

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF REVENUE

RULE NOS.:	RULE TITLES:
12-2.022	Public Inspection and Copying
12-2.023	Final Orders Required to be Indexed
12-2.025	Designation of Official Reporter
12-2.026	Numbering of Final Orders

PURPOSE AND EFFECT: (A) The purpose of the proposed amendments to Rule 12-2.022, F.A.C., is to provide guidance to the public regarding inspection and copying of final orders pertaining to the Child Support Enforcement Program. The effect is to provide information to the public concerning the location, inspection and copying of final orders issued by the Child Support Enforcement Program, as well as the responsibilities of the Deputy Agency Clerks for the Program.

(B) The purpose of the proposed amendments to Rule 12-2.023, F.A.C., is to inform the public of final orders required to be indexed by the Child Support Enforcement Program. The effect is to ensure the public understands that final orders issued by the Child Support Enforcement Program will be excluded from indexing, unless the final order is of precedential value.

(C) The purpose of the proposed amendments to Rule 12-2.025, F.A.C., is to inform the public that administrative child support final orders will be indexed, listed and maintained by the child support enforcement Deputy Agency Clerks. The effect is to ensure the public understands which child support enforcement final orders will be listed and maintained by the Deputy Agency Clerks.

(D) The purpose of the proposed amendments to Rule 12-2.026, F.A.C., is to inform the public of the Department's numbering of final orders issued by the Child Support Enforcement Program. The effect is to create two agency prefix designations and eleven sub-suffix designations for use in numbering final orders issued by the Child Support Enforcement Program.

SUBJECT AREA TO BE ADDRESSED: Rule 12-2.022, F.A.C.: The subject of this workshop is to develop procedures for the location, inspection and copying of final orders issued by the Child Support Enforcement Program, as well as the responsibilities of the Deputy Agency Clerks for the Program. Rule 12-2.023, F.A.C.: The subject of this workshop is to develop procedures for indexing final orders issued by the Child Support Enforcement Program. Rule 12-2.025, F.A.C.:

The subject of this workshop is to develop procedures for administrative child support final orders that will be indexed, listed and maintained by the child support enforcement Deputy Agency Clerks. Rule 12-2.026, F.A.C.: The subject of this workshop is to develop procedures for the creation of two

agency prefix designations and eleven sub-suffix designations for use in numbering final orders issued by the Child Support Enforcement Program.

SPECIFIC AUTHORITY: 120.533, 213.06(1), 213.071, 409.2557(3), 409.256(17), 409.2563(16) FS.

LAW IMPLEMENTED: 120.53(2), (3), (4), 409.256, 409.2563 FS.

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

DATE AND TIME: August 22, 2006, 9:00 a.m.

PLACE: Room 301, 4070 Esplanade Way, Tallahassee, Florida
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Phil Scruggs, Government Analyst II, Child Support Enforcement Program, Department of Revenue, P. O. Box 8030, Tallahassee, Florida 32314-8030, telephone (850)922-9558, e-mail address scruggsp@dor.state.fl.us.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this workshop is asked to advise the Department at least 48 hours before the workshop by contacting Larry Green at (850)922-4830. If you are hearing or speech impaired, please contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12-2.022 Public Inspection and Copying.

(1) The following shall be made available from the agency for public inspection and copying, at no more than cost:

(a) All final orders.

(b) A current subject-matter index identifying final orders which are indexed.

(c) A list of all final orders which are not indexed, which must be listed pursuant to Rule 1S-6.005, F.A.C.

(2)(a) The Agency Clerk shall assist the public in obtaining information pertaining to final orders, except for final orders for child support enforcement. The Office of the Agency Clerk is located at the Department of Revenue, Carlton Building, Room 204, Tallahassee, Florida 32399-0100, Phone Number (850)488-0712. ~~The office is open to the public between the hours of 8:00 a.m. and 5:00 p.m., excluding state holidays and weekends.~~

(b) The Office of the Deputy Agency Clerks for the Child Support Enforcement Program shall assist the public in obtaining information regarding final orders for child support enforcement.

1. For purposes of final orders for child support enforcement, except for administrative paternity and support orders, contact the Deputy Agency Clerk at the Department of Revenue, 4070 Esplanade Way, Tallahassee, FL 32399-3150, Phone Number (850)922-9590.

2. For purposes of administrative paternity and support orders, contact the Deputy Agency Clerk at the Department of Revenue, 400 W. Robinson Street, Suite S-509, Orlando, FL 32801, Phone Number (407)317-7765.

(c) The office of the Agency Clerk and the offices of the Deputy Agency Clerk are open to the public between the hours of 8:00 a.m. and 5:00 p.m., excluding state holidays and weekends.

(3)(a) Final orders, except final orders for child support enforcement, required to be indexed may be found by utilizing the Department's official reporter, Florida Administrative Law Reports (FALR). The official reporter is found at most county law libraries, and is available by subscription at Florida Administrative Law Reports, Post Office Box 385, Gainesville, Florida 32602, Phone Number (904)375-8036.

(b) Final orders relating to child support enforcement that are required to be indexed are located at the offices of the Deputy Agency Clerks, as provided in subsection (2).

(4)(a) Except for final orders relating to child support enforcement, final ~~Final~~ orders that which are listed, but not indexed and published, and the list of such final orders are maintained at the Office of the Agency Clerk and available for public inspection and copying at cost.

(b) Deputy Agency Clerks will render, file, index, and certify final orders relating to child support enforcement. Final orders relating to child support enforcement that are listed, but not indexed and published, and the list of those final orders are maintained at the offices of the Deputy Agency Clerks for the Child Support Enforcement Program.

(5) Certified copies of final orders pertaining to child support enforcement may be obtained from the Deputy Agency Clerks at their office designations, as provided in subsection (2). Certified copies of other final orders may be obtained from the Office of the Agency Clerk. The Department will charge fees, as provided in Section 119.07(1)(a), F.S., for certified copies of final orders. The list of final orders not indexed and published is maintained at the Office of the Agency Clerk and is available for public inspection and copying at cost.

Specific Authority 120.533, 213.06(1), ~~213.071, 409.2557(3), 409.256(17), 409.2563 (16)~~ FS. Law Implemented 120.53(2)(a) FS. History--New 11-11-92, Amended _____.

12-2.023 Final Orders Required to be Indexed.

(1) For purposes of this part, final orders issued pursuant to Sections 120.565, ~~120.569~~, 120.57(1), (2), and (3), ~~409.256, and 409.2563~~, F.S., which are required to be indexed pursuant to Rule 1S-6.004, F.A.C., shall be indexed. The following categories of final orders are required to be indexed:

(a) A final order which discusses a substantial legal issue of first impression which is actually resolved in the case;

(b) A final order which establishes a rule of law, principle, or policy for the first time, which the agency will rely upon and apply in similar circumstances;

(c) A final order which alters, modifies, or significantly clarifies a rule of law, principle, or policy previously applied, announced, or relied upon by the agency; and

(d) A final order which resolves an apparent conflict in decisions of the agency or harmonizes decisions of appellate courts.

(2) Final orders rendered by the Division of Administrative Hearings pursuant to Sections ~~120.535~~, 120.54(4), and 120.56, F.S., will be indexed by the Division of Administrative Hearings.

(3) The following categories of final orders are excluded from indexing, but are listed pursuant to the provisions of Rule 12-2.024, F.A.C.:

(a) Final orders resulting from stipulations, agreed settlements, and consent agreements; ~~and~~

(b) Final orders in license or permit denial or revocation proceedings, unless the final order is of precedential value as described in paragraphs (1)(a) through (d); ~~and~~

(c) Final orders issued by the child support enforcement program of the Department, unless the final order is of precedential value as described in paragraphs (1)(a) through (d).

Specific Authority 120.533, 213.06(1), ~~409.2557(3)(p), 409.256(17), 409.2563(16)~~ FS. Law Implemented 120.53(2) FS. History--New 11-11-92, Amended _____.

12-2.025 Designation of Official Reporter.

(1) Child support enforcement final orders will be listed and maintained by the child support enforcement Deputy Agency Clerks.

(2) For all other Department final orders, the ~~The~~ Department designates the Florida Administrative Law Reports as its official reporter for purposes of publishing and indexing by subject matter all Department final orders required to be indexed by Section 120.533, F.S., and Rule 1S-6.004, F.A.C.

(3) The General Counsel, the General Counsel's designee, or Agency Clerk shall determine the final orders required to be indexed.

Specific Authority 120.533, 213.06(1) FS. Law Implemented 120.53(4) FS. History--New 11-11-92, Amended _____.

12-2.026 Numbering of Final Orders.

(1) All final orders shall be sequentially numbered at the time of rendition.

(2) The sequential number shall be a two-part number separated by a dash with the first part indicating the year and the second part indicating the numerical sequence of the order as rendered for that year, beginning with number 1 each new calendar year. The assigned agency designation prefix, ~~DOR~~, shall precede the two-part number. The agency designated prefixes are:

(a) "DORCSA" for administrative paternity and support orders rendered by the Child Support Enforcement Program.

(b) "DORCSO" for all other final orders rendered by the Child Support Enforcement Program.

(c) "DOR" for all final orders not rendered by the Child Support Enforcement Program.

(3) The applicable order category shall be added as a suffix succeeding the agency designation prefix and two-part number. The order categories are as follows:

- (a) DS – Declaratory Statement
- (b) FOI – Final Order/Informal Proceedings
- (c) FOF – Final Order/Formal Proceedings
- (d) AS – Agreed Settlement

(4) For child support enforcement administrative paternity and support orders, the applicable categories shall be added as a sub-suffix succeeding the applicable order categories in subsection (3). The sub-suffix categories are as follows.

(a) Paternity Only: ESTPAT – Establishment of Administrative Paternity Order

(b) Paternity and Support:

1. ESTPAS – Establishment of Administrative Paternity and Support Order

2. MODPAS – Modification of Administrative Paternity and Support Order

3. SUSPPAS – Suspension of Administrative Paternity and Support Order

4. REIPAS – Reinstatement of Administrative Paternity and Support Order

5. TERMPAS – Termination of Administrative Paternity and Support Order

(c) Support Only:

1. ESTS – Establishment of Administrative Support Order

2. MODS – Modification of Administrative Support Order

3. SUSPS – Suspension of Administrative Support Order

4. REIS – Reinstatement of Administrative Support Order

5. TERMS – Termination of Administrative Support Order

Specific Authority 120.533, 213.06(1) FS. Law Implemented 120.53(2), (3), (4), 409.256, 409.2563 FS. History--New 11-11-92, Amended _____.

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NO.: RULE TITLE:
 12A-1.0615 Hotel Rewards Points Program
 PURPOSE AND EFFECT: Rule 12A-1.0615, F.A.C. (Hotel Rewards Points Programs), is being created to provide guidelines regarding the application of Florida tax in situations involving hotel rewards points programs within the transient rentals industry that reflect the findings of Report Number 2005-131, "Application of the Tourist Development Tax to the Sale of Discounted Hotel Rooms Over the Internet and the Hotel Reward Points Program" issued by the Committee on

Government Efficiency Appropriations. When in effect, this rule will provide guidelines for the taxability of transient lodging accommodations provided to rewards points programs members and the taxability of transactions between the administrator of the hotel rewards points program and the hotel participating in the program.

SUBJECT AREA TO BE ADDRESSED: The subject area addressed is the application of state sales tax, local surtax, and any locally-imposed convention development tax, tourist development tax, tourist impact tax, or municipal resort tax on transient accommodations provided to members of a hotel rewards points program.

SPECIFIC AUTHORITY: 125.0104(3)(k), 125.0108(2)(e), 212.0305(3)(f), 212.17(6), 212.18(2), 213.06(1) FS., Ch. 67-930, L.O.F.

LAW IMPLEMENTED: 125.0104(1)-(4), (8), (10), 125.0108, 212.03(1)-(5), (7), 212.0305, 212.054 FS., Ch. 67-930, L.O.F.

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

DATE AND TIME: September 19, 2006, 10:00 a.m.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT WORKSHOP, IF AVAILABLE, IS: Eric Peate, Senior Attorney, Technical Assistance and Dispute Resolution, Department of Revenue, P.O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4714.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in any proceeding before the Technical Assistance and Dispute Resolution Office is asked to advise the Department at least 48 hours before such proceeding by contacting Larry Green at (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service at (800)955-8770 (Voice) and (800)955-8771 (TDD).

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE PUBLISHED ON THE DEPARTMENT'S INTERNET SITE AT www.myflorida.com/dor/rules NO LATER THAN SEPTEMBER 12, 2006.

DEPARTMENT OF REVENUE

Property Tax Administration Program

RULE NO.: RULE TITLE:
 12D-8.0082 Florida Uniform Market Area Guidelines

PURPOSE AND EFFECT: The purpose of the creation of proposed Rule 12D-8.0082, F.A.C., is to provide for the Florida Uniform Market Area Guidelines that will be used by property appraisers to establish market area codes as required by Section 193.114, F.S.

SUBJECT AREA TO BE ADDRESSED: Florida Uniform Market Area Guidelines.

SPECIFIC AUTHORITY: 193.114(2), 195.027(1), 195.032, 213.06(1) FS.

LAW IMPLEMENTED: 193.114, 195.032, 195.062, 213.05 FS.

RULE DEVELOPMENT WORKSHOPS WILL BE HELD AT THE DATES, TIMES AND PLACES SHOWN BELOW:

DATE AND TIME: August 22, 2006, 9:30 a.m.

PLACE: Larson Building, Room 116, 200 E. Gaines St., Tallahassee, Florida

DATE AND TIME: August 24, 2006, 9:30 a.m.

PLACE: Orlando Public Library, Albertson Room, 101 E. Central Blvd., Orlando, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Sharon Gallops, Property Tax Technical Unit, Department of Revenue, P. O. Box 3000, Tallahassee, Florida 32315-3000, telephone (850)414-6108, e-mail address gallops@dor.state.fl.us

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in the workshops is asked to advise the Department at least 48 hours before the workshop by contacting Sharon Gallops (850)414-6108. If you are hearing or speech impaired, please contact the Department by using the Florida Relay Service, which can be reached at 1(800)955-8770 (Voice) and (800)955-8771 (TDD).

The text of the draft of the Florida Uniform Market Area Guidelines is expected to be available seven days before the rule development workshop by contacting the person referenced above or by accessing the website on the Internet at <http://www.myflorida.com/dor/property/RP/pcomment.html>

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12D-8.0082 Florida Uniform Market Area Guidelines.

Section 193.114(2)(a), F.S., provides the department shall promulgate regulations and forms for the preparation of the real property assessment roll to reflect a market area code established according to department guidelines. Provision is made for the format for market area codes to be submitted to the Department of Revenue in paragraph 12D-8.013(6)(a), F.A.C. The Department of Revenue adopts, and hereby incorporates by reference in this rule, the following guidelines, entitled:

Florida Uniform Market Area Guidelines N. 01/ 07

Copies of these guidelines may be obtained from the Department of Revenue, Property Tax Administration Program, P. O. Box 3000, Tallahassee, Florida 32315-3000 and may be found on the Internet at <http://www.myflorida.com/dor/property/>.

Specific Authority 193.114(2), 195.027(1), 195.032, 213.06(1) FS. Law Implemented 193.114, 195.032, 195.062, 213.05 FS. History—New _____.

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER NO.: RULE CHAPTER TITLE:

14-10 Outdoor Advertising Sign Regulation and Highway Beautification

RULE NOS.: RULE TITLES:

14-10.004 Permits

14-10.006 Additional Permitting Criteria

PURPOSE AND EFFECT: Rule 14-10.004, F.A.C., is being amended to incorporate by reference a revised Form 575-070-04, Outdoor Advertising Permit Application, and paragraph 14-10.006(4)(e), F.A.C., is amended to clarify language relating to placement of new or proposed signs.

SUBJECT AREA TO BE ADDRESSED: Form 575-070-04, Outdoor Advertising Permit Application, is being revised and paragraph 14-10.006(4)(e), F.A.C., is amended to clarify language relating to placement of new or proposed signs.

SPECIFIC AUTHORITY: 334.044(2), 479.02(7), 479.07(3)(c) FS.

LAW IMPLEMENTED: 215.34, 479.04, 479.07 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

14-10.004 Permits.

(1) An application for a new sign permit is made by completing and submitting an Application for Outdoor Advertising Permit, Form 575-070-04, Rev. ~~06/06~~ ~~04/05~~, incorporated herein by reference, to the address listed in subsection 14-10.003(2), F.A.C. Applications may be obtained from the State Outdoor Advertising License and Permit Office.

(a) through (e) No change.

(f) For purposes of paragraph (1)(c), above, when a valid permit is being conditionally canceled pursuant to subsection 14-10.004(9), F.A.C., the Outdoor Advertising Permit Cancellation Certification, Form 575-070-12, Rev. 07/01, incorporated herein by reference, and Application for Outdoor Advertising Permit, Form 575-070-04, Rev. ~~06/06~~ ~~04/05~~, must be submitted simultaneously to the Department. Form 575-070-12 may be obtained from the address listed in

subsection 14-10.003(2), F.A.C. The date the Department receives the cancellation and complete application documents shall be considered the date the application is received.

(g) through (2)(d) No change.

(3) Notwithstanding any other provisions of this rule chapter, an outdoor advertising sign existing at a location which previously was not subject to the permitting requirements of this chapter, but which has become subject to the requirements of this chapter due to changes in the jurisdictional designation of highways, shall be granted a state permit in accordance with the process outlined below:

(a) through (c) No change.

(d) The Department shall issue an Outdoor Advertising Permit, Form 575-070-30, Rev. 07/01, to the sign owner upon receipt of a complete Application for Outdoor Advertising Permit, Form 575-070-04, Rev. 06/06 04/05, together with all items required by Section 479.07(3)(b), Florida Statutes. For existing signs, the written statement required by Section 479.07(3)(b), Florida Statutes, shall be any written document from the appropriate local governmental official indicating compliance with local requirements as of the date of the permit application. A previously issued building permit shall be accepted as the statement from an appropriate local governmental official, except in cases where the local government has provided notice to the sign owner that the sign is illegal or has undertaken action to cause the sign to be removed. When a building permit is submitted as the statement of the local government, the applicant shall certify in writing that the local government has not provided notice that the sign is illegal, and that the local government has taken no action to cause the sign to be removed.

(4) through (12)(b) No change.

Specific Authority 334.044(2), 479.02(7) FS. Law Implemented 215.34, 334.044(28), 339.05, 479.01(14), 479.02, 479.04, 479.07, 479.106(5), 479.24 FS. History—(Formerly part of Rule 14-10.04, Permits; 14-15.05, Right of Way Bureau Operating Procedures), New 3-28-76, Amended 4-21-77, 12-10-77, 6-26-78, 12-31-78, 1-1-86, Formerly 14-10.04, Amended 7-7-92, 6-28-98, 8-10-99, 8-19-01, 1-25-04, 3-15-05,_____.

14-10.006 Additional Permitting Criteria.

Each application for an outdoor advertising sign permit shall meet the requirements of Sections 479.07(9) and 479.11, Florida Statutes. In addition, an application must comply with the requirements of the agreement between the state and the United States Department of Transportation referenced in Section 479.02(1), Florida Statutes, which have not been duplicated in Sections 479.07(9) and 479.11, Florida Statutes, or superseded by stricter provisions in those statutes. The requirements are:

(1) through (3) No change.

(4) Spacing. The minimum required distance between the location for which a permit is sought and the nearest permitted sign shall be measured along the edge of pavement of the

main-traveled way from the location marked by the applicant in accordance with Rule 14-10.004, F.A.C., to the location of the permitted sign. In the case of a permitted sign that has not been constructed, the milepost location reflected on the application shall be used as the location of the permitted sign. Measurement along the edge of pavement shall be based on the point perpendicular to a tangent to the edge of the main-traveled way nearest the location of the sign.

(a) For V-type or back-to-back signs to be counted as one sign for spacing purposes, the facings on such signs must be connected by the same sign structure or cross-bracing, or the sign structures must be located not more than 15 feet apart at their nearest point.

(b) through (d) No change.

(e) ~~When in situations where a sign or a proposed sign is visible from the controlled area of more than one highway subject to the jurisdiction of the Department, pursuant to Section 479.07(1), Florida Statutes, the sign must meet the permitting requirements of both highways and if it meets the applicable permitting requirements, be permitted to, the highway with the more stringent permitting requirements.~~

(5) through (8) No change.

Specific Authority 334.044(2), 479.02(7) FS. Law Implemented 339.05, 479.02, 479.07(9), 479.08, 479.11 FS. History—New 3-28-77, Amended 12-10-77, 1-1-86, Formerly 14-10.06, Amended 12-26-95, 6-28-98, 8-19-01,_____.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

PUBLIC SERVICE COMMISSION

060508-EI

RULE NO.:

RULE TITLE:

25-6.0423

Nuclear Power Plant Cost Recovery

PURPOSE AND EFFECT: This rule will implement Section 366.93, Florida Statutes, to promote electric utility investment in nuclear power plants by establishing cost recovery mechanisms that allow for the recovery in rates of all costs prudently incurred in the siting, design, licensing, and construction of a nuclear power plant.

SUBJECT AREA TO BE ADDRESSED: Recovery of costs associated with the siting, design, licensing, and construction of a nuclear power plant.

SPECIFIC AUTHORITY: 350.127(2), 366.05(1) FS.

LAW IMPLEMENTED: 366.93 FS.

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

DATE AND TIME: Wednesday, August 30, 2006, 9:30 a.m.

PLACE: Betty Easley Conference Center, Room 148, 4075 Esplanade Way, Tallahassee, Florida

Any person requiring some accommodation at this workshop because of a physical impairment should call the Division of the Commission Clerk and Administrative Services at (850)413-6770 at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at: 1(800)955-8771 (TDD).

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

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

PUBLIC SERVICE COMMISSION

UNDOCKETED

RULE NO.: 25-17.0832 RULE TITLE: Firm Capacity and Energy Contracts

PURPOSE AND EFFECT: To explore alternatives for standard offer contracts for renewable generators.

SUBJECT AREA TO BE ADDRESSED: Renewable generation standard offer contracts.

SPECIFIC AUTHORITY: 350.127(2), 366.05(1) FS.

LAW IMPLEMENTED: 366.91 FS.

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

DATE AND TIME: Wednesday, August 23, 2006, 9:30 a.m.

PLACE: Betty Easley Conference Center, Room 148, 4075 Esplanade Way, Tallahassee, Florida

Any person requiring some accommodation at this workshop because of a physical impairment should call the Division of the Commission Clerk and Administrative Services at (850)413-6770 at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at: 1(800)955-8771 (TDD).

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

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

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE CHAPTER NO.: 40E-63 RULE CHAPTER TITLE: Everglades Program

PURPOSE AND EFFECT: To develop rules to implement the Everglades Forever Act ("EFA"), Section 373.4592(4)(b), Florida Statutes. A component of the EFA Everglades Program is Everglades water supply and hydroperiod improvement and restoration. The Best Management Practice (BMP) replacement water model is being reviewed to determine if updates are necessary to the model based on current data.

SUBJECT AREA TO BE ADDRESSED: Best management practice replacement water methodology.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.4592 FS.

LAW IMPLEMENTED: 373.016, 373.085, 373.086, 373.451, 373.453, 373.4592 FS.

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

DATE AND TIME: August 28, 2006, 2:30 p.m.

PLACE: South Florida Water Management District Headquarters, Storch Room, 3301 Gun Club Road, West Palm Beach, Florida 33406

Although Governing Board meetings, hearings and workshops 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 any appeal is to be based. Persons with disabilities or handicaps who need assistance may contact the South Florida Water Management District Clerk's Office, at (561)682-2087 at least two business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: For technical issues: Stuart VanHorn, (800)432-2045, Extension 6628, e-mail: svanhorn@sfwmd.gov; For procedural issues: Joyce Rader, Paralegal Specialist, Office of Counsel, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, Extension 6259 or (561)682-6259, e-mail: jrader@sfwmd.gov.

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-4.130 RULE TITLE: Home Health Services

PURPOSE AND EFFECT: The purpose of this rule is to incorporate by reference into rule the Florida Medicaid Home Health Services Coverage and Limitations Handbook, August 2006. The revised handbook includes updated policies and the procedures for precertification and prior authorization of home health visits by the Medicaid peer review organization. The

effect will be to incorporate by reference into rule the Florida Medicaid Home Health Services Coverage and Limitations Handbook, August 2006.

SUBJECT AREA TO BE ADDRESSED: Home Health Services.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.905, 409.908, 409.9081 FS.

IF REQUESTED IN WRITING WITHIN 14 DAYS BY AN AFFECTED PERSON 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: Thursday, August 24, 2006, 1:00 p.m.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.130 Home Health Services.

(1) No change.

(2) All home health agency providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Home Health Services Coverage and Limitations Handbook, August 2006 ~~October 2003~~, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS-1500, which is incorporated in Rule 59G-4.001, F.A.C. Both handbooks are available from the Medicaid fiscal agent's website at <http://floridamedicaid.acs-inc.com> ~~agent~~. 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.

(4) The following form that is included in the Florida Medicaid Home Health Services Coverage and Limitations Handbook is incorporated by reference: Home Health Certification and Plan of Care, Form CMS-485 (C-3) (02-94) (Formerly HCFA-485), in Appendix B, one page.

Specific Authority 409.919 FS. Law Implemented 409.905, 409.908, 409.9081 FS. History—New 1-1-77, Amended 4-1-78, 9-28-78, 1-24-79, 7-17-83, Formerly 10C-7.44, Amended 6-1-88, 4-9-89, 1-1-90, 5-26-93, Formerly 10C-7.044, Amended 3-14-95, 12-27-95, 5-7-96, 2-9-98, 5-30-00, 11-24-03,_____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NOS.: 59G-4.190
59G-4.230

RULE TITLES:
Independent Laboratory Services
Physician Services

PURPOSE AND EFFECT: The purpose of these rule amendments is to incorporate by reference updates July 2006 to the Florida Medicaid Independent Laboratory Services Coverage and Limitations Handbook and the Florida Medicaid Physician Services Coverage and Limitations Handbook. The handbook updates clarify that Medicaid does not reimburse laboratory services for prenatal genetic carrier testing. The effect will be to incorporate by reference in rule updates July 2006 to the Florida Medicaid Independent Laboratory Services Coverage and Limitations Handbook and the Florida Medicaid Physician Services Coverage and Limitations Handbook.

SUBJECT AREA TO BE ADDRESSED: Independent Laboratory Services and Physician Services.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.905, 409.907, 409.908, 409.9081 FS.

IF REQUESTED IN WRITING BY AN AFFECTED PERSON 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: Thursday, August 24, 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: Ouida Mazzoccoli, Bureau of Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308, (850)922-7351

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.190 Independent Laboratory Services.

(1) No change.

(2) All independent laboratory providers enrolled in the Medicaid program must be in compliance with the provisions of the Florida Medicaid Independent Laboratory Coverage and Limitations Handbook, October 2003, updated January 2005-1 and July 2006, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS-1500, which is incorporated by reference in Rule 59G-4.001, F.A.C. Both handbooks are available from the Medicaid fiscal agent's website at <http://floridamedicaid.acs-inc.com> ~~agent~~. Click on Provider Support, and then on Handbooks. Paper copies of the handbooks may be obtained by calling Provider Inquiry at (800)377-8216.

Specific Authority 409.919 FS. Law Implemented 409.905, 409.908, 409.9081 FS. History—New 1-1-77, Amended 10-11-81, Formerly 10C-7.41, Amended 6-30-92, Formerly 10C-7.041, Amended 9-28-94, 1-9-96, 10-20-96, 9-14-97, 3-22-00, 5-16-01, 2-14-02, 8-25-03, 9-3-03, 10-27-03, 8-18-05,_____.

59G-4.230 Physician Services.

(1) No change.

(2) All physician services providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Physician Services Coverage and Limitations Handbook, January 2004, updated January 2005-1, ~~and~~ January 2005-2, and July 2006, which is incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS-1500, which is incorporated by reference in Rule 59G-4.001, F.A.C. Both handbooks are available from the Medicaid fiscal agent's website at <http://floridamedicaid.acs-inc.com> ~~agent~~. 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 409.905, 409.907, 409.908, 409.9081 FS. History—New 1-1-77, Revised 2-1-78, 4-1-78, 1-2-79, 1-1-80, Amended 2-8-82, 3-11-84, Formerly 10C-7.38, Amended 1-10-91, 11-5-92, 1-7-93, Formerly 10C-7.038, Amended 6-29-93, 9-6-93, Formerly 10P-4.230, Amended 6-13-94, 2-9-95, 3-10-96, 5-28-96, 3-18-98, 9-22-98, 8-25-99, 4-23-00, 8-5-01, 2-20-03, 8-5-03, 8-3-04, 8-18-05, 8-31-05,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

RULE NO.: 61G14-17.004
 RULE TITLE: Guidelines for the Disposition of Disciplinary Cases

PURPOSE AND EFFECT: The Board proposes to review the existing language in this rule to determine whether changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Guidelines for the Disposition of Disciplinary Cases.

SPECIFIC AUTHORITY: 310.101, 310.185, 455.2273 FS.

LAW IMPLEMENTED: 310.101, 455.227, 455.2273 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: Robyn Barineau, Executive Director, Board of Pilot Commissioners, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-8.001
 RULE TITLE: Disciplinary Guidelines
 PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address the disciplinary guidelines with regard to the wrong site, wrong patient, or wrong procedure.

SUBJECT AREA TO BE ADDRESSED: Disciplinary guidelines.

SPECIFIC AUTHORITY: 456.0375(4)(c), 456.0575, 456.079, 458.309, 458.331(5) FS.

LAW IMPLEMENTED: 456.0375(4)(c), 456.0575, 456.072, 456.079, 458.331(5) 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: Larry McPherson, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B8-8.001 Disciplinary Guidelines.

(1) No change.

(2) Violations and Range of Penalties. In imposing discipline upon applicants and licensees, in proceedings pursuant to Sections 120.57(1) and (2), F.S., the Board shall act in accordance with the following disciplinary guidelines and shall impose a penalty within the range corresponding to the violations set forth below. The verbal identification of offenses are descriptive only; the full language of each statutory provision cited must be consulted in order to determine the conduct included.

RECOMMENDED RANGE OF PENALTY

VIOLATION	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE
(a) through (pp) No change. (qq) Performing or attempting to perform health care services on the wrong patient, a wrong site procedure, a wrong procedure, or an unauthorized procedure or a procedure that is medically unnecessary or otherwise unrelated to the patient’s diagnosis or medical condition. (456.072(1)(aa), F.S.)	(qq) From a \$1,000.00 \$10,000.00 fine, a letter of concern, a minimum of five (5) hours of risk management education, a minimum of fifty (50) hours of community service and a one (1) hour lecture on wrong-site surgery in the State of Florida to a \$10,000.00 fine, a letter of concern, a minimum of (5) hours of risk management education, a minimum of fifty (50) hours of community service, undergo a risk management assessment, a one (1) hour lecture on wrong-site surgery, and suspension to be followed by a term of probation <u>revoke</u> ation.	(qq) From a \$10,000.00 fine, a reprimand, <u>a minimum of fifty (50) hours of community service, undergo a risk management assessment, and probation or denial to a \$10,000.00 fine and revocation.</u>	(qq) From a <u>\$10,000.00 fine, a reprimand, a minimum of one hundred (100) hours of community service, undergo a competency evaluation, and suspension to be followed by a term of probation to a \$10,000.00 fine and revocation.</u>
(rr) through (tt) No change. (3) through (7) No change.			

Specific Authority 456.0375(4)(c), 456.0575, 456.079, 458.309, 458.331(5) FS. Law Implemented 456.0375(4)(c), 456.0575, 456.072, 456.079, 458.331(5) FS. History—New 12-5-79, Formerly 21M-20.01, Amended 1-11-87, 6-20-90, Formerly 21M-20.001, Amended 11-4-93, Formerly 61F6-20.001, Amended 6-24-96, 12-22-96, Formerly 59R-8.001, Amended 5-14-98, 12-28-99, 1-31-01, 7-10-01, 6-4-02, 9-10-02, 12-11-02, 8-20-03, 6-7-04, 8-17-04, 1-4-06, 8-13-06, _____.

directly from the manufacturer without first obtaining a pedigree paper; authorized a cancer drug donation program. It is the purpose of this rule development process to enact rules to implement the changes to Chapter 499, Part I, F.S., made by session law 2006-310 (House Bill 371). Other changes or new text within the rule chapters listed above may also be addressed.

DEPARTMENT OF HEALTH

Division of Family Health Services

RULE CHAPTER NO.: RULE CHAPTER TITLE:

64F-12 Regulations for Drugs, Devices and Cosmetics

RULE NOS.: RULE TITLES:

64F-12.001 General Regulations; Definitions

64F-12.012 Records of Drugs, Cosmetics and Devices

64F-12.013 Prescription Drugs; Receipt, Storage and Security

64F-12.025 Certification Authority and Digital Signatures for Self-Authenticating Pedigree

64F-12.026 Cancer Drug Donation Program

PURPOSE AND EFFECT: The 2006 Florida legislature enacted session law 2006-310, amending Chapter 499, Part I, F.S., which changed requirements for prescription drug pedigrees in some instances; added a statutory provision authorizing drop shipment of prescription drugs in certain situations to allow an end user to obtain prescription drugs

SUBJECT AREA TO BE ADDRESSED: The proposed amendments will affect the type of pedigree paper that is to be used in wholesale distributions of prescription drugs. The proposed amendments will affect the type of authentication of pedigree papers required under Chapter 499, Part I, F.S. The rule amendments will implement the drop-ship provisions of House Bill 371. The rule amendments will implement the new cancer drug and supply donation program established in House Bill 371. The rule amendments may also address other issues within the rule chapters listed above.

SPECIFIC AUTHORITY: 499.05, 499.61, 499.701 499.0121, 499.0122, 499.013, 499.014, 499.052 FS.

LAW IMPLEMENTED: 499.003, 499.004, 499.005, 499.0054, 499.0057, 499.006, 499.007, 499.008, 499.009, 499.01, 499.012, 499.0121, 499.0122, 499.013, 499.014, 499.015, 499.023, 499.024, 499.025, 499.028, 499.03, 499.033, 499.035, 499.039, 499.041, 499.05, 499.051, 499.052, 499.06, 499.066, 499.067, 499.069, 499.61, 499.62, 499.63, 499.64, 499.65, 499.66, 499.67, 499.71, 499.75 FS.

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

DATE AND TIME: Friday, August 25, 2006, 9:00 a.m. – 12:00 Noon

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Room 148, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Maxine Wenzinger, Board of Pharmacy, and Drugs Devices and Cosmetics Program, 4052 Bald Cypress Way, C-04, Tallahassee, Florida 32399; (850)245-4292; zzzz Feedback, DHAT_Pharmacy.

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

DEPARTMENT OF HEALTH

Vital Statistics

RULE NO.: 64V-1.007
RULE TITLE: Death Certificate Amendments; Who May Apply; Fees; Documentary Evidence Requirements

PURPOSE AND EFFECT: To promulgate form to be used for amending a Certificate of Fetal Death.

SUBJECT AREA TO BE ADDRESSED: Amendment of Fetal Death Certificates.

SPECIFIC AUTHORITY: 382.003(10), 382.016(1) FS.

LAW IMPLEMENTED: 382.016(1) 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: August 21, 2006, 1:00 p.m.

PLACE: Department of Health, State Office of Vital Statistics, 1217 Pearl St., Boorde Bldg., Rm. 421, Jacksonville, FL 32202

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kevin Wright, Program Administrator, Department of Health, State Office of Vital Statistics, P. O. Box 210, Jacksonville, FL 32231-0042

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

DEPARTMENT OF HEALTH

Vital Statistics

RULE NO.: 64V-1.0131
RULE TITLE: Certifications of Vital Records; Information Required for Release; Applicant Identification Requirements

PURPOSE AND EFFECT: To promulgate a rule for issuance of a Certificate of Birth Resulting in Stillbirth.

SUBJECT AREA TO BE ADDRESSED: Certificate of Fetal Death.

SPECIFIC AUTHORITY: 382.003(10), 382.0085(9) FS.

LAW IMPLEMENTED: 382.0085(9), 382.0255(1)(j) 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: August 21, 2006, 1:00 p.m.

PLACE: Department of Health, State Office of Vital Statistics, 1217 Pearl Street, Boorde Bldg., Rm. 420, Jacksonville, FL 32202

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kevin Wright, Program Administrator, Department of Health, State Office of Vital Statistics, P. O. Box 210, Jacksonville, FL 32202

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

FISH AND WILDLIFE CONSERVATION COMMISSION

RULE NO.: 68-1.007
RULE TITLE: Wildlife Violator Compact, Implementation

PURPOSE AND EFFECT: The purpose of this rule development effort is to identify those violations of wildlife law or rules in other Wildlife Violators Compact states resulting in suspension or revocation of recreational licenses, which license actions will be honored by the Fish and Wildlife Conservation Commission. The effect of this effort should be to promote compliance with wildlife laws, maximize effective use of law enforcement personnel and information, and assist court systems in the efficient disposition of wildlife violations.

SUBJECT AREA TO BE ADDRESSED: Violations of wildlife law or rules in other Wildlife Violators Compact states resulting in suspension or revocation of recreational licenses, which license actions, will be honored by the Fish and Wildlife Conservation Commission.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const. 372.8311, F.S.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

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

Section II Proposed Rules

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-208.403
RULE TITLE: Random Drug Testing of Employees
PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to expand the current random drug testing program to include other specified positions in addition to certified officers, provide a review process for employees whose positions have been designated as subject to random testing, provide for on-site presumptive testing with a confirmation process follow-up for presumptive positive results, clarify situations that will be considered to be a failed drug test, permit employees who are not in test-designated positions, but volunteer for testing to withdraw from volunteer status prior to testing, and include specific consequences for positive test results.

SUMMARY: Amends the rule to expand the current random drug testing program to include employees in other specified positions in addition to certified offices, provide a review process for employees whose positions have been designated as subject to random testing, provide for on-site presumptive

testing with confirmation process follow-up for presumptive positive results, clarify that the failure to cooperate with testing requirements will be considered to be a failed drug test, permit employees who are not in test-designated positions, but volunteer for testing to withdraw from volunteer status prior to testing, and include specific consequences for positive test results.

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 cost, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of the notice.

SPECIFIC AUTHORITY: 944.09, 944.474 FS.

LAW IMPLEMENTED: 112.0455, 944.09, 944.474 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:

33-208.403 Random Drug Testing of Employees.

(1) Definitions.

(a) Authorizing ~~Authorized~~ Individual – The person designated by the Chief of Personnel to interact with an employee regarding the drug testing program.

(b) Chain of Custody – The procedures used to account for the integrity of each ~~urine~~ specimen by tracking its handling and storage from the point of specimen collection to final disposition.

(c) Contact Person – the employees designated by the Chief of Personnel to interact with the laboratory and Medical Review Officer and coordinate the drug testing program regarding drug test results.

(d) No change.

(e) Random Drug Test – A drug test conducted based on a computer generated random sampling ~~in positions identified as being subject to random testing,~~ administered for the purposes of ~~detecting~~ determining the presence of drugs, controlled substances, including anabolic steroids, or their metabolites.

(f) Random Test Designated Position – An employee is in a random test designated position, and thus is required to submit to random testing, if the employee:

1. Has job duties that require or allow the employee to carry a firearm;

2. Possesses law enforcement powers;

3. Has job duties involving regular unsupervised access to and direct contact with inmates or offenders under community supervision;

4. Has job duties involving unsupervised access to controlled substances;

5. Operates dangerous instrumentalities such as vehicles;

6. Provides health care and psychological care to inmates;

7. Provides direct services to inmates;

8. Has access to investigations of criminal allegations and the ability to alter the investigation;

9. Has the ability to alter information in databases, computer systems, or records relating to inmates or offenders under community supervision; or

10. Is in any position, including a supervisory or management position, in which a drug impairment could constitute an immediate and direct threat to public health or safety.

~~(f) Test refusal — failure on the part of a randomly selected employee to fully comply with the Department's random drug testing procedures. This includes refusal to sign required forms, refusal to provide specimens for testing, failing to report to the collection site within required time frames, failing to provide a valid specimen, attempting to alter the specimen with adulterants, and using substitute specimens in makeshift devices or objects.~~

(2) Only employees in random test designated positions, including employees required to maintain certification under Sections 943.13 and 943.135, F.S., shall be subject to mandatory random drug testing. Employees who are not in test designated positions will be included in the random drug testing pool only if such employees choose to voluntarily participate in the random testing program. An employee may seek review of the determination that he or she is working in a test designated position within 14 days of notification of test designation or, subsequently, within 14 days of a change in the employee's job duties.

(a) To seek review, the employee shall submit a letter of explanation based upon the criteria in paragraph (1)(f) of this rule to the Chief, Bureau of Personnel.

(b) Additional review of position duties will be conducted by the Bureau of Personnel and the Office of the General Counsel and will include information provided in the employee's request as well as any other information obtained during the review.

(c) A written response from the Bureau of Personnel will be provided to the employee once a determination is made on the appeal.

~~(3) The Department Bureau of Research and Data Analysis shall generate random lists of individual positions subject to testing.~~

(a) The Department Bureau of Personnel shall disburse the list to the authorized individuals during each random testing period.

~~(b) through (c) No change.~~

~~(d) Listed employees shall not be excused from random drug testing unless they are on approved leave of absence, or out of town on department business, or it is determined that the employee was listed in error. If the employee returns to his or her assigned worksite in time for the test to be rescheduled and completed within the prescribed deadline, the authorizing individual shall ensure testing is rescheduled and completed.~~

~~(e) No change.~~

(4) Off-Site Testing and Confirmation Process. Once an employee is randomly selected and scheduled for a test, the authorizing individual shall:

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

~~(c) Provide the employee with a written notice and consent for testing form that advises the employee that he or she has been randomly selected for testing, and that he or she has 24 hours to complete the test. If the employee refuses to sign, the employee will be considered to have refused to submit to testing. The authorized individual shall notify the servicing personnel office, and the employee shall be advised in writing that he is subject to disciplinary action up to and including dismissal for refusal to submit to testing.~~

~~(5) No change.~~

~~(6) If the employee does not report to the collection site within the specified time frame, or as directed on the written notice, the employee will be considered to have refused to submit to drug testing. The employee shall be advised in writing by the servicing personnel office that he is subject to disciplinary action for failure to report to the collection site unless the employee presents sufficient justification for failure to appear. Issues that will be considered include the timely notification to the employee, timely processing by the lab, and transportation issues.~~

~~(6)(7) The employee shall remain at the collection site until able to produce a sufficient specimen unless the employee advises that a medical condition has caused the inability to produce a sufficient specimen. If the employee cannot produce a sufficient specimen quantity, the collection site staff shall contact the authorizing individual. The employee shall provide a doctor's statement to the authorizing individual within 3 business days attesting to the medical condition. If the current random testing period has not expired, the employee will be given another notice that he or she has 24 hours to complete the test and will be required to report again for testing.~~

~~(7)(8) If an employee's test results show the specimen to be adulterated, the employee will be considered to have failed the test.~~

(8) If the employee fails or refuses to cooperate in any way with the drug testing process as outlined in subsections (4) through (6), including completing and signing required paperwork; failing to report to the collection site within the specified time frame; failing to follow proper collection site

protocols; failing to provide a specimen without a doctor's statement as specified in subsection (6); using a substitute specimen; or providing a specimen determined to be adulterated, the authorizing individual shall notify the servicing personnel office, and the employee shall be advised in writing that he is subject to disciplinary action up to and including dismissal for refusal to submit to testing. Refusal to submit to drug testing is considered to be a failed drug test. Employees who are not in test-designated positions, but have volunteered for testing, are permitted to withdraw from their volunteer status at any point prior to the actual submission of a specimen and such withdrawal shall not be considered to be a failed drug test.

(9) No change.

(10) If the test results are positive, the specimen sample will be retested by the laboratory for confirmation.

(11) All employees with a positive confirmed drug test shall be contacted by the Medical Review Officer within 3 days of receipt of the results from the laboratory and offered the opportunity to produce valid documentation of lawful ingestion of the identified controlled substance. The Medical Review Officer may also request consent to review the employee's medical records to assist in evaluating the test results. The employee shall have 15 days from the date of contact by the Medical Review Officer to present valid documentation of lawful intake of the identified controlled substance from that provides a legitimate explanation for the positive test results.

(12) If the Medical Review Officer cannot contact the employee within 3 days, the Medical Review Officer shall request that the contact person direct the employee to contact the Medical Review Officer. If the employee does not contact the Medical Review Officer within 2 days from the request to the employee by the contact person, the Medical Review Officer shall report the test results as positive, which is considered to be a failed drug test.

(13) In the case of positive test results for which the employee did not or could not provide valid documentation of lawful intake of the identified controlled substance a legitimate explanation, the employee shall be notified in writing of the positive test results and the consequences of the results. Depending upon the employee's position and the surrounding circumstances, possible consequences include:

(a) Referral to an employee assistance program;

(b) Immediate removal from his or her position to a position in another class;

(c) Immediate placement in paid or unpaid leave status;

(d) Disciplinary action up to and including dismissal; and

(e) Notification to the Criminal Justice Standards and Training Commission for possible decertification.

(f) Notification to any other relevant licensing or certification board for possible action.

~~The employee shall be immediately removed from his position in accordance with the department's dismissal process and the Criminal Justice Standards and Training Commission shall be notified.~~

(14) In the event of collection site or laboratory error, If the Medical Review Officer will reports the test results as cancelled, it shall be considered collection site or lab error and a re-test shall be scheduled immediately. The employee shall be given no more than 24 hours notice for the re-test. If a re-test cannot be conducted prior to the deadline for the random testing period, the authorizing individual Regional Personnel Officer shall provide an explanation to the Chief of Personnel.

(15) through (16) No change.

~~(17) Within 5 days of the completion of random testing, the authorized individual shall submit to the Bureau of Personnel the names of the employees not tested and the reason the test was not completed, with the attendance and leave reports or travel reimbursement requests attached for any employee unavailable for the test.~~

~~(17)(18)~~ The following appeal process shall be available to an employee who wants to appeal a positive confirmed drug test.

(a) through (b) No change.

(18) On-Site Presumptive Testing with Confirmation Process Follow-up for Presumptive Positives. If on-site presumptive testing is employed, the authorizing individual shall:

(a) Ensure administration of presumptive testing using an oral fluid device or other non-invasive process;

(b) Refer employees with presumptive positive results to off-site testing in accordance with subsection (4) of this rule.

(19) All information, interviews, statements, memoranda, and drug test results, written or otherwise, received or produced as a result of the drug testing program shall be confidential.

Specific Authority 944.09, 944.474 FS. Law Implemented 112.0455, 944.09, 944.474 FS. History--New 9-11-05, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Ralph Kiessig, Deputy Director of Administration

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Hieteenthia "Tina" Hayes, Acting Deputy Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 24, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 26, 2006

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-602.101
 RULE TITLE: Care of Inmates

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend the rule to incorporate Form NII-0071, Inmate Health and Comfort Items-Issuance, and provide that inmate health and comfort items shall be provided in accordance with the guidelines in the form.

SUMMARY: Amends the rule to incorporate form NII-0071, Inmate Health and Comfort Items-Issuance, and to provide that inmate health and comfort items shall be provided in accordance with the guidelines in the form.

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 cost, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of the notice.

SPECIFIC AUTHORITY: 944.09, 945.215 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: Sherry Toothman, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-602.101 Care of Inmates.
 (1) through (10) No change.

(11) Inmate health and comfort items shall be provided in accordance with the guidelines in the Inmate Health and Comfort Items – Issuance, Form NII-0071. Form NII-0071, Inmate Health and Comfort Items – Issuance, is hereby incorporated by reference. A copy of this form is available from the Forms Control Administrator, Research, Planning and Support Services, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is _____.

Specific Authority 944.09, 945.215 FS. Law Implemented 944.09 FS. History—New 10-8-76, Formerly 33-3.02, Amended 4-19-79, 4-24-80, 1-9-85, 11-3-87, 9-16-88, 7-23-89, 8-27-91, 3-30-94, 11-14-95, 6-2-99, Formerly 33-3.002, Amended 11-21-00, 1-25-01, 1-19-03, 9-23-03, 3-5-06, _____.

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

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Tina Hayes, Acting Deputy Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 23, 2006

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

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-602.201
 RULE TITLE: Inmate Property

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to modify Form DC6-220, Inmate Impounded Personal Property List, to clarify that the original copy of the form shall be forwarded to the inmate property file, rather than the institutional inmate file.

SUMMARY: The proposed rule modifies Form DC6-220, Inmate Impounded Personal Property List, to clarify that the original copy of the form shall be forwarded to the inmate property file, rather than the institutional inmate file.

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 cost, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of the notice.

SPECIFIC AUTHORITY: 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: Sherry Toothman, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-602.201 Inmate Property.
 (1) through (16) No change.

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

- (a) No change.
- (b) Form DC6-220, Inmate Impounded Personal Property List, effective date _____ ~~2-12-01~~.
- (c) through (i) No change.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History—New 6-4-81, Formerly 33-3.025, Amended 11-3-87, 11-13-95, 5-20-96, 1-8-97, 6-1-97, 7-6-97, 10-15-97, 2-15-98, 3-16-98, 8-4-98, 12-7-98, Formerly 33-3.0025, Amended 11-21-00, 9-12-01, 5-16-02, 7-8-03, 8-18-04, 1-25-05, _____.

APPENDIX ONE
PROPERTY LIST

No change.

NAME OF PERSON ORIGINATING PROPOSED RULE:
James Upchurch, Chief of Security Operations

NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: George Sapp, Assistant Secretary of
Institutions

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: June 23, 2006

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.:	RULE TITLE:
59G-6.020	Payment Methodology for Inpatient Hospital Services

PURPOSE AND EFFECT: The purpose of the proposed rule is to incorporate changes to the Florida Title XIX Inpatient Hospital Reimbursement Plan (the Plan) payment methodology, effective July 1, 2006. In compliance with House Bill 5001, 2006-07 General Appropriations Act, Specific Appropriations 213, 214, 245, 246 and the 2006-07 Health Care Implementing Bill, House Bill 5007, the Florida Title XIX Inpatient Hospital Reimbursement Plan will be amended as follows:

HOSPITAL INPATIENT SERVICES

1. \$59,233,070 is provided to eliminate the inpatient reimbursement ceilings for hospitals whose charity care and Medicaid days, as a percentage of total adjusted hospital days, equal or exceed 11 percent. For any public hospital that does not qualify for the elimination of the inpatient ceilings under this section or any other section, the public hospital shall be exempt from the inpatient reimbursement ceilings contingent on the public hospital or local governmental entity providing the required state match. The Agency shall use the average of the 2000, 2001 and 2002 audited DSH data available as of March 1, 2006. In the event the Agency does not have the prescribed three years of audited DSH data for a hospital, the Agency shall use the average of the audited DSH data for 2000, 2001 and 2002 that are available.
2. \$3,270,205 is provided to eliminate the inpatient reimbursement ceilings for hospitals that have a minimum of ten licensed Level II Neonatal Intensive Care Beds and are located in Trauma Services Area 2.
3. \$86,544,883 is provided to eliminate the inpatient hospital reimbursement ceilings 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 a designated or provisional

trauma centers on July 1, 2006 and any hospitals that become a designated or provisional trauma center during State Fiscal Year 2006-2007. The Agency shall use the average of the 2000, 2001 and 2002 audited DSH data available as of March 1, 2006. In the event the Agency does not have the prescribed three years of audited DSH data for a hospital, the Agency shall use the average of the audited DSH data for 2000, 2001 and 2002 that are available.

