 4-1-03, 9-28-04,_____.

65A-1.713 SSI-Related Medicaid Income Eligibility Criteria.

(1) Income limits. An individual's income must be within limits established by federal or state law and the Medicaid State Plan. The income limits are as follows:

(a) through (j) No change.

~~(k) For the Ron Silver Senior Drug Program, the individual must meet the eligibility criteria specified in subsection 59G-12.003(1), F.A.C.~~

~~(k)(4)~~ No change.

Specific Authority 409.919 FS. Law Implemented 409.902, 409.903, 409.904, 409.906, 409.919 FS. History--New 10-8-97, Amended 1-27-99, 4-1-03, 6-13-04,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Nathan Lewis, Acting Chief

NAME OF SUPERVISOR OR PERSON WHO APPROVED PROPOSED RULE:

Jennifer Lange, Acting Director, Economic Self-Sufficiency

DATE PROPOSED RULE APPROVED BY AGENCY HEAD:

March 8, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:

April 7, 2005

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Services

RULE NOS.:

65A-1.712

RULE TITLES:

SSI-Related Medicaid Resource Criteria

65A-1.716

Income and Resource Criteria

PURPOSE AND EFFECT: The purpose of this proposed rule is to update the average monthly private pay nursing facility rate.

SUMMARY: The proposed rule provides language to update the average monthly private pay nursing facility rate from \$3,300 to \$5,000. This rate is used to calculate periods of ineligibility for Medicaid due to transferred resources or income. The total cumulative uncompensated value of all transferred resources or income, computed in accordance with paragraph 65A-1.712(3)(f), F.A.C., is divided by the average monthly private pay nursing facility rate.

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

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

SPECIFIC AUTHORITY: 409.919 FS.

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

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

DATE AND TIME: June 12, 2006, 2:30 p.m.

PLACE: 1317 Winewood Boulevard, Building 3, Room 439, Tallahassee, FL 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Nathan Lewis, Acting Chief, Program Policy, Economic Self-Sufficiency, telephone (850)414-5927

THE FULL TEXT OF THE PROPOSED RULE IS:

65A-1.712 SSI-Related Medicaid Resource Criteria.

(1) through (3)(f) No change.

(g)1. Monthly periods of ineligibility due to transferred resources or income are determined by dividing the total cumulative uncompensated value of all transferred resources or income computed in accordance with paragraph 65A-1.712(3)(f), F.A.C., by the average monthly private ~~pay~~ ~~cost~~ ~~of~~ ~~nursing~~ ~~facility~~ ~~rate~~ ~~care~~ at the time of application as determined by the department.

2. through (4) No change.

Specific Authority 409.919 FS. Law Implemented: 409.902, 409.903, 409.904, 409.906, 409.919 FS. History--New 10-8-97, Amended 1-27-99, 4-1-03, 9-28-04, _____.

65A-1.716 Income and Resource Criteria.

(1) through (5)(c) No change.

(d) Average monthly private pay nursing facility rate: ~~\$5,000~~ ~~3,300~~.

(e) No change.

Specific Authority 409.919 FS. Law Implemented 409.902, 409.903, 409.904, 409.906, 409.919 FS. History--New 10-8-97, Amended 12-9-99, 2-15-01, 11-25-01, 7-28-02, 4-1-03, 9-10-03, 8-30-04, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Nathan Lewis

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 21, 2006

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

FINANCIAL SERVICES COMMISSION

Office of Financial Regulation

RULE NO.: 69V-560.303
 RULE TITLE: Renewal Application Forms, Procedures and Requirements

PURPOSE AND EFFECT: The purpose of the proposed amendment to Rule 69V-560.303, F.A.C., is to repeal subsection (3) of the rule, which requires part II registrants under Chapter 560, Florida Statutes, to file unaudited financial

statements in conjunction with applications to renew part II registrations. Part II of Chapter 560, F.S., relates to Payment Instruments and Funds Transmission under the Money Transmitters' Code. The requirement regarding unaudited financial statements, however, is in addition to a compliance requirement that requires these same registrants to file, annually, audited financial statements with the Office within 90-days of the registrants fiscal year end. Given the significant overlap in the regulatory purpose behind each requirement, the Office proposes to repeal the requirement regarding filing unaudited financial statements during the application renewal process. The repeal will relieve registrants of an unnecessary regulation and the fiscal impact of having to comply with both regulations. Technical corrections are also made.

SUMMARY: This rule is being amended to eliminate the requirement that registrants file un-audited financial statements in conjunction with applications to renew registrations under Part II of the Money Transmitters' Code, Chapter 560, Florida Statutes, which relates to Payment Instruments and Funds Transmission.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of estimated regulatory cost has been prepared.

Any person who wishes to provide information regarding the 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: 560.105 FS.

LAW IMPLEMENTED: 560.114(1), 560.205(2), (3), 560.207, 560.305, 560.308 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Gregory C. Oaks, Financial Administrator, 200 East Gaines Street, 6th Floor, The Fletcher Building, Tallahassee, Florida 32399-0375, (850)410-9805

THE FULL TEXT OF THE PROPOSED RULE IS:

69V-560.303 Renewal Application Forms, Procedures and Requirements.

(1) Applicants for renewal of registration must complete Form OFR-MT-6-01, Application to Renew Registration as a Money Transmitter, effective 10/01, which is hereby incorporated by reference. Copies of such forms can be obtained by request from the Office of Financial Regulation at the address specified in subsection ~~(4)~~~~(5)~~ below.

(2) The renewal application shall include any substantial changes that have occurred to registrant since its last application to the Office of Financial Regulation. These substantial changes include, but shall not be limited to, a change or an addition to an executive officer, director,

principal, member, controlling shareholders, or responsible person/manager. A completed Biographical Form OFR-MT-7-01, shall be submitted for each new individual, and, in the case of a non-U.S. citizen, Addendum (1) to Form OFR-MT-7-01, shall be attached to the renewal application. The fingerprint cards required by subsection 69V-560.102(5), F.A.C., and the Biographical Form (Form OFR-MT-7-01) shall be submitted only for those person(s) who have not previously submitted such documents in connection with the registrant. Other changes, such as any new businesses acquired, change in address, change in name, material litigation, criminal convictions, etc., shall be reported, as required on the renewal form.

~~(3) Part II applicants shall file unaudited financial statements with their renewal application. A registrant may file its required annual audited financial statements together with the registrant's renewal application in lieu of the unaudited statements so long as the date of the audited financial statements is not more than 90 days prior to the submission date of the renewal application.~~

~~(3)(4)~~ If, as a result of subsection (1) above, a Biographical Form is required on any individual, the individual shall review and attest to the accuracy of the form.

~~(4)(5)(a)~~ An original of all parts of the application shall be filed, together with the appropriate filing fee as specified in Rule ~~69V-560.304~~ ~~69V-560.303~~, F.A.C., at the following address: Division of Securities and Finance, Office of Financial Regulation ~~of Banking and Finance~~, 200 401 East Gaines Street, Tallahassee, Florida ~~32399-0376~~ ~~32399-0350~~.

(b) In lieu of filing the required forms, a registrant may renew its registration, locations, authorized vendors, and "Declaration of Intent to Engage in Deferred Presentment Transactions" electronically at the time of renewal by following the applicable instructions on the Office of Financial Regulation's website (www.flofr.com/licensing) (~~www.dbf.state.fl.us~~) on the Internet.

~~(5)(6)~~ Processing. Applications to renew registration as a money transmitter shall be processed, where applicable, pursuant to the provisions of Rules 69V-560.101 through 69V-560.108, F.A.C.

Specific Authority 560.105(3) FS. Law Implemented 560.114(1), 560.205(2), (3), 560.207, 560.305, 560.308 FS. History—New 9-24-97, Amended 11-4-01, Formerly 3C-560.303, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Gregory C. Oaks, Financial Administrator, 200 East Gaines Street, 6th Floor, The Fletcher Building, Tallahassee, Florida 32399-0375, (850)410-9805

NAME OF SUPERVISOR OR PERSON WHO APPROVED PROPOSED RULE: Financial Services Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 2, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 14, 2006

Section III Notices of Changes, Corrections and Withdrawals

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-602.210
RULE TITLE: Use of Force
NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing on the above referenced proposed rule, as noticed in the Florida Administrative Weekly, Vol. 32, No. 20, May 19, 2006, will be held at 10:00 a.m. on Thursday, June 8, 2006, at the Department of Corrections Central Office located at 2601 Blair Stone Road, Tallahassee, Florida, 32399-2500.

DEPARTMENT OF ELDER AFFAIRS

Division of Volunteer and Community Services

RULE CHAPTER NO.: 58B-1
RULE NOS.: 58B-1.001, 58B-1.003, 58B-1.005, 58B-1.007, 58B-1.009
RULE CHAPTER TITLE: Aging Resource Centers
RULE TITLES: Definitions, Oversight Standards for the Aging Resource Center, Governing Body, Operating Procedures, Monitoring and Sanctioning Service Providers, Outcome Measures

NOTICE OF WITHDRAWAL

Notice is hereby given that the above proposed rules, as noticed in Vol. 31, No. 27, July 8, 2005, Florida Administrative Weekly, have been withdrawn.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Land Sales, Condominiums, and Mobile Homes

RULE NO.: 61B-23.0021 RULE TITLE: Regular Elections; Vacancies Caused by Expiration of Term; Resignations; Death

NOTICE OF CORRECTION

Notice is hereby given that the Notice of Proposed Rulemaking published in Volume 32, Number 18, May 5, 2006, issue of the Florida Administrative Weekly contained a hearing date for 2005 instead of 2006. The notice should have read:

DATE AND TIME: May 30, 2006, 9:00 a.m.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-6.008 RULE TITLE: Permitted Medications for Horses

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule referenced above in accordance with subparagraph 120.54(3)(d)1., Florida Statutes, published in Vol. 31, No. 20, May 20, 2005, issue of the Florida Administrative Weekly. The changes are in response to written comments received from interested parties in the pari-mutuel industry, and comments made at a public rule hearing held on June 16, 2005.

61D-6.008 Permitted Medications for Horses.

(1) through (3)(b) No change.

1. The first bleeding incident – 10 ~~14~~ days suspension from racing;

(3)(b)2. through (7) No change.

Specific Authority 120.80(4)(a), 550.0251(3), 550.2415(8), (9), (13), (16) FS. Law Implemented 120.80(4)(a), 550.0251, 550.2415 FS. History—New 10-20-96, Amended 1-5-98, 6-6-00, 5-14-02, 6-6-04,

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: 61G4-15.001 RULE TITLE: Qualification for Certification

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 31, No. 51, of the Florida Administrative Weekly on December 23, 2005 has been withdrawn.

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 32399-0750

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Employee Leasing Companies

RULE NO.: 61G7-10.0014 RULE TITLE: Requirements for Evidence of Workers' Compensation Coverage

NOTICE OF WITHDRAWAL

Notice is hereby given that the above proposed rule, as noticed in Vol. 32, No. 11, March 17, 2006, Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE NO.: 64B7-28.010 RULE TITLE: Requirements for Board Approval of Continuing Education Programs

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 32, No. 13, of the March 31, 2006, issue of the Florida Administrative Weekly. The change below reflects the addition of language approved by the Board on April 27, 2006:

Subsection (9) shall now read:

(9) The following courses, that meet the criteria for approval under this section, are approved by the Board:

(a) Organized and accepted courses of study offered by providers approved by the National Certification Board for Therapeutic Massage and Bodywork; and

(b) Organized courses offered by a Board Approved Massage School.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pamela E. King, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin C06, Tallahassee, Florida 32399

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-10.002 RULE TITLE: Medical Records of Physicians Relocating or Terminating Practice; Retention, Disposition, Time Limitations

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 31, No. 20, of the Florida Administrative Weekly on May 20, 2005, has been withdrawn.

The person to be contacted regarding the rule is Larry McPherson, Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

64B16-27.210	General Terms and Conditions to Be Followed by a Pharmacist When Ordering and Dispensing Approved Medicinal Drug Products
64B16-27.211	Prescription Refills
64B16-27.220	Medicinal Drugs Which May Be Ordered by Pharmacists
64B16-27.230	Fluoride Containing Products
64B16-27.300	Standards of Practice – Continuous Quality Improvement Program
64B16-27.410	Pharmacy Technician 1:1 Ratio
64B16-27.530	Duty of Pharmacist to Inform Regarding Drug Substitution
64B16-27.615	Possession of Sample Medicinal Drugs
64B16-27.700	Definition of Compounding
64B16-27.831	Standards of Practice for the Dispensing of Controlled Substances for Treatment of Pain

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NOS.:	RULE TITLES:
64B16-26.2032	Licensure by Examination; Internship Requirements
64B16-26.402	Pharmacy Permit Application; Community Pharmacy; Special Pharmacies
64B16-26.601	Standards of Approval of Courses and Providers
64B16-26.6011	Standards of Approval of HIV/AIDS and Medication Errors Courses

NOTICE OF PUBLIC HEARING

The Board of Pharmacy hereby gives notice of a public hearing on the above-referenced rules to be held on Tuesday, June 6, 2006, 2:00 p.m. or as soon thereafter as can be heard, at the Embassy Suites, 1100 S.E. 17th Street, Ft. Lauderdale, Florida 33316. The rules were originally published in Vol. 30, No. 52, of the December 23, 2004, Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rebecca Poston, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-3254

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board’s Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NOS.:	RULE TITLES:
64B16-27.100	Display of Wall Certificate and Renewal Certificates
64B16-27.1001	Practice of Pharmacy
64B16-27.103	Oral Prescriptions and Copies
64B16-27.1003	Transmission of Prescription Orders
64B16-27.104	Conduct Governing Registered Pharmacists and Pharmacy Permittees

NOTICE OF PUBLIC HEARING
The Board of Pharmacy hereby gives notice of a public hearing on the above-referenced rules to be held on Tuesday, June 6, 2006, 2:00 p.m. or as soon thereafter as can be heard, at the Embassy Suites, 1100 S.E. 17th Street, Ft. Lauderdale, Florida 33316. The rules were originally published in Vol. 30, No. 50, of the December 10, 2004, Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rebecca Poston, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-3254.

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board’s Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.:	RULE TITLE:
64B16-27.830	Standards of Practice – Drug Therapy Management

NOTICE OF PUBLIC HEARING

The Board of Pharmacy hereby gives notice of a public hearing on the above-referenced rule to be held on Tuesday, June 6, 2006 at 2:00 p.m. or as soon thereafter as can be heard, at the Embassy Suites, 1100 S.E. 17th Street, Ft. Lauderdale, Florida 33316. The rule was originally published in Vol. 31, No. 17, of the April 29, 2005, Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rebecca Poston, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-3254.

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board's Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NOS.:	RULE TITLES:
64B16-28.120	Location of Legend Drugs
64B16-28.150	Record Maintenance Systems for Institutional Pharmacies – Nursing Homes
64B16-28.301	Destruction of Controlled Substances – Class I Institutional Pharmacies – Nursing Homes
64B16-28.303	Destruction of Controlled Substances All Permittees (Excluding Nursing Homes)

NOTICE OF PUBLIC HEARING

The Board of Pharmacy hereby gives notice of a public hearing on the above-referenced rules to be held on Tuesday, June 6, 2006 at 2:00 p.m. or as soon thereafter as can be heard, at the Embassy Suites, 1100 S.E. 17th Street, Ft. Lauderdale, Florida 33316. The rules were originally published in Vol. 31, No. 13, of the April 1, 2005, Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rebecca Poston, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-3254.

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board's Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NOS.:	RULE TITLES:
64B16-28.404	Regulation of Daily Operating Hours
64B16-28.405	Remote Medication Order Processing for Community Pharmacies

NOTICE OF PUBLIC HEARING

The Board of Pharmacy hereby gives notice of a public hearing on the above-referenced rules to be held on Tuesday, June 6, 2006 at 2:00 p.m. or as soon thereafter as can be heard, at the Embassy Suites, 1100 S.E. 17th Street, Ft. Lauderdale, Florida 33316. The rules were originally published in Vol. 31, No. 3, of the January 21, 2005, Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rebecca Poston, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-3254.

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board's Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NOS.:	RULE TITLES:
64B16-28.605	Class II Institutional Pharmacies – Automated Distribution and Packaging
64B16-28.607	Automated Pharmacy System – Long-Term Care, Hospice or Prison

NOTICE OF PUBLIC HEARING

The Board of Pharmacy hereby gives notice of a public hearing on the above-referenced rules to be held on Tuesday, June 6, 2006 at 2:00 p.m. or as soon thereafter as can be heard, at the Embassy Suites, 1100 S. E. 17th Street, Ft. Lauderdale, Florida 33316. The rules were originally published in Vol. 31, No. 4, of the January 28, 2005, Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rebecca Poston, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-3254.

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board's Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NOS.:	RULE TITLES:
65A-1.203	Administrative Definitions
65A-1.400	Forms for Client Notice and Contact

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rules published in Vol. 31, No. 20, May 20, 2005, issue of the Florida Administrative Weekly in accordance with subparagraph 120.54(3)(d)1., F.S. The specific changes were made in response to the settlement of Clark v Department of Children and Family Services on April 25, 2006, to update to the more current application forms as incorporated in Administrative Rule 65A-4.208.

Administrative Rule 65A-1.203.

Specific changes in rule text are as follows:

(1) through (2) No change.

(3) Application: A specific paper or electronic/web-based request on a designated media, CF-ES 2337, ACCESS Florida Application, May 0605, incorporated by reference in Administrative Rule 65A-4.208, or an ACCESS Florida Web Application, CF-ES Form 2353, May 06, incorporated in Administrative Rule 65A-4.208, available on the Department's Internet site at www.myflorida.com/accessflorida, which has been dated and signed by the applicant or authorized/designated representative that eligibility for public assistance be determined. The CF-ES 2353 is only accepted electronically. An application must include at least the individual's name, address and signature to initiate the application process. Household members who are ineligible, or who are not applying for benefits, may be designated as non-applicants. A copy of the form may be obtained without cost from the ESS office that serves your area or by written request to Economic Self-Sufficiency Program Office, 1317 Winewood Boulevard, Building 3, Room 450, Tallahassee, Florida 32399-0700, or by using the department's Internet site at www.myflorida.com/accessflorida.

Administrative Rule 65A-1.400.

Specific changes in rule text are as follows:

The following forms are used for Public Assistance Programs to provide applicants and recipients with required notice of the agency's and client's rights and responsibilities and other necessary program information. The forms are hereby incorporated by reference.

(1) The application for assistance is a specific paper request on CF-ES Form 2337, ACCESS Florida Application, May 06 Aug 05, incorporated by reference in Administrative Rule 65A-4.208, or an ACCESS Florida Web Application, CF-ES Form 2353, May 06, incorporated in Administrative Rule 65A-4.208, F.A.C., available on the Department's Internet site at www.myflorida.com/accessflorida, which has been dated and signed by the applicant or authorized/designated representative that eligibility for public assistance be determined. The CF-ES 2353 is only accepted electronically. An application must include at least the individual's name, address and signature to initiate the

application process. Household members who are ineligible, or who are not applying for benefits, may be designated as non-applicants.

~~(2)(+)~~ No change.

(a) through (b) No change.

(c) CF-ES Form 2337

~~2066~~, May 0605

ACCESS Florida Application or
Uniform Resource Locator
(URL) [www.myflorida.com/
accessflorida](http://www.myflorida.com/accessflorida).

(d) CF-ES Form 2353,

May 06

ACCESS Florida Web
Application.

(d) through (p) renumbered (e) through (q) No change.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety Program Office

RULE NOS.:	RULE TITLES:
65C-10.001	Definitions
65C-10.002	Reports of Child Abuse and Neglect
65C-10.003	Child Protective Investigations
65C-10.004	Medical Screening and Medical Examination of Children Alleged to be Abused or Neglected
65C-10.005	Institutional Child Protective Investigations
65C-10.006	Criminal and Abuse History Checks

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 31, No. 49, of the December 9, 2005, Florida Administrative Weekly, has been withdrawn.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Maria Leon, Building 6, 1317 Winewood Blvd., Tallahassee, FL 32399, (850)488-8762

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety Program Office

RULE NOS.:	RULE TITLES:
65C-11.001	Definitions
65C-11.002	Ongoing Assessment and Documentation Requirements
65C-11.003	Relative Placements
65C-11.004	Non-relative Placements
65C-11.005	Termination of Supervision

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 31, No. 49, of the December 9, 2005, Florida Administrative Weekly, has been withdrawn.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Linda Johns, Building 6, 1317 Winewood Blvd., Tallahassee, FL 32399, (850)414-9982

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety Program Office

RULE NOS.:	RULE TITLES:
65C-12.001	Definitions
65C-12.002	Health Screenings and Assessments
65C-12.003	Medical Treatment
65C-12.004	Ongoing Health Care
65C-12.005	Medicaid Eligibility Procedures
65C-12.006	Mental Health and Substance Abuse Services for Children
65C-12.007	Placement Procedures
65C-12.008	Case Supervision Responsibilities
65C-12.009	Voluntary Placements
65C-12.010	Central Placement Authority
65C-12.011	Shelter Audits
65C-12.012	Monitoring of Emergency Shelters

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 31, No. 49, of the December 9, 2005, Florida Administrative Weekly, has been withdrawn.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Linda Johns, Building 6, 1317 Winewood Blvd., Tallahassee, FL 32399, (850)414-9982

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety Program Office

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
65C-31	Services to Young Adults Formerly in the Custody of the Department
RULE NOS.:	RULE TITLES:
65C-31.001	Definitions
65C-31.002	Case Management for Young Adults Formerly in Foster Care
65C-31.003	Aftercare Support Services for Young Adults Formerly in Foster Care
65C-31.004	Road to Independence Scholarship
65C-31.005	Transitional Support Services for Young Adults Formerly in Foster Care
65C-31.006	Young Adult Services Documentation Requirements
65C-31.007	High School Needs Assessment
65C-31.008	Post Secondary Needs Assessment
65C-31.009	Independent Living Benefits Due Process Notification

65C-31.010	Jurisdictional and Service Requirements for Young Adults Formerly in the Custody of the Department
65C-31.011	Independent Living Program Budget Management

NOTICE OF CHANGE

In accordance with Section 120.54(3)(d)1., Florida Statutes, notice is hereby given that the following changes have been made to the proposed rule which was published in Vol. 31, No. 43, of the October 28, 2005 issue of the Florida Administrative Weekly and subsequently amended by a Notice of Change in Vol. 32, No. 2, of the January 13, 2006 issue of the Florida Administrative Weekly. The changes are based upon comments received subsequent to the October 28, 2005 publication of the proposed rule and upon the resolution of an administrative challenge to the proposed rule.

The revised proposed rule is as follows:

SERVICES TO YOUNG ADULTS FORMERLY IN THE CUSTODY OF THE DEPARTMENT

65C-31.001 Definitions.

(1) "Aftercare Support Services" means services intended to assist young adults in developing "the skills and abilities necessary for independent living". These services specifically include temporary financial assistance, mentoring and tutoring, mental health services and substance abuse counseling, life skills classes, including credit management and preventive health activities, parenting classes, job skills training, and counselor consultations. Temporary assistance to prevent homelessness should be considered emergency assistance.

(2) "Approval Authority" means the staff member(s) designated by the district/region/Community-based care with fiscal authority to approve cash payments. (Note: reviewing and approval authorities may be the same person(s).)

(3) "Case File" means all information for a case contained in the department's Statewide Automated Child Welfare Information System (SACWIS), i.e., HomeSafenet, as well as the supporting paper documentation gathered during provision of services to that family. The "case file" may also refer to a duplicate, paper copy of the electronic case file and the supporting paper documentation. The department's SACWIS is the primary record for each investigation and case.

(4) "Contracted Service Provider" means a private agency that has entered into a contract with the department or with a community-based care lead agency to provide supervision of and services to dependent children and children who are at risk of abuse, neglect, or abandonment.

(5) "Denial" means full denial or partial denial, in cases where the department or its contracted service provider does not approve the full amount of funding or services requested.

(6) “Designated staff” means those staff assigned by the district/region or its contracted service provider to work with youth age 13 up to the 23rd birthday to implement and conduct a program for independent living as mandated by Section 409.1451, FS.

(7) “Education and Training Vouchers” (ETV) means federal funds provided to young adults formerly in foster care eligible to receive independent living services and youth who were adopted from foster care at age 16 or 17. Students receiving ETV funds must be attending an institution of higher education. ETV funds provide financial assistance to young adults to promote educational and vocational training opportunities.

(8) “Fair Hearings” means the appeals process federally mandated for the title IV-E independent living program by 45 C.F.R. 1356.10 and 45 C.F.R. 1355.30. The required details of this appeals process are provided in 45 C.F.R. 205.10. The Department of Children and Families has already incorporated this appeals process, in Chapter 65-2, F.A.C., for other federal public assistance programs. However, certain provisions for Independent Living Fair Hearings which differ from those for other programs will be listed in the [next] draft of Rule 65C-28.0200, F.A.C.

(9) “Interim Child Welfare Services Information System (ICWSIS)”, means the department’s automated system containing invoice data pertaining to services provided to children under the department’s supervision. The ICWSIS is the state’s primary audit record for client specific expenditures until such time that the system’s functionality is subsumed by SACWIS.

(10) “Independent Living benefit” means any type of financial aid or service provided to eligible young adults pursuant to Florida Statute Section 409.1451(5), F.S. These benefits are categorized as either aftercare support services, transitional services, or the Road to Independence Scholarship.

(11) “Initial Application” means the “Road to Independence Scholarship and/or ETV Funds Application” CF-FSP 5295, September 2005, incorporated by reference, is required for the initial Road to Independence Scholarship, which can be made anytime prior to the young adult’s 21st birthday.

(12) “Institution of Higher Education” means a school that awards a bachelor’s degree or not less than a two year program that provides credit towards a degree or, provides not less than one year of training towards gainful employment or, is a vocational program that provides training for gainful employment and has been in existence for at least two years. The school must be accredited or preaccredited and is authorized to operate in that state.

(13) “Reinstatement Application” means the “Road to Independence Scholarship and/or Education Training Vouchers (ETV) Funds Reinstatement Application”, CF-FSP 5297, September 2005, incorporated by reference, that must be

submitted by a former recipient of the Road to Independence scholarship prior to his or her 23rd birthday in order to reinstate their scholarship award after an interruption of benefits.

(14) “Renewal Application” means the “Road to Independence Scholarship and/or ETV Funds Renewal Checklist” CF-FSP 5296, September 2005, incorporated by reference, means the application that must be submitted by Road to Independence scholarship recipients on an annual basis in order to continue his or her scholarship award.

(15) “Reviewing Authority” means the staff member(s) or committee head(s) designated by the district/region or community-based care to review the applications associated with Section 409.1451, F.S., and determine eligibility.

(16) “Road to Independence Scholarship Program” means the financial educational assistance available to qualifying young adults under the eligibility requirements contained in Section 409.1451(5)(b), F.S.

(17) “Services Worker” means an employee of the department or its contracted service provider who is accountable for service delivery regarding safety, permanency, and well-being for a caseload of children and families under supervision. This includes an individual assigned to assist a young adult formerly in the custody of the department who is receiving independent living services.

(18) “Special Immigrant Juvenile Status” means an immigration benefit that allows undocumented children who have been abused, abandoned or neglected to petition for permanent resident status as long as he or she meets the following criteria:

(a) The child is eligible for long term foster care;

(b) It is in the best interest of the child to remain in the United States; and

(c) The child remains under the jurisdiction of the juvenile court.

(19) “Statewide Automated Child Welfare Information System (SACWIS)” (i.e., HomeSafenet), means the department’s statewide automated system containing all reports, investigations, special conditions referrals, child-on-child sexual abuse reports and related child safety assessments and safety actions or plans and cases regarding child abuse, neglect or abandonment and pertinent information regarding all activities involved in investigative and some case management functions, including the Child’s Resource Record. The SACWIS is the state’s primary record for each investigation and case and all documentation requirements of the system shall be met.

(20) “Transition Plan”, CF-FSP 5293, September 2005, incorporated by reference means the required written plan that contains specific strategies to assist the young adult with achieving self-sufficiency and developing a personal support system. This plan is created by the young adult with the assistance of the department or its contracted service provider.

(21) “Transitional Support Services” means “other appropriate short-term services” to be provided if the young adult demonstrates that the services are critical to the young adult’s own efforts to achieve self-sufficiency and to develop a personal support system. These may include financial, housing, counseling, employment, education, mental health, disability, and other services. Financial transitional support services may be provided in increments of up to 3 months. The young adult must apply again to obtain further transitional funds. See paragraph 65C-31.005(4)(b), F.A.C.

Specific Authority 39.5075(8), 409.1451(10) FS. Law Implemented 39.5075, 409.1451 FS. History—New

65C-31.002 Case Management for Young Adults Formerly in Foster Care.

(1) The services that shall be provided to young adults formerly in foster care to transition successfully to independent living shall include, as appropriate for the individual young adult:

- (a) Aftercare support services.
- (b) Road to Independence Scholarship Program, and
- (c) Transitional support services, as specified in Section 409.1451(5)(c)1., F.S.

(2) Case Management/Contact with Young Adults Formerly in Foster Care/Support by Services Worker.

(a) Depending upon the stated wishes and needs of the young adult formerly in foster care, services worker support through home visits, office visits, and other types of contact shall occur.

(b) A plan for transition is required for all recipients of scholarship and/or transitional support funds.

(c) The services worker shall arrange and provide services to support young adults formerly in foster care between the ages of 18 and up to his or her 23rd birthday.

(d) The services worker shall provide young adults formerly in foster care with developmental disabilities, mental health needs, and/or other special needs more contact, as necessary, to assist in the ability of the young adult to transition successfully to independent living.

(e) The frequency of contact by the services worker with the young adult shall be determined by the young adult in consultation with the services worker.

(3) Preparation and Education of the Child/Youth Age 16-17 in Foster Care. The services worker shall arrange or provide the services necessary to ensure that preparation/education for the young adult formerly in foster care to achieve independence occurs.

(4) Initial Application, Renewal and Reinstatement for the Road to Independence Scholarship The Road to Independence Act provides specific direction for young adults formerly in foster care to renew or continue receiving benefits and to

reinstate benefits for young adults whose scholarship benefits were interrupted and who wishes to begin receiving benefits again.

(5) Selecting the Appropriate Funding Source for Young Adult Services (Chafee or ETV).

(a) Two major types of federal funding sources are available to support the program for young adults formerly in foster care: Chafee funds and Education and Training Voucher (ETV) funds. The services worker shall determine the appropriate fund in order to comply with federal regulations and to maximize available funding.

(b) ETV funds have more restrictions than Chafee funds and shall be used for eligible students as the first option.

1. ETV may be used only for eligible students attending postsecondary (college, university or vocational) school either part-time or full-time.

2. Chafee funds may be used for any of the young adult services identified in Florida Statutes, though not for young adults age 21 or 22.

3. State funds must be used for young adults age 21 and 22 if they are not eligible for ETV funds.

(6) Young Adults Formerly in Foster Care with Children of Their Own.

(a) The services worker shall determine which funds may be used for children whose parents are young adults formerly in foster care.

(b) If the parent of a child in a dependency case is a young adult formerly in foster care, the processes required in Chapter 39, F.S., for any parent still apply. Case planning, case management and required contacts shall continue as with any other dependency case.

(7) Selection of Placements for Young Adults Formerly in Foster Care. Prior to his or her 18th birthday, each young adult formerly in foster care shall choose the placement that best suits his or her needs. The services worker assigned to work with a young adult shall provide information to the young adult so as to assist in the best decision making.

(a) If the young adult elects to reside in the same or different licensed placement after reaching age 18, the services worker assigned to work with the young adult shall assist both the placement provider and the young adult understand the roles and the responsibilities of continuing this placement after the young adult’s eighteenth birthday.

(b) A young adult who continues with the foster family shall not be included as a child in calculating any licensing restriction on the number of children in the foster home.

(8) Implementation Plan, Steps for Effective Implementation.

(a) Program for Young Adults Formerly in Foster Care. This plan shall be used in order to develop each departmental district/region or contracted service provider specific implementation plan.

(b) Steps for Effective Implementation.

1. Departmental districts/regions and contracted service providers shall designate staff responsible for receiving inquiries about services available to young adults formerly in foster care. The departmental district/region and contracted service providers shall also develop methods to provide information about ETV, prior to their 18th birthday, to youth adopted from foster care at ages 16 & 17, and to perform outreach for those adopted since July 1, 1999.

2. District/region and/or contracted service providers shall develop a process with fiscal/budget staff to ensure expedited and/or emergency assistance is provided.

3. District/region and/or contracted service providers shall develop a tracking system for approved cash assistance payments until such time as HSn can capture this information.