4. \$9,932,000 is provided to make Medicaid payments to hospitals. These payments shall be used to pay approved liver transplant facilities a global fee for providing transplant services to Medicaid recipients.

5. \$246,408,972 is provided to eliminate the inpatient reimbursement ceilings for teaching, specialty, Community Hospital Education Program hospitals and Level III Neonatal Intensive Care Units that have a minimum of three of the following designated tertiary services as regulated under the certificate of need program: pediatric bone marrow transplantation, pediatric open heart surgery, pediatric cardiac catheterization and pediatric heart transplantation.

6. Effective July 1, 2006, in accordance with the approved Medicaid Reform Section 1115 Demonstration, Special Terms and Conditions 100(b), the current inpatient supplemental payment upper payment limit (UPL) program is terminated.

7. Effective July 1, 2006, in accordance with the approved Medicaid Reform Section 1115 Demonstration, Special Terms and Conditions 100(c), the inpatient hospital payments for Medicaid eligibles will be limited to Medicaid cost as defined in the CMS 2552-96.

8. All references to Data Resources Incorporated (DRI) have added the phrase "or its successor" in order to account for future name changes of the company.

9. The reference to the definition section of the Inpatient Hospital Reimbursement Plan found in Section V. Methods, A.3. has been corrected to be Section XII.

DISPROPORTIONATE SHARE (DSH) HOSPITALS

1. \$141,124,815 is provided for payments to regular DSH.
2. \$60,000,000 is provided for payments to Graduate Medical Education (GME) hospitals.
3. \$60,998,691 is provided for payments to mental health DSH.
4. \$2,444,444 is provided for payments to specialty DSH.
5. The minimum number of Medicaid days for non-state government owned or operated hospitals has been reduced from 3,300 days to 3,100 days.

SUMMARY: The proposed rule change to rule number 59G-6.020 incorporates revisions to the Florida Title XIX Inpatient Hospital Reimbursement Plan. The rule seeks to amend the Title XIX Inpatient Hospital Reimbursement Plan to be in compliance with the 2006-07 General Appropriations Act, the 2006-07 Health Care Implementing Bill, and the Medicaid Reform Section 1115 Demonstration.

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

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

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 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: September 7, 2006, 10:00 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Edwin Stephens, Medicaid Program Analysis, 2727 Mahan Drive, Mail Stop 21, Tallahassee, Florida 32308. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Edwin Stephens, Medicaid Program Analysis, 2727 Mahan Drive, Mail Stop 21, Tallahassee, Florida. 32308

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-6.020 Payment Methodology for Inpatient Hospital Services.

Reimbursement to participating inpatient hospitals for services provided shall be in accord with the Florida Title XIX Inpatient Hospital Reimbursement Plan, Version ~~XXX XIX~~, Effective Date ~~April 19, 2006~~ and incorporated herein by reference. A copy of the Plan as revised may be obtained by writing to the Office of the Deputy Secretary for Medicaid, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Mail Stop 8, Tallahassee, Florida 32308.

Specific Authority 409.919 FS. Law Implemented 409.908, 409.917 FS. History—New 10-31-85, Formerly 10C-7.391, Amended 10-1-86, 1-10-89, 11-19-89, 3-26-90, 8-14-90, 9-30-90, 9-16-91, 4-6-92, 11-30-92, 6-30-93, Formerly 10C-7.0391, Amended 4-10-94, 8-15-94, 1-11-95, 5-13-96, 7-1-96, 12-2-96, 11-30-97, 9-16-98, 11-10-99, 9-20-00, 3-31-02, 1-8-03, 7-3-03, 2-1-04, 2-16-04, 2-17-04, 8-10-04, 10-12-04, 4-19-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mr. Edwin Stephens

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mr. Thomas W. Arnold

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 23, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 2, 2006

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.:

59G-6.030

RULE TITLE:

Payment Methodology for Outpatient Hospital Services

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to incorporate changes to the Florida Title XIX Outpatient Hospital Reimbursement plan (the Plan) payment methodology, effective July 1, 2006, to provide the following changes in compliance with the 2006-07 General Appropriations Act, House Bill 5001, Specific Appropriation 217.

1. \$7,704,802 is provided to eliminate the outpatient reimbursement ceilings for hospitals whose charity care and Medicaid days as a percentage of total adjusted hospital days equals or exceeds 11 percent. For any public hospital that does not qualify for the elimination of the outpatient ceilings under this section, the public hospital shall be exempt from the outpatient reimbursement ceilings contingent on the public hospital or local governmental entity providing the required state match. The Agency shall use the average of the 2000, 2001 and 2002 audited DSH data available as of March 1, 2006. In the event the agency does not have the prescribed three years of audited DSH data for a hospital, the agency shall use the average of the audited DSH data for 2000, 2001 and 2002 that are available.

2. \$387,284 is provided to eliminate the outpatient reimbursement ceilings for hospitals that have a minimum of ten licensed Level II Neonatal Intensive Care Beds and are located in Trauma Services Area 2.

3. \$11,223,355 is provided to eliminate the outpatient reimbursement ceilings 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, 2006 or become a designated or provisional trauma center during State Fiscal Year 2006-2007. The agency shall use the average of the 2000, 2001 and 2002 audited DSH data available as of March 1, 2006. In the event the agency does not have the prescribed three years of audited DSH data for a hospital, the agency shall use the average of the audited DSH data for 2000, 2001 and 2002 that are available.

SUMMARY: The proposed rule change to Rule 59G-6.030, F.A.C., incorporates revisions to the Florida Title XIX Outpatient Hospital Reimbursement Plan. The rule change is in accordance with the 2006-07 General Appropriations Act, House Bill 5001, Specific Appropriation 217.

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

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

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 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: September 7, 2006, 11:00 a.m.

PLACE: 2727 Fort Knox Boulevard, Building 3, Conference Room C, Tallahassee, Florida 32308

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Edwin Stephens, Medicaid Program Analysis, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Room 2149A, Mail Stop 21, Tallahassee, Florida 32308. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Edwin Stephens, Medicaid Program Analysis, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Room 2149A, Mail Stop 21, Tallahassee, Florida 32308

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-6.030 Payment Methodology for Outpatient Hospital Services.

Reimbursement to participating outpatient hospitals for services provided shall be in accordance with the Florida Title XIX Outpatient Hospital Reimbursement Plan, Version ~~XIV~~ XV Effective date: ~~April 19, 2006~~, and incorporated herein by reference. A copy of the Plan as revised may be obtained by writing to the Office of the Deputy Secretary for Medicaid, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Mail Stop 8, Tallahassee, Florida 32308.

Specific Authority 409.919 FS. Law Implemented 409.908 FS. History—New 10-31-85, Amended 12-31-85, Formerly 10C-7.401, Amended 10-1-86, 3-26-90, 9-30-90, 10-13-91, 7-1-93, Formerly 10C-7.0401, Amended 4-10-94, 9-18-96, 9-6-99, 9-20-00, 12-6-01, 11-10-02, 2-16-04, 10-12-04, 7-4-05, 4-19-06, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Edwin Stephens

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Thomas W. Arnold

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 23, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 2, 2006

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NO.: 61G15-22.0105
RULE TITLE: Standard for Laws and Rules Course Providers

PURPOSE AND EFFECT: Purpose and effect is to set standards for continuing education courses on Florida laws and rules governing the practice of engineering.

SUMMARY: Standards for continuing education courses on Florida laws and rules governing the practice of engineering are established.

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: 455.213(6), 455.2178, 455.2179, 471.008, 471.017(3), 471.019 FS.

LAW IMPLEMENTED: 455.213(6), 455.2177, 455.2178, 455.2179, 471.008, 471.017(3), 471.019 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: Paul Martin, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32301

THE FULL TEXT OF THE PROPOSED RULE IS:

61G15-22.0105 Standard for Laws and Rules Course Providers.

Each course provider approved by the Board to conduct courses in Florida Laws and rules must meet the requirements of Rule 61G15-22.011, F.A.C., and submit the documentation of the following:

- (1) Course materials; and
- (2) Course content that includes
 - (a) Rules adopted, amended or repealed during the immediately preceding biennium;
 - (b) Changes to Chapters 455 and 471, F.S. made by the legislature during the preceding biennium;
 - (c) Case law concerning Chapter 471, F.S.;
 - (d) A list of resources used to develop the course content;
 - (e) Application of the provisions of Chapter 471, F.S., to individual disciplinary cases and unlicensed practice cases during the immediately preceding biennium.
- (3) Qualifications of the instructor(s), including a curriculum vitae of the instructor(s), which must demonstrate knowledge of the subject matter and one of the following:
 - (a) Licensure as a professional engineer;
 - (b) Licensure as an attorney in the State of Florida.
 - (4) A provider making application to offer interactive distance learning must also submit documents indicating the following:
 - (a) The means by which the course will demonstrate the ability to interact between the student and course provider by providing answers to inquiries within two business days. The interaction must promote student involvement, and demonstrate that the course measures learning and addresses comprehension of content at regular intervals;
 - (b) The means by which the course provider is able to monitor student enrollment, participation and course completion;
 - (c) The means by which the course provider will be able to satisfactorily demonstrate that stated course hours are consistent with the actual hours spent by each student to complete the course;
 - (d) The means by which the provider will assure qualified instructor(s) will be available to answer questions and provide students with necessary support during the duration of the course; and
 - (e) That the student will be required to complete a statement that indicates that he/she personally completed each module/session of instruction.

Specific Authority 455.213(6), 455.2178, 455.2179, 471.008, 471.017(3), 471.019 FS. Law Implemented 455.213(6), 455.2177, 455.2178, 455.2179, 471.008, 471.017(3), 471.019 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Board of Professional Engineers
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Professional Engineers
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 14, 2006
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 20, 2005

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Surveyors and Mappers

RULE NO.: 61G17-9.004
 RULE TITLE: Citations

PURPOSE AND EFFECT: The Florida Board of Professional Surveyors and Mappers is amending Rule 61G17-9.004, F.A.C., to revise what disciplinary offenses may be resolved by citations and also revising the amount of money that may be imposed as citation fines.

SUMMARY: The Florida Board of Professional Surveyors and Mappers is removing a first time violation of Chapter 61G17-6, F.A.C. as a citation offense and is increasing the amount of money that may be imposed as a citation offense.

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: 472.008, 455.224 FS.

LAW IMPLEMENTED: 455.224 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

61G17-9.004 Citations.

The offenses enumerated in this rule may be disciplined by the issuance of a citation by the Department of Business and Professional Regulation. The citation shall impose the prescribed fine, and the Department may impose the costs of the investigation. If the citation option is accepted by the licensee, the offense will not be brought to the attention of the probable cause panel of the Board.

~~(1) A licensee's first time violation of Rule Chapter 61G17-6, may result in a citation so long as the violation or violations do not rise to the level of incompetence or negligence. If a citation is issued, the licensee must pay a fine of \$100 per violation.~~

(1)(2) A licensee's first time violation of the prohibition against false, fraudulent, deceptive or misleading advertising may result in a citation. If a citation is issued, the licensee must pay a fine of \$500.00 ~~\$250~~.

~~(2)~~(3) A licensee’s first time violation of the prohibition against practicing on a delinquent or inactive license may result in a citation if the licensee fails to correct the violation in response to a notice of noncompliance. If a citation is issued, the licensee must pay a fine of ~~\$1,000.00~~ \$500.

~~(3)~~(4) A business entity’s first time failure to notify the Board within one (1) month of any changes in the business entity’s location of offices, its licensed surveyor and mapper in residence, or the names of its principal, along with proof to demonstrate the change in principal, may result in a citation if the licensee fails to correct the violation in response to a notice of noncompliance. If a citation is issued, the business entity must pay a fine of \$500.

Specific Authority 472.008, 455.224 FS. Law Implemented 455.224 FS. History–New 1-16-92, Formerly 21HH-9.004, Amended 2-20-96,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Professional Surveyors and Mappers
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Professional Surveyors and Mappers
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 12, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 7, 2006

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.: 61J1-3.001 RULE TITLE: Application by Individuals
PURPOSE AND EFFECT: The Florida Real Estate Appraisal Board is adopting rules to implement the electronic fingerprint requirement of Section 475.615(3) of the Florida Statutes which became effective on July 1, 2006.

SUMMARY: The Florida Real Estate Appraisal Board’s amendments to Rule 61J1-3.001, F.A.C., implement changes to Section 475.615(3) of the Florida Statutes by requiring all applicants for appraisal licensure to submit electronic fingerprints, requiring applicants to have fingerprints taken by a DBPR approved vendor, and requiring DBPR vendors to submit the applicant’s fingerprints to the Florida Department of Law Enforcement.

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 cost, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of the notice.

SPECIFIC AUTHORITY: 475.614 FS.
LAW IMPLEMENTED: 475.613, 475.615, 475.617, 475.624 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: Michael E. Murphy, Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J1-3.001 Application by Individuals.

(1) An applicant for registration, or certification as an appraiser shall submit an application in such a manner as provided by the Department.

(a) Beginning July 1, 2006, every person applying for any real estate appraiser certification or registration must provide fingerprints in electronic format along with his or her application for real estate appraiser certification or registration.

(b) Every person applying for any real estate appraiser certification or registration must have his or her fingerprints taken electronically by a Department of Business and Professional Regulation approved electronic fingerprint service provider or vendor. The Department of Business and Professional Regulation shall maintain a list of approved electronic fingerprint service providers and vendors.

(c) The Department of Business and Professional Regulation approved electronic fingerprint service providers and vendors shall be responsible for submitting each applicant’s electronic fingerprints to the Florida Department of Law Enforcement for purposes of processing the fingerprint card to determine if the applicant has a criminal history record.

(2) through (7) No change.

Specific Authority 475.614, 475.615 FS. Law Implemented 475.613, 475.615, 475.617, 475.624 FS. History–New 10-15-91, Formerly 21VV-3.001, Amended 10-29-98, 1-7-99, 2-21-02, 5-25-04, 1-8-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Florida Real Estate Appraisal Board
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Real Estate Appraisal Board
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 5, 2006
DATE NOTICE OR PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 23, 2006

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-303.100	Scope and Intent
62-303.200	Definitions
62-303.300	Methodology to Develop the Planning List
62-303.310	Evaluation of Aquatic Life Use Support
62-303.320	Aquatic Life-Based Water Quality Criteria Assessment
62-303.330	Biological Assessment
62-303.340	Toxicity
62-303.350	Interpretation of Narrative Nutrient Criteria
62-303.352	Nutrients in Lakes
62-303.353	Nutrients in Estuaries and Open Coastal Waters
62-303.360	Primary Contact and Recreation Use Support
62-303.370	Fish and Shellfish Consumption Use Support
62-303.380	Drinking Water Use Support and Protection of Human Health
62-303.400	Methodology to Develop the Verified List
62-303.420	Aquatic Life-Based Water Quality Criteria Assessment
62-303.430	Biological Impairment
62-303.440	Toxicity
62-303.450	Interpretation of Narrative Nutrient Criteria
62-303.460	Primary Contact and Recreation Use Support
62-303.470	Fish and Shellfish Consumption Use Support
62-303.480	Drinking Water Use Support and Protection of Human Health
62-303.500	Prioritization
62-303.700	Listing Cycle
62-303.710	Format of Verified List and Verified List Approval
62-303.720	Delisting Procedure

PURPOSE AND EFFECT: The purpose of the proposed revisions is to allow Chapter 62-303, F.A.C., to be re-adopted as a change to Florida's water quality standards. While the rule will be re-adopted as a change to standards, the revisions clarify that the rule is intended to evaluate attainment of water

quality standards and any thresholds for impairment used in the rule apply solely for purposes of assessment and listing under sections 303(d) and 305(b) of the Clean Water Act.

SUMMARY: Substantive revisions to the rule include: 1) new text providing a different assessment methodology for exceedances of water quality criteria for synthetic organics and pesticides, 2) new text allowing the Department to use data older than ten years if it can be demonstrated to be representative of current conditions, 3) revisions to provisions related to sample representativeness, including changing the averaging period from seven to four days and deleting the requirement for data from three different seasons, 4) new text providing an assessment methodology for the daily average Dissolved Oxygen criterion for predominantly marine waters, 5) changing the requirements for data quality assessment elements to better track the requirements of Chapter 62-160, F.A.C., 6) deletion of the provisions related to assessment of toxicity test data, 7) new text describing how annual average chlorophyll a and Trophic State Index values will be calculated, 8) new text providing an assessment methodology for monthly average coliform water quality criteria, 9) revisions to the provisions related to assessment of shellfish harvesting classification information, and 10) new text allowing the Department to waive the minimum sample size requirement if the data provide overwhelming evidence of impairment.

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

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

SPECIFIC AUTHORITY: 403.061, 403.067 FS.

LAW IMPLEMENTED: 403.021(11), 403.062, 403.067 FS.

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

DATE AND TIME: August 31, 2006, 9:00 a.m.

PLACE: Department of Environmental Protection, 3900 Commonwealth Blvd., Conference Room A, Tallahassee, FL
Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Pat Waters (850)245-8449. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Daryll Joyner, 2600 Blair Stone Rd, MS 3555, Tallahassee, FL 32399-2400, (850)245-8431

THE FULL TEXT OF THE PROPOSED RULES IS:

PART I GENERAL

62-303.100 Scope and Intent.

(1) This chapter establishes a methodology to identify surface waters of the state that will be included on the state's planning list of waters that will be assessed pursuant to Sections 403.067(2) and (3), Florida Statutes (F.S.). It also establishes a methodology to identify impaired waters based on representative data that will be included on the state's verified list of impaired waters, for which the Department will calculate Total Maximum Daily Loads (TMDLs), pursuant to subsection 403.067(4), F.S., and which will be submitted to the United States Environmental Protection Agency (EPA) pursuant to paragraph 303(d)(1) of the Clean Water Act (CWA).

(2) Subsection 303(d) of the CWA and Section 403.067, F.S., describe impaired waters as those not meeting applicable water quality standards, which is a broad term that includes designated uses, water quality criteria, the Florida antidegradation policy, and moderating provisions. However, as recognized when the water quality standards were adopted, many water bodies naturally do not meet one or more established water quality criteria at all times, even though they meet their designated use. ~~Data on exceedances of water quality criteria will provide critical information about the status of assessed waters, but it is the intent of this chapter to only list waters on the verified list that are impaired due to point source or nonpoint source pollutant discharges.~~ It is not the intent of this chapter to include waters that do not meet otherwise applicable water quality criteria solely due to natural conditions or physical alterations of the water body not related to pollutants. Similarly, it is not the intent of this chapter to include waters where designated uses are being met and where water quality criteria exceedances are limited to those parameters for which permitted mixing zones or other moderating provisions (such as site-specific alternative criteria) are in effect. Waters that do not meet otherwise applicable water quality standards due to natural conditions or to pollution not related to pollutants shall be noted in the state's water quality assessment prepared under subsection 305(b) of the CWA [305(b) Report].

(3) This chapter is intended to ~~interpret existing water quality criteria and~~ evaluate attainment of water quality standards established designated uses as set forth in Chapter 62-302, F.A.C., for the purposes of identifying water bodies or segments for which TMDLs will be established. It is ~~not~~ the intent of this chapter to establish requirements that would apply solely for purposes of assessment and listing under CWA sections 303(d) and 305(b). However, it is not the intent of this chapter new water quality criteria or standards, or to establish requirements for determine the applicability of existing criteria under other purposes under provisions of Florida law. In cases where this chapter relies on numeric indicators of ambient water quality as part of the methodology for determining whether existing narrative criteria are being met, these numeric

values are intended to be used only in the context of developing a planning list and identifying an impaired water pursuant to this chapter. As such, exceedances of these numeric values shall not, by themselves, constitute violations of Department rules that would warrant enforcement action.

(4) Nothing in this rule is intended to limit any actions by federal, state, or local agencies, affected persons, or citizens pursuant to other rules or regulations.

(5) Pursuant to Section 403.067, F.S., impaired waters shall not be listed on the verified list if reasonable assurance is provided that, as a result of existing or proposed technology-based effluent limitations and other pollution control programs under local, state, or federal authority, they will attain water quality standards in the future and reasonable progress towards attainment of water quality standards will be made by the time the next 303(d) list is scheduled to be submitted to EPA.

Specific Authority 403.061, 403.067 FS. Law Implemented 403.021(11), 403.062, 403.067 FS. History--New 6-10-02, Amended

62-303.200 Definitions.

As used in this chapter:

(1) "Bioassessment" shall mean a BioRecon, Lake Condition Index, or Stream Condition Index.

~~(2)(4)~~ "BioRecon" shall mean a biological evaluation assessment conducted in accordance with standard operating procedures (SOPs) FT 3000, FS 7410, and LT 7100, as promulgated in Chapter 62-160, F.A.C. following the procedures outlined in "Protocols for Conducting a Biological Reconnaissance in Florida Streams," Florida Department of Environmental Protection, March 13, 1995, which is incorporated by reference.

~~(3)(2)~~ "Clean techniques" shall mean those applicable field sampling procedures and analytical methods referenced in "Method 1669: Sampling Ambient Water for Trace Metals at EPA Water Quality Criteria Levels, July 1996, USEPA, Office of Water, Engineering and Analysis Division, Washington, D.C.," which is incorporated by reference.

~~(4)(3)~~ "Department" or "DEP" shall mean the Florida Department of Environmental Protection.

~~(5)(4)~~ "Designated use" shall mean the present and future most beneficial use of a body of water as designated by the Environmental Regulation Commission by means of the classification system contained in Chapter 62-302, F.A.C.

~~(6)(5)~~ "Estuary" shall mean predominantly marine regions of interaction between rivers and nearshore ocean waters, where tidal action and river flow mix fresh and salt water. Such areas include bays, mouths of rivers, and lagoons.

~~(7)(6)~~ "Impaired water" shall mean a water body or water body segment that does not meet its applicable water quality standards as set forth in Chapters 62-302 and 62-4, F.A.C., as

determined by the methodology in Part III of this chapter, due in whole or in part to discharges of pollutants from point or nonpoint sources.

(8)(7) "Lake Condition Index" shall mean the benthic macroinvertebrate component of a biological evaluation assessment conducted following the procedures outlined in "Development of Lake Condition Indexes (LCI) for Florida," Florida Department of Environmental Protection, July, 2000, which is incorporated by reference.

(9)(8) "Natural background" shall mean the condition of waters in the absence of man-induced alterations based on the best scientific information available to the Department. The establishment of natural background for an altered waterbody may be based upon a similar unaltered waterbody or on historical pre-alteration data.

(10)(9) "Nuisance species" shall mean species of flora or fauna whose noxious characteristics or presence in sufficient number, biomass, or areal extent may reasonably be expected to prevent, or unreasonably interfere with, a designated use of those waters.

(11) "Open coastal waters" shall mean all gulf or ocean waters that are not classified as estuaries or open ocean waters.

(12) "Open ocean waters" means all surface waters extending seaward from the most seaward natural 90-foot (15-fathom) isobath. Contour lines may be determined from National Oceanic and Atmospheric Administration Charts.

(13)(10) "Physical alterations" shall mean human-induced changes to the physical structure of the water body.

(14)(11) "Planning list" shall mean the list of surface waters or segments for which assessments will be conducted to evaluate whether the water is impaired and a TMDL is needed, as provided in Section 403.067(2), F.S.

(15)(12) "Pollutant" shall be as defined in subsection 502(6) of the CWA. Characteristics of a discharge, including dissolved oxygen, pH, or temperature, shall also be defined as pollutants if they result or may result in the potentially harmful alteration of downstream waters.

(16)(13) "Pollution" shall be as defined in subsection 502(19) of the CWA and Section 403.031(2), F.S.

(17)(14) "Predominantly marine waters" shall mean surface waters in which the chloride concentration at the surface is greater than or equal to 1,500 milligrams per liter.

(18) "Reference water" means a waterbody that exhibits a range of physical, chemical and biological characteristics approximating the natural background conditions of the same, or similar, type of waterbody within an ecologically similar region. A reference water may be representative of the water quality and structure and function of biological communities of natural background conditions even if there is evidence of limited human disturbance in the waterbody or watershed, as long as anthropogenic sources do not produce a significant measurable or predicted effect on the parameter of concern in the waterbody.

(19)(15) "Secretary" shall mean the Secretary of the Florida Department of Environmental Protection.

(20)(16) "Spill" shall mean a short-term, unpermitted discharge to surface waters, not to include sanitary sewer overflows or chronic discharges from leaking wastewater collection systems.

(21)(17) "Stream" shall mean a free-flowing, predominantly fresh surface water in a defined channel, and includes rivers, creeks, branches, canals, freshwater sloughs, and other similar water bodies.

(22)(18) "Stream Condition Index" shall mean a biological evaluation assessment conducted in accordance with SOPs FT 3000, FS 7420, and LT 7200, as promulgated in Chapter 62-160, F.A.C. following the procedures outlined in "Development of the Stream Condition Index (SCI) for Florida," Florida Department of Environmental Protection, May, 1996, which is incorporated by reference.

(23)(19) "Surface water" means those waters of the State upon the surface of the earth to their landward extent, whether contained in bounds created naturally or artificially or diffused. Water from natural springs shall be classified as surface water when it exits from the spring onto the earth's surface.

(24)(20) "Total maximum daily load" (TMDL) for an impaired water body or water body segment shall mean the sum of the individual wasteload allocations for point sources and the load allocations for nonpoint sources and natural background. Prior to determining individual wasteload allocations and load allocations, the maximum amount of a pollutant that a water body or water segment can assimilate from all sources without exceeding water quality standards must first be calculated. A TMDL shall include either an implicit or explicit margin of safety and a consideration of seasonal variations.

(25) "Trophic State Index" or "TSI" means the trophic state index for lakes, which is based on lake chlorophyll a, Total Nitrogen, and Total Phosphorus levels, and is calculated following the procedures outlined on pages 86 and 87 of the State's 1996 305(b) report, which are incorporated by reference.

(26)(21) "Verified list" shall mean the list of impaired water bodies or segments for which TMDLs will be calculated, as provided in subsection 403.067(4), F.S., and which will be submitted to EPA pursuant to paragraph 303(d)(1) of the CWA.

(27)(22) "Water quality criteria" shall mean elements of State water quality standards, expressed as constituent concentrations, levels, or narrative statements, representing a quality of water that supports the present and future most beneficial uses.

(28)(23) "Water quality standards" shall mean standards composed of designated present and future most beneficial uses (classification of waters), the numerical and narrative criteria applied to the specific water uses or classification, the Florida antidegradation policy, and the moderating provisions

(mixing zones, site-specific alternative criteria, and exemptions) contained in Chapter 62-302, F.A.C., and in Chapter 62-4, F.A.C., adopted pursuant to Chapter 403, F.S.

~~(29)~~(24) "Water segment" shall mean a portion of a water body that the Department will assess and evaluate for purposes of determining whether a TMDL will be required. Water segments previously evaluated as part of the Department's 1998 305(b) Report are depicted in the map titled "Water Segments of Florida," which is incorporated by reference.

~~(30)~~(25) "Waters" shall be those surface waters described in Section 403.031(13), Florida Statutes.

Specific Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History--New 6-10-02, Amended.

PART II THE PLANNING LIST

62-303.300 Methodology to Develop the Planning List.

(1) This part establishes a methodology for developing a planning list of waters to be assessed pursuant to subsections 403.067(2) and (3), F.S. ~~A waterbody shall be placed on the planning list if it fails to meet the minimum criteria for surface waters established in Rule 62-302.500, F.A.C.; any of its designated uses, as described in this part; or applicable water quality criteria, as described in this part. It should be noted that water quality criteria are designed to protect either aquatic life use support, which is addressed in sections 62-303.310-353, or to protect human health, which is addressed in sections 62-303.360-380.~~

(2) Waters on the list of water segments submitted to EPA in 1998 that do not meet the data sufficiency requirements for the planning list shall nevertheless be included in the state's initial planning list developed pursuant to this rule.

Specific Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History--New 6-10-02, Amended.

62-303.310 Evaluation of Aquatic Life Use Support.

A Class I, II, or III water shall be placed on the planning list for assessment of aquatic life use support (propagation and maintenance of a healthy, well-balanced population of fish and wildlife) if, based on sufficient quality and quantity of data, it:

~~(1) Exceeds applicable aquatic life-based thresholds water quality criteria as outlined in Rule 62-303.320, F.A.C.~~

~~(2) Does not meet biological assessment thresholds for its water body type as outlined in Rule 62-303.330, F.A.C., or~~

~~(3) Is acutely or chronically toxic as outlined in Rule 62-303.340, F.A.C., or~~

~~(3)~~(4) Exceeds nutrient thresholds as outlined in Rule 62-303.350, F.A.C.

Specific Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History--New 6-10-02, Amended.

62-303.320 ~~Exceedance~~ of Aquatic Life-Based Water Quality Criteria Assessment.

(1) Water segments shall be placed on the planning list if, using objective and credible data, as defined by the requirements specified in this section, the number of samples that do not meet ~~exceedances~~ of an applicable water quality criterion due to pollutant discharges is greater than or equal to the number listed in Table 1 for the given sample size. For sample sizes up to 500, waters are placed on the planning list when This table provides the number of exceedances that indicate a minimum of a 10% or more of the samples do not meet the applicable criteria ~~exceedance frequency~~ with a minimum of an 80% confidence level using a binomial distribution. For sample sizes greater than 500, the Department shall calculate the number of samples not meeting the criterion that are needed for the given sample size using the binomial distribution.

Table 1: Planning List

Minimum number of <u>samples not meeting an applicable water quality criterion</u> measured exceedances needed to put a water on the Pplanning list with at least 80% confidence that the <u>actual exceedance rate is greater than or equal to ten percent.</u>					
Sample sizes		Are listed if they have at least this # of <u>samples that do not meet a criterion</u> exceedances	Sample sizes		Are listed if they have at least this # of <u>samples that do not meet a criterion</u> exceedances
From	To		From	To	
10	15	3	256	264	31
16	23	4	265	273	32
24	31	5	274	282	33
32	39	6	283	292	34
40	47	7	293	301	35
48	56	8	302	310	36
57	65	9	311	320	37
66	73	10	321	329	38
74	82	11	330	338	39
83	91	12	339	348	40
92	100	13	349	357	41
101	109	14	358	367	42
110	118	15	368	376	43
119	126	16	377	385	44
127	136	17	386	395	45
137	145	18	396	404	46
146	154	19	405	414	47
155	163	20	415	423	48
164	172	21	424	432	49
173	181	22	433	442	50
182	190	23	443	451	51
191	199	24	452	461	52
200	208	25	462	470	53

209	218	26
219	227	27
228	236	28
237	245	29
246	255	30

471	480	54
481	489	55
490	499	56
500	500	57

(2) The ~~Department's Florida U.S. Environmental Protection Agency's~~ Storage and Retrieval (FLASTORET) database, or its successors, shall be the primary source of data used for determining whether samples do not meet water quality criteria ~~exceedances~~. As required by subsection 62-40.540(3), F.A.C., the Department, other state agencies, the Water Management Districts, and local governments collecting surface water quality data in Florida shall enter the data into FLASTORET within one year of collection. Other sampling entities that want to ensure their data will be considered for evaluation should ensure their data are entered into FLASTORET. The Department shall consider data submitted to the Department from other sources and databases if the data meet the sufficiency and data quality requirements of this section.

(3) Unless information presented to the Department demonstrates otherwise, When determining water quality criteria exceedances, data older than ten years at the time the water segment is proposed for listing on the planning list are not representative of current conditions and shall not be used to develop planning lists, except to evaluate historical trends in chlorophyll a or TSIs. Any determinations by the Department to use data older than 10 years shall be documented, and the documentation shall include the basis for the decision. Further, more recent data shall take precedence over older data if:

(a) The newer data indicate a change in water quality and this change is related to changes in pollutant loading to the watershed or improved pollution control mechanisms in the watershed contributing to the assessed area, or

(b) The Department determines that the older data do not meet the data quality requirements of this section or are no longer representative of the water quality of the segment. The Department shall note for the record that the older data were excluded and provide details about why the older data were excluded.

(4) To place a water segment on the planning list be assessed for water quality criteria exceedances using Table 1, a water segment shall have a minimum of ten, temporally independent samples for the ten-year period, with at least five temporally independent samples. To be treated as a temporally independent sample, samples from a given station shall be at least one week apart, regardless whether the samples are collected at different locations within the segment.

(a) Samples collected at the same location less than ~~four~~ seven days apart shall be considered as one sample, with the median value used to represent the sampling period. However,

if any of the individual dissolved oxygen (DO) values are less than 1.5 mg/l or, for other parameters, individual values exceed acutely toxic levels as listed in Table 2, then the worst-case value shall be used to represent the sampling period. The worst-case value is the minimum value for DO dissolved oxygen, both the minimum and maximum for pH, or the maximum value for other parameters. However, when DO data are available from diel or depth profile studies, the lower tenth percentile value shall be used to represent worst-case conditions for comparison against the minimum criteria.

(b) ~~For the purposes of this chapter, S~~samples collected within 200 meters of each other will be considered the same station or location, unless there is a tributary, an outfall, or significant change in the hydrography of the water.

(c) ~~Samples collected Data~~ from different stations within a water segment shall be assessed ~~treated~~ as separate samples even if collected at the same time. ~~However, there shall be at least five independent sampling events during the ten year assessment period, with at least one sampling event conducted in three of the four seasons of the calendar year. For the purposes of this chapter, the four seasons shall be January 1 through March 31, April 1 through June 30, July 1 through September 30, and October 1 through December 31.~~

Parameter	Units	Freshwater Value	Marine Value
Aldrin	ug/L	3	1.3
Aluminum	ug/L	750	N/A
Arsenic	ug/L	340	69
Cadmium	ug/L	$\exp((1.0166 * (\ln H)) - 3.924)$	40
Chlordane	ug/L	2.4	0.09
Chlorine	ug/L	19	13
Chromium III	ug/L	$\exp((0.8190 * (\ln H)) + 3.7256)$	N/A
Chromium VI	ug/L	16	1100
Copper	ug/L	$\exp((0.9422 * (\ln H)) - 1.700)$	5.8
Cyanide	ug/L	22	1
DDT	ug/L	1.1	0.13
Dieldrin	ug/L	0.24	0.71
Endosulfan	ug/L	0.22	0.034
Endrin	ug/L	0.086	0.037
Heptachlor	ug/L	0.52	0.053
Lead	ug/L	$\exp((1.273 * (\ln H)) - 1.460)$	221
Lindane	ug/L	0.95	0.16
Nickel	ug/L	$\exp((0.8460 * (\ln H)) + 2.255)$	75
Parathion	ug/L	0.065	N/A
Pentachlorophenol	ug/L	$\exp(1.005 * (\ln H)) - 4.869)$	13
Selenium	ug/L	N/A	290
Silver	ug/L	$\exp((1.72 * (\ln H)) - 6.59)$	2.2
Toxaphene	ug/L	0.73	0.21
Zinc	ug/L	$\exp((0.8473 * (\ln H)) + 0.884)$	95

(5) For predominantly marine waters, the Department shall evaluate both the minimum allowable DO of 4.0 mg/l and the daily average DO criterion of 5.0 mg/l using Table 1. At least four temporally independent samples are required to calculate the daily average for any given day. For DO, temporally independent shall be defined as at least 4 hours apart. If there are sufficient data to determine daily averages for more than one day within a four-day period, the Department shall use the median value of the daily averages to represent the sampling period.

~~(6)(5)~~ Notwithstanding the requirements of subsection (4), water segments shall be included on the planning list if:

(a) There are less than ten samples for the segment, but there are three or more temporally independent samples that do not meet exceedances of an applicable water quality criterion, or

(b) There are more than one exceedance of an acute toxicity-based water quality criterion listed in Rule 62-302.530, F.A.C., or a water quality criterion for a synthetic organic compound or synthetic pesticide in any three year period.

~~(7)(6)~~ Values that exceed possible physical or chemical measurement constraints (pH greater than 14, for example) or that represent data transcription errors shall be excluded from the assessment. Outliers identified through statistical procedures shall be evaluated to determine whether they represent valid measures of water quality. If the Department determines that they are not valid, they shall be excluded from the assessment. However, the Department shall note for the record that the data were excluded and explain why they were excluded.

~~(8)(7)~~ The Department shall consider all readily available water quality data. ~~However, to be used to determine water quality exceedances,~~

~~(a) Data shall be collected and analyzed in accordance with Chapter 62-160, F.A.C., and~~

~~(b) For data collected after one year from the effective date of this rule, if requested, the sampling agency must provide to the Department, either directly or through entry into FLASTORET, all of the data quality assessment elements listed in Table 2 of the Department's Guidance Document "Data Quality Assessment Elements for Identification of Impaired Surface Waters" (DEP EAS 01-01, April 2001), which is incorporated by reference.~~

~~(9)(8) For the assessment To be used to determine exceedances~~ of metals criteria,

(a) Surface water data for mercury shall be collected and analyzed using clean sampling and analytical techniques, and

(b) The corresponding hardness value shall be required for to determine exceedances of freshwater metals criteria that are hardness dependent, ~~and~~ if the ambient hardness value is less than 25 mg/L as CaCO₃, then a hardness value of 25 will be used to calculate the criteria. If data are not used due to

sampling or analytical techniques or because hardness data were not available, the Department shall note for the record that data were excluded and explain why they were excluded.

~~(10)(9)~~ Surface water data with values below the applicable practical quantification limit (PQL) or method detection limit (MDL) shall be assessed in accordance with subsections 62-4.246(6)(b)-(d) and (8), F.A.C.

(a) If sampling entities want to ensure that their data will be considered for evaluation, they should review the Department's list of approved MDLs and PQLs developed pursuant to Rule 62-4.246, F.A.C., and, if available, use approved analytical methods with MDLs below the applicable water quality criteria. If there are no approved methods with MDLs below a criterion, then the method with the lowest MDL should be used. Analytical results listed as below detection or below the MDL shall not be used for developing planning lists if the MDL was above the criteria and there were, at the time of sample collection, approved analytical methods with MDLs below the criteria on the Department's list of approved MDLs and PQLs.

(b) If appropriate analytical methods were used, then data with values below the applicable MDL will be deemed to meet the applicable water quality criterion and data with values between the MDL and PQL will be deemed to be equal to the MDL.

~~(11)(10)~~ It should be noted that the data requirements of this rule constitute the minimum data set needed to assess a water segment for impairment. Agencies or groups designing monitoring networks are encouraged to consult with the Department to determine the sample design appropriate for their specific monitoring goals.

Specific Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History—New 6-10-02, Amended.

62-303.330 Biological Assessment.

(1) Biological data must meet the requirements of subsections (3) and ~~(8)(7)~~ in Rule 62-303.320, F.A.C.

(2) Bioassessments used to assess streams and lakes under this rule shall include BioRecons, Stream Condition Indices (SCIs), and the benthic macroinvertebrate component of the Lake Condition Index (LCI), which only applies to clear lakes with a color less than 20 platinum cobalt units. Because these bioassessment procedures require specific training and expertise, persons conducting the bioassessments must comply with the quality assurance requirements of Chapter 62-160, F.A.C., attend at least eight hours of Department sanctioned field training, and pass a Department sanctioned field audit that verifies the sampler follows the applicable SOPs in Chapter 62-160, F.A.C., before their bioassessment data will be considered valid for use under this rule.

(3) Water segments with at least one failed bioassessment or one failure of the biological integrity standard, subsection 62-302.530(11), shall be included on the planning list for assessment of aquatic life use support.

(a) In streams, the bioassessment shall ~~can~~ be either an SCI or a BioRecon. Failure of a bioassessment for streams consists of a “poor” or “very poor” rating on the Stream Condition Index, or a “fail” rating ~~not meeting the minimum thresholds established for all three metrics (taxa richness, Ephemeroptera/Plecoptera/Tricoptera Index, and Florida Index) on the BioRecon.~~

(b) Failure for lakes consists of a “poor” or “very poor” rating on the Lake Condition Index.

(4) Other information relevant to the biological integrity of the water segment, including toxicity tests and information about alterations in the type, nature, or function of a waterbody, shall also be considered when assessing ~~determining whether~~ aquatic life use support ~~has been maintained.~~

Specific Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History–New 6-10-02, Amended.

62-303.340 Toxicity.

~~(1) All toxicity tests used to place a water segment on a planning list shall be based on surface water samples in the receiving water body and shall be conducted and evaluated in accordance with Chapter 62-160, F.A.C., and subsections 62-302.200(1) and (4), F.A.C., respectively.~~

~~(2) Water segments with two samples indicating acute toxicity within a twelve month period shall be placed on the planning list. Samples must be collected at least two weeks apart over a twelve month period, some time during the ten years preceding the assessment.~~

~~(3) Water segments with two samples indicating chronic toxicity within a twelve month period shall be placed on the planning list. Samples must be collected at least two weeks apart, some time during the ten years preceding the assessment.~~

Specific Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History–New 6-10-02, Repealed.

62-303.350 Interpretation of Narrative Nutrient Criteria.

(1) Trophic state indices (TSIs) and annual mean chlorophyll a values shall be the primary means for assessing whether a water should be assessed further for nutrient impairment. Other information indicating an imbalance in flora or fauna due to nutrient enrichment, including, but not limited to, algal blooms, excessive macrophyte growth, decrease in the distribution (either in density or areal coverage) of seagrasses or other submerged aquatic vegetation, changes in algal species richness, and excessive diel oxygen swings, shall also be considered.

(2) To be used to determine whether a waterbody should be assessed further for nutrient enrichment,

(a) Data must meet the requirements of subsections (2)-(4), ~~(7)(6)~~ and ~~(8)(7)~~ in Rule 62-303.320, F.A.C.

(b) At least one sample from each season shall be required in any given year to calculate a Trophic State Index (TSI) or an annual mean chlorophyll a value for that year (for the purposes of this chapter, the four seasons shall be January 1 through March 31, April 1 through June 30, July 1 through September 30, October 1 through December 31), and

(c) If there are multiple chlorophyll a or TSI values within a season, the average value for that season shall be calculated from the individual values and the four quarterly values shall be averaged to calculate the annual mean for that calendar year.

(d) For data collected after the effective date of this rule, individual TSI values shall only be calculated when the nitrogen, phosphorus, and chlorophyll data were collected at the same time and location.

(e) If there are insufficient data used to calculate a TSI or an annual mean chlorophyll a value in the planning period, but there are data from at least four consecutive seasons, the mean TSI or mean chlorophyll a value for the consecutive seasons shall be used to assess the waterbody.

~~(f)(e)~~ There must be an annual means from at least four years, when evaluating the change in TSI overtime pursuant to subsection 62-303.352(3), F.A.C., and

(g) To be assessed under this rule, chlorophyll a data collected after the effective date of this rule shall be corrected chlorophyll a, except for data used to establish historical chlorophyll a levels. Corrected chlorophyll a is the calculated concentration of chlorophyll a remaining after the chlorophyll degradation product, phaeophytin a, has been subtracted from the uncorrected chlorophyll a measurement.

(3) When comparing changes in chlorophyll a or TSI values to historical levels, historical levels shall be based on the lowest five-year average for the period of record. To calculate a five-year average, there must be annual means from at least three years of the five-year period.

Specific Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History–New 6-10-02, Amended.

62-303.352 Nutrients in Lakes.

For the purposes of evaluating nutrient enrichment in lakes, TSIs shall be calculated based on the procedures outlined on pages 86 and 87 of the State’s 1996 305(b) report, which are incorporated by reference. Lakes or lake segments shall be included on the planning list for nutrients if:

(1) For lakes with a mean color greater than 40 platinum cobalt units, the annual mean TSI for the lake exceeds 60, unless paleolimnological information indicates the lake was naturally greater than 60, or

(2) For lakes with a mean color less than or equal to 40 platinum cobalt units, the annual mean TSI for the lake exceeds 40, unless paleolimnological information indicates the lake was naturally greater than 40, or

(3) For any lake, data indicate that annual mean TSIs have increased over the assessment period, as indicated by a positive slope in the means plotted versus time, or the annual mean TSI has increased by more than 10 units over historical values. When evaluating the slope of mean TSIs over time, the Department shall require at least a 5 unit increase in TSI over the assessment period and use a Mann's one-sided, upper-tail test for trend, as described in Nonparametric Statistical Methods by M. Hollander and D. Wolfe (1999 ed.), pages 376 and 724 (which are incorporated by reference), with a 95% confidence level.

Specific Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History—New 6-10-02, Amended.

62-303.353 Nutrients in Estuaries and Open Coastal Waters.

Estuaries, ~~or~~ estuary segments, or open coastal waters shall be included on the planning list for nutrients if their annual mean chlorophyll a for any year is greater than 11 ug/l or if data indicate annual mean chlorophyll a values have increased by more than 50% over historical values for at least two consecutive years.

Specific Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History—New 6-10-02, Amended.

62-303.360 Primary Contact and Recreation Use Support.

(1) A Class I, II, or III water shall be placed on the planning list for evaluating primary contact and recreation use support if:

(a) There is a sufficient number of samples from the water segment that does not meet the applicable water quality criteria for bacteriological quality based on the methodology described in Rule 62-303.320, F.A.C., or

(b) The water segment includes a bathing area that was closed by a local health Department or county government for more than one week or more than once during a calendar year based on bacteriological data, or

(c) The water segment includes a bathing area for which a local health Department or county government has issued closures, advisories, or warnings totaling 21 days or more during a calendar year based on bacteriological data, or

(d) The water segment includes a bathing area that was closed or had advisories or warnings for more than 12 weeks during a calendar year based on previous bacteriological data or on derived relationships between bacteria levels and rainfall or flow, ~~or~~

(e) The water segment includes a sampling location that has two or more monthly average values above the monthly average fecal coliform or enterococci criterion during the planning period. To calculate a monthly average value for a sampling location, which shall be calculated as a geometric

mean, there shall be at least ten samples collected within that month, with at least one sample from each full week of the month.

(2) When evaluating a water segment for bacteriological quality under subparagraph (1)(a), the criterion used for fecal coliforms shall be that the Most Probable Number (MPN) or Membrane Filter (MF) shall not exceed 400 counts per 100 ml.

(3)~~(2)~~ For data collected after August 1, 2000, the Florida Department of Health (DoH) database shall be the primary source of data used for determining bathing area closures.

(4)~~(3)~~ Advisories, warnings, and closures based on red tides, rip tides, sewage spills, sharks, and medical wastes, hurricanes, or short-term releases other factors not related to chronic discharges of pollutants, such as sewage spills that have been repaired and medical wastes, shall not be included when assessing recreation use support. However, the Department shall note for the record that data were excluded and explain why they were excluded.

Specific Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History—New 6-10-02, Amended.

62-303.370 Fish and Shellfish Consumption Use Support.

A Class I, II, or III water shall be placed on the planning list for fish and shellfish consumption if:

(1) There is a sufficient number of samples from the water segment that does not meet the applicable Class II water quality criteria for bacteriological quality based on the methodology described in Rule 62-303.320, F.A.C., or

(2) There is either a limited or no consumption fish consumption advisory, issued by the DoH, or other authorized governmental entity, in effect for the water segment, or

(3) For Class II waters, the water segment includes an area that has been classified approved for shellfish harvesting by the Shellfish Evaluation and Assessment Section (SEAS) Program, in one of the following shellfish harvesting classifications; but which has been downgraded from its initial harvesting classification to a more restrictive classification. Changes in harvesting classification from prohibited to unclassified do not constitute a downgrade in classification.

(a) Restricted or conditionally restricted,

(b) Conditionally approved, excluding any areas for which SEAS identified only wildlife as the potential source of bacteriological contamination for the shellfish harvesting area, or

(c) Prohibited, unless the prohibited classification is precautionary and not based on water quality data;

(4) For Class II waters, the water segment includes a sampling location that has a median fecal coliform MPN value that exceeds 14 counts per 100 ml for the planning period. To calculate a median value for a sampling location, there shall be at least 10 samples collected during the planning period.

(5) When evaluating a water segment for bacteriological quality under subsection (1), the criterion used for fecal coliform shall be that the MPN or MF shall not exceed 43 counts per 100 ml.

Specific Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History—New 6-10-02, Amended.

62-303.380 Drinking Water Use Support and Protection of Human Health.

(1) A Class I water shall be placed on the planning list for drinking water use support if:

(a) There is a sufficient number of samples from the water segment that does not meet the applicable Class I water quality criteria based on the methodology described in section 62-303.320, or

(b) A public water system demonstrates to the Department that either:

1. Treatment costs to meet applicable drinking water criteria have increased by at least 25% to treat contaminants that exceed Class I criteria or to treat blue-green algae or other nuisance algae in the source water, or

2. The system has changed to an alternative supply because of additional costs that would be required to treat their surface water source.

(c) The water segment includes a sampling location that has two or more monthly average values above the monthly average fecal coliform criterion during the planning period. To calculate a monthly average value for a sampling location, there shall be at least five samples collected within that month, with at least one sample from each full week of the month.

~~(2)(e)~~ When determining increased treatment costs described in paragraph (b), costs due solely to new, more stringent drinking water requirements, inflation, or increases in costs of materials shall not be included.

~~(3)(2)~~ A water shall be placed on the planning list for assessment of the threat to human health if:

(a) For human health-based criteria expressed as maximums, the water segment does not meet the applicable criteria based on the methodology described in Rule 62-303.320, F.A.C., or

(b) For human health-based criteria expressed as annual averages, the annual average concentration for any year of the assessment period exceeds the criteria. To be used to determine whether a water should be assessed further for human-health impacts, data must meet the requirements of subsections (2), (3), (6), and (7) in Rule 62-303.320, F.A.C.

(4) When evaluating a water segment for bacteriological quality under paragraph (1)(a), the criterion used for fecal coliforms shall be that the MPN or MF shall not exceed 400 counts per 100 ml.

Specific Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History—New 6-10-02, Amended.

PART III THE VERIFIED LIST

62-303.400 Methodology to Develop the Verified List.

(1) Waters shall be verified as being impaired if they meet the requirements for the planning list in Part II and the additional requirements of Rules 62-303.420-480, F.A.C. A water body that fails to meet the minimum criteria for surface waters established in Rule 62-302.500, F.A.C.; any of its designated uses, as described in this part; or applicable water quality criteria, as described in this part, shall be determined to be impaired.

(2) Additional data and information collected after the development of the planning list will be considered when assessing waters on the planning list, provided it meets the requirements of this chapter. In cases where additional data are needed for waters on the planning list to meet the data sufficiency requirements for the verified list, it is the Department's goal to collect this additional data as part of its watershed management approach, with the data collected during either the same cycle that the water is initially listed on the planning list (within 1 year) or during the subsequent cycle (six years).

(3) Unless information presented to the Department demonstrates otherwise, data Except for data used to evaluate historical trends in chlorophyll a or TSIs, the Department shall not use data that are more than 7.5 years old at the time the water segment is proposed for listing on the verified list are not representative of current conditions and shall not be used except to evaluate historical trends in chlorophyll a or TSIs. Any determinations by the Department to use data older than 7.5 years shall be documented, and the documentation shall include the basis for the decision.

Specific Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History—New 6-10-02, Amended.

62-303.420 ~~Exceedances of Aquatic Life-Based Water Quality Criteria~~ Assessment.

(1) The Department shall reexamine the data used in rule 62-303.320 to determine whether exceedances of water quality criteria are met.

(a) If values exceeding the criteria ~~the exceedances~~ are not due to pollutant discharges ~~and reflect either physical alterations of the water body that cannot be abated or reflect~~ natural background conditions, the water shall not be listed on the verified list. In such cases, the Department shall note for the record why the water was not listed and provide the basis for its determination that the exceedances were not due to pollutant discharges.

(b) If the Department has information suggesting cannot ~~clearly establish~~ that the values not meeting the criterion ~~exceedances~~ are due to natural background conditions, including information about the in-stream concentrations of TN, TP, and BOD relative to comparable reference waters for waterbodies with values below the DO criterion, or physical

~~alterations of the water body but the Department believes the exceedances are not due to pollutant discharges, it is the Department's intent to support that conclusion determine whether aquatic life use support is impaired through the use of bioassessment procedures referenced in Rule 62-303.330, F.A.C. The water-body or segment shall not be included on the verified list for the parameter of concern if two or more independent bioassessments are conducted and no failures are reported. To be treated as independent bioassessments, they must be conducted at least two months apart, within the assessed segment downstream of where the samples were measured, and after the samples were measured.~~

(2) If the water was listed on the planning list and there were insufficient data from the last five years preceding the planning list assessment to meet the data distribution requirements of subsection 303.320(4), F.A.C., and to meet a minimum sample size for verification of twenty samples, additional data will be collected as needed to provide a minimum sample size of twenty. Once these additional data are collected, the Department shall re-evaluate the data using the approach outlined in subsection 62-303.320(1), F.A.C., but using Table 3 2, and place waters on the verified list when which provides the number of exceedances that indicate a minimum of a 10% or more of the samples do not meet the applicable criteria, exceedance frequency with a minimum of a 90% confidence level using a binomial distribution. The Department shall limit the analysis to data collected during the five years preceding the planning list assessment and the additional data collected pursuant to this paragraph. For sample sizes greater than 500, the Department shall calculate the number of samples not meeting the criterion that are needed for the given sample size using the binomial distribution.

89	96	14
97	104	15
105	113	16
114	121	17
122	130	18
131	138	19
139	147	20
148	156	21
157	164	22
165	173	23
174	182	24
183	191	25
192	199	26
200	208	27
209	217	28
218	226	29
227	235	30
236	244	31
245	253	32

334	343	42
344	352	43
353	361	44
362	370	45
371	379	46
380	388	47
389	397	48
398	406	49
407	415	50
416	424	51
425	434	52
435	443	53
444	452	54
453	461	55
462	470	56
471	479	57
480	489	58
490	498	59
499	500	60

(3) If the water was placed on the planning list based on worst case values used to represent multiple samples taken during a ~~four~~ seven day period, the Department shall evaluate whether the worst case value should be excluded from the analysis pursuant to subsections (4) and (5). If the worst case value should not be used, the Department shall then re-evaluate the data following the methodology in subsection 62-303.420(2), F.A.C., using the more representative worst case value or, if all valid values are below acutely toxic levels, the median value.

(4) If the water was listed on the planning list based on samples that do not meet exceedances of water quality criteria for metals, the metals data shall be excluded if it is validated to determined that whether the quality assurance requirements of subsection 62-303.320(8)(7), F.A.C., were not are met or that and whether the sample was not both collected and analyzed using clean techniques, if the use of clean techniques is appropriate. If any data cannot be validated, Tthe Department shall re-evaluate the remaining valid data using the methodology in subsection 62-303.420(2), F.A.C., excluding any data that cannot be validated.

(5) Values that exceed possible physical or chemical measurement constraints (pH greater than 14, for example) or that represent data transcription errors, outliers the Department determines are not valid measures of water quality, water quality criteria exceedances due solely to violations of specific effluent limitations contained in state permits authorizing discharges to surface waters, water quality criteria exceedances within permitted mixing zones for those parameters for which the mixing zones are in effect, and water quality data collected following contaminant spills, discharges due to upsets or bypasses from permitted facilities, or rainfall in excess of the

Table 32: Verified List

Minimum number of <u>samples not meeting an applicable water quality criterion</u> measured exceedances needed to put a <u>water</u> on the Verified list with at least 90% confidence that the actual exceedance rate is greater than or equal to ten percent.					
Sample sizes		Are listed if they have at least this # of samples that <u>do not meet a criterion</u> exceedances	Sample sizes		Are listed if they have at least this # of samples that <u>do not meet a criterion</u> exceedances
From	To		From	To	
20	25	5	254	262	33
26	32	6	263	270	34
33	40	7	271	279	35
41	47	8	280	288	36
48	55	9	289	297	37
56	63	10	298	306	38
64	71	11	307	315	39
72	79	12	316	324	40
80	88	13	325	333	41

25-year, 24-hour storm, shall be excluded from the assessment. However, the Department shall note for the record that the data were excluded and explain why they were excluded.

(6) Once the additional data review is completed pursuant to paragraphs (1) through (5), the Department shall re-evaluate the data and shall include waters on the verified list that meet the criteria in subsection 62-303.420(2) or paragraph 62-303.320(6)(5)(b), F.A.C.

(7) Notwithstanding the requirements of subsection (2), water segments shall also be included on the verified list if, based on representative data collected and analyzed in accordance with Chapter 62-160, F.A.C.:

(a) There are less than twenty samples, but there are five or more samples that do not meet an applicable water quality criterion based on data from at least five temporally independent sampling events, or

(b) Scientifically credible and compelling information regarding the magnitude, frequency, or duration of samples that do not meet an applicable water quality criterion that provides overwhelming evidence of impairment. Any determinations to list waters based on this provision shall be documented, and the documentation shall include the basis for the decision.

(c) For any water chemistry data used to list waters under this paragraph, the Department shall include in the administrative record all of the applicable data quality assessment elements listed in Table 2 of the Department's Guidance Document "Data Quality Assessment Elements for Identification of Impaired Surface Waters" (DEP EAS 01-01, April 2001).

Specific Authority 403.061, 403.067 FS. Law Implemented 403.021(11), 403.062, 403.067 FS. History--New 6-10-02, Amended _____.

62-303.430 Biological Impairment.

(1) All bioassessments used to list a water on the verified list shall be conducted in accordance with Chapter 62-160, F.A.C., including Department-approved Standard Operating Procedures. To be used for placing waters on the verified list, any bioassessments conducted before the adoption of applicable SOPs for such bioassessments as part of Chapter 62-160, F.A.C., shall substantially comply with the subsequent SOPs.

(2) If the water was listed on the planning list based on bioassessment results, the water shall be determined to be biologically impaired if there were two or more failed bioassessments within the five years preceding the planning list assessment. If there were less than two failed bioassessments during the last five years preceding the planning list assessment, the Department will conduct an additional bioassessment. If the previous failed bioassessment

was a BioRecon, then an SCI will be conducted. Failure of this additional bioassessment shall constitute verification that the water is biologically impaired.

(3) If the water was listed on the planning list based on other information specified in subsection 62-303.330(4), F.A.C., indicating biological impairment, the Department will conduct a bioassessment in the water segment, conducted in accordance with the methodology in Rule 62-303.330, F.A.C., to verify whether the water is impaired. For streams, the bioassessment shall be an SCI. Failure of this bioassessment shall constitute verification that the water is biologically impaired.

(4) Following verification that a waterbody is biologically impaired, a water shall be included on the verified list for biological impairment if:

(a) There are water quality data reasonably demonstrating the particular pollutant(s) causing the impairment and the concentration of the pollutant(s); and

(b) One of the following demonstrations is made:

1. If there is a numeric criterion for the specified pollutant(s) in Chapter 62-302, F.A.C., but the criterion is met, an identification of the specific factors that reasonably demonstrate why the numeric criterion is not adequate to protect water quality and how the specific pollutant is causing the impairment, or

2. If there is not a numeric criterion for the specified pollutant(s) in Chapter 62-302, F.A.C., an identification of the specific factors that reasonably demonstrate how the particular pollutant(s) are associated with the observed biological effect.

Specific Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History--New 6-10-02, Amended _____.

62-303.440 Toxicity.

~~(1) A water segment shall be verified as impaired due to surface water toxicity in the receiving water body if:~~

~~(a) The water segment was listed on the planning list based on acute toxicity data, or~~

~~(b) The water segment was listed on the planning list based on chronic toxicity data and the impairment is confirmed with a failed bioassessment that was conducted within six months of a failed chronic toxicity test. For streams, the bioassessment shall be an SCI.~~

~~(2) Following verification that a water is impaired due to toxicity, a water shall be included on the verified list if the requirements of subsection 62-303.430(4), F.A.C., are met.~~

~~(3) Toxicity data collected following contaminant spills, discharges due to upsets or bypasses from permitted facilities, or rainfall in excess of the 25-year, 24-hour storm, shall be excluded from the assessment. However, the Department shall note for the record that the data were excluded and explain why they were excluded.~~

Specific Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History--New 6-10-02, Repealed _____.

62-303.450 Interpretation of Narrative Nutrient Criteria.

(1) A water shall be placed on the verified list for impairment due to nutrients if there are sufficient data from the last five years preceding the planning list assessment, combined with historical data (if needed to establish historical chlorophyll a levels or historical TSIs), to meet the data sufficiency requirements of subsection 62-303.350(2), F.A.C. If there are insufficient data, additional data shall be collected as needed to meet the requirements. Once these additional data are collected, the Department shall determine if there is sufficient information to develop a site-specific threshold that better reflects conditions beyond which an imbalance in flora or fauna occurs in the water segment. If there is sufficient information, the Department shall re-evaluate the data using the site-specific thresholds. If there is insufficient information, the Department shall re-evaluate the data using the thresholds provided in Rules 62-303.351-.353, F.A.C., for streams, lakes, and estuaries, respectively, or alternative, site-specific thresholds that more accurately reflect conditions beyond which an imbalance in flora or fauna occurs in the water segment. In any case, the Department shall limit its analysis to the use of data collected during the five years preceding the planning list assessment and the additional data collected in the second phase. If alternative thresholds are used for the analysis, the Department shall provide the thresholds for the record and document how the alternative threshold better represents conditions beyond which an imbalance in flora or fauna is expected to occur.

(2) If the water was listed on the planning list for nutrient enrichment based on other information indicating an imbalance in flora or fauna, as provided in subsection 62-303.350(1), F.A.C., the Department shall verify the imbalance before placing the water on the verified list for impairment due to nutrients and shall provide documentation supporting the imbalance in flora or fauna.

(3) The thresholds for nutrient impairment used under this section are not required to be used during development of wasteload allocations or TMDLs.

Specific Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History—New 6-10-02, Amended.

62-303.460 Primary Contact and Recreation Use Support.

(1) The Department shall review the data used by the DoH as the basis for bathing area closures, advisories or warnings and verify that the values exceeded the applicable DoH thresholds and the data meet the requirements of Chapter 62-160, F.A.C. If the segment is listed on the planning list based on bathing area closures, advisories, or warnings issued by a local health department or county government, closures, advisories, or warnings based on red tides, rip tides, sewer line breaks, sharks, medical wastes, hurricanes, or other factors not related to chronic discharges of pollutants shall not be included when verifying primary contact and recreation use support.

The Department shall then re-evaluate the remaining data using the methodology in paragraph 62-303.360(1)(c), F.A.C. Water segments that meet the criteria in paragraph 62-303.360(1)(c), F.A.C., shall be included on the verified list.

(2) If the water segment was listed on the planning list due to samples that do not meet exceedances of water quality criteria for bacteriological quality, the Department shall, to the extent practical, evaluate the source of bacteriological contamination and shall verify that the impairment is due to chronic discharges of human-induced bacteriological pollutants before listing the water segment on the verified list. The Department shall take into account the proximity of municipal stormwater outfalls, septic tanks, and domestic wastewater facilities when evaluating potential sources of bacteriological pollutants. For water segments that contain municipal stormwater outfalls, the impairment documented for the segment shall be presumed to be due, at least in part, to chronic discharges of bacteriological pollutants. The Department shall then re-evaluate the data using the methodology in subsection 62-303.320(1), F.A.C., excluding any values that are elevated solely due to wildlife, or for enterococci in coastal recreational waters, adjusting the values based on the human health-related risk factors for wildlife-based enterococci upon meeting the relevant requirements of 40 CFR 131.41(c) (2).

(3) Water segments shall be included on the verified list if:

(a) The number of samples that do not meet the applicable bacteriological water quality criteria that are not stated as monthly averages they meet the requirements in subsection 62-303.420(6), F.A.C., or

(b) There are two or more exceedances of a bacteriological water quality criterion expressed as a monthly average during a calendar year or more than four exceedances of a monthly average criterion over the verified period.

Specific Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History—New 6-10-02, Amended.

62-303.470 Fish and Shellfish Consumption Use Support.

(1) In order to be used under this part, the Department shall review the data used by the DoH as the basis for fish consumption advisories and determine whether it meets the following requirements:

(a) The advisory is based on the statistical evaluation of fish tissue data from at least twelve fish collected from the specific water segment or water body to be listed,

~~(b) Starting one year from the effective date of this rule,~~ the data are collected in accordance with DEP SOP FS6000 (General Biological Tissue Sampling) and FS6200 (Finfish Tissue Sampling), which are incorporated by reference, the sampling entity has established Data Quality Objectives (DQOs) for the sampling, and the data meet the DQOs. ~~Data~~

~~collected before one year from the effective date of this rule shall substantially comply with the listed SOPs and any subsequently developed DQOs, and-~~

(c) There are sufficient data or other information from within the last 7.5 years that would ~~to~~ support the continuation of the advisory. The Department shall document any decision to list waters with advisories older than 7.5 years, including the data supporting the continuation of the advisory or information demonstrating that older data are representative of current conditions.

~~(2) If the segment is listed on the planning list based on fish consumption advisories, waters with fish consumption advisories for pollutants that are no longer legally allowed to be used or discharged shall not be placed on the verified list because the TMDL will be zero for the pollutant.~~

~~(2)(3)~~ Waters with advisories determined to meet the requirements of this section or waters where scientifically credible and compelling information meeting the requirements of Chapter 62-160, F.A.C., indicates the applicable human health-based water quality criteria are not met shall be listed on the verified list. Any determinations to list waters based on this provision shall be documented, and the documentation shall include the basis for the decision.

(3) Class II waters shall be included on the verified list for coliform impairment if, following review of the available data as described in subsection 62-303.460(2), F.A.C.

(a) The number of samples that do not meet the applicable single-sample criteria meet the requirement in subsection 62-303.420(6), F.A.C., or

(b) The water segment includes a sampling location that has a median fecal coliform MPN value that exceeds 14 counts per 100 ml for the verified period. To calculate a median value for a sampling location, there shall be at least 20 samples collected during the verified period.

(4) Waters that qualify for placement on the planning list based on shellfish harvesting classification information shall be verified as impaired for fecal coliforms.

Specific Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History–New 6-10-02, Amended.

62-303.480 Drinking Water Use Support and Protection of Human Health.

If the water segment was listed on the planning list due to exceedances of a human health-based water quality criterion and there were insufficient data from the last five years preceding the planning list assessment to meet the data sufficiency requirements of Section 303.320(4), F.S., additional data will be collected as needed to meet the requirements. Once these additional data are collected, the Department shall re-evaluate the data using the methodology in subsection 62-303.380(2), F.A.C., and limit the analysis to data collected during the five years preceding the planning list assessment, ~~and~~ the additional data collected pursuant to this

paragraph (not to include data older than 7.5 years), and data older than 7.5 years if it is demonstrated to be representative of current conditions. Any determinations to use older data shall be documented by the Department, and the documentation shall provide the basis for the decision. For this analysis, the Department shall exclude any data meeting the requirements of subsection 62-303.420(5), F.A.C. The following water segments shall be listed on the verified list:

(1) For human health-based criteria expressed as maximums, water segments that meet the requirements in subsection 62-303.420(7)(6), F.A.C., or

(2) For human health-based criteria expressed as annual averages, water segments that have an annual average that exceeds the applicable criterion.

Specific Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History–New 6-10-02, Amended.

62-303.500 Prioritization.

(1) When establishing the TMDL development schedule for water segments on the verified list of impaired waters, the Department shall prioritize impaired water segments according to the severity of the impairment and the designated uses of the segment, taking into account the most serious water quality problems; most valuable and threatened resources; and risk to human health and aquatic life. Impaired waters shall be prioritized as high, medium, or low priority.

(2) The following waters shall be designated high priority:

(a) Water segments where the impairment poses a threat to potable water supplies or to human health.

(b) Water segments where the impairment is due to a pollutant regulated by the CWA and the pollutant has contributed to the decline or extirpation of a federally listed threatened or endangered species, as indicated in the Federal Register listing the species.

(3) The following waters shall be designated low priority:

(a) Water segments that are listed before 2010 due to fish consumption advisories for mercury (due to the current insufficient understanding of mercury cycling in the environment).

(b) Man-made canals, urban drainage ditches, and other artificial water segments that are listed only due to exceedances of the dissolved oxygen criteria.

(c) Water segments that were not on a planning list of impaired waters, but which were identified as impaired during the second phase of the watershed management approach and were included in the verified list, unless the segment meets the criteria in subsection (2) for high priority.

(4) All segments not designated high or low priority shall be medium priority and shall be prioritized based on the following factors:

(a) The presence of Outstanding Florida Waters.

(b) The presence of water segments that fail to meet more than one designated use.

(c) The presence of water segments ~~that exceed an applicable water quality criterion or alternative threshold~~ with a greater than twenty-five percent of the samples not meeting an applicable water quality criterion or alternative threshold exceedance frequency with a minimum of a 90 percent confidence level.

(d) The presence of water segments that exceed more than one applicable water quality criteria.

(e) Administrative needs of the TMDL program, including meeting a TMDL development schedule agreed to with EPA, basin priorities related to following the Department's watershed management approach, and the number of administratively continued permits in the basin.

Specific Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History—New 6-10-02, Amended.

62-303.700 Listing Cycle.

(+) The Department shall, to the extent practical, develop basin-specific verified lists of impaired waters as part of its watershed management approach, which rotates through the State's surface water basins on a five-year cycle. At the end of the first phase of the cycle, which is designed to develop a preliminary assessment of the basin, the Department shall update the planning list for the basin and shall include the planning list in the status report for the basin, which will be noticed to interested parties in the basin. If the specific pollutant causing the impairment in a particular water segment is not known at the time the planning list is prepared, the list shall provide the basis for including the water segment on the planning list. In these cases, the pollutant and concentration causing the impairment shall be identified before the water segment is included on the verified list to be adopted by Secretarial Order. During the second phase of the cycle, which is designed to collect additional data on waters in the basin, interested parties shall be provided the opportunity to work with the Department to collect additional water quality data. Alternatively, interested parties may develop proposed water pollution control mechanisms that may affect the final verified list adopted by the Secretary at the end of the second phase. To ensure that data or information will be considered in the preliminary basin assessment, it must be submitted to the Department or entered into FLASTORET or, if applicable, the DoH database no later than September 30 during the year of the assessment.

~~(2) Within a year of the effective date of this rule, the Department shall also prepare a planning list for the entire state.~~

Specific Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History—New 6-10-02, Amended.

62-303.710 Format of Verified List and Verified List Approval.

(1) The Department shall follow the methodology established in this chapter to develop basin-specific verified lists of impaired water segments. The verified list shall specify the pollutant or pollutants causing the impairment and the concentration of the pollutant(s) causing the impairment. If the water segment is listed based on numeric water quality criteria ~~exceedances~~, then the verified list shall provide the applicable criteria. However, if the listing is based on narrative or biological criteria, or impairment of other designated uses, and the water quality criteria are met, the list shall specify the concentration of the pollutant relative to the water quality criteria and explain why the numerical criterion is not adequate.

(2) Segments impaired for pollutants that are no longer legally allowed to be used or discharged shall not be placed on the verified list because the TMDL will be zero for the pollutant.

~~(3)(2)~~ For waters impaired for ~~with exceedances of the dissolved oxygen criteria~~, the Department shall identify the pollutants causing or contributing to the impairment exceedances and list both the pollutant and dissolved oxygen on the verified list.

~~(4)(3)~~ For waters impaired by nutrients, the Department shall identify whether nitrogen or phosphorus, or both, are the limiting nutrients for the verified period, and specify the limiting nutrient(s) in the verified list.

~~(5)(4)~~ The verified list shall also include the priority and the schedule for TMDL development established for the water segment, as required by federal regulations.

~~(6)(5)~~ The verified list shall also note any waters that are being removed from the current planning list and any previous verified list for the basin.

~~(7)(6)~~ The verified basin-specific 303(d) list shall be approved by order of the Secretary.

Specific Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History—New 6-10-02, Amended.

PART IV MISCELLANEOUS PROVISIONS

62-303.720 Delisting Procedure.

(1) Waters on planning lists developed under this Chapter that are verified to not be impaired during development of the verified list shall be removed from the State's planning list. Once a water segment is verified to not be impaired pursuant to Part III of this chapter, the data used to place the water on the planning list shall not be the sole basis for listing that water segment on future planning lists.

(2) Water segments shall be removed from the State's verified list only after completion of a TMDL for all pollutants causing impairment of the segment or upon demonstration that the water meets the water quality standard that was previously established as not being met.

(a) For waters listed due to failure to meet aquatic life use support based on water quality criteria exceedances or due to threats to human health based on exceedances of single sample water quality criteria, the water shall be delisted when:

1. The number of samples that do not meet exceedances of an applicable water quality criterion due to pollutant discharges is less than or equal to the number listed in Table 4-3 for the given sample size, with a minimum sample size of 30. Waters shall be delisted when This table provides the number of exceedances that indicate a maximum of a 10% or less of the samples do not meet the applicable criterion exceedance frequency with a minimum of a 90% confidence level using a binomial distribution, or

2. Following implementation of pollution control activities that are expected to be sufficient to result in attainment of applicable water quality standards, evaluation of new data indicates the water no longer meets the criteria for listing established in Rule 62-303.420, F.A.C., or

3. Following demonstration that the water was inappropriately listed due to flaws in the original analysis, evaluation of available data indicates the water does not meet the criteria for listing established in Rule 62-303.420, F.A.C. New data evaluated under subparagraph 62-303.720(2)(a)1., F.A.C., must meet the following requirements:

a. They must include samples collected during similar conditions (same seasons and general flow conditions) that the data previously used to determine impairment were collected, with no more than 50% of the samples collected in any one quarter,

b. The sample size must be a minimum of 30 samples, and

c. The data must meet the requirements of subsections 62-303.320(4), (6) and (7), F.A.C.

(b) For waters listed due to failure to meet aquatic life use support based on biological data, the water shall be delisted when the segment passes two independent follow-up bioassessments and there have been no failed bioassessments for at least one year. The follow-up tests must meet the following requirements:

1. For streams, the new data may be two BioRecons or any combination of BioRecons and SCIs.

2. The bioassessments must be conducted during similar conditions (same seasons and general flow conditions) under which the previous bioassessments used to determine impairment were collected.

3. The data must meet the requirements of subsections 62-303.330(1) and (2), F.A.C.

~~(e) For waters listed due to failure to meet aquatic life use support based on toxicity data, the water shall be delisted when the segment passes two independent follow up toxicity tests and there have been no failed toxicity tests for at least one year. The follow up tests must meet the following requirements:~~

~~1. The tests must be conducted using the same test protocols and during similar conditions (same seasons and general flow conditions) under which the previous test used to determine impairment were collected.~~

~~2. The data must meet the requirements of subsection 62-303.340(1), F.A.C., and the time requirements of subsection 62-303.340(2) or (3), F.A.C.~~

~~(c)(d) For waters listed due to fish consumption advisories, the water shall be delisted following the lifting of the advisory or when data complying with paragraphs 62-303.470(1)(a) and (b), F.A.C., demonstrate that the continuation of the advisory is no longer appropriate.~~

~~(d)(e) For waters listed due to their changes in shellfish bed management classification, the water shall be delisted upon reclassification of the shellfish harvesting area to approved, or for conditionally approved areas, when the only source identified by SEAS for the harvesting area is wildlife its original or higher harvesting classification. Reclassification of a water from prohibited to unclassified does not constitute a higher classification.~~

~~(e)(f) For waters listed due to bathing area closure or advisory data, the water shall be delisted if the bathing area does not meet the listing thresholds in subsection 62-303.360(1), F.A.C., for five consecutive years.~~

~~(f)(g) For waters listed based on impacts to potable water supplies, the water shall be delisted when applicable water quality criteria are met as defined in paragraph 62-303.380(1)(a), F.A.C., and when the causes resulting in higher treatment costs have been ameliorated.~~

~~(g) For waters listed based on a monthly average or median water quality criteria for bacteriological quality, the water shall be delisted when the criteria are met for three consecutive years. For waters listed based on a monthly average criterion, there shall be sufficient data available to calculate monthly average values for at least the same seasons in which the exceedances occurred.~~

~~(h) For waters listed based on ~~exceedance~~ of a human health-based annual average criterion, the water shall be delisted when the annual average concentration is less than the criterion for three consecutive years.~~

~~(i) For waters listed based on nutrient impairment, the water shall be delisted if it does not meet the listing thresholds in Rule 62-303.450, F.A.C., for three consecutive years.~~

~~(j) For any listed water, the water shall be delisted if, following a change in approved analytical procedures, criteria, or water quality standards, evaluation of available data indicates the water no longer meets the applicable criteria for listing.~~

~~(k) For waters listed based on paragraph 62-303.420(7)(b) or subsection 62-303.470(3), F.A.C., the water shall be delisted if the Department determines the water is no longer impaired, based on scientifically credible and compelling information comparable in quantity and quality to the information used to~~

make the initial listing decision. Any determinations to delist waters based on this provision shall be documented, and the documentation shall include the basis for the decision.

Table 4 3. Delisting

Maximum number of samples that do not meet an applicable water quality criterion measured exceedances allowable to DELIST with at least 90% confidence that the actual exceedance rate is less than ten percent.		
Sample sizes		Maximum # of samples not meeting a criterion exceedances allowable for delisting
From	To	
30	37	0
38	51	1
52	64	2
65	77	3
78	90	4
91	103	5
104	115	6
116	127	7
128	139	8
140	151	9
152	163	10
164	174	11
175	186	12
187	198	13
199	209	14
210	221	15
222	232	16
233	244	17
245	255	18
256	266	19
267	278	20

Sample sizes		Maximum # of samples not meeting a criterion exceedances allowable for delisting
From	To	
279	289	21
290	300	22
301	311	23
312	323	24
324	334	25
335	345	26
346	356	27
357	367	28
368	378	29
379	389	30

390	401	31
402	412	32
413	423	33
424	434	34
435	445	35
446	456	36
457	467	37
468	478	38
479	489	39
490	500	40

(3) Any delisting of waters from the verified list shall be approved by order of the Secretary at such time as the requirements of this section are met.

Specific Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History--New 6-10-02, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jerry Brooks, Deputy Director Of Water Resource Management

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 25, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 1, 2005

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE NO.: 64B1-9.007 RULE TITLE: Advertising

PURPOSE AND EFFECT: To give notice of permitted methods of advertising, and to address advertising violations.

SUMMARY: Provides for permitted methods of advertising and addresses advertising violations.

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: 456.072, 457.104, 457.109 FS.

LAW IMPLEMENTED: 456.072(1)(a), (m), 457.109(1)(d), (e), (k) FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B1-9.007 Advertising.

(1) Advertising by persons licensed or certified under Chapter 457, Florida Statutes, is permitted so long as the information disseminated is in no way false, deceptive, or misleading and so long as the information does not claim that acupuncture is useful in curing any disease. Any advertisement or advertising shall be deemed false, deceptive, or misleading if it:

- (a) Contains a misrepresentation of facts; or
- (b) Makes only a partial disclosure of relevant facts; or
- (c) Creates false or unjustified expectations of beneficial assistance; or
- (d) Contains any representations or claims, as to which the person making the claims does not intend to perform; or
- (e) Contains any other representation, statement, or claim which misleads or deceives; or
- (f) Fails to conspicuously identify the licensee by name in the advertisement.

(2) As used in the rules of this board, the terms "advertisement" and "advertising" shall mean any statements, oral or written, disseminated to or before the public or any portion thereof, with the intent of furthering the purpose, either directly or indirectly, of selling professional services, or offering to perform professional services, or inducing members of the public to enter into any obligation relating to such professional services.

(3) It shall not be considered false, deceptive, or misleading for any persons licensed or certified under chapter 457, Florida Statutes, to use the following initials or terms:

- (a) L.Ac.;
- (b) R.Ac.;
- (c) A.P.;
- (d) D.O.M.;
- (e) Licensed Acupuncturist;
- (f) Registered Acupuncturist;
- (g) Acupuncture Physician; and
- (h) Doctor of Oriental Medicine

(4) Any licensee who advertises through an agent or through a referral service shall be held responsible for the content of such advertising and shall ensure that the advertising complies with this Rule and Chapter 457, Florida Statutes.

Specific Authority 456.072, 457.104, 457.109 FS. Law Implemented 456.072(1)(a), (m), 457.109(1)(d), (e), (k) FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Acupuncture
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Acupuncture
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 23, 2006

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

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: 64B5-13.0046
RULE TITLE: Citation Authority

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the rule and clarify citation authority for violations and penalties.

SUMMARY: The proposed rule amendment is to update the rule and clarify citation authority for violations and penalties.

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 cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 456.077, 466.004(4) FS.

LAW IMPLEMENTED: 456.072(3)(a), 456.077 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-13.0046 Citation Authority.

(1) Pursuant to Section 456.077, F.S. (2000), the Board sets forth below those violations for which there is no substantial threat to the public health, safety, and welfare; or, if there is a substantial threat to the public health, safety, and welfare, such potential for harm has been removed prior to the issuance of the citation and the appropriate penalties for specific violations. In addition to the penalty, the costs of the investigation and prosecution shall be assessed pursuant to Section 456.072(2), F.S. as determined by rules of the Department of Health. ~~The form to be used for the issuance of the citation shall be set forth in rules of the Department of Health.~~ The following subsections indicate those violations which may be disposed by citation, with the accompanying penalty.

(2) Violation of Section 466.026(1)(a), and/or 466.028(1)(aa), F.S., by practicing for a period of 2-6 months without an active license. The penalty for a dentist shall be a \$1,000.00 fine to be in addition to any reactivation fee, and completion within 6 months of 4 hours of continuing education in risk management. Said continuing education to be in compliance with Rule Chapter 64B-12, F.A.C., and in addition

to any continuing education required for biennial renewal of licensure. The penalty for dental hygienist shall be a \$250.00 administrative fine.

(3) a first time violation of Sections 466.028(1)(i) and/or 466.028(1)(a)(aa), F.S., and/or subsection 64B5-12.013(1) or (2), F.A.C., by renewing a license without completing the required continuing education credits. The penalty for a dentist shall be an administrative fine of ~~\$100.00~~ ~~\$150.00~~ per hour not completed as required; and completion of all continuing education hours that were not completed, and completion of one additional hour of continuing education for each hour not completed or completed late. Said continuing education shall be in compliance with Rule Chapter 64B5-12, F.A.C., and shall not count toward any continuing education required for the biennium in which it is completed, and shall be in addition to and not count toward any continuing education required for the biennial renewal of licensure. Furthermore, the licensee shall submit proof of completion of all required continuing education under this rule to the Board office no later than 12 months from the date of the citation. The penalty for a dental hygienist shall be an administrative fine of ~~\$25.00~~ ~~\$35.00~~ per hour not completed as required, and completion of all continuing education hours that were not completed, and completion of one additional hour of continuing education for each hour not completed or completed late. Said continuing education shall be in compliance with Rule Chapter 64B5-12, F.A.C., and shall not count toward any continuing education required for the biennium in which it is completed and shall be in addition to and not count toward any continuing education required for biennial renewal of licensure. Furthermore, the licensee shall submit proof of completion of all required continuing education under this rule to the Board office no later than 12 months from the date of citation.

(4)(a) though (j) No change.

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

(d) Violation of subsection 64B5-4.003(5), F.A.C., by providing an advertisement for free or discounted services which does not comply with the requirements of Section ~~456.062~~ ~~455.664~~, F.S., and/or clearly identify the dates that free, discounted or reduced free services will be available.

(6)(a) through (c) No change.

(7) The penalty for a violation of Rule Chapter 64B5-4, F.A.C., as enumerated above ~~is are~~ as follows; first offense will result in \$250.00 fine and reprimand; second offense will result in a \$1,000.00 fine, reprimand and four (4) hour continuing education in ethics. Violations occurring subsequent to the second offense of the same rule or statute shall require the procedures of Section 456.073, F.S., to be followed.

(8) No change.

(9) Violation of subsection 466.028(1)(II)(aa), F.S., by violation of Section 456.035(1), F.S., which requires licensees to notify the Board of change of address. Failure to comply will result in a \$250.00 fine.

(10) through (11) No change.

(12) Except for violations of Rule Chapter 64B5-4, F.A.C., as stated above, ~~the~~ procedures described herein apply only for an initial offense of the alleged violation. Subsequent violation(s) of the same rule or statute shall require the procedures of Section 456.073, F.S., to be followed. In addition, should an initial offense for which a citation could be issued occur in conjunction with violations not described herein, then the procedures of Section 456.073, F.S., shall apply.

(13) Citations are to be served upon the subject either by personal service or by certified mail, restricted delivery return receipt, to the last known business or residence address of the subject.

(14) The subject has 30 days from the date the citation becomes a final order to pay the fine and costs. All fines and costs are to be made payable to the “ Board of Dentistry – Citations” and sent to the Department of Health in Tallahassee. A copy of the citation shall accompany the payment of the fine or costs.

(15) If the subject licensee rejects the Department of Health’s offer of the citation ~~or the licensee fails to comply with the penalty~~ then the procedures of Section 456.073, F.S., shall apply to the original charge. In cases where the subject licensee fails to comply with the penalty, ~~both the original charge and a complaint for violation fo Section 456.072(1)(q), F.S., shall be filed and investigated. A charge of violating Section 466.027(1)(i), F.S., shall be brought before the probable cause panel pursuant to Section 456.073, F.S.~~

~~(16) The Department of Health shall, at the end of each ealendar quarter, submit a report to the Board of the citations issued which report shall contain the name of the subject, the violation, fine imposed, whether the subject complied with the citation upon it becoming a final order, and the number of subjects who chose to follow the procedures of Section 456.073, F.S.~~

Specific Authority 456.077, 466.004 FS. Law Implemented 456.072(3)(a), 456.077 FS. History–New 12-24-91, Formerly 21G-13.0046, Amended 11-22-93, Formerly 61F5-13.0046, 59Q-13.0046, Amended 7-19-01,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Dentistry
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Dentistry
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 21, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 26, 2006

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: 64B5-17.006
 RULE TITLE: Work Order Forms

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the information necessary for completion of approved work order forms.

SUMMARY: The proposed rule amendment will update the information necessary for completion of approved work order forms.

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 cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 466.021 FS.

LAW IMPLEMENTED: 466.021 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-17.006 Work Order Forms.

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

(f) Signature of the licensed dentist, which may be an electronic signature.

~~(2) Work order forms must be sequentially numbered duplicate forms.~~

~~(3) Work order forms are non-transferrable.~~

(2)(4) Copies of work order forms must be maintained, either on paper or stored electronically in an encrypted data base, by the dentist for a period of four (4) ~~two (2)~~ years.

Specific Authority 466.021 FS. Law Implemented 466.021 FS. History—New 12-21-99, Amended 3-23-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Board of Dentistry

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 26, 2006

DEPARTMENT OF HEALTH

Council of Licensed Midwifery

RULE NO.: 64B24-8.002
 RULE TITLE: Disciplinary Action and Guidelines

PURPOSE AND EFFECT: To update the rule.

SUMMARY: This rule sets forth the guidelines for disciplining midwife licensees for violations of Sections 467.203(1) and 456.072(1), Florida Statutes. It removes outdated provisions.

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 cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 456.004(5), 467.005 FS.

LAW IMPLEMENTED: 456.079, 467.203 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pamela King, Executive Director, Council of Licensed Midwifery, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B24-8.002 Disciplinary Action and Guidelines.

(1) The department shall take into consideration the following factors in determining the appropriate disciplinary action to be imposed:

~~(a) The severity of the offense;~~

~~(a)(b) The danger to the public;~~

~~(b)(c) The number of repetitions of offenses;~~

~~(c)(d) The length of time since date of violation;~~

~~(d)(e) The number of disciplinary actions taken against the licensee;~~

~~(e)(f) The length of time licensee has practiced;~~

~~(f)(g) The actual damage, physical or otherwise, to the patient;~~

~~(g)(h) The deterrent effect of the penalty imposed;~~

~~(h)(i) Any efforts for rehabilitation;~~

~~(i)(j) Any other mitigating or aggravating circumstances.~~

(2) Except as provided in (1), the department shall discipline violations within the following specified range of penalty guidelines inclusive of the lesser and intermediate penalties set forth in Section 456.072(2), F.S., which fall within the identified range. The following acts shall be grounds for disciplinary action as set forth in this rule: For all persons subject to this rule, conditions of probation including having to work under a preceptor may be required during the period of probation, which is either the maximum penalty imposed or

follows a period of suspension of license. For applicants, all offenses listed herein are sufficient for refusal to certify an application for licensure. In addition to any other discipline imposed, the department shall assess the actual costs related to the investigation and prosecution of a case. In addition to or in lieu of any guideline penalties provided herein, if the violation is for fraud or making a false or fraudulent representation, the department shall impose a fine of \$10,000 per count or offense.

(a) Section 467.203(1)(a) or 456.072(1)(h), F.S.: Procuring, attempting to procure, or renewing a license to practice midwifery by bribery, by fraudulent misrepresentation, or through an error of the department.

Obtain license by bribery – from a minimum fine of \$500 and/or up to two years of probation to a maximum of revocation. For a subsequent offense, revocation;

Obtain license by fraudulent misrepresentation – from six months probation and a fine of \$10,000 to a maximum of revocation and a fine of \$10,000. For a subsequent offense, a fine of \$10,000 and revocation;

Obtain license by Department error – from a minimum letter of concern and/or a fine of \$250, up to a maximum of suspension of license for one year, followed by two years of probation, and a fine of \$1,000. For a subsequent offense, from a minimum fine of \$5,000 to revocation of license;

(b) Section 467.203(1)(b) or 456.072(1)(f), F.S.: Having a license to practice midwifery revoked, suspended, or otherwise acted against, including being denied licensure, by the licensing authority of another state, territory, or country = action consistent with the disciplinary guidelines for the offense that would have been taken had the violation occurred in Florida with consideration of the penalty imposed by the other jurisdiction. For a subsequent offense, action consistent with the disciplinary guidelines for a repeat offense had the violation occurred in Florida with consideration of the penalty imposed by the other jurisdiction.

(c) Section 467.203(1)(c) or 456.072(1)(c), F.S.: Being convicted or found guilty, regardless of adjudication, in any jurisdiction of a crime which directly relates to the practice of midwifery or to the ability to practice midwifery. A plea of nolo contendere shall be considered a conviction for purposes of this provision – misdemeanor: from a minimum fine of \$600 and six months probation, up to a fine of \$3,000 and one year’s suspension with conditions followed by two years probation; felony: from a minimum of a fine of \$1,500 and two years probation, up to a fine of \$10,000 and revocation. After the first offense, from a minimum of one year of probation, up to a maximum fine of \$10,000 and revocation of license;

(d) Section 467.203(1)(d) or 456.072(1)(a) (g) or (l), F.S.: Making or filing a false report or record, which the licensee knows to be false; intentionally or negligently failing to file a report or record required by State or federal law; or willfully

impeding or obstructing such filing or inducing another to do so. Such reports or records shall include only those which are signed in the midwife’s capacity as a licensed midwife.

Negligent filing of false report – from a minimum fine of \$500, up to a maximum of one year probation and a fine of \$2,500. For a second offense, a minimum fine of \$1,000 and a reprimand to a maximum fine of \$3,000 and two years suspension. After the second offense, up to a maximum fine of \$5,000 and/or revocation;

Willful filing of false report, impeding, or inducing another to file false report – from a minimum fine of \$2,000 and/or suspension of license for three months, followed by six months of probation, up to a maximum of revocation of license. After the first offense, up to a maximum fine of \$10,000 and/or revocation.

(e) Section 467.203(1)(e) or 456.072(1)(m), F.S.: Advertising falsely, misleadingly, or deceptively – from a minimum fine of \$500 and a letter of concern up to a maximum fine of \$10,000 and/or three months suspension of license. For a subsequent offense, a fine of up to \$10,000 and/or one year suspension to the maximum \$10,000 fine and revocation;

(f) Section 467.203(1)(f), F.S.: Engaging in unprofessional conduct, which includes, but is not limited to, any departure from, or the failure to conform to, the standards of practice of midwifery as established by the department, in which case actual injury need not be established – from a reprimand and minimum fine of \$250 to suspension of license for up to three years and/or a fine of \$3,000. For a second offense, from two years probation and a minimum fine of \$500 to revocation and/or a fine of up to \$10,000. After the second offense, revocation and a fine of up to \$10,000.

(g) Section 467.203(1)(g) or 456.072(1)(v), F.S.: Being unable to practice midwifery with reasonable skill and safety to patients by reason of illness; drunkenness; or use of drugs, narcotics, chemicals, or other materials or as a result of any mental or physical condition. A midwife affected under this paragraph shall, at reasonable intervals, be afforded an opportunity to demonstrate the ability to resume the competent practice of midwifery with reasonable skill and safety – from three years of probation and referral for a PRN evaluation, up to a maximum of suspension of license for one year, followed by up to five years of probation. For a subsequent offense, from a fine of up to \$1,500, referral for a PRN evaluation, and two years of probation to a maximum fine of \$5,000 and/or revocation;

(h) Section 467.203(1)(h) or 456.072(1)(i), F.S.: Failing to report to the department any person who the licensee knows is in violation of this chapter or of the rules of the department – from a minimum letter of concern and/or a fine of \$250, up to a maximum fine of \$750 and/or six months of probation. After the first offense, a minimum of six months of probation and a fine of \$800 to a maximum fine of \$5,000 and/or revocation;

~~(i) Section 467.203(1)(i) or 456.072(1)(q), F.S.: Violating willfully or repeatedly violating any provision of this chapter, any rule of the department, or any lawful order of the department previously entered in a disciplinary proceeding or failing to comply with a lawfully issued subpoena of the department – from a minimum fine of \$500 and a letter of concern, up to a maximum fine of \$10,000 and/or revocation. For a subsequent offense, from a minimum fine of \$1,500 and/or two years of probation up to a maximum fine of \$10,000 and/or revocation of license;~~

~~(j) Section 467.203(1)(j) or 456.072(1)(b) or (cc), F.S.: Violating any provision of this chapter or chapter 456, or any rules adopted pursuant thereto – from a minimum fine of \$500 and/or a letter of concern up to a maximum fine of \$5,000 and/or suspension of license for two years followed by two years of probation. For a second offense, from a minimum fine of \$1,500 and/or two years of probation up to a maximum fine of \$7,500 and/or revocation of license. After the second offense, from a minimum fine of \$3,000 and/or six months of suspension followed by one year of probation up to a maximum fine of \$10,000 and/or revocation;~~

~~(k)(j) Section 456.072(1)(j) or (p), F.S.: Knowingly or willfully allowing a midwifery student to practice midwifery without a preceptor present, except in an emergency or aiding, assisting, procuring, employing, or advising any unlicensed person or entity to practice a profession contrary to the chapter regulating the profession or the applicable rules – from a minimum fine of \$750 and/or six months of probation, up to a maximum fine of \$2,500 and suspension of license for three years, followed by up to three years of probation. For a subsequent offense, from a minimum fine of \$1,000 and/or suspension of license for one year followed by two years of probation up to a maximum fine of \$7,500 and/or revocation;~~

~~(k) Using the title “midwife”, “licensed midwife” or any other title or designation which implies that a person is licensed to practice midwifery, unless such a person is duly licensed as provided in this chapter or in Chapter 464, Florida Statutes.~~

~~(l) Knowingly concealing information relating to the enforcement of this chapter or rules adopted pursuant thereto.~~

~~(l) Section 456.072(1)(k), F.S.: Failing to perform any statutory or legal obligation placed upon a licensee – from a minimum fine of \$250 and a letter of concern, up to a maximum fine of \$3,000 and/or up to two years of suspension followed by two years of probation;~~

~~(m) Section 456.072(1)(o), F.S.: Practicing or offering to practice beyond the scope permitted by law or accepting and performing professional responsibilities the licensee knows, or has reason to know, the licensee is not competent to perform – from a minimum fine of \$500 and/or one year of probation, up to a maximum of suspension of license for three years followed by probation and a fine of \$3,000. For a subsequent offense, up to a maximum fine of \$10,000 and/or revocation;~~

~~(n) Section 456.072(1)(r), F.S.: Improperly interfering with an investigation or inspection authorized by statute, or with any disciplinary proceeding – from a minimum fine of \$500 and/or one year of probation up to a maximum fine of \$3,000 and/or up to suspension for two years followed by two years probation. For a subsequent offense, a minimum fine of \$1,000 up to a maximum fine of \$10,000 and/or revocation;~~

~~(o) Section 456.072(1)(u), F.S.: Engaging or attempting to engage in sexual misconduct – from a reprimand and/or a PRN referral for evaluation, up to a maximum fine of \$10,000 and/or revocation. For a subsequent offense, from a minimum fine of \$1,000, referral to PRN for evaluation, and suspension for up to three years followed by probation for three years up to a maximum fine of \$10,000 and revocation;~~

~~(p) Section 456.072(1)(w), F.S.: Failing to report to the department in writing within 30 days after the licensee has been convicted or found guilty of, or entered a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction – from a minimum fine of \$500 and/or a letter of concern, up to a maximum fine of \$2,000 and or six months suspension followed by one year of probation. For a subsequent offense, a fine of up to \$3,000 and/or probation for one year up to suspension of license for two years followed by two years of probation;~~

~~(q) Section 456.072(1)(aa), F.S.: Performing or attempting to perform health care services on the wrong patient, a wrong-site procedure, a wrong procedure, or an unauthorized procedure or a procedure that is medically unnecessary or otherwise unrelated to the patient’s diagnosis or medical condition including the preparation of the patient – from a minimum fine of \$500 and one year of probation to a maximum fine of \$1,500 and one year suspension of the license followed by two years of probation. For a subsequent offense, from a fine of up to \$5,000 to revocation;~~

~~(r) Section 456.072(1)(bb), F.S.: Leaving a foreign body in a patient, such as a sponge, clamp, forceps, surgical needle, or other paraphernalia commonly used in examination or other diagnostic procedures – from a minimum fine of \$500 and one year of probation to a maximum fine of \$1,500 and one year suspension of the license followed by two years of probation. For a subsequent offense, from a fine of up to \$5,000 to revocation;~~

~~(s) Section 456.072(1)(gg), F.S.: Being terminated from a treatment program for impaired practitioners, which is overseen by an impaired practitioner consultant 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 or alcohol treatment program – from a minimum fine of \$300 and a stayed suspension with advocacy and demonstration of a current signed contract with PRN to a maximum fine of \$2,000 and revocation of license. For a subsequent offense, a fine of up to \$3,000 and suspension~~

~~for two years and until the subject demonstrates to the department the ability to practice with skill and safety followed by three years probation to revocation.~~

~~(3) When the department finds any person guilty of any of the grounds set forth in Section 467.203, Florida Statutes, it may enter an order imposing one or more of the following penalties:~~

- ~~(a) Revocation;~~
- ~~(b) Suspension of a license not to exceed 60 days;~~
- ~~(c) Imposition of administrative fine not to exceed \$1000 for each count or separate offense:~~

~~1. If an applicant for licensure by endorsement has worked as a midwife in Florida prior to applying for licensure in Florida.~~

~~2. If an applicant for reactivation has worked while on inactive status:~~

- ~~(d) Issuance of a reprimand;~~
- ~~(e) Placing the midwife on probation for a period of time subject to such conditions as the department may specify;~~
- ~~(f) Requiring the midwife to submit to one or more of the following requirements:~~

- ~~1. Requiring the midwife to submit to treatment.~~
- ~~2. Requiring the midwife to attend continuing education courses.~~
- ~~3. Requiring the midwife to submit to reexamination, and to work under the supervision of a preceptor as defined in subsection 64B24 4.001(12), F.A.C.~~

~~(4) The following guidelines shall be used for the disposition of disciplinary cases involving specific types of violations:~~

~~(a) For failure to submit, upon request, to the department any reports relating to the practice of midwifery. For a first offense, a reprimand and a fine up to \$100 per offense; as a second offense, probation and a fine up to \$200; and as a third offense, suspension and a fine up to \$500 per offense; or any combination thereof.~~

- ~~(b) For intentional misrepresentation of facts regarding:~~
- ~~1. Reports of patient care.~~
- ~~2. Patient records.~~
- ~~3. Informed consent forms.~~
- ~~4. Birth certificates.~~
- ~~5. Emergency treatment.~~

~~6. Any information on an application for licensure or renewal. For a first offense, a reprimand, a fine up to \$100, and probation or suspension; as a second offense, probation or revocation and a fine up to \$200; and as a third offense, revocation and a fine up to \$500 per offense; or any combination thereof.~~

~~(c) For violations related to standards of practice regarding:~~

~~1. Accepting patients at risk without consultation pursuant to subsections 64B24 7.004(1) and (2), F.A.C.~~

~~2. Administering medications or treatment not permitted by rule or law.~~

~~3. Any act of negligence or departure from standards of practice established by law or rule.~~

~~4. Permitting unlicensed persons to practice midwifery as defined under Section 467.003(8), Florida Statutes, except in an emergency or unless the licensed midwife is precepting a student enrolled in an approved midwifery program. For a first offense, a reprimand, a fine up to \$200, probation or suspension; for a second offense, probation and a fine up to \$400 per offense, a requirement to work under the supervision of a preceptor during probationary period until deemed safe to practice alone or revocation, or any combination thereof; for a third offense, a fine up to \$1000 and revocation.~~

~~(d) Failure to report any person known to be in violation of the midwifery act or rules, or false, deceptive, or misleading advertising. For a first offense, a reprimand and a fine up to \$200 per offense; as a second offense, probation or suspension and a fine up to \$400 per offense, or any combination thereof; as a third offense, a fine up to \$1000 and revocation.~~

~~(e) Procuring or renewing a license through fraud will include a penalty of denial of license and a fine up to \$1000.~~

~~(f) Non-compliance with the rules of Public Health and Maternal-Infant Hygiene:~~

- ~~1. Failure to use eye prophylaxis or to indicate reason for same pursuant to paragraph 64B24 7.009(1)(f), F.A.C.~~
- ~~2. Failure to file certificates of live birth with the local registrar pursuant to subsection 64B24 7.009(9), F.A.C.~~
- ~~3. Failure to inform parents of infant metabolic screening as required in subsection 64B24 7.009(8), F.A.C. For a first offense, a reprimand and a fine up to \$100 per offense; for a second offense, probation and a fine up to \$200 per offense; for a third offense, suspension or revocation and a fine up to \$500 per offense.~~

~~(g) For violations related to standards for training by Midwifery Schools: For a first offense, a reprimand with a corrective action plan to be implemented within 90 days and a penalty of \$50 for each day such violation continues without correction; as a second offense, failure to take corrective action will result in suspension of training activities and a fine of \$100 for each day such violation continues; as a third offense, repeat violations will result in permanent cessation of training activities and a fine not to exceed \$1000.~~

~~Specific Authority 456.004(5), 467.005 FS. Law Implemented 456.079, 467.201, 467.203 FS. History--New 7-14-94, Formerly 61E8-8.002, 59DD-8.002, Amended _____.~~

~~NAME OF PERSON ORIGINATING PROPOSED RULE: Pamela King~~

~~NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Lucy Gee~~

~~DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 9, 2006~~

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
 PUBLISHED IN FAW: June 30, 2006

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NOS.:	RULE TITLES:
64E-5.101	Definitions
64E-5.204	Types of Licenses
64E-5.206	General Licenses – Radioactive Material Other Than Source Material
64E-5.210	Special Requirements for a Specific License to Manufacture, Assemble, Repair or Distribute Commodities, Products or Devices Which Contain Radioactive Material
64E-5.213	Specific Terms and Conditions of License
64E-5.304	Occupational Dose Limits for Adults
64E-5.318	Use of Process or Other Engineering Controls
64E-5.319	Use of Individual Respiratory Protection Equipment
64E-5.427	Leak Testing, Repairing, Tagging, Opening, Modifying, and Replacing Sealed Sources and Devices
64E-5.429	Source Movement Logs, Daily Survey Reports, and Individual Dosimeter Logs
64E-5.434	Training, Testing, Certification, and Audits
64E-5.440	Records
64E-5.441	Reporting Requirements
64E-5.1104	Leak Testing of Sealed Sources
64E-5.1107	Design, Performance and Certification Criteria for Sealed Sources Used in Downhole Operations
64E-5.11071	Uranium Sinker Bars
64E-5.11072	Energy Compensation Source
64E-5.11073	Tritium Neutron Generator Target Source
64E-5.1112	Personnel Monitoring
64E-5.1119	Notification of Incidents, Abandonment and Lost Sources
64E-5.1311	Storage, Security and Transportation Precautions
64E-5.1502	Transportation of Radioactive Material

PURPOSE, EFFECT AND SUMMARY: All changes described herein are needed to comply with the requirements of Florida’s agreement state compact with the U.S. Nuclear Regulatory Commission (NRC). As an agreement state,

Florida’s regulations governing the possession and use of radioactive materials must be identical to the NRC’s regulations for federal radioactive materials licensees. The proposed rule specifies requirements for registration of general licenses; requirements for manufacturer or distributors of generally licensed devices; changes in the way shallow dose equivalent is calculated; revises the use of individual respiratory protection equipment which limit intake of radioactive materials; regulations of very large sources of radiation used in industrial radiography; requirements for well loggers; increase the controls needed to prevent unauthorized removal of portable gauges containing radioactive materials; and requirements on following the U.S. Department of Transportation regulations specified in 49 Code of Federal Regulations.