4. Pursuant to Chapter 39 and Section 409.1451, Florida Statutes, District/region and community-based care agencies must inform all youth aging out of foster care, prior to age 18, of these benefits.

(9) Education and Training Voucher Funds.(a) Education and Training Voucher (ETV) Program Requirements.1. Young adult must have been:

a. Adjudicated dependent, pursuant to chapter 39 F.S., have been in the custody of the State of Florida on his or her 18th birthday and have spent at least 6 months in foster care prior to reaching his or her 18th birthday; or

b. Adopted from the Florida foster care system at age 16 or 17 as of July 1, 1999;

2. Young adults are potentially eligible for services from age 18 through age 22.

3. Initial application must be completed before 21st birthday.

4. Benefits from this and other federal educational assistance sources may not exceed the young adult's "cost of attendance" at an "institution of higher education," as defined by federal statute.

5. The young adult must be attending an institution of higher education

6. The young adult may receive a maximum of \$5000 per year towards the payment of RTI Scholarship awards.

7. For a student attending an institution of higher education on a part-time basis, ETV funds of up to \$5000 per year may be used to pay for Transitional Support Services.

8. The young adult shall provide proof of enrollment and satisfactory progress.

(b) Application for ETV Funds

1. Students applying for the Road to Independence (RTI) Scholarship will use the application form "Road to Independence Scholarship and/or ETV Funds Application", CF-FSP 5295, September 2005, incorporated by reference, unless they are attending school part-time. If determined

eligible for ETV, a portion of the student's RTI scholarship award will be covered by ETV funds. The maximum per student per year is \$5000.

2. Students attending school at least part-time may receive ETV funds. These students shall complete the "Transitional Support Eligibility and/or Education Training Vouchers (ETV) Funds Application" CF-FSP 5292, September 2005, incorporated by reference, and can receive up to \$5000 per year, which may be funded by ETV.

3. ETV funds are used for educational assistance currently authorized in Florida Statutes. The only new eligible group is young adults formerly in foster care adopted at age 16 or 17.

4. Chafee funds shall be used to cover the costs of Road to Independence Scholarships for high school/GED students, for those students attending institutions not meeting the federal definition of higher education, for transitional support services (exclusive of support for attendance at institutions of higher education), and for aftercare services.

5. Upon application for any independent living services, youth shall be provided with information regarding the appeal process, as well as the "Independent Living Benefits Due Process Rights" brochure, CF/PI 175-11, September 2005, incorporated by reference. This includes applications for services made in anticipation of the youth's 18th birthday.

Specific Authority 409.1451(10) FS. Law Implemented 409.1451 FS. History--New_____.

65C-31.003 Aftercare Support Services for Young Adults Formerly in Foster Care.

(1) The services worker shall provide support to young adults formerly in foster care through making of service referrals in the community to assist young adults in developing "the skills and abilities necessary for independent living"

(2) Eligibility for Aftercare Support. A young adult who leaves foster care at age 18 but requests services prior to his or her 23rd birthday shall be eligible for aftercare support services. There is no formal written application to receive aftercare support service referrals.

(3) Application Process for Aftercare Support Cash Assistance.

(a) The services worker shall assist the young adult to receive cash assistance for housing, electric, water, gas, sewer service, food, and any other provisions permitted under Section 409.1451(5)(a), F.S. Prior to arranging for the provision of cash assistance, the services worker shall explore the feasibility of agreements with community providers to waive fees, contacting relatives and other such options.

(b) The young adult shall complete the "Aftercare Support Services Cash Assistance Application", CF-FSP 5294, September 2005, incorporated by reference.

(c) If young adult requests further services, see Rule 65C-31.005, F.A.C., Transitional Support Services for Young Adults Formerly in Foster Care.

(4) Payment Requirements for Aftercare Support Services Recipients. The services worker responsible for the case shall choose between making one payment directly to the young adult formerly in foster care or, at the request of the young adult, paying all or a portion of the funds to a service provider.

Specific Authority 409.1451(10) FS. Law Implemented 409.1451(1), (2), (3)(a), (c), (d), (5)(a) FS. History—New _____.

65C-31.004 Road to Independence Scholarship.

(1) Initial Application for Scholarship Eligibility. Each student, with the assistance of the services worker if requested by the young adult, shall complete an RTI Scholarship Application. This application shall be completed and signed by the student, reviewing authority and approval authority and a copy must be placed in the case file.

(a) For the initial award, a young adult formerly in foster care must:

1. Be age 18, 19 or 20;

2. Have been a dependent child pursuant to Chapter 39, F.S.;

3. Be or have been in the legal and/or physical custody of the Department of Children and Families at the time of his or her 18th birthday.

4. Have spent at least 6 months in foster care before reaching his or her 18th birthday, which may include the time the youth spent in shelter status in state custody;

5. Be a resident of Florida per Section 1009.40, F.S.; and

6. Meet one of the following educational requirements:

a. Earned a standard high school diploma or its equivalent as described in Section 1003.43 or 1003.435, F.S., or earned a special diploma or special certificate of completion as described in Section 1003.438, F.S., and has been admitted for full-time enrollment in an eligible postsecondary education institution as defined in Section 1009.533; F.S.

b. Is enrolled full time in an accredited high school, unless he or she has a documented disability and has provided documentation that part-time attendance is a necessary accommodation; or

c. Is enrolled full time in an accredited adult education program designed to provide the student with a high school diploma or its equivalent, unless he or she has a documented disability and has provided documentation that part-time attendance is a necessary accommodation.

(b) In addition, young adults age 18 up to their 23rd birthday who were adopted from foster care at age 16 or 17 and are attending an institution of higher education, whether on a full or part time basis, and meet the other criteria set forth for scholarship eligibility are eligible to receive the scholarship award. The same application shall be used for children adopted at age 16 or 17 applying for ETV funds. These funds are intended to assist in meeting the student's living expenses or provide for basic personal needs.

(c) Application Process for Scholarship

1. The services worker shall assist each youth between the ages 17 years, 6 months and 18 years of age to apply for the Road to Independence Scholarship. The youth shall:

a. Complete the application.

b. Obtain document of proof of enrollment.

2. Each departmental district/region or contracted service provider shall designate a services worker to assist each young adult applying for or receiving independent living services. The young adult shall submit his or her application to the Independent Living services worker designated by the department or its contracted service provider. The Independent Living services worker shall have 10 working days to review the application and approve or deny the scholarship award or, if not the approval authority, shall forward the request to the approval authority early enough to have it approved within the ten day period.

3. If approved, the services worker or Independent Living services worker shall notify the youth in writing within 10 working days of the determination. The monthly scholarship award shall be distributed at the beginning of the month that the recipient turns 18 years of age or, if approval occurs after the youth's 18th birthday, at the beginning of the next month following approval of the application. For youth approved prior to their 18th birthday, the first monthly scholarship award shall not be prorated regardless of the day of the month recipient turns 18 years of age.

4. If the application is denied, the services worker or services worker shall notify the youth in writing within 10 working days of the determination and shall provide the youth the procedure for filing an appeal and the "Independent Living Benefits Due Process Rights" brochure, CF/PI 175-11, September 2005, incorporated by reference", and notify the youth of other available benefits, including transitional support services or aftercare support.

5. If a young adult formerly in foster care did not complete the application process prior to his or her 18th birthday, or if the application was not approved, the young adult may apply once prior to his or her 21st birthday. The eligibility requirements contained in paragraph 65C-31.004(1)(a), F.A.C., apply. No retroactive benefits are available due to delayed completion of the application process by the youth.

(2) Scholarship Renewal. The services worker shall evaluate for renewal each scholarship award annually during the 90-day period before the student's birthday. In order to be eligible for a renewal award for the subsequent year the student shall:

(a) Complete the number of hours, or the equivalent considered full time by the educational institution, in the last academic year in which the young adult earned a scholarship, except for a young adult who meets the requirements of Section 1009.41, F.S.

(b) Maintain appropriate progress as required by the educational institution, except that, if the young adult's progress is insufficient to renew the scholarship at any time during the eligibility period, the young adult may restore eligibility by improving his or her progress to the required level.

(3) Scholarship Reinstatement. A student who has lost eligibility for the RTI scholarship or who choose not to renew the award may apply for reinstatement one time before his or her 23rd birthday using "Road to Independence Scholarship and/or Education Training Vouchers (ETV) Funds Reinstatement Application", CF-FSP 5297, September 2005, incorporated by reference. In order to be eligible for reinstatement the student must meet the eligibility criteria and the criteria for scholarship renewal.

(4) RTI Scholarship Needs Assessment. An RTI Needs Assessment must be completed on each student who has been awarded the RTI scholarship.

(a) State Requirements. The amount of the award, whether it is being used by a young adult working toward completion of a high school diploma or its equivalent or working toward completion of a postsecondary education program, shall be determined based on an assessment of the funding needs of the young adult. This assessment shall consider the young adult's living and educational costs and other grants, scholarships, waivers, earnings, and other income to be received by the young adult.

(b) Federal Requirements. The total amount of ETV funds and any other federal educational assistance to the young adult shall not exceed the young adult's cost of attendance.

(5) Payment Requirements for Scholarship Recipients.

(a) The services worker responsible for the case shall determine how the monthly scholarship awards will be paid according to either of the two following methods:

1. Direct payment to the young adult.

2. Payment of a portion of the scholarship award to a service provider and the balance to the young adult, if requested by the young adult. If the young adult makes this request, it must be made in writing.

(b) ETV funds are available pursuant to the following.

1. For students attending an institution of higher education, including community college, university or vocational education courses. High school or GED attendance does not qualify.

2. For youth adopted at age 16 or 17 from foster care who are attending an institution of higher learning.

3. Part-time attendance at an institution of higher education may qualify young adults under Florida's transitional support services component.

(c) Renewal of Road to Independence Scholarships.

1. Young adults formerly in foster care are required to renew their scholarships on an annual basis.

2. Departmental districts/regions or contracted service provider agencies shall develop a plan for renewal of scholarships. At a minimum, the plan shall address the tracking and scheduling of scholarship renewals and those staff responsible for notifying for these activities as well as notifying the scholarship recipient of his or her obligations during the renewal period.

3. Each approved award shall be evaluated and renewed during the 90-day period prior to the young adult's birthday.

4. If the young adult is awarded a scholarship within 90 days prior to his or her next birthday, he/she is not required to file for renewal until the following birthday.

5. For young adults who were adopted from foster care at age 16 or 17, the same procedures established above shall be followed when renewing their ETV funds.

(d) Eligibility to Renew Road to Independence Scholarships. The young adult shall:

1. Make one application for the initial award prior to his or her 21st birthday.

2. Complete the number of hours, or the equivalent considered full time by the educational institution, in the last academic year in which the young adult earned a scholarship, except for a young adult who meets the requirements of Section 1009.41, F.S.

3. Maintain appropriate progress as required by the educational institution, except that, if the young adult's progress is insufficient to renew the scholarship at any time during the eligibility period, the young adult may restore eligibility by improving his or her progress to the required level.

(e) Documentation Requirements for Scholarship Recipients. All eligible recipients shall:

1. Provide documentation of enrollment in a high school or institution of higher education; and

2. Provide documentation of progress made in his or her course of study during the most recently completed school term.

Specific Authority 409.1451(10) FS. Law Implemented 409.1451(1), (2), (3)(a), (c), (d), (5)(b) FS. History--New _____.

65C-31.005 Transitional Support Services for Young Adults Formerly in Foster Care.

(1) A young adult formerly in foster care may request Transitional Support Services in addition to aftercare referrals, cash assistance or the Road to Independence Scholarship if the young adult demonstrates that the services are critical to his or her own efforts to achieve self-sufficiency and develop a personal support system.

(2) Eligibility/Assessment for Transitional Support. In order to be eligible, the young adult shall:

(a) Be age 18, 19, 20, 21 or 22;

(b) Have been a dependent child pursuant to Chapter 39, F.S.;

(c) Be or have been in the legal and/or physical custody of the Department of Children and Families at the time of his or her 18th birthday.

(d) Have spent at least 6 months in foster care before his or her 18th birthday.

(e) Demonstrate that the services are critical to his or her own efforts to achieve self-sufficiency and to develop a personal support system. The young adult shall complete a Transition Plan". CF-FSP 5293, September 2005, incorporated by reference, with designated staff of the department or its contracted service provider.

(3) If at any time the services are determined by the services worker as no longer critical to the young adult's own efforts to achieve self-sufficiency and to develop a personal support system, they shall be terminated or reapplication denied.

(4) Application Process to Receive Transitional Support Services.

(a) A Transitional Support Services application shall be completed by the young adult with assistance from the assigned services worker. The "Transitional Support Eligibility and/or Education Training Vouchers (ETV) Funds Application" CF-FSP 5292, September 2005, incorporated by reference, shall be used to apply for these services.

(b) An application for Transitional Support Services is limited to a maximum three-month benefit period. A young adult may re-apply for Transitional Support Services after the three-month period but must demonstrate that the services are vital for achieving self-sufficiency.

(5) Transition Plan. Each young adult requesting transitional support services shall prepare a transition plan using "Transition Plan", CF-FSP 5293, September 2005, incorporated by reference. This plan shall:

(a) Outline the types of services being provided by the department and the types of activities that the young adult will complete in order to achieve self-sufficiency.

(b) Be reviewed a minimum of every three months, if the young adult intends to re-apply for services, and adjusted according to the young adult's needs at the time of review and reapplication.

(6) Service Worker and Young Adult Contact Requirements. The services worker shall work with the young adult formerly in foster care to determine the need for contact.

(7) Payment Requirements for Transitional Support Services Recipients. Payments shall be made directly to the young adult formerly in foster care unless the young adult requests all or a portion of the funds be paid to a service provider. This request shall be made in writing.

(8) Confidentiality. The youth's status as a former foster youth and recipient of public benefits is confidential and shall not be revealed to anyone without the youth's permission. Staff shall not have direct contact with the youth's landlords or third parties, unless the youth provides written permission.

(9) Mandatory Access to Application for Services.

(a) services workers shall process a young adult's request for assistance. If a young adult requests assistance in completing the application, the services worker shall provide the requested assistance.

(b) Each office of the department or its contracted service provider involved in serving young adults formerly in the custody of the department shall maintain application forms for the Road to Independence Scholarship, Transitional Support Services and Aftercare Support Services in a visible area and shall assist the youth with completing the application forms.

(10) Youth with Disabilities. Youth who have disabilities shall be provided with an equal opportunity to participate in the continuum of independent living services.

(a) Though a youth who has a physical, emotional, or learning disability may need additional support, he or she still is eligible for all independent living and post-18 services.

(b) Each office of the department or its contracted service provider involved in serving young adults formerly in the custody of the department involved in serving young adults formerly in the custody of the department shall provide youth with disabilities with reasonable accommodations and appropriate services to ensure the equal opportunities and participation of these youth.

(11) Youth who are Pregnant or Parenting. Youth who are pregnant or who are parenting shall be provided with an equal opportunity to participate in the continuum of independent living and post-18 services. The services worker shall assist these youth with accessing needed services, such as prenatal care, daycare, other public benefits, and appropriate housing.

Specific Authority 409.1451(10) FS. Law Implemented 409.1451(1), (2), (3)(a), (c), (d), (5)(c) FS. History—New _____.

65C-31.006 Young Adult Services Documentation Requirements.

(1) General Documentation Requirements.

(a) Pursuant to federal documentation requirements, for each young adult receiving funding from the Road to Independence Scholarship, transitional support services and/or aftercare support services the department or its contracted service provider shall have an active case and a case file containing at minimum:

1. A document that contains current demographic information on the student such as, name, address, DOB, social security number, school attending, etc.

2. Completed applications signed by the young adult and review and approval authorities.

3. Follow up renewal applications or evidence of review of transitional support services cases.

4. Completed Needs Assessments for RTI cases.

5. Documentation to support eligibility requirements for the services provided.

(b) When requesting documentation from the young adult, the services worker shall use "Request for Road to Independence Scholarship Documentation" CF-FSP 5302, September 2005, incorporated by reference.

(2) Documentation Requirements for Aftercare Support Services. The following documentation requirements apply to both referrals and cash assistance.

(a) Requests for Aftercare Support service referrals shall be recorded in the young adult's case file.

(b) Requests for Aftercare support cash assistance shall be recorded in the young adult's case file. The application shall be kept in a hard copy file.

(c) The services worker shall verify the young adult is in need of services through an eviction notice; utility cut-off notice or similar document; estimate of move-in costs, or by assessing the situation through an interview with the young adult.

(3) Documentation Requirements for Road to Independence Scholarship. The services worker or other designated staff of the department or its contracted service provider shall maintain the following documentation in the case file of each young adult receiving the Road to Independence Scholarship to verify the young adult's eligibility for the initial application, ongoing eligibility, at renewal and for reinstatement.

(a) Initial Scholarship Approval Documentation Requirements. In order for a student to be eligible for the Road to Independence Scholarship.

1. Documentation of application(s) for the RTI Scholarship, including the initial, renewal and reinstatement applications. The services worker shall maintain the following documentation in the young adult's case file:

a. Renewal checklists,

b. Chronological entries of contacts made,

c. All completed scholarship applications, including as appropriate, the initial, renewal and reinstatement applications,

d. A log of financial disbursements, and

e. Any other pertinent supporting documentation.

2. Documentation for Eligibility Requirements.

a. Each student, with the assistance of the services worker, shall complete an RTI Scholarship Application. This "application" shall be completed and signed by the student, reviewing authority and approval authority and a copy shall be placed in the case file.

b. Adjudication of dependency shall be documented by placement in the case file of at least one of the following documents:

(I) Adjudicatory Order if there is follow up documentation indicating that the student was placed in foster care.

(II) Dispositional Order if the order placed the student in foster care or if there is follow up documentation indication that the student was placed in foster care.

(III) Judicial Review Order if the order indicates that the student was adjudicated dependent and placed in foster care. The Judicial Review Social Study Report shall be an acceptable source of supporting documentation if information regarding adjudication of dependency and status in foster care are mentioned in the report.

(IV) A Criminal Justice Information System (CJIS) if it is a complete report that includes adjudication date and date placed in foster care.

c. Documentation that the student was living in licensed foster care at age 18 shall be provided by placement in the case file of at least one of the following documents:

(I) Judicial Review Order or other Court Order if the order indicates that the student was living in foster care on his or her 18th birthday. The order may contain language releasing child from foster care on 18th birthday. The Judicial Review Social Study Report shall be an acceptable source of supporting documentation if information regarding adjudication of dependency and status in foster care are mentioned in the report.

(II) An Integrated Child Welfare Services Information System (ICWSIS) printout showing child in placement on 18th birthday if other supporting documentation such as orders are in the file verifying that the child was in custody of the department.

d. Documentation that the student spent at least 6 months in foster care before reaching his or her 18th birthday shall be provided by placement in the case file of at least one of the following documents:

(I) An Integrated Child Welfare Services Information System (ICWSIS) printout providing at least six months of residing in licensed care prior to the students 18th birthday if other supporting documentation such as orders are in the file verifying that the child was in custody of the department.

(II) A Statewide Automated Child Welfare Information System printout showing six months of licensed placement

e. Documentation that the student is a Florida resident shall be provided by placement in the case file of at least one of the following documents:

(I) Driver's license or Florida Identification card.

(II) Document proving Florida residence, including but not limited to, a copy of a RTI check, an electric bill, a lease, a current school enrollment form.

3. Documentation for Educational Requirements.

a. Full-time enrollment by the student in university, college or community college shall be documented by placement in the case file of at least one of the following documents:

(I) A current enrollment form or letter from the institution clearly showing the student enrolled for at least 12 credit hours.

(II) If the student is enrolled fewer than 12 hours, a current enrollment form or letter from the institution stating that the student is enrolled full-time.

b. Full-time enrollment by the student in vocational school, high school or GED shall be documented by placement in the case file of an enrollment form or letter from the school that states that he or she is a full-time student.

c. Students must be able to periodically prove that they continue to be enrolled and attending school full-time. This shall be verified by placement in the case file of at least one of the following forms of documentation:

(I) A progress reports from the school.

(II) Document in case notes that a school official has been contacted and has verified continued full-time enrollment of the student. The name, title, school and phone number for the school official who has been contacted shall also be included in the case note.

d. At the end of each semester the student shall provide the following documents and a copy shall be placed in the case file:

(I) A report card showing completion of classes registered for previously; and

(II) An enrollment form or letter from the educational institution showing full-time enrollment for the following semester.

(b) Scholarship Renewal Documentation Requirements.

1. For each student the services worker shall complete a "Road to Independence Scholarship and/or ETV Funds Renewal Checklist" CF-FSP 5296, September 2005, incorporated by reference. The completed checklist shall be signed by the student, reviewing authority and approval authority and a copy shall be placed in the case file.

2. The case file shall also contain:

a. Proof of full-time enrollment at the institution, unless exempted, and

b. Proof satisfactory progress at the institution.

(c) Scholarship Reinstatement Documentation Requirements.

1. Each student who wishes to apply for reinstatement shall complete a "Road to Independence Scholarship and/or Education Training Vouchers (ETV) Funds Reinstatement Application", CF-FSP 5297, September 2005, incorporated by reference.

2. This application shall be completed and signed by the student, reviewing authority and approval authority and a copy shall be placed in the case file.

3. The case file shall also contain:

a. Proof of eligibility.

b. Proof of full-time enrollment at the institution, unless exempted, and

c. Proof satisfactory progress at the institution.

(d) RTI Scholarship Needs Assessment. An RTI Needs Assessment shall be completed on each student who has been awarded the RTI scholarship. See Rule 65C-31.007, F.A.C., High School Needs Assessment and Rule 65C-31.008, F.A.C., Postsecondary Needs Assessment.

(4) Documentation Requirements for Transitional Support Services

(a) A case shall be open in the Statewide Automated Child Welfare Information System and a hard copy case folder is required for any documentation not contained in the electronic system.

(b) Staff are required to maintain the following documentation in the youth's case file: chronological entries to document face to face contacts, phone calls, and other contacts such as letters, facsimile transmissions or e-mail correspondence, documentation of referrals for services and documentation of young adults progress in attaining his or her transition plan, including.

1. Completing the attached application.

2. Obtaining a copy of documentation of grade point average.

3. Obtaining document of proof of enrollment.

4. Performing any other specific tasks identified in transition plan.

(c) Other required documentation for Transitional Support Services that shall be maintained in the case file is:

1. The completed transitional support services Application.

2. The completed transitional plan, and

3. Documentation that the young adult meets the requirements for eligibility for transitional support services.

Specific Authority 409.1451(10) FS. Law Implemented 409.1451(1), (2), (3)(a), (c), (d), (5)(a), (c) FS. History--New _____.

65C-31.007 High School Needs Assessment.

(1) The Road to Independence Scholarship Needs Assessment for high school education has been developed to determine the funding needs of a young adult student formerly in foster care attending high school after considering other income sources.

(2) Procedure:

(a) Before completing the Road to Independence Scholarship Needs Assessment, the services worker shall verify that the student has submitted an RTI scholarship application and has been determined eligible to receive an award.

(b) The amount of the monthly scholarship award shall not exceed the federal minimum wage times 40 hours per week times 4.33 weeks per month.

(c) In order to complete the Road to Independence Scholarship Needs Assessment, the services worker shall meet with the student and explain the needs assessment process to

the student and obtain the required information and, when applicable, supporting documentation. For students located out-of-state, a phone interview is sufficient.

(d) If the student has not provided all necessary documentation and information the services worker shall provide a written list of items needed for the needs assessment process to be completed. The written list shall also include a due date for all requested items to be submitted to ensure that benefits will not be reduced or interrupted. This list shall include:

1. A statement that the requested information is needed before the needs assessment tool is processed;

2. A date by which the information must be received; and

3. A statement that the student's benefits will be initially established or reduced to the minimum award amount of \$25 until the information is provided. Once the information has been provided the services worker shall have 7 calendar days to process the needs assessment.

(e) No later than 30 days prior to the student's 18th birthday, or, if the student is 18 years of age or older, within 30 days after receiving the application and all required documentation and information, the department shall notify the student, in writing, of the award amount and the anticipated date of first payment. This notification shall also include the process for appealing the amount of the award (See attachment E).

(3) Elements of the Tool: The elements listed below correspond to the elements in the "Road to Independence Scholarship High School Needs Assessment Tool" CF-FSP 5299, September 2005, incorporated by reference. An explanation of each element and instructions for obtaining the correct figures are included. There is an electronic version of the form that will perform the required calculations as data is entered on the form.

(a) Total Cost of Attendance: The maximum award that a student can receive is equivalent to the amount one would earn by working a full-time federal minimum wage job. The monthly amount has been computed to a yearly amount and has been included in the "cost/need" column on the "Total Cost of Attendance" (COA) line. Deductions will be subtracted from this figure to establish the RTI award amount.

1. In addition to the RTI award, a high school student may apply for aftercare and/or transitional support services, when needed.

2. Funds received from aftercare and transitional support services do not count against the "cost of attendance" for high school students.

(b) Special Needs Allowance: If a student expects to incur special costs during the academic year the services worker shall obtain documentation of the special needs from the student and enter the amount on the "Special Needs Allowance" line on the needs assessment tool.

1. Costs that can be included in the "Special Needs Allowance" include but are not limited to: costs associated with a special field of study requiring additional costs such as nursing uniforms for nursing students, special equipment or assistance needed for disabled students, child care costs for students with dependent children, and medical or dental expenses not covered by medical insurance.

2. The services worker shall determine the validity of the request for special needs allowance, determine that the cost is associated with assisting in educational achievement and that the costs are not already included in the cost of attendance figure.

(c) Earned Income: If the student is employed, a verification of his or her earned income is required.

1. The services worker shall provide the student with two options for verifying earned income:

a. The student may provide recent pay stubs. The pay stubs must be averaged to compute a monthly amount.

b. The student may instead submit a letter from his or her employer stating the average number hours to be worked per month and the hourly wage.

2. Include the amount in the "income" column on the "Student's Monthly Wages" line. The monthly amount will automatically be calculated into a yearly figure on the next box below.

(d) Income Protection Allowance: The "Income Protection Allowance" figure is already included on the needs assessment form. This figure is equal to what a student would earn by working 20 hours per week at Florida's minimum wage computed over 12 months. Any student income less than or equal to this amount is disregarded for purposes of computing the scholarship amount. This means that a student may work the equivalent of a part-time job at Florida's minimum wage without impacting his or her RTI award.

(e) Student's Available Income: This is the amount of student income after deducting the "Income Protection Allowance." The electronic version of the form calculates this amount automatically.

(f) Contribution from Income: The federal financial aid application process allows for half of the "Student's Available Income" to count as a deduction when determining financial need. The electronic version of the needs assessment form automatically calculates the "Contribution from Income" figure and enters it in the "deductions" column.

(g) Federal Income: The services worker completing the needs assessment shall inquire and verify through available resources whether the student is receiving funds from any other source including Supplemental Security Income (SSI) and Social Security (SSA). The student shall have a choice, based on his or her individual situation, whether or not to include SSI/SSA benefits in his or her budget as a deduction. The staff shall assist the student in maximizing all benefits to attend school and for his or her living needs. Any child support or

other funds received (i.e. WAGES, Food Stamps, etc.) on behalf of the student's child shall not be included as income in the needs assessment.

(h) Totals: The electronic version of the needs assessment form automatically calculates the totals in the "cost/need" column and the "deductions" column.

(i) Total Need: The electronic version of the needs assessment form automatically subtracts the "deductions" from "cost/need" to get the "total need" amount.

(j) Adjusted Total Need: If the "Total Need" figure exceeds the amount equal to a full-time federal minimum wage job computed over 12 months the electronic version of the needs assessment form will automatically adjust the figure to that amount and enter the adjusted figure in the "cost/need" column.

(k) Aftercare and Transitional Support Services Funds Provided – Year to Date: Indicate the amount of Aftercare and/or Transitional Support Services Funds that have been provided to the student during the fiscal year (July 1st through June 30th). These funds shall not be factored as a deduction for the monthly scholarship award.

(l) Monthly Scholarship Award: The electronic version of the needs assessment form automatically calculates the monthly award amount by dividing the "adjusted total need" by 12 months. The electronic version of the form automatically adjusts the monthly award to \$25, in the following row, if the award calculates to less than \$25 per month.

(4) Needs Assessment Totals. The bottom of the electronic version of the needs assessment form displays calculations of the total income and benefits for the student. These totals are calculated automatically based on the information input by staff. The totals calculated are:

(a) Total Earned and Unearned Income: This shows the student's annual amount of Earned Income plus Other Income, without deductions.

(b) Annual RTI Scholarship Award: This is the monthly scholarship award multiplied by 12.

(c) Total Annual Income Available to the Student: This is the amount of income from all sources and represents the total amount of income available to the student for educational and living needs.

(d) Monthly Income Available to the Student: This is the amount of income available to the student on a monthly basis.

(5) Documentation and Signature.

(a) The services worker shall obtain the student's signature on the "Road to Independence (RTI) Scholarship Needs Assessment Face to Face Consultation Form", CF-FSP 5298, September 2005, incorporated by reference. By signing the form the student is only certifying that he/she has had a face to face meeting and the appeals process has been explained and provided.

(b) Once each individual needs assessment tool has been fully completed, and an award amount determined, two copies shall be printed. One copy shall be maintained in the student's case file. The second copy shall be provided to the student, either in person or by mail, with a copy of the "Independent Living Benefits Due Process Rights" brochure, CF/PI 175-11, September 2005, incorporated by reference, attached to the needs assessment tool.

Specific Authority 409.1451(10) FS. Law Implemented 409.1451(5)(b)4. FS. History–New

65C-31.008 Post Secondary Needs Assessment.

(1) The Road to Independence (RTI) Scholarship Needs Assessment for post secondary education has been developed to determine the funding needs of young adults formerly in foster care attending a post secondary institution, after considering other income sources and educational scholarships.

(2) Procedure:

(a) Before completing the Road to Independence Scholarship needs assessment, the services worker shall verify that the student has submitted an RTI scholarship application and has been determined eligible to receive an award.

(b) The amount of the monthly scholarship award shall not exceed the federal minimum wage times 40 hours per week times 4.33 weeks per month. The total amount of federal educational assistance funds provided to a student from all federal sources shall not exceed the "total cost of attendance" figure determined by the educational institution.

(c) In order to complete the Road to Independence Scholarship Needs Assessment, the services worker shall meet with the student and explain the needs assessment process to the student. For students located out-of-state, a phone interview is sufficient.

(d) The student shall provide documentation evidencing the following:

1. Living and Educational Expenses.

a. An individual itemized "Cost of Attendance" (COA) for the Academic year from the school the student will attend. The financial aid office at every university, college, community college, and vocational school establishes a COA, also referred to as a "student budget," for each of its students. Some institutions automatically factor into the individual COA certain qualifying costs, including dependent care and costs associated with a particular course of study. Other institutions will consider adjustments to the COA for certain qualifying costs on a case-by-case basis upon request by the student. The COA will also indicate the length of the academic year considered.

b. It may be necessary for the student to formally request that the financial aid office make adjustments to his or her COA based on individual circumstances. The student is responsible for collecting and transmitting to the financial aid

office any information relevant to the COA adjustments sought. The services worker shall make efforts to facilitate this process. The student shall execute such authorizations as may be necessary to enable the services worker to assist with financial aid issues.

c. In addition to establishing the individual COA for each student, many institutions publish an average or estimated COA. If a student fails to provide his or her individual COA, the services worker shall obtain the average or estimated COA published by the institution. The services worker shall make reasonable efforts to obtain the most current COA information by contacting the financial aid office. If COA information cannot be obtained via the financial aid office, the case worker shall use the most current COA information listed on the institution's website.

d. If the student is unable to obtain an individual COA, and an average or estimated COA is unavailable, the case worker shall contact DCF for further guidance.

2. Fee exemption for the academic year.
3. Federal Scholarships received (including Pell Grants).
4. Other Federal Income (SSI, Social Security).
5. Earned Income (pay stubs or other documentation).
6. Other scholarships and grants from all sources.
7. Alternate sources of funds and services.

(e) If the student has not provided all necessary documentation the services worker shall provide a written list of items necessary for the needs assessment process to be completed. The written list shall also include a due date for all requested items to be submitted. The list shall include:

1. A statement that the requested information is needed before each needs assessment tool is processed; and
2. A date by which the information must be received; and
3. A statement that the student's benefits will be initially established at or reduced to the minimum monthly award amount of \$25 until the information is provided. Once the information has been provided the services worker shall have 7 calendar days to process the needs assessment.

(f) No later than 30 days prior to the student's 18th birthday or, if the student is 18 years of age or older, within 30 days after receiving the application and all required documentation and information, DCF shall notify the student, in writing, of the award amount and the anticipated date of first payment. This notification shall also include the process for appealing the amount of the award (See attachment E).

(3) Calculating Awards for Post Secondary Students. The award for post secondary students shall be calculated no less than twice each year – once for the academic year and once for the summer months. The award may also be recalculated upon a change of circumstance, as provided for under subsection 65C-31.008(5), F.A.C., below. The award shall be calculated as follows:

(a) Academic Year Needs Assessment. The services worker shall use the form "ROAD TO INDEPENDENCE SCHOLARSHIP POST SECONDARY NEEDS ASSESSMENT – ACADEMIC YEAR (FSP 5300 – May 2006), incorporated by reference. DCF has supplied an electronic version of the form that will perform the required calculations as data is entered by the services worker.

1. Living and Educational Expenses: Enter the total academic year COA. (See subparagraph 65C-31.008(2)(d)1., F.A.C.)

2. Fee Exemption (Tuition and Fees): Enter Tuition and Fee waiver amount. This amount is deducted from the Living and Educational Expenses.

3. Federal Scholarships Received: Enter the total amount of all Federal Scholarships received. This includes the amount of any Pell Grant received. Calculate the monthly amount of Federal Scholarships received by dividing the total amount by 12, then multiply the monthly amount by the number of months in the institution's academic year. This amount is deducted from the Living and Educational Expenses.

4. Other Federal Income: The services worker completing the needs assessment shall inquire and verify through available resources whether the young adult is receiving federal funds from any other source including Supplemental Security Income (SSI) and Social Security (SSA). The young adult shall have a choice, based on his or her individual situation, whether or not to include SSI/SSA benefits in his or her budget as a deduction. The staff shall assist the young adult in maximizing all benefits to attend school and for his or her living needs. If the young adult elects to have SSI or SSA benefits included as a deduction, the amount of such benefits shall be calculated on a monthly basis and deducted according to the number of months in the academic year.

5. Available income:

a. Earned income. Calculate the student's expected earned income for the academic year on a monthly basis. The student may verify his or her monthly income by providing recent pay stubs or a letter from his or her employer indicating the number of hours to be worked and the hourly wage. Enter the number of months in the academic year. The months of a specific institution's academic year can be determined from the COA. Multiply to determine the "earned income" for the academic year.

b. Income protection allowance. Calculate 20 hours per week at Florida's minimum wage on a monthly basis. Multiply by number of months in the academic year to determine the Income protection allowance.

c. Total Available income is determined by subtracting the income protection allowance from the student's earned income. This amount is deducted from the Living and Educational Expenses.

6. Other Scholarships and Grants: Enter all other Scholarships and grants to be received for the academic year. This amount is deducted from the Living and Educational Expenses, except that a \$1,500 disregard shall apply to offset any deduction to the award based on other scholarships and grants.

7. Alternate Sources of Funds and Services: To the extent that any of the expenses contained in the COA can be reduced through alternate funding sources or services at a reduced cost, the services worker shall employ such alternate funding sources and/or services and assist the student as needed in applying for such funding and/or services. Enter the amount of funds from alternate sources employed to pay for any portion of the academic year Living and Educational Expenses. This amount is deducted from the Living and Educational Expenses.

8. Total Academic Year Award: The total academic year award is calculated by subtracting all the deductions from the Living and Educational Expenses.

9. Monthly Academic Year Award: The monthly academic year award is determined by dividing the total academic year award by the number of months in the institution's academic year.

(b) Summer Months.

1. Student attending school, including internships. The service worker shall use the form "ROAD TO INDEPENDENCE POST SECONDARY NEEDS ASSESSMENT – SUMMER MONTHS – Attending School (FSP 5300a – March 2006)." DCF has supplied an electronic version of the form that will perform the required calculation as the data is entered by the services worker.

a. Living and Educational Expenses: Enter the total summer school COA. The summer school COA is obtained in the same manner as the academic year COA. (See subparagraph 65C-31.008(2)(d)1., F.A.C., above.) If no summer school COA is available from the financial aid office or the institution's website, the summer Living and Educational expenses are determined based on the student's academic year COA. The services worker shall reduce the academic year COA by the academic related costs and divide by the number of months in that institution's academic year to determine the monthly living expenses. Multiply the monthly living expenses by the number of summer months to determine the summer living expenses, then add the total summer educational expenses to be incurred, including tuition, fees, and books.

b. Fee exemption (Tuition and Fees): Enter tuition and fee waiver amount. This amount is deducted from the Living and Educational Expenses.

c. Federal Scholarships Received: Enter the total amount of all Federal Scholarships received. This includes the amount of any Pell Grant received. Calculate the monthly amount of Federal Scholarships received by dividing the total amount by

12, then multiply the monthly amount by the number of summer months. This amount is deducted from the Living and Educational Expenses.

d. Other Federal Income: The services worker completing the needs assessment shall inquire and verify through available resources whether the young adult is receiving federal funds from any other source including Supplemental Security Income (SSI) and Social Security (SSA). The young adult shall have a choice, based on his or her individual situation, whether or not to include SSI/SSA benefits in his or her budget as a deduction. The staff shall assist the young adult in maximizing all benefits to attend school and for his or her living needs. If the young adult elects to have SSI or SSA benefits included as a deduction, the amount of such benefits shall be calculated on a monthly basis and deducted according to the number of summer months.

e. Available income:

i. Earned income. Calculate the student's expected earned income for the summer on a monthly basis. The student may verify his or her monthly income by providing recent pay stubs or a letter from his or her employer indicating the number of hours to be worked and the hourly wage. Enter the number of summer months. The summer months are those not included in the institution's academic year. Multiply to determine the "earned income" for the summer months.

ii. Income protection allowance. Calculate 20 hours per week at Florida's minimum wage on a monthly basis. Multiply by the number of summer months to determine the income protection allowance.

iii. Total available income is determined by subtracting the income protection allowance from the student's earned income. This amount is deducted from the Living and Educational Expenses.

f. Other Scholarships and Grants: Enter all other scholarships and grants to be received for summer school. This amount is deducted from the Living and Educational Expenses, except that a \$500 disregard shall apply to offset any deduction to the award based on other scholarships and grants.

g. Alternate Sources of Funds and Services: To the extent that any of the summer Living and Educational expenses can be reduced through alternate funding sources or services at a reduced cost, the services worker shall employ such alternate funding sources and/or services and assist the student as needed in applying for such funding and/or services. Enter the amount of funds from alternate sources employed to pay for any portion of the summer Living and Educational Expenses. This amount is deducted from the summer Living and Educational Expenses.

h. Total Summer Award: The total summer award is calculated by subtracting all the deductions from the summer Living and Educational Expenses.

i. Monthly Summer Award: The monthly summer award is determined by dividing the total summer award by the number of summer months, which is the number of months not included in the institution's academic year.

2. Student not attending school. The case worker shall use the form "ROAD TO INDEPENDENCE SCHOLARSHIP POST SECONDARY NEEDS ASSESSMENT – SUMMER MONTHS – Not attending school (FSP 5300b - May 2006)." DCF has supplied an electronic version of the form that will perform the required calculation as the data is entered by the services worker.

a. Summer Living Expenses: The summer living expenses are determined based on the student's academic year COA. The case worker shall reduce the academic year COA by the academic related costs and divide by the number of months in that institution's academic year to determine the monthly living expenses. Multiply the monthly living expenses by the number of summer months to determine the summer living expenses.

b. Federal Scholarships Received: Enter the total amount of all Federal Scholarships received. This includes the amount of any Pell Grant received. Calculate the monthly amount of Federal Scholarships received by dividing the total amount by 12, then multiply the monthly amount by the number of summer months. This amount is deducted from the Living Expenses.

c. Other Federal Income: The services worker completing the needs assessment shall inquire and verify through available resources whether the young adult is receiving federal funds from any other source including Supplemental Security Income (SSI) and Social Security (SSA). The young adult shall have a choice, based on his or her individual situation, whether or not to include SSI/SSA benefits in his or her budget as a deduction. The staff shall assist the young adult in maximizing all benefits to attend school and for his or her living needs. If the young adult elects to have SSI or SSA benefits included as a deduction, the amount of such benefits shall be calculated on a monthly basis and deducted according to the number of summer months.

d. Available income:

i. Earned income. Calculate the student's expected earned income for the summer on a monthly basis. The student may verify his or her monthly income by providing recent pay stubs or a letter from his or her employer indicating the number of hours to be worked and the hourly wage. Enter the number of summer months. The summer months are those not included in the institution's academic year. Multiply to determine the "earned income" for the summer months.

ii. Income protection allowance. Calculate 20 hours per week at Florida's minimum wage on a monthly basis. Multiply by the number of summer months to determine the income protection allowance.

iii. Total available income is determined by subtracting the income protection allowance from the student's earned income. This amount is deducted from the Living Expenses.

e. Alternate Sources of Funds and Services: To the extent that any of the summer Living expenses can be reduced through alternate funding sources or services at a reduced cost, the services worker shall employ such alternate funding sources and/or services and assist the student as needed in applying for such funding and/or services. Enter the amount of funds from alternate sources employed to pay for any portion of the summer Living Expenses. This amount is deducted from the summer Living Expenses.

f. Total Summer Award: The total summer award is calculated by subtracting the deductions from the summer living expenses.

g. Monthly Summer Award: The monthly summer award is determined by dividing the total summer award by the number of summer months, which is the number of months not included in the institution's academic year.

h. A young adult not attending school is expected to obtain employment for the summer months, and if not employed, has the obligation to diligently seek employment.

i. A young adult seeking employment must provide the case worker with documentation of his or her job search consistent with the documentation required by the office of unemployment compensation on a monthly basis. If the unemployed young adult fails to provide such documentation in a given summer month, no award payment shall issue for the following summer month.

j. The young adult is required to inform the case worker of successful summer job placement within 7 days.

(4) Documentation and Signature:

(a) At the face-to-face meeting with the young adult, the services worker shall obtain the young adult's signature on the "Road to Independence (RTI) Scholarship Needs Assessment Face to Face Consultation Form", CF-FSP 5298, September, 2005, incorporated by reference. By signing the form the young adult is only certifying that he or she has had a face-to-face meeting and the appeals process has been explained and provided.

(b) Once each individual needs assessment tool has been fully completed, and an award amount determined, two copies shall be printed. One copy shall be maintained in the young adult's case file. The second copy shall be provided to the young adult, either in person or by mail, with a copy of the "Independent Living Benefits Due Process Rights" brochure, CF/PI 175-11, September 2005, incorporated by reference, attached to the needs assessment tool.

(5) Needs Assessment Recalculations.

(a) Changes in circumstances: The needs assessment may be recalculated at any time upon request by the young adult or the services worker to address material changes in the young adult's circumstances. Such a recalculation shall be completed within 7 working days of the request.

1. Changes in circumstances may include, but are not limited to, changes in the amount of grants, transfer to another academic institution, changes in the amount of earned income, and changes in living and educational expenses.

2. A change in circumstances is material if it is likely to result in a change in the amount of the monthly award of at least \$50 per month for the remainder of the award period.

Specific Authority 409.1451(10) FS. Law Implemented 409.1451(1), (2), (3)(a), (c), (d), (5)(b) FS. History—New _____.

65C-31.009 Independent Living Benefits Due Process Notification.

(1) The Independent Living program and its departmental or contracted service provider staff shall seek to treat all young adults fairly and to afford them due process. A young adult applying for or receiving Independent Living benefits has the right to receive adequate written notice of adverse actions by the department or its contracted service provider, to present grievances about adverse actions by the department or its contracted service provider, and to resolve issues about eligibility by meeting informally with representatives of the department or its contracted service provider or through the fair hearing process.

(2) The services worker shall, at the time of application for in for independent living benefits, provide the applying young adult a copy of the brochure "Independent Living Benefits Due Process Rights", CF/PI 175-11, September 2005, incorporated by reference. As stated in the brochure, the young adult's services worker shall be available to help with the request for a fair hearing at any time that an adverse decision is made regarding the benefit.

(3) Actions by the department or its contracted service provider that require due process notification:

(a) The young adult is for any reason initially determined to be ineligible for any Independent Living benefit;

(b) The young adult is denied an Independent Living benefit due to lack of available funding;

(c) The young adult's services are reduced or terminated for any reason other than at the request of the young adult;

(4) Actions by the department or its contracted service provider that require confirmation: Voluntary reductions or terminations of services by a young adult. Due process notification is not required for these voluntary actions on the part of the young adult.

(a) A voluntary decision made by a young adult to reduce, terminate, or suspend services does not require due process notification. A decision to reduce, terminate, or suspend services is voluntary when the young adult determines that he

or she does not need the service or scope of the service at issue and requests a reduction or termination of the service without being pressured to do so by staff of the department or its contracted service provider.

(b) Each young adult who makes a voluntary reduction or termination shall be allowed ten calendar days from the date the letter of confirmation was sent to reconsider. If after ten calendar days the young adult has not contacted the services worker in response to the letter of confirmation, the reduction or termination shall take effect.

(c) If the young adult contacts the services worker within ten (10) days to indicate that he or she does not agree to a voluntary reduction or termination of services, then services shall continue.

(5) Common bases on which Independent Living funding requests may be denied, or otherwise acted on in a manner adverse to the beneficiary. Most often, a request for Independent Living funding may be adversely acted upon (i.e., denied, reduced, or terminated) for one of the three following reasons:

(a) The young adult does not qualify for post-foster care Independent Living benefits;

(b) The young adult is not eligible (or is no longer eligible) for the Road to Independence Scholarship, or is eligible only for a reduced amount; or

(c) There are no available funds for Independent Living benefits.

(6) Determination of Service Denial. A determination regarding eligibility or continued eligibility for an Independent Living benefit shall be made by the young adult's services worker.

(7) Supervisory review of the determination prior to issuance of a letter denying, terminating, reducing or suspending an Independent Living benefit shall occur as follows:

(a) Before a letter is issued that denies, terminates, or reduces an Independent Living benefit request, the supervisor of the Independent Living services worker shall review the letter.

(b) The supervisory review shall consist of a review of all documents relied upon in denying, reducing, or terminating the service request, to ensure that the necessary documentation is present and to ensure that the decision to deny the service is supported by the documentation and pertinent policies regarding the requested Independent Living benefit.

(c) The purpose of the supervisory review is to ensure that the correct decision has been made with respect to the request for services. If the supervisor determines that an incorrect decision has been made, the service shall not be denied, but rather approved. If the supervisor determines that the denial was appropriate, the supervisor shall document that the supervisory review has occurred.

(d) Only after the supervisory review is successfully completed, and a determination is made by the supervisor that the denial is appropriate, shall the due process notification letter regarding denial, reduction, or termination of Independent Living benefits be issued (See attached Sample Letters, Attachments "A" through "D"). A decision to deny, reduce or terminate benefits shall be documented on "Documentation of Supervisory Review for Notices of Denial, Reduction or Termination of Benefits" or an alternate form that provides the same information (See Attachment G).

(8) Signing the Letter/Notice of adverse action. After the supervisory review is successfully completed, the young adult's services worker shall sign the letter notifying the young adult of the intended adverse action and providing due process information.

(9) Notification of Adverse Action. The services worker shall provide written notice to the young adult regarding any of the actions listed in subsection 65C-31.009(3), F.A.C.

(a) In the Notice, the young adult shall be advised of his or her right to request a fair hearing in accordance with 45 CFR § 1355.30 and 45 CFR 205.10.

(b) The notice shall notify the young adult of the adverse action and the date the young adult can expect that action to be implemented.

(c) The services worker shall inform a young adult of the adverse action regarding eligibility within the following time frames:

1. One (1) calendar day of receiving a request for aftercare assistance to prevent homelessness;

2. Five (5) business days of receiving a request for transitional benefits or aftercare benefits other than assistance to prevent homelessness; OR

3. Ten (10) business days of receiving a request and required documentation for the Road to Independence program.

(d) Notices regarding reduction or termination of benefits shall be sent at least 10 days in advance of the adverse action. The notices shall provide the day prior to the effective date of the reduction or termination as the deadline for a request for a fair hearing to continue benefits until the hearing process is complete. If the day prior to the effective date is on a weekend or holiday, the deadline must be on the effective date itself.

(10) Form of Notification. Notification shall be in writing. One of the attached sample letters shall be used to notify young adults of the adverse action (See Attachments "A" through "D"). All relevant reasons for the adverse action must be indicated on the appropriate notice.

(a) The completed notification shall include notice of action, reason(s) for action, and relevant citations. The form shall be completed in its entirety and all relevant blanks shall be filled in. If there are multiple reasons for denial, reduction, or termination, all shall be listed.

(b) A "Request for Fair Hearing on Denial, Termination, or Reduction of Independent Living Benefits", CF-FSP 5304, September 2005, incorporated by reference, and the brochure "Independent Living Benefits Due Process Rights", CF/PI 175-11, September 2005, incorporated by reference, shall be attached to the Notice.

(c) A Notice that pertains to fair hearing rights shall include the name, address and phone number of the services worker responsible for providing Independent Living Services to the young adult.

(d) The Notice shall be sent by Certified Mail or provided to the young adult by hand delivery. Documentation of hand delivery shall be made in the young adult's file contemporaneously with the hand delivery. The certified mail receipt shall also be placed in the young adult's file.

(e) Timeframes for response shall be clearly defined.

1. The request for a fair hearing shall be received by the services worker no later than thirty (30) calendar days from the date the notice was mailed or hand delivered to the individual.

2. If a request for hearing is received by the services worker on or before the day prior to the effective date of the reduction or termination of benefits, those benefits shall continue at their current level until the fair hearing process is completed. If the day prior to the effective date of the reduction or termination is on a weekend or holiday, the deadline to request a fair hearing and continue benefits shall be the effective date of the reduction or termination. The deadline shall be clearly stated in the Notice.

3. The right to request a fair hearing shall be exercised within thirty (30) days of the date the notice of adverse action was mailed or hand delivered. However, the issue of whether a request was timely made is one that shall be determined by the hearing officer. A request for a hearing can be rejected or dismissed only by the hearing officer. Therefore, if a request for a hearing is not within the given timeframes, the request shall not be refused. It shall be taken and forwarded to the Florida Department of Children and Families Office of Appeal Hearings with a notation on the "Independent Living Fair Hearing Request", which is used as a Fax cover sheet, (Attachment F) that the request was late. The Office of Appeal Hearings will handle late-filed requests from the central office.

(f) The request for a fair hearing may be made orally or in writing.

1. The form "Oral Request for Fair Hearing "CF-FSP 5303, September 2005, incorporated by reference, shall be used by the services worker to document oral requests for a fair hearing.

2. Written requests shall be prepared by the young adult on "Request for Fair Hearing on Denial, Termination, or Reduction of Independent Living Benefits", CF-FSP 5304, September 2005, incorporated by reference.

(11) Timeframes.

(a) Response to a Notice of Action of Termination or Reduction of Existing Benefits. When a young adult receives notice of recommended action from the services worker, the following time limitations to request a hearing shall apply:

1. The written or oral request for a fair hearing shall be made no later than thirty (30) days from the date a notice is mailed or hand delivered to the young adult.

2. When a request for a fair hearing is made at least one calendar day prior to the date of the reduction or termination of benefits, (See attached Sample Letters, Attachments "B" and "C"), the request shall suspend or stay the termination or reduction action until the conclusion of the hearing process. If the day prior to the date of the reduction or termination is a weekend day or holiday, a request for a fair hearing received on the date of the reduction or termination shall also suspend or stay the reduction or termination action until the conclusion of the hearing process.

(b) Response to a Notice of Action of Denial of an Application for Benefits. When a young adult receives notice of denial of benefits (for benefits which have not yet been received, rather than the reduction or termination of benefits currently being received) from the services worker, the following time limitations to request a hearing shall apply:

1. The written or oral request for a fair hearing shall be made no later than thirty (30) days from the date a notice is mailed to the young adult.

2. The young adult shall not receive the denied services until the hearing officer rules in favor of the individual (but may receive other services for which he or she has not been denied).

(12) Transmittal of Hearing Request to the Department or Its Contracted Service Provider.

(a) The completed "Oral Request for Fair Hearing" form or the written request on the "Request for Fair Hearing on Denial, Termination, or Reduction of Independent Living Benefits" form and a copy of the Due Process notice letter shall be faxed by the services worker, using as a cover sheet the form "Independent Living Fair Hearing Request" (Attachment F), within one (1) business day of receipt to the District Legal Counsel, the Attorney General's Office and the Office of Appeal Hearings of the Department of Children and Families, whose address and fax number is noted on the cover sheet (Attachment F).

(b) The services worker receiving the request shall forward a copy of all documentation supporting the decision regarding the Independent Living benefit at issue to the District Legal Counsel and the Office of the Attorney General within three (3) business days.

(13) Additional Local Preparation for Fair Hearings.

(a) The services worker receiving the request shall immediately prepare copies of the young adult's complete Independent Living file to provide to both the young adult and the legal representative for the department or its contracted

service provider. The services worker shall provide the complete file to both the young adult and the legal representative for the department or its contracted service provider, whether or not a request has been made.

(b) The Office of the Attorney General (OAG) will appear as counsel to defend the adverse action only if the OAG has received copies of the written request, the due process letter, and all the documentation supporting the decision at least 14 days before a scheduled hearing. Otherwise, the District Legal Counsel is responsible for the hearing.

(c) The services worker responsible for the young adult's Independent Living benefits case (the services worker in the county where the young adult's involvement in independent living services originated) shall coordinate and participate in the Fair Hearing, even if the hearing takes place in a different county or district. The Fair Hearing will take place wherever the young adult lives.

(d) Staff in each departmental zone shall be available to provide technical assistance regarding Independent Living requirements to counsel for the department and its contracted service provider in preparation for the Fair Hearing. Therefore, the legal representative for the department and its contracted service provider shall be provided access to the young adult's Independent Living file by departmental zone staff when needed as part of trial preparation.

(14) Update to the department's Interim Child Welfare Services Information System (ICWSIS) or contracted service provider payment system:

(a) Update after initial notice of termination or reduction.

1. No update shall be made to the ICWSIS system to reduce or terminate funding for any service until the 11th day after the notice was sent to the individual, or the effective date of the reduction, whichever occurs later, and only if the individual has not requested a hearing and continuation or reinstatement of services.

2. If the young adult files for a hearing in accordance with the timeframes in subsection 65C-31.009(11), F.A.C., no adjustment shall be made to ICWSIS until after the appeal hearing decision is rendered.

(b) Update after Hearing Officer's decision.

1. If ICWSIS was not initially adjusted and the decision is in favor of the Department, ICWSIS will be adjusted within five days after the Department receives a copy of the order to reflect the decision of the officer.

2. If the decision is in favor of the individual and ICWSIS had not been adjusted because the individual requested a hearing in accordance with subsection 65C-31.009(11), F.A.C., then no change shall be made to ICWSIS and services will continue.

(15) Local [Informal] Review. Upon receipt of a Request for Hearing, an informal Local Review is mandated prior to the Fair Hearing itself.

(a) In view of the fact that a hearing may be scheduled fairly quickly, the Local Review shall occur no later than 10 days after receipt of the request for hearing. This Review shall mirror the supervisory review done prior to the issuance of the due process letter (Section 6 above).

(b) The Local Review shall be done by the local department administrator or the administrator of its contracted service provider in charge of the Independent Living program in consultation with the services worker's supervisor.

(c) The Local Review shall include an informal meeting with the young adult and/or the young adult's legal representative, if the young adult requests such a meeting.

(d) The young adult or the young adult's legal representative shall be provided, without charge, with a copy of all of the records and documents of the department or its contracted service provider relating to the denied, reduced, or terminated benefit within three (3) business days of the receipt of the Request for a Hearing by the department or its contracted service provider.

(e) If the Local Review or interview resolves the issue to the satisfaction of the young adult, the request for hearing shall be withdrawn. Should an error be discovered during the Local Review, immediate action shall be taken to rectify it, and the young adult or the young adult's legal representative shall be advised.

(f) The informal review determination by the department or its contracted service provider, including specific findings, shall be provided in writing to the young adult or the young adult's legal representative, the District Legal Counsel, the Office of the Attorney General and the Department's Office of Appeal Hearings.

(16) Hearing Officer Decisions for all due process actions regarding denials, reductions and terminations of service.

(a) Hearing Officer Rules in favor of the department or its contracted service provider.

1. If the hearing officer affirms the decision of the department or its contracted service provider to terminate or reduce services, the services worker shall terminate or reduce services if they were continued or reinstated during the appeals process. The services worker shall implement the order five (5) days after the date the order is received by the department or its contracted service provider. The services worker shall immediately notify the young adult or the young adult's legal representative in writing informing him or her of the hearing officer's order and the effective date of the termination or reduction.

2. If the hearing officer affirms the decision of the department or its contracted service provider to terminate or reduce services, and the services have not been continued during the appeal process, the department or its contracted service provider does not need to take any further action

regarding the services at issue. The Final Order shall be sent directly to the young adult and the young adult's legal representative as well as to the services worker.

(b) Hearing Officer Rules in favor of the Individual.

1. If services were discontinued pending the hearing officer's review and the hearing officer's finding is in favor of the individual, then service(s) shall be reinstated according to the hearing officer's decision. This decision shall make clear the required corrective action, including retroactive payment. The services worker shall reinstate services according to the hearing officer's decision within five (5) business days of the date the department or its contracted service provider receives the order.

2. If services were continued or reinstated pending the hearing officer's review and the hearing officer's finding is in favor of the individual, then the service(s) shall continue in accordance with the hearing officer's decision.

3. If services were denied, the services worker shall provide those services, pursuant to the hearing officer's decision, within five (5) business days of receiving the order.

(17) Termination upon failure to renew Road to Independence Scholarship. When a services worker is unable to update a young adult's Road to Independence Scholarship during the 3 months prior to the young adult's birthday due to an inability to either locate or gain the cooperation of the young adult, the following action shall be taken:

(a) The services worker shall document in the case file "due diligence" in trying to locate or secure the cooperation of the young adult to update his or her continued eligibility for the Road to Independence Scholarship. This shall include checking with the post office for a forwarding address and sending the Request for Road to Independence Documentation form to the last known address, requesting forwarding by the post office, and allowing the individual 30 days from date of receipt (or 35 days from date the letter is mailed) to contact the services worker and renew the Road to Independence Scholarship.

(b) If after 35 days, there has been no contact by the young adult, or if it has been verified that the young adult has been terminated from the rolls of the post-secondary school, a letter (See Attachment "C") shall be sent by U.S. mail, certified return receipt, to the last known address to notify the young adult that he or she is terminated from the program. The effective date of termination shall be calculated at 35 days following the date the oral request form was mailed.

Specific Authority 409.1451(10) FS. Law Implemented 409.1451(5)(e) FS. History-New _____.

65C-31.010 Jurisdictional and Service Requirements for Young Adults Formerly in the Custody of the Department.

(1) Continued Court Jurisdiction for Young Adults Formerly In The Legal Custody Of The Department.

(a) These requirements apply to all staff providing services to children in custody of the department and young adults formerly in foster care who wish to petition the court for continued jurisdiction, as well as, young adults whose jurisdiction has been retained for the purpose of allowing continued consideration of a special immigrant juvenile status petition and application. The young adult shall use the "Petition to Extend Jurisdiction or to Reinstate Jurisdiction and to Schedule Hearing" CF-FSP 5301, September 2005, incorporated by reference.

(b) Reasons for Continuing Court Jurisdiction for Young Adults:

1. A youth may petition the court, for continued jurisdiction, anytime before his or her 19th birthday. This jurisdiction may continue for a period not to exceed one year beyond the youth's 18th birthday. The youth does not maintain "foster care" status as those who are under the age of 18, but instead the courts maintain jurisdiction for the purpose of determining whether the young adult is receiving appropriate adult services, which may include:

- a. Aftercare Support;
- b. Road-to-Independence Scholarship;
- c. Transitional Support;
- d. Mental Health; and
- e. Developmental Disabilities Services.

2. The court may retain jurisdiction over a previously dependent young adult solely for the purpose of allowing continued consideration of a petition for special immigrant juvenile status and an application for adjustment that was not granted by the time the youth reached 18 years of age. Court jurisdiction in these cases:

- a. Terminates upon the final decision of the federal authorities or upon the young adult's 22nd birthday.
- b. Does not affect the status of the services available to a young adult under Section 409.1451, F.S.
- c. Does not require a petition from the youth. Courts themselves may retain jurisdiction.

(c) Judicial review responsibilities.

1. Continued jurisdiction to monitor adult services. The services worker and Child Welfare Legal Services attorney shall participate in judicial review hearings for young adults as required by the court and shall provide reports to the court, as requested.

2. Continued jurisdiction to monitor special immigrant juvenile status. Review hearings for the young adults shall be for the sole purpose of determining the status of the petition and application.

(d) Case Management responsibilities.

1. Case management to ensure delivery of appropriate young adult services. Though case management for young adults is not required, the department or its contracted service

provider shall assign a services worker to provide any needed case management services and provide reports required by the court. Responsibilities of the services worker shall be to:

a. Monitor the provision of aftercare support, RTI scholarship and transitional support services to ensure that services are being provided as authorized by law.

b. Collaborate with staff from adult mental health and developmental disability services to ensure appropriate services are being provided as authorized by law.

c. Provide judicial review and/or other status reports to the courts as directed.

2. Case management for special immigrant juvenile cases. Once the petition and application has been filed on behalf of a foster child very little case management responsibilities exist once the age of majority is reached. Disposition of the case rests with the federal authorities and the only case management responsibilities shall be to check the status of the case periodically and report to the court when directed to do so.

(2) Provision of Foster and Group Home Placement for Young Adults Who Are Eligible for The Road-To-Independence Scholarship.

(a) These requirements apply to all staff providing services to children in custody of the department and young adults formerly in foster care and the responsibility to inform the youth of the option for placement in licensed care after reaching age 18 and to arrange for these placements.

(b) Case Management responsibilities for licensed placement after age 18.

1. Children Under the Age of 18. Prior to the youth reaching the age of 18, the services worker shall ensure that the youth is aware of licensed care placement options after the age of 18. In order to ensure that the youth is aware of this option the services worker shall:

a. Provide the youth with all necessary information relating to the RTI scholarship, including eligibility requirements, application forms and assistance in completing the forms.

b. Inform the youth that, if he or she is eligible for the RTI scholarship, he or she may reside in a licensed foster care placement, arranged by the department or its contracted service provider, after the age of 18.

c. Consult with the youth and his or her foster parents or group home provider as early as possible during the youth's 17th year to discuss the possibility of continued placement after the youth's 18th birthday.

d. If the youth's current placement will not be available once he or she reaches age 18 and the youth wishes to be placed in another licensed home that will provide residence after age 18, the services worker shall research other placement options as early as possible in order to provide a smooth transition.

2. Young Adults Age 18 and Over. A young adult formerly in the legal custody of the department is eligible to remain in his or her foster or group home, or another licensed placement arranged by the department or its contracted service provider as long as he or she remains eligible for the RTI scholarship.

(c) Payment of Board Rate. The board rate payment for foster or group home placement shall come from the young adult's RTI scholarship award.

1. Since group home rates are in many cases higher than the RTI award, when a young adult continues to reside in a group care facility the services worker shall attempt to negotiate a lower rate or make other arrangements, such as young adult contribution from earned income or state or community funds available to the department or its contracted service provider to make up the difference.

2. The services worker responsible for the case shall choose one of two ways to ensure the young adult receives his or her RTI scholarship award and that the board rate payment is made. The young adult shall either:

a. Receive 100% of his or her scholarship award and enter into a contract with the foster parent or group home to make monthly board payments; or

b. Have two checks generated for his or her scholarship award. One check would be generated by the department or its contracted service provider and paid directly to the foster or group for board rate payment and a second check would be generated for any remaining award funds to be sent directly to the young adult.

(d) Conduct and House Rules. Although these students are considered adults they shall be informed of rules that they must follow in order to be able to continue in the placement.

(3) Medical Assistance for Young Adults Formerly in Foster Care.

(a) The department is obligated to enroll in the Florida KidCare Program, outside the enrollment period, specified young adults following foster care placement. Each young adult who has reached age 18 years of age but is not yet 19 years of age and who was in licensed foster care when he or she turned 18 years of age, is eligible to enroll, with the following exceptions:

1. A young adult who has exited foster care and has health insurance coverage from a third party through his or her employer, or

2. A young adult who is eligible for Medicaid is not eligible for enrollment.

(b) Payment of Premiums. Each young adult who the department or its contracted service provider has enrolled into the Florida KidCare Program is required to pay the coverage premiums.

(c) Procedural Requirements.

1. Notification. The services worker shall provide written notification to assist the young adult in obtaining access to information regarding the availability of Florida KidCare insurance coverage and how to obtain more information about the program.