SPECIFIC AUTHORITY: 404.022, 404.042, 404.051, 404.061, 404.071, 404.081, 404.141, 404.20 FS.

LAW IMPLEMENTED: 404.022(1)(2), 404.031, 404.051(1),(4),(6),(9),(11), 404.061(2),(3), 404.071(1),(3), 404.081(1),(2), 404.141, 404.20(1),(2),(3),(4),(7),(8) FS.

THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION 120.54(6), F.S. WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO: William A. Passetti, Bureau of Radiation Control, Bin C21, 4052 Bald Cypress Way, Tallahassee, FL 32399-1741

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

THE FULL TEXT OF THE PROPOSED RULES IS:

PART I GENERAL PROVISIONS

64E-5.101 Definitions.

As used in these rules, these terms have the definitions set forth below. Additional definitions used only in a certain part are defined in that respective part.

(1) through (133) No change.

(134) “Shallow dose equivalent” (H_s), which applies to the external exposure of the skin of the whole body or the skin of an extremity, means the dose equivalent at a tissue depth of 0.007 centimeter (7 mg/cm^2) averaged over an area of 1 square centimeter.

(135) No change.

~~(136) “Shielded room radiography” means industrial radiography conducted in a room so shielded that radiation levels at every location on the exterior meet the limitations specified in Part III.~~

(137) through (180) renumbered (136) through (179) No change.

(180) “Assigned protection factor” or “APF” means the expected workplace level of respiratory protection provided by a properly functioning respirator or a class of respirators to properly fitted and trained users. Operationally, the inhaled concentration can be estimated by dividing the ambient airborne concentration by the APF.

(181) “Atmosphere-supplying respirator” means a respirator that supplies the respirator user with breathing air from a source independent of the ambient atmosphere and includes supplied-air respirators and self-contained breathing apparatus units.

(182) “Energy compensation source” or “ECS” means a small sealed source with an activity not exceeding 100 microcuries (3.7 MBq) used within a logging tool or other tool components to provide a reference standard to maintain the tool’s calibration when in use.

(183) “Fit factor” means a quantitative estimate of the fit of a particular respirator to a specific individual and typically estimates the ratio of the concentration of a substance in ambient air to its concentration inside the respirator when worn.

(184) “Fit test” means the use of a protocol to evaluate qualitatively or quantitatively the fit of a respirator on an individual.

(185) “Self-contained breathing apparatus” or “SCBA” means an atmosphere-supplying respirator for which the breathing air source is designed to be carried by the user.

(186) “Supplied-air respirator” or “air-line respirator” means an atmosphere-supplying respirator for which the source of breathing air is not designed to be carried by the user.

(187) “Tritium neutron generator target source” means a tritium source used within a neutron generator tube to produce neutrons for use in well logging applications.

(188) “User seal check” or “fit check” means an action conducted by the respirator user to determine if the respirator is seated to the face properly. Examples include negative pressure check, positive pressure check, irritant smoke check, and isoamyl acetate check.

(189) Annual or Annually means an interval not to exceed 12 months.

(190) Semiannual or Semiannually means an interval not to exceed six months.

(191) Daily means an interval not to exceed a consecutive 24 hour period or once every calendar day worked.

Specific Authority 404.042, 404.051, 404.061 FS. Law Implemented 404.051 FS. History–New 7-17-85, Amended 4-4-89, 5-12-93, 1-1-94, 5-15-96, Formerly 10D-91.102, Amended 5-18-98, 10-8-00, 8-6-01, 9-11-01, 12-19-01,_____.

PART II LICENSING OF RADIOACTIVE MATERIALS SUBPART A LICENSE TYPES AND FEES

64E-5.204 Types of Licenses.

Licenses for radioactive materials are of two types: general and specific.

(1) Some general licenses provided in this part may be effective without the filing of applications with the Department or the issuance of licensing documents to the particular persons, although the filing of a certificate with the Department for general licenses pursuant to subsection 64E-5.206(7) or (8), F.A.C., shall be required of the particular general licensee prior to the receipt of radioactive material and the Department requires registration of certain general licenses described in subsection 64E-5.206(4), F.A.C. The payment of a fee is also required by all persons possessing general licensed material described in paragraph (1)(c), below. The general licensee is subject to all other applicable portions of these regulations and any limitations of the general license.

(a) through (2)(e) No change.

Specific Authority 404.051, 404.061, 404.131 FS. Law Implemented 404.031, 404.051(1), (4), (10), 404.061, 404.081(1), 404.141 FS. History–New 7-17-85, Amended 9-9-90, 8-25-91, 5-12-93, 11-6-94, Formerly 10D-91.304, Amended 5-18-98,_____.

SUBPART B GENERAL LICENSES

64E-5.206 General Licenses – Radioactive Material Other Than Source Material.

(1) through (3) No change.

(4) Certain Measuring, Gauging and Controlling Devices.

(a) No change.

(b) 1. The general license in (4)(a), above, applies only to radioactive material contained in devices which have been manufactured and labeled in accordance with the specifications contained in a specific license issued by the Department pursuant to subsection 64E-5.210(4), F.A.C., or in accordance with the specifications contained in a specific license issued by the U.S. Nuclear Regulatory Commission, an Agreement State or a Licensing State, which authorizes distribution of devices to persons granted a general license by the U.S. Nuclear Regulatory Commission, an Agreement State or a Licensing State. Regulations under the Federal Food, Drug, and Cosmetic Act authorizing the use of radioactive control devices in food production require certain additional labeling thereon which is found in Section 179.21 of 21 C.F.R. Part 179.

2. The devices must have been received from one of the specific licenses described in (b)1., above or through a transfer made under subparagraph 6E-5.206(4)(c)8., F.A.C.

(c) Any person who owns, receives, acquires, possesses, uses, or transfers radioactive material in a device pursuant to the general license in paragraph (4)(a), above;

(1) through (4) No change.

5. Upon the occurrence of a failure of or damage to, or any indication of a possible failure of or damage to, the shielding of the radioactive material or the on-off mechanism or indicator, or upon the detection of 0.005 microcurie (185 Bq) or more removable radioactive material, shall immediately suspend operation of the device until it has been repaired by the manufacturer or other person holding an applicable specific license from the Department, the U.S. Nuclear Regulatory Commission, an Agreement State or a Licensing State to repair such devices, or disposed of by transfer to a person authorized by an applicable specific license to receive the radioactive material contained in the device and, within 30 days, furnish to the Department a report containing a brief deion of the event and the remedial action taken; and in the case of removable radioactive materials or failure of or damage to a source likely to result in contamination of the premises or the environment, a plan for ensuring the premise and environment are acceptable for unrestricted use using the criteria described in Rule 64E-5.222, F.A.C.

(6) No change.

7. Except as provided in subparagraph (4)(c)8., below, shall transfer or dispose of the device containing radioactive material only by transfer to a specific licensee of the Department, the U.S. Nuclear Regulatory Commission, an Agreement State or a Licensing State, whose specific license authorizes him to receive the device, and within 30 days after transfer of a device to a specific licensee, shall furnish to the Department a report containing identification of the device by manufacturer's or initial transferor's name and model number and serial number, and the name, and address, license number, where applicable, of the person receiving the device, and the date of the transfer; No report is required if the device is transferred to the specific licensee in order to obtain a replacement device;

8. Shall transfer the device to another general licensee only:

a. Where the device remains in use at a particular location. In such case the transferor shall give the transferee a copy of this section, a copy of Rules 64E-5.103, 64E-5.328, and 64E-5.329, F.A.C., regulation and any safety documents identified in the label on the device and within 30 days of the transfer, report to the Department the manufacturer's or initial transferor's name and model number and serial number of device transferred, the transferor's name and mailing address for the location of use of the transferee, and the name, title, and phone number of the responsible individual identified by the transferee in accordance with paragraph 64E-5.206(4)(c) and subsection (11), F.A.C., to have knowledge of and authority to take actions to ensure compliance with these regulations or position of an individual who may constitute a point of contact between the Department and the transferee; or

b. Where the device is held in storage in the original shipping container at its intended location of use prior to initial use by a general licensee; and

(9) No change.

10. Shall be required to obtain written Department authorization before transferring the device to any other specific license not specifically identified in paragraph 64E-5.206(4)(c) and subsection (7), F.A.C. The Department authorization is granted provided the specific license identifies the device.

11. Shall appoint an individual responsible for having knowledge of the appropriate regulations and requirements and the authority for taking required actions to comply with appropriate regulations and requirements. The general licensee, through this individual, shall ensure the day-to-day compliance with the appropriate regulations and requirements. This appointment does not relieve the general licensee of any of its responsibility in the regard.

12.a. Shall register, in accordance with sub-subparagraphs 64E-5.206(4)(c)12.b., and 64E-5.206(4)(c)12.c., F.A.C., all devices except exit signs containing tritium. Each address for a location of use as described in sub-subparagraph 64E-5.206(4)(c)12.c.(IV), F.A.C., represents a separate general license and requires a separate registration.

b. Shall annually register with the Department the possession of a device meeting the criteria in sub-subparagraph 64E-5.206(4)(c)12.a., F.A.C. Registration must be done by verifying, correcting or adding to the information provided in a request for registration received from the Department. The registration information must be submitted to the Department within 30 days of the date of the request for registration or as otherwise indicated in the request. In addition, the general licensee holding devices that meet the criteria of sub-subparagraph 64E-5.206(4)(c)12.a., F.A.C., is subject to the bankruptcy notification requirements in subsection 64E-5.213(3), F.A.C.

c. Shall provide the following information and any other information requested by the Department:

(I) Name and mailing address of the general licensee;

(II) For each device, the manufacturer's name or initial transferor name, model number, serial number, the radioisotope and activity as identified on the label;

(III) Name, title, and telephone number of the responsible person designated a representative of the general licensee under paragraph 64E-5.206(4)(c) and subsection (11), F.A.C.;

(IV) Address or location at which the device(s) are used or stored. For portable devices, the address of the primary place of storage;

(V) Certification by the responsible representative of the general licensee that the information concerning the device(s) have been verified through a physical inventory and checking the label information; and

(VI) Certification by the responsible representative of the general licensee that they are aware of the requirements of the general license.

d. Persons generally licensed by other Agreement States, Licensing States, or the U.S. Nuclear Regulatory Commission with respect to devices meeting the criteria in 10 CFR 31.5(c)(13)(i) are not subject to registration requirements if the devices are used in areas subject to the Department jurisdiction for less than 180 days in any calendar year. The Department will not request registration from such licensees.

13. Shall report to the Department changes in the general licensee name and the mailing address for each location or use within 30 days of the effective date of the change. For a portable device, a report of address change is required for a change in the device's primary place of storage.

14. May not hold devices that are not in use longer than 2 years. If the devices with shutters are not being used, the shutters must be locked in the closed position. The testing required by subparagraph 64E-5.206(4)(c)2., F.A.C., need not be performed during the period of storage only. However, when devices are put back into service or transferred to another person, and have not been tested within the required test interval, they must be tested before use. Devices kept in standby for future use are excluded from the two year time limit if the general licensee performs physical inventories at intervals not to exceed three months while they are in standby.

(d) through (10) No change.

Specific Authority 404.051, 404.061, 404.071, 404.081 FS. Law Implemented 404.022, 404.051(1), (4), (6), (8), (9), (10), (11), 404.061(2), 404.071(1), (3), 404.081(1), 404.141 FS. History—New 7-17-85, Amended 4-4-89, 1-1-94, Formerly 10D-91.306, Amended _____.

SUBPART C SPECIFIC LICENSES

64E-5.210 Special Requirements for a Specific License to Manufacture, Assemble, Repair or Distribute Commodities, Products or Devices which Contain Radioactive Material.

(1) through (3) No change.

(4) Licensing the Manufacture and Distribution of Devices to General Licensees Under subsection 64E-5.206(4), F.A.C.

(a) An application for a specific license to manufacture or distribute devices containing radioactive material, excluding special nuclear material, to persons possessing a general license under subsection 64E-5.206(4), F.A.C., or equivalent regulations of the U.S. Nuclear Regulatory Commission, an Agreement State or a Licensing State will be approved if:

(1) through (3) No change.

4. Each device having a separable source housing that provides the primary shielding for the source also bears, on the source housing, a durable label containing the device model number and serial number, the radioisotope and quantity, the

words "Caution Radioactive Materials," the radiation symbol described in Rule 64E-5.322, F.A.C., the name of the manufacturer or initial distributor.

5. Each device containing at least 10 millicuries (370 MBq) of cesium-137, 0.1 millicuries (3.7 MBq) of strontium-90, 1 millicurie (37 MBq) of cobalt-60, or 1 millicurie (37 MBq) of americium-241 or any other element with atomic numbers greater than 92, based on the activity indicated on the label, must bear a permanent label affixed to the source housing if separable, or the device if the source housing is not separable, that includes the words "Caution Radioactive Materials," and if practical, the radiation symbol described in Rule 64E-5.322, F.A.C. Example of a permanent label include labels that are embossed, etched, stamped or engraved to the source housing or device as applicable.

(b) through (c) No change.

(d) If a device containing radioactive material is transferred for use under the general license described in subsection 64E-5.206(4), F.A.C., each person that is licensed under subsection 64E-5.210(4), F.A.C., shall provide the information specified in this section to each person to whom a device is to be transferred. This information must be provided before the device may be transferred. In the case of a transfer through an intermediate person, the information must also be provided to the intended user prior to the initial transfer to the intermediate person. The required information includes the following:

1. A copy of the general license contained in subsection 64E-5.206(4), subparagraph 64E-5.206(4)(c)2., 3. and 4. or 64E-5.206(4)(c)12., F.A.C., do not apply to the particular device, those paragraphs may be omitted;

2. A copy of Rules 64E-5.103, 64E-5.328, and 64E-5.329, F.A.C.;

3. A list of services that can only be performed by a specific licensee;

4. Information on acceptable disposal options including costs of disposal; and

5. An indication that department policy is to issue high civil penalties for improper disposal.

~~(d) Each person licensed under subsection 64E-5.210(4), F.A.C., to distribute devices to persons under a general license shall:~~

~~1. Furnish a copy of the general license contained in subsection 64E-5.206(4), F.A.C., to each person to whom he directly or through an intermediate person transfers radioactive material in a device for use pursuant to the general license contained in subsection 64E-5.206(4), F.A.C.;~~

~~2. Furnish a copy of the general license contained in the U.S. Nuclear Regulatory Commission's, Agreement State's, or Licensing State's regulation equivalent to subsection 64E-5.206(4), F.A.C., or alternatively, furnish a copy of the general license contained in subsection 64E-5.206(4), F.A.C., to each person to whom he directly or through an intermediate~~

~~person transfers radioactive material in a device for use pursuant to the general license of the U.S. Nuclear Regulatory Commission, the Agreement State, or the Licensing State. If a copy of the general license in subsection 64E-5.206(4), F.A.C., is furnished to such a person, it shall be accompanied by a note explaining that the use of the device is regulated by the U.S. Nuclear Regulatory Commission, Agreement State, or Licensing State under requirements substantially the same as those in subsection 64E-5.206(4), F.A.C.;~~

~~3. Report to the Department all transfers of such devices to persons for use under the general license in subsection 64E-5.206(4), F.A.C. Such report shall identify each general licensee by name and address, an individual by name or position who may constitute a point of contact between the Department and the general licensee, the type and model number of device transferred and the quantity and type of radioactive material contained in the device. If one or more intermediate persons will temporarily possess the device at the intended place of use prior to its possession by the user, the report shall include identification of each intermediate person by name, address, contact, and relationship to the intended user. If no transfers have been made to general licensees subsection 64E-5.206(4), F.A.C., during the reporting period, the report shall so indicate. The report shall cover each calendar quarter and shall be filed within 30 days thereafter;~~

~~4. Furnish reports to other agencies:~~

~~a. Report to the U.S. Nuclear Regulatory Commission all transfers of such devices to persons for use under the U.S. Nuclear Regulatory Commission general license in Section 31.5 of 10 CFR Part 31.~~

~~b. Report to the responsible state agency all transfers of devices manufactured and distributed to persons for use under a general license in that State's regulations equivalent to subsection 64E-5.206(4), F.A.C.~~

~~e. Such reports shall identify each general licensee by name and address, an individual by name or position who may constitute a point of contact between the Department and the general licensee, the type and model of the device transferred, and the quantity and type of radioactive material contained in the device. If one or more intermediate persons will temporarily possess the device at the intended place of use prior to its possession by the user, the report shall include identification of each intermediate person by name, address, contact and relationship to the intended user. The report shall be submitted within 30 days after the end of the calendar quarter in which such a device is transferred to the general licensee.~~

~~d. If no transfers have been made to U.S. Nuclear Regulatory Commission licensees during the reporting period, this information shall be reported to the U.S. Nuclear Regulatory Commission:~~

~~e. If no transfers have been made to general licensees within a particular state during the reporting period, this information shall be reported to the responsible state agency upon request of that agency; and~~

~~5. Keep records showing the name, address and the point of contact for each general licensee to whom he directly or through an intermediate person transfers radioactive material in devices for use pursuant to the general license provided in subsection 64E-5.206(4), F.A.C., or equivalent regulations of the U.S. Nuclear Regulatory Commission, an Agreement State or a Licensing State. The records shall show the date of each transfer, the radionuclide and the quantity of radioactivity in each device transferred, the identity of any intermediate person and compliance with the report requirements of this section.~~

~~(e) If a device containing radioactive material is transferred for use under an equivalent general license of an Agreement State or the U.S. Nuclear Regulatory Commission, each person that is licensed under subsection 64E-5.210(4), F.A.C., shall provide the information specified in this section to each person to whom a device is to be transferred. This information must be provided before the device may be transferred. In the case of a transfer through an intermediate person, the information must also be provided to the intended user prior to the initial transfer to the intermediate person. The required information includes the following:~~

~~1. A copy of the Agreement States or U.S. Nuclear Regulatory Commission equivalent to Rules 64E-5.103, 64E-5.328, and 64E-5.329, F.A.C. If a copy of the U.S. Nuclear Regulatory Commission regulations is provided to a prospective general licensee in lieu of the Agreement States regulations, it shall be accompanied by a note explaining that the use of the device is regulated by the Agreement State. If certain parts of the regulations do not apply to the particular device, those regulations may be omitted;~~

~~2. A list of services that can only be performed by a specific licensee;~~

~~3. Information on acceptable disposal options including costs of disposal; and~~

~~4. The name or title, address, and phone number of the contact at the Agreement State regulatory agency or U.S. Nuclear Regulatory Commission, as applicable, from which additional information may be obtained.~~

~~(g) Each device that is transferred must meet the labeling requirements in subparagraphs 64E-5.210(4)(d)3. through 5., F.A.C.~~

~~(h) If a notification of bankruptcy has been made under subsection 64E-5.213(3), F.A.C., or the license is to be terminated, each person licensed under subsection 64E-5.210(4), F.A.C., shall provide, upon request, to the Department, U.S. Nuclear Regulatory Commission and to any appropriate Agreement State, records of final disposition required under paragraph 64E-5.210(4)(k), F.A.C.~~

(i) Each person licensed under subsection 64E-5.210(4), F.A.C., shall comply with the following reporting and record keeping requirements.

1. Report all transfers of devices to persons for use under the general license described in subsection 64E-5.206(4), F.A.C., and all receipts of devices from persons licensed under subsection 64E-5.206(4), F.A.C., to the Department. This report must be submitted at intervals not to exceed 3 months and contain all of the information described in "Transfers of Industrial Devices Report 10/2003" herein incorporated by reference.

2. This report must be clear and legible and contain the following data:

a. The identity of each general licensee by name and mailing address for the location of use; if no mailing address for the location of use, an alternative address for the general licensee shall be submitted along with information on the actual location of use;

b. The name, title, and phone number of the person identified by the general licensee as having knowledge of and authority to take required actions to ensure compliance with the appropriate regulations and requirements;

c. The date of transfer;

d. The type, model number, and serial number of the device transferred; and

e. The quantity and type of radioactive materials contained in the device.

3. If one or more intermediate persons will temporarily possess the device at the intended place of use before its possession by the user, the report must include the same information for both the intended user and each intermediate person and clearly designate the intermediate person(s).

4. For devices received from a subsection 64E-5.206(4), F.A.C., general licensee, the report must include the identity of the general licensee by name and address, the type, model number, and serial numbers of the device received, the date of receipt, and, in the case of devices not initially transferred by the reporting licensee, the name of the manufacturer or initial transferor.

5. If the licensee makes changes to the device possessed by a subsection 64E-5.206(4), F.A.C., general licensee, such that the label must be changed to update required information, this report must identify the general licensee, the device, and the changes to information on the device label.

6. The report must clearly identify the specific licensee submitting the report and include the license number of the specific licensee.

7. If no transfers have been made to or from persons generally licensed under subsection 64E-5.206(4), F.A.C., during the reporting period, the report must so indicate.

(i) Each person licensed under subsection 64E-5.210(4), F.A.C., shall comply with the following additional reporting and record keeping requirements for transfers and receipt of devices to Agreement States.

1. Report all transfers of devices to persons for use under the general license in an Agreement State that are equivalent to subsection 64E-5.206(4), F.A.C., and all receipts of devices from persons licensed under a general license in Agreement State jurisdiction to the responsible Agreement State agency. This report must contain all of the information described in "Transfers of Industrial Devices Report 10/2003."

2. The report must be clear and legible and contain the following data:

a. The identity of each general licensee by name and mailing address for the location of use; if no mailing address for the location of use, an alternative address for the general licensee shall be submitted along with information on the actual location of use;

b. The name, title, and phone number of the person identified by the general licensee as having knowledge of and authority to take required actions to ensure compliance with the appropriate regulations and requirements;

c. The date of transfer;

d. The type, model number, and serial number of the device transferred; and

e. The quantity and type of radioactive materials contained in the device.

3. If one or more intermediate persons will temporarily possess the device at the intended place of use before its possession by the user, the report must include the same information for both the intended user and each intermediate person and clearly designate the intermediate person(s).

4. For devices received from a general licensee, the report must include the identity of the general licensee by name and address, the type, model number, and serial numbers of the device received, the date of receipt, and, in the case of devices not initially transferred by the reporting licensee, the name of the manufacturer or initial transferor.

5. If the licensee makes changes to the device possessed by a general licensee, such that the label must be changed to update required information, this report must identify the general licensee, the device, and the changes to information on the device label.

6. The report must clearly identify the specific licensee submitting the report and include the license number of the specific licensee.

7. If no transfers have been made to or from a particular Agreement State during the reporting period, this information shall be reported to the responsible Agreement State agency upon request of the agency.

8. The report must cover each calendar quarter and must be filed within 30 days of the end of the calendar quarter and must clearly indicate the period covered by the report.

(k) The persons shall maintain all information concerning transfers and receipts of devices that supports the reports required by subsection 64E-5.210(4), F.A.C. Records and reports described in subsection 64E-5.210(4), F.A.C., shall be maintained for inspection by the Department for a period of 3 years following the date of the recorded event.

(5) through (14) No change.

Specific Authority 404.051, 404.061, 404.071, 404.081, 404.141 FS. Law Implemented 404.022, 404.051(1), (4), (6), (9), (10), (11), 404.061(2), 404.081(1), 404.141 FS. History—New 7-17-85, Amended 8-25-91, 5-12-93, 1-1-94, 5-15-96, Formerly 10D-91.311, Amended 8-6-01, _____.

64E-5.213 Specific Terms and Conditions of License.

(1) through (2) No change.

(3)(a) Each specific or general licensee shall notify the Department in writing immediately following the filing of a voluntary or involuntary petition for bankruptcy under any chapter of Title 11 (Bankruptcy) of the United States Code (U.S.C.) by or against:

1. The licensee;
2. An entity, as that term is defined in 11 U.S.C. 101(14), controlling the licensee or listing the license or licensee as property of the estate; or
3. An affiliate, as that term is defined in 11 U.S.C. 101(2), of the licensee.

(b) This notification shall indicate the bankruptcy court in which the petition for bankruptcy was filed and the date of the filing of the petition for bankruptcy.

(4) through (8) No change.

Specific Authority 404.051, 404.061, 404.141 FS. Law Implemented 404.051(1), (4), 404.061(2), (3), 404.081(1), 404.141 FS. History—New 7-17-85, Amended 4-4-89, 5-12-93, 8-29-94, Formerly 10D-91.314, Amended 5-18-98, _____.

PART III STANDARDS FOR PROTECTION AGAINST RADIATION

SUBPART C OCCUPATIONAL DOSE LIMITS

64E-5.304 Occupational Dose Limits for Adults

(1) The licensee or registrant shall control the occupational dose to individual adults, except for planned special exposures as specified in Rule 64E-5.309, F.A.C., to the following dose limits:

(a) through (2) No change.

(b) The annual limits to the lens of the eye, to the skin of the whole body, and to the skin of the extremities which are:

1. A lens dose equivalent of 15 rem (0.15 sievert), and
2. A shallow dose equivalent of 50 rem (0.5 sievert) to the skin of the whole body or to skin of any extremity.

(2) No change.

(3) The assigned deep dose equivalent must and shallow dose equivalent shall be for the part portion of the body receiving the highest exposure. The assigned shallow dose

equivalent must be the dose averaged over the contiguous 10 square centimeters of skin receiving the highest exposure. The deep dose equivalent, lens dose equivalent and shallow dose equivalent may ~~can~~ be assessed from surveys or other radiation measurements to demonstrate compliance with the occupational dose limits if the individual monitoring device was not in the region of highest potential exposure or the results of individual monitoring are unavailable.

(4) through (6) No change.

Specific Authority 404.051, 404.081 FS. Law Implemented 404.022, 404.051(1), (4), 404.081 FS. History—New 1-1-94, Formerly 10D-91.435, Amended 10-8-00, _____.

SUBPART G RESPIRATORY PROTECTION AND CONTROLS TO RESTRICT INTERNAL EXPOSURE IN RESTRICTED AREAS

64E-5.318 Use of Process or Other Engineering Controls.

The licensee shall use to the extent practical practicable process or other engineering controls such as containment, decontamination, or ventilation to control the concentrations of radioactive material in air.

(1) When it is not practical practicable to apply process or other engineering controls to control the concentrations of radioactive material in the air to values below those that define an airborne radioactivity area, the licensee shall, consistent with maintaining the total effective dose equivalent ALARA, increase monitoring and limit intakes by one or more of the following means:

- (a)(1) Control of access;
- (b)(2) Limitation of exposure time;
- (c)(3) Use of respiratory protection equipment; or
- (d)(4) Other controls.

(2) If the licensee performs an ALARA analysis to determine whether or not to use respirators, the licensee can consider safety factors other than radiological factors. The licensee also should consider the impact of respirator use on workers' industrial health and safety.

Specific Authority 404.051 FS. Law Implemented 404.022, 404.051(1), (4) FS. History—New 1-1-94, Amended 5-15-96, Formerly 10D-91.450, Amended _____.

64E-5.319 Use of Individual Respiratory Protection Equipment.

(1) If the licensee uses respiratory protection equipment to limit intakes as specified in Rule 64E-5.318, F.A.C.:

(a) The licensee shall use only respiratory protection equipment that is tested and certified ~~or had certification extended~~ by the National Institute for Occupational Safety and Health ~~and the Mine Safety and Health Administration~~, except as provided in paragraph 64E-5.319(1)(b), F.A.C.

(b) If the licensee wishes to use equipment that has not been tested or certified by the National Institute for Occupational Safety and Health ~~and the Mine Safety and~~

~~Health Administration, has not had certification extended by the National Institute for Occupational Safety and Health and the Mine Safety and Health Administration, or for which there is no schedule for testing or certification, the licensee shall submit an application for authorized use of that equipment, including evidence a demonstration by testing or a demonstration on the basis of reliable test information that the material and performance characteristics of the equipment are capable of providing the proposed degree of protection under anticipated conditions of use demonstrated by testing or on the basis of reliable test information.~~

(c) The licensee shall implement and maintain a respiratory protection program that includes:

1. Air sampling sufficient to identify the potential hazard, permit proper equipment selection, and estimate doses exposures;

2. Surveys and bioassays as needed to evaluate actual intakes;

3. Testing of respirators for operability including user seal checks for face sealing devices and functional checks for other devices immediately before prior to each use;

4. Written procedures regarding selection, fitting, issuance, maintenance, and testing of respirators, including testing for operability immediately prior to each use; supervision and training of respirator users personnel; monitoring, including air sampling and bioassays; fit testing; respirator selection; breathing air quality; inventory and control; storage, issuance, maintenance, repair, testing, and quality assurance of respiratory protection equipment; limitations on periods of respirator use and relief from respirator use; and recordkeeping; and

5. Determination by a physician before prior to initial fitting of face sealing respirators, before the first field use of non-face sealing respirators, and every 12 months thereafter or periodically at a frequency determined by a physician that the individual user is medically fit to use ~~the~~ respiratory protection equipment; and

6. Fit testing before the first field use of tight fitting face-sealing respirators and periodically thereafter at a frequency not to exceed 1 year with fit factor ≥ 10 times the APF for negative pressure devices and a fit factor ≥ 500 for any positive pressure, continuous flow, and pressure-demand devices. Fit testing shall be performed with the facepiece operating in the negative pressure mode.

~~(d) The licensee shall issue a written policy statement on respirator usage covering:~~

1. The use of process or other engineering controls instead of respirators;

2. The routine, nonroutine, and emergency use of respirators; and

3. The length of periods of respirator use and relief from respirator use.

~~(d)~~(e) The licensee shall advise each respirator user that the user can leave the area at any time for relief from respirator use in the event of equipment malfunction, physical or psychological distress, procedural or communication failure, significant deterioration of operating conditions, or any other conditions that might require such relief.

(e) The licensee also shall consider limitations appropriate to the type and mode of use. When selecting respiratory devices, the licensee shall provide for vision correction, adequate communication, low temperature work environments, and the concurrent use of other safety or radiological protection equipment. The licensee shall use equipment in such a way as not to interfere with the proper operation of the respirator.

(f) Standby rescue persons are required whenever one-piece atmosphere-supplying suits or any combination of supplied-air respiratory protection device and personnel protective equipment are used from which an unaided individual would have difficulty extricating himself or herself. Standby persons shall be equipped with respiratory protection devices or other apparatus appropriate for the potential hazards. The standby rescue persons shall observe or otherwise maintain continuous communication with the workers through visual, voice, signal line, telephone, radio, or other suitable means and be available immediately to assist them in case of a failure of the air supply or for any other reason that requires relief from distress. A sufficient number of standby rescue persons shall be available immediately to assist all users of this type of equipment and to provide effective emergency rescue if needed.

(g) Atmosphere-supplying respirators shall be supplied with respirable air of grade D quality or better as defined by the Compressed Gas Association in publication G-7.1, "Commodity Specification for Air," 1997, which is herein incorporated by reference and, available from the Compressed Gas Association, Inc., and included in the regulations of the Occupational Safety and Health Administration. Grade D quality air criteria include:

1. Oxygen content (v/v) of 19.5 – 23.5%;

2. Condensed hydrocarbon content of 5 milligrams per cubic meter of air or less;

3. Carbon monoxide content of 10 ppm or less;

4. Carbon dioxide content of 1,000 ppm or less; and

5. Lack of noticeable odor.

(h) The licensee shall ensure that no objects, materials, or substances such as facial hair, or any conditions that interfere with the face-to-facepiece seal or valve function and that are under the control of the respirator wearer are between the skin of the wearer's face and the sealing surface of a tight-fitting respirator facepiece.

~~(f) The licensee shall use respiratory protection equipment within the equipment manufacturer's expressed limitations for type and mode of use and shall provide proper visual, communication, and other special capabilities such as adequate skin protection when needed.~~

(2) ~~When estimating the dose to exposure of individuals from to airborne radioactive materials, the concentration of radioactive material in the air that is inhaled when respirators are worn is assumed initially to be the ambient concentration in air without respiratory protection divided by the assigned protection factor. If the dose later is found to be greater than the estimated dose, the corrected value shall be used. If the dose later is found to be less than the estimated dose, the corrected value can be used.~~ licensee can make allowance for respiratory protection equipment used to limit intakes as specified in Rule 64E 5.318, F.A.C., if the following conditions, in addition to those in subsection 64E-5.319(1), F.A.C., are satisfied:

(a) ~~Licensees shall take actions to limit doses to individuals from intakes of airborne radioactive materials to maintain total effective dose equivalent ALARA, which could include using process or other engineering controls and limiting the use of respiratory protection equipment. The licensee selects respiratory protection equipment that provides a protection factor specified in State of Florida Office of Radiation Control Protection Factors for Respirators, July 1993, which is herein incorporated by reference and which is available from the department, greater than the multiple by which peak concentrations of airborne radioactive materials in the working area are expected to exceed the values specified in State of Florida Office of Radiation Control ALIs, DACs, and Effluent Concentrations, July 1993, Table I, Column 3. However, if the selection of respiratory protection equipment with a protection factor greater than the peak concentration is inconsistent with the goal specified in Rule 64E-5.318, F.A.C., of keeping the total effective dose equivalent ALARA, the licensee can select respiratory protection equipment with a lower protection factor if such a selection would result in a total effective dose equivalent that is ALARA. The concentration of radioactive material in the air that is inhaled when respirators are worn can be initially estimated by dividing the average concentration in air during each period of uninterrupted use by the protection factor. If the exposure is later found to be greater than initially estimated, the corrected value shall be used; if the exposure is later found to be less than initially estimated, the corrected value can be used.~~

(b) The licensee shall obtain authorization from the Department before using assigned ~~assigning~~ respiratory protection factors in excess of those specified in State of Florida Bureau ~~Office~~ of Radiation Control Protection Factors for Respirators, May 2006 ~~July 1993~~. The Department can authorize a licensee to use higher protection factors on receipt of an application that:

1. Describes the situation for which a need exists for higher protection factors; and

2. Demonstrates that the respiratory protection equipment provides these higher protection factors under the proposed conditions of use.

~~(3) In an emergency the licensee shall use as emergency equipment only respiratory protection equipment that has been specifically certified or had certification extended for emergency use by the National Institute for Occupational Safety and Health and the Mine Safety and Health Administration.~~

(4) ~~The licensee shall notify the Department in writing at least 30 days before the date that respiratory protection equipment is first used as specified in either subsections 64E-5.319(1) or (2), F.A.C.~~

Specific Authority 404.051, 404.081 FS. Law Implemented 404.051(1), (4), 404.081 FS. History—New 1-1-94, Formerly 10D-91.452, Amended 5-18-98,_____.

PART IV RADIATION SAFETY REQUIREMENTS FOR LICENSEES AND REGISTRANTS FOR INDUSTRIAL RADIOGRAPHIC OPERATIONS
SUBPART A EQUIPMENT CONTROL

64E-5.427 Leak Testing, Repairing, Tagging, Opening, Modifying, and Replacing Sealed Sources and Devices.

(1) through (3) No change.

(4) Leak testing as specified in subsections 64E-5.427(2) and (3), F.A.C., shall be capable of detecting the presence of 0.005 microcurie (185 Bq) of removable contamination on the test sample. The wipe sample shall be taken from the nearest accessible point to the sealed source where ~~when~~ contamination could accumulate.

(5) If any test conducted pursuant to this section reveals the presence of 0.005 microcurie (185 Bq) or more of removable radioactive material, the licensee immediately shall withdraw the equipment from use and cause it to be decontaminated and repaired or disposed of in accordance with Rule 64E-5.1303, F.A.C., and the applicable sections of rules contained in Parts III and XV of Chapter 64E-5, F.A.C. If DU leak testing reveals the presence of 0.005 microcurie (185 Bq) or more of removable DU contamination, the exposure device shall be removed from use until an evaluation of the wear on the S-tube has been made. If the evaluation reveals that the S-tube is worn through, the device shall not be used. The licensee shall file a report with the department describing the equipment involved, the test results, and the corrective action taken within 5 days after obtaining results of the test.

Specific Authority 404.051 FS. Law Implemented 404.022, 404.051(1), (4), (6) FS. History—New 9-11-01, Amended_____.

64E-5.429 Source Movement Logs, Daily Survey Reports, and Individual Dosimeter Logs.

(1) Each time a radiation source is removed from storage, the licensee or registrant shall complete and maintain source movement logs for each radiation source with the following information, as applicable:

(a) The locations where used, the names of the jobs or clients, and the dates of use including the dates removed and returned to storage.

(b) through (d) No change.

(e) The identity and signature or initials of the radiographer to whom the radiation source has been assigned.

(2) through (3) No change.

Specific Authority 404.051 FS. Law Implemented 404.022, 404.051(1), (4), 404.081(1) FS. History–New 9-11-01, Amended.

SUBPART B RADIATION SAFETY REQUIREMENTS

64E-5.434 Training, Testing, Certification, and Audits.

(1) No change.

(2) Licensees and registrants can allow individuals who have completed the training and testing specified in paragraphs 64E-5.434(2)(a)-(d), F.A.C., below, to perform industrial radiography for 12 months after the effective date of these rules. The licensee or registrant shall not permit any individual to act as a radiographer until such individual:

(a) through (c) No change.

(d) Successfully completes a closed-book, written examination on the subjects outlined in subsection 64E-5.434(6), Rule 64E-5.434(4), F.A.C., and a practical examination to demonstrate competence in the use of the licensee's or registrant's radiographic and safety equipment; and

(e) through (6) No change.

(7) Each licensee or registrant shall provide 8 hours of refresher annual radiation safety training to all radiographic personnel, which can be conducted in multiple sessions.

(8) through (9) No change.

Specific Authority 404.051, 404.061 FS. Law Implemented 404.022, 404.051(1), (4), 404.061(2) FS. History–New 9-11-01, Amended.

SUBPART C PRECAUTIONARY PROCEDURES IN RADIOGRAPHIC OPERATIONS

64E-5.440 Records.

(1) Each licensee or registrant shall maintain the following records for 3 years after the event at the location specified in Rule 64E-5.432, F.A.C., for inspection by the department:

(a) through (g) No change.

(h) Records showing receipts and transfers of sealed sources and devices using DU for shielding, including the date, the name of the individual making the record, radionuclide,

number of curies (becquerels) or mass, manufacturer, model, and serial number of each sealed source and device, as appropriate;–

(i) Records of annual ALARA audits specified in paragraph 64E-5.432(4)(c), F.A.C.

(2) Each licensee or registrant shall maintain the following records until the Department terminates the license or registration requiring the record:

(a) through (f) No change.

(g) Personnel monitoring badge records from the accredited NVLAP processor as specified in subsection 64E-5.437(2), F.A.C.; ~~Records of annual ALARA audits specified in paragraph 64E-5.432(3)(e), F.A.C.~~; and

(h) Operating and emergency procedures. Licensees shall retain superseded material for 3 years after making changes to operating or emergency procedures.

(3) No change.

Specific Authority 404.051 FS. Law Implemented 404.022, 404.051(1), (4), 404.081(1), 404.20 FS. History–New 9-11-01, Amended.

64E-5.441 Reporting Requirements

(1) In addition to the reporting requirements specified in rules contained in Chapter 64E-5, Parts III, and IX, F.A.C., and other sections of this part, each licensee shall provide a written report to the department within 30 days of the occurrence of any of the incidents involving radiographic equipment described below. Such reports shall be mailed to the Bureau of Radiation Control, Radioactive Materials Section, Bin C21, 4052 Bald Cypress Way, Tallahassee, Florida 32399-1741 for incidents involving radioactive materials or to the Bureau of Radiation Control, Radiation Machine Section, P. O. Box 210, Jacksonville, Florida 32231 for incidents involving radiation machines.

(a) through (3) No change.

Specific Authority 404.051 FS. Law Implemented 404.022, 404.051(1), (4), 404.081(1) FS. History–New 9-11-01, Amended.

PART XI RADIATION SAFETY REQUIREMENTS FOR WIRELINE SERVICE OPERATIONS AND SUBSURFACE TRACER STUDIES

SUBPART A EQUIPMENT CONTROL

64E-5.1104 Leak Testing of Sealed Sources.

(1) No change.

(2) Method of testing. Tests for leakage shall be performed only by persons specifically authorized to perform such tests by the Department, the U.S. Nuclear Regulatory Commission, an Agreement State, or a licensing state using a leak test kit or method approved by the department, the U.S. Nuclear Regulatory Commission, an Agreement State, or a Licensing State. The test sample shall be taken from the nearest accessible point to the sealed source where surface of the

~~source, source holder, or from the surface of the device in which the source is stored or mounted and on which contamination might be expected to accumulate. The test sample shall be analyzed for radioactive contamination, and the analysis shall be capable of detecting the presence of 0.005 microcurie (185 Bq) of radioactive material on the test sample.~~

~~(3) Test frequency. Interval of Testing.~~

~~(a) Each sealed source except an energy compensation source or ECS containing radioactive material shall be tested at intervals not to exceed 6 months. In the absence of a certificate from a transferor indicating that a test has been made within the 6 months before prior to the transfer, the sealed source shall not be used put into use until tested. If, for any reason, it is suspected that a sealed source may be leaking, it shall be removed from service immediately and tested for leakage as soon as practical.~~

~~(b) Each ECS that is not exempt from testing as specified in subsection 64E-5.1104(5), F.A.C., below, shall be tested at intervals not to exceed 3 years. In the absence of a certificate from a transferor that a test has been made within the 3 years before transfer, the ECS shall not be used until tested.~~

~~(4) Removal of Leaking or Contaminated Sources from service. If the test specified in subsection (3), above, reveals the presence of 0.005 microcurie (185 Bq) or more of removable radioactive material leakage or contamination, the licensee shall remove immediately withdraw the sealed source from service immediately use and shall cause it to be decontaminated, repaired, or disposed of by a person licensed by the department, the U.S. Nuclear Regulatory Commission, an Agreement State, or a Licensing State to perform these functions in accordance with these regulations. The licensee shall check the equipment associated with the leaking source for radioactive contamination, and if contaminated, have it decontaminated or disposed of by a person licensed by the department, the U.S. Nuclear Regulatory Commission, an Agreement State or a licensing state to perform these functions in accordance with these regulations. A report describing the equipment involved, the test results, any contamination which resulted from the leaking source, and corrective action taken shall be filed with the Department within 5 days of receiving the test results.~~

~~(5) Exemptions. The following sources are exempted from the periodic leak test requirements of subsections 64E-5.1104(1) through (4), F.A.C.:~~

~~(a) through (e) No change.~~

~~Specific Authority 404.022, 404.051(1), (4), 404.061, 404.081(1) FS. Law Implemented 404.022, 404.051(1), (5), 404.061(2), 404.081 FS. History--New 4-4-89, Formerly 10D-91.12051 Amended _____.~~

64E-5.1107 Design, Performance and Certification Criteria for Sealed Sources Used in Downhole Operations.

~~(1) A licensee can use a sealed source in well logging applications if: Each sealed source, except those containing radioactive material in gaseous form, used in downhole operations and manufactured after June 30, 1982, shall be certified at the time of manufacture, to meet the following minimum criteria:~~

~~(a) The sealed source is of doubly encapsulated construction;~~

~~(b) The sealed source contains radioactive material whose chemical and physical forms are as insoluble and nondispersible as practical; and~~

~~(c) The sealed source meets the requirements specified in (2), (3), or (4), below. Has individually passed external pressure testing to at least 24,656 pounds per square inch absolute (170 MN per m2).~~

~~(2) A licensee can use a sealed source manufactured on or before July 14, 1989, in well logging applications if it meets the requirements of USASI N5.10 – 1968, “Classification of Sealed Radioactive Sources”, which is herein incorporated by reference and available from the Department, or the requirements specified in subsections (3) and (4), below. Sealed sources, except those containing radioactive material in gaseous form, manufactured prior to June 30, 1982, and acquired after that date, in the absence of a certificate from a transferor certifying that an individual sealed source meets the requirements of (1)(a) and (b), above, shall not be put into use until such determinations and testing according to (1)(c), above, have been performed.~~

~~(3) A licensee can use a sealed source manufactured after July 14, 1989, in well logging applications if it meets the oil-well logging requirements specified in ANSI/HPS N43.6 – 1997, “Sealed Radioactive Sources – Classification”, which is herein incorporated by reference and available from the Department. Certification documents shall be maintained for inspection by the Department for a period of 2 years after source disposal. If the source is abandoned downhole, the certification documents shall be maintained for 100 years.~~

~~(4) A licensee can use a sealed source manufactured after July 14, 1989, in well logging applications if:~~

~~(a) The sealed source’s prototype has been tested and found to maintain its integrity after each of the following tests:~~

~~1. Temperature. The test source is held at -40° C for 20 minutes, 600° C for 1 hour, and then subjected to a thermal shock test with a temperature drop from 600° C to 20° C within 15 seconds.~~

~~2. Impact test. A 5 kg steel hammer 2.5 cm in diameter is dropped from a height of 1 m onto the test source.~~

~~3. Vibration test. The test source is subjected to a vibration from 25 Hz to 500 Hz at 5 g amplitude for 30 minutes.~~

~~4. Puncture test. A 1 gram hammer and 0.3 cm diameter pin is dropped from a height of 1 m onto the test source.~~

5. Pressure test. The test source is subjected to an external pressure of 24,600 pounds per square inch absolute (1.695 x 10⁷ pascals).

(5) The requirements of subsection (1) through (4), above, do not apply to sealed sources that contain licensed material in gaseous form.

(6) The requirements of subsections (1) through (4), above, do not apply to ECSs. ECSs shall be registered with the department as specified in subsection 64E-5.210(14), F.A.C., the U.S. Nuclear Regulatory Commission, an Agreement State, or a Licensing State.

Specific Authority 404.051, 404.061, 404.071, 404.081 FS. Law Implemented 404.022, 404.051(1), (4), (6), 404.061(2), 404.071(1), 404.081(1) FS. History—New 7-17-85, Formerly 10D-91.1208, Amended _____.

64E-5.11071 Uranium sinker bars.

The licensee can use a uranium sinker bar in well logging applications only if it is legibly impressed with the words “CAUTION – RADIOACTIVE – DEPLETED URANIUM” and “NOTIFY CIVIL AUTHORITIES (OR COMPANY NAME) IF FOUND.

Specific Authority 404.051, 404.061, 404.071, 404.081 FS. Law Implemented 404.022, 404.051(1), (4), (6), 404.061(2), 404.071(1), 404.081(1) FS. History—New _____.

64E-5.11072 Energy Compensation Source.

The licensee can use an ECS that is contained within a logging tool or other tool components only if the ECS contains 100 microcuries (3.7 MBq) or less of licensed material.

(1) For well logging applications with a surface casing for protecting fresh water aquifers, use of the ECS is subject only to the requirements specified in Rules 64E-5.1104, 64E-5.1107, and 64E-5.1106, F.A.C., above.

(2) For well logging applications without a surface casing for protecting fresh water aquifers, use of the ECS is subject only to the requirements specified in Rules 64E-5.1101, 64E-1104, 64E-5.1105, 64E-5.1106, 64E-5.1119(5), and 64E-5.343 through 64E-5.349, F.A.C.

Specific Authority 404.051, 404.061, 404.071, 404.081 FS. Law Implemented 404.022, 404.051(1), (4), (6), 404.061(2), 404.071(1), 404.081(1) FS. History—New _____.

64E-5.11073 Tritium Neutron Generator Target Source.

(1) Use of a tritium neutron generator target source containing quantities not exceeding 30 curies (1,110 MBq) and in a well with a surface casing to protect fresh water aquifers is not subject to the requirements specified in Rules 64E-5.1101, 64E-5.1107, 64E-5.1119(5), and 64E-5.343 through 64E-5.349, F.A.C.

(2) Use of a tritium neutron generator target source containing more than 30 curies (1,110 MBq) or in a well without a surface casing to protect fresh water aquifers is not subject to the requirements specified in Rule 64E-5.1107, F.A.C.

Specific Authority 404.051, 404.061, 404.071, 404.081 FS. Law Implemented 404.022, 404.051(1), (4), (6), 404.061(2), 404.071(1), 404.081(1) FS. History—New _____.

SUBPART B REQUIREMENTS FOR PERSONNEL SAFETY

64E-5.1112 Personnel Monitoring.