2. Applications. The services worker shall consult the Florida KidCare website at www.floridakidcare.org for information regarding the application process and required documents to assist, when requested, all young adults under age 19 who have exited the foster care system to apply for Florida's KidCare Program if they:

a. Have been denied in his or her initial application for the RTI scholarship award; or

b. Are not eligible to apply for the initial RTI scholarship award; or

c. Choose not to apply for the initial RTI scholarship award; or

d. Have had his or her RTI scholarship award terminated, and

e. Have no access to other medical insurance coverage.

(d) Other Medical Insurance/Care Options for Young Adults Formerly in Foster Care. The department or its contracted service provider shall ensure the availability of a current resource list of possible medical insurance/care options for young adults formerly in foster care who do not or no longer qualify for Medicaid or Florida KidCare coverage.

1. This list shall contain eligibility criteria, procedure for application and costs, when available.

2. If a young adult no longer qualifies for Medicaid or Florida KidCare insurance, the services worker shall provide the young adult with the available medical insurance/care resources within the community.

Specific Authority 39.012, 39.0121(13), 39.5075(8), 409.1451(10) FS. Law Implemented 39.013, 39.5075, 39.701(6)(a), 409.1451(5)(d) FS. History--New _____.

65C-31.011 Independent Living Program Budget Management.

(1) General Requirements. The department or its contracted service provider shall manage and stay within the Independent Living Program's contracted amount provided by the department to provide service payments such as scholarships, transitional, pre-independent living skills and aftercare. The departmental district/region or its contracted service provider shall develop a fundamental methodology of projecting how much funding is needed to support the program; compared to the available contracted amount, and adjust accordingly. If a contracted service provider decides that the need is more than the contracted allocation; the contracted service provider has the flexibility to increase the Independent Living allocation within existing state funds within its contract, but this will not be considered part of the base allocation from

the department. The goal of the contracted service provider shall be to provide as many services within the Independent Living Program within the funds available.

(2) Payment Adjustments. Throughout the year a contracted service provider shall have the flexibility to make adjustments to payments in all Independent Living service areas in order to prevent a budgetary shortfall, within the following parameters:

(a) Reduction of new Road to Independence awards or other new benefits based on unavailability of funds. Upon a budget projection that no further full Road to Independence awards or other Independent Living benefits can be provided without impacting current Road to Independence awards, contracted care providers may:

1. Reduce new Road to Independence awards proportionally or down to a minimum award of \$25.00, based on projected availability of funds. AND/OR

2. Reduce or deny new requests for other Independent Living benefits, based on projected availability of funds.

(b) Reduction or termination of current transitional or aftercare financial services. Current transitional and aftercare financial services may be reduced or terminated based on unavailability of funds.

(c) Reduction of current Road to Independence awards.

1. Section 409.1451(10), F.S., specifically states: "The department shall not adopt rules relating to reductions in scholarship awards. The department shall engage in appropriate planning to prevent, to the extent possible, a reduction in scholarship awards after issuance." Therefore, it is clear that while awards may be reduced based on lack of available funding only as a last resort, guidance regarding that reduction may not be addressed in rule.

2. Current Road to Independence awards may be reduced at the time of the annual reassessment.

Specific Authority 409.1451(10) FS. Law Implemented 409.1451(5), FS. History--New _____.

[Attachment A] SAMPLE LETTER

[Use this form letter when you are denying any type of Independent Living benefits due to the individual's ineligibility and/or when no funding currently exists].

On Letterhead

NOTICE OF DENIAL OF (type of benefit)
AND NOTICE OF RIGHT TO APPEAL

Insert date of Mailing

Name of Applicant (The name of the young adult seeking Independent Living Benefits)

Address

City, State, Zip

Dear (enter name of Applicant):

You recently submitted an application to receive [type of benefit]. Pursuant to Section 409.1451(5), Florida Statutes, and based upon a review of your application and supporting documentation, [CBC name] is denying your application for [type of benefit] because:

OR

Pursuant to Section 409.1451(5), Florida Statutes, your request for [type of benefit] funds cannot be satisfied at this time. Presently, the [Agency name or Department] does not have adequate funds available to meet Independent Living benefit requests. In the event that funding becomes available, your application will reviewed and you will be contacted again about your specific request.

If you feel that the [CBC Name]'s decision is incorrect, you have the right to an appeal, which is called a Fair Hearing. You can ask for a Fair Hearing by using the attached form letter, writing your own letter, calling, or coming into the office. You can include any information or documents that you think would help you. You can either mail your letter or bring it to the [CBC Name] office at:

[CBC street address _____], or you can call or come in and speak with [name & telephone number].

The request for a Fair Hearing must be made no later than 30 days from the date this notice was mailed to you. Failure to timely request a Fair Hearing shall constitute a complete waiver of any right you may have to challenge the [CBC Name]'s decision.

You may be represented during the Fair Hearing by an authorized representative, such as a lawyer, relative, friend, or other spokesman, or you may represent yourself.

As part of the Fair Hearing process, you and/or your representative are entitled to an informal meeting with the [CBC Name] Administrator in charge of the Independent Living Program.

If you would like to schedule an informal meeting, or if you have any questions, please call me at _____, or call my supervisor, whose name is _____ and number is _____.

Sincerely,

Name and Title

Attachments: "Your Rights to Due Process" Brochure
REQUEST FOR FAIR HEARING form

[Attachment B] SAMPLE LETTER

[Use this form letter when you are reducing Road to Independence Scholarship or transitional benefits. Aftercare benefits cannot be received on a periodic basis. Therefore, a reduction of an aftercare benefit would not be possible.]

On Letterhead

NOTICE OF INTENT TO REDUCE [ROAD TO INDEPENDENCE/TRANSITIONAL] BENEFITS AND NOTICE OF RIGHT TO APPEAL

Insert Date of Mailing

Name of Client (This is the name of the young adult receiving Independent Living Benefits)

Address

City, State, Zip

Dear (enter name of Client):

This letter is to let you know that the [CBC Name] has determined that your [Road to Independence Scholarship/Transitional funds] will be reduced to: _____ as of _____.

Pursuant to Section 409.1451(5), Florida Statutes, the [CBC Name] is reducing your benefits because:

If you feel that the [CBC Name]'s decision is incorrect, you have the right to an appeal, which is called a Fair Hearing. You can ask for a Fair Hearing by using the attached form letter, writing your own letter, calling, or coming into the office. You

can include any information or documents that you think would help you. You can either mail your letter or bring it to the [CBC Name] office at:

[CBC's street address _____], or you can call or come in and speak with [name & telephone number].

The request for a Fair Hearing must be made no later than 30 days from the date this notice was mailed to you. Failure to timely request a Fair hearing shall constitute a complete waiver of any right you may have to challenge the [CBC Name]'s decision. Any question about whether a request for a Fair Hearing was timely shall be determined by the Fair Hearing Officer.

If you request a Fair Hearing by [ONE CALENDAR DAY BEFORE REDUCTION DATE PROVIDED ABOVE], you will continue to receive benefits at the prior level throughout the Fair Hearing process. If the decision of the Hearing Officer is not in your favor, you may be required to repay the continued benefits for which you were not eligible.

You may be represented during the Fair Hearing by an authorized representative, such as a lawyer, relative, friend, or other spokesman, or you may represent yourself.

As part of the Fair Hearing process, you and/or your representative are entitled to an informal meeting with the [CBC Name] Administrator in charge of the Independent Living Program.

If you would like to schedule an informal meeting, or if you have any questions, please call me at _____, or call my supervisor, whose name is _____ and number is _____.

Sincerely,

Name and Title

Attachments: "Your Rights to Due Process" Brochure
REQUEST FOR A FAIR HEARING form

[Attachment C] SAMPLE LETTER

[Use this form letter when you are terminating Road to Independence Scholarship or transitional benefits. Aftercare benefits cannot be received on a periodic basis. Therefore, termination of an aftercare benefit would not be possible.]

On Letterhead

NOTICE OF INTENT TO TERMINATE [ROAD TO INDEPENDENCE BENEFITS/TRANSITIONAL FUNDS] AND NOTICE OF RIGHT TO APPEAL

Insert Date of Mailing

Name of Client (This is the name of the young adult receiving Independent Living Benefits)

Address

City, State, Zip

Dear (enter name of Client):

This letter is to let you know that the [CBC Name] is terminating your [Road to Independence Scholarship/transitional funds]. Pursuant to Section 409.1451(5), Florida Statutes, the [CBC Name] has made this decision because:

You will receive your final [Road to Independence Scholarship/transitional fund] check during the month of _____ for the amount of _____.

If you feel that the [CBC Name]'s decision is incorrect, you have the right to an appeal, which is called a Fair Hearing. You can ask for a Fair Hearing by using the attached form letter, writing your own letter, calling, or coming into the office. You can include any information or documents that you think would help you. You can either mail your letter or bring it to the [CBC Name] office at:

[CBC's street address _____], or you can call or come in and speak with [name & telephone number].

The request for a fair hearing must be made no later than 30 days from the date this notice was mailed to you. Failure to timely request a fair hearing shall constitute a complete waiver of any right you may have to challenge the (CBC Name)'s decision. Any question about whether the request for a Fair Hearing was made timely shall be determined by the Fair Hearing Officer.

If you request a Fair Hearing by [ONE CALENDAR DAY BEFORE TERMINATION DATE PROVIDED ABOVE], you will continue to receive benefits at the prior level throughout

the Fair Hearing process. If the decision of the hearing officer is not in your favor, you may be required to repay the continued benefits for which you were not eligible.

You may be represented during the Fair Hearing by an authorized representative, such as a lawyer, relative, friend, or other spokesman, or you may represent yourself.

In addition, you may qualify for [Aftercare Support Services and/or Transitional Support Services]. A description of [these programs] and the applications are also attached.

[If you have not applied for reinstatement of your Road to Independence Scholarship previously, you may apply for reinstatement one time prior to your 23rd birthday.]

As part of the Fair Hearing process, you and/or your representative are entitled to an informal meeting with the [CBC Name] Administrator in charge of the Independent Living Program.

If you would like to schedule an informal meeting, or if you have any questions, please call me at _____, or call my supervisor, whose name is _____ and number is _____.

Sincerely,

Name and Title

Attachments: "Your Rights to Due Process" Brochure
REQUEST FOR A FAIR HEARING form

[Attachment D] SAMPLE LETTER

[Use this form letter when approving/providing any amount of requested aftercare or transitional financial support services other than the amount requested.]

On Letterhead

NOTICE OF PARTIAL DENIAL OF [AFTERCARE/TRANSITIONAL] SUPPORT SERVICES FUNDS AND NOTICE OF RIGHT TO APPEAL

Insert Date of Mailing

Name of Applicant (This is the name of the individual seeking Independent Living Benefits)

Address

City, State, Zip

Dear (enter name of Applicant):

This letter is to let you know that your request for [Aftercare/Transitional] Support Services funds has been only partially approved.

You are eligible to receive funds based on State and Federal guidelines and using information that you have supplied.

You will be provided a check in the amount of _____. [On your request for Aftercare Support Services funds you indicated that you needed these funds for _____ so that you will not become homeless. This check is being provided to you for this purpose only.]

[In order to avoid emergency situations in the future you may want to take advantage of other services available through Aftercare Support, such as: Mentoring and tutoring; Mental health services and substance abuse counseling; Life skills classes, including credit management and preventive health activities; Parenting classes; Job skills training; and Contact from a caseworker on a regular basis.]

In addition, you may qualify for other [Aftercare/Transitional] Support Services and/or the Road to Independence Scholarship. A description of these programs and the applications for them are also attached.

You originally requested \$ _____. If you feel that the [CBC Name]'s decision to provide you with \$ _____ instead is incorrect, you have the right to an appeal, which is called a Fair Hearing. You can ask for a Fair Hearing by using the attached form letter, writing your own letter, calling, or coming into the office. You can include any information or documents that you think would help you. You can either mail your letter or bring it to the [CBC Name] office at: [CBC's street address _____], or you can call or come in and speak with [name & telephone number].

The request for a fair hearing must be made no later than 30 days from the date this notice was mailed to you. Failure to timely request a fair hearing shall constitute a complete waiver of any right you may have to challenge the [CBC Name]'s decision. Any question about whether the request for a Fair Hearing was made timely shall be determined by the Fair Hearing Officer.

You may be represented during the Fair Hearing by an authorized representative, such as a lawyer, relative, friend, or other spokesman, or you may represent yourself.

As part of the Fair Hearing process, you and/or your representative are entitled to an informal meeting with the [CBC Name] Administrator in charge of the Independent Living Program.

If you would like to schedule an informal meeting, or if you have any questions, please call me at _____, or call my supervisor, whose name is _____ and number is _____.

Sincerely,

Name and Title

Attachments: "Your Rights to Due Process" Brochure
REQUEST FOR A FAIR HEARING form
[Attachment E] SAMPLE LETTER

[Use this letter for approval of Road to Independence Scholarships. The Notice of Right to Appeal is provided in the event that the young adult does not agree with the approved amount, in which case the young adult would have the right to appeal.]

On Letterhead

NOTICE OF APPROVAL OF ROAD TO INDEPENDENCE SCHOLARSHIP AND NOTICE OF RIGHT TO APPEAL

Insert Date of Mailing

Name of Applicant (This is the name of the individual seeking Independent Living Benefits)

Address

City, State, Zip

Dear (enter name of Applicant):

Congratulations! This letter is to let you know that your application for the Road to Independence Scholarship has been approved.

You are eligible to receive a scholarship award based on your living and educational needs. This award has been determined using State and Federal guidelines and using information that you have supplied. Your initial award is _____ and you will receive your first award check during the month of _____, 20 ____.

At the end of each semester you will be expected to provide updated information in order to determine whether your award must be adjusted. In addition, if you receive additional scholarships, grants or income during the current semester that was not reported previously, you must provide this information immediately.

If you drop out of school or drop below full-time attendance, you must report this information immediately in order to avoid wrongfully receiving funds.

Your continued eligibility for the Road to Independence Scholarship will be reviewed each year during the 90-day period before your birthday.

Pursuant to Section 409.1451(5)(b)1, Florida Statutes, the maximum amount you can receive is \$892. If you feel that the [CBC Name]'s decision regarding \$_____ is incorrect, you have the right to an appeal, which is called a Fair Hearing. You can ask for a Fair Hearing by using the attached form letter, writing your own letter, calling, or coming into the office. You can include any information or documents that you think would help you. You can either mail your letter or bring it to the [CBC Name] office at: [CBC's street address _____], or you can call or come in and speak with [name & telephone number].

The request for a fair hearing must be made no later than 30 days from the date this notice was mailed to you. Failure to timely request a fair hearing shall constitute a complete waiver of any right you may have to challenge the [CBC Name]'s decision. Any question about whether the request for a Fair Hearing was made timely shall be determined by the Fair Hearing Officer.

You may be represented during the Fair Hearing by an authorized representative, such as a lawyer, relative, friend, or other spokesman, or you may represent yourself. In addition, you may qualify for Aftercare Support Services and/or Transitional Support Services. A description of these programs and the applications are also attached.

As part of the Fair Hearing process, you and/or your representative are entitled to an informal meeting with the [CBC Name] Administrator in charge of the Independent Living Program.

If you would like to schedule an informal meeting, or if you have any questions, please call me at _____, or call my supervisor, whose name is _____ and number is _____.

Sincerely,

Name and Title

Attachments: "Your Rights to Due Process" Brochure
REQUEST FOR FAIR HEARING form
[Attachment F]



Independent Living Fair Hearing Request

A hearing has been requested for:	The Authorized Representative (if applicable) is:
_____ Name	_____ Name
_____ Address	_____ Address
_____ City, State Zip	_____ City, State Zip
_____ Telephone Number / Social Security Number	_____ Telephone Number

The [CBC/Department] has taken the following action regarding the individual's eligibility for or receipt of Independent Living benefits from the Department through its contracted CBC:

The individual has stated that he/she is not satisfied with this action and is requesting a hearing for the following reasons:

The Department's Representative is:
Name _____
Address _____
City, State Zip _____
Telephone Number /Date of Request _____

This hearing request must be mailed or faxed to Office of Appeal Hearings, Department of Children and Families, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700 within 24 hours. Fax # (850) 487-0662 or (SC _____). A copy of the letter to which this request pertains should accompany this request for hearing.

Name / Telephone # of person taking request

[Attachment G]

DOCUMENTATION OF SUPERVISORY REVIEW FOR NOTICES OF DENIAL, REDUCTION, OR TERMINATION OF BENEFITS

- 1. Client name: _____
- 2. Benefit requested or currently received: _____
- 3. Action to be noticed: _____
- 4. Reason(s) for action: _____

Supervisor's name and signature)

(Date)

DEPARTMENT OF FINANCIAL SERVICES
Division of Insurance Agents and Agency Services

RULE NO.: 69B-211.005
RULE TITLE: Fees

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule as noticed in Volume 32, No. 11, March 17, 2006, of the Florida Administrative Weekly, has been withdrawn.

DEPARTMENT OF FINANCIAL SERVICES
Division of Insurance Agents and Agency Services

RULE NOS.: 69B-220.001
69B-220.201
RULE TITLES: Pre-qualification and Licensure of Emergency Adjusters
Ethical Requirements
NOTICE OF CHANGE

Notice is hereby given that the following changes have been made, in accordance with Section 120.54(3)(d)1., F.S., to the proposed rules published in Vol. 32, No. 7, of the Florida Administrative Weekly on February 17, 2006.

Subsection (5) of Rule 69B-220.001, F.A.C., is amended to provide that the appropriate official must submit an application for licensure of an emergency adjuster to the Department within 7 days after the adjuster starts working rather than within 3 days. It is also amended to clarify the website link for the application process for emergency adjuster. The rule shall now read as follows:

(5) Procedures for Licensing and Appointment of Emergency Adjusters; Responsibilities of Appointing Entity.

(a) All Florida-licensed insurers, independent adjusting firms, independent adjusters, and general lines agents, shall use the following procedures to utilize emergency company or independent adjusters. The entities or persons listed in the preceding sentence may immediately and without advance paperwork to this department, engage and cause commencement of catastrophe adjusting work for themselves, by any persons, whether on their staff, or hired by them, or engaged by them as independent contractors or as employees of a contractor engaged by them, although the person is not currently licensed as an adjuster in Florida, if the Florida-licensed insurer, independent adjusting firm, independent adjuster or general lines agent utilizing these persons as emergency or catastrophe adjusters determine that these persons are qualified to do such adjusting work. A person is not qualified to adjust claims, for any entity or person who utilizes computer software program(s) in the adjusting process, unless the person has received training in and is capable of correctly utilizing the program(s). Within 7 calendar days after adjusting work has begun, the appropriate official must submit an online application to the department on Form DFS-396, Application for License and Appointment as a Catastrophe or Emergency Adjuster, Rev. 5/06, which is hereby adopted and incorporated by reference. Applications shall be submitted on the Department's website at www.fldfs.com/agents/app_screen.htm. Applicable fees shall be submitted by electronic payment at the time of submission of an application.

A new paragraph (s) is added to subsection (3) of Rule 69B-220.201, F.A.C., to read:

(s) An independent or company adjuster or other person acting on behalf of the insurer shall provide at least 48 hours notice to the insured or claimant prior to scheduling an on-site

inspection of insured property that is the subject of a claim. This insured or claimant may deny access to the property if this notice has not been provided.

Paragraph (a) of subsection (5) of Rule 69B-220.201, F.A.C., is amended to read:

(a) No public adjuster shall require, demand, charge or accept any fee, retainer, compensation, commission, deposit, or other thing of value, prior to receipt by the insured or claimant of a payment of claim proceeds by the insurer.

DEPARTMENT OF FINANCIAL SERVICES

Division of Insurance Agents and Agency Services

RULE NOS.:	RULE TITLES:
69B-231.010	Purpose
69B-231.020	Scope
69B-231.030	Definitions
69B-231.040	Calculating Penalty
69B-231.070	Prosecutorial Discretion
69B-231.080	Penalties for Violation of Section 626.611, F.S.
69B-231.090	Penalties for Violation of Section 626.621, F.S.
69B-231.100	Penalties for Violation of Section 626.9541(1), F.S.
69B-231.110	Penalties for Violation of Other Specific Provisions of the Florida Insurance Code
69B-231.120	Penalties for Violation of Other Insurance Code Provisions
69B-231.130	Penalties for Violation of Department Rules
69B-231.140	Penalties for Violation of Department Orders
69B-231.150	Criminal Proceedings
69B-231.160	Aggravating/Mitigating Factors

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rules, as noticed in Vol.32, No. 1, January 6, 2006, has been withdrawn.

**Section IV
Emergency Rules**

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection’s home page at <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection’s home page at <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

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

DEPARTMENT OF LAW ENFORCEMENT

The Department of Law Enforcement, Criminal Justice Standards and Training has taken action at its May 4, 2006, meeting on a petition for waiver received from Collier County Public Schools, on March 27, 2006. Notice of receipt of this petition was published in the Florida Administrative Weekly, Vol. 32, No. 15, April 14, 2006. No public comment was received. Petitioner has petitioned for a waiver of subsection 11B-21.002(3), F.A.C., pursuant to Section 120.542, F.S. Petitioner has requested that the Department waive the requirement that an entity wishing to create an officer training school present the proposal to the proper Regional Training Council. Petitioner has petitioned that the CJSTC make the determination to grant or deny Petitioner’s proposal. On May 4, 2006, the Criminal Justice Standards and Training Commission denied a waiver of this rule to Collier County Public Schools, in a final order, OGC File No.: VAR 06-2. This rule waiver was denied because the petitioner could not demonstrate that a strict application of the rule would result in undue hardship to them or would affect them differently than other similarly situated applicants and because they had not successfully fulfilled the requirements of Section 943.14, F.S., by other means.

For a copy of the final order write or call: Grace A. Jaye, Florida Department of Law Enforcement, Box 1489, Tallahassee, FL 32302-1489, (850)410-7687.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection’s home page at <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN that on May 3, 2006, South Florida Water Management District (District) received a petition for waiver from Collier County Transportation

Department, Application Number 06-0116-6, for issuance of a Right of Way Occupancy Permit for utilization of Works or Lands of the District known as the County Road 951 (C.R. 951) Canal, Collier County, to allow the proposed widening of the existing pile-supported Tree Farm Road bridge crossing County Road 951 Canal, Sections 26 & 35, Township 48 South, Range 26 East, and due to the characteristics of the existing bridge, the widened portions will not meet the District's vertical clearance requirement of 2 feet above the design water surface elevation. The petition seeks relief from paragraph 40E-6.221(2)(j), Florida Administrative Code, which governs the minimum vertical clearance requirement of pile-supported crossings within Works or Lands of the District. A copy of the petition may be obtained from Kathie Ruff, (561)682-6320 or e-mail at kruff@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406. Attn.: Kathie Ruff, Office of Counsel.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that on May 4, 2006, the Division of Hotels and Restaurants received a Petition for a Routine Variance for subsections 61C-4.010(1) and 61C-4.010(6), Florida Administrative Code, from New Sabor, Inc. located in Orlando. The above referenced F.A.C. addresses food supplies, food protection, and physical facilities-except as specifically provided in this rule, public food service establishments shall be subject to the provisions of chapter three and chapter six of the FDA Food Code. They are requesting to do open air food service on a Mobile Food Dispensing Vehicle.

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

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

NOTICE IS HEREBY GIVEN that on April 21, 2006, the Bureau of Elevator Safety received a Petition for Variance from Rules 2.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9, A.S.M.E. 17.1, 2000 edition, as adopted by Chapter 3001.2, 2004 Florida Building Code, which require a machine room, steel ropes and non welded terminations, from Jennifer Livingston of Otis Elevator Company. The Petitioner is requesting a variance to

allow the installation of Gen2™ elevator systems in the following location: Resort at Singer Island, Group 1 Elevator #4 & 5, Singer Island (Petition 2006-102).

A copy of the Petitions can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on April 21, 2006, the Bureau of Elevator Safety received a Petition for Variance from Rules 2.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9, A.S.M.E. 17.1, 2000 edition, as adopted by Chapter 3001.2, 2004 Florida Building Code, which require a machine room, steel ropes and non welded terminations, from Jennifer Livingston of Otis Elevator Company. The Petitioner is requesting a variance to allow the installation of Gen2™ elevator systems in the following location: Resort at Singer Island, Group 1 Elevator #6, Singer Island (Petition 2006-103).

A copy of the Petitions can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on April 21, 2006, the Bureau of Elevator Safety received a Petition for Variance from Rules 2.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9, A.S.M.E. 17.1, 2000 edition, as adopted by Chapter 3001.2, 2004 Florida Building Code, which require a machine room, steel ropes and non welded terminations, from Jennifer Livingston of Otis Elevator Company. The Petitioner is requesting a variance to allow the installation of Gen2™ elevator systems in the following location: Resort at Singer Island, Group 1 Elevator #1 & 2, Singer Island (Petition 2006-104).

A copy of the Petitions can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on April 21, 2006, the Bureau of Elevator Safety received a Petition for Variance from Rules 2.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9, A.S.M.E. 17.1, 2000 edition, as adopted by Chapter 3001.2, 2004 Florida Building Code, which require a machine room, steel ropes and non welded terminations, from Jennifer Livingston of Otis Elevator Company. The Petitioner is requesting a variance to

allow the installation of Gen2™ elevator systems in the following location: Resort at Singer Island, Group 1 Elevator #7, Singer Island (Petition 2006-105).

A copy of the Petitions can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on April 21, 2006, the Bureau of Elevator Safety received a Petition for Variance from Rules 2.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9, A.S.M.E. 17.1, 2000 edition, as adopted by Chapter 3001.2, 2004 Florida Building Code, which require a machine room, steel ropes and non welded terminations, from Jennifer Livingston of Otis Elevator Company. The Petitioner is requesting a variance to allow the installation of Gen2™ elevator systems in the following location: Resort at Singer Island, Group 1 Elevator #8, Singer Island (Petition 2006-106).

A copy of the Petitions can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on April 21, 2006, the Bureau of Elevator Safety received a Petition for Variance from Rules 2.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9, A.S.M.E. 17.1, 2000 edition, as adopted by Chapter 3001.2, 2004 Florida Building Code, which require a machine room, steel ropes and non welded terminations, from Jennifer Livingston of Otis Elevator Company. The Petitioner is requesting a variance to allow the installation of Gen2™ elevator systems in the following location: Resort at Singer Island, Group 1 Elevator #3, Singer Island (Petition 2006-107).

A copy of the Petitions can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on April 20, 2006, the Bureau of Elevator Safety received a Petition for Variance from Rules 2.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9, A.S.M.E. 17.1, 2000 edition, as adopted by Chapter 3001.2, 2004 Florida Building Code, which require a machine room, steel ropes and non welded terminations, from Jennifer Livingston of Otis Elevator Company. The Petitioner is requesting a variance to

allow the installation of Gen2™ elevator systems in the following location: The Whitney Condominiums, Group 1, Elevator #3 & 4, West Palm Beach (Petition 2006-099).

A copy of the Petitions can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on April 20, 2006, the Bureau of Elevator Safety received a Petition for Variance from Rules 2.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9, A.S.M.E. 17.1, 2000 edition, as adopted by Chapter 3001.2, 2004 Florida Building Code, which require a machine room, steel ropes and non welded terminations, from Jennifer Livingston of Otis Elevator Company. The Petitioner is requesting a variance to allow the installation of Gen2™ elevator systems in the following location: The Whitney Condominiums, Group 1, Elevator #2, West Palm Beach (Petition 2006-100).

A copy of the Petitions can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on April 20, 2006, the Bureau of Elevator Safety received a Petition for Variance from Rules 2.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9, A.S.M.E. 17.1, 2000 edition, as adopted by Chapter 3001.2, 2004 Florida Building Code, which require a machine room, steel ropes and non welded terminations, from Jennifer Livingston of Otis Elevator Company. The Petitioner is requesting a variance to allow the installation of Gen2™ elevator systems in the following location: The Whitney Condominiums, Group 1, Elevator #1, West Palm Beach (Petition 2006-101).

A copy of the Petitions can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on April 21, 2006, the Bureau of Elevator Safety received a Petition for Variance from Rules 2.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9, A.S.M.E. 17.1, 2000 edition, as adopted by Chapter 3001.2, 2004 Florida Building Code, which require a machine room, steel ropes and non welded terminations, from leLaine Koutebera of Otis Elevator Company. The Petitioner is requesting a variance to

allow the installation of Gen2™ elevator systems in the following location: W Plaza Condominium Project, St. Petersburg (Petition 2006-108).

A copy of the Petitions can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on April 24, 2006, the Bureau of Elevator Safety received a Petition for Variance from Rules 2.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9, A.S.M.E. 17.1, 2000 edition, as adopted by Chapter 3001.2, 2004 Florida Building Code, which require a machine room, steel ropes and non welded terminations, from Robert Gerdt of Otis Elevator Company. The Petitioner is requesting a variance to allow the installation of Gen2™ elevator systems in the following location: Jacaranda Trace – Phase II Group 1, Venice (Petition 2006-109).

A copy of the Petitions can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on April 24, 2006, the Bureau of Elevator Safety received a Petition for Variance from Rules 2.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9, A.S.M.E. 17.1, 2000 edition, as adopted by Chapter 3001.2, 2004 Florida Building Code, which require a machine room, steel ropes and non welded terminations, from Robert Gerdt of Otis Elevator Company. The Petitioner is requesting a variance to allow the installation of Gen2™ elevator systems in the following location: Jacaranda Trace – Phase II Group 2, Venice (Petition 2006-110).

A copy of the Petitions can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on April 4, 2006, the Bureau of Elevator Safety received a Petition for Variance from Rules 2.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9, A.S.M.E. 17.1, 2000 edition, as adopted by Chapter 3001.2, 2004 Florida Building Code, which require a machine room, steel ropes and non welded terminations, from Rick Dayton of Otis Elevator Company. The Petitioner is requesting a variance to allow the

installation of Gen2™ elevator systems in the following location: Lake Buena Vista Resort, Phase III Building 3, Orlando (Petition 2006-087).

A copy of the Petitions can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on 3/31/06, the Bureau of Elevator Safety received a Petition for Variance from Rules 2.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9, A.S.M.E. 17.1, 2000 edition, as adopted by Chapter 3001.2, 2004 Florida Building Code, which require a machine room, steel ropes and non welded terminations, from Patricia Serley of Otis Elevator Company. The Petitioner is requesting a variance to allow the installation of Gen2™ elevator systems in the following location: Lost Key Golf & Beach Club San Anton Condominium, Pensacola (Petition 2006-124).

A copy of the Petitions can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on April 17, 2006, Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1.2(b)(1), and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. The petition was received from Steve Powell of KONE Inc., requesting a variance to allow the installation of MonoSpace® elevator systems in the following location: Villa Lago, Boynton Beach (Petition VW 2006-116).

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

NOTICE IS HEREBY GIVEN that on April 17, 2006, Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1.2(b)(1), and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. The petition was received from Steve Powell of KONE

Inc., requesting a variance to allow the installation of MonoSpace® elevator systems in the following location: Metropolitan Parking Garage, Jacksonville (Petition VW 2006-117).

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

NOTICE IS HEREBY GIVEN that on April 17, 2006, Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1.2(b)(1), and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. The petition was received from Steve Powell of KONE Inc., requesting a variance to allow the installation of MonoSpace® elevator systems in the following location: Mirasol Condo II, Miromar Lakes (Petition VW 2006-118).

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

NOTICE IS HEREBY GIVEN that on April 17, 2006, Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1.2(b)(1), and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. The petition was received from Steve Powell of KONE Inc., requesting a variance to allow the installation of MonoSpace® elevator systems in the following location: Ventian Bay Town Center Building 1, New Smyrna Beach (Petition VW 2006-119).

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

NOTICE IS HEREBY GIVEN that on April 17, 2006, Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1.2(b)(1), and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code which prohibit the locating the elevator motor in the

hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. The petition was received from Steve Powell of KONE Inc., requesting a variance to allow the installation of MonoSpace® elevator systems in the following location: Staybridge Suites, Tallahassee (Petition VW 2006-120).

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

NOTICE IS HEREBY GIVEN that on April 17, 2006, Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1.2(b)(1), and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. The petition was received from Steve Powell of KONE Inc., requesting a variance to allow the installation of MonoSpace® elevator systems in the following location: St. Johns River Community College - Fine Arts, Palatka (Petition VW 2006-121).

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

NOTICE IS HEREBY GIVEN that on April 17, 2006, Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1.2(b)(1), and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. The petition was received from Steve Powell of KONE Inc., requesting a variance to allow the installation of MonoSpace® elevator systems in the following location: Sanibel Toll Plaza, Fort Myers (Petition VW 2006-122).

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

The Board of Professional Engineers hereby gives notice that it has received a Petition for Variance or Waiver filed on May 2, 2006 by Quazi Bari. Pursuant to Chapter 28-104, F.A.C., and

Section 120.542, F.S., Petitioner seeks a waiver of the provisions of subsection 61G15-20.007(5), Florida Administrative Code, which is entitled "Foreign Degrees." Specifically, the Petitioner requests a waiver of this rule in its aspect of requiring a completion of deficiencies in Humanities and Social Sciences before being allowed to take the Principles and Practice examination. This petition is filed under emergency status for reasons explained in the petition.

Copies of the petition may be obtained by writing: Paul Martin, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32301.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF HEALTH

The Board of Dentistry hereby gives notice that it has received a petition, filed on April 17, 2006, by Edwin A. Bayo, Esq., on behalf of Jeronimo Guzman, D.M.D. seeking a waiver or variance of subsection 64B5-2.0146(2), F.A.C. with respect to the Board's clinical examination requirements.

Comments on this petition should be filed with the Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

For a copy of the petition, contact: Sue Foster, Executive Director, at the above address or telephone (850)245-4474.

The Board of Physical Therapy Practice hereby gives notice that it has received a petition, filed on April 13, 2006, by Bichoy Gabra, Ph.D., seeking a waiver of the requirements of Rule 64B16-26.2031, Florida Administrative Code. The Petitioner seeks a waiver of the requirement of completion of 2080 internship/work experience hours.

Comments on this petition should be filed with the Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254, within 14 days of publication of this notice.

For a copy of the petition, contact Rebecca Poston, Executive Director, Board of Pharmacy, at the above address or telephone (850)245-4292.

NOTICE IS HEREBY GIVEN that on May 1, 2006, the Department of Health received a petition from Jon Hinchliff, representing Composting Toilet Systems, Inc., requesting a waiver pursuant to Section 120.542, Florida Statutes. Specifically, the petitioner seeks a waiver from subsection 64E-6.009(1), Florida Administrative Code, which requires

composting toilets to be in compliance with standards for Wastewater Recycle/Reuse and Water Conservation Systems as defined by ANSI/NSF International Standard Number 41.

Comments on this petition should be filed with the Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin A02, Tallahassee, Florida 32399-1734.

A copy of the petition may be obtained from: Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin A02, Tallahassee, Florida 32399-1734.

FLORIDA HOUSING FINANCE CORPORATION

NOTICE IS HEREBY GIVEN that on May 9, 2006, Florida Housing Finance Corporation received an Amended Petition for Waiver of Rule 67-48.004(14)(1); 67-48.009(4); 67-48.012(2)(g) and Part V.A.1 of the Universal Application Instructions (REV. 4-03), from Creative Choice Homes XXIX, Ltd. ("Petition"). The Petition is seeking a waiver of the Rules to allow a change in the application after the Application Deadline; Part V.A.1 of the 2003 Universal Application Instructions which limits the SAIL request amount of Medium County applicants to no more than \$1.5 million or in excess of 25% of the Total Development Cost; a waiver from subsection 67-48.009(4), F.A.C., which provides that applicants cannot request additional SAIL funding for the same Development, unless specified in the Universal Application; a variance from subsection 67-48.012(2)(g), F.A.C., which requires a minimum combined debt service coverage of 1.10 for SAIL financed developments.

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

NOTICE IS HEREBY GIVEN that on May 10, 2006, Florida Housing Finance Corporation received a Petition for Waiver of Rule 67-21.008(1)(b), Florida Administrative Code, from Brook Haven, Ltd. ("Petition"). The Petition is seeking a variance of the Rules which mandates that each recipient of a mortgage loan shall provide for a fully amortized payment of the loan beginning on the earlier of 36 months after closing, or stabilized occupancy or conversion to permanent financing pursuant to the loan documents.

A copy of the Petition can be obtained from: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. Florida Housing will accept comments

concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Standard Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

Section VI

Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Florida **Department of Agriculture and Consumer Services** announce a meeting with the Florida Seafood and Aquaculture Committee.

DATE AND TIME: Thursday, June 8, 2006, 9:00 a.m.

PLACE: Sheraton Beach Resort Key Largo, 97000 South Overseas Highway, Mile Marker 97, Key Largo, FL 33037

GENERAL SUBJECT MATTER TO BE CONSIDERED: Seafood and Aquaculture Industry Meeting.

The purpose of this meeting is to receive input from the industry regarding marketing and education efforts. For additional information, or if you need special accommodations due to disability, please call Stacie Smith, (850)488-0163.

Notice is hereby given that the Florida **Department of Agriculture and Consumer Services, Division Food Safety** will conduct a public informational meeting of the Florida Food Safety and Food Security Advisory Council on Pandemic Influenza to which all interested persons are invited.

DATE AND TIME: Thursday, May 25, 2006, 9:00 a.m. – 12:00 p.m. (Noon)

PLACE: Ben Hill Auditorium – Room 2, 700 Experiment Station Road, Lake Alfred Research Center, Lake Alfred, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Informational meeting, hear a presentation entitled “Pandemic Influenza: Response Planning” by Bill Tynan MD, MPH, Florida Department of Health.

The person to be contacted regarding this meeting is: Michele Smith, Division of Food Safety, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650, (850)488-0295.

An agenda of the meeting is available as no charge from the contact person listed above.

DEPARTMENT OF EDUCATION

The **Department of Education, Division of Blind Services, Business Enterprises Program** announces a Selection Panel meeting to which all persons are invited.

DATES AND TIMES: May 23, 2006, 1:00 p.m. – 4:30 p.m.; and 9:00 a.m. – 4:30 p.m., on subsequent days until all business has been concluded but no later than by Noon on May 26, 2006

PLACE: The Residence Inn Tampa Downtown, Meeting Room A, 101 Tyler Street, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review and interview applicants for the business opportunities announced in April 2006.

The **Gulf Coast Community College**, District Board of Trustees, Budget Committee announces a meeting to which all persons are invited.

DATE AND TIME: June 5, 2006, 2:00 p.m.

PLACE: Gulf Coast Community College President’s Office

CONTACT: Robert L. McSpadden, President, (850)872-3800

DEPARTMENT OF COMMUNITY AFFAIRS

The Notice of Proposed Rule Development for Rule 9B-3.047, Florida Administrative Code, appeared in the April 14, 2006, edition of the Florida Administrative Weekly. Supplemental workshops are scheduled to be held at:

DATE AND TIME: Monday, June 19, 2006, 9:00 a.m.

PLACE: The Sandestin Beach Resort, 9300 Emerald Coast Parkway, West, Destin, Florida

DATE AND TIME: Wednesday, July 11, 2006, 4:00 p.m.

PLACE: The Seminole Hard Rock, 1 Seminole Way, Hollywood, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of additional workshops is to accept results of study of panhandle wind borne debris region, comments on the study, and to take such further action as is warranted by the information received. All interested persons are invited to attend. For further information, please contact: Jim Richmond, Assistant General Counsel, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-0410.

Any person requiring special accommodations at the workshop because of a disability or physical impairment should contact: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824, at least seven days before the date of the workshop. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) or 1(800)955-9771 (TDD).

DEPARTMENT OF REVENUE

The **Department of Revenue**, Property Tax Administration Program announces three public workshops relating to specific areas of the value adjustment board process and to which all

interested persons are invited. These are not rule development workshops, but rather are public workshops held solely to receive public input for the specific purposes described below. At this time, the Department is not proposing rulemaking related to the value adjustment board process.

DATE AND TIME: June 13, 2006, 9:00 a.m. – 4:00 p.m., or earlier if business is completed

PLACE: R. A. Gray Building, Heritage Hall (Auditorium), 500 South Bronough St., Tallahassee, Florida

DATE AND TIME: June 15, 2006, 9:30 a.m. – 4:00 p.m., or earlier if business is completed

PLACE: Orlando Public Library, Albertson Room, 101 East Central Blvd., Orlando, Florida

DATE AND TIME: June 16, 2006, 9:00 a.m. – 4:00 p.m., or earlier if business is completed

PLACE: Broward County Board of County Commissioners' Chambers, Governmental Center, Room 422, 115 South Andrews Ave., Fort Lauderdale, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: These are public workshops held solely for the purpose of receiving public input on specific subject areas relating to the value adjustment board process, as specified below.

Subject Area No. 1 – Possible Compilation of Existing Statutes, Rules, and Case Law: The Department is considering the production of a compilation of existing law relating to the value adjustment board process, and would like to receive public input on the appropriate content of such a possible compilation.

Subject Area No. 2 – Assessment of Degree of Need for Training Special Magistrates: There is currently no statutory provision for the Department to deliver training to Special Magistrates or for Special Magistrates to receive such training. However, the Department would like to receive public input on the degree of need for the training of Special Magistrates and on the appropriate content for any such training.

Subject Area No. 3 – Verification of the Qualifications of Special Magistrates: The Department is currently considering the possible development of checklists for verifying the qualifications of Special Magistrates that could be used by the Clerk's of the Value Adjustment Boards to verify the qualifications of Special Magistrates. The Department would like to receive public input on the degree of need for such checklists and on the appropriate content of any such checklists.

ADDITIONAL INFORMATION: A contextual overview and further information on the specific subjects for these workshops are available at <http://www.myflorida.com/dor/property/> or may be requested from: Sharon Gallops, Florida Department of Revenue, P. O. Box 3000, Tallahassee, Florida 32315-3000, gallops@dor.state.fl.us or (850)414-6108.

WRITTEN COMMENTS ARE WELCOME: If any interested parties are unable to attend any of the three public workshops referenced above, such parties are encouraged to submit

written input on the specific subject areas outlined above. Please direct any written input to: Sharon Gallops, Florida Department of Revenue, P. O. Box 3000, Tallahassee, FL 32315-3000 or gallops@dor.state.fl.us.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in these workshops is asked to advise the Department at least 48 hours before such proceeding by contacting Sharon Gallops, (850)414-6108. Any person who is hearing or speech-impaired should contact the Department using the Florida Relay Service, which can be reached at (800)955-8770 (voice) and (800)955-8771 (TDD).

DEPARTMENT OF TRANSPORTATION

The Florida **Department of Transportation** invites you to attend and participate in a Public Hearing for the State Road 52 (SR 52) Project Development and Environment (PD&E) Study Reevaluation. The proposed project involves improving SR 52 from east of the Suncoast Parkway to west of I-75 in Pasco County, FPN: 256243-1, FAP No.: 1851-108.

DATE AND TIME: Thursday, May 25, 2006, 5:00 p.m. – 7:00 p.m. (formal portion beginning at 6:00 p.m.)

PLACE: Bethel Baptist Church, 18935 Michigan Lane, Spring Hill (Land O'Lakes), Florida 34610

The Department will receive verbal and written comments at the Public Hearing. It should be noted that the comment period for this hearing has been extended. The Public Hearing record will remain open until Thursday, June 8, 2006 at which time a second meeting will be held to conclude the hearing proceedings.

DATE AND TIME: Thursday, June 8, 2006, 11:00 a.m. – 12:00 p.m. (Noon)

PLACE: Dade City City Hall, 37918 Meridian Avenue, Dade City, Florida 33525

Written comments not received at one of the hearing proceedings may be submitted to the Department via mail but must be postmarked by Monday, June 19, 2006 to become part of the official Public Hearing record. Written comments should be addressed to: Robert M. Clifford, AICP, Modal Planning and Development Manager, Florida Department of Transportation, District Seven, 11201 N. McKinley Drive, MS 7-500, Tampa, Florida 33612.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Hearing is being held to allow interested persons the opportunity to provide comments concerning the recommended "Build" Alternative for the project. The project proposes improving SR 52 from two to six lanes between the Suncoast Parkway and I-75.

The Public Hearing is being conducted pursuant to Chapter 339, Florida Statutes, 23 CFR 771, 23 U.S.C. 128, Chapter 120, Florida Statutes and Title VI and Title VIII of the United States Civil Rights Acts of 1964 and 1968. Individuals

requiring special considerations under the Americans with Disabilities Act of 1990 should contact Gabor Farkasfalvy, Project Manager, at (813)975-6455 or (800)226-7220.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

STATE BOARD OF ADMINISTRATION

NOTICE IS HEREBY GIVEN by the **Florida Hurricane Catastrophe Fund Finance Corporation**, a public benefits corporation created under Section 215.555(6)(d), F.S., of a meeting of the Board of Directors to which all persons are invited.

DATE AND TIME: May 31, 2006, this meeting will take place during, or immediately following the conclusion of the meeting of the Governor and Cabinet, which begins at 9:00 a.m. (ET)

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To provide the authorization for the Corporation to engage in financial transactions, including the issuance of bonds, to provide sufficient funds to achieve the purposes of Section 215.555, F.S.

Anyone wishing a copy of the Agenda should contact: Tracy Allen, Florida Hurricane Catastrophe Fund, P. O. Drawer 13300, Tallahassee, FL 32317-3300, (850)413-1341.

NOTICE IS HEREBY GIVEN by the **State Board of Administration** of a meeting to which all persons are invited.

DATE AND TIME: May 31, 2006, 9:00 a.m. (ET) – conclusion

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To provide permission for the Florida Hurricane Catastrophe Fund ("Fund") to file Rule 19-8.028, F.A.C., Reimbursement Premium Formula, along with the forms incorporated therein, for adoption; to provide permission to file an emergency Rule 19ER06-2 (19-8.013, Revenue Bonds Issued Pursuant to Section 215.555(6), F.S.), to address and take action on the need to raise additional revenue to fund the obligations, costs and expenses of the Fund and the Florida Hurricane Catastrophe Fund Finance Corporation, including directing the levy of emergency assessments by the Office of Insurance Regulation and requesting the issuance of bonds by the Florida Hurricane Catastrophe Fund Finance Corporation pursuant to

Section 215.555, F.S., and to provide permission to adopt emergency rules to implement the Insurance Capital Build-Up Incentive Program to implement legislation that passed on May 5, 2006, pending such legislation becoming law. In addition, the State Board of Administration will appoint a chair for the Florida Commission on Hurricane Loss Projection Methodology, and other general business of the Fund and the Board will be addressed.

Anyone wishing a copy of Rule 19-8.028, F.A.C., the emergency rules or incorporated forms should contact: Tracy Allen, Florida Hurricane Catastrophe Fund, P. O. Drawer 13300, Tallahassee, FL 32317-3300, (850)413-1341.

DEPARTMENT OF CITRUS

The **Department of Citrus** announces an emergency meeting of the Special Industry Committee to which all persons are invited.

DATE AND TIME: Tuesday, May 16, 2006, 1:30 p.m.

PLACE: Florida Department of Citrus, 1115 East Memorial Blvd., Lakeland, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to receive consolidated recommendations from the Special Industry Committee's subcommittees and to discuss any other issues that may properly come before the Commission.

If there is a member of the public who cannot attend the meeting at the Florida Department of Citrus, but wishes to appear by telephone, they may do so by calling (800)416-4254. In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting Mr. Bill Jones at the above address or by telephone at (863)499-2499.

FLORIDA PAROLE COMMISSION

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 7, 2006, 9:00 a.m.

PLACE: Florida Parole Commission, 2601 Blair Stone Road, Bldg. C, Third Floor, Tallahassee, Florida

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 writing to: Florida Parole Commission, 2601 Blair Stone Road, Building C, Tallahassee, Florida 32399-2450 or may be viewed at <http://www.fpc.state.fl.us>.

Any person who decides to appeal a decision of the Florida Parole Commission with respect to a matter considered at this meeting may need to ensure that a verbatim record of the proceedings is made, Chapter 80-150, Laws of Florida (1980). In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the agency sending the notice not later than five working days prior to the proceeding at the address given on the notice. Telephone: (850)488-3417.

PUBLIC SERVICE COMMISSION

NOTICE OF CHANGE – The Florida **Public Service Commission** announces that the Prehearing Conference previously scheduled for May 23, 2006, in the following docket, has been **RESCHEDULED**, to which all interested persons are invited.

Docket No.: 060154-EI – In re: Petition for issuance of storm recovery financing order pursuant to Section 366.8260, F.S. (2005), by Gulf Power Company.

RESCHEDULED DATE AND TIME: May 26, 2006, 9:30 a.m.

PLACE: Betty Easley Conference Center, Room 148, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the prehearing conference is to consider (1) the simplification of the issues; (2) the identification of the positions of the parties on the issues; (3) the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) the identification of the exhibits; (5) the establishment of an order of witnesses; and (6) such other matters as may aid in the disposition of the action.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the prehearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Public Service Commission** announces its Internal Affairs Meeting to which all interested persons are invited.

DATE AND TIME: *June 5, 2006, 9:30 a.m.

PLACE: The Betty Easley Conference Center, 4075 Esplanade Way, Conference Room 140, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and make decisions on matters which affect the operation of the Commission.

A copy of the agenda of the Internal Affairs Meeting may be obtained by contacting: Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

Any person requiring some accommodation at this meeting because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the conference. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

* In the event of a scheduling conflict, this meeting may be rescheduled to June 6, 2006, in Room 140, immediately preceding or immediately following the Commission Conference.

****THIS MEETING IS SUBJECT TO CANCELLATION WITHOUT NOTIFICATION.****

The Florida **Public Service Commission** announces its regularly scheduled conference to which all interested persons are invited.

DATE AND TIME: June 6, 2006, 9:30 a.m.

PLACE: The Betty Easley Conference Center, 4075 Esplanade Way, Commission Hearing Room 148, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider those matters ready for decision.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350, 364, 366, and 367, F.S.

Persons who may be affected by Commission action on certain items on this agenda for which a hearing has not been held will be allowed to address the Commission concerning those items when taken up for discussion at this conference.

A copy of the agenda may be obtained by any person who requests a copy, and pays the reasonable cost of the copy (\$1.00 per copy, Statement of Agency Organization and Operations), by contacting: Division of the Commission Clerk and Administrative Services, (850)413-6770 or writing to the Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. The agenda and recommendations are also accessible on the PSC Homepage, at <http://www.floridapsc.com>, at no charge.

If a person decides to appeal any decisions made by the Commission with respect to any matter considered at this conference, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which appeal is based.

Any person requiring some accommodation at this conference because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the conference. Any

person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Public Service Commission** announces a staff rule development workshop to be held on Rule 25-4.0665, F.A.C., Lifeline Service, to which all interested persons are invited.

DATE AND TIME: Wednesday, June 21, 2006, 9:30 a.m.

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL

The Notice of Proposed Rule Development was published in the April 7, 2006, Florida Administrative Weekly, Vol. 32, No. 14.

A copy of the agenda may be obtained after June 12, 2006, from: Samantha Cibula, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6202.

Any person requiring some accommodation at this workshop because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the workshop. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at: 1(800)955-8771.

EXECUTIVE OFFICE OF THE GOVERNOR

The **Governor's Faith-Based and Community Advisory Board**, Municipal and Corporate Subcommittee announces a public meeting to which all persons and interested media are invited, except as provided under Section 288.9551, Fla.Stat. (2003).

DATE AND TIME: Wednesday, June 7, 2006, 3:00 p.m.

PLACE: Conference call (877)651-3473; Leader: Arto Woodley, Chair

GENERAL SUBJECT MATTER TO BE CONSIDERED: At this meeting, the Subcommittee will discuss the creation of the Municipal Resource Guide, as well as discuss other pending issues.

For a copy of the agenda and more information about how to attend the meeting contact Mark Nelson at mark.nelson@vfffund.org or (850)413-0909.

Pursuant to Section 286.26, Florida Statutes, any disabled person wishing to participate in this meeting in order to request any needed special assistance should contact jennie.hopkins@myflorida.com at least 48 hours in advance of the meeting.

The **Governor's Faith-Based and Community Advisory Board**, Disaster Subcommittee announces a public meeting to which all persons and interested media are invited, except as provided under Section 288.9551, Fla.Stat. (2003).

DATE AND TIME: Wednesday, June 14, 2006, 3:00 p.m.

PLACE: Conference call (850)487-8783; Leader: Jody Hill, Chair

GENERAL SUBJECT MATTER TO BE CONSIDERED: At this meeting, the Subcommittee will discuss the creation of the Municipal Resource Guide, as well as discuss other pending issues.

For a copy of the agenda and more information about how to attend the meeting contact Mark Nelson at mark.nelson@vfffund.org or (850)413-0909.

Pursuant to Section 286.26, Florida Statutes, any disabled person wishing to participate in this meeting in order to request any needed special assistance should contact jennie.hopkins@myflorida.com at least 48 hours in advance of the meeting.

The **Office of Film and Entertainment** and the **Florida Film and Entertainment Advisory Council** will convene in a Membership Committee meeting. This is a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 28, 2006, 9:00 a.m. – 10:00 a.m.

PLACE: The Mayfair Hotel and Spa, 3000 Florida Avenue, Coconut Grove, FL 33133, (305)441-0000

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss general membership matters of the Advisory Council.

A copy of the agenda may be obtained by writing: Natalie Recio, Executive Assistant, The Office of Film and Entertainment, State of Florida, Executive Office of the Governor, Suite 2002, The Capitol, Tallahassee, Florida 32399-0001 or calling (850)410-4765.

Should any person wish to appeal any decision made with respect to the above referenced meeting, he may need to ensure verbatim recording of the proceedings in order to provide a record for judicial review. Pursuant to Section 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact the Commission at least 48 hours prior to the meeting in order to request any special assistance.

REGIONAL PLANNING COUNCILS

The **Northeast Florida Regional Council**, Planning and Growth Management Policy Committee announces the following public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 1, 2006, 9:00 a.m.

PLACE: Nassau County Judicial Annex, Grand Jury Room, 76347 Veterans Way, Yulee, FL 32097

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss pending planning and growth management issues.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

The **Northeast Florida Regional Council**, Personnel, Budget, and Finance Policy Committee announces the following public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 1, 2006, 9:30 a.m.

PLACE: Nassau County Judicial Annex, Grand Jury Room, 76347 Veterans Way, Yulee, FL 32097

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss pending personnel, budget, and finance policy matters.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

The **Northeast Florida Regional Council** announces the following public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 1, 2006, 10:00 a.m.

PLACE: Nassau County Judicial Annex, Grand Jury Room, 76347 Veterans Way, Yulee, FL 32097

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly Meeting.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

If a person decides to appeal any decision made by the Council with respect to any matter considered at this meeting, he/she will have to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based.

Individuals needing materials in alternate format, sign language interpreter, or other meeting information, call Peggy Conrad, (904)279-0880, extension 145, at least three working days prior to the meeting. Hearing-impaired callers use Florida Relay Service, 1(800)955-8771.

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.

The **Northeast Florida Regional Council**, Legislative Committee announces the following public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 1, 2006, 11:30 a.m., following monthly Board meeting.

PLACE: Nassau County Judicial Annex, Grand Jury Room, 76347 Veterans Way, Yulee, FL 32097

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss legislative issues.

A copy of the agenda may be obtained by contacting: The Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

The **South Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 5, 2006, 10:30 a.m.

PLACE: The Biltmore Hotel, 1200 Anastasia Avenue, Coral Gables, FL 33134

GENERAL SUBJECT MATTER TO BE CONSIDERED: Development of Regional Impact Assessment Report for Gulfstream – City of Hallandale; Any Development Order received prior to the meeting; Any proposed Local Government Comprehensive Plan received prior to the meeting; Any adopted Local Government Comprehensive Plan received prior to the meeting; Any proposed Local Government Comprehensive Plan Amendment received prior to the meeting; Adopted Local Government Comprehensive Plan Amendment for Miami; Any adopted Local Government Comprehensive Plan Amendment received prior to the meeting; Meeting on monthly Council business; Executive Committee meeting at 10:00 a.m. at the above location.

A copy of the agenda may be obtained by writing: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite #140, Hollywood, Florida 33021.

Anyone deciding to appeal any decision made by the board with respect to any matter considered at this meeting, will need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

Council related committees may meet periodically before (9:00 a.m.) and following the regularly scheduled Council meetings. Any party desirous of ascertaining schedules of the sub-committees should call the Council Offices at (954)985-4416 (Broward).

If you are hearing or speech impaired, please contact the South Florida Regional Planning Council, (954)967-4152, Ext. 40 (TDD), if you require additional information regarding the above meeting. If you require special accommodations because of a disability or physical impairment, please contact the Council at (954)985-4416, at least five calendar days prior to the meeting.

The **Apalachee Regional Planning Council** announces a public meeting to which all persons are invited. In addition to its regular business, the agenda will include the review of any Local Government Plan Amendment(s) received in a timely manner.

DATE AND TIME: Thursday, May 25, 2006, 10:30 a.m. (Eastern Time), 9:30 a.m. (Central Time)

PLACE: Holiday Inn Select, 316 W. Tennessee Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold the regular monthly meeting of the Apalachee Regional Planning Council's Board of Directors.

An agenda may be obtained by writing: Apalachee Regional Planning Council, 20776 Central Avenue East, Suite 1, Blountstown, FL 32424 or calling (850)674-4571. If special accommodations at the meeting are required because of a disability or impairment, please contact Council Offices at (850)674-4571, prior to the meeting.

If any person desires to appeal any decision with respect to any matter considered at the above-cited meeting, such person will need a record of the proceedings. For such purpose, he/she will need to ensure that a verbatim record of the proceeding is made to include the testimony and evidence upon which the appeal is to be based.

WATER MANAGEMENT DISTRICTS

The **St. Johns River Water Management District** announces the following PROJECTS AND LAND COMMITTEE MEETING(S) AND TOUR. All persons are invited.

DATES AND TIMES: Thursday, June 8, 2006, 6:00 p.m., Projects and Land Committee public meeting forum; Friday, June 9, 2006, 8:00 a.m. Projects and Land Committee business meeting followed by a tour of District projects.

PLACE: Both June 8-9 meetings will be held at the City of Sanford, City Hall, Training Room, 300 North Park Avenue, Sanford, Florida 32771. June 9, 2006, following the business meeting, a tour of projects within the District.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public meeting forum for presentation of Water Supply Projects. Business meeting to consider Committee agenda items.

An agenda can be obtained by writing to: St. Johns River Water Management District, P. O. Box 1429, Palatka, FL 32178-1429 or by calling Dina Hutchens, Department of Resource Management, (386)329-4239.

NOTE: In the event that a quorum of the Committee is not available for the business meeting at the date, time and place set forth above, the Committee shall meet on the following Tuesday, June 13, 2006, 8:45 a.m., at the St. Johns River Water Management District Office, Highway 100 West, 4049 Reid

Street, Palatka, FL. One or more Governing Board members may attend and participate in the meetings by means of communications media technology.

The **St. Johns River Water Management District** announces the following public meetings and hearings to which all persons are invited.

GOVERNING BOARD AND COMMITTEE CHAIRMEN

DATE AND TIME: Tuesday, June 13, 2006, 8:15 a.m.

PLACE: District Headquarters, 4049 Reid St. (Hwy. 100 West), Palatka, Florida 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion and consideration of District business including regulatory and non-regulatory matters.

FINANCE AND ADMINISTRATION COMMITTEE

DATE AND TIME: Tuesday, June 13, 2006, 8:45 a.m.

PLACE: District Headquarters, 4049 Reid St. (Hwy. 100 West), Palatka, Florida 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion and consideration of Finance and Administration Committee agenda items followed by committee recommendations to be approved by the full Governing Board. Staff may recommend approval of external budget amendments which affect the adopted budget.

REGULATORY COMMITTEE

DATE AND TIME: Tuesday, June 13, 2006, 10:00 a.m.

PLACE: District Headquarters, 4049 Reid St. (Hwy. 100 West), Palatka, Florida 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion and consideration of Regulatory agenda items followed by committee recommendations to be approved by the full Governing Board.

GOVERNING BOARD MEETING AND PUBLIC HEARING ON LAND ACQUISITION

DATE AND TIME: Tuesday, June 13, 2006, 1:00 p.m.**This meeting may continue on the next consecutive day (Wednesday) at 8:00 a.m., if necessary to finish regulatory and administrative agendas.

PLACE: District Headquarters, 4049 Reid St. (Hwy. 100 West), Palatka, Florida 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion and consideration of District business including regulatory and non-regulatory matters.

A copy of the agenda may be obtained at the St. Johns River Water Management District website www.sjrwm.com or by calling (386)329-4500. One or more Governing Board members may attend and participate in the meetings and hearings by means of communications media technology.

If any person decides to appeal any decision with respect to any matter considered at the above-listed meetings or hearings, such person will need to ensure that a verbatim record is made to include the testimony and evidence upon which the appeal is to be based.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these meetings and hearings is requested to advise the District at least 48 hours in advance.

The **Southwest Florida Water Management District** (SFWMD) announces the following public meetings to which all interested persons are invited.

GOVERNING BOARD COMMITTEE MEETINGS, BOARD MEETING, AND PUBLIC HEARING

DATE AND TIME: Tuesday, May 30, 2006, 9:00 a.m.

PLACE: Tampa Service Office, 7601 U.S. 301, North, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct Committee meetings and Governing Board meeting.

A closed attorney-client session will be held during the lunch break at 12:00 p.m. (Noon)

GOVERNING BOARD FINANCE AND ADMINISTRATION COMMITTEE FISCAL YEAR 2007 BUDGET WORKSHOP

DATE AND TIME: Tuesday, May 30, 2006, 2:00 p.m.

PLACE: Tampa Service Office, 7601 U.S. 301, North, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of draft Fiscal Year 2007 budget.

GOVERNING BOARD COMMITTEE MEETINGS, BOARD MEETING, AND PUBLIC HEARING

(If all items are completed at Tuesday's meeting, there will be no Wednesday meeting.)

DATE AND TIME: Wednesday, May 31, 2006, 9:00 a.m.

PLACE: Tampa Service Office, 7601 U.S. 301, North, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct Committee Meetings and Governing Board meeting.

These are public meetings; agendas are available by contacting: Southwest Florida Water Management District, Executive Department, 2379 Broad Street, Brooksville.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should contact 1(800)423-1476 (Florida only), extension 4610, TDD only 1(800)231-6103 (Florida only), Fax (352)754-6874.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited.

DATE AND TIME: Friday, June 23, 2006, 9:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Lake Belt Mitigation Committee, created pursuant to Section 373.41492, Florida Statutes, to discuss a variety of Lake Belt issues.

PLACE: Meet Me Number: (850)245-5725, Suncom 205-5725. South Florida Water Management District, Richard Rogers Conference Room, Building B-1, 3301 Gun Club Road, West Palm Beach, Florida

A copy of the agenda may be obtained: (1) District website <http://www.sfwmd.gov/org/pld/proj/lakebelt/mitigcom.html> or (2) by writing to: South Florida Water Management District, Attention: Nilda Lutter, MSC 7350, 3301 Gun Club Road, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact: Nilda Lutter, Land Resources Department, District Headquarters, 3301 Gun Club Road, Mail Stop Code 7350, West Palm Beach, FL 33406, (561)682-2564.

REGIONAL UTILITY AUTHORITIES

The **Withlacoochee Regional Water Supply Authority** announces that the Authority's Master Plan – Technical Review Committee will hold the following public meetings to which all persons are invited.

DATE AND TIME: June 1, 2006, 9:30 a.m.

PLACE: Hernando County Utilities Department, 21030 Cortez Boulevard, Brooksville, Florida 34601

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review data and assumptions for the Authority's Master Plan update prepared by the Authority's consultants.

A copy of the agenda may be obtained by writing to: WRWSA, P. O. Drawer 190, Tallahassee, Florida 32302.

Although these board meetings are normally recorded, affected persons are advised that it may be necessary for them to make their own arrangements if a verbatim record of the meeting is needed, including testimony and evidence upon which any appeal is to be based.

FLORIDA SPACE AUTHORITY

The **Florida Space Research Institute, Inc.** (FSRI) Board of Directors announces a public meeting to which all interested persons are invited.

DATE AND TIME: June 2, 2006, 10:00 a.m.

PLACE: The Florida Solar Energy Center, 1679 Clearlake Road, Cocoa, Florida 32922

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting will be to present legislative changes impacting Florida Space Research Institute, Inc. and to take Board action as necessary.

To obtain a copy of the agenda, write to: Florida Space Research Institute, Inc., Mail Stop: FSRI, Building M6-306, Room 9030, Kennedy Space Center, Florida 32899.

Any person requiring special accommodation at this meeting because of a disability or physical impairment should contact FSRI at least seven days prior to the meeting.

If any person decides to appeal any decision made by FSRI with respect to any matter considered at the above cited meeting, they will need a record of the proceedings, and for such purpose, they may need to secure a verbatim record of the proceedings, which record includes the testimony and evidence upon which the appeal is to be based.

For more information, contact Melissa Glover at (321)452-2653, ext. 201.

DEPARTMENT OF ELDER AFFAIRS

The Florida **Department of Elder Affairs** announces two telephonic meetings of the Direct Support Organization (DSO) of the Statewide Public Guardianship Office to which all persons are invited.