No licensee or registrant shall permit any individual to act as a logging supervisor or to assist in the use of sources of radiation unless such individual wears a film badge, optically stimulated luminescent device (OSLD), or a thermoluminescent dosimeter (TLD) that is processed and evaluated by an accredited NVLAP processor. Each film badge, OSLD, or TLD shall be assigned to and worn by only one individual. Film badges shall be replaced at least monthly and OSLDs and TLDs shall be replaced at least quarterly. Each film badge, OSLD, and TLD shall be processed promptly after replacement. The licensee shall retain records of personnel dosimeters and bioassay results until the Department terminates each pertinent license or registration requiring the records.

Specific Authority 404.051, 404.061, 404.081 FS. Law Implemented 404.022, 404.051(1), (4), 404.061(2), 404.081(1), (2) FS. History—New 7-17-85, Amended 5-15-96, Formerly 10D-91.1213, Amended 10-8-00, _____.

SUBPART E NOTIFICATION

64E-5.1119 Notification of Incidents, Abandonment and Lost Sources.

(1) through (2) No change.

(3) When it becomes apparent that efforts to recover the radioactive source will not be successful, the licensee shall:

(a) No change.

(b) Notify the Department by telephone ~~of or telegraph,~~ giving the circumstances that resulted in the inability to retrieve the source and obtain the Department’s approval to implement abandonment procedures or notify the Department that the licensee implemented abandonment before receiving Department approval because the licensee believed there was an immediate threat to public health and safety ~~of the loss, and request approval of the proposed abandonment procedures;~~ and

(c) File a written report with the Department within 30 days of the abandonment, setting forth the following information:

(1) through (6) No change.;

7. Depth of the well; ~~and~~

8. Information contained on the permanent identification plaque; ~~and~~

9. The immediate threat to public health and safety that justified abandonment before Department approval as specified in paragraph (3)(b), above; and

(d) Develop and implement a means to prevent inadvertent intrusion on the source unless the source is not accessible to any subsequent drilling operations.

(4) Whenever a sealed source containing radioactive material is abandoned downhole, the licensee shall provide a permanent plaque, as described below, for posting the well or well-bore at the surface of the well unless the mounting of the plaque is not practical. The size of the plaque shall be at least 7 inches (17 cm) square and 1/8 inch (3 mm) thick. This plaque shall:

(a) Be constructed of long-lasting material, such as stainless steel, brass, bronze, or monel, and

(b) through (5) No change.

Specific Authority 404.051, 404.061, 404.081 FS. Law Implemented 404.022, 404.051(1), (4), (6), 404.061(2), 404.081(1) FS. History--New 7-17-85, Formerly 10D-91.1220, Amended _____.

PART XIII RADIATION SAFETY REQUIREMENTS FOR POSSESSION AND USE OF SEALED OR UNSEALED SOURCES OF RADIOACTIVE MATERIALS

SUBPART B REQUIREMENTS FOR THE POSSESSION AND USE OF SEALED SOURCES IN PORTABLE DEVICES

64E-5.1311 Storage, Security and Transportation Precautions

(1) No change.

(2) All portable gauge licensees must comply with either paragraph (2)(a) or (2)(b) below. Effective January 1, 2007, portable gauge licensees must comply only with paragraph (2)(b).

(a) Sealed sources must have a minimum of two locks between the device and the public when being transported or stored.

(b) Each portable gauge licensee shall use a minimum of two independent physical controls that form tangible barriers to secure portable gauges from unauthorized removal, whenever portable gauges are not under the control and constant surveillance of the licensee.

(3) through (4) No change.

Specific Authority 404.022, 404.042, 404.051, 404.061, 404.071, 404.081 FS. Law Implemented 404.022, 404.042, 404.051(1), (4), (6), (9), (10), 404.061(2), (3), 404.071(1), 404.081(1) FS. History--New 5-12-93, Formerly 10D-91.1412, Amended _____.

PART XV TRANSPORTATION OF RADIOACTIVE MATERIAL

SUBPART A

64E-5.1502 Transportation of Radioactive Material.

(1) No change.

(2) Each licensee who transports radioactive material outside of the confines of his facility or other place of use, or who offers radioactive material to a carrier for transport shall:

(a) Comply with the current applicable requirements, appropriate to the mode of transport, of 49 CFR Parts 171-173, 177, 383, and 390-397, ~~dated 10-1-97, which are herein incorporated by reference and which are available from the department;~~

(b) through (c) No change.

Specific Authority 404.051, 404.061, 404.141, 404.20 FS. Law Implemented 404.22, 404.051(1), (4), (6), (11), 404.061(2), 404.141, 404.20(1) FS. History--New 7-17-85, Formerly 10D-91.2003, Amended 10-8-00, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

William A. Passetti

NAME OF SUPERVISOR OR PERSON WHO APPROVED

THE PROPOSED RULE: Lisa Conti

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: July 14, 2006

FISH AND WILDLIFE CONSERVATION COMMISSION

Manatees

RULE NO.:

68C-22.027

RULE TITLE:

Duval County and Associated County (Parts of Clay and St. Johns) Zones

PURPOSE AND EFFECT: The purpose of the proposed rulemaking action is to amend the Commission's manatee protection zones in the downtown Jacksonville area (i.e., between the Fuller Warren Bridge and Reddie Point) to make the zones identical to the existing federal manatee protection zones as amended by the United States Fish and Wildlife Service in April 2005. The effect of the action would be to slightly expand and otherwise revise the Commission's existing Slow Speed zones and add 25 MPH zones in two areas that are currently unregulated by the Commission's rule. No changes would be made to any existing zones outside of the downtown Jacksonville area. It should be noted that the changes in the downtown area would not result in any additional on-water regulation that does not already exist pursuant to the federal zones. This action is being proposed after considering recommendations and comments made by the Duval County Local Rule Review Committee that was formed by the city of Jacksonville pursuant to Section 370.12(2)(f), F.S.

SUMMARY: The Commission's zones in the downtown Jacksonville area would be revised as follows: [1] the width of the Slow Speed buffer along the eastern shoreline of the St. Johns River between Reddie Point and the Hart Bridge would be expanded to 1,000 feet, and a 25 MPH zone would be added between this buffer and the existing 300-foot buffer along the

western shoreline; [2] a 300-foot Slow Speed buffer would be added along the western shoreline of Exchange Island; [3] the Slow Speed zone east and south of Exchange Island would be changed to a shore-to-shore Slow Speed zone that includes slightly more area at the mouth of the Arlington River; [4] the area between the Hart Bridge and the Main Street Bridge would be changed to a shore-to-shore Slow Speed zone with speeds up to 25 MPH allowed in the marked channel of the Florida Intracoastal Waterway; and [5] the area between the Main Street Bridge and the Fuller Warren Bridge would be changed to a shore-to-shore Slow Speed zone that includes the marked channel of the Florida Intracoastal Waterway. No changes would be made to any existing zones outside of the downtown Jacksonville area.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Costs (SERC) has been prepared.

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

SPECIFIC AUTHORITY: 370.12(2)(n) FS.

LAW IMPLEMENTED: 370.12(2)(d), (k), (n) FS.

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

DATE AND TIME: Wednesday, September 20, 2006, 6:00 p.m.

PLACE: City Council Chambers, First Floor, City Hall at St. James, 117 West Duval Street, Jacksonville, Florida

THE FINAL PUBLIC HEARING WILL BE HELD BY THE COMMISSION AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATES AND TIME: December 6-7, 2006, To Be Announced,

PLACE: Key Largo, Florida – Specific location yet to be determined

Another notice will be published in the F.A.W. to confirm the date of the final hearing and to provide the location information. The Commission's agenda for this meeting will indicate the specific day when this item is scheduled to be addressed.

If accommodation for a disability is needed to participate in any of the above hearings, please notify the contact person listed below at least five days before the hearing.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mr. Scott Calleson, Florida Fish and Wildlife Conservation Commission, Imperiled Species Management Section, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68C-22.027 Duval County and Associated County (Parts of Clay and St. Johns) Zones.

(1) The Commission hereby designates the waters within Duval County, Clay County, and St. Johns County, as described below, as areas where manatee sightings are frequent and where the best available information supports the conclusion ~~it can be assumed~~ that manatees inhabit these areas on a regular ~~or ; periodic or continuous~~ basis. ~~The Commission has further determined that a likelihood of threat to manatees exists in these waters as a result of manatees and motorboats using the same areas.~~ The primary purpose of this rule is to protect manatees from harmful collisions with motorboats and from harassment by regulating the speed and operation of motorboats within these designated areas. A secondary purpose is to protect manatee habitat. ~~This rule will also provide additional habitat protection.~~ In consideration of balancing the rights of fishers, boaters, and water skiers to use the waters of the state for recreational and commercial purposes (as applicable under Section 370.12(2)(k), F.S.), with the need to provide manatee protection, the Commission has examined the need for limited lanes, corridors, or unregulated areas that allow higher speeds through or within regulated areas. Such lanes, corridors, or areas are provided in those locations where the Commission determined that they are consistent with manatee protection needs. All of the zones set forth below are in effect year-round and, unless otherwise stated, all zones exclude all associated waterways (tributaries, lakes, creeks, coves, bays, backwaters, canals, basins, etc.) unless explicitly included.

(a) SLOW SPEED ZONE, SHORE-TO-SHORE

1. through 2. No change.

3. St. Johns River, Main Street Bridge to Fuller Warren Bridge Area – All waters of the St. Johns River and associated waterways west (upriver) of the Main Street Bridge and north (downriver) of the Fuller Warren Bridge;

~~4.3.~~ No change.

(b) SLOW SPEED SHORELINE BUFFER ZONE

1. through 3. No change.

4. St. Johns River, Reddie Point to ~~Hart Fuller Warren~~ Bridge Area – Those waters described below, excluding the federally-marked Florida Intracoastal Waterway channel:

a. Within 300 feet of the general contour of the western (and northern) shoreline of the St. Johns River, south (upriver) of a line that runs from the easternmost point of Sandfly Point (approximate latitude 30°23'10" North, approximate longitude 81°38'03" West) to the northernmost point of Reddie Point (approximate latitude 30°23'22" North, approximate longitude 81°37'13" West) and north and east (downriver) of the ~~Hart Fuller Warren~~ Bridge, including all associated waterways and all waters of Long Branch Creek easterly of the Buffalo Avenue/Wigmore Street Bridge;

b. Within ~~1,000~~ 900 feet of the general contour of the eastern shoreline of the St. Johns River, south (upriver) of a line that runs from the easternmost point of Sandfly Point (approximate latitude 30°23'10" North, approximate longitude 81°38'03" West) to the northernmost point of Reddie Point (approximate latitude 30°23'22" North, approximate longitude 81°37'13" West) and north (downriver) of the Hart Bridge, including all associated waterways, and all waters east of Exchange Island and a line that bears 250° from the southernmost point of Exchange Island (approximate latitude 30°19'18" North, approximate longitude 81°37'05" West) and west of a line that bears 73° from a point (approximate latitude 30°18'53" North, approximate longitude 81°36'43" West) on the southern shoreline of the Arlington River at the mouth of Little Pottsburg Creek; and also including those waters within 300 feet of the general contour of the western shoreline of Exchange Island a line that bears 90° from a point (approximate latitude 30°19'57" North, approximate longitude 81°36'54" West) in the river located 900 feet from the eastern shoreline of the river, and; all waters of the river east of a line that runs from said point to the northernmost point of Exchange Island (approximate latitude 30°19'50" North, approximate longitude 81°36'55" West);

e. ~~Within 300 feet of the general contour of the eastern shoreline of the St. Johns River, south of a line that bears 90° from the northernmost point of Exchange Island (approximate latitude 30°19'50" North, approximate longitude 81°36'55" West) and north of a line that bears 90° from a point (approximate latitude 30°19'19" North, approximate longitude 81°36'59" West) on the eastern shoreline of Exchange Island;~~

5.d. St. Johns River, Hart Bridge to Main Street Bridge Area – All waters of the St. Johns River and associated waterways Within 600 feet of the general contour of the southern (eastern) shoreline of the St. Johns River, west of a line that bears 180° from the southernmost point of Exchange Island (approximate latitude 30°19'18" North, approximate longitude 81°37'05" West) and north and east of the Fuller Warren Bridge, including all waters of Miller Creek north of the Atlantic Boulevard (State Road 10) Bridge, west (upriver) of the Hart Bridge and east (downriver) of the Main Street

Bridge, except in the marked channel of the Florida Intracoastal Waterway as designated in subparagraph (1)(c)2, and; all waters of the St. Johns River and the Arlington River east and south of a line that runs from the waterward end of the southern terminus of the 300 foot buffer described in sub subparagraph (1)(b)4.c. to the waterward end of the eastern terminus of the 600 foot buffer described in this paragraph, and west and north of a line that bears approximately 225° from the southernmost tip of a peninsula on the northern side of the Arlington River (approximate latitude 30°19'07" North, approximate longitude 81°36'38" West) to a point on the southern side of the Arlington River, east of Empire Point (approximate latitude 30°18'57" North, approximate longitude 81°36'47" West);

5. through 10. renumbered 6. through 11. No change.

(c) 25 MPH

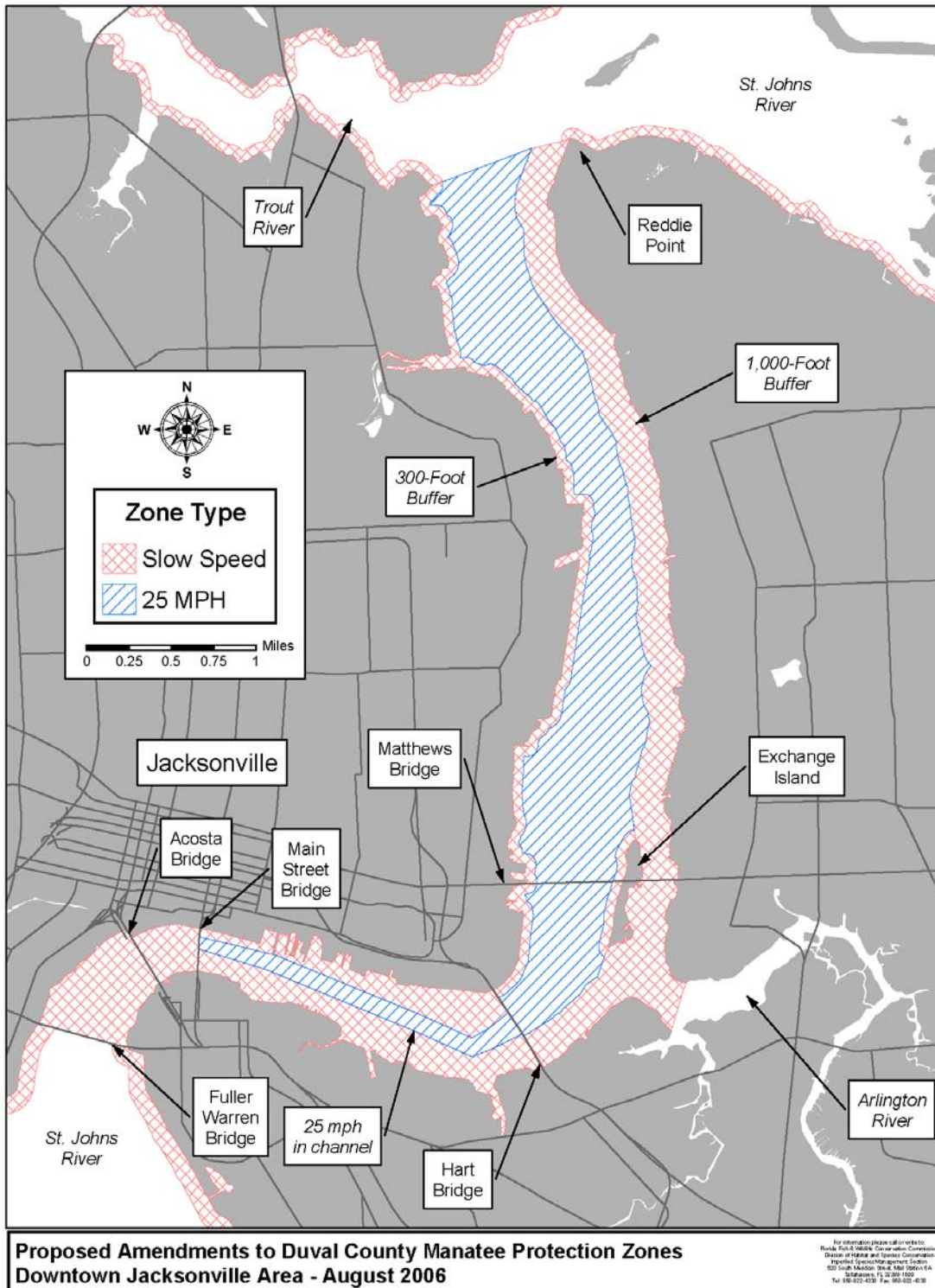
1. St. Johns River, Reddie Point to Hart Bridge Area – All waters of the St. Johns River outside of the Slow Speed areas designated in subparagraph (1)(b)4.;

2. St. Johns River, Hart Bridge to Main Street Bridge Area – All waters in the marked channel of the Florida Intracoastal Waterway west (upriver) of the Hart Bridge and east (downriver) of the Main Street Bridge.

(2) The width of the variable-width shoreline buffer referenced in subparagraphs (1)(b)6.5., 9.8., 10.9., and 11.40., above is as follows: The buffer includes at a minimum all waters within 500 feet of the general contour of the shoreline. Where there are docks that extend out farther than 300 feet into the waterway, the buffer extends out beyond the 500-foot line to include all waters shoreward of a line that runs 200 feet beyond and parallel to the dock line. For the purposes of this rule, the dock line shall be defined as a line that runs between the ends of successive docks.

(3) No change.

(4) The amendments to Rule 68C-22.027, F.A.C., as approved by the Commission on [insert approval date], shall take effect as soon as the regulatory markers are posted.



Specific Authority 370.12(2)(m) FS. Law Implemented 370.12(2)(d),(m) FS. History—New 12-22-92, Amended 6-16-93, Formerly 16N-22.027, 62N-22.027, Amended 8-1-00,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mr. Tim Breault, Director of the Division of Habitat and Species Conservation

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: The Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 7, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 26, 2006

Section III

Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Plant Industry

RULE NO.: 5B-2.010
RULE TITLE: Special Inspection and Certification Fee

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 32, No. 15, April 14, 2006, Florida Administrative Weekly, has been withdrawn.

DEPARTMENT OF REVENUE

RULE NOS.: 12-18.003, 12-18.004
RULE TITLES: Amount and Payment of Compensation, Submission of Information and Claims for Compensation

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made in accordance with subparagraph 120.54(3)(d)1., F.S., to the proposed amendments to Rule 12-18.004, F.A.C., published in Vol. 32, No. 2, pp. 78-80, January 13, 2006, issue of the Florida Administrative Weekly.

In response to written comments received from the Joint Administrative Procedures Committee, dated February 7, 2006, regarding Form DR-55, Application for Compensation for Tax Information, paragraph (a) of subsection (3) of Rule 12-18.004, F.A.C., Submission of Information and Claims for Compensation, has been changed, so that, when adopted, that paragraph will read as follows:

(3)(a) The Department designates Form DR-55, Application for compensation for Tax Information, as the form to be used by claimants for this purpose. Form DR-155, Application for Compensation for Tax Information (R. ~~08/06 12/02~~), is hereby incorporated, by reference, in this rule.

In addition, changes will be made to Form DR-55, Application for compensation for Tax Information, to remove the requirement that an applicant certify that they are 18 years of age or older, to correct the reference to the “Florida Department of Banking & Finance” to the “Florida Department of Financial Services,” and to remove the requirement that the applicant “provide as much information as they know.” Technical changes will also be made to the form.

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NO.: 12A-17.005
RULE TITLE: Public Use Forms

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 32, No. 2, pp. 85-86, January 13, 2006, issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF REVENUE

Corporate, Estate and Intangible Tax

RULE NO.: 12C-2.0115
RULE TITLE: Public Use Forms

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made in accordance with subparagraph 120.54(3)(d)1., F.S., to the proposed amendments to Rule 12C-2.0115 F.A.C. (Public Use Forms), published in Vol. 32, No. 2, pp. 122-123, January 13, 2006, issue of the Florida Administrative Weekly. A Notice of Change was published in Vol. 32, No. 5, p. 479, February 3, 2006, issue of the Florida Administrative Weekly,

In response to written comments received from the Joint Administrative Procedures Committee, changes to Forms DR-350111 and DR-350618 will be adopted, by reference, in the proposed amendments to Rule 12C-2.0115, F.A.C. Rule 12C-2.0115, has been changed, so that, when adopted, subsection (10) and subsection (13) will read:

Form Number	Title	Effective Date
(10) DR-350111	Intangible Tax Self-Audit Worksheet-_____ (R. 06/06 12/04)	___ 06/05
(13) DR-350618	Stockbroker Instructions and Specifications for Reporting Information or on Magnetic Media for Year-Ending 12/31/04 (R. 01/06 01/05)	___ 06/05

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
40D-2	Water Use Permits
RULE NOS.:	RULE TITLES:
40D-2.011	Policy and Purpose
40D-2.021	Definitions
40D-2.041	Permits Required
40D-2.091	Publications Incorporated by Reference
40D-2.101	Content of Application
40D-2.301	Conditions for Issuance of Permits
40D-2.302	Reservations from Use
40D-2.321	Duration of Permits
40D-2.331	Modification of Permits
40D-2.621	Water-Conserving Credits
40D-2.801	Water Use-Caution Areas

NOTICE OF PUBLIC HEARING

The Southwest Florida Water Management District announces a public hearing on the above-referenced rules to be held:

DATE AND TIME: Governing Board meeting on September 26, 2006, 9:00 a.m.

PLACE: The Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34604-6899

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion will be held regarding changes to clarify language and to revise and add new forms to the District's proposed rules to implement the regulatory portion of the recovery strategy for minimum flows and levels for certain water bodies within the Southern Water Use Caution Area that are being simultaneously proposed as amendments to Chapter 40D-8, F.A.C. The proposed rules were published in the Florida Administrative Weekly in Vol. 32, No. 19, on May 12, 2006 and in Vol. 32, No. 27, on July 7, 2006.

A COPY OF THE AGENDA MAY BE OBTAINED BY CONTACTING: Karen A. Lloyd, Assistant General Counsel, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651.

The Southwest Florida Water Management District does not discriminate on the basis of any individual's disability status. Anyone requiring reasonable accommodation as provided in the American's With Disabilities Act should contact: Dianne Lee, (352)796-7211 or (800)423-1476, extension 4658, TDD only number (800)231-6103.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
40D-8	Water Levels and Rates of Flow
RULE NOS.:	RULE TITLES:
40D-8.041	Minimum Flows
40D-8.624	Guidance and Minimum Levels for Lakes
40D-8.626	Minimum Aquifer Levels

NOTICE OF PUBLIC HEARING

The Southwest Florida Water Management District announces a public hearing on the above-referenced rules to be held:

DATE AND TIME: Governing Board meeting on September 26, 2006, 9:00 a.m.

PLACE: The Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34604-6899

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion will be held regarding changes to the District's proposed rules for clarification and administrative implementation of minimum flows and levels for certain water bodies within the Southern Water Use Caution area. The proposed rules were published in the Vol. 32, No. 19, issue of the Florida Administrative Weekly on May 12, 2006.

A copy of the agenda may be obtained by contacting: Karen A. Lloyd, Assistant General Counsel, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651.

The Southwest Florida Water Management District does not discriminate on the basis of any individual's disability status. Anyone requiring reasonable accommodation as provided in the American's With Disabilities Act should contact: Dianne Lee, (352)796-7211 or (800)423-1476, extension 4658, TDD only number (800)231-6103.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
40D-80	Recovery and Prevention Strategies for Minimum Flows and Levels
RULE NO.:	RULE TITLE:
40D-80.074	Recovery Strategy For the Southern Water Use Caution Area

NOTICE OF PUBLIC HEARING

The Southwest Florida Water Management District announces a public hearing on the above-referenced rule:

DATE AND TIME: Governing Board meeting on September 26, 2006, beginning at 9:00 a.m.

PLACE: The Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34604-6899.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion will be held regarding changes to the District's proposed rules for clarification and administrative implementation of minimum flows and levels for certain water

bodies within the Southern Water Use Caution area. The proposed rule was published in the Vol. 32, No. 19, issue of the Florida Administrative Weekly on May 12, 2006.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

RULE NO.: 61G14-12.0015
 RULE TITLE: License and Certificate Retention Eligibility
 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. 21, of the May 26, 2006, issue of the Florida Administrative Weekly. The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The proposed rule which has been substantially reworded shall now read as follows:

61G14-12.0015 License and Certificate Retention Eligibility.

Licensees and Certificate holders, without regard to the status of their license or certificate, must reestablish their qualifications to hold the license or certificate by January 31 of each odd numbered year, in order to retain the license or certificate, through submission to the Board office of each of the following:

(1) Documentary evidence that the license or certificate holder remains in "active service" as required by Section 310.081(3)(e), Florida Statutes;

(a) Active service by a pilot shall be established by submitting documentation of the identity of and the number of vessels piloted during the prior biennial period. A pilot who regularly takes a turn on duty is in "active service." Exceptions will be made from the "active service" definition for illness or injury not preventing performance as a pilot for more than twelve (12) consecutive months.

(b) Active service by a deputy pilot shall be established by submitting a certification, from the licensed state pilots at the port being served during the prior biennial period, of availability and satisfactory training in accordance with the approved training plan.

(2) The biennial fee required by Section 310.121(2), Florida Statutes, and specified in Rule 61G14-14.004, F.A.C.;

(3) Annual documentary evidence of continued good physical and mental health required by Sections 310.073, and 310.081, Florida Statutes and Rule 61G14-20.001, F.A.C.; and

(4) Certificate of successful completion of a Board-approved course in professional skills including certification in the proper and efficient use of radar.

Specific Authority 310.081(3) FS. Law Implemented 310.073, 310.081(3), 310.091(3), 310.121(2) FS. History--New_____.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robyn Barineau, Executive Director, Board of Pilot Commissioners, 1940 North Monroe Street, Tallahassee, Florida 32399-0783.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE CHAPTER NO.: 69A-37
 RULE NOS.: 69A-37.401, 69A-37.402, 69A-37.403, 69A-37.404, 69A-37.405, 69A-37.406, 69A-37.407, 69A-37.408, 69A-37.409
 RULE CHAPTER TITLE: Firefighter Standards and Training
 RULE TITLES: Definitions, Authorizations for Certified Personnel, Compliance with Other Applicable Laws, Rules, Requirements for Live Fire Training for Certified Personnel, Requirements for Live Fire Training During Recruit Training, Certification Prerequisites for Live Fire Training Instructor Training, Live Fire Training Instructor Certification and Renewal, Instructor Certification Revocation

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the following proposed rules, as indicated, in accordance with subparagraph 120.54(3)(d)1., Florida Statutes (2005), published in Vol. 31, No. 44, on November 4, 2005, of the Florida Administrative Weekly. These changes are being made to address comments by the Joint Administrative Procedures Committee.

The rule sections enumerated below are changed to read:

PART IV: LIVE FIRE TRAINING

69A-37.401 Definitions.

The following words or terms have the following definitions unless the context clearly requires otherwise.

(1) “Live Fire Training Instructor” ~~“Live Fire Trainer,”~~ sometimes referred to as “LFTI” ~~LFT~~, means any person certified by the Florida State Fire College as an Instructor I, II, or III who has completed the Live Fire Training Instructor ~~Trainer~~ program, and who has successfully passed the certification examination.

(2) No change.

(3) “Live Fire Training Instructor II,” sometimes referred to as “LFTI2,” means any person that meets all of the requirements for LFTI and has completed the Live Fire Training Instructor Task Book process with a Live Fire Master Trainer at a Certified Fire Training Center. ~~“Live Fire Instructor Trainer”~~ means any person that meets all of the requirements for LFT and has completed the ~~train-the-trainer course of study.~~

(4) “Live Fire Master Trainer” means any person certified by the Florida State Fire College as a Live Fire Training Instructor II and designated by the Director of a Certified Fire Training Center to oversee the Live Fire Training Instructor course at that facility ~~Live Fire Master Trainer.~~

(5) “Live Fire Training Instructor Course” ~~“Live Fire Trainer”~~ means the 40-hour training program required to become a Live Fire Training Instructor ~~Live Fire Trainer~~. This program includes practical evolutions and is only available in a “live” traditional delivery format.

(6) No change.

(7) “Live Fire Training” means the training of certified firefighters or candidates for firefighter certification involving:

- (a) Acquired ~~acquired~~ structures, or
- (b) Permanent ~~permanent~~ training structures, or and
- (c) Liquid ~~liquid~~, gas fueled, or ordinary combustible fires or props involving fire that are beyond the incipient stage and are not capable of being extinguished by the use of a single standard fire extinguisher.

(8) through (12) No change.

~~This rule shall take effect on January 1, 2006.~~

Specific Authority 633.821(6), 633.45(2), 633.38, 633.808 FS. Law Implemented 633.821, 633.45(1) FS. History–New _____.

69A-37.402 Authorizations for Certified Personnel.

(1) A Live Fire Training Instructor ~~Live Fire Trainer~~ is permitted to serve in any position during live fire training.

(2) No change.

(3) A Live Fire Training Instructor II ~~Instructor Trainer~~ is permitted to provide training to certified ~~eligible~~ instructors under the auspices of a certified training center for both the “Live Fire Training Instructor” ~~“Live Fire Trainer”~~ course and the “Live Fire Adjunct Trainer” course.

(4) To complete the course of instruction to become an Live Fire Training Instructor, the Live Fire Master Trainer must send a copy of the Task Book completed by the candidate to become an Live Fire Training Instructor to the Bureau of Fire Standards and Training which shall, after review, approve or disapprove the completed Task Book. If approved, the Bureau then will certify the individual as an Live Fire Training Instructor. If disapproved, the Bureau will notify the Live Fire Master Trainer of its decision.

(5)(4) A Live Fire Master Trainer is authorized to conduct:

- (a) The 40 hour Live Fire Training Instructor course, and
- (b) The Training program (i.e., the Task Book process) for current Live Fire Training Instructors to become a Live Fire Training Instructor II, and
- (c) The Live Fire Adjunct Trainer course.

Each certified fire training center wishing to provide Live Fire Training Instructor courses shall appoint one certified Live Fire Training Instructor II to serve as the Live Fire Master Trainer for such facility confer credentials to persons having successfully completed the prerequisites for Live Fire Trainer and Live Fire Adjunct Trainer and to conduct instructor train-the-trainer courses. No more than one person is authorized to hold the position of Live Fire Master Trainer in any facility.

(6) All requirements of Part II, Chapter 69A-37, F.A.C., must be met.

(7) The initial exposure to live fire conditions in recruit training must be under the strict supervision and control of instructors currently certified by Part II, Chapter 69A-37, F.A.C., and in accordance with Rules 69A-37.401-409, F.A.C., with immediate egress capabilities available at ground level.

~~This rule shall take effect on January 1, 2006.~~

Specific Authority 633.821(6), 633.45(2), 633.38, 633.808 FS. Law Implemented 633.821, 633.45(1) FS. History–New _____.

69A-37.403 Compliance With Other Applicable Laws, Rules.

~~(1) Nothing in these rules supersedes any other Florida Administrative Code requirement such as those adopted by rule of the Department of Environmental Protection, any state law, or any local ordinance that is equal to, or that provides a greater degree of life safety than, these rules. These rules are in addition to and supplemental to any law, rule, or ordinance that provides an equal degree of safety as, or greater degree of safety than, these rules.~~

~~(2) Student training as part of the Firefighter 1 or 2 program must comply with certified trainer to student ratios according to the most current edition of NFPA 1403 as adopted in these rules.~~

~~This rule shall take effect on January 1, 2006.~~

Specific Authority 633.821(6), 633.45(2), 633.38, 633.808 FS. Law Implemented 633.821, 633.45(1) FS. History–New _____.

69A-37.404 Requirements for Live Fire Training for Certified Personnel.

(1) The Instructor in Charge (IIC) and the Safety Officer (SO) must each be certified as a Live Fire Training Instructor. Each IC and SO must be certified as an LFTI.

(2) No change.

(3) Any person operating a backup hoseline is not required to be any kind of a certified instructor or certified trainer shall be selected based on his or her experience and capabilities, but is not required to be a certified instructor.

(4) No change.

(5) Live fire training in any structure must include instruction of the student in planning for a secondary means of egress or escape in case of an unexpected fire condition change. Prior to live fire training drills, each firefighter must identify two means of egress or escape from each area. No fire room shall be used when there are not at least two separate means of egress or escape available. Prior to live fire training drills, each firefighter must identify two means of egress or escape from each area.

(6) The use of any room with limited access shall not be used for live fire training instruction. Live fire training in any structure must include instruction of the student in planning for a secondary means of egress or escape in case of an unexpected fire condition change. The use of any room with limited access shall not be used for live fire training instruction.

(7) No fire room shall be used when there are not at least two separate means of egress or escape available.

(8) through (9) renumbered (7) through (8) No change.

(8)(9) Emergency ventilation must be planned to limit fire spread and improve habitability in the event such action is necessary. Neither the primary nor secondary egress point is permitted to be used for normal room venting.

(10) through (12) renumbered (9) through (11) No change.

(13) Any person or agency conducting "search and rescue" types of training should limit their use of live fire. Realistic conditions can be simulated without the danger of live fire.

(14) through (15) renumbered (12) through (13) No change.

(14)(16) All internal crews and command staff shall have working two way radio communications with verified performance throughout the entire structure or hot zone prior to beginning any evolution. Operations shall be conducted on a dedicated radio channel that shall not be a channel used for dispatching or for any other use during live fire evolutions.

(15)(17) The "two-in - two-out" rule shall at all times be in effect during any live fire training.

(a) No change.

(b) The two-out personnel. Such person may each be assigned an additional role for the purpose of training fires that does not take him or her away from the immediate location or diminish his or her ability to immediately react; and such

~~additional~~ role may be in addition to those set forth in subsection 633.821(3), F.S., so long as it does ~~shall~~ not jeopardize the safety or health of anyone onsite by abandoning that other assignment.

(18) through (20) renumbered (16) through (18) No change.

This rule shall take effect on January 1, 2006.

Specific Authority 633.821(6), 633.45(2), 633.38, 633.808 FS. Law Implemented 633.821, 633.45(1) FS. History--New_____.

69A-37.405 Requirements for Live Fire Training During Recruit Training.

(1) ~~All requirements of Chapter 69A-37 F.A.C., must be met.~~

(1)(2) The initial exposure to live-fire conditions in recruit training must be under the strict supervision and control of the Instructor in Charge authorized person or persons in charge, with immediate egress capabilities available at ground level.

Renumbered subsection (3) as (2); otherwise, no change.

This rule shall take effect on January 1, 2006.

Specific Authority 633.821(6), 633.45(2), 633.38, 633.808 FS. Law Implemented 633.821, 633.45(1) FS. History--New_____.

69A-37.406 Certification Prerequisites for Live Fire Training Instructor Training.

(1) The Instructor I and Firefighter II certifications are prerequisites for taking the Live Fire Training Instructor certification examination Training.

(2) No change.

This rule shall take effect on January 1, 2006.

Specific Authority 633.821(6), 633.45(2), 633.38, 633.808 FS. Law Implemented 633.821, 633.45(1) FS. History--New_____.

69A-37.407 Live Fire Training Instructor Training.

(1) All Live Fire Training Instructor training must be completed by a certified Live Fire Training Instructor II conducted at a certified training center meeting the current requirements of Chapter 633, F.S., and Chapter 69A-37, F.A.C., inclusive of interior and exterior burn props. All training must be completed by a certified LFTI.

(2) Training to be a Live Fire Training Instructor will be provided by the Florida State Fire College, or by the agencies or institutions approved pursuant to the provisions of Sections 633.35(1) and 633.50, F.S., and Chapter 69A-37, F.A.C., inclusive of interior and exterior burn props. Training to be a Live Fire Trainer must be provided directly through the Florida State Fire College by a Live Fire Master Trainer.

(3) All Live Fire Training Instructor training must be completed by a certified Live Fire Training Instructor II under the direction of a Live Fire Master Trainer.

(4)(3) Qualification by local agency for fixed facility operation. The local agency utilizing fixed gas fired or ordinary combustible type training buildings shall require all

instructors to be trained and approved to operate said equipment in accordance with the manufacturer guidelines and local agency requirements.

~~This rule shall take effect on January 1, 2006.~~

Specific Authority 633.821(6), 633.45(2), 633.38, 633.808 FS. Law Implemented 633.821, 633.45(1) FS. History–New _____.

69A-37.408 Live Fire Training Instructor ~~Trainer~~ Certification and Renewal.

(1) No change.

(2) For triennial renewal, a person is required to complete the 8 hour LFTI ~~LFT~~ renewal course and each person seeking renewal must have participated as a primary instructor, IIC, or SO during the three year period on a fully compliant live fire training fire exercise.

(3) Any Live Fire Training Trainer must be conducted with a properly certified instructor employed by or as a volunteer of a fire department in compliance with Rule 69A-62.006, F.A.C., or a training center in compliance with Rule 69A-37.060, F.A.C. associated with a fire department pursuant to Chapter 69A-62, F.A.C. or certified training center pursuant to this chapter.

~~This rule shall take effect on January 1, 2006.~~

Specific Authority 633.821(6), 633.45(2), 633.38, 633.808 FS. Law Implemented 633.821, 633.45(1) FS. History–New _____.

69A-37.409 Instructor Certification Revocation.

Live Fire Training Instructor or Live Fire Training Instructor II LFMT, LFT, LFAT or LFTI Certification shall be revoked if:

(1) Any instructor certification renewal requirement is not met;

(2) Medical ~~Any medical~~ treatment for injured participants is not provided as a result of an omission in planning or if any participant is abandoned during any live fire exercise;

(3) No change.

(4) The instructor does not comply with, or knowingly does not enforce, any safety rule in Rule Chapters 69A-62 and 69A-60, F.A.C. Each established safety rule is not enforced;

(5) No change.

~~This rule shall take effect on January 1, 2006.~~

Specific Authority 633.821(6), 633.45(2), 633.38, 633.808 FS. Law Implemented 633.821, 633.45(1) FS. History–New _____.

DEPARTMENT OF FINANCIAL SERVICES

Division of Insurance Fraud

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
69D-2	Insurer Anti-fraud Investigative Units and Anti-fraud Plans
RULE NOS.:	RULE TITLES:
69D-2.001	Purpose and Scope
69D-2.002	Definitions

69D-2.003	Insurer SIUs
69D-2.004	Insurer Anti-Fraud Plans
69D-2.005	Compliance and Enforcement

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed Rules 69D-2.001, 69D-2.002, 69D-2.003, 69D-2.004, and 69D-2.005, F.A.C., in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 32, No. 16, April 21, 2006, of the Florida Administrative Weekly. These changes are being made to address concerns expressed by the Florida Insurance Council and the Joint Administrative Procedures Committee.

WHEN AMENDED THE PROPOSED RULE WILL READ AS FOLLOWS:

69D-2.001 Purpose and Scope.

The purpose of this rule chapter is to implement the provisions of Section 626.9891, F.S., establishing guidelines and reporting requirements for insurer anti-fraud investigative units and anti-fraud plans.

Specific Authority 624.308, 626.9891, 626.9891(8) FS. Law Implemented 624.307, 626.9891(8) FS. History–New _____.

69D-2.002 Definitions.

For the purposes of this rule:

(1) “Division” refers to the Department of Financial Services, Division of Insurance Fraud.

(2) “NAIC” refers to the National Association of Insurance Commissioners.

(3) “Office” refers to the Office of Insurance Regulation.

(4) “SIU” refers to an insurer’s internal or contracted anti-fraud investigative unit.

Specific Authority 624.308, 626.9891, 626.9891(8) FS. Law Implemented 624.307, 626.9891(8) FS. History–New _____.

69D-2.003 Insurer SIUs.

(1) An insurer subject to Section 626.9891(1), F.S., shall file with the Division a detailed description of their SIU, and shall submit the following information in the SIU description to satisfy this filing requirement:

(a) The names of all personnel assigned to the SIU, and a description of each person’s work responsibilities relating to the SIU’s anti-fraud efforts;

(b) An acknowledgment that the SIU has established criteria that will be used to detect suspicious or fraudulent activity during investigations relating to the different types of insurance offered by that insurer;

(c) An acknowledgment that the SIU has established criteria that will be used for the investigation of acts of suspected insurance fraud relating to the different types of insurance offered by that insurer.

(d) An acknowledgment that the insurer or SIU shall report all suspected fraudulent insurance acts directly to the Division electronically via Form DFS-L1-1691 (Eff. _____) "Suspected Fraud Referral Form," or an electronic reporting interface that is linked to such form, as provided on the Division's website at www.fldfs.com/fraud/. Form DFS-L1-1691 (Eff. _____) Suspected Fraud Referral Form is hereby adopted and incorporated by reference.

(e) An acknowledgment that all such reports of suspected insurance fraud shall contain information that clearly defines and supports the allegation of suspicious activity.

(f) An acknowledgement that the insurer or SIU shall record the date that suspected fraudulent activity is detected, and shall record the date that reports of such suspected insurance fraud are sent directly to the Division;

(g) An acknowledgement that the insurer or SIU shall provide training relating to the detection and investigation of fraudulent insurance acts for all personnel involved in anti-fraud related efforts.

(h) An acknowledgement that the insurer or SIU shall provide on-going training during the reporting period;

(i) The contact information including names, email addresses, and telephone numbers, for personnel designated by the insurer or SIU to be responsible for achieving and maintaining compliance with Section 626.9891(1), F.S., and this rule chapter;

(j) The insurer's NAIC individual and group code numbers;

(2) An insurer or SIU subject to Section 626.9891(1), F.S., and this rule chapter, shall submit this SIU description electronically via the Division's website at www.fldfs.com/fraud/. The SIU description shall be submitted electronically on Form DFS-L1-1689 (Eff. _____) "SIU Description Form" as provided on the Division's website at www.fldfs.com/fraud/. Form DFS-L1-1689 (Eff. _____) SIU Description Form is hereby adopted and incorporated by reference. The insurer's filing of the information required in subsection (1) above shall constitute an adequately detailed description of its SIU as required by Section 626.9891(1), F.S.

(3) Nothing in this rule shall require that an SIU utilize all established criteria in every circumstance.

(4) The filing of the information required herein is not intended to constitute a waiver of an insurer's privilege, trade secret, confidentiality or any proprietary interest in its SIU, its SIU description, or its SIU policies and procedures.

Specific Authority 624.308, 626.9891, 626.9891(8) FS. Law Implemented 624.307, 626.989, 626.9891(1) FS. History—New _____.

69D-2.004 Insurer Anti-Fraud Plans.

(1) An insurer subject to Section 626.9891(2), F.S., shall file with the Division of Insurance Fraud such anti-fraud plan, and such anti-fraud plan shall include:

(a) A written description or chart outlining the organizational arrangement of the insurer's anti-fraud personnel who are responsible for the investigation and reporting of possible fraudulent insurance acts.

(b) A description of the insurer's procedures for detecting and investigating possible fraudulent insurance acts. Nothing in this rule shall require that an insurer utilize all established criteria in every circumstance. This description shall include:

1. An acknowledgment that the insurer has established criteria that will be used to detect suspicious or fraudulent activity during investigations relating to the different types of insurance offered by that insurer;

2. An acknowledgment that the insurer has established criteria that will be used for the investigation of acts of suspected insurance fraud relating to the different types of insurance offered by that insurer.

(c) A description of the insurer's procedures for the mandatory reporting of possible fraudulent insurance acts to the Division pursuant to Section 626.989(6), F.S. This description shall include:

1. An explanation of the insurer's method for reporting all suspected fraudulent insurance acts directly to the Division electronically on Form DFS-L1-1691 as incorporated and provided for in paragraph 69D-2.003(1)(d), F.A.C.

2. An acknowledgment that all such reports of suspected insurance fraud shall contain information that clearly defines and supports the allegation of suspicious activity.

3. An acknowledgement that the insurer shall record the date that suspected fraudulent activity is detected, and shall record the date that reports of such suspected insurance fraud are sent directly to the Division.

(d) A description of the insurer's plan for anti-fraud education and training of its claims adjusters and any other personnel involved in anti-fraud related efforts. This description shall include:

1. A plan that involves training relating to the detection and investigation of fraudulent insurance acts for all employees involved in anti-fraud related efforts.

2. A plan that involves on-going training during the reporting period;

(e) The contact information, including names, e-mail addresses, and telephone numbers, for personnel designated by the insurer to be responsible for achieving and maintaining compliance with Section 626.9891(2), F.S., and this rule chapter;

(f) The insurer's NAIC individual and group code numbers;

(2) An insurer subject to Section 626.9891(2), F.S., and this rule chapter, shall submit this anti-fraud plan electronically via the Division's website at www.fldfs.com/fraud/. The anti-fraud plan shall be submitted electronically on Form DFS-L1-1690 (Eff. _____) "Anti-Fraud Plan Form as provided on the Division's website at www.fldfs.com/fraud/. Form

DFS-L1-1690 (Eff. _____) Anti-Fraud Plan Form is hereby adopted and incorporated by reference. The insurer’s filing of the information required in subsection (1) above shall constitute an acceptable anti-fraud plan as required by Section 626.9891(2), F.S.

(3) The filing of the information required herein is not intended to constitute a waiver of an insurer’s privilege, trade secret, confidentiality or any proprietary interest in its anti-fraud plan or its anti-fraud related policies and procedures.

Specific Authority 624.308, 626.9891 F.S. 626.9891(8), F.S. Law Implemented 624.307, 626.9891(2),(3) F.S. History–New _____.

69D-2.005 Compliance and Enforcement.

(1) The Division shall review the filings of SIU descriptions and insurer anti-fraud plans and the Office shall conduct audits pursuant to Section 624.3161, F.S., to determine compliance with Section 626.9891, F.S., and this rule chapter.

(2) If an insurer fails to timely file an anti-fraud plan or SIU description, fails to implement or follow the provisions of their anti-fraud plan or SIU description, or in any other way fails to comply with the requirements of Section 626.9891, F.S., and this rule chapter, the Office shall take appropriate administrative action as provided in Section 626.9891(7), F.S., and Section 624.4211, F.S.

Specific Authority 624.308, 626.9891, 626.9891(8) F.S. Law Implemented 624.307, 626.9891(7) F.S. History–New _____.

**Section IV
Emergency Rules**

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF THE LOTTERY

RULE NO.: RULE TITLE:
53ER06-41 Race for Cash Promotion

SUMMARY OF THE RULE: The Department of the Lottery will conduct a “Race for Cash” promotion between July 3, 2006 and August 27, 2006, in which cash prizes, free FLORIDA LOTTO™ tickets and race trips will be awarded.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER06-41 Race for Cash Promotion.

(1) Beginning July 3, 2006 through August 27, 2006, players who purchase a \$5-or-more FLORIDA LOTTO™, MEGA MONEY™, or FANTASY 5® ticket will have the opportunity to win Race for Cash prizes. The purchase of EZmatch does not count toward the \$5 ticket requirement. The total estimated number of prizes that will be awarded is:

- 50 – \$1,000 prizes
- 1,000 – \$100 prizes
- 15,000 – \$50 prizes
- 50,000 – \$25 prizes
- 100,000 – free FLORIDA LOTTO tickets
- 2,000,000 – Race for Cash Entry Vouchers

The actual number of prizes awarded and the odds of winning a prize in the Race for Cash promotion will depend upon the number of \$5-or-more FLORIDA LOTTO, MEGA MONEY, and FANTASY 5 tickets sold during the promotional period.

(2) A special ‘Vroom’ sound and an audio message that “you’re a winner” will play on the terminal when a FLORIDA LOTTO, MEGA MONEY, or FANTASY 5 ticket is produced that entitles the player to a Race for Cash prize. FLORIDA LOTTO, MEGA MONEY and FANTASY 5 tickets producing Cash Prize Coupons will contain a Lottery Prize Alert symbol and a message that the ticket holder is a winner of the applicable cash amount. Tickets producing Race for Cash Entry Vouchers will contain a message notifying the player of his or her entry into the Race for Cash drawing. A free FLORIDA LOTTO quick pick ticket for the next available drawing will print automatically after issuance of the corresponding winning ticket. Should any issues arise concerning the transaction and/or prize, it is the player’s responsibility to seek resolution of these issues with the retailer and the Lottery prior to leaving the retail location.

(3) Winners may redeem Cash Prize Coupons for \$25, \$50 or \$100 at any Florida Lottery retailer. To redeem a \$1,000 Cash Prize Coupon, winners must complete the back of the coupon and present it for payment at any Florida Lottery office or call (850)487-7777 [TDD (850)487-7784] for instructions on how to claim the Cash Prize Coupon by mail. The risk of mailing remains with the player. In the event of a dispute concerning the type or amount of a prize, the transaction serial number shall prevail and control.

(4) Winners must redeem Cash Prize Coupons by October 26, 2006.

(5) Cash Prize Coupons and Race for Cash Entry Vouchers shall be disqualified if any part is illegible, altered, mutilated, tampered with or duplicated. FLORIDA LOTTO, MEGA MONEY and FANTASY 5 tickets that win Race for Cash prizes cannot be cancelled.

(6) Race for Cash Drawings.

(a) Race for Cash Entry Vouchers will bear a unique ticket number. Each voucher will be entered into one bi-weekly random, computerized Pit Stop Drawing to be held as follows:

1. Entry voucher numbers issued between July 3 and July 16, 2006, will be entered into Pit Stop Drawing 1 on Wednesday, July 19, 2006;

2. Entry voucher numbers issued between July 17 and July 30, 2006, will be entered into Pit Stop Drawing 2 on Wednesday, August 2, 2006;

3. Entry voucher numbers issued between July 31 and August 13, 2006, will be entered into Pit Stop Drawing 3 on Wednesday, August 16, 2006;

4. Entry voucher numbers issued between August 14 and August 27, 2006, will be entered into Pit Stop Drawing 4 on Wednesday, August 30, 2006.

(b) Nineteen ticket numbers will be selected per Pit Stop Drawing. The first ticket number drawn will be entitled to a prize of \$100,000 cash. The remaining eighteen ticket numbers drawn will be entitled to a prize as follows:

1. The 2nd through 5th numbers drawn will be entitled to a Race Lover's Dream Package to the 2007 Daytona 500® at the Daytona International Speedway®, plus \$5,000 cash;

2. The 6th and 7th numbers drawn will be entitled to a Race Lover's Dream Package to the 2007 Aaron's 499™ at the Talladega Superspeedway® plus \$5,000 cash;

3. The 8th and 9th numbers drawn will be entitled to a Race Lover's Dream Package to the 2007 Dodge Charger 500™ at the Darlington Raceway®, plus \$5,000 cash;

4. The 10th and 11th numbers drawn will be entitled to a Race Lover's Dream Package to the 2007 Ford 400™ at the Homestead-Miami Speedway®, plus \$5,000 cash;

5. The 12th and 13th numbers drawn will be entitled to a pair of Grandstand tickets to the Busch Series Race at Daytona International Speedway, plus \$2,500 cash;

6. The 14th and 15th numbers drawn will be entitled to a pair of Grandstand tickets to the Busch Series Race at Talladega Superspeedway, plus \$2,500 cash;

7. The 16th and 17th numbers drawn will be entitled to a pair of Grandstand tickets to the Busch Series Race at Darlington Raceway, plus \$2,500 cash; and

8. The 18th and 19th numbers drawn will be entitled to a pair of Grandstand tickets to the Busch Series Race at Homestead-Miami Speedway, plus \$2,500 cash.

The 12th through 19th ticket numbers drawn will also serve as alternates, in the order drawn, for the 1st through 11th prizes.

(c) Each Race for Cash Entry Voucher will also be entered into the Grand Prize drawing that will be held on September 2, 2006. A total of ten ticket numbers will be drawn from all Entry Voucher numbers issued between July 3 and August 27, 2006. The first ticket number drawn will be entitled to \$500,000 cash; the second ticket number drawn will be entitled to the Ultimate Race-of-a-Lifetime package that includes all features of the Race Lover's Dream Package to all four Speedways, plus \$125,000 cash. The remaining eight voucher

numbers drawn will each be entitled to a prize of \$1,000 and will be alternates, in the order drawn, for the Grand Prize drawing prizes.

(d) A prizewinner possessing a winning Race for Cash Drawing Entry Voucher, including the alternate winners, must present the winning Voucher to a Florida Lottery office or call (850)487-7777 [TDD (850)487-7784]. Entry Vouchers are the only valid receipts to redeem Race for Cash Drawing prizes. Winners must claim their drawing prize within 180 days from the date of the drawing in which the prize was won. Failure of a prizewinner to file a claim for a voucher prize within 180 days from the date of the drawing shall result in forfeiture of the prize.

(e) If a Race for Cash Drawing Voucher bearing any of the first eleven ticket numbers drawn in each of the Pit Stop Drawings is not presented to a Lottery office for payment within 180 days from the date of the drawing, the winners of the 12th through 19th prizes in the same drawing will be used in the order in which they were drawn to select an alternate winner. The alternate winner will be awarded the cash difference between the original prize and the alternate prize and the Race Lover's prize package, if applicable. The original ticket prize won by the alternate winner will be used as a prize in another Race for Cash promotion.

(f) If a Voucher bearing a ticket number drawn in the Grand Prize Drawing is not presented to a Lottery office for payment within 180 days from the date of the drawing, the Lottery will attempt to notify, for a period of two weeks, the first alternate drawn and who filed a claim for the \$1,000 prize, who will be awarded the applicable Grand Prize. If the Lottery is unable to contact the first alternate, the Lottery will attempt to notify, for a period of two weeks, the second alternate drawn and who filed a claim for the \$1,000 prize. This process will continue until an alternate is contacted or the Lottery has exhausted the list of available alternates who filed a claim for the \$1,000 prize, in which case the Grand Prizes will not be awarded.

(g) In the event a player claims a prize for the Daytona 500® race after the 2007 race has taken place on February 18, 2007, the winner will receive a comparable prize package to the 2008 Daytona 500® race.

(7) Race for Cash Prizes.

(a) Race Lover's Dream Packages include:

1. 3-nights' hotel accommodations-room and tax only (one room double occupancy).

2. Pair of grandstand tickets for the Saturday Busch Series race.

3. Pair of grandstand tickets for the Sunday Nextel Cup Series race.

4. Pair of Pre-Race passes for Sunday (weather and schedule permitting) consisting of an exclusive VIP guided tour of infield track facilities during last minute pre-race setup activities, including Pit Row, garages and the Driver Introduction Ceremony.

5. Hospitality credentials at the Hospitality Tent.

6. Chartered motor coach shuttle between the hotel and racetrack.

(b) The Ultimate Race-of-a-Lifetime prize package includes all features of the Race Lover's Dream Packages for all four motor speedways plus:

1. One "Ultimate Riding Experience" – Sunday pre-race "Hot Lap" around the track with a race official for the winner only.

2. \$125,000 cash.

(c) Winners of the Race Lover's Dream Packages and the Ultimate Race-of-a-Lifetime prize package will be provided written instructions for making reservations. Reservations should be made at least 30 days prior to the race event. Hotel accommodations do not include incidentals, tips, telephone calls, or any other personal expenses. Prize packages do not include meals or travel expenses to or from the race location.

(8) General Details.

(a) Players must be at least 18 years of age. Persons prohibited by Section 24.116, Florida Statutes, from purchasing a Florida Lottery ticket are not eligible to win.

(b) All Race for Cash prizes are subject to the provisions of Chapter 24, Florida Statutes and rules promulgated thereunder.

(c) Race for Cash prizes will be paid in accordance with the procedures set forth in Rule 53ER06-4, F.A.C., or applicable replacement rule.

(d) All drawings shall be public and witnessed by an accountant employed by an independent certified public accounting firm who certifies that all drawing procedures have been followed.

(e) Winners possessing a Race for Cash Drawing Entry Voucher of a prize valued at \$600 or more must present the winning Voucher to a Florida Lottery office along with a completed Winner Claim Form DOL 173-2, or DOL 173-2S (together referred to as the "claim package"). Winner Claim Form DOL 173-2, Revised 9/05, and DOL 173-2S, Revised 9/05, are hereby incorporated by reference and may be obtained from any Lottery retailer, Lottery office or from the Lottery's web site at www.flalottery.com.

(f) Payment of all federal, state and/or local taxes on cash and race prizes will be the responsibility of the winner. Prizes of \$600 or more are reportable in accordance with the Internal Revenue Code and Code of Federal Regulations. Federal withholding taxes will apply to the \$100,000 and \$500,000 cash prizes and to the combined value of the race and cash

portions of the Race Lover's Dream Packages and the Ultimate Race-of-a-Lifetime prize package. Taxes will be deducted from the cash payment.

(g) A winner's right to a prize package is not assignable. Except for the cash portion of the prize, race packages and grandstand tickets are transferable to another person; however, the value of the prize package will remain taxable income to the winner.

(h) If a winner of a prize valued at \$600 or more is identified as owing an outstanding debt to a state agency, child support collected through a court, or spousal support or alimony as provided in subsection 24.115(4), Florida Statutes, in an amount less than the cash portion of the prize net of federal income tax withholding, the non-cash portion of the prize and the cash portion of the prize less tax withholding on the value of the prize package and the amount owed, shall be awarded. If the winner is identified as owing such a debt in an amount greater than the cash portion of the prize net of federal income tax withholding, the winner's entire cash portion of the prize less tax withholding on the value of the prize package will be applied toward the outstanding debt as provided in Section 24.115, Florida Statutes, and the winner will receive the remaining non-cash portion of the prize.

(i) Cash will not be awarded in lieu of Race for Cash prize packages, except that the Florida Lottery reserves the right, if necessary, due to unforeseen circumstances beyond the control of the Lottery, to award a cash prize in lieu of a Race for Cash prize package or an element of a Race for Cash prize package. In the event cash prizes are awarded, the cash prize amount shall be the fair market value of the prize package or element of the prize package shown on the rate card applicable on the date the prize was won. Applicable federal withholding tax shall be deducted from the cash prize at the time it is awarded.

(j) The Florida Lottery will post at www.flalottery.com a list of the Race for Cash winners of claimed prizes of \$1,000 or more, including the winners' cities and states of residence, following the conclusion of the promotion.

Specific Authority 24.105(9), 24.109(1) FS. Law Implemented 24.105(9), 24.115(1) FS. History—New 7-20-06, Replaces 53ER06-37.

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

EFFECTIVE DATE: July 20, 2006

DEPARTMENT OF THE LOTTERY

RULE NO.:
53ER06-42

RULE TITLE:
Reductions in Workforce, Changes in Organization, and Other Changes in Business Operations

SUMMARY OF THE RULE: This emergency rule replaces Rule 53ER03-36, F.A.C., and sets forth the procedures that the Florida Lottery shall apply to reductions in workforce, changes in organization and other changes in business operations.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER06-42 Reductions in Workforce, Changes in Organization, and Other Changes in Business Operations.

(1) Reductions in Workforce shall be conducted as follows:

(a) Positions Represented for Collective Bargaining – represented positions shall be identified for reduction in accordance with an Agreement to be negotiated by the Lottery and the collective bargaining representative (“Agreement”). A waiver of bargaining rights by the bargaining representative will cause the identification of positions for reduction to be processed under paragraph (1)(b).

(b) Positions Not Represented for Collective Bargaining – positions that are not represented for collective bargaining shall be identified for reduction solely by the Lottery.

(c) Benefits, if any, to be provided to employees in represented positions will be determined by Agreement between the Lottery and the collective bargaining representative. A waiver of bargaining rights by the bargaining representative will cause the Lottery to solely determine the benefits to be provided, if any. The Lottery shall provide the benefits as determined in the Agreement or, in the event of a waiver of bargaining rights, as determined by the Lottery, to both collective bargaining unit employees and non-collective bargaining unit employees. The Lottery reserves the right to provide additional benefits not specifically addressed in the Agreement.

(2) When an organizational change or other change in Lottery business operations results in the incumbent of an established position being separated from employment, the Lottery is authorized to provide separation benefits to the adversely affected employee in the same manner as provided in paragraph (1)(c).

Specific Authority 24.105(19)(d), 24.109(1) FS. Law Implemented 24.105(19)(d) FS. History—New 7-25-06, Replaces 53ER03-36, F.A.C.

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

EFFECTIVE DATE: July 25, 2006

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

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

DEPARTMENT OF LAW ENFORCEMENT

Notice is hereby given that the Officer Professionalism Program, Florida Department of Law Enforcement has received from the Monroe County Sheriff’s Office on July 24, 2006, a petition for Waiver of subsection 11B-27.00212(15), F.A.C., pursuant to Section 120.542, F.S. Petitioner has requested that the Department waive the requirement that a firing range accommodate shooting from 15 yards. Petitioner has petitioned that the CJSTC waive the rule and allow for shooting reduced targets at shorter distances inside a shooting trailer.

Comments on this Petition should be filed with the: Office of General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, Florida 32302, Attention: Assistant General Counsel, Grace A. Jaye.

A copy of the Petition may be obtained by contacting: Assistant General Counsel, Grace A. Jaye, at the above address, or by calling (850)410-7676.

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

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

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN that on July 21, 2006, South Florida Water Management District (District) received a petition for waiver from Collier County Board of County Commissioners, Application Number 06-0524-3M for issuance of a Modification to Right of Way Occupancy Permit Number 12402 for utilization of Works or Lands of the District known as the Airport Road Canal, Collier County, to allow the proposed installation of a free-span 36" water main crossing the Airport Road Canal west of the Golden Gate Parkway (C.R. 886) culvert bridge in Sections 25 and 26, Township 49 South, Range 25 East. The petition seeks relief from paragraph 40E-6.221(2)(j), Fla. Admin. Code, which governs the

minimum vertical clearance requirement of 8' above the Design Water Surface Elevation of pile-supported utility crossings bridges 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.

NOTICE IS HEREBY GIVEN that on July 24, 2006, South Florida Water Management District (District) received a petition for waiver from Collier County Board of County Commissioners, Application Number 06-0227-2 for issuance of a Right of Way Occupancy Permit for utilization of Works or Lands of the District known as the Golden Gate Main Canal, Collier County, to allow the proposed widening of the existing pile-supported Santa Barbara Boulevard Bridge crossing the Golden Gate Main Canal located approximately 2 miles west of the County Road 951 Bridge in Sections 28 and 29, Township 49 South, Range 26 East. The petition seeks relief from paragraph 40E-6.221(2)(j), Fla. Admin. Code, which governs the minimum vertical clearance requirement of 4' above the Design Water Surface Elevation of pile-supported vehicular bridges 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 July 3, 2006, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsections 61C-4.0101(1), and 61C-4.010(6), Florida Administrative Code, from Eduardo Herrera Catering 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: Xenia Bailey, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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

NOTICE IS HEREBY GIVEN that on July 18, 2006, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.0101(1), and 61C-4.010(6), Florida Administrative Code, from Milene's Catering 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:

Xenia Bailey
Division of Hotels and Restaurants
1940 North Monroe Street
Tallahassee, Florida 32399-1013

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

NOTICE IS HEREBY GIVEN that on July 12, 2006, the Division of Hotels and Restaurants received a Petition for Emergency Variance for paragraph 61C-1.004(2)(a), Florida Administrative Code, from Angel and Frog Catering located in West Palm Beach. The above F.A.C. states that public access to toilet facilities shall not be permitted through food preparation, storage, or warewashing areas. They are requesting a variance to not add an additional bathroom facility for customer access, instead use an adjacent establishment's bathroom facility.

A copy of the Petition can be obtained from:

Xenia Bailey
Division of Hotels and Restaurants
1940 North Monroe Street
Tallahassee, Florida 32399-1013

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

The Board of Clinical Social Work, Marriage And Family Therapy And Mental Health Counseling hereby gives notice of the issuance of an Order regarding the Petition for Variance for Barry Blood, Mental Health Counselor Applicant. The Notice of Petition for Variance was published in Vol. 32, No. 24, of the June 16, 2006, F.A.W. The Board considered the Petition at a duly-noticed public meeting, via telephone conference, call held on June 20, 2006.

The Board's Order, filed on July 7, 2006, denies the Petition for Variance or Waiver, finding that Petitioner was in substantial compliance with Section 120.542, F.S., and Chapter 28-104, F.A.C. The Board determined that Petitioner did not demonstrate that application of paragraph 64B4-3.003(3)(b), F.A.C., would present a substantial hardship to the Petitioner or that the application of that rule violates the principles of fairness with regard to Petitioner. The Board determined that a waiver of the rule would not serve the purposes of the underlying statute.

A copy of the Board's Order may be obtained by contacting: Susan Foster, Executive Director, Board of Clinical Social Work, Marriage And Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

The Board of Clinical Social Work, Marriage And Family Therapy And Mental Health Counseling hereby gives notice of the issuance of an Order regarding the Petition for Variance for Julio Sterling, Mental Health Counselor Applicant. The Notice of Petition for Variance was published in Vol. 32, No. 24, of the June 16, 2006, F.A.W. The Board considered the Petition at a duly-noticed public meeting, via telephone conference, call held on June 20, 2006.

The Board's Order, filed on July 7, 2006, denies the Petition for Variance or Waiver, finding that Petitioner was in substantial compliance with Section 120.542, F.S., and Chapter 28-104, F.A.C. The Board determined that Petitioner did not demonstrate that application of paragraph 64B4-3.003(3)(b), F.A.C., would present a substantial hardship to the Petitioner or that the application of that rule violates the principles of fairness with regard to Petitioner. The Board determined that a waiver of the rule would not serve the purposes of the underlying statute.

A copy of the Board's Order may be obtained by contacting: Susan Foster, Executive Director, Board of Clinical Social Work, Marriage And Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

Section VI**Notices of Meetings, Workshops and Public Hearings****DEPARTMENT OF STATE**

The **Department of State** announces a public meeting of the Florida State Historical Records Advisory Board which all interested persons are invited.

DATE AND TIME: August 24, 2006, 9:00 a.m. – 10:00 a.m.

PLACE: State Records Center, 4319 Shelfer Road, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The State Historical Records Advisory Board will discuss any updates to the Boards Re-grant Program, Status of the National Historical Publications and Records Commission (NHPRC) funding, and the Board's Long Range Strategic Plan.

For further information contact: Mr. Jim Berberich, Coordinator, Florida State Historical Records Advisory Board, Department of State, State Library and Archives of Florida, R. A. Gray Building, Tallahassee, Florida 32399-0250, (850)245-6750, Suncom 205-6750.

Pursuant to Section 286.26, Florida Statutes, any persons requiring special accommodations due to a disability or physical impairment should contact the agency at least 48 hours prior to the meeting in order to request any special assistance.

The **Department of State, Division of Cultural Affairs**, announces grant panel meetings, to which all persons are invited. This meeting is subject to cancellation or change, please call to confirm the meeting date and time.

DATE AND TIME: August 10, 2006, 10:00 a.m. – Conclusion

PLACE: Via conference call. R. A. Gray Building, Room 307, 500 South Bronough Street, Tallahassee, Florida 32399-0250

GENERAL SUBJECT MATTER TO BE CONSIDERED: Panel to review: East Coast Zoological Society of Florida, Inc. d/b/a Brevard Zoo Grant Application #07-7013.

For more information, please contact: Sarah Stage or D. Scott Moore, Division of Cultural Affairs, R. A. Gray Building, 3rd Floor, 500 South Bronough Street, Tallahassee, Florida 32399, (850)245-6470, or (850)245-6356.

Should any person wish to appeal any decision made with respect to any matter considered at the above-referenced meeting, he/she may need to ensure a verbatim recording of the proceedings in order to provide a record for judicial review.

To request special aids or services, contact Division staff, at least 72 hours prior to the above stated schedule at (850)245-6356 or Text Telephone 711.

DEPARTMENT OF LEGAL AFFAIRS

The **Florida Commission on the Status of Women** will hold telephone conference calls to which all interested persons are invited.

Legislative Committee

DATE AND TIME: August 8, 2006, 10:00 a.m.

Awards and Recognition Task Force

DATE AND TIME: August 8, 2006, 11:00 a.m.

Annual Report Committee

DATE AND TIME: August 9, 2006, 10:00 a.m.

Finance and Budget Committee

DATE AND TIME: August 10, 2006, 10:00 a.m.

Florida Women's Hall of Fame Committee

DATE AND TIME: August 16, 2006, 10:00 a.m.

Executive Committee

DATE AND TIME: August 17, 2006, 10:00 a.m.

Public Outreach Task Force

DATE AND TIME: August 23, 2006, 10:00 a.m.

Florida Commission on the Status of Women Foundation

DATE AND TIME: August 24, 2006, 11:00 a.m.

Florida Commission on the Status of Women: Full Commission Meeting

DATE AND TIME: August 17, 2006, 11:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion on general issues.

NOTE: In the absence of quorum, items on this agenda will be discussed as workshop, and notes will be recorded although no formal action will be taken. If you have any questions, please call (850)414-3300.

If you need accommodation due to a disability, please notify the Florida Commission on the Status of Women at the Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Florida Agriculture in the Classroom, Inc.**, Board of Directors will hold its annual retreat.

PLANNING MEETING

DATE AND TIME: Thursday, August 17, 2006, 9:00 a.m. – 11:00 a.m.

PLACE: The Hilton Cocoa Beach, 1550 N. Atlantic Ave., Cocoa Beach, FL 32931

BOARD OF DIRECTORS' MEETING

DATE AND TIME: Friday, August 18, 2006, 1:00 p.m. – 4:00 p.m.

PLACE: The Hilton Cocoa Beach, 1550 N. Atlantic Ave., Cocoa Beach, FL 32931

The Florida **Department of Agriculture and Consumer Services, Division of Forestry**, announces a meeting of the Florida Forestry Council which is open to all interested persons.

DATE AND TIME: Tuesday, September 5, 2006, 1:00 p.m. (CST)

PLACE: The Camelia I Room of the Baytowne Conference Center, Village of Baytowne Wharf, Sandestin, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Updates on Division of Forestry Programs.

A copy of the agenda may be obtained by contacting: Michael C. Long, Director, Division of Forestry, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650, (850)488-4274.

DEPARTMENT OF EDUCATION

The **Department of Education, Division of Blind Services'**, Business Enterprises Program announces a Grievance Board meeting, all persons are invited.

DATE AND TIME: August 11, 2006, 1:30 p.m. – until all business is concluded

PLACE: The Division of Blind Services, District Office, Conference Room, 415 S. Armenia Avenue, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review selection decision for business opportunities announced in April 2006, for Facility #436 at the I-4 East Bound Rest Area near Longwood.

The public is invited to a meeting of the **State Board of Education**.

DATE AND TIME: August 15, 2006, 8:30 a.m.

PLACE: Miami Dade College, Miami, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting agenda will consist of the approval of minutes of the meetings held June 20, 2006, and July 17, 2006, and updates on various reports and status of education initiatives by the Chairman and Commissioner. Among the items to be presented for the Board's consideration are: Approval of the Implementation Plans for Dropout Prevention, Approval of Repeating F School Implementation Plans, Approval of the Implementation Plan for A++, and Approval of Reading and Language Arts Standards.

A copy of the final agenda may be obtained from the Department of Education's website at <http://www.fldoe.org>.

Persons with disabilities who require assistance to participate in the meeting are requested to notify the Office of Equity and Access, (850)245-9531 (Voice), at least 7 days in advance, so that their needs can be accommodated.

The **Gulf Coast Community College**, Presidential Search Committee will hold a Public Hearing as follows: Contact person for the meeting: Wanda Luckie, Coordinator, Institutional Effectiveness.

DATE AND TIME: August 3, 2006, 4:00 p.m. (CST)

PLACE: Jules Sarzin Lecture Hall, Russell C. Holley and Herbert P. Holley Language and Literature Building

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive public input regarding the qualities the college should seek in its next president.

The **Gulf Coast Community College**, District Board of Trustees will hold its Monthly meeting as follows: Contact person for the meeting is Dr. Robert L. McSpadden, President.

DATE AND TIME: August 10, 2006, 10:00 a.m. (CST)

PLACE: Third Floor Seminar room, Student Union West

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting.

DEPARTMENT OF COMMUNITY AFFAIRS

The **Department of Community Affairs** announces a public hearing to which all interested parties are invited.

DATE AND TIME: August 15, 2006, 10:00 a.m.

PLACE: Jefferson County Library Meeting Room, 375 South Water Street, Monticello, Florida 32344

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department of Community Affairs (DCA) is seeking public or nonprofit entities to administer the Weatherization Assistance Program (WAP) and the Weatherization-Low Income Home Energy Assistance Program (WAP-LIHEAP) in Jefferson County. Entities interested in contracting with DCA to provide these services should be present at this public hearing in order to be informed of the qualifications and application requirements. Selection of an entity will be based on the entity's experience and performance in weatherization or housing renovation activities, and in assisting low-income persons in the area to be served, and the entity's capacity to undertake a timely and effective weatherization program. Preference will be given to any Community Action Agency or other public or nonprofit entity which has, or is currently administering an effective DCA funded Weatherization Assistance Program. The following qualities will be reviewed: (1) the extent to which the past or current program achieved or is achieving weatherization goals in a timely fashion; (2) the quality of work performed by the entity; (3) the number, qualifications, and experience of the staff members of the entity; (4) the ability of the entity to secure volunteers, train

participants and public service employment workers; and (5) maintain compliance with administration and financial management requirements.

ACTIONS TO BE TAKEN: The DCA will review all submitted applications, and make a decision regarding each entity's eligibility to provide Weatherization Assistance Program services to Jefferson County. Recommendations will then be prepared by the Department staff for the selected entity for subsequent consideration and approval or disapproval by the Department's Secretary.

ADDITIONAL INFORMATION: Requests for additional information or questions may be addressed to: Norm Gempel, Manager, Florida Department of Community Affairs, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-7541, or Fax (850)488-2488.

APPEALS INFORMATION: If a person decides to appeal any decision of the Department of Community Affairs with respect to any matter considered at this public hearing, he or she will need a formal record of the proceeding, and for such purposes he or she may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

Anyone who wants a copy of the agenda or additional information on this hearing may write or call: Mr. Norm Gempel, Manager, Department of Community Affairs, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-7541, or Fax (850)488-2488.

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Department of Community Affairs, (850)488-7541, at least five (5) calendar days prior to the hearing. 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) and 1(800)955-8771 (TDD).

The **Department of Community Affairs** announces a public hearing to which all interested parties are invited.

DATE AND TIME: August 16, 2006, 10:00 a.m.

PLACE: Indian River County Administrative Building, 2nd Floor, Conference Room, 1840 25th Street, Vero Beach, Florida 32960

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department of Community Affairs (DCA) is seeking public or nonprofit entities to administer the Weatherization Assistance Program (WAP) and the Weatherization-Low Income Home Energy Assistance Program (WAP-LIHEAP) in Indian River County. Entities interested in contracting with DCA to provide these services should be present at this public hearing in order to be informed of the qualifications and application requirements. Selection of an entity will be based on the

entity's experience and performance in weatherization or housing renovation activities, and in assisting low-income persons in the area to be served, and the entity's capacity to undertake a timely and effective weatherization program. Preference will be given to any Community Action Agency or other public or nonprofit entity which has, or is currently administering an effective DCA funded Weatherization Assistance Program. The following qualities will be reviewed: (1) the extent to which the past or current program achieved or is achieving weatherization goals in a timely fashion; (2) the quality of work performed by the entity; (3) the number, qualifications, and experience of the staff members of the entity; (4) the ability of the entity to secure volunteers, train participants and public service employment workers; and (5) maintain compliance with administration and financial management requirements.

ACTIONS TO BE TAKEN: The DCA will review all submitted applications, and make a decision regarding each entity's eligibility to provide Weatherization Assistance Program services to Indian River County. Recommendations will then be prepared by the Department staff for the selected entity for subsequent consideration and approval or disapproval by the Department's Secretary.

ADDITIONAL INFORMATION: Requests for additional information or questions may be addressed to: Norm Gempel, Manager, Florida Department of Community Affairs, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-7541, or Fax (850)488-2488.

APPEALS INFORMATION: If a person decides to appeal any decision of the Department of Community Affairs with respect to any matter considered at this public hearing, he or she will need a formal record of the proceeding, and for such purposes he or she may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

Anyone who wants a copy of the agenda or additional information on this hearing may write or call: Mr. Norm Gempel, Manager, Department of Community Affairs, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-7541, or Fax (850)488-2488.

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the: Department of Community Affairs, (850)488-7541, at least five (5) calendar days prior to the hearing. 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) and 1(800)955-8771 (TDD).

The **Department of Community Affairs** announces a public hearing to which all interested parties are invited.

DATE AND TIME: August 17, 2006, 10:00 a.m.

PLACE: Room 104, Building 2, Government Complex, 2796 Overseas Highway, Marathon, Florida 33050

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department of Community Affairs (DCA) is seeking public or nonprofit entities to administer the Weatherization Assistance Program (WAP) and the Weatherization-Low Income Home Energy Assistance Program (WAP-LIHEAP) in Monroe County. Entities interested in contracting with DCA to provide these services should be present at this public hearing in order to be informed of the qualifications and application requirements. Selection of an entity will be based on the entity's experience and performance in weatherization or housing renovation activities, and in assisting low-income persons in the area to be served, and the entity's capacity to undertake a timely and effective weatherization program. Preference will be given to any Community Action Agency or other public or nonprofit entity which has, or is currently administering an effective DCA funded Weatherization Assistance Program. The following qualities will be reviewed: (1) the extent to which the past or current program achieved or is achieving weatherization goals in a timely fashion; (2) the quality of work performed by the entity; (3) the number, qualifications, and experience of the staff members of the entity; (4) the ability of the entity to secure volunteers, train participants and public service employment workers; and (5) maintain compliance with administration and financial management requirements.

ACTIONS TO BE TAKEN: The DCA will review all submitted applications, and make a decision regarding each entity's eligibility to provide Weatherization Assistance Program services to Monroe County. Recommendations will then be prepared by the Department staff for the selected entity for subsequent consideration and approval or disapproval by the Department's Secretary.

ADDITIONAL INFORMATION: Requests for additional information or questions may be addressed to: Norm Gempel, Manager, Florida Department of Community Affairs, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-7541, or Fax (850)488-2488.

APPEALS INFORMATION: If a person decides to appeal any decision of the Department of Community Affairs with respect to any matter considered at this public hearing, he or she will need a formal record of the proceeding, and for such purposes he or she may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

Anyone who wants a copy of the agenda or additional information on this hearing may write or call: Mr. Norm Gempel, Manager, Department of Community Affairs,

Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-7541, or Fax (850)488-2488.

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Department of Community Affairs, (850)488-7541, at least five (5) calendar days prior to the hearing. 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) and 1(800)955-8771 (TDD).

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

STATE BOARD OF ADMINISTRATION

The **State Board of Administration** of Florida (SBA) has solicited competitive responses from parties interested in offering total fund risk model services to the SBA. A meeting will be held on August 16, 2006, to select one or more vendor(s) to provide total fund risk model services to the SBA pending successful contract negotiations. The meeting is open to the public and shall take place at the time and location shown below:

DATE AND TIME: August 16, 2006, 9:00 a.m. (EDT) – continue until the meeting is concluded

PLACE: The Emerald Coast Room, Hermitage Centre, 1801 Hermitage Blvd., Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: To make final selection of one or more vendor(s) to provide total fund risk model services to the SBA pending successful contract negotiations.

Any person requiring special accommodations to participate in any meeting is asked to advise: Pam Noda, State Board of Administration, P. O. Box 13300, Tallahassee, FL 32317-3300, (850)413-1381, at least five (5) calendar days before the meeting.

The **State Board of Administration** (SBA) announces a public meeting of the Audit Committee to which all persons are invited.

DATE AND TIME: Tuesday, August 22, 2006, 9:00 a.m. – until conclusion

PLACE: The Hermitage Centre, Hermitage Room, Plaza Level, 1801 Hermitage Boulevard, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled quarterly meeting of the Audit Committee.

If you would like to have a copy of the agenda, please contact: Benita Dyes, State Board of Administration of Florida, 1801 Hermitage Boulevard, Tallahassee, FL 32308, or call (850)413-1248.

In compliance with the Americans with Disabilities Act, anyone needing special accommodations to attend the meeting is requested to call: James Linn, (850)413-1166, at least five (5) days prior to the meeting so that appropriate arrangements can be made.

FLORIDA PAROLE COMMISSION

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 16, 2006, 9:00 a.m.

PLACE: Florida Parole Commission, 2601 Blair Stone Road, Bldg. C, 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: Florida Parole Commission, 2601 Blair Stone Road, Building C, Tallahassee, Florida 32399-2450.

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.

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, August 17, 2006, 9:00 a.m.

PLACE: 2601 Blair Stone Road, Building C, Tallahassee, FL 32399-2450, Attention: Frederick B. Dunphy, Commissioner.

If you need an accommodation in order to participate in this process, please notify the Commission in advance.

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces that a series of Bond Team meetings will be held in the following docket:

DOCKET NO. 060038-EI – Petition for issuance of a storm recovery financing order, by Florida Power & Light Company.

DATES AND TIMES: Wednesday, July 26, 2006, 2:00 p.m.; 1:00 p.m., each Wednesday thereafter, unless otherwise provided by notice.

PLACE: Florida Public Service Commission, Gerald L. Gunter Building, Room 382-D, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will be the first in a series of Bond Team meetings to be conducted on a regular, weekly basis. The purpose of these meetings is to allow members of the Bond Team, as established through the Financing Order issued in this docket, to work cooperatively to establish the structuring, marketing, and pricing of storm-recovery bonds. As set forth in the Financing Order, a designated Commissioner is permitted to participate, at his discretion, as a member of the Bond Team. Thus, the designated Commissioner may be present at any one or all of these meetings.

Unless otherwise provided by notice, subsequent meetings in this series will be conducted on a regular, weekly basis each Wednesday afternoon, beginning on the date shown above, at 1:00 p.m., at the location set forth above. It is not known at this time when this series of meetings will terminate; this series of meetings will be conducted until such time as storm-recovery bonds have been issued or until the Bond Team determines that such meetings are no longer necessary. Notice will be provided when it is known that this series of meetings will be terminated. Due to time constraints inherent in the process of structuring, marketing, and pricing these bonds, supplemental meetings might be needed and scheduled on an expedited basis. Notice of such supplemental meetings, if any are scheduled, will be provided by reasonable means.

EXECUTIVE OFFICE OF THE GOVERNOR

The **Governor's Ex-offender Task Force** members, announces a meeting to which all interested persons are invited.

DATE AND TIME: August 24, 2006, 9:00 a.m. – 5:00 p.m. or completion of discussions

PLACE: 1830 Main Street, Jacksonville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting with Kevin Gay and others will involve recidivism and re-entry summits.

The **Property Tax Reform Committee**, as established by Executive Order number 06-141, announces a public meeting to which all persons are invited.

DATE AND TIME: August 15, 2006, 1:00 p.m. – 4:30 p.m.

PLACE: Room 37, Senate Office Building, 404 South Monroe Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida property tax concepts and structure; ongoing related research; committee work plan.

A copy of the agenda may be obtained by contacting: Nola Daughtry, (850)488-7810 or nola.daughtry@laspbs.state.fl.us.

REGIONAL PLANNING COUNCILS

The **West Florida Regional Planning Council** announces an open house and public meeting to which all persons are invited.

DATE AND TIMES: August 21, 2006, 2:00 p.m., Panama City Office Open House; 4:00 p.m., WFRPC Council Meeting

PLACE: WFRPC Panama City Office, 651 W. 14th Street, Suite E, Panama City, FL 32401

GENERAL SUBJECT MATTER TO BE CONSIDERED: Open House and to conduct general business of the West Florida Regional Planning Council.

A copy of the Agenda may be obtained by contacting: Terry Joseph, Executive Director, West Florida Regional Planning Council, P. O. Box 9759, Pensacola, Florida 32513-9759.

The **North Central Florida Regional Planning Council** announces the following meetings to which all persons are invited.

MEETING: North Central Florida (District 3) Local Emergency Planning Committee

DATE AND TIME: August 18, 2006, 9:30 a.m.

PLACE: Alachua Regional Service Center, 14101 U.S. Highway 441, Suite 100, Alachua, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the North Central Florida Local Emergency Planning Committee.

MEETING: North Central Florida Regional Hazardous Materials Response Team Policy Board

DATE AND TIME: August 18, 2006, 1:15 p.m.

PLACE: North Central Florida Regional Planning Council Office, 2009 N. W. 67 Place, Gainesville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Regional Hazardous Materials Response Team Policy Board.

Any persons deciding to appeal any decision with respect to any matter considered at the meetings may need 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.

Copies of agendas may be obtained by contacting: Charles F. Justice, Executive Director, North Central Florida Regional Planning Council, 2009 N. W. 67th Place, Gainesville, FL 32653.

Persons with disabilities who need assistance may contact us at (352)955-2200, at least two business days in advance to make appropriate arrangements.

The **Withlacoochee Regional Planning Council** announces a public meeting of its Board of Directors to which all persons are invited.

DATE AND TIME: Thursday, August 17, 2006, 7:00 p.m.

PLACE: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34474-2798

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Council.

A copy of the agenda may be obtained by writing: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34474-2798.

Affected persons are advised that it may be necessary for them to ensure that a verbatim record of the meeting is made, including the testimony and evidence upon which the appeal is to be based.

The **Southwest Florida Regional Planning Council** announces a public hearing to which all persons are invited.

DATE AND TIME: August 17, 2006, 9:00 a.m.

PLACE: Southwest Florida Regional Planning Council, 1st Floor, Conference Room, 1926 Victoria Avenue, Fort Myers, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Board meeting of the Regional Planning Council.

A copy of the proposed agenda may be obtained by either contacting: The SWFRPC, (239)338-2550, or on their website www.swfrpc.org

Please note that if a person decides to appeal any decision made by the Council 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, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

All Council Subcommittee meetings will meet either immediately prior or following the Council meeting unless otherwise advertised.

Any person requiring special accommodation due to disability or physical impairment should contact: Mr. David Burr, (239)338-2550, at least five calendar days prior to the meeting. Persons who are hearing impaired should contact Mr. Burr using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida District X, **Local Emergency Planning Committee** announces the following meeting to which all persons are invited.

DATE AND TIME: August 3, 2006, 10:00 a.m.

PLACE: Wolf High – Technology Center, Indian River Community College Chastain Campus, 2400 SE Salerno Road, Stuart, FL 34997

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida District X, Local Emergency Planning Committee.

A copy of the Agenda may be obtained by contacting: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, Florida 34994.

If a person decides to appeal any decision made by the Treasure Coast Regional Planning Council with respect to any matter considered at such meeting or hearing, he or she will need a record of proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

Any persons needing special accommodations at this meeting because of a disability or physical impairment should contact Liz Gulick, (772)221-4060, at least 48 hours before the meeting.

WATER MANAGEMENT DISTRICTS

The **Northwest Florida Water Management District** announces the following public workshop to which all persons are invited.

DATE AND TIME: Wednesday, August 16, 2006, 5:30 p.m. – 7:00 p.m. (CDT)

PLACE: University of West Florida, Fort Walton Beach Campus, Auditorium, 1170 Martin Luther King, Jr. Boulevard, Fort Walton Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public workshop on the District's 2006 Draft Regional Water Supply Plan Update for Santa Rosa, Okaloosa, and Walton Counties.

For more information on the workshop agenda and the 2006 Draft Regional Water Supply Plan Update, contact: Mr. Paul Thorpe, Northwest Florida Water Management District, 81 Water Management Drive, Havana, Florida 32333-9700, (850)539-5999.

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 District at least 72 hours prior to the meeting by contacting: Maria Culbertson, (850)539-5999.

The **Southwest Florida Water Management District** (SWFWMD) announces the following ceremony and public meetings to which all interested persons are invited.

NATURE'S CLASSROOM RIBBON CUTTING CEREMONY

DATE AND TIME: Tuesday, August 15, 2006, 9:00 a.m.

PLACE: Nature's Classroom, 11301 Verges Road, Thonotosassa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Ribbon cutting ceremony for the Interpretive Center and the Welcome Center.

HILLSBOROUGH RIVER BASIN BOARD MEETING

DATE AND TIME: Tuesday, August 15, 2006, 1:00 p.m.
(NOTE: This is a change from the published calendar)

PLACE: Tampa Service Office, 7601 U.S. 301, North, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consider Basin business including adoption of the Fiscal Year 2007 final millage and budget.

PINELLAS-ANCLOTE RIVER BASIN BOARD MEETING

DATE AND TIME: Wednesday, August 16, 2006, 9:00 a.m.

PLACE: Indian Rocks Beach City, Auditorium, 1507 Bay Palm Boulevard, Indian Rocks Beach, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consider Basin business including adoption of the Fiscal Year 2007 final millage and budget.

WEEDON ISLAND WATERSHED WORKSHOP

DATES AND TIME: Thursday, August 17, 2006; Friday, August 18, 2006, 8:30 a.m.

PLACE: Weedon Island Preserve Cultural and Natural History Center, 1800 Weedon Drive, N.E., St. Petersburg, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Provide information on hydrologic challenges that face the Tampa Bay watershed.

These are public meetings; agendas are available by contacting: the Southwest Florida Water Management District, Executive Department, 2379 Broad Street, Brooksville, FL.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should contact 1(800)423-1476 (Florida only), extension 4606, TDD only 1(800)231-6103 (Florida only), Fax (352)754-6874.

The **Southwest Florida Water Management District** announces a public meeting, hearing or workshop to which all persons are invited.

GREEN INDUSTRY ADVISORY COMMITTEE

DATE AND TIME: Thursday, August 17, 2006, 9:30 a.m.

PLACE: Tampa Service Office, 7601 Highway 301, North, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct Committee Business.

Some members of the District's Governing and Basin Boards may attend the meetings.

A copy of the agenda may be obtained by writing: Southwest Florida Water Management District, 2379 Broad Street (U.S. 41 South), Brooksville, Florida 34604 or by calling the Southwest Florida Water Management District, (352)796-7211, extension 4402 or 1(800)423-1476, extension

4402 or Suncom 628-4150. If you are hearing or speech impaired, please contact the District by calling TDD only 1(800)231-6103.

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 calling (352)796-7211, extension 4402; 1(800)423-1476, extension 4402; or Suncom 628-4150. If you are hearing or speech impaired, please contact the District by calling TDD only 1(800)231-6103.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited.

DATE AND TIME: Thursday, August 10, 2006, 5:30 p.m. – 7:30 p.m.

PLACE: Ft. Myers Service Center, 2301 McGregor Blvd., Ft. Myers, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: WRAC/ACCELER8 Issues Workshop, C-43 Storage Reservoir Preliminary Design.

A copy of the agenda may be obtained by writing: South Florida Water Management District, Mail Stop 1131, 3301 Gun Club Road, West Palm Beach, Florida 33406, or at our website <http://my.sfwmd.gov/wrac>

Persons with disabilities who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact Rick Smith, (561)682-6517 or Renee DeSantis, (561)682-5520.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited.

DATE AND TIME: Monday, August 14, 2006, 5:30 p.m. – 7:30 p.m.

PLACE: SFWMD, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: WRAC/ACCELER8 Issues Workshop, EAA Reservoir Structures, Preliminary Design.

A copy of the agenda may be obtained by writing: South Florida Water Management District, Mail Stop 1131, 3301 Gun Club Road, West Palm Beach, Florida 33406, or at our website <http://my.sfwmd.gov/wrac>

Persons with disabilities who need assistance may contact: District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact Rick Smith, (561)682-6517 or Renee DeSantis, (561)682-5520.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited.

DATE AND TIME: Thursday, August 17, 2006, 5:30 p.m. – 7:30 p.m.

PLACE: Golden Gate Community Center, 4701 Golden Gate Parkway, Naples, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: WRAC/ACCELER8 Issues Workshop Picayune Strand Canals and Levees Basics of Design Report (BODR).

A copy of the agenda may be obtained by writing: South Florida Water Management District, Mail Stop 1131, 3301 Gun Club Road, West Palm Beach, Florida 33406, or at our website <http://my.sfwmd.gov/wrac>

Persons with disabilities who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact Rick Smith, (561)682-6517 or Renee DeSantis, (561)682-5520.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited.

DATE AND TIME: Monday, August 21, 2006, 5:30 p.m. – 7:30 p.m.

PLACE: SFWMD, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: WRAC/ACCELER8 Issues Workshop Bolles Canal, Basics of Design Report (BODR).

A copy of the agenda may be obtained by writing: South Florida Water Management District, Mail Stop 1131, 3301 Gun Club Road, West Palm Beach, Florida 33406, or at our website <http://my.sfwmd.gov/wrac>

Persons with disabilities who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact: Rick Smith, (561)682-6517 or Renee DeSantis, (561)682-5520.

REGIONAL UTILITY AUTHORITIES

The **Tampa Bay Water** announces the following Regular Board Meeting to which all persons are invited.

DATE AND TIME: Monday, August 21, 2006, 9:00 a.m.

PLACE: 2575 Enterprise Road, Clearwater, Florida 33763

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Board Meeting.

A copy of the proposed budget and the regular meeting agenda may be obtained by writing: Tampa Bay Water or can be accessed on the Web at www.tampabaywater.org within 7 days of the meeting.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he will need a record of the proceedings, and for such purposes he may

need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

If an accommodation is needed for a disability, in order to participate in this activity, please notify Holly Wells, (727)796-2355, at least 3 business days prior to the meeting.

NOTICE OF CHANGE – The **Withlacoochee Regional Water Supply Authority** announces that the regular scheduled meeting for August 16, 2006, 4:30 p.m., at the Sumter County Courthouse has been canceled. The September meeting scheduled for September 20, 2006, has been changed to:

DATE AND TIME: September 6, 2006, 4:30 p.m.

PLACE: The Hernando County Government Center, County Commission Chambers, 20 N. Main Street, Brooksville, FL 34601

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct regular business of the Authority.

A copy of the agenda may be obtained by writing: Withlacoochee Regional Water Supply Authority, P. O. Drawer 190, Tallahassee, Florida 32302.

Although these board meetings are normally recorded, affected persons are advised that it may be necessary for them to make their own arrangements if a verbatim record of the meeting is needed, including testimony and evidence upon which any appeal is to be based.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a meeting of the Governor's Health Information Infrastructure Advisory Board to which all interested parties are invited.

DATE AND TIME: Friday, August 11, 2006, 9:00 a.m.

PLACE: MacInnis Auditorium and Curtis Hixon Conference Room, Tampa General Hospital, 2 Columbia Drive, Davis Islands, Tampa, Florida 33601

GENERAL SUBJECT MATTER TO BE CONSIDERED: To study and make recommendations on the development and implementation of a Florida health information infrastructure including a strategy for promoting the use of electronic health records.

A copy of the agenda may be obtained by writing: Carolyn H. Turner, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Mail Stop #16, Tallahassee, FL 32308-5403. The agenda will be posted at <http://ahca.myflorida.com/dhit/indx.shtml> seven (7) days prior to the meeting.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact: Carolyn H. Turner, (850)922-5861, at least five calendar days prior to the meeting.

The **Agency for Health Care Administration** announces a telephone conference call to which all persons are invited to call in.

DATE AND TIME: Friday, August 11, 2006, 1:00 p.m. – 5:00 p.m.

PLACE: To access the “Meet-Me” number call (850)487-8587 or Suncom 277-8587

GENERAL SUBJECT MATTER TO BE CONSIDERED: Certificate of Need; Interventional Cardiology Advisory Meeting.

For additional information contact: Agency for Health Care Administration, 2727 Mahan Drive, MS #28A, Tallahassee, Florida 32308, or call Tara Ehlers, (850)922-0791, or via e-mail: EHLERST@ahca.myflorida.com

The **Agency for Health Care Administration** announces a meeting of the Governor’s Health Information Infrastructure Advisory Board FHIN Network Security Workgroup, to which all interested parties are invited.

DATE AND TIME: Monday, August 14, 2006, 12:00 Noon – 1:30 p.m. (EDT)

PLACE: This will be a meeting by conference call. Anyone interested in participating may telephone: (641)793-7500 and use Pass Code: 9701442#

GENERAL SUBJECT MATTER TO BE CONSIDERED: This workgroup meeting will discuss network security issues for the Florida Health Information Network and for local regional health information organizations connecting to the Florida Health Information Network.

A copy of the agenda may be obtained by writing: Christopher Sullivan, Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, Mail Stop #16, Tallahassee, FL 32308-5403.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Christopher Sullivan, (850)414-5421, at least five calendar days prior to the meeting.

The agenda will be posted at http://ahca.myflorida.com/dhit/work_group05.shtml seven (7) days prior to the meeting.

The **Agency for Health Care Administration**, in conjunction with the **Department of Elder Affairs**, announces the following public meetings to which all interested persons are invited.

DATE AND TIME: Wednesday, August 23, 2006, 10:00 a.m. – 12:00 Noon (Central)

PLACE: Freeport Community Center, 16040 Highway 331, South, Freeport, FL 32439

DATE AND TIME: Wednesday, August 23, 2006, 2:00 p.m. – 4:00 p.m. (Central)

PLACE: Walton County Extension Office, 732 North 9th Street, DeFuniak Springs, FL 32435

Advance registration for those wishing to comment during the public comment period will begin one hour prior to the meeting time.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Section 409.912(5), Florida Statutes, mandates the Agency for Health Care Administration, in consultation with the Department of Elder Affairs, to create an “integrated, fixed-payment delivery system for Medicaid recipients who are 60 years of age or older. The Agency for Health Care Administration shall implement the integrated system initially on a pilot basis in two areas of the state”. The Agency for Health Care Administration submitted waiver applications to the Centers for Medicare and Medicaid Services on January 26, 2006, in order to obtain Federal approval for implementation of managed, integrated long term care in the Panhandle Pilot Area- Escambia, Santa Rosa, Okaloosa and Walton Counties; and the Central Florida Pilot Area- Seminole, Orange, Brevard and Osceola Counties.

The primary purpose of these meetings is to provide outreach and education to Medicaid beneficiaries. An overview of the proposed program will be provided as well as an opportunity for public comment on a first come – first serve basis.

In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these meetings should advise the Agency at least seventy two (72) hours before the meeting by contacting: Sarala Hermes, 2727 Mahan Drive, Mail Stop 20, Tallahassee, FL 32308, (850)487-2618, e-mail: hermess@ahca.myflorida.com

The **Agency for Health Care Administration** announces a meeting of the Panel on Excellence in Long-Term Care to which all interested parties are invited.

DATE AND TIME: Monday, August 14, 2006, 10:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Governor’s Panel on Excellence in Long Term Care will review a number of applications eligible for the Gold Seal award and discuss proposed changes to rules pertaining to the award of the Gold Seal. Other matters before the Panel may also be discussed.

For additional information contact: Agency for Health Care Administration, 2727 Mahan Drive, MS 51, Tallahassee, FL 32308, or call Barbara Dombrowski, (850)922-0048 or e-mail: dombrowb@ahca.myflorida.com.

DEPARTMENT OF MANAGEMENT SERVICES

The State of Florida, **State Technology Office** announces a Chief Information Officers (CIO) Council Meeting to which all persons are invited.

DATE AND TIME: Monday, August 21, 2006, 10:00 a.m. – 12:00 Noon

PLACE: Betty Easley Conference Center, Room 166, 4075 Esplanade Way, Tallahassee, FL 32399-0850

GENERAL SUBJECT MATTER TO BE CONSIDERED: To enhance communication among the Chief Information Officers of all state agencies and assist in identifying critical statewide information technology issues.

If you would like an agenda for this meeting or require special accommodations due to disability or physical impairment, please contact: Amy Caldeira, amy_caldeira@doh.state.fl.us or call (850)245-4444, ext. 3811.

The Governor's Americans with Disabilities Act Working Group, which is administered by the **Department of Management Services**, announces a meeting of its Board to which all interested persons are invited.

BOARD MEETING

DATES AND TIMES: August 21, 2006, 1:00 p.m. – 5:00 p.m.; August 22, 2006, 9:00 a.m. – 3:30 p.m.; August 23, 2006, 9:00 a.m. – 12:00 Noon

PUBLIC HEARING

DATE AND TIME: August 22, 2006, 4:00 p.m. – 6:00 p.m.

PLACE: The Ritz-Carlton, Sarasota, 1111 Ritz-Carlton Dr., Sarasota, FL 34236, (941)309-2000

GENERAL SUBJECT MATTER TO BE CONSIDERED: To facilitate the mission of the Governor's Americans with Disabilities Act Working Group. American Sign Language Interpreters, Certified Real Time Captioning, Audio/Visual Accommodations, and alternative formats will be available on site.

Should you require a different accommodation than those being provided, please contact: Stacia Woolverton, by August 14, 2006, (877)232-4968 toll free (Voice/TTY).

A copy of the Board meeting agenda may also be obtained by calling this number.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Division of Alcoholic Beverages and Tobacco** hereby gives notice that the rule development workshop for Rule 61A-1.010 noticed in Vol. 32, No. 25, June 23, 2006 issue, F.A.W., which was scheduled to be held August 9, 2006 will be CANCELLED. When rescheduled a notice of rule development workshop will be announced in the FAW.

The person to be contacted regarding the rule is: Christina B. Norman, Senior Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 North Monroe Street, Tallahassee, FL 32399-0750, (850)487-2563.

Notice is hereby given by the **Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes**, of a town hall meeting.

DATE AND TIME: Tuesday, August 22, 2006, 4:00 p.m. – 8:00 p.m.

PLACE: Destin Community Center; 101 Stahlman Avenue, Destin, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Town hall meeting to discuss and obtain public input regarding Senate Bill 1556, relating to the termination of condominiums.

AGENCY CONTACT PERSON: Carol Windham, Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, 1940 North Monroe, Tallahassee, Florida 32399-1032, (850)488-1631.

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: Carol Windham, Government Analyst, (850)488-1631. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 TDD.

The **Department of Business and Professional Regulation, Elevator Safety Technical Advisory Council**, announces the following teleconference: Meeting: The Elevator Safety Technical Advisory Council, Legislative Sub-committee Teleconference call.

DATE AND TIME: August 16, 2006, 8:30 a.m.

PLACE: Telephone Number to call to participate: (850)921-6433 or Suncom 291-6433. Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants Hospitality Education Program, One Champions Way, Florida State University, Tallahassee, Florida 32306.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss possible legislation prior to the upcoming 2007 session.