DATES AND TIME: June 6, 2006; July 11, 2006, 8:00 a.m. – 10:00 a.m.

PLACE: (850)922-7892, Callers outside Tallahassee: Toll Free (800)416-4132, Suncom callers: 292-7892

GENERAL SUBJECT MATTER TO BE CONSIDERED: These will be general business meetings of the DSO.

Any person requiring special accommodations to participate in this meeting is asked to advise the Statewide Public Guardianship Office at least 48 hours before the meeting by contacting Ms. Frankie D. Leland, (850)414-2381. If you are hearing or speech impaired, please contact the department by calling (850)414-2001.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **University of Florida, Florida Center for Medicaid and the Uninsured (FCMU)** in collaboration and with support from The **Agency for Health Care Administration (AHCA)** has scheduled the 5th Annual Medicaid Research Conference. There is no charge for the Conference.

DATES AND TIMES: Thursday, June 1, 2006, 12:30 p.m. – 7:30 p.m.; Friday June 2, 2006, 8:30 a.m. – 2:00 p.m.

PLACE: The DoubleTree Hotel, 101 South Adams Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of Conference will be to explore issues related to “Patient Empowerment and Health Literacy.”

Interested parties planning to participate in the Conference are asked to confirm their attendance by registering with FCMU. Registration is being conducted online at: <http://www.fcmu.php.ufl.edu/fcmu4.5.php>

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Probable Cause Panel of the **Construction Industry Licensing Board** announces a meeting.

DATE AND TIMES: May 23, 2006, 9:00 a.m. and 10:00 a.m. or soon thereafter

PLACE: Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32309, (850)488-0062

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review complaints in which a determination of the existence of probable cause has already been made.

A copy of the PUBLIC portion of the agenda may be obtained by writing to: Patrick Creehan, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 60, Tallahassee, Florida 32399-2202, or by phone (850)488-0062.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Construction Prosecution Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required. The Construction Prosecution Section may be contacted at the address and phone number listed above.

The **Construction Industry Licensing Board** will hold the following meetings to which all interested parties are invited.

DATES AND TIMES: Wednesday, July 12, 2006, 2:00 p.m.; Thursday, July 13, 2006, 8:00 a.m.; Friday, July 14, 2006, 8:00 a.m.

PLACE: Four Seasons Resort, 2800 South Ocean Blvd., Palm Beach, FL 33480

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee, Disciplinary Actions, and General Session meetings of the Board.

Additional information and a final agenda may be obtained by writing to: Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-1039.

Any person who decides to appeal any decision made by the board with respect to any matter considered at these meetings 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 because of a disability or physical impairment should contact Stacey Merchant, (850)922-2701, at least seven calendar days prior to the meeting. Hearing or speech impaired please use Florida Relay 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Construction Industry Licensing Board** will hold the following meetings to which all interested parties are invited.
 DATES AND TIMES: Wednesday, August 9, 2006, 2:00 p.m.; Thursday, August 10, 2006, 8:00 a.m.; Friday, August 11, 2006, 8:00 a.m.

PLACE: Embassy Suites Hotel – USF, 3705 Spectrum Blvd., Tampa, FL 33612

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee, Disciplinary Actions, and General Session meetings of the Board.

Additional information and a final agenda may be obtained by writing to: Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-1039.

Any person who decides to appeal any decision made by the board with respect to any matter considered at these meetings 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 because of a disability or physical impairment should contact Stacey Merchant, (850)922-2701, at least seven calendar days prior to the meeting. Hearing or speech impaired please use Florida Relay 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Business and Professional Regulation, Board of Employee Leasing Companies** announces an official general business meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 21, 2006, 10:00 a.m. or soon thereafter

PLACE: Hyatt Sarasota on Sarasota Bay, 1000 Boulevard of the Arts, Sarasota, Florida 34235

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting of the Board.

A copy of the agenda may be obtained by writing to: 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 meeting is asked to advise the agency at least

48 hours before the meeting by contacting the board office, (850)487-1395. If you are hearing or speech impaired, please contact the agency by calling (800)955-8771(TDD).

If any person decides to appeal any decision made with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purpose they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be based. For further information, contact the Florida Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

The **Board of Professional Surveyors and Mappers** announces a General Business meeting, by way of a telephone conference call. All interested parties are invited to attend at the address listed below.

DATE AND TIME: June 20, 2006, 10:00 a.m.

PLACE: Meet-Me-Number (850)488-2854, Suncom 278-2854

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct board business.

A copy of the agenda may be obtained by writing to: Richard Morrison, Executive Director, Department of Business and Professional Regulation, Board of Professional Surveyors and Mappers, 1940 North Monroe Street, Tallahassee, FL 32399-0756 or by calling (850)487-1395.

Persons decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made. Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact Richard Morrison by Friday, June 16, 2006.

The Florida **Building Code Administrators and Inspectors Board** announces the following meetings to which all persons are invited to attend.

DATES AND TIME: June 6-9, 2006, 9:00 a.m.

PLACE: The Casa Monica Hotel, 95 Cordova Street, St. Augustine, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Application Review Committee, Rules and Legislation, Examination and Continuing Education, Executive Committee Meetings and General Board and Business Meeting.

Any person deciding to appeal a decision made with respect to any matter considered at this meeting will need to ensure that a verbatim record of the proceeding is made. Such record must include testimony and evidence upon which the appeal is to be based.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact Department of Business and Professional Regulation, Building Code Administrators and Inspectors Board, (850)922-6096, at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Building Code Administrators and Inspectors Board** announces the following meetings to which all persons are invited to attend.

DATES AND TIME: October 3-6, 2006, 9:00 a.m.

PLACE: Sea Turtle Inn, 1 Ocean Boulevard, Atlantic Beach, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Application Review Committee, Rules and Legislation, Examination and Continuing Education, Executive Committee Meetings and General Board and Business Meeting.

Any person deciding to appeal a decision made with respect to any matter considered at this meeting will need to ensure that a verbatim record of the proceeding is made. Such record must include testimony and evidence upon which the appeal is to be based.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact: Department of Business and Professional Regulation, Building Code Administrators and Inspectors Board, (850)922-6096, at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Board of Accountancy** announces the following public meetings to which all persons are invited.

DATES AND TIMES: Thursday, June 8, 2006, 10:00 a.m. – until all Budget Task Force business is concluded; Thursday, June 8, 2006, 1:00 p.m. – until all Probable Cause Panel business is concluded; Friday, June 9, 2006, 9:00 a.m. – until all Board Meeting business is concluded

PLACE: Hilton Tampa Airport Westshore, 2225 North Lois Avenue, Tampa, FL 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Budget Task Force will meet to discuss the budget. This is a public meeting. The Probable Cause Panel will meet to conduct hearings on disciplinary matters. These meetings are closed to the public; however, there may be cases where probable cause was previously found which are to be reconsidered. The Board will meet to consider enforcement proceedings including consideration of investigation officers' reports and other general business. This is a public meeting.

A copy of any probable cause materials which are open to the public, any budget materials and/or the Board agenda may be obtained by writing to: John W. Johnson, Division Director, Division of Certified Public Accounting, 240 N. W. 76th Drive, Suite A, Gainesville, Florida 32607.

Note: Portions of the Probable Cause Panel meeting may be closed to the public. If a person decides to appeal any decision made by the Board with respect to any matter considered at these meetings, he/she may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

Pursuant to the provisions of the Americans with Disabilities Act any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the agency at least 48 hours before the workshop/hearing/meeting by contacting John W. Johnson at (850)487-1395. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8711.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF JUVENILE JUSTICE

The **Department of Juvenile Justice** announces an additional public hearing regarding the proposed Secure Detention Rules 63G-2.001-.012, F.A.C., to which all interested persons are invited.

DATE AND TIME: Friday, June 9, 2006, 10:00 a.m. – 11:00 a.m.

PLACE: DJJ Headquarters, Knight Building, Room 108, 2737 Centerview Drive, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Changes have been suggested to the proposed Rule Chapter 63G-2, F.A.C. Titled: Secure Detention Services. As a result of those changes, an additional public meeting has been scheduled.

DEPARTMENT OF HEALTH

The **Department of Health, Board of Dentistry**, will hold a Probable Cause Panel meeting where reconsiderations will be heard.

DATE AND TIME: June 2, 2006, 9:00 a.m.

PLACE: Department of Health, Building 4042, Room 301, 4052 Bald Cypress Way, Tallahassee, FL 32399-3258, (850)245-4474

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review reconsideration cases.

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 proceedings is made, which records include the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Sarah Walls, (850)245-4474, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired, can contact Ms. Walls using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Medicine**, Rules/Legislative Committee announces a meeting to which all persons are invited.

DATE AND TIME: Thursday, June 1, 2006, 4:00 p.m.

PLACE: Rose Centre, 9840 International Drive, Orlando, FL 32819, (407)996-9840

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Committee.

A copy of the agenda may be obtained by writing to: Larry McPherson, Board Director, Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. A verbatim tape record of the proceeding may be obtained from a court reporter, if present, or an audio record from the Board Director.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)245-4131, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

NAVIGATION DISTRICTS

The Board of Commissioners of the **Florida Inland Navigation District** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, May 26, 2006, 8:00 a.m.

PLACE: Sebastian City Hall, Commission Chambers, 1225 Main Street, Sebastian, Indian River County, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: A meeting of the Board of Commissioners to conduct the regular business of the District. Additionally, the District's Finance and Budget, Nomination of Officers and Land Acquisition and Management Committees will meet.

Please contact the District Office: 1314 Marcinski Road, Jupiter, FL 33477, (561)627-3386 for more information.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they will need a record of the proceeding, and for such purposes, they may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is based. Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the District prior to the meeting.

DEPARTMENT OF FINANCIAL SERVICES

The **Department of Financial Services** announces a public meeting of the Florida Board of Funeral, Cemetery and Consumer Services Review of Disciplinary Rules Committee, to which all persons are invited.

DATE AND TIME: June 1, 2006, 9:00 a.m. – 12:00 p.m. (Noon)

PLACE: Department of Financial Services, Hartman Building, Suite 104J (Koger Center), 2012 Capital Circle, S.E., Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Committee Business.

At least 7 days before each meeting, a copy of the agenda of the meeting will be available. Agendas will be available on the home page of the Division of Funeral, Cemetery and Consumer Services (www.fldfs.com/FuneralCemetery).

A copy of the agenda may also be obtained by writing to: Dept of Financial Services, Division of Funeral, Cemetery and Consumer Services, Attn: LaTonya Bryant, 200 East Gaines Street, Tallahassee, Florida 32399-0361, or calling Ms. Bryant, (850)413-3039.

If a person decides to appeal any decision made by the Committee with respect to any matter considered at this meeting, the person will need a record of the proceedings, and for such purpose the person 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.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise LaTonya Bryant, (850)413-3039, at least 48 hours before the meeting. If you are

hearing or speech impaired, contact LaTonya Bryant via the Florida Relay Service at 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice), for assistance.

The **Department of Financial Services** announces a public meeting of the Florida Board of Funeral, Cemetery and Consumer Services Rules Committee, to which all persons are invited.

DATE AND TIME: June 1, 2006, 1:00 p.m. – 4:00 p.m.

PLACE: Department of Financial Services, Hartman Building, Suite 104J (Koger Center), 2012 Capital Circle, S.E., Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Committee Business.

If a person decides to appeal any decision made by the Committee with respect to any matter considered at this meeting, the person will need a record of the proceedings, and for such purpose the person 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.

At least 7 days before each meeting, a copy of the agenda of the meeting will be available. Agendas will be available on the home page of the Division of Funeral, Cemetery and Consumer Services (www.fldfs.com/FuneralCemetery).

A copy of the agenda may also be obtained by writing: Department of Financial Services, Division of Funeral, Cemetery and Consumer Services, Attn: LaTonya Bryant, 200 East Gaines Street, Tallahassee, FL 32399-0361, or by calling Ms Bryant, (850)413-3039.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise LaTonya Bryant, (850)413-3039, at least 48 hours before the meeting. If you are hearing or speech impaired, contact LaTonya Bryant via the Florida Relay Service at 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice), for assistance.

The **Department of Financial Services** announces a public meeting of the Florida Board of Funeral, Cemetery and Consumer Services, to which all persons are invited.

DATE AND TIME: June 29, 2006, 10:00 a.m. – 5:00 p.m.

PLACE: Radisson Barceló Hotel – Orlando, 8444 International Drive, Orlando, Florida 32819, (407)345-0505

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Board Business.

The above date relates to the next meeting of the Board of Funeral, Cemetery and Consumer Services. The public is advised to check with Dept of Financial Services staff (Ms. LaTonya Bryant, (850)413-3039, before traveling to a scheduled meeting on the date above, to ascertain whether the meeting has been cancelled. Notice of such cancellations will be posted on the home page of the Division of Funeral,

Cemetery and Consumer Services, which is on the website of the Department of Financial Services (www.fldfs.com), as soon as known.

At least 7 days before each meeting, a copy of the agenda of the meeting will be available. Agendas will be available on the home page of the Division of Funeral, Cemetery & Consumer Services, on the website of the Dept of Financial Services (www.fldfs.com).

A copy of the agenda may also be obtained by writing to: Department of Financial Services, Division of Funeral, Cemetery and Consumer Services, Attn: LaTonya Bryant, 200 East Gaines Street, Tallahassee, FL 32399-0361, or by calling Ms Bryant, (850)413-3039.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, the person will need a record of the proceedings, and for such purpose the person 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.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise LaTonya Bryant, (850)413-3039, at least 48 hours before the meeting. If you are hearing or speech impaired, contact LaTonya Bryant via the Florida Relay Service at 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice), for assistance.

The **Office of Insurance Regulation** announces a public hearing to which all persons are invited.

DATE AND TIME: May 30, 2006, Hearing Session, 12:00 p.m. (Noon)

PLACE: Renaissance Ballrooms, 5910 S.W. 8th Street, West, Miami, FL 33144 Contact name and number: Kristopher Duer, Esquire (850)413-4276, or Sam Coskey (850)413-2616.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Gulfstream Property and Casualty has requested rate increases for Homeowners, Dwelling Fire and Mobile home insurance ranging from 55.4% to 56.3% average statewide rate increase. The requested rate increases were not uniform and some areas are subject to higher rate increases. Florida law allows the Office of Insurance Regulation to hold a public hearing for any purpose within the scope of the Insurance Code deemed to be necessary. Input from interested parties will be received at this public hearing. If you are unable to attend this public hearing, please forward your comments to Kristopher Duer at kristopher.duer@fldfs.com

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing, please telephone or email Sam Coskey, (850)413-2616 or email sam.coskey@fldfs.com, at least 48 hours before the hearing.

The **Office of Insurance Regulation** announces a public hearing to which all persons are invited.

DATE AND TIME: May 30, 2006, Hearing Session, 12:00 p.m. (Noon)

PLACE: Renaissance Ballrooms, 5910 S.W. 8th Street, West, Miami, FL 33144. Contact name and number: Kristopher Duer, Esquire (850)413-4276, or Sam Coskey (850)413-2616.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Universal Insurance Company of North America has requested an average statewide rate increase in excess of 40% for homeowners insurance. The requested rate increase was not uniform and some areas are subject to a higher rate increase. Florida law allows the Office of Insurance Regulation to hold a public hearing for any purpose within the scope of the Insurance Code deemed to be necessary. Input from interested parties will be received at this public hearing. If you are unable to attend this public hearing, please forward your comments to Kristopher Duer at kristopher.duer@fldfs.com

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing, please telephone or email Sam Coskey, (850)413-2616 or email sam.coskey@fldfs.com, at least 48 hours before the hearing.

CITIZENS PROPERTY INSURANCE CORPORATION

The **Citizens Property Insurance Corporation** announces a Market Accountability Advisory Committee Meeting via Conference Call.

DATE AND TIME: May 24, 2006, 1:00 p.m. (EST)

PLACE: Tampa Airport Marriott Hotel and via Conference Call, (866)259-0754

GENERAL SUBJECT MATTER TO BE CONSIDERED: Items of discussion include, but are not limited to, necessary business.

For additional information, please call 1(800)807-7647, extension 3746.

Special Accommodations: In accordance with the Americans With Disabilities Act, people with disabilities or physical impairments who require assistance to participate in this meeting are requested to contact Christine Turner, (800)807-7647, ext. 3746 at least five days prior to the meeting.

FLORIDA LEAGUE OF CITIES

The **Florida Municipal Insurance Trust**, an interlocal entity created pursuant to Sections 768.28 and 163.01, Florida Statutes, announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, June 2, 2006, 9:30 a.m.

PLACE: Trump Sonesta Beach Resort, 18001 Collins Avenue, Sunny Isles Beach, Florida 33160, (305)692-5600

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business meeting of the Board of Trustees.

A copy of the proposed agenda may be obtained by contacting: Linda Bridges, Florida League of Cities, Inc., Tallahassee, FL, (850)222-9684.

If any person desires to appeal any decision with respect to any matter considered at the above cited meeting, such person may need to ensure that a verbatim record of the proceedings is made to include the testimony and evidence upon which the appeal is based.

FLORIDA INDEPENDENT LIVING COUNCIL

The **Florida Independent Living Council** announces the following meetings.

MEETING: Executive Committee Meeting

DATE AND TIME: Friday, June 2, 2006, 1:30 p.m. (EST)

PLACE: FILC, Inc. Administrative Offices, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271

MEETING: Personnel Committee Meeting

DATE AND TIME: Tuesday, June 6, 2006, 2:00 p.m. (EST)

PLACE: FILC, Inc. Administrative Offices, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271

MEETING: Planning Committee Meeting

DATE AND TIME: Wednesday, June 7, 2006, 2:00 P.M. (EST)

PLACE: FILC, Inc. Administrative Offices, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271

MEETING: Evaluation Committee Meeting

DATE AND TIME: Wednesday, June 7, 2006, 2:00 p.m. (EST)

PLACE: FILC, Inc. Administrative Offices, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271

MEETING: Finance Committee Meeting

DATE AND TIME: Thursday, June 14, 2006, 10:30 a.m. (EST)

PLACE: FILC, Inc. Administrative Offices, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271

MEETING: Standards Taskforce Meeting

DATE AND TIME: Thursday, June 15, 2006, 10:00 a.m. (EST)

PLACE: FILC, Inc. Administrative Offices, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271

MEETING: Advocacy Committee Meeting

DATE AND TIME: Thursday, June 15, 2006, 2:00 p.m. (EST)

PLACE: FILC, Inc. Administrative Offices, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271

MEETING: Nominating Committee Meeting

DATE AND TIME: Tuesday, June 27, 2006, 2:00 p.m. (EST)

PLACE: FILC, Inc. Administrative Offices, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the council.

A copy of the agenda may be obtained by contacting the: Florida Independent Living Council, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271, (850)488-5624 or toll free (877)822-1993.

Any person who needs an accommodation to participate in this meeting because of a disability, including alternative formats, should submit a request for such accommodation in writing at least one week before the meeting date.

COMMITTEE AND TASK FORCE MEETINGS: Please note that committees and task forces of the Florida Independent Living Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meetings may request to be put on the mailing list for such notices by writing to Beth Schultz at the council address.

Notices of meetings and hearing must advise that a record is required to appeal. Each board, commission or agency of this state or of any political subdivision thereof shall include in the notice of any meeting or hearing, if notice of the meeting or hearing is required, of such board, commission or agency, conspicuously on such notice, the advice that, if a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, §286.0105)

COMMISSION ON MARRIAGE AND FAMILY SUPPORT INITIATIVES

The **Commission on Marriage and Family Support Initiatives** announces the following meetings of the commission to which all persons are invited to attend.

MEETING: EXECUTIVE COMMITTEE

DATE AND TIME: Wednesday, June 7, 2006, 8:30 a.m. – 9:30 a.m.

MEETING: PUBLIC AWARENESS COMMITTEE

DATE AND TIME: Friday, June 16 2006, 10:00 a.m. – 12:00 p.m. (Noon)

MEETING: RESOURCE DEVELOPMENT COMMITTEE

DATE AND TIME: Thursday, June 15 2006, 11:00 a.m. – 12:00 p.m. (Noon)

PLACE: All meetings will be held via conference call, 111 N. Gadsden Street, Suite 100, Tallahassee, FL 32301-1507.

For a copy of the agendas and more information about how to attend the meetings contact: Heidi Rodriguez, hrodriguez@ounce.org or (850)488-4952, ext. 135.

Persons with disabilities who require assistance to participate in the meeting are requested to notify the commission office at the same address or telephone number above at least seven days in advance so that their needs can be accommodated.

The **Commission on Marriage and Family Support Initiatives** announces the following meetings of the commission to which all persons are invited to attend.

MEETING: PROGRAM COMMITTEE

DATE AND TIME: Thursday, June 8, 2006, 12:00 p.m. (Noon) – 1:00 p.m.

MEETING: POLICY COMMITTEE

DATE AND TIME: Thursday, June 8, 2006, 12:00 p.m. (Noon) – 1:00 p.m.

PLACE: The meetings will be at the AmeriSuites Tampa Airport Westshore Hotel, 4811 West Main Street, Tampa FL 33607

For a copy of the agendas and more information about how to attend the meetings contact Heidi Rodriguez, hrodriguez@ounce.org or (850)488-4952, ext. 135.

Persons with disabilities who require assistance to participate in the meeting are requested to notify the commission office at the same address or telephone number above at least seven days in advance so that their needs can be accommodated.

FLORIDA SURPLUS LINES SERVICE OFFICE

The **Florida Surplus Lines Service Office**, Board of Governors' announces public meetings to which all interested parties are invited.

FSLSO AUDIT COMMITTEE MEETING

DATE AND TIME: Wednesday, August 2, 2006, 8:30 a.m.

FSLSO BUDGET COMMITTEE MEETING

DATE AND TIME: Wednesday, August 2, 2006, 9:30 a.m.

FSLSO STRATEGIC PLANNING COMMITTEE MEETING

DATE AND TIME: Wednesday, August 2, 2006, 11:00 a.m.

FSLSO BOARD OF GOVERNORS' QUARTERLY MEETING

DATE AND TIME: Wednesday, August 2, 2006, 1:00 p.m.

PLACE: Sawgrass Marriott Resort, 1000 PGA Tour Boulevard, Ponte Vedra Beach, Florida 32082

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Matters.

A copy of the agenda may be obtained by sending a faxed request to Georgie Barrett, (850)513-9624.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this meeting should contact Georgie a week prior to the meeting at (850)224-7676, ext. 101.

Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements

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

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

The Florida Real Estate Commission hereby gives notice that it has issued an Order on the Petition for Declaratory Statement that was filed on September 16, 2005, by Jennifer L. DeSantis, Esq. on behalf of DeSantis Commercial, Inc. The Notice of Petition for Declaratory Statement was published in Volume 31, No. 39, of the September 30, 2005, Florida Administrative Weekly. Petitioner sought the Commission's interpretation as to whether an individual exempt under Section 475.11(2), Florida Statutes, at the time he procures an executed contract for sale, is paid a salary; but, if that individual becomes a licensed real estate sales associate prior to the closing of that contract, is the individual entitled to a commission or other compensation on a transactional basis, or does Section 475.41, Florida Statutes, preclude same? If no commission is payable, can payment continue on a salary basis? The Commission considered the Petition at its meeting held on October 18-19, 2005, in Orlando, Florida. The Commission's Order, filed on February 20, 2006, GRANTED the Petition for Declaratory Statement and provided that Section 475.011(2), Florida Statutes, precludes payment of a commission to a licensee, who is not licensed at the time of first involvement in the transaction.

A copy of the Commission's Order may be obtained by contacting: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Suite N801, Orlando, Florida 32801.

The Florida Real Estate Commission hereby gives notice that it has issued an Order on the Petition for Declaratory Statement that was filed on August 26, 2005, by Susan A. Abramson, Esq. on behalf of Bidshares, Inc., Marci Metzger and Joseph Bernard. The Notice of Petition for Declaratory Statement was published in Vol. 31, No. 37, of the September 16, 2005, Florida Administrative Weekly. Petitioner sought the Commission's determination for clarification with regard to Section 475.01(1)(a), F.S. and how it relates to the activities of Petitioners, Bidshares, Inc., Marci Metzger and Joseph Bernard.

That statute defines the term "Broker" as a person who, ... appraises, auctions, sells, exchanges, buys, rents, or offers, attempts or agrees to appraise, auction, or negotiate in the sale, exchange, purchase, or rental of business enterprises or business opportunities or any real property or any interest in or concerning the same, Petitioners have been cited for unlicensed practice. The Commission considered the Petition at its meeting held on September 20-21, 2005, in Orlando, Florida. The Commission's Order, filed on February 20, 2006, denied the Petition for Declaratory Statement without any opinion being issued on any of the questions presented, finding that any opinion would be improper since discipline was pending.

A copy of the Commission's Order may be obtained by contacting: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Suite N801, Orlando, Florida 32801.

The Florida Real Estate Commission hereby gives notice that it has issued an Order on the Petition for Declaratory Statement that was filed on October 12, 2005, by Timothy A. Smith, Esquire on behalf of Southridge Partners I, a New York Limited Partnership. The Notice of Petition for Declaratory Statement was published in Vol. 31, No. 44, of the November 4, 2005, Florida Administrative Weekly. Petitioner sought the Commission's determination on whether the services that the general partner provides in selling the limited partnership's real property is a service: (1) of real estate that requires a real estate license under Section 475.01(1)(a), F.S., and (2) for which compensation based on percentage of the sales price of the real property will constitute a violation of real estate license law in the State of Florida. The Commission considered the Petition at its meeting held on November 15, 2005, in Orlando, Florida. The Commission's Order, filed on February 3, 2006, dismissed the Petition for Declaratory Statement without any opinion being issued on any of the questions presented, finding that the Petition for Declaratory Statement does not describe Petitioner's circumstances in sufficient detail and does not specify the statute, rule or order that might apply to Petitioner's circumstances. The Petition does not comply with Section 120.565(1), Florida Statutes, and subsection 28-105.002(4), (5), Florida Administrative Code.

A copy of the Commission's Order may be obtained by contacting: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Suite N801, Orlando, Florida 32801.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

**Section VIII
Notices of Petitions and Dispositions
Regarding the Validity of Rules**

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

**Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges**

NONE

**Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee**

NONE

**Section XI
Notices Regarding Bids, Proposals and
Purchasing**

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

**REQUEST FOR STATEMENT
OF QUALIFICATIONS (SOQ) – REVISED**

As an Architect or Engineer, you are invited to submit an SOQ to the FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, DIVISION OF ANIMAL INDUSTRY, hereinafter referred to as the Department.

The Department is seeking professional services of an architectural/engineering firm to provide project planning, design and permitting requirements for the Department's proposed Necropsy Laboratory – Shipping/Receiving Facility to be located at 2700 N. John Young Parkway, Kissimmee, Florida 34741.

This advertisement originally appeared in the April 14, 2006 issue of FAW, Vol. 32, No 15, but has been revised to include additional information about the project and site.

PROJECT LOCATION: Kissimmee, Florida.

SOLICITATION DOCUMENT: The entire solicitation document, which includes specifications and the additional information, may be viewed and downloaded from the Vendor Bid System at <http://myflorida.com>, click on Business, Doing Business with the State of Florida, Everything for Vendors and Customers, Vendor Bid System, Search Advertisements, Bid Number SOQ/AI-05/06-117-REV, or by calling the Purchasing Office, (850)487-3727.

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.

DISCRIMINATION; DENIAL OR REVOCATION FOR THE RIGHT TO TRANSACT BUSINESS WITH PUBLIC ENTITIES: An entity or affiliate who had been placed on the discriminatory vendor list 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.

Statements of Qualifications will be received and publicly opened on:

DATE AND TIME: June 13, 2006, 2:00 p.m.

PLACE: Department of Agriculture and Consumer Services, 407 S. Calhoun Street, SB8 Mayo Building, Tallahassee, Florida 32399, (850)487-3727.

CONTRACT AWARD: The official Notice of Award recommendation will be by electronic posting at http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu

Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes.

DEPARTMENT OF EDUCATION

NOTICE TO PROFESSIONAL CONSULTANTS:

The University of Florida Board of Trustees, announces that Professional Services in the discipline of architecture will be required for the project listed below:

Project No.: UAA-19, Golf Course Club House Renovation and Expansion, Gainesville, Florida

The project consist of renovating about 2400 square foot of the existing Club House, upper and lower floors including expansion of the entrance and utilizing the available open patio space for offices and creating lounge for male and female teams. Also, add about 7200 new square foot where the lower level will be used for golf cart storage, cleaning and repair. The upper level will be used as a terrace for gathering and holding events before and after the games. The terrace will include restrooms and concessions. The need for the project is to utilize the space, create individual offices for male and female assistant coaches, and create a lounge area for the player to gather. Estimated construction budget is about \$1.8M.

The Design team shall thoroughly review, confirm, and adjust the proposed allocation of space through conceptual studies, site survey, cost modeling, 3D renderings, and interactive workshops with users and other stakeholders.

Proposals must not exceed Forty (40) pages, including Qualifications Supplement and letter of application. Pages must be numbered consecutively. Submittals that do not

comply with these requirements or do not include the requested data will not be considered. No submittal material will be returned.

The selected firm will provide design, construction documents and construction administration 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.

INSTRUCTIONS:

Firms desiring to apply for consideration shall submit a letter of application. The letter of application should have attached:

1. A completed "Professional Qualifications Supplement," the latest project specific version available from the website: www.facilities.ufl.edu. 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 chartered by the Florida Department of State to operate in Florida.

Submit Seven (7) copies of the above requested data bound in the order listed above. Applications, which do not comply with the above instructions, may be disqualified. Application materials will not be returned. The plans and specifications for the University of Florida projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list. Professional Qualifications Supplement forms, project information, selection criteria, and instructions for registering as an applicant can be found on the Facilities Planning and Construction website.

Submittals must be received in the Facilities Planning & Construction office by 3:00 p.m., local time, on Friday, June 16, 2006. 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

NOTICE TO CONSTRUCTION MANAGERS

The University of South Florida announces that continuing construction management services are required for the following discipline: Construction Manager (Up to 3) (Tampa Campus with the ability to include other campuses as required). Projects included in the scope of this agreement will be specific projects for new construction, renovations, alterations, and/or additions that have a basic construction budget estimated to be \$1,000,000 or less, or studies for which the fee for services is \$100,000 or less. Continuing Service contracts for these projects provide that the construction manager will be available on an as-needed basis for an initial period of one (1) year with an Owner's option to renew for one (1) additional year at a time up to a total of two (2) additional years. The construction managers receiving the award will not have an exclusive contract to perform services for these projects. The University may have additional continuing service construction managers under contract during the same time period. Performance and Payment Bonds shall be provided for individual projects exceeding \$100,000 and liability and worker's compensation insurance shall be required for the contract. Builder's Risk insurance may be required for specific projects based upon need. Continuing Service projects include projects that are awarded based upon competitive proposals from Continuing Service construction managers under contract and may include projects that are negotiated individually with a specific construction manager. Services required to be provided under the Continuing Services Contracts include the recording of as-built conditions by the Continuing Service Construction Manager for projects constructed by that Construction

Manager for use in developing record drawings to facilitate the University's space management program. Firms desiring to provide construction management services shall submit one original submittal and six bound copies consisting of a letter of interest, a completed "USF Construction Manager Qualifications Supplement" dated May 2006 and any required additional information within the proposal limits as described in the CMQS Instructions addressing the criteria contained therein in the order listed in a clear and concise manner. Proposals must not exceed 40 pages, including the Construction Manager Qualifications Supplement and letter of application. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be properly chartered by the Florida Department of State to operate in Florida. Pages must be numbered consecutively. Submittals that do not comply with these requirements or do not include the requested data may not be considered. No submittal material will be returned. Submittals become part of the public record. Selection of finalists for interview shall be made on the basis of experience, qualifications and ability to provide service. As part of the University of South Florida's strategic plan, USF made a commitment to foster a diverse community

distinguished by a shared purpose, collaboration, open and timely communication, mutual respect, trust, and inclusiveness. The University of South Florida is an equal opportunity institution, and, as such, strongly encourages the lawful use of certified Minority and Women-owned Business Enterprises ("MBEs") in the provision of design and construction-related services by providing a fair and equal opportunity to compete for, or for participation in, design and/or construction-related services. All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133, Florida Statutes, a construction management firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected construction management firm must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$25,000 in connection with this project for a period of 36 months from the date of placement on the convicted vendor list. The USF Construction Manager Qualifications Supplement, dated May 2006 and Fact Sheet, which includes project information, may be obtained by contacting: Kathy Bennett, Contracts Administrator, Facilities Planning and Construction, University of South Florida, FPC110, 4202 East Fowler Avenue, Tampa, Florida 33620-7550, e-mail: kbennett@admin.usf.edu or by phone (813)974-3098, (813)974-2625, Fax (813)974-3542. Interested firms are invited to and encouraged to attend a Pre-Submittal Meeting to be held at 2pm Eastern Time, on Friday, June 2, 2006 at the University of South Florida, Tampa Campus, Facilities Planning and Construction Conference, Room 109, 4202 East Fowler Avenue, Tampa, Florida, to review the scope and requirements of this project. All interested firms are encouraged to attend. Requests for meetings by individual firms will not be granted. It shall be noted that no verbal communication shall take place between the applicants and employees of the University of South Florida except as provided at the Pre-Submittal meeting, the Pre-Interview meeting and the request for the CMQS and Fact Sheet. Requests for any project information must be in writing to the above address. One original and six bound copies of the above required proposal data shall be submitted to: Joseph P. D'Azzo, R.A., Assistant Director, Facilities Planning and Construction, University of South Florida, FPC110, 4202 East Fowler Avenue, Tampa, Florida 33620-7550. Applications that do not comply with the above instructions may be disqualified. Application materials will not be returned.