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 disability or physical impairment should contact: Marlita Peters, Department of Business and Professional Regulation, Hospitality Education Program, (850)644-9349, at least five (5) working days prior to the teleconference.

The Florida **Board of Architecture and Interior Design** announces the following meeting, to be held by telephone conference call, to which all persons are invited to attend.

DATE AND TIME: August 18, 2006, 2:00 p.m.

PLACE: ACCESS PHONE #: (888)808-6959; Conference Code # 9218690

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business meeting including Invitation to Negotiate review.

To obtain a copy of the agenda, further information, or submit written or other physical evidence, contact in writing: Board of Architecture and Interior Design, 1940 N. Monroe St., Tallahassee, Florida 32399.

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 will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board office, (850)487-8304, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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, August 16, 2006, 10:00 a.m. or soon thereafter

PLACE: Via telephone conference. To connect, dial (888)808-6959, Conference Code: 226020

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting of the Board.

A copy of the agenda may be obtained by writing: Department of Business and Professional Regulation, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767, or by calling (850)487-1395.

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.

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 1(800)955-8771(TDD).

For further information, contact: Florida Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

The Probable Cause Panel of the **Building Code Administrators and Inspectors Board** announces a meeting.

DATE AND TIME: August 21, 2006, 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 to determine the existence of probable cause.

A copy of the PUBLIC portion of the agenda may be obtained by writing: Jessica Leigh, Assistant General Counsel, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, 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 **Florida Real Estate Commission** announces a rule review workshop meeting to which all persons are invited at the time, date, and place shown below.

DATE AND TIME: August 15, 2006, 2:00 p.m. or soonest thereafter

PLACE: Department of Business and Professional Regulation, Division of Real Estate, Room N901, 400 W. Robinson Street, Hurston Building, North Tower, Orlando, Florida 32801, (407)245-0800.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the workshop is to discuss Florida Administrative Code, Chapter 61J2, for possible changes to ensure compliance with the newly adopted statutory changes.

Any person requiring a special accommodation at this workshop because of a disability or physical impairment should contact the Division of Real Estate, (407)245-0800 (between the hours of 9:00 a.m. and 5:00 p.m.), at least five calendar days prior to the workshop. If you are hearing or speech impaired, please call the Florida Real Estate Commission using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda will be available seven days prior to the meeting and may be obtained by writing: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801.

The **Florida Mobile Home Relocation Corporation** announces a meeting of its Board of Directors. The board will consider mobile home applications for abandonment and relocation compensation due to evictions as a result of a change in land use.

DATE AND TIME: Thursday, August 24, 2006, 9:30 a.m.

PLACE: Shady Lane Oaks, 15777 Bolesta Rd., Clearwater, FL 33760

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of the Florida Mobile Home Relocation Corporation. Review of mobile home owner applications for compensation for relocation and/or abandonment due to change in land use, and such other business as may come before the board. A schedule for the next meeting will be determined.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting Mandy Lemons, (888)862-7010.

Additional information may be obtained by contacting: Mandy Lemons, Executive Director, FMHRC, P. O. Box 14125 Tallahassee, FL 32317-4125, (888)862-7010.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

The **Department of Environmental Protection** announces a public meeting to which all persons are invited.

DATE AND TIME: August 15, 2006, 3:00 p.m. – 5:00 p.m.

PLACE: Amelia Island Hampton Inn and Suites, Board Room, 19 South Second Street, Fernandina Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a legal subcommittee meeting of the Pollutant Trading Advisory Committee (PTPAC). This meeting will discuss legal issues identified to date regarding pollutant trading, NPDES permit language for setting forth the trading process and statutory amendments which will be required.

A copy of the agenda may be obtained by contacting: Christine E. Lamia, Department of Environmental Protection, 3900 Commonwealth Blvd., MS 35, Tallahassee, FL. 32399-3000 or by calling (850)245-2229.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Christine E. Lamia, (850)245-2229. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Environmental Protection**, Pollutant Trading Policy Advisory Committee (PTPAC) announces a public meeting to which all persons are invited.

DATE AND TIME: August 16, 2006, 9:00 a.m.

PLACE: Amelia Island Hampton Inn and Suites, Strathmore Room, 19 South Second Street, Fernandina Beach, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the fifteenth meeting of the Pollutant Trading Policy Advisory Committee (PTPAC). The meeting will primarily focus on some remaining permitting issues and the draft version of the committee's report to the legislature, which is due in November.

A copy of the agenda may be obtained by contacting: Pat Waters, 2600 Blair Stone Rd., Watershed Assessment Section, MS 3555, Tallahassee, FL 32399-2400 or by calling (850)245-8449.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Pat Waters, (850)245-8449. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Environmental Protection, Division of Water Resource Management** announces a public meeting to which all persons are invited.

DATE AND TIME: August 17, 2006, 9:30 a.m.

PLACE: Everglades Research and Education Center, 3200 E. Palm Beach Road, Belle Glade, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting will present the draft Verified List of Impaired Waters for the Everglades Basin for public comment. The draft verified list will be placed on the Department's TMDL website <http://www.dep.state.fl.us/water/tmdl>, and will be provided upon request to interested parties by mail or via e-mail distribution.

Waters placed on these draft lists are those waters meeting the verification requirements of Chapter 62-303, F.A.C., Identification of Impaired Surface Waters. The final list developed through this public participation process will be submitted for adoption by Secretarial Order in December, and

submitted to the U.S. Environmental Protection Agency as part of the 2006 update to the State's 303(d) list of impaired waters, as required by Section 403.067(4), F.S.

A copy of the agenda may be obtained by contacting: Pat Waters, 2600 Blair Stone Rd., Watershed Assessment Section, MS 3555, Tallahassee, FL 32399-2400 or by calling (850)245-8449.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Pat Waters, (850)245-8449. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Environmental Protection** announces a public meeting to which all persons are invited.

DATE AND TIME: August 18, 2006, 9:30 a.m.

PLACE: Marathon Government Center, 2798 Overseas Highway, Marathon, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting will present draft Verified List of Impaired Waters for the Florida Keys Basin for public comment. The draft verified list will be available on the Department's TMDL website <http://www.dep.state.fl.us/water/tmdl>, and will be provided upon request to interested parties by mail or via e-mail distribution.

Waters placed on these draft lists are those waters meeting the verification requirements of Chapter 62-303, F.A.C., Identification of Impaired Surface Waters. The final list developed through this public participation process will be submitted for adoption by Secretarial Order in December, and submitted to the U.S. Environmental Protection Agency as part of the 2006 update to the State's 303(d) list of impaired waters, as required by Section 403.067(4), Florida Statutes.

A copy of the agenda may be obtained by contacting: Pat Waters, 2600 Blair Stone Rd., Watershed Assessment Section, MS 3555, Tallahassee, Florida 32399-2400 or by calling at (850)245-8449.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Pat Waters, (850)245-8449. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

The **Correctional Medical Authority** announces a conference call meeting to be held by telephone to which all persons are invited.

DATE AND TIME: August 24, 2006, 10:00 a.m. – 11:30 a.m.

PLACE: Telephone Number: (Long Distance) (850)487-9552, (Suncom) 277-9552, Correctional Medical Authority, 4030 Esplanade Way, 2nd Floor, Room 258, Tallahassee, Florida 32399-1732, (850)245-4557

GENERAL SUBJECT MATTER TO BE CONSIDERED: Continued discussion of issues relating to correctional health care in the Florida Department of Corrections.

A copy of the agenda may be obtained by writing: Executive Director, Correctional Medical Authority, 4052 Bald Cypress Way, Bin B-04, Tallahassee, FL 32399-1732, (850)245-4557.

Pursuant to Section 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact staff at least 48 hours prior to the meeting in order to request any special assistance.

The Florida **Department of Health, Division of Medical Quality Assurance** announces the annual long-range planning board/council chairs meeting.

DATE AND TIME: Tuesday, September 12, 2006, 10:00 a.m. – 3:00 p.m.

PLACE: Ramada Inn, 2900 North Monroe Street, Tallahassee, FL, (850)386-1027

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose is to review with the board/council chairs as required by Section 456.005, F.S., the long-range policy planning and monitoring process to include recommendations specific to each profession.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Medical Quality Assurance, (850)245-4124, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call Florida Medical Quality Assurance using the Florida Dual Party Relay System that can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771(TDD).

A copy of the agenda may be obtained by writing: Lucy C. Gee, Director, Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C00, Tallahassee, Florida 32399-3253.

The Florida **Department of Health, Division of Medical Quality Assurance** announces the annual training workshop for MQA Budget Liaisons.

DATE AND TIME: Tuesday, September 12, 2006, 10:00 a.m. – 3:00 p.m.

PLACE: Ramada Inn, 2900 North Monroe Street, Tallahassee, FL, (850)386-1027

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose is to conduct a training workshop for MQA Budget Liaisons.

A copy of the agenda may be obtained by writing: Jim Hentz, Senior Budget Analyst, 4052 Bald Cypress Way, Bin #C00, Tallahassee, Florida 32399-3253.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Medical Quality Assurance, (850)245-4124, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call Florida Medical Quality Assurance using the Florida Dual Party Relay System that can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Board of Chiropractic Medicine** will hold a duly noticed meeting and telephone conference call, to which all persons are invited to attend.

DATE AND TIME: Friday, August 25, 2006, 8:30 a.m.

PLACE: Gaylord Palms, 6000 W. Osceola Parkway, Orlando, Florida 34746, (407)586-0312

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda item may be obtained by writing: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257 or accessing www.doh.state.fl.us/mqa/chiro/index.html

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board of Chiropractic, (850)245-4355, at least 48 hours prior to the meeting. If you are a hearing or speech impaired, please contact the Board office using the Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Medicine**, Dietetics-Nutrition/Electrolysis Committee announces a meeting to which all persons are invited.

DATE AND TIME: Friday, August 11, 2006, immediately following the Board Meeting

PLACE: Sirata Beach Resort and Conference Center, 5300 Gulf Boulevard, St. Petersburg Beach, FL 33706, (727)363-5100

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Board.

A copy of the agenda may be obtained by writing: 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, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Health, Board of Opticianry**, announces an official Board meeting. All interested parties are invited to attend at the address listed below, which is normally open to the public.

DATE AND TIME: August 14, 2006, 9:00 a.m.

PLACE: Hyatt Regency, 9300 Airport Blvd., Orlando, FL 32827, (407)825-1234

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official Board Meeting.

A copy of the agenda may be obtained by writing: Sue Foster, Executive Director, Department of Health, Board of Opticianry, 4052 Bald Cypress Way, BIN #C08, Tallahassee, Florida 32399-3258.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she may need to ensure that a verbatim record of the proceeding is made, which records include the testimony and evidence upon which the appeal is to be made.

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Persons requiring special accommodations due to disability or physical impairment should contact: Sue Foster, (850)245-4474, at least one week prior to the meeting date.

The **Department of Health, Board of Physical Therapy Practice** announces a meeting to which all persons are invited.

DATE AND TIME: August 24, 2006, 6:30 p.m. or soon thereafter

PLACE: Homewood Suites, 2987 Apalachee Parkway, Tallahassee, FL 32301, (850)402-9400

DATE AND TIME: August 25, 2006, 8:00 a.m. or soon thereafter

PLACE: Capital Circle Office Complex, 4042 Bald Cypress Way, Room 301, Tallahassee, FL 32399, (850)245-4373, ext. 3467

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by writing: Department of Health, Board of Physical Therapy Practice, 4052 Bald Cypress Way, BIN C05, Tallahassee, Florida 32399-3255, or by calling the board office, (850)245-4373, ext. 3467.

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/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

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 department at least 48 hours before the workshop/hearing/meeting by contacting: the board office, (850)245-4373. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

The **Board of Speech-Language Pathology and Audiology** announces a meeting to which all interested persons are invited to attend.

DATE AND TIME: Wednesday, August 23, 2006, 9:00 a.m. or soon thereafter

PLACE: Buena Vista Palace, 1900 Buena Vista Drive, Lake Buena Vista, FL 32830, (407)827-3403

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Board.

A copy of the agenda may be obtained by writing: Board of Speech-Language Pathology and Audiology, 4052 Bald Cypress Way, Bin C-06, Tallahassee, Florida 32399-3256.

Please note, that if a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he will need a record of the proceedings, and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring special accommodations at this meeting due to disability or physical impairment should contact: the Board of Speech-Language Pathology and Audiology, (850)245-4161, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Health, Division of Family Health Services**, Drugs, Devices and Cosmetics Program, formerly known as Bureau of Statewide Pharmaceutical Services announces a workshop to which all persons are invited.

DATE AND TIME: Friday, August 25, 2006, 9:00 a.m. – 12:00 Noon (EST)

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Room 148, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Regulations. Definitions, Rule 64F-12.001, F.A.C.; Records of Drugs, Cosmetics and Devices, Rule 64F-12.012, F.A.C.; Prescription Drugs. Receipt, Storage and Security, Rule 64F-12.013, F.A.C.; Self-Authenticating Pedigree, Rule 64F-12.025, F.A.C.; Cancer Drug Donation Program, Rule 64F-12.026, F.A.C.

A copy of the agenda may be obtained by contacting: Maxine Wenzinger, Board of Pharmacy, and Drugs Devices and Cosmetics Program, 4052 Bald Cypress Way, C-04, Tallahassee, Florida 32309, (850)245-4292, zzzFeedback.DHAT_Pharmacy.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The Shared Services Alliance of Okeechobee and the Treasure Coast of the **Department of Children and Family Services**, District 15, announces the following public meeting to which all persons are invited.

Executive Committee

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

PLACE: Clem C. Benton Bldg., Room 335, 337 North U.S. Hwy. 1, Fort Pierce, Florida 34950

For more information, please contact: Linda Poston, Personal Secretary 1, 337 North U.S. Hwy. 1, Room 327C, Fort Pierce, Florida 34950, (772)467-4177.

SPECIAL ACCOMMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact, Pearlie Clark, ADA Coordinator, (772)467-4184, at least five days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Shared Services Alliance of Okeechobee and the Treasure Coast of the **Department of Children and Family Services**, District 15, announces the following public meeting to which all persons are invited.

ALLIANCE MEETING

DATE AND TIME: August 25, 2006, 8:30 a.m. – 10:30 a.m.

PLACE: St. Lucie County Department of Health, 5150 N. W. Milner Drive, Port St. Lucie, Florida 34983

For more information, please contact: Linda Poston, Personal Secretary 1, 337 North U.S. Hwy. 1, Room 327C, Fort Pierce, Florida 34950, (772)467-4177.

SPECIAL ACCOMMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact, Pearlie Clark, ADA Coordinator, (772)467-4184, at least five days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Children and Family Services** announces a meeting of the Florida Interprogram Task Force addressing implementation of Florida's State Plan for the Prevention of Child Abuse, Abandonment, and Neglect: July 2005-June 2010. The meeting will be held in Tallahassee.

DATE AND TIME: August 15, 2006, 9:00 a.m. – 4:00 p.m.

PLACE: 4025 Esplanade Way, Southwood Office Complex, Room 301, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Update on activities since the last meeting (including reports from the subcommittees) and the continuing role and priorities of the task force, subcommittees, and district planning teams. Marketing prevention discussion, including a report from a national evaluation of prevention marketing.

A copy of the agenda may be obtained from: Julie Helter, (850)488-4768.

Persons with disabilities who require assistance to participate in the meeting are requested to notify Julie Helter at least 48 hours in advance so that their needs can be accommodated.

FLORIDA HOUSING FINANCE CORPORATION

The **Affordable Housing Study Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: September 7, 2006, 8:30 a.m. – 10:00 a.m. (Times subject to change)

PLACE: Omni Orlando Resort at ChampionsGate, 1500 Masters Blvd., ChampionsGate, FL 33896, (407)238-6674

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will use this meeting for two purposes: to receive public input on its 2006-2007 study topic, which is a review of the State Housing Initiatives Partnership program, and to present its 2006 final report, which includes recommendations for a comprehensive statewide preservation policy.

A copy of the agenda may be obtained by contacting: Odetta MacLeish-White, Florida Housing Finance Corporation, (850)488-4197. For agendas and updates, please visit our website at www.floridahousing.org/ahsc

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Any person requiring a special accommodation at these meetings because of a disability or physical impairment should contact: Sheila Freaney, Florida Housing Finance Corporation, (850)488-4197, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Odetta MacLeish-White, Florida Housing Finance Corporation, (850)488-4197.

FISH AND WILDLIFE CONSERVATION COMMISSION

The Florida **Fish and Wildlife Conservation Commission** announces a workshop to which all persons are invited.

DATE AND TIME: August 22, 2006, 6:30 p.m. – 8:30 p.m. (Central Time)

PLACE: Gulf Coast Community College, Language and Literature Lecture Hall, 5230 W. Highway 98, Panama City, Florida 32401

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Fish and Wildlife Conservation Commission is holding a series of public workshops to present information on FWC's existing due process procedures for challenging constitutionally based and statutorily authorized rules, to seek public comment regarding the adequacy of these existing FWC procedures and to solicit any suggested changes or improvements that could involve additional review of FWC rules.

A copy of the agenda may be obtained by contacting: FWC Regional Director, Louie Roberson, (850)265-3676.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

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

For more information, you may contact: FWC Regional Director, Louie Roberson, (850)265-3676.

The Florida **Fish and Wildlife Conservation Commission** announces a workshop to which all persons are invited.

DATE AND TIME: August 23, 2006, 6:30 p.m. – 8:30 p.m.

PLACE: Hilton Garden Inn, Jacksonville Airport, 13503 Ranch Road, Jacksonville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Fish and Wildlife Conservation Commission is holding a series of public workshops to present information on FWC's existing due process procedures for challenging constitutionally based and statutorily authorized rules, to seek public comment regarding the adequacy of these existing FWC procedures and to solicit any suggested changes or improvements that could involve additional review of FWC rules.

A copy of the agenda may be obtained by contacting: FWC Regional Director, Roland Garcia, (386)758-0525.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

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

For more information, you may contact: FWC Regional Director, Roland Garcia, (386)758-0525.

The Florida **Fish and Wildlife Conservation Commission** announces a workshop to which all persons are invited.

DATE AND TIME: August 24, 2006, 6:30 p.m. – 8:30 p.m.

PLACE: Ramanda Inn and Suites, Orlando Airport, 1853 McCoy Road, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Fish and Wildlife Conservation Commission is holding a series of public workshops to present information on FWC's existing due process procedures for challenging constitutionally based and statutorily authorized rules, to seek public comment regarding the adequacy of these existing FWC procedures and to solicit any suggested changes or improvements that could involve additional review of FWC rules.

A copy of the agenda may be obtained by contacting: FWC Regional Director, Dennis David, (352)732-1225.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

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

For more information, you may contact: FWC Regional Director, Dennis David, (352)732-1225.

The Florida **Fish and Wildlife Conservation Commission** announces a workshop to which all persons are invited.

DATE AND TIME: August 28, 2006, 6:30 p.m. – 8:30 p.m.

PLACE: Tampa Port Authority, 1101 Channelside Drive, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Fish and Wildlife Conservation Commission is holding a series of public workshops to present information on FWC's existing due process procedures for challenging constitutionally based and statutorily authorized rules, to seek public comment regarding the adequacy of these existing FWC procedures and to solicit any suggested changes or improvements that could involve additional review of FWC rules.

A copy of the agenda may be obtained by contacting: FWC Regional Director, Greg Holder, (863)648-3200.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

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

For more information, you may contact: FWC Regional Director, Greg Holder, (863)648-3200.

The Florida **Fish and Wildlife Conservation Commission** announces a workshop to which all persons are invited.

DATE AND TIME: August 29, 2006, 6:30 p.m. – 8:30 p.m.

PLACE: Department of Environmental Protection, State Regional Service Center, 2295 Victoria Avenue, Ft. Myers, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Fish and Wildlife Conservation Commission is holding a series of public workshops to present information on FWC's existing due process procedures for challenging constitutionally based and statutorily authorized rules, to seek public comment regarding the adequacy of these existing FWC procedures and to solicit any suggested changes or improvements that could involve additional review of FWC rules.

A copy of the agenda may be obtained by contacting: FWC Regional Director, Greg Holder, (863)648-3200.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

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

For more information, you may contact: FWC Regional Director, Greg Holder, (863)648-3200.

The Florida **Fish and Wildlife Conservation Commission** announces a workshop to which all persons are invited.

DATE AND TIME: August 30, 2006, 6:30 p.m. – 8:30 p.m.

PLACE: International Game Fish Association Headquarters, 300 Gulf Stream Way, Dania Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Fish and Wildlife Conservation Commission is holding a series of public workshops to present information on FWC's existing due process procedures for challenging constitutionally based and statutorily authorized rules, to seek public comment regarding the adequacy of these existing FWC procedures and to solicit any suggested changes or improvements that could involve additional review of FWC rules.

A copy of the agenda may be obtained by contacting: FWC Regional Director, Chuck Collins, (561)625-5130.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

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

contacting: The ADA Coordinator, (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: FWC Regional Director, Chuck Collins, (561)625-5130.

The Florida **Fish and Wildlife Conservation Commission** announces a workshop to which all persons are invited.

DATE AND TIME: August 31, 2006, 6:30 p.m. – 8:30 p.m.

PLACE: Marriott Key Largo, 103800 Overseas Highway, MM 103.8, Key Largo, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Fish and Wildlife Conservation Commission is holding a series of public workshops to present information on FWC's existing due process procedures for challenging constitutionally based and statutorily authorized rules, to seek public comment regarding the adequacy of these existing FWC procedures and to solicit any suggested changes or improvements that could involve additional review of FWC rules.

A copy of the agenda may be obtained by contacting: FWC Regional Director, Chuck Collins, (561)625-5130.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

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

For more information, you may contact: FWC Regional Director, Chuck Collins, (561)625-5130.

DEPARTMENT OF FINANCIAL SERVICES

The **Department of Financial Services** announces a public meeting to which all persons are invited.

DATE AND TIME: August 15, 2006, 1:00 p.m.

PLACE: South Tower, Conference Room B, Hurston Towers, 400 West Robinson Street, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Just a Test. The Division of State Fire Marshal's regular meeting of the Florida Fire Safety Board.

A copy of the agenda may be obtained by contacting: Donald Rollins, Bureau of Fire Prevention, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, FL 32399-0342.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Donald Rollins, (850)413-3171. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Office of Insurance Regulation** announces a public hearing to which all persons are invited.

DATE AND TIME: August 16, 2006, 1:00 p.m.

PLACE: Reitz Union, 2nd Floor, Auditorium, Museum Road, University of Florida Campus, Gainesville, FL. CONTACT NAME AND NUMBER: Paul Norman, Esquire, (850)413-4142 or Sam Coskey (850)413-2616.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Farm Bureau Casualty Insurance Company and Florida Farm Bureau General Insurance Company have requested a 40.8% average statewide rate increase with regard to homeowners policies. The requested rate increase is not uniform and some areas are subject to a higher rate increase than other areas.

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 ratehearings@fldfs.com. The subject line of your e-mail should read "Florida Farm Bureau Filing."

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing, please telephone Tara Siler, (352)392-1645, at least 48 hours before the hearing.

The **Department of Financial Services, Division of State Fire Marshal**, announces a public meeting to which all persons are invited to attend.

DATE AND TIME: August 15, 2006, 1:00 p.m.

PLACE: South Tower, Conference Room B, Hurston Towers, 400 West Robinson Street, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Florida Fire Safety Board.

A copy of the agenda may be obtained by writing: Donald Rollins, Bureau of Fire Prevention, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, FL 32399-0342.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodation to participate in this meeting, please contact: Donald Rollins, 200 E Gaines Street, Tallahassee, FL 32399-0342 or call (850)413-3171, at least five calendar days before the meeting for assistance.

DEPARTMENT OF MILITARY AFFAIRS

The **Department of Military Affairs**, St. Francis Barracks announces a meeting of the Armory Board to which all interested persons are invited.

DATE AND TIME: Saturday, August 12, 2006, 3:30 p.m.

PLACE: Post Headquarters, Conference Room, Camp Blanding Joint Training Center, Camp Blanding, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Armory Board will consider action on contracts, leases, agreements and other business relative to real property and facility management issues under its control.

If a person decides to appeal any decision made by the Armory Board with respect to any matter considered at this meeting, that 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.

IN ACCORDANCE WITH FLORIDA STATUTE 286.0105.

ENTERPRISE FLORIDA

The **Enterprise Florida, Inc.** announces a public meeting to which all persons are invited.

Meeting: Enterprise Florida, Inc., Urban Working Group

DATE AND TIME: Tuesday, August 15, 2006, 1:00 p.m. – 3:00 p.m.

PLACE: Amelia Island Plantation, 6800 First Coast Highway, Amelia Island, FL 32034, (904)261-6161

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact: Pat Swartz, (850)922-8884, at least one (1) day prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Enterprise Florida, Inc.** announces a public meeting to which all persons are invited.

Meeting: Enterprise Florida, Inc. Rural Issues Working Group

DATE AND TIME: Tuesday, August 15, 2006, 1:00 p.m. – 3:00 p.m.

PLACE: Amelia Island Plantation, 6800 First Coast Highway, Amelia Island, FL 32034, (904)261-6161

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact: Pat Swartz, (850)922-8884, at least one (1) day prior to the activity. Persons who are hearing or

speech impaired can contact the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Enterprise Florida, Inc.** announces a public meeting to which all persons are invited.

Meeting: Enterprise Florida, Inc. Workforce Working Group
DATE AND TIME: Tuesday, August 15, 2006, 1:00 p.m. – 3:00 p.m.

PLACE: Amelia Island Plantation, 6800 First Coast Highway, Amelia Island, FL 32034, (904)261-6161.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact: Pat Swartz, (850)922-8884, at least one (1) day prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Enterprise Florida, Inc.** announces a public meeting to which all persons are invited.

Meeting: Enterprise Florida, Inc. Marketing Working Group
DATE AND TIME: Tuesday, August 15, 2006, 3:00 p.m. – 5:00 p.m.

PLACE: Amelia Island Plantation, 6800 First Coast Highway, Amelia Island, FL 32034, (904)261-6161

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact: Pat Swartz, (850)922-8884, at least one (1) day prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Enterprise Florida, Inc.** announces a public meeting to which all persons are invited.

Meeting: Enterprise Florida, Inc. Stakeholders Council
DATE AND TIME: Wednesday, August 16, 2006, 8:30 a.m. – 11:30 a.m.

PLACE: Amelia Island Plantation, 6800 First Coast Highway, Amelia Island, FL 32034, (904)261-6161

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact: Pat Swartz, (850)922-8884, at least one (1) day prior to the activity. Persons who are hearing or

speech impaired can contact the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Enterprise Florida, Inc.** announces a public meeting to which all persons are invited.

Meeting: Enterprise Florida, Inc., Technology, Entrepreneurship and Capital (TEC) Council
DATE AND TIME: Wednesday, August 16, 2006, 1:00 p.m. – 3:00 p.m.

PLACE: Amelia Island Plantation, 6800 First Coast Highway, Amelia Island, FL 32034, (904)261-6161

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact: Pat Swartz, (850)922-8884, at least one (1) day prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Enterprise Florida, Inc.** announces a public meeting to which all persons are invited.

Meeting: Enterprise Florida, Inc. Global Commerce Committee
DATE AND TIME: Wednesday, August 16, 2006, 2:00 p.m. – 4:00 p.m.

PLACE: Amelia Island Plantation, 6800 First Coast Highway, Amelia Island, FL 32034, (904)261-6161

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact: Pat Swartz, (850)922-8884, at least one (1) day prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Enterprise Florida, Inc.** announces a public meeting to which all persons are invited.

Meeting: Enterprise Florida, Inc. Defense and Space Committee
DATE AND TIME: Wednesday, August 16, 2006, 2:00 p.m. – 4:00 p.m.

PLACE: Amelia Island Plantation, 6800 First Coast Highway, Amelia Island, FL 32034, (904)261-6161

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact: Pat Swartz, (850)922-8884, at least one (1) day prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Enterprise Florida, Inc.** announces a public meeting to which all persons are invited.

Meeting: Enterprise Florida, Inc. Legislative Committee

DATE AND TIME: Wednesday, August 16, 2006, 4:00 p.m. – 5:00 p.m.

PLACE: Amelia Island Plantation, 6800 First Coast Highway, Amelia Island, FL 32034, (904)261-6161

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact: Pat Swartz, (850)922-8884, at least one (1) day prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Enterprise Florida, Inc.** announces a public meeting to which all persons are invited.

Meeting: Enterprise Florida, Inc., Board of Directors and Stakeholders Reception

DATE AND TIME: Wednesday, August 16, 2006, 5:30 p.m. – 7:00 p.m.

PLACE: Amelia Island Plantation, 6800 First Coast Highway, Amelia Island, FL 32034, (904)261-6161

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact: Pat Swartz, (850)922-8884, at least one (1) day prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Enterprise Florida, Inc.** announces a public meeting to which all persons are invited.

Meeting: Enterprise Florida, Inc., Board of Directors Dinner

DATE AND TIME: Wednesday, August 16, 2006, 7:00 p.m. – 9:00 p.m.

PLACE: Amelia Island Plantation, 6800 First Coast Highway, Amelia Island, FL 32034, (904)261-6161

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact: Pat Swartz, (850)922-8884, at least one (1) day prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Enterprise Florida, Inc.** announces a public meeting to which all persons are invited.

Meeting: Enterprise Florida, Inc. Board of Directors Meeting

DATE AND TIME: Thursday, August 17, 2006, 8:30 a.m. – 12:30 p.m.

PLACE: Amelia Island Plantation, 6800 First Coast Highway, Amelia Island, FL 32034, (904)261-6161

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact: Pat Swartz, (850)922-8884, at least one (1) day prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

FLORIDA SELF-INSURERS GUARANTY ASSOCIATION, INC.

The **Florida Self-Insurers Guaranty Association, Inc.** (FSIGA) announces a meeting of its Board of Directors which is to be held at the venue of the 61st Annual Workers' Compensation Educational Conference. All members of FSIGA and other interested parties are encouraged to attend.

DATE AND TIME: Tuesday, August 15, 2006, 3:00 p.m.

PLACE: Orlando World Center Marriott, One World Center Drive, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

Information on the meeting may be obtained by contacting: Brian Gee, Florida Self-Insurers Guaranty Association, 1427 E. Piedmont Drive, 2nd Floor, Tallahassee, Florida 32308, (850)222-1882.

Any person wishing to appeal any decision made with respect to any matter considered at the above cited meeting will need a record of the proceedings, and for such purpose that 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.

FLORIDA ATLANTIC RESEARCH AND DEVELOPMENT AUTHORITY

The **Florida Atlantic Research and Development Authority** will hold its regularly scheduled meeting.

DATE AND TIME: Wednesday, August 16, 2006, 8:00 a.m.
 PLACE: Board of Trustees Conference Room, 3rd Floor, Florida Atlantic University Administrative Building, 777 Glades Road, Boca Raton, Florida
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda to be discussed include consideration of potential tenants for the Research Parks and annual budget approval.
 For questions or information contact: Scott Ellington, Executive Director, (561)416-6092 or e-mail: scott@research-park.org.

TAMPA BAY ESTUARY PROGRAM

The **Tampa Bay Estuary Program**, Policy Board will conduct a public hearing.
 DATE AND TIME: August 18, 2006, 1:00 p.m.
 PLACE: Tampa Bay Regional Planning Council, 4000 Gateway Centre Blvd., Pinellas Park, Florida
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To present the Program’s Work Plan budget for fiscal year 2006, beginning October 1, 2006.
 All citizens are invited to attend and express their support or objections to the work plan budget.

SOURCES OF FUNDING

Federal	\$492,600
Non-Federal	492,600
Total Funding	985,200

PROJECTED EXPENDITURES

Action Plan Implementation	\$640,126
Contracted Tech. Projects	105,000
Community Outreach	87,500
Partners Action Plan Imp.	152,574
Total Proj. Expenditures	985,200

For more information, please contact: The Program office, 100 8th Ave., S. E., St. Petersburg, FL, call (727)893-2765, or e-mail our Office Administrator, ron@tbep.org.

FLORIDA AEROSPACE FINANCE CORPORATION

The **Florida Aerospace Finance Corporation** (FAFC) announces a Board of Director’s meeting and teleconference to which the public is invited.
 DATE AND TIME: August 24, 2006, 1:00 p.m. – 3:00 p.m.
 PLACE: Office of Enterprise Florida, Inc., 390 North Orange Avenue, Suite 1300, Orlando, FL 32801. To attend via telephone the number to call is: 1(866)249-5325, participant code 393255.
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Board of Directors will meet to review general board business, ratifications of agreements, financings, budgets, procedures and to consider other proposed matters related to the business of the Corporation.

For more information, contact: Ms. Judy Blanchard, (321)690-3397.

To obtain a copy of the agenda write: The Florida Aerospace Finance Corporation, 403 Brevard Avenue, Suite 1, Cocoa, Florida 32922.

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, they will need a record of the proceedings, and for such purpose, they may need to ensure that a verbatim record of the proceeding, 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 disability or physical impairment should contact the Florida Aerospace Finance Corporation.

INDIAN RIVER COMMUNITY COLLEGE

The **Indian River Community College**, Criminal Justice Training Institute announces a public meeting for the Region XI Council, to which the public is invited.

DATE AND TIME: September 6, 2006, 10:00 a.m.
 PLACE: Indian River Academy, Room 103, 5900 Tedder Road, Fort Pierce, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To provide update on training classes and any other issues involving the Region.

Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Florida Building Commission received a request for Declaratory Statement on May 1, 2006, from Bob Alligood, Ice House America, LLC, regarding whether an identified structure is a manufactured building within the meaning of the Florida Building Code and whether the structure is entitled to the exemption from Part I, Chapter 553, Florida Statutes, as a custom, one-of-a-kind building, both issues as determined by buildings officials in the State. It has been assigned the number DCA06-DEC-120.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that the Florida Building Commission received a request for Declaratory Statement on June 28, 2006, from the C4 Architecture, regarding the requirement for smoke and heat venting imposed by Section 910, Florida Building Code, Building Volume (2004 as

amended 12/05), as applied to a building equipped with "early suppression, fast response sprinkler systems". It has been assigned the number DCA06-DEC-162.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that the Florida Building Commission received a request for Declaratory Statement on July 17, 2006, from the C4 Architecture, regarding the exit access travel distance for S-1 occupancies and whether increased travel distances are dependant on installation of smoke and heat vents pursuant to Sections 910.2.4 and 1015.2, Florida Building Code, Building Volume (2004 as amended 12/05). It has been assigned the number DCA06-DEC-175.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that the Florida Building Commission received a request for Declaratory Statement on May 19, 2006, from Florida Air Design, Inc. DBA: Dependable Air Designs regarding Section 13-607.1.ABC.1, Florida Building Code, Building Volume (2004 as amended 12/05), and specifically the importance of the geographical orientation of the specific building when performing calculations as contained in the cited code section. It has been assigned the number DCA06-DEC-130.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that the Florida Building Commission received a request for Declaratory Statement on June 20, 2006, from the Panama City Beach Building and Planning Department, regarding the requirement specified in Table 403.1, Florida Building Code, Plumbing Volume (2004 as amended 12/05) for drinking fountains in mercantile occupancies. It has been assigned the number DCA06-DEC-153.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that the Florida Building Commission received a request for Declaratory Statement on May 20, 2006, from SEA Limited, regarding application of section 407.3.2, Florida Building Code, Residential Volume (2004 as amended 12/05), to a building with specified roof

damages and specifically the extent to which the repair and building are required to comply with current code requirements rather than the code in effect at the time the building was initially constructed. It has been assigned the number DCA06-DEC-131.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that the Florida Building Commission received a request for Declaratory Statement on July 17, 2006, from the U.S. Air Conditioning, regarding an anticipated amendment to the Florida Building Code, Building Volume pertaining to rating of a split air conditioning system and the effect of replacement of or repair to one element of the system. It has been assigned the number DCA06-DEC-176.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that the Florida Building Commission received a request for Declaratory Statement on June 13, 2006, from the Emil Veksenfeld, P.E., regarding the technical and administrative (inspections) requirements of the Florida Building Code (2004 as amended 12/05), as well as Rule 61G-15, F.A.C., to the renovation of a 27 story condominium building within the High Velocity Hurricane Zone. It has been assigned the number DCA06-DEC-174.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that the Florida Building Commission received a request for Declaratory Statement on June 26, 2006, from the WTCA, regarding whether the load specified by Table 1607.1, Florida Building Code, Building Volume (2004 as amended 12/05), should be applied concurrently with roof live load or wind load as applied to uninhabitable attic spaces without storage in one and two-family dwellings. It has been assigned the number DCA06-DEC-160.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that the Division of Community Planning received a request for Declaratory Statement on April 25, 2006, from Robert Stenstream of the Marion Soil and Water Conservation District. It was assigned

the number DCA06-DEC-114. A Final Order dismissing the petition for failure to meet the requirements of the Uniform Rules in Administrative Code Rule 28-105.001, was entered by the Clerk on July 25, 2006.

A copy of the Final Order may be obtained by writing: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, received a Petition for Declaratory Statement In Re: Petition for Declaratory Statement, Jim Harris, President, Molokai Villas Condominium Association, Inc.; Docket Number 2006035317.

Whether Molokai Villas Condominium Association, Inc. may assess the cost of rebuilding a condominium building that exceeds the amount reimbursed under the association's insurance policy against four of the twenty-one unit owners whose four units in the building were destroyed by fire and hurricane under Sections 718.111(11) and 718.115, Florida Statutes, where the declaration of condominium shifts this common expense to the four affected unit owners.

A copy of the Petition for Declaratory Statement, Docket Number 2006035317 may be obtained by writing: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

The Board of Nursing hereby gives notice that it has received a Petition for Declaratory Statement filed on July 10, 2006 by Wanda Gibbons, RN. The Petitioner seeks the Board's interpretation of the application of Section 464.012, Florida Statutes. Specifically, the Petitioner requests that the Board issue a Declaratory Statement determining whether it is within the scope of practice of a Registered Nurse in an Emergency Department who is not a CRNA, but who has the requisite specialized knowledge and training, to administer intravenous Ketamine (Ketalar) pursuant to a written or verbal order by a Board Certified Emergency Medicine Physician (1) where the patient is not intubated or (2) for the purpose of rendering the patient insensible to pain while performing a procedure such as shoulder reduction or suturing. Also requested is (3) whether it is within the scope of practice of a Registered Nurse in an Emergency Department who is not a CRNA, but who has the requisite specialized knowledge and training, to administer intramuscular Ketamine (Ketalar) pursuant to a written or verbal order by a Board Certified Emergency Medicine Physician for the purpose of rendering a patient insensible to pain while performing a procedure such as shoulder reduction or suturing.

Copies of the petition may be obtained by writing: Rick Garcia, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259.

The Board of Nursing hereby gives notice that it has received a Petition for Declaratory Statement filed on July 10, 2006, by Lisa W. Johnson, RN. The Petitioner seeks the Board's interpretation of the application of Section 464.003(3)(a), Florida Statutes and of paragraph 64B9-8.005(2)(n), F.A.C. Specifically, the Petitioner requests that the Board issue a Declaratory Statement determining (1) whether it is within the scope of practice of a Registered Nurse employed by physicians to make hospital rounds, with or without the physicians being present, of the employer-physicians' patients who are hospitalized and to (a) document progress on the patients' charts or hospital progress reports and to (b) communicate orders as from the employer-physicians, either face-to-face or by telephone, to hospital-employed Registered Nurses regarding the care of the employer-physicians' patients and (2) whether it is within the scope of duties of a Registered Nurse employed by a hospital to accept and cooperate with such practice by a physician-employed Registered Nurse.

Copies of the petition may be obtained by writing: Rick Garcia, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259.

Section VIII
Notices of Petitions and Dispositions
Regarding the Validity of Rules

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges

NONE

Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF EDUCATION

REQUEST FOR BID

The University of Florida, Purchasing and Disbursement Services will receive sealed bids for the following: ITB07MW-105, W/O 903410, Bryant Hall FEMA Window Retrofit, estimated budget: \$200,000, to be opened August 29, 2006, at 2:00 p.m. (Local Time).

Scope of work: The University of Florida is seeking to enhance the protection of the computer resources housed in the eastern wing of Bryant Space Science Research building on the University of Florida campus in Gainesville, Florida and has secured a FEMA Grant to retrofit the windows in this building. The extent of the work is limited to the two story east wing of the building and a single window in the north end of the first floor of the western four story portion of the building. The

retrofit will consist of removing existing windows and frames and installing impact resistant glass windows and frames on 127 existing windows in 47 openings (verify sizes and quantities on site). This project will also include the retrofit of the two store front type main entrance doors at the front lobby (with ADA electric operators). All installations will be done in strict compliance with the Miami-Dade Specifications. The window and door systems provided are required to have current Notice of Approvals (NOA's).

Mandatory Pre-Bid Meeting will be held August 15, 2006, at 2:00 p.m., in the Physical Plant Division, Architecture/Engineering Conference Room, Bldg. 700, Radio Road, Gainesville, FL.

Specifications and Plans are available in Purchasing and Disbursement Services, Elmore Hall, Radio Road, Gainesville, FL 32611. All questions and bid document requests should be directed to Karen Olitsky, Purchasing and Disbursement Services, kolitsk@ufl.edu or (352)392-1331, ext. 224.

AMERICANS WITH DISABILITY ACT OF 1991 – If special accommodations are needed in order to attend the Pre-Bid Meeting or the Bid opening, contact Purchasing, (352)392-1331, within three (3) days of the event.

INVITATION TO BID

The Florida State University Facilities Purchasing shall receive sealed bids until the dates and times shown for the following projects. Bids may be brought to the bid opening or sent to:

Florida State University
 Facilities Maintenance, Purchasing
 114F Mendenhall, Building A
 Tallahassee, Florida 32306

prior to bid opening. Bidder must reference bid number, opening date and time on outside of bid package to insure proper acceptance. Bids submitted by facsimile are not acceptable. For information relating to the Invitation(s) to Bid, contact the

Bid Number: FAC93-06
 Purchasing Agent: B. J. Lewis, Facilities
 MANDATORY PRE BID: August 22, 2006, 10:00 a.m.
 LOCATION: Fine Arts Building, corner of Call and Copeland Street
 Public Bid Opening: September 6, 2006, 2:00 p.m.
 FSU-Facilities Maintenance
 116 Mendenhall Hall, Building A
 Tallahassee, Florida 32306-4150
 Facilities Maintenance Purchasing

Bid Documents: Purpose of this invitation to Bid (ITB) is to secure a qualified contractor to lease appropriate water purification equipment, provide training, and full service

maintenance so as to guarantee both the quality and quantity of high purity water required at each Florida State University campus location, listed here.

NOTICE TO CONSTRUCTION MANAGERS

Florida State University announces that construction management services will be required for the project listed below:

Project No.: FS-284

Project and Location: Student Success Center
Florida State University, Tallahassee,
Florida

The project consists of the design and construction of approximately 47,000 square feet of space on Woodward Avenue, adjacent to the Student Life Building. This new facility will house the LEAD Center, the Center for Civic Education and Service, and the Career Center, which are currently in separate locations. The Student Success Center will include classrooms, resource centers, meeting rooms, offices and technology accommodations. The estimated construction cost is \$9,450,000.00.

The contract for construction management services will consist of two phases. Phase one is pre-construction services, for which the construction manager will be paid a fixed fee. Phase one services include value engineering, constructability analyses, development of a cost model, estimating, and the development of a Guaranteed Maximum Price (GMP) at 50% Construction Document phase. If the GMP is accepted, phase two, the construction phase, will be implemented. In phase two of the contract, the construction manager becomes the single point of responsibility for performance of the construction of the project and shall publicly bid trade contracts, encouraging the inclusion of Minority Business Enterprises (MBEs). Failure to negotiate an acceptable fixed fee for phase one of the contract, or to arrive at an acceptable GMP within the time provided in the agreement may result in the termination of the construction manager's contract.

Selection of finalists for interviews will be made on the basis of construction manager qualifications, including experience and ability; past experience; bonding capacity; record-keeping/administrative ability, critical path scheduling expertise; cost estimating; cost control ability; quality control capability; and qualifications of the firm's personnel, staff and consultants. Finalists will be provided with the latest documentation prepared by the project architect/engineer, a description of the final interview requirements and, if requested, a copy of the standard Florida State University's construction management agreement. The Selection Committee may reject all proposals and stop the selection process at any time. The construction manager shall have no ownership, entrepreneurial or financial affiliation with the selected architect/engineer involved with this project.

Instructions:

Firms desiring to provide construction management services for the project shall submit a letter of application and the completed Florida State University "Construction Manager Qualifications Supplement." Proposals must not exceed 80 pages, including the Construction Manager Qualifications Supplement and letter of application. Pages must be numbered consecutively. Submittals which do not comply with these requirements or do not include the requested data will not be considered. No submittal material will be returned.

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 \$50,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

The Florida State University Construction Manager Qualifications Supplement forms and the Project Fact Sheet may be obtained through the website at www.fpc.fsu.edu or by contacting: Lynetta Mills, Facilities Design and Construction, 109 Mendenhall Maintenance, Building A, Florida State University, Tallahassee, Florida 32306-4152, (850)644-2843 telephone, (850)644-8351 facsimile. For further information on the project, contact: Lisa Durham, Sr. Project Manager, at the address and phone listed above.

Five bound copies of the required proposal data shall be submitted. Submittals must be received at the address listed above by 2:00 p.m. (local time), on Friday, September 1, 2006. Facsimile (FAX) or electronic submittals are not acceptable and will not be considered. All applicants will be notified of the results of the short listing via the Facilities Design and Construction web site at www.fpc.fsu.edu.

CALL FOR QUALIFICATIONS

The University of West Florida Board of Trustees is soliciting sealed Professional Qualifications submittals for an Educational Research Center for Child Development.

Professional Services are required to develop plans, specifications, drawings, and other construction documents for an Educational Research Center for Child Development on the main campus of the University of West Florida in Pensacola, FL.

The UWF Professional Qualifications Supplement (UWF-PQS) outlines the minimum requirements the firm will submit for this proposed master-planning design service.

Interested firms are required to visit the campus and must submit a Site Visit Form signed by authorized University personnel with its submittal.

A formal presentation to the selection committee may be required from each firm/team short-listed as a part of the selection process. Short listed applicants will be informed of the final interview date, time, and place and will be provided additional project information, if available.

Sealed submittals will be received until the close of business on September 5, 2006 at the Procurement Services Office, Bldg. 8, Room 102, The University of West Florida, 11000 University Parkway, Pensacola, FL 32514.

Solicitation number 06/PQS-03/ES must be marked on outside of sealed submittal. The University will not be responsible for unopened submittals when the package is not properly identified.

Interested firms may download the Project Fact Sheet and related information from the Procurement Services website at <http://uwf.edu/procurement> or contact: Elaine Smith, etsmith@uwf.edu, (850) 474-2627. All inquiries should be submitted in writing to Elaine Smith, etsmith@uwf.edu.

NOTICE TO CONSTRUCTION MANAGERS

The University of Central Florida, announces that construction management services will be required for the project listed below:

Project No. UCF-521

Project and Location: Physical Sciences Building, University of Central Florida, Orlando, Florida 32816-3020.

The design and construction of a new research facility that contains approximately 68,010 NASF/102,015 GSF which include 600 sq. ft. for classrooms, 4,000 sq. ft. for teaching labs, 45,460 sq. ft. for research labs and 17,950 sq. ft. for offices.

The new building will provide a facility for Physics and Chemistry. Two (2) locations are being considered for this project, which will be discussed with the shortlisted firms.

The Physical Science Building will be located on the University of Central Florida campus within the academic core. The total project cost is anticipated to be \$21,382,461 contingent upon the availability of funding.

The contract for construction management services will consist of two phases. Phase one is pre-construction services, for which the construction manager will be paid a fixed fee. Phase one services include value engineering, constructability analyses, development of a cost model, estimating, and the development of a Guaranteed Maximum Price (GMP) at 50% Construction Document phase (or other phase, if applicable. If so, change this reference). If the GMP is accepted, phase two, the construction phase, will be implemented. In phase two of the contract, the construction manager becomes the single point of responsibility for performance of the construction of the project and shall publicly bid trade contracts, encouraging

the inclusion of Minority Business Enterprises (MBEs). Failure to negotiate an acceptable fixed fee for phase one of the contract, or to arrive at an acceptable GMP within the time provided in the agreement may result in the termination of the construction manager's contract.

Selection of finalists for interviews will be made on the basis of construction manager qualifications, including experience and ability; past experience; bonding capacity; record-keeping/administrative ability; qualification of the firm's personnel, staff and consultants. Finalists will be provided with a copy of the building program and the latest documentation prepared by the project architect/engineer, a description of the final interview requirements and a copy of the standard University of Central construction management agreement. The Selection Committee may reject all proposals and stop the selection process at any time. The construction manager shall have no ownership, entrepreneurial or financial affiliation with the selected architect/engineer involved with this project.

Firms desiring to provide construction management services for the project shall submit a letter of application and a completed University of Central Florida "Construction Manager Qualifications Supplement." Proposals must not exceed 40 pages, including the Construction Manager Qualifications Supplement and letter of application. Pages must be numbered consecutively. Submittals which do not comply with these requirements or do not include the requested data will not be considered. No submittal material will be returned.

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 \$15,000.00 in connection with this project for a period of 36 months from the date of placement on the convicted vendor list.

The Construction Manager Qualifications Supplement forms and the Project Fact Sheet may be obtained by contacting: Gina Seabrook, Office of Facilities Planning, University of Central Florida, 4000 Central Florida Boulevard, Orlando, FL 32816-3020, Phone: (407)823-2166, Fax: (407)823-5141, Email: gseabroo@mail.ucf.edu.

The project fact sheet for the Physical Sciences Building and the CMQS Form may be found on the Facilities Planning home page. Our Internet address is: www.fp.ucf.edu.

Four (4) bound copies of the required proposal data shall be submitted to: Mr. Peter Newman, Facilities Planning, 4000 Central Florida Blvd., Post Office Box 163020, Orlando, FL 32816-3020. Submittals must be received by 5:00 p.m. (local time), September 15, 2006. Facsimile (FAX) submittals are not acceptable and will not be considered. Late submissions will not be accepted.

NOTICE TO DESIGN-BUILDERS

The Florida International University Board of Trustees announces that design-build services will be required for the project listed below:

Project Name and Number: Football Stadium Expansion, BT-842

Project Location: This facility will be located at Florida International University, University Park.

Project Description: Florida International University is soliciting qualifications for a design-build firm to provide complete design-build services for the expansion of the existing football stadium located at University Park, Miami, Florida. The scope of the project will include, but is not limited to, the demolition and expansion of the existing 7500 seat stadium to a new stadium of approximately 23,500 seats with the ability to expand to 45,000 including men's and women's bathroom facilities, concessions, private luxury suites, press box and media areas, expansion of the existing field house, and the addition of offices for the head football coach and his staff. Other items include field lighting, landscaping, scoreboard, sound system, expansion of existing utility systems necessary to accommodate new components, demolition of existing running track, adjacent roadway and entry modifications to accommodate the overall expansion, and other miscellaneous support elements.