Submittals must be received at the above campus address (FPC110) by 2:00 p.m., Eastern Time, on Monday, June 19, 2006. Facsimile (FAX) or electronic submittals are not acceptable and will not be considered. The Selection

Committee reserves the right to waive any irregularities and may reject all proposals and stop the selection process at any time.

A/E ADVERTISEMENT – BT-672
 COLLEGE OF BUSINESS/OFFICE DEPOT CENTER
 FOR EXECUTIVE DEVELOPMENT

Boca Raton Campus

NOTICE TO PROFESSIONAL CONSULTANTS

Florida Atlantic University, on behalf of its Board of Trustees, announces that Professional Services in the discipline of Architecture, will be required for the project listed below:

Project No. BT- 672

Project and Location: Located on Florida Atlantic University’s Boca Raton Campus, the College of Business/Office Depot Center for Executive Development consists of state-of-the-art classrooms, seminar and workshop rooms, as well as a tiered lecture hall and administrative space.

The total Construction Budget is approximately \$4,000,000.00 and will be an addition to the recently completed College of Business building. The selected firm will provide schematic design, design development, construction documents and construction administration for the referenced project. Blanket professional liability insurance will be required for this project in the amount of \$250,000.00, and will be provided as a part of Basic Services.

INSTRUCTIONS:

Firms desiring to apply for consideration shall submit a letter of application.

The letter of application should have attached:

A completed “Florida Atlantic University Professional Qualifications Supplement” (FAUPQS Revised January 2004). Applications on any other form may not be considered.

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 chartered by the Florida Department of State to operate in Florida.

Submit 5 (five) sets of the above requested data bound in the order listed above. Applications which do not comply with the above instructions may be disqualified. Application materials will not be returned. The plans and specifications for the State of Florida University 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 \$10,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted

vendor list. FAU Professional Qualifications Supplement, the Project Fact Sheet, and the approved Facilities Program are available online at <http://uavp.fau.edu>, or by contacting: Carla C. Capeletti, Office of the University Architect and Associate Vice President, Florida Atlantic University, 777 Glades Road, Campus Operations Building #69-Room 101, Boca Raton, Florida 33431, (561)297-2663, (561)297-0224 Fax, or e-mail ccapelet@fau.edu.

Five (5) bound sets of the required proposal data shall be submitted to: Mr. Tom Donaudy, University Architect and Associate Vice President, at the above address, by 5:00 p.m. local time, on June 19, 2006. Facsimile (FAX) submittals are not acceptable and will not be considered.

PROJECT FACT SHEET

College of Business/Office Depot Center for Executive Development

BT-672

Florida Atlantic University

PROJECT DESCRIPTION

The proposed Office Depot Center for Executive Development shall provide state-of-the-art classrooms, seminar and workshop rooms, as well as a tiered lecture hall and administrative space.

This facility will be constructed using the construction management delivery process.

The Construction budget is approximately \$4,000,000.00.

SELECTION CRITERIA

Firms will be evaluated in the following areas: current workload, location, past performance, volume of state work, design ability, and experience and ability. Experience and ability scores will be based on the following criteria:

1. Experience of firm and individual members of the design team with project of similar size and program.
2. Experience of firm and individual members of the design team in planning, designing, estimating, and construction administration of projects similar in size and budget. Site examples of projects within the past five-year, including the ability to meet aggressive time and budget constraints.
3. Experience in campus planning, educational facilities and working with committees.

SELECTION COMMITTEE

Raymond Nelson, Director, Facilities Planning

Jim Baker, Director, Engineering & Utilities

Robert Richman, Program Coordinator

Dean Coates or designee

SELECTION SCHEDULE:

The anticipated schedule for selection, award, and negotiation is as follows:

Submittal Due:	June 19, 2006
Shortlist Meeting:	July 6, 2006
Final Interviews:	July 20, 2006
Contract Negotiation:	TBD

GENERAL INFORMATION

1. All applicants will be notified of the results of the short list in writing. Finalists will be informed of the interview date and time and will be provided with additional project information, if available.
2. 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.
3. Professional liability insurance is required for this project in the amount of \$250,000.00.
4. The building program is available online at <http://uavp.fau.edu>.

ADVERTISEMENT FOR BIDS

The School Board of Pinellas County, Florida will receive sealed bids in the Purchasing Department of the Walter Pownall Service Center, 11111 South Belcher Road, Largo, Florida until 1:30 p.m., local time, on June 7, 2006 for the purpose of selecting a supplier to provide Armored Car Service per the bid specifications for:

Armored Car Service
Bid 06-946-652

The purpose and intent of this invitation to bid is to select a contractor to provide armored car service for administrative offices and school cafeterias, county wide, and to secure firm, net pricing for the contract period as specified herein.

Public opening of the Bids will occur in the Purchasing Conference Room at the above address and all interested parties are invited to be present.

Specifications are available at the office of:

Purchasing Department
Walter Pownall Service Center
11111 So. Belcher Road
Largo, FL 33773

BY ORDER OF THE SCHOOL BOARD OF PINELLAS COUNTY, FLORIDA

CLAYTON M. WILCOX SUPERINTENDENT OF SCHOOLS AND EX-OFFICIO SECRETARY TO THE SCHOOL BOARD	CAROL J. COOK CHAIRMAN MARK C. LINDEMANN DIRECTOR, PURCHASING
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BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

REGIONAL PLANNING COUNCILS

Request for Letters of Interest and Qualifications

The Northeast Florida Regional Council is seeking qualifications of firms interested in completing a Land Use Compatibility Study for Military Operating Areas and restricted areas for the Jacksonville Bombing Range Complex in Lake, Marion, Putnam, and Volusia Counties, Florida. The selected entity will be responsible for completion of the project tasks included in the Scope of Work, which can be obtained by contacting the Northeast Florida Regional Council at (904)279-0880. The intent of the study is to help the affected counties address the compatibility of land use within the vicinity of the Jacksonville Bombing Range Complex, consistent with the requirements of Sections 163.3175 and 163.3177(6)(a), Florida Statutes.

Interested providers are required to provide the following as proof of qualifications: 1) a list of the respondent's experience in land use planning, GIS, and development of land development regulations; 2) a list of the respondent's experience and expertise in using GIS; 3) a current financial statement of the responding entity; and, 4) an agency organizational chart.

Selection of potential providers will be based on a ranking of their expertise, overall capabilities, recent experience completing land use plans and other planning projects. Potential providers should submit three (3) copies of their expression of interest and qualifications in a sealed envelope, to the: Northeast Florida Regional Council, Attention: Mr. Brian D. Teeple, AICP, Chief Executive Officer, 6850 Belfort Oaks Place, Jacksonville, Florida 32216. Letters must be marked, "LETTER OF INTEREST AND QUALIFICATIONS FOR JACKSONVILLE BOMBING RANGE COMPLEX LAND USE COMPATIBILITY STUDY." Letters of interest and qualifications must be received by 5:00 p.m., May 24, 2006.

Questions should be addressed to: Mr. Edward Lehman, Director of Planning and Development at telephone (904)279-0880. Faxed and e-mailed responses WILL NOT be accepted. Responses received after the deadline will be

returned unopened with the notation, "This letter of interest was received after the delivery time designated for receipt and opening in the legal notice."

The Northeast Florida Regional Council reserves the right to accept or reject any and all responses in the best interest of the Council.

EXPRESSWAY AUTHORITIES

NOTICE TO PROFESSIONAL CONSULTANTS

The Orlando-Orange County Expressway Authority (Authority) requires the services of a consultant in connection with Construction Engineering and Inspection (CEI) services. Shortlist consideration will be given to only those firms who are qualified pursuant to law, and as determined by the Authority, and who have been prequalified by FDOT to perform the indicated Types of Work.

TYPES OF WORK: Group 10.1, Roadway Construction Engineering and Inspection, 10.2, Major Bridge Construction Engineering Inspection and Group 10.3, Construction Materials Inspection. Consultant must be prequalified in these work groups.

DESCRIPTION: The work consists of providing CEI services related to the construction of the new limited access roadway (S.R. 414 – Maitland Boulevard Extension) from east of Hiawassee Road to east of U.S. 441 and new interchange with U.S. 441, identified as Project No. 414-211.

SUBMITTAL REQUIREMENTS: Interested consultants shall submit five (5) sets of a Letter of Interest package indicating their desire to be considered. The letter shall be no more than ten pages exclusive of charts, resumes and project experience list and divided as follows:

Section 1. Similar project Experience: Provide CEI project experience on current/completed projects within the past 5 years. Indicate project name, location, services provided and accurate reference names with phone numbers. All references will be checked.

Section 2. Project Approach; Provide a maximum 5 page narrative describing the firm's approach to delivering the CEI services. In addition to the narrative, provide a proposed project organization chart including subconsultant personnel; a matrix summarizing proposed personnel experience on similar projects including registrations/certifications; detailed resumes identifying relevant experience on similar projects. Resumes shall include client/owner references for all proposed personnel for the past 5 years and availability date for each individual.

Section 3. Certifications; Provide copies of FDOT certifications in the work groups identified above and Florida Department of Professional Regulation registration for prime consultant and subconsultants.

Section 4. Current and Projected Workload; Indicate ability of staff to manage a CEI assignment and indicate, as a percentage, the current/projected workload of current staff. Indicate the total number of firm's professional, technical and administrative personnel by discipline, location and office responsible for administering the contract.

CODE OF ETHICS: All consultants selected to work with the Authority are required to comply with the Authority's Code of Ethics, a copy of which may be obtained by contacting the Authority.

EQUAL OPPORTUNITY STATEMENT: The Orlando-Orange County Expressway Authority, in accordance with the provision of Title VI and Title VII of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color, sex, national origin, age, religion and disability. The Authority hereby notifies all Proposers and individuals that it requires and encourages equal employment opportunity for minority and women as employees in the workforce.

MINORITY/WOMEN/DISADVANTAGED BUSINESS ENTERPRISE PARTICIPATION: The Orlando-Orange County Expressway Authority, hereby notifies all Proposers and individuals that it will require affirmative efforts be made to ensure participation of local minority and women business enterprises on contracts awarded by the Authority.

NON-SOLICITATION PROVISION: From the first date of publication of this notice, no person may contact any Authority Board Member, Officer or Employee or any selection committee member, with respect to this notice or the services to be provided, except as related to the Submittal Requirements detailed above. Reference is made to the lobbying guidelines of the Authority for further information regarding these Non-Solicitation Provisions.

LETTER OF INTEREST RESPONSE DEADLINE: June 2, 2006, 3:00 p.m., Orlando local time.

SELECTION: The Authority will shortlist firms based on the Authority's "Pass/Fail" evaluation of the Letters of Interest and qualifications information received. Shortlisted firms will be notified as to the date and time that each will be required to provide a technical proposal and constructability review and the time and date of oral presentations to the Authority's Selection Committee. The successful firm will be the firm with the highest ranking based on the results of the oral presentations.

AUTHORITY CONTACT PERSON:

Ben Dreiling, P.E.
 Director of Construction
 Telephone: (407)316-3800
 Fax: (407)316-3801

LETTER OF RESPONSE ADDRESS:

Orlando-Orange County Expressway Authority
 525 S. Magnolia Avenue
 Orlando, FL 32801
 Re: CEI Services
 Project No. 414-211
**ORLANDO-ORANGE COUNTY EXPRESSWAY
 AUTHORITY**
 Michael Snyder, P.E.
 Executive Director

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF HEALTH

**PUBLIC ANNOUNCEMENT FOR GENERAL
 CONTRACTOR SERVICES**

PROPOSALS ARE REQUESTED FROM QUALIFIED GENERAL CONTRACTORS BY THE DEPARTMENT OF HEALTH, HEREINAFTER REFERRED TO AS OWNER, FOR THE CONSTRUCTION OF:

PROJECT NO.: DOH #70527100
 SAMAS CODE: HCHD- TF
 PROJECT NAME

AND LOCATION: Hernando County Health Department
 Existing Building Renovations
 621 West Jefferson Street
 Brooksville, Florida 34601

FOR: State of Florida, Department of Health – Hernando County Health Department

PRE-QUALIFICATION: Each bidder whose field is governed by Chapter 399, 455, 489, and 633 of the Florida Statutes, for licensure or certification must submit pre-qualification data of their eligibility. Submit proposals five (5) calendar days prior to the bid opening date if not previously qualified by the Department of Management Services for the current biennium (July 1 through June 30) of odd numbered years. Call (850)488-6233, for information on pre-qualification with the Department of Management Services. After the bid opening, the low bidder must qualify in accordance with Rule

60D-5.004. A copy of rule requirements is included in the Instruction To Bidders under Article B-2 "Bidders Qualification Requirements and Procedures".

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 do the following:

1. May not submit a bid on a contract to provide any goods or services to a public entity.
2. May not submit a bid on a contract with a public entity for the construction or repair of a public building or public work.
3. May not submit bids on leases of real property to a public entity.
4. May not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity.
5. 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.

PROJECT DESCRIPTION: The project is the Existing Building Renovations located at the Hernando County Health Department, 621 West Jefferson Street, Brooksville, Florida 34601. The basic scope for the exterior is removal of existing roofing, gutters, mechanical equipment and curbs, install new roofing system and all related flashing. Pressure clean and seal existing masonry walls. Interior work includes removal of all flooring material and replace with new flooring, removal of doors and frames and replace with new doors and frames, new HVAC system, new lighting system, up-grade existing fire alarm system, new painting, new drywall ceilings, new acoustical ceilings and other related removal and finishing activities.

PERFORMANCE BOND AND LABOR MATERIAL PAYMENT BOND: If the construction contract award amount is \$100,000 or less, a Performance Bond and a Labor Material Payment Bond are not required. If the construction contract award amount is more than \$100,000, a Performance and a Labor and Material Payment Bond SHALL be required.

MINORITY BUSINESS ENTERPRISES: The Department of Health encourages minority businesses to participate in the bidding process including any bidders conferences, pre-solicitation or pre-bid meetings which are scheduled. The Department of Health further encourages contractors to utilize certified minority enterprises as subcontractors or sub-vendors whenever possible. Certified vendors are those firms certified by the State of Florida Minority Business Advocacy & Assistance Office, 2012 Capital Circle S.E., Hartman Building, Suite 100, Tallahassee, Florida 32399-2152. Telephone: (850)487-0915.

Sealed bids will be received, publicly opened and read aloud on:

DATE AND TIME: Thursday, June 8, 2006, 2:00 p.m. local time.

PLACE: Hernando County Health Department, 300 South Main Street, Brooksville, Florida 34601

PROPOSAL: Bids must be submitted in full in accordance with the requirements of the Drawings, Specifications, Addenda, Bidding Conditions, and Contractual Conditions, which may be examined and obtained from the following: Long & Associates, Engineers/Architects, Inc. Attention Maynard Lemke; E-mail: maynard@longandassociates.com for purchase of documents. Address: 4525 South Manhattan Avenue, Tampa, Florida 33611. Phone: (813)839-0506

The above bidding documents will be available on or about Friday, May 19, 2006

ARCHITECT-ENGINEER: Long & Associates, Engineers/Architects, Inc., 4525 South Manhattan Avenue, Tampa, Florida 33611

DEPOSITS. All contractors, sub-contractors, vendors, manufacturers, etc. can purchase required documents from the Architect. Full set of Plans and Specifications \$150.00 refundable if a bid is submitted and the Plans and Specifications are returned in good condition. (See "Invitation to Bid" in the specifications, paragraph "Deposit".) Plans can also be reviewed at F. W. Dodge Plan Room, Suite 500, 5102 West Laurel Street, Tampa, Florida 33607, Phone: (813)286-9603 and Tampa Builders Exchange, Suite 107, 4307 Henderson Blvd., Tampa, Florida, Phone: (813)253-5733.

CONTRACT AWARD: The Bid Tabulation and Notice of Award Recommendation will be posted no later than 4:00 p.m. local time, on Monday, June 12, 2006 at the bid opening location. In the event that the Bid Tabulation and Notice of Award Recommendation cannot be posted in this manner, then all bidders will be notified by certified United States Mail, return receipt requested. If no protest is filed per Section B-21 of the Instructions to Bidders, "Notice and Protests Procedures", the contract will be awarded to the qualified, responsive low bidder in accordance with Rule 60D-5, F.A.C., by the Owner. The qualified, responsive low bidder will be required to be registered with MyFloridaMarketPlace before a contract can be executed. However, they will be exempt from the one per cent "fee".

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE TO PROFESSIONAL CONSULTANTS FOR ARCHITECTURE-ENGINEERING CONTINUING CONTRACTS

The State of Florida, Department of Children and Family Services, announces that professional services are required for the project listed below. Applications are to be sent to: Avi

Wygodski, Office of Design & Construction, Department of Children and Family Services, Building 3, Room 205, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700, (850)488-5898.

PROJECT NUMBERS: DCF 06243000

PROJECT: Architectural/Engineering Continuing Contract, District 3 and 4 Areas

SERVICES TO BE PROVIDED: Architectural/Engineering Services

ESTIMATED CONSTRUCTION BUDGET: Multiple projects as required by the Department with individual project construction budgets not to exceed \$1,000,000. Work may include all aspects of Architectural projects and attendant Engineering to provide for construction of new facilities (satellite units, support structures, etc.), repair and renovations to existing facilities, including but not limited to roofing work, code compliance modifications, reconfiguration of spaces, replacement of finishes, and minor studies (Study fee not to exceed \$25,000). The District 3 and 4 area shall include Nassau, Duval, St. Johns, Clay, Putnam, Baker, Union, Bradford, Alachua, Hamilton, Columbia, Gilchrist, Levy, Suwannee, Lafayette, and Dixie Counties. For selection purposes, Macclenney will be the point used to calculate distance from Firm to site for each contract. Continuing Area Contract selection is for a contract period of one year, renewable yearly for up to two years.

RESPONSE DUE DATE: By close-of-business, June 12, 2006.

INSTRUCTIONS: Submit three (3) copies of the following bound in loose leaf three-ring binders:

1. Letter of Interest specifying the project and location for which the firm wishes to be considered.
2. A current Professional Qualifications Supplement (PQS) from the Department of Management Services, modifying section 5a. to reflect current contracts with any and all state agencies.
3. A copy of the firm's Florida Professional Registration License Renewal. (Proper registration at the time of application is required.)
4. Corporations only: Current Corporate Certification providing evidence of validation date and the designation of professional or professionals qualifying the corporation to practice Architecture and/or Engineering.
5. Completed Standard A.I.A. Form 254.
6. Completed Standard A.I.A. Form 255.

For applicant to receive credit as State Certified Minority Business Enterprise either the Prime Consultant or Sub-consultant shall include copy of the state of Florida Minority Rectification or Certification Letter in the proposal. All proposal information submitted becomes the property of DCF, will be placed on file, and shall not be returned. Applications not complying with the instructions set forth above and/or do not include the qualifications data required

shall not be considered. Selections will be made in accordance with Chapter 60-2, Florida Administrative Code, and Section 287.055, Florida Statutes.

SELECTION PROCESS: From the proposals received, the Department shall shortlist a minimum of three (3) firms.

SELECTION RESULTS: All applicants will be notified by the department of the three firms shortlisted by July 10, 2006 by close-of-business. Those shortlisted firms will be advised of the interview date and any further requirements. Any protests of the selection must be made within 72 hours of posting of the results. "Failure to file a protest within the time prescribed in Section 120.53(5), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes."

SARASOTA MEMORIAL HOSPITAL

Request for Proposals #05-03-06
 Sale and Conversion of Waldemere Medical Plaza
 Issued by the Sarasota County Public Hospital Board
 on behalf of Sarasota Memorial Hospital
 Sarasota, Florida

This Request for Proposals is offered by:
 Sarasota Memorial Hospital
 1700 South Tamiami Trail
 Sarasota, FL 34239

Note: This RFP packet consists of this cover page and 14 additional pages.

A. BACKGROUND AND CONTEXT

Sarasota County Public Hospital District is an independent special district authorized by Chapter 2003-359, Laws of Florida, as amended, to own and operate hospitals and health facilities. As such, it owns and operates the "Sarasota Memorial Health Care System," including Sarasota Memorial Hospital (the "Hospital"), located at 1700 South Tamiami Trail, Sarasota, Florida and Waldemere Medical Plaza, located at 1921 Waldemere Street, Sarasota, Florida. Sarasota is located approximately 50 miles south of Tampa, on Florida's west coast. The main hospital campus, along with the adjacent Waldemere Medical Plaza, is depicted in the aerial map below. As a public entity, Sarasota Memorial Hospital is subject to the requirements of Section 286.011, Florida Statutes, known as the "Sunshine Law;" and Chapter 119, Florida Statutes, known as the "Public Records Act."

B. HOSPITAL OBJECTIVES

The Sarasota County Public Hospital Board desires to enter into a sale and purchase agreement with a qualified buyer/developer to both sell Waldemere Medical Plaza and convert the medical offices therein to condominium units or another type of entity ownership. The Board seeks an arrangement that will:

- (1) Ensure that the Hospital receives full fair market value for the sale of the existing building.
- (2) Provide the Hospital with an opportunity to purchase approximately 16,781 sq. ft. B.G.S.F. of the existing 161, 234 sq. ft. B.G.S.F. condominium units in an ownership entity;
- (3) Provide to all physicians and others who are presently leasing office space within the building a first right to purchase their units (in the case of a condominium conversion) or to purchase an equity interest (in the case of an entity conversion);
- (4) Comply with the Hospital's Master Campus Plan;
- (5) Comply with the City of Sarasota's comprehensive plan and land development regulations; and
- (6) In case of condominium conversion, ensure the completion of the conversion within 12 months or less of closing of the sale and purchase transaction.

C. SITE INFORMATION

1. Description:

The Waldemere Medical Plaza is situated at 1921 Waldemere Street, Sarasota, Florida, adjacent to Sarasota Memorial Hospital's building. Specifically, the building is situated at the southeast corner of Waldemere Street and Lasula Court. The Sarasota County Property Appraiser's Parcel ID number for the property is 2037-08-0051; 2037-08-0056.

The subject property consists of an 8-story medical office building. The parent tract contains approximately 52,597 square feet of land. The office building itself contains approximately 161,234 B.G.S.F. square feet of interior space, 5,399 is interstitial space. The building is of steel, masonry and glass construction with a 2 story atrium lobby, a rotunda entry, spandrel and vision panels, faux stone panel wall finishes, decorative columns, and marble/tile flooring. The existing lobby contains a built-in coffee/snack bar and information desk facilities. Second level pedestrian bridges connect the building to the Lasula Court parking garage, Waldemere parking garage and card access to the main hospital building level 3.

There is a central public elevator/staircase core with three 3,500 pound capacity elevators and one 4,500 pound capacity elevator. Public area/corridor finishes include ceramic tile and carpet flooring, wall papered/paint drywall walls, acoustical tile ceilings, and fluorescent lighting. In addition to the wide variety of office configurations, the building offers conference, training/meeting room facilities, and a small auditorium and board room facility.

A compliance survey, together with a detailed analysis of the property, may reveal that the building does not conform in certain respects to the requirements of the ADA. If so, the building may require alterations in order to meet these requirements.

Waldemere Medical Plaza was originally constructed in 1990. Attached as Appendix A are representative photographs of both the exterior and interior features of the building, along with representative floor plans for each of the eight floors.

2. Site Utilities: Waldemere Medical Plaza is currently providing the following services:

Water, sanitary sewer, electricity, telephone, cable television and gas are all available to the site. As part of this agreement, services will be segregated from Sarasota Memorial Hospital.

Service	Provider	Telephone
Water	City of Sarasota	(941)955-2325
Sanitary Sewer	City of Sarasota	(941)955-2325
Electricity	Florida Power & Light	(941)927-4237
Cable Television	Comcast	(941)342-2112
Gas	TECO	(941)342-4006

3. Environmental Conditions:

Any documentation in possession of the Hospital regarding environmental conditions on the property will be made available to all interested proposers. Nevertheless, the Hospital makes no representations or warranties, expressed or implied, about the existing or future environmental condition of the property, including possible present or future pollution of the air, water or soil from any sources such as but not limited to underground migration or seepage (including radon gas). The Hospital expressly disclaims any liability for any type of damages, whether direct, indirect or consequential, which the various properties or any person may suffer because of any existing or future environmental conditions.

4. Comprehensive Plan Designation:

The property is currently designated in the Comprehensive Plan of the City of Sarasota as follows: Metropolitan Regional.

5. Zoning:

The property is currently zoned by the City of Sarasota as follows: Sarasota Memorial Hospital.

The intent and purpose of these zoning districts, along with regulations applicable to the districts, are available in the Zoning Code on the City of Sarasota’s website, www.sarasotagov.com, Condominium conversion shall comply with the applicable zoning district requirements.

D. PROCESS

1. Submittal of Proposals:

Respondents shall submit written proposals in accordance with the requirements outlined in this Request for Proposals (“RFP”).

2. Evaluation and Ranking of Proposals:

An evaluation committee will evaluate the proposals using the evaluation criteria outlined in this RFP. The evaluation committee will consist of:

- Bill Lyons, Board Member
- Phyllis Cobb, Board Member
- Greg Carter, Board Member
- Bob K. Strasser, Board Member
- Gwen MacKenzie, President & CEO
- Michael Harrington, COO
- Deborah Taylor, Operations Director, Corporate Business Development
- Tom Perigo, Construction Manager

The evaluation committee may conduct interviews of any or all of the respondents. The evaluation committee will rank the proposals and forward its recommendations to the Hospital Board. The Hospital Board, with staff input, will determine the final ranking of the proposals, after which the Hospital will transmit written notice of the final ranking to all proposers. Substitution of evaluation committee members may be made as circumstances warrant.

3. Sale and Purchase Agreement:

Following the ranking of the proposers, Hospital staff will commence negotiation of a Sale and Purchase Agreement with the first ranked buyer/developer. If a tentative agreement cannot be reached with the first ranked buyer/developer within ninety (90) days of announcement of the final ranking, the Hospital may in its discretion commence negotiations with the next ranked buyer, and so on, until an agreement has been reached with a qualified buyer.

The Sale and Purchase Agreement will include, but not be limited to, the following subjects:

- (a) A purchase price representing fair market value;
- (b) The terms and timetable for conversion of the building to condominium units or other form of ownership entity; and
- (c) Requirements for coordination and communication with all present tenants within the building.

4. Buyer Deposit:

No payment is required to be made in conjunction with submission of a proposal. The Hospital will require a non-refundable buyer deposit of \$25,000.00 to be made by the first ranked buyer within ten (10) days of receiving written notice of the Hospital’s ranking. In the event that a sale and purchase agreement cannot be successfully negotiated with the first ranked buyer, the second and subsequent ranked buyers shall make a non-refundable deposit of \$25,000.00 within ten (10) days of written notification from the Hospital.

5. Contact Person:

Procedural questions related to the RFP process should be directed to:

Deborah Taylor

Operations Director, Corporate Business Development
http://www.smh.com/sections/corporate/Construction_Renovations/Projects_RFPs.html
 1991 Main Street, Suite 245
 Sarasota, FL 34236
 (941)917-1426 (telephone)
 (941)917-1875 (facsimile)
 e-mail: Deborah-Taylor@smh.com

Requests for substantive clarification or information should be submitted in writing to the same address. All responses to written requests will be posted on the Hospital's web site:

http://www.smh.com/sections/corporate/Construction_Renovations/Projects_RFPs.html

6. Schedule:

It is anticipated that important dates within the RFP process will be as follows:

Event	Date
Request for Proposals is advertised	FL Administrative Weekly 05/12/06 & 05/19/06 Sarasota Herald Tribune 05/12/06 & 05/19/06
Pre-submittal conference is conducted	06/15/06
Deadline for written requests for additional information	12:00 p.m. (Noon) 06/23/06
Due date for proposals	06/26/06
Evaluation Committee short-lists proposals	06/27/06 thru 07/11/06
Evaluation Committee interviews short-listed proposers and ranks proposers	07/25/06
Evaluation Committee makes recommendations to the Hospital Board, (Mission & Planning)	08/03/06
Hospital Governess Board determines final ranking	08/21/06
Proposers are notified of final ranking	Telephone 08/22/06 Written 08/25/06
Top-ranked proposer is notified and negotiations begin	08/31/06

E. EVALUATION CRITERIA

The evaluation of the proposals will occur in two stages. The first stage will consider evaluation criteria 1 and 2 below. This first stage review of threshold-level abilities will be used to determine viable proposals. Using these criteria, a determination will be made of proposals that will be considered in stage two.

The second stage will include an evaluation of viable proposals using all criteria listed below.

1. Background, experience and qualifications of the Respondent.

2. Financial stability of the Respondent.
3. Demonstrated ability of the Respondent to complete the project.
4. Demonstrated ability of the Respondent to meet the objectives outlined in the RFP.
5. Whether a firm is a State Certified Minority Business Enterprise certified in accordance with Section 287.0943, Florida Statutes, and/or whether a portion of the work effort will be performed by a State Certified Minority Subcontractor/Subconsultant certified in accordance with Section 287.0943, Florida Statutes.

The Hospital reserves the right to reject any or all proposals, waive informalities, request additional information and to negotiate an agreement with the most qualified proposer on such terms as the Hospital deems to be fair, competitive and reasonable.

F. SUBMITTAL REQUIREMENTS

1. Deadline for submittal of responses to this RFP: Proposals must be received by the Hospital before 12:00 p.m. (Noon) on June 26, 2006.
2. Form and number of copies: Each proposer shall submit one unbound original and 10 bound copies of its proposal in 8½ inch x 11 inch format. The proposals shall be submitted in a sealed opaque envelope marked in bold:

Sarasota Memorial Hospital RFP #05-03-06
 Sale and Conversion of Waldemere Medical Plaza

3. Address for submittal: Proposals shall be delivered to:
 - If by hand delivery: Sarasota Memorial Hospital
 Construction/Renovation
 Attn.: Tom Perigo
 1833 Hawthorne Street,
 Sarasota FL 34239
 - If by mail: Sarasota Memorial Hospital
 Construction/Renovation
 Attn.: Tom Perigo
 1700 S Tamiami Trail
 Sarasota, FL 34239
 - If by courier: Sarasota Memorial Hospital
 Construction/Renovation
 Attn.: Tom Perigo
 1700 S Tamiami Trail
 Sarasota, FL 34239

4. Minimum contents of proposals: Respondents shall submit the following information in their proposals in the order listed below.

- a. Name and address of Respondent and the name, mailing address, phone number and e-mail address of the representative authorized to act on behalf of Respondent.

- b. A signature on the proposal provided by an authorized individual of the Respondent’s organization, committing the organization to the performance of the services described by the RFP. This signed document shall identify the form of the business organization including state of incorporation or formation of partnership, if any. The document shall also identify one individual authorized to negotiate on behalf of the proposer.
- c. A list of major team members with a description of the role of each member of the team and a description of the Respondent’s organizational structure.
- d. The financial terms, including purchase price for the property and any proposed contributions by the Hospital, financial or otherwise.
- e. A summary of how the Respondent’s proposal meets each of the Hospital’s objectives outlined in this RFP.
- f. Audited financial reports, or other corporate financial records acceptable to the Hospital, demonstrating the Respondent’s financial capability to guarantee completion of the project.
- g. A demonstration of the Respondent’s ability to secure (i) financing from a financial institution for this undertaking, (ii) liability insurance coverage, and (iii) performance bonding.
- h. A graphic and written description of representative development projects, of a similar scale and character, carried out by the Respondent. Describe the role of individual team members in each of these projects.
- i. The Respondent’s lead team members’ professional qualifications and experience in producing projects of a similar scale and character.
- j. A list of references for lead team members, including contact names, addresses, telephone and facsimile numbers.

G. DISCLOSURES AND DISCLAIMERS

The information contained in this Request for Proposals (“RFP”) is provided solely for the convenience of the respondents. The Hospital has assembled the information in a good faith effort to assist in the disposition process; however, the Hospital makes no representation, warranty or guarantee as to the accuracy of the information. It is the responsibility of the Respondent to verify that the information presented is accurate and complete and any reliance on the information contained herein or on communications with the Hospital’s representatives or its advisor(s) is and shall be at the respondent’s sole and exclusive risk.

The Hospital reserves the right to accept any proposals deemed to be in the best interest of the Hospital, to waive any irregularities in any proposals, or to reject any and/or all submittals and/or proposals and to re-advertise for new proposals.

The Hospital assumes no financial or other obligation to any respondent. Any proposal submitted in response to this RFP is at the sole financial risk and responsibility of the party submitting such proposal.

The Respondent will not pay a brokerage, finder’s or referral fee, however styled, to any party in connection with this RFP, which includes the Sarasota County Public Hospital Board and employees of Sarasota Memorial Hospital.

The responsibility for submitting a proposal to this RFP on or before the stated time and date will be solely and exclusively the responsibility of the Respondent. No proposal received after the stated time and date will be considered.

Each Respondent shall examine all RFP documents and shall judge all matters relating to the adequacy and accuracy of such documents. The Hospital shall not be responsible for oral interpretations given by any Hospital employee, representative, or others. The issuance of a written addendum by the Hospital is the only official method where interpretation, clarification, or additional information may be given. If any addenda are issued to this RFP, the Hospital will attempt to notify all prospective firms who have secured the same.

However, it shall be the responsibility of each firm, prior to submitting a proposal, to contact Ms. Deborah Taylor at (941)917-1426, to determine if addenda were issued and to submit a proposal in accordance with such addenda.

All written responses, other submissions, correspondence, and all records made thereof, as well as negotiations conducted pursuant to this Request for Proposals, shall be handled in compliance with Chapters 119 and 286, Florida Statutes. The Hospital gives no assurance as to the confidentiality of any portion of the proposal once submitted.

By offering a submission to the RFP, the Respondent certifies that the Respondent has not divulged to, discussed or compared its competitive response with other responders and has not colluded with any other responders or parties to this competitive response whatsoever.

**SARASOTA MEMORIAL HOSPITAL
REQUEST FOR PROPOSALS #05-03-06
TERMS AND CONDITIONS**

1. Responses must comply in all respects with the RFP requirements. Deviations from requirements may, at the option of the Hospital, render the proposal non-responsive and the proposer ineligible for award.
2. The Hospital assumes no responsibility for proposals received after the advertised deadline or at any office or location other than that specified herein, whether due to mail delays, courier mistake, mishandling, or any other reason.
3. The Hospital reserves the right to waive and/or accept minor irregularities when, in the sole opinion of the Hospital, such waiver or acceptance is deemed to be in the best interest of the Hospital.

4. The Hospital reserves the right to reject any or all proposals, in whole or in part, for any reason whatsoever.
5. All documentation submitted with the proposal must reference the RFP number.
6. The Hospital reserves the right, in the sole discretion of the Hospital, to require oral presentations from all Respondents or from a shortened list of Respondents, during any stage of the evaluation and/or selection process.
7. All proposals shall be signed by an authorized individual of the Respondent's organization, committing the Respondent's organization to the performance of the services described by this RFP. The proposer shall identify the form of the business organization of the proposer and the proposer shall authorize the Hospital to negotiate exclusively with a specified individual.
8. All proposals shall remain in effect for 180 days after the due date for proposals.
9. In the event there is any material change to the terms of a proposal, including ownership or control of the respondent or the participation of any key individuals designated in a proposal, the Hospital reserves the right to reject such proposal or terminate negotiations. Such determination shall be made at the sole discretion of the Hospital.
10. Proposers, their agents and associates shall not contact or solicit any Hospital Board member or Hospital employee regarding this RFP during any phase of the RFP process. Only that individual listed as the contact person in the RFP shall be contacted. Failure to comply with this provision may result in disqualification of the proposer, at the option of the Hospital.
11. The successful proposer shall enter into an agreement with the Hospital that shall be acceptable to the Hospital in form and content.
12. If the agreement awarded as a result of this RFP is terminated, the Hospital reserves the right to negotiate with the next ranked proposer for performance of the balance of the agreement.
13. Proposer acknowledges that all information contained within its proposal is part of the public domain, as defined by the Florida Sunshine and Public Records Laws. No information should be labeled confidential unless exempted under said laws.
14. There shall be no discrimination as to race, sex, color, creed, handicaps or national origin in the operations conducted under this RFP.
15. All applicable laws of the State of Florida shall apply to this RFP and resulting agreement.
16. The Hospital reserves the right to award an agreement which is the most advantageous to and in the best interest of the Hospital. The Hospital shall be the sole judge of the

proposals and the resulting negotiated agreement that is in the Hospital's best interest, and the Hospital's decision shall be final and binding.

17. A mandatory pre-submittal conference is scheduled for June 15, 2006, 12:00 p.m. (Noon), at Waldemere Medical Plaza, Papaya Room, 1921 Waldemere Street, Sarasota, FL 34239.

EARLY LEARNING COALITION OF ALACHUA COUNTY

Notice of Intent to Negotiate

The Early Learning Coalition of Alachua County, Inc. (Coalition) is soliciting proposals from qualified organizations to provide the Family Education and Home Visitation program in the County of Alachua. The Family Education and Home Visitation program is designed to give children at risk of school failure the best possible start in life and to support parents in their role as their children's first teachers.

The Coalition invites all qualified and interested parties to submit proposals for consideration. To obtain a copy of the ITN, which outlines the proposer's responsibilities and the submission process, please contact the: Early Learning Coalition of Alachua County, 1204 N. W. 13th St., Suite 5, Gainesville, FL 32601, or you may download the ITN at the Coalition website: www.elcalachua.org.

FLORIDA DEVELOPMENTAL DISABILITIES COUNCIL, INC.

REQUEST FOR PROPOSALS (FDDC # 2006-CD-4500)

Inclusion Summit Project

The Florida Developmental Disabilities Council (FDDC) announces the availability of a Request for Proposals. This RFP is being issued to enhance the information base necessary for the FDDC continued efforts to improve the delivery of services to the state's children and adults with developmental disabilities.

Our society does not accept "separate but equal" as a justification for segregation based on race, ethnicity, religion, gender, sexual preference or any other human condition. It is equally unacceptable and in fact intolerable to continue to accept, condone, and support "separate but equal" as a justification for separating children and people with disabilities from their communities. There are complex systemic, social and financial obstacles that hinder the availability of resources and services for individuals with disabilities within an inclusive community. The existence of these obstacles requires significant efforts and commitment to overcome. To initiate this process of building inclusive communities, where all people, no matter what their differences, disabilities, or innate human conditions may be, are welcomed and valued, it requires the commitment and collaboration of all key stakeholders, leaders, legislatures, individuals with disabilities

and their families to strategize and work on unified efforts. There needs to be an opportunity for stakeholders in Florida to come together to engage in strategically planning to examine and align systems in education, employment, health and community living, build infrastructure and enhance and maximize the resources that exist for individuals with disabilities within an inclusive society.

The purpose of the project is to provide stakeholders with an opportunity to develop the Florida Inclusion Strategic Plan by strategically examining, aligning, and building an infrastructure to enhance and maximize the opportunities and resources that exist for individuals with disabilities in an inclusive society. This opportunity will be provided by hosting a two-day Inclusion Summit to develop a strategic plan to facilitate inclusive communities in the areas of: community living, education, employment and health. Summit participants will be limited to up to 80 invited key stakeholders, including, but is not limited to: various attorneys (e.g.: education, civil rights, special education, medical malpractice, disabilities, etc.) inclusion advocates, self-advocates, individuals with disabilities, family members, legislators, representatives from: K-12 education, post secondary, community living, health and employment. The Summit is anticipated to be held in June 2007.

In order to facilitate the Inclusion Summit, the provider will conduct a comprehensive literature review and information gathering with statistically valid data, on the degree to which inclusion practices and opportunities in the community that are available for individuals in Florida who are in: sheltered workshops, day treatment centers, segregated education settings, special schools, congregate living situation (where two or more individuals with disabilities live in one household), group homes, or those sitting at home post secondary.

Copies of this RFP will be available from the Florida Developmental Disabilities Council, 124 Marriott Drive, Suite 203, Tallahassee, FL 32301, (850)488-4180 or Toll Free 1(800)580-7801 or TDD Toll Free (888)488-8633. The deadline for submitting letters of intent and written questions is prior to 4:00 p.m. (DST), on June 16, 2006. The deadline for submitting proposals is prior to 2:00 p.m. (DST), on July 31, 2006. Letters of Intent will only be accepted by fax, mail, or hand delivery. Letters of Intent by e-mail will not be accepted.

REQUEST FOR PROPOSALS (FDDC # 2006-CD-4600)

Inclusion Summit Conference Planner

The Florida Developmental Disabilities Council (FDDC) announces the availability of a Request for Proposals. This RFP is being issued to enhance the information base necessary for the FDDC continued efforts to improve the delivery of services to the state's children and adults with developmental disabilities.

Our society does not accept "separate but equal" as a justification for segregation based on race, ethnicity, religion, gender, sexual preference or any other human condition. It is equally unacceptable and in fact intolerable to continue to accept, condone, and support "separate but equal" as a justification for separating children and people with disabilities from their communities. There are complex systemic and social obstacles that hinder the use of resources and services for individuals with disabilities within an inclusive community. The existence of these obstacles requires significant efforts and commitment to overcome. To initiate this process of building inclusive communities, where all people, no matter what their differences, disabilities, or innate human conditions may be, are welcomed and valued, it requires the commitment and collaboration of all key stakeholders, leaders, legislators, individuals with disabilities and their families to strategize and create a unified effort. There needs to be an opportunity for stakeholders in Florida to come together to engage in strategically planning to examine and align systems in education, employment, health and community living, build infrastructure and enhance and maximize the resources within an inclusive society that are available for individuals in Florida who are in: sheltered workshops, day treatment centers, segregated education settings, special schools, congregate living situation (where two or more individuals with disabilities live in one household), group homes, or those sitting at home post secondary.

The focus of this project is to organize and execute in Florida the Inclusion Summit. The Summit is anticipated to be held in June 2007. The Summit will have a maximum of 80 participants, national speakers and facilitators. The national speakers, conference agenda, content materials and program related tasks will be coordinated by the Summit facilitator (under separate contract) and the planner must work closely with this individual to execute this Summit.

This proposal is for the purpose of selecting a conference planner that will perform, but not limited to, the following tasks: coordinate and execute a format for holding the Summit, which includes hotel site and dates, hotel contracting, preliminary schedule and format for the Summit, food to be provided, and accommodations to be made; budget management and disbursement; assign one coordinator for the event and three to five assistants to help with the event; coordinate and pay for all conference expenses including hotel rooms, food and beverage expenses, two breakfast, 2 lunches and one dinner, travel expenses for participants, equipment needs on site, copying and printing materials, freight and shipping materials, audio visual equipment, and sign language interpreting, and personal care attendant (PCA) services for those that request it; administer the registration process; develop an evaluation component of the Summit, which will include the FDDC Customer Evaluation form.

Copies of this RFP will be available from the Florida Developmental Disabilities Council, 124 Marriott Drive, Suite 203, Tallahassee, FL 32301, (850)488-4180 or Toll Free 1(800)580-7801 or TDD Toll Free (888)488-8633. The deadline for submitting letters of intent and written questions is prior to 4:00 p.m. (DST), on June 16, 2006. The deadline for submitting proposals is prior to 2:00 p.m. (DST), on July 31, 2006. Letters of Intent will only be accepted by fax, mail, or hand delivery. Letters of Intent by e-mail will not be accepted.

**Section XII
Miscellaneous**

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to subsection 380.06(4)(a), Florida Statutes.

FILE NO.: BLID-05-2006-008
 DATE RECEIVED: May 3, 2006
 DEVELOPMENT NAME: Brentwood Farms
 DEVELOPER/AGENT: Brentwood Farms, Ltd./
 Avis M. Craig
 DEVELOPMENT TYPE: 28-24.023, 28-24.026,
 28-24.031, F.A.C.
 LOCAL GOVERNMENT: Citrus County

DCA Order No. DCA06-OR-117

STATE OF FLORIDA
 DEPARTMENT OF COMMUNITY AFFAIRS

In re: A LAND DEVELOPMENT REGULATION
 ADOPTED BY ISLAMORADA, VILLAGE OF
 ISLANDS
 ORDINANCE NO. 06-03

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2005), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and Islamorada, Village of Islands is a local government within the Florida Keys Area.

2. On March 14, 2006, the Department received for review Islamorada, Village of Islands, Ordinance No. 06-03 ("Ord. No. 06-03"). The purpose of the Ordinance is to amend Division 6 of Article VI of Chapter 30 of the Village Code governing vacation rental uses.

3. The final date for approval for this Ordinance is May 13, 2006.

4. The Ordinance will implement the vacation rental provisions of the Comprehensive Plan. The amendment to the Land Development Regulations will continue to allow the transient rental use of 28 days or less, of single family and multifamily residential properties within the Village. Additional provisions regulate vacation rental of property, an annual registration process, license regulations, and the vacation rental use and occupancy restrictions.

5. Ord. 06-03 is consistent with the Village Comprehensive Plan.

CONCLUSIONS OF LAW

6. The Department is required to approve or reject land development regulations or portions thereof that are enacted, amended, or rescinded by any local government in the Florida Keys Area of Critical State Concern. §§ 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2005).

7. Islamorada, Village of Islands is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2005), and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.

8. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2005). The regulations adopted by Ord. 06-03 are land development regulations.

9. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in § 380.0552(7), Fla. Stat. (2005). See *Rathkamp v. Department of Community Affairs*, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff'd, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.

10. Ord. 06-03 promotes and furthers the following Principles:

- (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
- (d) To ensue the maximum well-being of the Florida Keys and its citizens through sound economic development.

(l) To protect the public health, safety, and welfare of the citizens of the Florida Keys and maintain the Florida Keys as a unique Florida resource.

11. Ord. 06-03 is not inconsistent with the remaining Principles. Ord. 06-03 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 06-03 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE

REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

TRACY D. SUBER
STATE PLANNING ADMINISTRATOR
Division of Community Planning
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned Agency Clerk of the Department of Community Affairs, and that true and correct copies have been furnished to the persons listed below by the method indicated this 9th day of May, 2006.

 Paula Ford, Agency Clerk

By U.S. Mail:

Honorable Robert Johnson, Mayor
 Islamorada, Village of Islands
 Post Office Box 568
 Islamorada, FL 33036

Beverly Raddatz, Village Clerk
 Islamorada, Village of Islands
 Post Office Box 568
 Islamorada, FL 33036

Nina Boniske, Esq.
 Nancy Stroud, Esq.
 Weiss Serota Helfman Pastoriza
 Guedes Cole & Boniske, P.A.
 3107 Stirling Drive, Suite 300
 Fort Lauderdale, FL 33312-8500

DEPARTMENT OF TRANSPORTATION

The Department of Transportation intends to issue an "Airport Site Approval Order," in accordance with Chapter 330, Florida Statutes, "Regulation of Aircraft, Pilots, and Airports" and Chapter 14-60, Florida Administrative Code, "Airport Licensing, Registration, and Airspace Protection," for the following site:

Bayflite One Base, a private airport, in Pasco County, at Latitude 28° 11' 38" and Longitude 82° 37' 14", to be owned and operated by Mr. Jeffery See, 701 Sixth Street South, St. Petersburg, FL 33701.

A copy of the Airport Site Approval Order, the Airport's application, the applicable rules, and other pertinent information may be obtained by contacting Mr. William J. Ashbaker, P.E., State Aviation Manager, Florida Department of Transportation, Aviation Office, 605 Suwannee Street, Mail Station 46, Tallahassee, Florida 32399-0450, (850)414-4500, aviation.fdot@dot.state.fl.us Website: <http://www.dot.state.fl.us/aviation>

ADMINISTRATIVE HEARING RIGHTS: Any person whose substantial interests will be determined or affected by this Airport Site Approval Order has the right, pursuant to Section 120.57, Florida Statutes, to petition for an administrative hearing. The petition for an administrative hearing must conform to the requirements of Rule Chapter 28-106, Florida

Administrative Code, and must be filed, in writing, within twenty-one days of the publication of this notice, with the Clerk of Agency Proceedings, Office of the General Counsel, Florida Department of Transportation, 605 Suwannee Street, Mail Station 58, Room 550, Tallahassee, Florida 32399-0450. Failure to file a petition within the allowed time constitutes a waiver of any right such person has to request a hearing under Chapter 120, Florida Statutes.

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, STR Motorsports, Inc., intends to allow the establishment of Action Orlando Motorsports as a dealership for the sale of KYMCO motorcycles at 306 West Main Street, Apopka (Orange County), Florida 32703, on or after May 3, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Action Orlando Motorsports are dealer operator(s): James D. Sursely, 306 West Main Street, Apopka, Florida 32703; principal investor(s): James D. Sursely, 306 West Main Street, Apopka, Florida 32703.

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: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, 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: Kendall Huggins, Eastern Regional Sales Manager, STR Motorsports, Inc., 1770 Campton Road, Inman, South Carolina 29349.

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, CMSI, Inc. – Classic Motorcycles and Sidecars, Inc., intends to allow the establishment of RS Tradelink USA, Inc., d/b/a Florida Discount Cars, as a dealership for the sale of TN'G and Flying Tiger motorcycles at 1385 East Altamonte Drive, Altamonte Springs (Seminole County), Florida 32701, on or after April 28, 2006.

The name and address of the dealer operator(s) and principal investor(s) of RS Tradelink USA, Inc., d/b/a Florida Discount Cars, are dealer operator(s): Raza Syed, Post Office Box 182182, Casselberry, Florida 32718; principal investor(s): Raza Syed, Post Office Box 182182, Casselberry, Florida 32718.

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: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, 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: Bryce Tangvald, Sales Assistant, CMSI, Inc. – Classic Motorcycles and Sidecars, Inc., Post Office Box 969, Preston, Washington 98050.

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, Hyosung Motors America, Inc., intends to allow the establishment of Gasoline Alley, Inc., as a dealership for the sale of Hyosung motorcycles at 10 South Scenic Highway, Frostproof (Polk County), Florida 33843, on or after May 5, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Gasoline Alley, Inc., are dealer operator(s): Robert J. Ohara, 10 South Scenic Highway, Frostproof, Florida 33843; principal investor(s): Robert J. Ohara, 1202 Pine Avenue, Frostproof, Florida 33843.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, 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: Edward Park, 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.

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, Zongshen, Inc., intends to allow the establishment of Fla Cycles, Inc., as a dealership for the sale of Zongshen motorcycles at 6022 South Tamiami Trail, Sarasota (Sarasota County), Florida 33781, on or after April 1, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Fla Cycles, Inc., are dealer operator(s): Bruce Friedlander, 6022 South Tamiami Trail, Sarasota, Florida 33781; principal investor(s): Bruce Friedlander, 6022 South Tamiami Trail, Sarasota, Florida 33781.

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: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, 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: Cavan Chan, Vice President, Zongshen, Inc., 10530 Northwest 37 Terrace, 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 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 Florida Motorsports, Inc., as a dealership for the sale of KTM motorcycles at 2463 Greer Road, Tallahassee (Leon County), Florida 32308, on or after May 4, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Florida Motorsports, Inc., are dealer operator(s): Kent E. Johnson, 2463 Greer Road, Tallahassee, Florida 32308; principal investor(s): Kent E. Johnson, 2463 Greer Road, Tallahassee, Florida 32308.

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: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, 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 Burleson, President, 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.

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 General Motors Corporation intends to allow the relocation of Phillips Buick-Pontiac – GMC Truck, Inc., as a dealership for the sale of Buick, Pontiac, and GMC Light Duty Truck motor vehicles from its present location at 3320 Highway 441/27, Fruitland Park (Lake County), Florida 34731, to a proposed location at U.S. Highway 27/441 at the intersection of Grays Airport Road, Fruitland Park (Lake County), Florida 34731, on or after October 1, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Phillips Buick-Pontiac-GMC Truck, Inc. are: dealer operator(s): Larry M. Phillips, 3320 U.S. Highway 441/27, Fruitland Park, Florida 34731; principal investor(s): Larry M. Phillips, 3320 U.S. Highway 441/27, Fruitland Park, Florida 34731, and Mary Grace Smalt, 3320 U.S. Highway, 441/27, Fruitland Park, Florida 34731.

The notice indicates an intent to relocate the franchise 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: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, 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: Scott Malatesta, Zone Manager, General Motors Corporation, Mail Code 482-A07-C66, 100 GM Renaissance Center, Detroit, Michigan 48265-1000.

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 relocation 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 QLINK, LP, intends to allow the establishment of Moto Mania Powersports, LLC, as a dealership for the sale of Zongshen motorcycles at 3264 Southeast Dixie Highway, Stuart (Martin County), Florida 34997, on or after May 1, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Moto Mania Powersports, LLC, are dealer operator(s): William Talero, 5910 Loxahatchee Pines Drive, Jupiter, Florida 33458; principal investor(s): Jorge A. Calvo, 2236 Southwest 156 Court, Miami, Florida 33185, and Camilo Zambrano, 11291 Southwest 26th Street, Miami, Florida 33165.

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: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, 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, Manager, QLINK, LP, 756 Port America Place, 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, QLINK, LP, intends to allow the establishment of Seminole Scooters, Inc., as a dealership for the sale of Zongshen motorcycles at 6227 Park Boulevard, Pinellas Park (Pinellas County), Florida 33781, on or after May 1, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Seminole Scooters, Inc. are dealer operator(s): Robert Hartmann, 6227 Park Boulevard, Pinellas Park, Florida 33781; principal investor(s): Robert Hartmann, 6227 Park Boulevard, Pinellas Park, Florida 33781.

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: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, 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, Manager, QLINK, LP, 756 Port America Place, 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, QLINK, LP, intends to allow the establishment of Universal Motorsports as a dealership for the sale of Zongshen motorcycles at 614 South Missouri Avenue, Clearwater (Pinellas County), Florida 33756, on or after May 1, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Universal Motorsports are dealer operator(s): Parker Metcalf, 614 South Missouri Avenue, Clearwater, Florida 33756; principal investor(s): Parker Metcalf, 614 South Missouri Avenue, Clearwater, Florida 33756, and Peter Nichols, 614 South Missouri Avenue, Clearwater, Florida 33756.

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: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, 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, Manager, QLINK, LP, 756 Port America Place, 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.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

STATE BOARD OF ADMINISTRATION

NOTICE IS HEREBY GIVEN by the State Board of Administration ("the Board") of its estimate of the borrowing capacity and the projected year-end (as of December 31, 2006) 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,

2006. The projected year-end balance on December 31, 2006, is estimated to be \$970.3 million assuming no losses related to the 2006 hurricane season. The Fund's estimated borrowing capacity, defined as the maximum amount that the Board is able 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 \$14,029.7 million. The liability of the State Board of Administration 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 Florida Hurricane Catastrophe Fund, up to a limit of \$15.0 billion for that Contract Year. This limit is \$15 billion for a contract year adjusted based upon the reported exposure from the prior contract year to reflect the percentage growth in exposure to the fund for covered policies since 2004 provided the dollar growth in limit does not increase in any one year by an amount greater than the dollar growth in cash balance. Therefore, the Board's obligation is to raise up to \$14,029.7 million, rather than the total capacity determined by using all of the available 6 percent for year one or 10 percent overall emergency assessment capability.

This estimate is based on 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 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 the 6 percent emergency assessment 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 1.54x, this means that the revenue stream available to service the debt is 1.54 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, 2006. Many factors will impact the interest rates that will ultimately be used when the Board determines that bonds must be issued. It is impossible to predict with any certainty what those rates will be.
- 4) In accordance with the requirements of Section 215.555(6)(a)2., Florida Statutes, the Board has completed the bond validation process. The circuit court hearing held on November 12, 1996, resulted in a favorable ruling. The validation was then immediately appealed to the Florida Supreme Court. The Florida Supreme Court ruled on September 18, 1997, that the bonds are valid.
- 5) 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.
- 6) The Fund is currently working on a financing plan for pre-event and post-event financing.

Reservations:

- 1) Since no bonds have ever been issued on behalf of the Fund, there are a number of uncertainties. Among these are the following: the financial condition of the insurance industry at the time of a catastrophic loss, the stability of the revenue stream and potential litigation.
- 2) A more general uncertainty is the condition of the financial markets at the time the bonds are issued and the degree of familiarity of potential investors with the Fund.
- 3) Another general uncertainty is the ability of the capital markets to absorb a bond issue of this magnitude at the time of the bond issuance.

As of May 1, 2006, the Board's good faith estimate of its bonding capacity is \$14,029.7 million to reach the current statutory upper limit of \$15 billion (based on the Board's projected year-end balance of \$970.3 million). The Board recognizes the importance of this estimate and is committed to make every effort to assure its ability to issue up to \$14,029.7 million, in bonds if and when the necessity arises.

AGENCY FOR HEALTH CARE ADMINISTRATION

The Florida Agency for Health Care Administration (the Agency), Bureau of Medicaid Program Analysis provides the following public notice regarding reimbursement for outpatient hospitals participating in the Florida Medicaid Program.

PURPOSE: To comply with federal public notice requirements in Section 1902(a)(13)(A) of the Social Security Act in changing reimbursement for outpatient hospitals, the Agency is publishing the final rates, the methodologies underlying the establishment of such rates, and justifications for the final rates. The Agency has amended its Title XIX Outpatient Hospital Reimbursement Plan (The Plan) to incorporate changes to the reimbursement methodology.

1. Effective July 1, 2005 outpatient reimbursement ceilings were eliminated for hospitals whose charity care and Medicaid days as a percentage of total adjusted hospital days equals or exceeds 11 percent. The Agency shall use the average of the 1999, 2000 and 2001 audited DSH data available as of March 1, 2005. In the event the Agency does not have the prescribed three years of audited DSH data for a hospital, the Agency will use the average of the audited DSH data for 1999, 2000 and 2001 that are available. Any hospital that met the 11 percent threshold in State Fiscal Year 2004-2005 and was also exempt from the outpatient reimbursement ceilings shall remain exempt from the outpatient reimbursement ceilings for State Fiscal Year 2005-2006, subject to the payment limitations imposed in this paragraph.
2. Effective July 1, 2005 outpatient reimbursement ceilings were eliminated for hospitals that have a minimum of ten licensed Level II Neonatal Intensive Care Beds and are located in Trauma Services Area 2.
3. Effective July 1, 2005, the outpatient reimbursement ceilings shall be eliminated for hospitals whose Medicaid days, as a percentage of total hospital days, exceed 7.3 percent, and are designated or provisional trauma centers. This provision shall apply to all hospitals that are designated or provisional trauma centers on July 1, 2005 or become a designated or provisional trauma center during State Fiscal Year 2005-2006. The Agency shall use the average of the 1999, 2000 and 2001 audited DSH data available as of March 1, 2005. In the event the Agency does not have the prescribed three years of audited DSH data for a hospital, the Agency will use the average of the audited DSH data for 1999, 2000 and 2001 that are available.

4. Effective July 1, 2005 the Agency has implemented a recurring methodology in the Title XIX Outpatient Hospital Reimbursement Plan that may include, but is not limited to, the inflation factor, variable cost target, county rate ceiling or county ceiling target rate to achieve a recurring reduction of \$16,796,807 from inflationary and other price level increases. Effective July 1, 2005, a recurring rate reduction shall be established until an aggregate total estimated savings of \$16,796,807 is achieved each year. This reduction is the Medicaid Trend Adjustment.
 - a. The July 1, 2005 and January 1, 2006 reimbursement rates shall be adjusted as follows:
 - i. Restore the \$14,103,000 outpatient hospital reimbursement rate reduction set forth in Section V.B.8 above to the June 30, 2005 reimbursement rate;
 - ii. Determine the lower of the June 30, 2005 rate with the restoration of the \$14,103,000 reduction referenced in (i) above or the July 1, 2005 or January 1, 2006 rates, as applicable, before the application of the Medicaid Trend Adjustment described in (9) above;
 - iii. Using the rate per (ii) above, determine the final rate by limiting interim Medicaid reimbursement above Medicaid limitations (ceilings, targets, etc.) and up to cost made available through the Upper Payment Limit Program to 50% of the difference between the limited rate and the reported cost, based upon specific criteria as referenced in this section.
 - b. Effective July 1, 2006 reimbursement rates shall be adjusted as follows:
 - i. The aggregate annual total estimated savings of \$16,796,807 shall be implemented by a proportional adjustment to each provider's rate.
 - ii. Interim Medicaid reimbursement above Medicaid limitations and up to cost made available through the Upper Payment Limit Program shall be limited to 50% of the difference between the limited rate and reported cost, based upon specific criteria as referenced in this section.
5. Updates to the outpatient hospital revenue center codes.

FINAL RATES: Effective July 1, 2005, the final rates for Medicaid outpatient hospitals are rates resulting from the current methodology used to calculate per diems including appropriations from the 2005-06 General Appropriations Act, Senate Bill 2600, Specific Appropriation 194.

METHODOLOGIES: The methodology underlying the establishment of the final rates for Medicaid Outpatient Hospitals will be rates resulting from the current methodology used to calculate per diems including the 2004-05 General Appropriations Act, House Bill 1835, Specific Appropriation 206.

JUSTIFICATION: The justification for the final rate change is based on the legislative direction provided in 2005-06 General Appropriations Act, Senate Bill 2600, Specific Appropriation 194.

The Agency has implemented the above rates and changes in methodology, effective July 1, 2005. Written comments may be submitted to: Edwin Stephens, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Mail Stop 21, Tallahassee, Florida 32308. Please contact the person listed above for a copy of the Plan.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF HEALTH

On May 5, 2006, M. Rony François, M.D., M.S.P.H., Ph.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of John Patrick Craig, D.D.S., license number DN 11953. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary

determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On May 3, 2006, M. Rony François, M.D., M.S.P.H., Ph.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Dana Marie Lambert, R.N., license number RN 9208925. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF FINANCIAL SERVICES

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT, IN AND FOR LEON COUNTY, FLORIDA
CASE NO.: 2006-CA-0422

In Re: The Receivership of THE EXOTIC WARRANTY COMPANY, a Florida corporation.

NOTICE TO ALL POLICYHOLDERS, CREDITORS, AND CLAIMANTS HAVING BUSINESS WITH THE EXOTIC WARRANTY COMPANY.

You are hereby notified that by order of the Circuit Court of the Second Judicial Circuit, in and for Leon County, Florida, entered the 12th day of April, 2006, the Department of Financial Services of the State of Florida was appointed as Receiver of THE EXOTIC WARRANTY COMPANY and was ordered to liquidate the assets located in Florida of said company.

Policyholders, claimants, creditors, and other persons in this State having claims against the assets of THE EXOTIC WARRANTY COMPANY, shall present such claims to the Receiver on or before 11:59 p.m. April 12, 2007, or such claims shall be forever barred.

Requests for forms for the presentation of such claims and inquiries concerning this Receivership should be addressed to: The Division of Rehabilitation and Liquidation of the Florida Department of Financial Services, Receiver for THE EXOTIC WARRANTY COMPANY, Post Office Box 110, Tallahassee, Florida 32302-0110.

NOTICE OF FILINGS

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institution, 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, Division of Financial Institutions, 200 East Gaines Street, Tallahassee, Florida 32399-0379. The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., June 9, 2006:

APPLICATION TO MERGE

Constituent Institutions: The Credit Union of Palm Beach County, West Palm Beach, Florida, and St. Lucie Community Credit Union, Ft. Pierce, Florida

Resulting Institution: The Credit Union of Palm Beach County
Received: May 2, 2006

Section XIII
Index to Rules Filed During Preceding Week

**RULES FILED BETWEEN May 1, 2006
 and May 5, 2006**

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DEPARTMENT OF STATE
Division of Cultural Affairs

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DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
Division of Standards

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5F-5.001	5/3/06	5/23/06	32/12	
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DEPARTMENT OF EDUCATION
State Board of Education

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6A-1.084	5/3/06	5/23/06	32/11	
6A-4.0021	5/3/06	5/23/06	32/11	
6A-7.074	5/3/06	5/23/06	32/11	

DEPARTMENT OF COMMUNITY AFFAIRS
Division of Housing and Community Development

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WATER MANAGEMENT DISTRICTS
Southwest Florida Water Management District

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AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid Program Office

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Surveyors and Mappers

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Board of Opticianry

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DEPARTMENT OF FINANCIAL SERVICES
OIR Insurance Regulation

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