Applicants will be provided a maximum Design-Build project budget, Building Program, and Design Criteria package prepared by the Owner's design criteria consultants. This documentation will establish and prioritize facility needs, and establish evaluation guidelines.

Firms desiring to provide design build-services for the project shall submit a letter of application and a completed Design-Build Qualifications Supplement (DBQS) form. Submittals should not exceed 80 pages, including the DBQS form and letter of application. Pages shall be numbered consecutively. Submittals which do not include the requested data as specified in the DBQS form will not be considered. No submittal material will be returned. Note: A previous design-build selection and negotiation process for this project has been terminated. A complete updated submittal of all requested documents is required. Previously submitted information will not be considered.

The process for selecting a design-build firm for this Project will include evaluation and scoring of the information provided on the respondent's DBQS form. A Selection Committee will

evaluate and score the information provided, which includes prior project-related experience, design and technical abilities, financial resources, etc...

A minimum of 3 firms receiving the highest scores after evaluation will be short listed. These firms will be given the opportunity to present their design build qualifications, design and construction services, approach and methodology to the Selection Committee. Based on this presentation and interview a minimum of 3 design build firms will be selected to prepare and submit priced schematic designs and a construction schedule based on F.I.U.'s building Program and Design Criteria package.

QUALIFICATIONS REQUIREMENTS: In addition to other requirements included in the DBQS form, the design-build firm team member(s) involved in professional services as engineer and/or architect and construction services as a certified general contractor shall meet the requirements of Section 287.055, Florida Statutes, at the time of the DBQS submittal. 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 Design-Build 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 Design-Build firm 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.

The Design-Build Qualifications Supplement (DBQS) form and the project fact sheet may be obtained by mail from: Facilities Planning, Florida International University, University Park, Miami, Florida 33199, or by Faxing a request to (305)348-4010, or login to <http://facilities.fiu.edu/fpc.htm> (find project under Facilities Construction Project Information). Requests for meetings by individual firms will not be granted. Once the firm acquires the required forms, questions may be directed to Facilities Planning.

Eight (8) bound copies of the Design-Build Qualifications submittal should be delivered to: Selection Committee, Florida International University, University Park, CSC 236, Miami, Florida 33199. and clearly marked with the title "Football Stadium Expansion. BT-842"

Submittals must be received by 2:00 p.m. (local time), on Friday, September 1, 2006. Facsimile (FAX) submittals are not acceptable and will not be considered.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

REGIONAL TRANSPORTATION AUTHORITIES

NOTICE TO DISPATCHING SERVICE

PROVIDERS AVAILABILITY OF INDUSTRY REVIEW DOCUMENTS FOR TRANSITION, DISPATCHING, TRAIN CONTROL AND YARD SERVICES

The South Florida Regional Transportation Authority (SFRTA), an agency of the State of Florida, operates Tri-Rail, a seventy-two mile commuter railroad with eighteen (18) stations in Miami-Dade, Broward and Palm Beach Counties.

PURPOSE: The South Florida Regional Transportation Authority (SFRTA) has prepared technical specifications and will be seeking comments from interested providers before finalizing an RFP for Transition, Dispatching, Train Control and Yard Services including dispatching SFRTA trains along with CSXT, Amtrak, and other trains along the South Florida Rail Corridor.

The initial dispatching Train Traffic Control services that the selected Contractor will perform maybe restricted to passenger trains on the trackage on and in the vicinity of the New River Bridge Carve Out.

Additionally, Contractor may be required to provide dispatching services for freight and passenger trains on future State of Florida owned or operated rail corridors and/or corridors owned or operated on by other public transit agencies within the State of Florida.

TO REQUEST AN OPPORTUNITY TO COMMENT: Send an e-mail to beckerb@sfirta.fl.gov. If you do not receive a reply after two business days, contact Ms. Charmaine Davis-Matthei at (954)788 -7905. Industry Review documents will be on CD and will be available on or about Wednesday, July 26, 2006. The Industry Review package will be distributed only to established providers within the railroad industry.

RECEIPT OF WRITTEN COMMENTS: All comments regarding the Industry Review package must be received in both hard copy and on CD no later than 5:00 p.m. (Eastern Standard Time), Wednesday, August 30, 2006, at the SFRTA office in Pompano Beach, Florida.

ISSUANCE OF SOLICITATION: Intended for Fall 2006. SFRTA will review comments and suggested changes and modifications prior to issuance of the solicitation. Participation in the Industry Review is not a pre-requisite for participation in the solicitation or award of any contract resulting from the

solicitation. Nor will participation in the Industry Review preclude participation in the solicitation or award of any contract resulting from the solicitation.

WATER MANAGEMENT DISTRICTS

NOTICE OF REQUEST FOR INFORMATION

NO. 05/06-063WR

The purpose of this Request for Information (RFI) is to enable the Suwannee River Water Management District (District) to obtain and distribute information on Rotary Composters to eligible Poultry Operations (OPERATION) in North Central Florida. The Rotary Composters will be used to compost dead birds.

The RFI outlines the product specifications and information requested. All information must be submitted in accordance with the RFI document.

A copy of this RFI is available at www.srwmd.state.fl.us OR requests for the RFI document may be directed to:

Debbie Davidson, Administrative Assistant
Suwannee River Water Management District
9225 CR 49
Live Oak, FL 32060
(386)362-1001 or (800)226-1066 (Florida only)

All questions concerning the RFI must be mailed or emailed to Debbie Davidson at davidson_d@srwmd.state.fl.us or faxed to her at (386)362-1056, no later than 4:00 p.m., on August 11, 2006. To receive responses to questions sent to the District, a Contractor Registration Form must also be emailed or faxed to the District no later than August 11, 2006, at 4:00 p.m. Responses to the questions will be emailed by 5:00 p.m. on August 15, 2006, to individuals as outlined in the RFI.

The responses for the RFI are due at SRWMD headquarters in Live Oak prior to 4:00 p.m., August 23, 2006.

EXPRESSWAY AUTHORITIES

MDX PROCUREMENT/CONTRACT NO.: ITB-07-03

MDX WORK PROGRAM NO.: 87407.060

CONSTRUCTION SERVICES

SR 874 NB ON-RAMP FROM KENDALL DRIVE

MDX is seeking the services of a pre-qualified roadway/bridge contractor to reconstruct the existing ramp and construct a steel box girder bridge crossing SR 878 and connecting to northbound SR 874. The project also includes construction of noise walls and landscaping. In accordance with Rule 14-22, F.A.C., bidders must be pre-qualified by FDOT in the categories of Major Bridge – Curved Steel Girders an Flexible Paving or be certified by Miami-Dade County, under Chapter 10 of the Miami Dade Code, as a Structural Engineering Contractor and Pavement Engineering Contractor. MDX notified all Bidders and individuals that it requires and encourages small, minority and women-owned businesses to

have full opportunity to submit a response to any solicitation document issued by MDX. MDX requires satisfaction of a 15% small business participation goal in this project. Please refer to the Small Business Participation Policy (available on MDX's website). For complete requirements, please log onto our site: www.mdxway.com or call MDX, (305)637-3277. Please note: In order to download any MDX solicitations, you must register as a vendor. The vendor registration can only be done through MDX's website. Deadline for submitting a sealed Bid is September 28, 2006, by 2:00 p.m. (Eastern Time). A Pre-bid conference is scheduled for September 6, 2006. Attendance to the Pre-bid conference is NOT mandatory however, everyone is encouraged to attend.

INVITITION TO BID

MDX PROCUREMENT/CONTRACT NO.: ITB-07-04

MDX WORK PROGRAM NO.: 50029.060

The Miami-Dade Expressway Authority (MDX) is requesting individual sealed bids to be submitted for construction services for the System-wide Bridge Joint Replacement and Structural Improvements including repairs on bridges and miscellaneous structures such as the repair or replacement of expansion joints, concrete headers, concrete parapets, crack injection and sealing, concrete spalls, rip-rap, aluminum handrail, concrete slope pavement and other miscellaneous concrete repairs at various locations of the MDX System (the "Project"). The bidder shall be pre-qualified by the Florida Department of Transportation ("FDOT") under Rule Chapter 14-22, Florida Administrative Code for any Bridge Category; or have completed at least one project equal or greater than \$250,000 for FDOT or a Florida municipality for this type of work within the last 3 years. MDX notifies all Bidders and individuals that it requires and encourages small, minority and women-owned businesses to have full opportunity to submit a response to any solicitation document issued by MDX. For copies of the ITB with complete information on the scope of services as well as submittal requirements, please log onto our web site: www.mdx-way.com or call MDX Procurement Office, (305)637-3277. Please note: In order to download any MDX solicitations, you must register as a vendor. The vendor registration can only be done through MDX's website. Deadline for submitting a Bid Package is August 31, 2006, by 2:00 p.m. (Eastern Time). A Pre-bid conference is scheduled for August 17, 2006.

DEPARTMENT OF MANAGEMENT SERVICES

**NOTICE OF BID/REQUEST FOR PROPOSAL
PUBLIC ANNOUNCEMENT FOR CONSTRUCTION
CONTRACTORS TO PROVIDE CONSTRUCTION
MANAGEMENT AT RISK SERVICES**

REQUEST FOR QUALIFICATIONS (RFQ): The Department of Management Services, Division of Real Estate Development and Management, request qualifications for licensed general contractors, to submit for Construction Management at Risk services on the following project:

PROJECT NUMBER: DOE-23023000

PROJECT NAME: Library Annex Construction and Parking Lot, Braille and Talking Book Library

PROJECT LOCATION: Daytona Beach, Florida

PROJECT SCOPE and SIZE: The project is a new stand-alone 3,000 S.F. one-story air conditioned building and associated parking.

CONSTRUCTION COST: \$848,950.00

For details please visit the Department's website listed below and click on "Search Advertisement – Division of Real Estate Development and Management." http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu

**NOTICE OF BID/REQUEST FOR PROPOSAL
PUBLIC ANNOUNCEMENT FOR
ARCHITECTURAL AND ENGINEERING SERVICES**

The Department of Management Services (DMS), Division of Real Estate Development and Management, announces that professional services are required for the project listed below.

PROJECT NUMBER: JB-26014000

PROJECT NAME: Third District Court of Appeal – Architect Services for Building Reconfiguration (Security Enhancements for Building Entrance and Public Parking)

PROJECT LOCATION: Miami, Dade County, Florida

BUDGET: Current study and design phase funding is limited to approximately \$90,000. Proposal site adjustments, building remodeling and/or addition are targeted at \$1,000,000.00, to be confirmed by brief initial conceptual study.

For details please visit the Department's website listed below and click on "Search Advertisement – Division of Real Estate Development and Management." http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu

Notice of Bid/Request for Proposal

**NOTICE TO PROFESSIONAL CONSULTANTS
FOR ARCHITECTURAL AND ENGINEERING SERVICES**
The Department of Management Services (DMS), Division of Real Estate Development and Management, announces that professional services are required for the project listed below.
PROJECT NUMBER: MSFM-26002100

PROJECT NAME AND DEION: Capital Circle Office Complex Parcel 2 – New five-story prototype office building shell and other project related Architectural and Engineering Services for expansion of the Capital Circle Office Complex to accommodate a phase or phases of the Department of Revenue’s relocation and consolidation. Other project related services may include the design of a special use building, LEED certification, design/construction oversight of other project consultants, tenant improvements for related buildings, construction administration, etc.

PROJECT LOCATION: Tallahassee, Leon County, Florida

BUDGET: \$48,000,000.00

For details please visit the Department’s website listed below and click on “Search Advertisement – Division of Real Estate Development and Management.” http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF FAMILY SERVICES

**NOTICE OF SELECTION OF
ARCHITECTURAL/ENGINEERING FIRM FOR
CONTINUING CONTRACT FOR
ARCHITECTURAL/ENGINEERING SERVICES
FOR THE AREA OF DISTRICTS 3 AND 4
DCF – 06243000**

This notice serves to announce the Department of Children and Family Services intent to award the referenced continuing area contract to the highest ranking firm listed below. The order of selection is as follows:

1. Skinner Vignola McLean, Inc.
1628 N.W. 6th Street
Gainesville, FL 32609
2. Fleet & Associates Architects/Planners, Inc.
4041 Sunbeam Road
Jacksonville, FL 32257
3. Akel Logan & Shafer, P.A.
704 Rosselle Street
Jacksonville, FL 32204
4. Ruth and Dunavant Architects, Inc.
25 South 2nd Street, Suite 4
Jacksonville, FL 32250

Failure to file a protest within 72 hours shall constitute a waiver of proceedings under Chapter 120, F.S.

**GAINESVILLE-ALACHUA COUNTY REGIONAL
AIRPORT AUTHORITY**

**REQUEST FOR STATEMENTS OF QUALIFICATIONS
PROJECT MANAGEMENT
RFQ # 06-014**

The Gainesville-Alachua County Regional Airport Authority (GACRAA) is soliciting Statements of Qualifications (SOQ’s) for the purpose of obtaining general consulting services in the area of project management and oversight for the Gainesville Regional Airport. Consulting services may include, but are not limited to the following:

- Project Management
- Document Control
- Value Engineering
- Resident Project Representative Services including Construction Coordination, Observation and Testing.

The SOQ documents will be available beginning July 24, 2006 at the Gainesville Regional Airport’s Administration office, 3880 N.E. 39th Avenue, Gainesville, FL 32609.

The term of the contract is for three (3) years.

Five (5) copies of the SOQ’s must be signed by an authorized official, enclosed in a sealed envelope or package clearly marked “Proposal No. 06-014 Project Management” and mailed or delivered to the Authority’s Administrative Office, Gainesville Regional Airport, Attn.: Richard Crider, Chief Executive Officer, 3880 N. E. 39th Avenue, Gainesville, FL 32609. SOQ’s received after 5:00 p.m. September 1, 2006 will not be considered. The official clock is located in the Authority’s Administrative Office. Only SOQ’s received by this time and date will be considered.

GACRAA reserves the right to reject any or all SOQ’s received in response to this Request for Qualifications as determined to be in the best interest of the Airport.

For additional information, contact: Lynn Noffsinger, (352)373-0249, ext. 23 or via e-mail lynn.noffsinger@flygainesville.com

DEPARTMENT OF MILITARY AFFAIRS

ADVERTISEMENT FOR BIDS

PROPOSALS ARE REQUESTED FROM QUALIFIED GENERAL OR BUILDING CONTRACTORS, LICENSED BY THE STATE OF FLORIDA, FOR THE CONSTRUCTION OF:

PROJECT NO: CFMO-205005 ACCOUNTING CODE: NA
PROJECT NAME AND LOCATION: RENOVATION CRESTVIEW NATIONAL GUARD ARMORY, CRESTVIEW, FLORIDA

PROJECT DESCRIPTION: RENOVATION OF EXISTING BUILDINGS INTERIOR AND EXTERIOR TO INCLUDE EXTERIOR SITE WORK AS DEFINED IN THE ARCHITECT/ENGINEERS SPECIFICATIONS.

FOR: Department of Military Affairs, Construction and Facility Management Office

MINORITY PROGRAM: Utilization of MBE participation is highly encouraged from all Bidders.

MANDATORY PRE-BID MEETING: A Mandatory Pre-Bid Meeting will be held for all interested Prime Bidders and MBE's certified by the Minority Business Advocacy and Assistance Office On: August 30, 2006 at 11:00 a.m. (Local time), The Crestview National Guard Armory, 1518 East James Lee Boulevard, Crestview, Florida 32539. All Prime Bidders interested in bidding on this project are required to attend and address subcontracting opportunities for MBE's.

DISCRIMINATION; DENIAL OR REVOCATION FOR THE RIGHT TO TRANSACT BUSINESS WITH PUBLIC ENTITIES: An entity or affiliate who has 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.

PREQUALIFICATIONS: Each bidder whose field is governed by Chapter 399, 455, 489, and 633 of the Florida Statutes, for licensure or certification must submit prequalification data of their eligibility to submit proposals five (5) calendar days prior to the bid opening date. After the bid opening, the low bidder must qualify in accordance with Chapter 60D-5.004, F.A.C. A copy of the requirements is included in the Instruction to Bidders under Article B-2 "Bidder 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 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.

BID SECURITY: If the bid proposal amount is \$100,000 or less, a bid security (5%) is not required.

PERFORMANCE BOND AND LABOR AND MATERIAL PAYMENT BOND: If the construction contract award amount is \$100,000 or less, a Performance Bond and Labor and Material Payment Bond are not required.

Sealed bids will be received and publicly opened and read aloud on:

DATE AND TIME: September 14, 2006, until 11:00 a.m. (local time)

PLACE: Crestview National Guard Armory, 1518 East James Lee Boulevard, Crestview, Florida 32539

PROPOSAL: Bids may be submitted prior to bid opening date if received by the Department of Military Affairs, NO LATER THAN September 13, 2006, BEFORE CLOSE OF BUSINESS. CFMO ATTN: Mr. Kenneth Hersey, Robert F. Ensslin, 2305 State Road 207, St. Augustine, Florida 32086 Telephone (904)823-0282, in full accordance with the requirements of the Drawings, Specifications, Bidding Conditions, and Contractual Conditions, which may be examined and obtained, as of August 4, 2006, from SKINNER VIGNOLA MCLEAN, INC.

DEPOSIT: \$150.00 per set of Drawings and Specifications is required with a limit of two (2) sets per General Contractor or Prime Bidder and one set per mechanical subcontractor and/or electrical subcontractor. The deposit shall only be returned to those General Contractors, or Prime Bidders, mechanical subcontractors and/or electrical subcontractors, who, after having examined the Drawings and Specifications:

- a. Submit a request for pre-qualification and fail to qualify, or
- b. Submit a bid (in the case of mechanical and/or electrical subcontractor's submission of a bid to a prime bidder), and return the Drawings and Specifications in good condition within fifteen (15) days of the date of receipt of bids.

-OR-

FULL SETS of drawings and specifications may be purchased by payment of the printing and handling cost at the rate of \$125.00 per set.

All Technical questions shall be directed to the A/E until close of business September 7, 2006.

ARCHITECT-ENGINEER: SKINNER VIGNOLA MCLEAN INC., 1628 N. W. 6th Street, Gainesville, Florida 32609, Telephone: (352)378-4400, Fax: (352)377-5378, e-mail: svmjim@bellsouth.net, Attn.: James M. Vignola.

CONTRACT AWARD: The Bid Tabulation and Notice of Award Recommendation will be posted at the location where the bids were opened as well as the myflorida.com website at http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu

"Search Advertisements". In the event that the Bid tabulation and Notice of Award Recommendation can not 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 State of Florida's performance and obligation to pay under this contract is contingent upon availability of funding and an annual appropriation by the Legislature.

Section XII Miscellaneous

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to subsection 380.06(4)(a), Florida Statutes.

FILE NO.: BLIM-07-2007-001
 DATE RECEIVED: July 17, 2006
 DEVELOPMENT NAME: POINCIANA
 DEVELOPER/AGENT: Polk County School Board/Jesse W. Pearson
 DEVELOPMENT TYPE: 28-24.023, 28-24.024, F.A.C.
 LOCAL GOVERNMENT: Polk County

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), United Motors of America intends to allow the establishment of Ace Cycles, Inc., as a dealership for the sale of Hyosung motorcycles at 200 North French Avenue, Sandord (Seminole County), Florida 32771, on or after July 17, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Ace Cycles, Inc., are dealer operator(s): Keith Byrnes, 200 North French Avenue, Sanford, Florida 32771 and Scott Byrnes, 200 North French Avenue, Sanford, Florida 32771; principal investor(s): Keith Byrnes, 200 French Avenue, Sanford, Florida 32771, and Scott Byrnes, 200 North French Avenue, Sanford, Florida 32771.

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: Dealer License Section, Department of Highway

Safety and Motor Vehicles, Room A-312, MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Melissa Bell, Sales Support, United Motors of America, 8801 Northwest 23rd Street, Miami, Florida 32771.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), United Motors of America, intends to allow the establishment of Gulf Coast Motorcycles, LLC, as a dealership for the sale of Hyosung motorcycles, at 16090 South Tamiami Trail, Fort Myers (Lee County), Florida 33908, on or after July 17, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Gulf Coast Motorcycles, LLC, are dealer operator(s): Edward Gallo, 6851 Misty Lake Court, Fort Myers, Florida 33908; principal investor(s): Edward Gallo, 6851 Misty Lake Court, Fort Myers, Florida 33908.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Melissa Bell, Sales Support, United Motors of America, 8801 Northwest 23rd Street, Miami, Florida 33172.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), STR Motorsports, Inc., intends to allow the establishment of Ali-J, Inc., as a dealership for the sale of KYMCO motorcycles at 1540 Main Street, Sarasota (Sarasota County), Florida 34230, on or after July 19, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Ali-J, Inc., are dealer operator(s): Jeffery A. Free, 5924 Tarpon Gardens Circle, #202, Cape Coral, Florida 33914; principal investor(s): Jeffery A. Free, 5924 Tarpon Gardens Circle, #202, Cape Coral, Florida 33914.

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: Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Bruce Ramsey, VP of Sales/Marketing, 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 Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), notice is given that STR Motorsports, Inc., intends to allow the establishment of Charlie Dyches Power Sports, LLC, as a dealership for the sale of KYMCO motorcycles at 2314 East Edgewood Drive, Lakewood (Walton County), Florida 33803, on or after July 17, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Charlie Dyches Power Sports, LLC, are dealer operator(s): Charlie Dyches, 3455 Blueberry Drive, Lakeland, Florida 33811; principal investor(s): Charlie Dyches, 3455 Blueberry Drive, Lakeland, Florida 33811.

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: Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Bruce Ramsey, VP of Sales/Marketing, 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 (2005), STR Motorsports, Inc., intends to allow the establishment of Jet Ski Orlando, Inc., as a dealership for the sale of KYMCO motorcycles at 6801 South Orange Avenue, Orlando (Orange County), Florida 32809, on or after July 17, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Jet Ski Orlando, Inc., are dealer operator(s): Betty Simmons, 8611 Curry Ford Road, Orlando, Florida 32825; principal investor(s): Betty Simmons, 8611 Curry Ford Road, Orlando, Florida 32825.

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: Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Bruce Ramsey, VP of Sales/Marketing, 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 Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), notice is given that Zongshen, Inc., intends to allow the establishment of Mojo Powersports, Inc., d/b/a Mojo Scooters, as a dealership for the sale of Zongshen motorcycles at 707 West Bay Drive, Largo (Monroe County), Florida 33770, on or after July 1, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Mojo Powersports, Inc., d/b/a Mojo Scooters, are dealer operator(s): Peter Spoto, 707 West Bay Drive, Largo, Florida 33770; principal investor(s): Peter Spoto, 707 West Bay Drive, Largo, Florida 33770.

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: Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Cavan Chan, Authorized Representative, Zongshen, Inc., 3511 Northwest 113th Court, Doral, 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 (2005), notice is given that Autocar, LLC, intends to allow the establishment of Tallahassee Truck & Freightliner Service as a dealership for the sale of Autocar Xpeditor at 3321 Garber Drive, Tallahassee (Leon County), Florida 32303, on or after July 14, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Tallahassee Truck & Freightliner Service are dealer operator(s): Howard Flowers, 3321 Garber Drive, Tallahassee, Florida 32303; principal investor(s): Howard Flowers, 3321 Garber Drive, Tallahassee, Florida 32303.

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: Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Chris Barrett, Compliance Enforcement, Autocar, LLC, 551 South Washington Street, P. O. Box 190, Hagerstown, Indiana 47346.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), Zongshen, Inc., intends to allow the establishment of Avisha Scooters, Inc., as a dealership for the sale of Zongshen motorcycles at 19301 Southwest 106th Avenue, Cutler Bay (Dade County), Florida 33157, on or after July 1, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Avisha Scooters, Inc., are dealer operator(s): Chamrong Oung, 19301 Southwest 106 Avenue, Cutler Bay, Florida 33157; principal investor(s): Chamrong Oung, 19301 Southwest 106 Avenue, Cutler Bay, Florida 33157.

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: Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Cavan Chan, Authorized Representative, Zongshen, Inc., 3511 Northwest 113 Court, Doral, 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 the Relocation of a
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Harley-Davidson Motor Company intends to allow the relocation of Fort Lauderdale Harley-Davidson, Inc., as a dealership for the sale of Harley-Davidson motorcycles, from its present location at 443 South State Road #7, Fort

Lauderdale, Florida 33317, to a proposed location at 201 International Parkway, Fort Lauderdale (Broward County), Florida 33325, on or after June 19, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Fort Lauderdale Harley-Davidson, Inc., are dealer operator: Bruce Rossmeyer, 421 Ocean Shore Boulevard, Ormond Beach, Florida 32136; principal investor(s): Terry Taylor, 15 Harborage Isle, Fort Lauderdale, Florida 33316. The notice indicates intent to relocate the franchise 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, 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: Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Melissa Dooley, Dealer Development Representative, Harley-Davidson Motor Company, 3700 West Juneau Avenue, P. O. Box 653, Milwaukee, Wisconsin 53201.

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.

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

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

If no objections are received, then a Final Order approving the modification shall be issued by the Department. If objections are raised and an agreement cannot be reached, then pursuant to Section 403.516(1)(c), F.S., the applicant may file a petition for modification seeking approval of those portions of the request for modification to which written objections were timely filed.

Mediation is not available in this proceeding.

DEPARTMENT OF HEALTH

On July 26, 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 Alex Petro, D.C., license number CH 7765. 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 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 July 20, 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 William J. Espinoza, M.D., license number ME 22082. 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 July 21, 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 Jose Gustavo Valladares, M.D., license number ME 95773. 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 July 19, 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 Brian Paul

Dipesa, L.P.N. license number PN 5166393. 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 July 19, 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 Carl Edward Durant, L.P.N. license number PN 5166167. 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 July 24, 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 Aminat Olatokunbo Oladipo, R.N. license number RN 9241902. 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 July 21, 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 Susan Michele Miller Powell, R.N. license number RN 2151872. 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 July 20, 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 Melanie

Renee Treece, R.N. license number RN 9204987. 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 July 20, 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 Dieterich A. Doerfler, Jr., C.R.T. license number TT 1657. 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.

Request for Public Comments on Florida's WIC Program
The WIC Program (the Special Supplemental Nutrition Program for Women, Infants, and Children) is soliciting comments and suggestions about its program and how service delivery can be improved to better meet the clients' needs. WIC is federally funded by the United States Department of Agriculture, and serves low- and moderate-income pregnant, breastfeeding, and postpartum women; infants; and children up to age 5. The program provides a combination of nutritious foods, nutrition education, breastfeeding support, and referrals for health care. WIC is available in all 67 counties in Florida. If you have any comments or suggestions, please direct them to: Cheryl Miller, Department of Health, WIC and Nutrition Services, BIN #A-16, 4052 Bald Cypress Way, Tallahassee, FL 32399-1726; or by Fax (850)922-3936. Your feedback is essential and is appreciated before August 15, 2006. WIC is an equal opportunity provider.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE OF FILINGS

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received the following applications. Comments may be submitted to the Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition with the Clerk, Legal Services Office, Office of Financial Regulation, 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., August 25, 2006):

APPLICATION TO ACQUIRE CONTROL

Financial Institution to be Acquired: Royal Palm Bank of Florida (Royal Palm Bancorp, Inc.), Naples, Florida
Proposed Purchaser: Mercantile Bancorp, Inc., Quincy, Illinois
Received: July 18, 2006.

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received a request by a credit union to expand its field of membership. Specific information regarding the expansion can be found at <http://www.fldfs.com/ofr/banking/cufm.asp>
Name and Address of Applicant: Miami Postal Service Credit Union, Post Office Box 520622, General Mail Facility, Miami, Florida 33152-0622
Expansion Includes: Select Employee Group
Received: July 20, 2006.

SUNSHINE STATE ONE-CALL OF FLORIDA

NOTICE OF FEASIBILITY STUDY AND REQUEST FOR PUBLIC COMMENT

One of the amendments to Chapter 556, the Underground Facility Damage Prevention and Safety Act, F.S., approved during the 2006 Florida Legislative session and effective on October 1, 2006 provides that:
556.105 Procedures—

(1)(d)(1) The system shall study the feasibility of the establishment or recognition of zones for the purpose of allowing excavation within such zones to be undertaken without notice to the system as now required by this chapter when such zones are:

- a. In areas within which no underground facilities are located.
- b. Where permanent markings, permit and mapping systems and structural protection for underwater crossing are required or in place.
- c. For previously marked utilities on construction of one or two family dwellings where the contractor remains in custody and control of the building site for the duration of the building permit.

(2) The system shall report the results of the study to the Legislature on or before February 1, 2007, along with recommendations for further legislative action.

"Pursuant thereto, Sunshine State One-Call of Florida, Inc., (the system) requests comment from all interested parties for inclusion in the study and publication in the report to the Florida Legislature. For consideration all interested parties must submit their comments in writing for receipt by 5:00 p.m., Thursday, August 31, 2006 to:

Feasibility Study Comments
Ad-Hoc Legislative Committee
Sunshine State One-Call of Florida, Inc.
11 Plantation Road
DeBary, FL 32713.

Section XIII
Index to Rules Filed During Preceding Week

**RULES FILED BETWEEN July 17, 2006
 and July 21, 2006**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

5E-13.021	7/20/06	8/9/06	32/17	
5E-13.022	7/20/06	8/9/06	32/17	
5E-13.032	7/20/06	8/9/06	32/17	32/26
5E-13.034	7/20/06	8/9/06	32/17	
5E-13.036	7/20/06	8/9/06	32/17	
5E-13.0371	7/20/06	8/9/06	32/17	
5E-13.039	7/20/06	8/9/06	32/17	
5E-13.040	7/20/06	8/9/06	32/17	
5E-13.042	7/20/06	8/9/06	32/17	

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

40B-8.021	7/18/06	8/7/06	32/16	
40B-8.031	7/18/06	8/7/06	32/16	
40B-8.041	7/18/06	8/7/06	32/16	

AGENCY FOR HEALTH CARE ADMINISTRATION

Office of Licensure and Certification

59A-18.004	7/21/06	8/10/06	32/6	32/18
59A-18.005	7/21/06	8/10/06	32/6	32/18
59A-18.0081	7/21/06	8/10/06	32/6	32/18
59A-18.011	7/21/06	8/10/06	32/6	
59A-18.012	7/21/06	8/10/06	32/6	
59A-18.017	7/21/06	8/10/06	32/6	32/18
59A-18.018	7/21/06	8/10/06	32/6	32/18

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

61D-14.060	7/17/06	8/6/06	32/17	32/25
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DEPARTMENT OF HEALTH

Dental Laboratories

64B27-1.001	7/17/06	8/6/06	32/21	
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Division of Family Health Services

64F-12.001	7/17/06	8/6/06	32/16	32/22
64F-12.012	7/17/06	8/6/06	32/16	32/22
64F-12.025	7/17/06	8/6/06	32/16	32/22

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self Sufficiency Program

65A-1.701	7/21/06	8/10/06	32/21	
65A-1.702	7/21/06	8/10/06	32/21	
65A-1.710	7/21/06	8/10/06	32/20	
65A-1.710	7/21/06	8/10/06	32/21	
65A-1.711	7/21/06	8/10/06	32/20	
65A-1.711	7/21/06	8/10/06	32/21	
65A-1.712	7/21/06	8/10/06	32/20	
65A-1.712	7/21/06	8/10/06	32/20	
65A-1.712	7/21/06	8/10/06	32/21	
65A-1.713	7/21/06	8/10/06	32/20	
65A-1.713	7/21/06	8/10/06	32/21	
65A-1.716	7/21/06	8/10/06	32/20	

**Section XIV
List of Rules Affected**

This "List of Rules Affected" is a cumulative list of all rules which have been proposed but not filed for adoption. Beginning with the February 2, 1996 issue, the list will be published monthly for the period covering the last eight weeks.

- w - Signifies Withdrawal of Proposed Rule(s)
- c - Rule Challenge Filed
- v - Rule Declared Valid
- x - Rule Declared Invalid
- d - Rule Challenge Dismissed
- dw - Dismissed Upon Withdrawal

				Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
				4-154.203	29/37	29/46	
				4-154.204	29/37	30/3	
				4-154.210	29/37	30/3	
				4-154.525	29/16	29/25	
				4-166.045	30/1	30/3	
				4-176.013	29/36	30/3	
				4-200.007	29/44	30/3	
				4-211.031	27/44		
				4-228.055	26/35		
				4A-3.002	27/12		
				4A-21.115	29/37	29/46	
				4A-41.108	29/25		
				4A-62.0001	29/44	29/46	
Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	4A-62.001	29/44	29/46	
				4A-62.002	29/44	29/46	
				4A-62.003	29/44	29/46	
				4A-62.006	29/44	29/46	
				4A-62.007	29/44	29/46	
				4A-62.020	29/44	29/46	
1A-37.001	32/20		32/28	4A-62.021	29/44	29/46	
1B-11.004	32/18		32/25	4A-62.022	29/44	29/46	
1B-24.002	26/43			4A-62.023	29/44	29/46	
1S-2.042	32/8			4A-62.030	29/44	29/46	
IT-1.001		23/47	32/25	4A-62.031	29/44	29/46	
		29/37	32/25	4A-62.032	29/44	29/46	
		31/16	32/25	4A-62.033	29/44	29/46	
	32/13	32/19	32/25	4A-62.034	29/44	29/46	
				4A-62.035	29/44	29/46	
				4A-62.036	29/44	29/46	
				4A-62.040	29/44	29/46	
2-37.010	32/20		32/27	4A-62.041	29/44	29/46	
2A-8.005	32/22		32/29	4A-62.042	29/44	29/46	
2B-1.002	32/28			4A-62.043	29/44	29/46	
				4A-62.044	29/44	29/46	
				4A-62.045	29/44	29/46	
				4C-6.003	29/38	30/29	
3E-48.005	28/42			4C-40.0055	28/47		
3F-5.0015	29/39	29/45		4K-6.010	32/30		
3F-5.0035	29/39	29/45		4L-24.0231	29/39	29/46	
3F-5.004	29/39	29/45					
3F-5.006	29/39	29/45					
3F-5.008	29/39	29/45					
				AGRICULTURE AND CONSUMER SERVICES			
				INSURANCE			
				5-1	31/6c		
					31/14c		
4-138.047	28/41			5B-2.010	32/15		32/31w
4-149.203	29/52	30/3		5B-57.001	32/25		
4-149.204	29/52	30/3		5B-57.002	32/25		
4-149.205	29/52	30/3		5B-57.007	32/25		
4-149.206	29/52	30/3		5B-57.011	32/25		
4-149.207	29/52	30/3		5B-58.001	27/29		
4-154.201	29/37	30/3		5B-58.001(16)	27/50c		
4-154.202	29/37	29/42		5B-62.001	32/25		
		30/3		5B-62.002	32/25		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
5B-62.003	32/25			5M-3.003	32/16		32/25
5B-62.004	32/25			5M-3.004	32/16		32/25
5B-62.005	32/25			5M-3.005	32/16		32/25
5B-62.006	32/25			5M-3.006	32/16		32/25
5B-62.007	32/25			5M-3.007	32/16		32/25
5B-62.008	32/25			5M-3.008	32/16		32/25
5B-62.009	32/25			5M-3.009	32/16		32/25
5B-62.010	32/25						
5B-62.011	32/25						
5B-62.012	32/25						
5B-62.013	32/25			6A-1.09412	32/20		32/29
5B-62.014	32/25			6A-1.09441	32/20		32/29
5B-62.015	32/25			6A-2.0010	32/11		32/26
5B-62.016	32/25			6A-4.002	32/20		32/29
5B-62.017	32/25			6A-4.006	32/20		32/29
5B-62.018	32/25			6A-4.0251	32/3	32/5	
5B-62.019	32/25			6A-6.040	32/20	32/27	
5B-62.020	32/25			6A-6.080	16/30		
5B-62.021	32/25			6A-10.060	31/5c		
5B-62.022	32/25			6B-4.010	32/3	32/8	
5B-62.023	32/25					32/9	
5B-62.024	32/25				32/23c		
5B-62.025	32/25			6C-7.0055	30/26		
5B-62.026	32/25			6E-2.002	31/50	32/14	32/27
5B-62.027	32/25			6E-2.004	32/18		32/27
5C-4.001	32/11	23/18	32/24	6E-2.0061	32/6		32/27
5C-4.0015	32/11	32/17	32/24	6HER06-10			32/26
5C-4.0016	32/11	32/17	32/24	6HER06-11			32/26
5C-4.0017	32/11	32/17	32/24	6HER06-12			32/26
5C-4.002	32/11	32/17	32/24	6HER06-13			32/26
5C-4.003	32/11	32/17	32/24	6HER06-14			32/26
5C-4.004	32/11	32/17	32/24	6HER06-15			32/26
5C-4.005	32/11	32/17	32/24	6HER06-16			32/26
5C-4.008	32/11	32/17	32/24	6J-1.001	32/26		
5E-1.016	32/21		32/29	6J-1.002	32/26		
5E-2.0042	30/15			6J-1.003	32/26		
5E-2.011	29/32			6J-1.004	32/26		
5E-3.003	32/24	32/29		6J-1.005	32/26		
5E-13.021	32/17		32/31	6J-1.006	32/26		
5E-13.022	32/17		32/31	6J-1.007	32/26		
5E-13.032	32/17	32/26	32/31	6L-1.001	28/12		
5E-13.034	32/17		32/31	6L-1.002	28/12		
5E-13.036	32/17		32/31	6L-1.004	28/12		
5E-13.0371	32/17		32/31	6L-1.005	28/12		
5E-13.039	32/17		32/31	6L-1.006	28/12		
5E-13.040	32/17		32/31	6L-1.007	28/12		
5E-13.042	32/17		32/31	6L-1.008	28/12		
5E-14.149	32/5	32/22	32/27	6L-1.009	28/12		
5F-13.001	32/24	32/28		6L-1.010	28/12		
5G-5.001	32/10	32/16	32/27	6L-1.011	28/12		
5K-5.014	32/14		32/24	6L-1.012	28/12		
5K-6.010	32/30			6L-1.013	28/12		
5M-3.001	32/16		32/25	6M-7.0055	30/26		
5M-3.002	32/16		32/25				

EDUCATION

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
COMMUNITY AFFAIRS				12A-17.005	32/2	32/31	
9B-1.002	31/30			12A-19.010	32/2	32/22	32/28
9B-1.003	31/30			12A-19.020	32/2		32/28
9B-1.004	31/30			12A-19.060	32/2		32/28
9B-1.006	31/30			12A-19.100	32/2	32/22	32/28
9B-1.007	31/30			12BER06-1			32/25
9B-1.009	31/30			12BER06-2			32/25
9B-1.0095	31/30			12BER06-3			32/25
9B-1.010	31/30			12BER06-4			32/25
9B-1.016	31/30			12B-7.0225	32/25		
9B-1.017	31/30			12B-8	23/8c		
9B-1.020	31/30			12B-8.001	32/2	32/9	32/24
9B-1.0211	31/30			12B-8.0012	32/2		32/24
9B-1.0221	31/30			12B-8.003	32/2		32/24
9B-1.028	31/30			12C-2.0115	32/2	32/5	
9B-1.030	31/30					32/31	
9B-3.047	32/30			12C-3.008	32/2		
9B-3.053	31/45			12E-1.012	32/25		
9B-72.005	30/26			TRANSPORTATION			
9B-72.010	30/26			14-1	31/32c		
9B-72.030	30/26				32/2c		
9B-72.040	30/26				32/2c		
9B-72.045	30/26			14-15.003	26/46		
9B-72.050	30/26			14-15.0081	32/17		32/29
9B-72.060	30/26				32/30		
9B-72.070	30/26			14-57.014	32/25		
9B-72.080	30/26			14-96.0011		28/49	32/26
9B-72.090	30/26				32/19		32/26
9B-72.100	30/26			14-96.007	32/19		32/26
9B-72.130	30/26			14-96.011		28/49	32/26
9B-72.135	30/26				32/19		32/26
9B-72.160	30/26			HIGHWAY SAFETY AND MOTOR VEHICLES			
9G-2.002	32/17			15B-13.001	32/27		
9J-5.0055	18/40			ENVIRONMENTAL REGULATION			
9K-8.011	28/13			17-503.420	16/15		
HEALTH AND REHABILITATIVE SERVICES				17-503.430	16/15		
10-5.011(1)(v)	15/46c			17-503.500	16/15		
10M-9.026	22/1			17-660.300	15/50	16/8	
10M-9.045	22/1			17-671.100	15/32		
LAW ENFORCEMENT				17-671.200	15/32		
11B-27.006	27/17			17-671.300	15/32		
11B-30.014	19/40			17-671.310	15/32		
REVENUE				BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND			
12-1	32/2c			18-21.003	31/27c		
	32/2c			18-21.003(23)	31/16c		
12-18.003	32/2	32/31		18-21.004	25/48	25/50	
12-18.004	32/2	32/31		18-21.011	31/16c		
12-24.022	28/4				31/27c		
12AER06-5			32/27				
12A-6.038	29/17						
12A-16.008	32/2	32/15	32/29				

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
STATE BOARD OF ADMINISTRATION				23-21.014	32/6		
19ER06-1			32/21	23-21.015	32/6		
19ER06-2			32/23	23-21.0155	32/6		
19ER06-3			32/23	23-21.016	32/6		
19ER06-4			32/26	23-21.0161	32/6		
19-8.010	32/26			23-21.0165	32/6		
19-8.013	32/26			23-21.017	32/6		
19-8.028	32/15		32/26	23-21.018	32/6		
19-15.001	32/26			23-21.019	32/6		
19B-4.005	32/20		32/27	23-21.020	32/6		
19B-15.001	28/8			23-21.021	32/6		
19B-15.002	28/8			23-21.022	32/6		
19B-15.003	28/8			PUBLIC SERVICE COMMISSION			
19B-15.004	28/8			25-6.022	32/18		32/26
19B-15.005	28/8			25-6.034	32/27		
19B-15.006	28/8			25-6.0341	32/27		
19B-15.007	28/8			25-6.0342	32/27		
19B-15.008	28/8			25-6.0343	32/27		
19B-15.009	28/8			25-6.0345	32/27		
19B-15.010	28/8			25-6.044	32/25		
19B-15.011	28/8			25-6.0455	32/25		
19B-16.003	32/20		32/27	25-6.049	32/20		
19B-16.005	32/20		32/27	25-6.052	32/18		32/26
CITRUS				25-6.056	32/18		32/26
20-9.002	32/16		32/29	25-6.058	32/18		32/26
20-65.002	32/23			25-6.059	32/18		32/26
20-65.004	32/23			25-6.060	32/18		32/26
20-65.005	32/23			25-6.064	32/27		
20-72.008	31/28			25-6.078	32/27		
PROFESSIONAL REGULATION				25-6.103	32/18		32/26
21M-49.002	19/6c			25-6.115	32/27		
21M-50.002	19/6c			25-7.037	32/21		32/28
21M-50.003	19/6c			CORRECTIONS			
21M-50.007	19/6c			33-102.101	32/30		
21M-50.009	19/6c			33-103.007	32/26		
FLORIDA PAROLE COMMISSION				33-103.016	32/26		
23-21	32/23c			33-208.101	32/28		
23-21.001	32/6			33-208.101	32/31		
23-21.002	32/6			33-208.403	32/31		
23-21.003	32/6			33-208.504	32/20	32/28	
23-21.004	32/6			33-210.101	30/43		
23-21.004	32/6	32/25		33-301.605	31/7		
23-21.0051	32/6			33-501.401		26/3	32/30
23-21.0052	32/6				32/21		32/30
23-21.006	32/6			33-601.230	29/19		
23-21.007	32/6			33-601.302	32/21		32/29
23-21.008	32/6			33-601.305	32/13		32/27
23-21.010	32/6			33-601.313	32/17		32/27
23-21.011	32/6				32/26		
23-21.012	32/6			33-601.314	32/20		
23-21.013	32/6			33-601.502	32/20		
				33-601.723	32/27		
				33-601.738	26/48	27/38	

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33-602.101	32/31			40D-80.074	32/19		
33-602.201	32/31			40E-1.021	32/18	32/27	
33-602.210	32/18	32/30		40E-1.5095	32/18		
WATER MANAGEMENT DISTRICTS				40E-1.511	32/18		
40B-2.321	30/22	30/36		40E-1.603	32/18		
40B-8.021	32/16		32/31	40E-1.6058	32/18		
40B-8.031	32/16		32/31	40E-1.6065	32/18		
40B-8.041	32/16		32/31	40E-1.6105	32/18		
40B-21.001	31/25	32/21	32/30	40E-1.6107	32/18		
40B-21.031	31/25	32/21	32/30	40E-1.615	32/18		
40B-21.051	31/25	32/21	32/30	40E-4.021	32/18	32/27	
40B-21.211	31/25	32/21	32/30	40E-4.091	29/50c		
40B-21.221	31/25		32/30		32/18		
40B-21.231	31/25	32/21	32/30	40E-4.101	32/18		
40B-21.251	31/25	32/21	32/30	40E-4.321	32/18		
40B-21.275	31/25	32/21	32/30	40E-4.381	32/18		
40B-21.291	31/25		32/30	40E-6.011	32/8		32/27
40B-21.421	31/25	32/21	32/30	40E-6.021	32/8		32/27
40B-21.511	31/25	32/21	32/30	40E-6.051	32/8		32/27
40B-21.531	31/25	32/21	32/30	40E-6.311	31/8		32/27
40B-21.541	31/25	32/21	32/30	40E-7.511	32/8		32/27
40B-21.571	31/25	32/21	32/30	40E-7.520	32/8	32/21	32/27
40B-21.601	31/25	32/21	32/30	40E-7.521	32/8		32/27
40B-21.621	31/25	32/21	32/30	40E-7.523	28/39		
40B-21.631	31/25	32/21	32/30		32/8		32/27
40B-21.641	31/25	32/21	32/30	40E-7.525	32/8		32/27
40B-21.651	31/25	32/21	32/30	40E-7.526	32/8		32/27
40C-4.091	31/12c			40E-7.527	32/8	32/21	32/27
	31/12c			40E-7.528	32/8		32/27
40C-8.031	32/20			40E-7.529	32/8		32/27
40D-1.002	32/13	32/19	32/27	40E-7.530	32/8		32/27
	32/13	32/19	32/27	40E-7.532	28/39		
40D-2.011	32/19				32/8		32/27
40D-2.021	32/19			40E-7.534	32/8		32/27
40D-2.031	31/20	31/35		40E-7.535	32/8		32/27
40D-2.041	32/19			40E-7.537	32/8		32/27
40D-2.091	22/48			40E-7.538	32/8	32/21	32/27
	32/19			40E-7.5381	32/8	32/21	32/27
40D-2.101	32/19			40E-7.5382	32/8	32/21	32/27
40D-2.301	22/48			40E-7.5383	32/8	32/21	32/27
	32/19			40E-7.5384	32/8	32/21	32/27
40D-2.302	32/19			40E-7.539	32/8		32/27
40D-2.321	32/19			40E-7.668	32/8		32/30
40D-2.331	20/48			40E-7.669	32/8	32/22	32/30
	32/19					32/23	32/30
40D-2.621	32/19			40E-7.670	32/8	32/22	32/30
40D-2.801	32/19	32/27				32/23	32/30
40D-4.091	22/48			40E-7.671	32/8	32/22	32/30
	25/3			40E-7.672	32/8	32/22	32/30
40D-6.521	24/50					32/23	32/30
40D-8.041	32/1			40E-7.673	32/8	32/22	32/30
	32/19					32/23	32/30
40D-8.624	32/19			40E-7.674	32/8	32/22	32/30
40D-8.626	32/19					32/23	32/30
				40E-7.675	32/8	32/22	32/30
						32/23	32/30

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40E-7.676	32/8		32/30	58A-5.016	32/18		32/30
40E-7.677	32/8		32/30	58A-5.0181	32/18		32/30
40E-7.678	32/8		32/30	58A-5.0182	32/18		32/30
40E-20.651	29/17			58A-5.0185	32/18		32/30
40E-61.020	32/18			58A-5.019	32/18		32/30
40E-61.031	32/18			58A-5.0191	32/18		32/30
40E-61.042	32/18			58A-5.023	32/18		32/30
40E-61.321	32/18			58A-5.024	32/18		32/30
40E-61.381	32/18			58A-5.0241	32/18		32/30
40E-63.223	27/2	27/9		58A-5.025	32/18		32/30
40E-400.211	32/18			58A-5.026	32/18		32/30
40E-400.475	32/18			58A-5.029	32/18		32/30
FLORIDA LAND AND WATER ADJUDICATORY COMMISSION				58A-5.030	32/18		32/30
				58A-5.031	32/18		32/30
				58A-5.033	32/18		32/30
				58A-14.003	32/22		32/30
42CC-1.002	32/27			58A-14.008	32/22		32/30
42YY-1.002	32/15		32/28	58A-14.0085	32/22		32/30
LOTTERY				58A-14.0091	32/22		32/30
53ER06-19			32/15	AGENCY FOR HEALTH CARE ADMINISTRATION			
53ER06-20			32/15	59-1	29/35c		
53ER06-21			32/15		30/42c		
53ER06-22			32/17	59A-3.255	29/36	29/48	
53ER06-23			32/17			30/3	
53ER06-24			32/19				
53ER06-25			32/19		29/43c		
53ER06-26			32/19	59A-7.020	32/12		32/24
53ER06-27			32/21	59A-7.029	32/12		32/24
53ER06-28			32/21	59A-7.030	32/12		32/24
53ER06-29			32/23	59A-8.002	32/12		
53ER06-30			32/23	59A-8.003	32/12		
53ER06-31			32/26	59A-8.004	32/12		
53ER06-32			32/26	59A-8.0086	32/12		
53ER06-33			32/26	59A-8.0095	32/12	32/26	
53ER06-34			32/28	59A-8.0185	32/12		
53ER06-35			32/28	59A-8.020	32/12		
53ER06-36			32/28	59A-8.0215	32/12		
53ER06-37			32/28	59A-8.022	32/12		
53ER06-38			32/28	59A-8.027	32/12		
53ER06-39			32/30	59A-9.018	32/21		
53ER06-40			32/30	59A-9.019	32/21		
53ER06-41			32/31	59A-9.020	32/21		
53ER06-42			32/31	59A-9.021	32/21		
53-19.0035	25/43			59A-9.022	32/21		
53-302.101	29/22			59A-9.0225	32/21		
53-302.109	29/22			59A-9.023	32/21		
INTERLOCAL AGENCIES				59A-9.024	32/21		
				59A-9.025	32/21		
54C-1.001	32/30			59A-9.026	32/21		
ELDER AFFAIRS				59A-9.027	32/21		
				59A-9.028	32/21		
58A-5.0131	32/18		32/30	59A-9.029	32/21		
58A-5.014	32/18		32/30	59A-9.030	32/21		
58A-5.015	32/18		32/30	59A-9.031	32/21		
				59A-9.034	32/21		

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59A-11.0115	30/5			59A-30.010	32/27		
59A-13.004	32/13		32/24	59A-31.002	32/29		
59A-13.005	32/13		32/24	59A-31.003	32/29		
59A-13.007	32/13		32/24	59A-31.004	32/29		
59A-13.008	32/13		32/24	59A-31.005	32/29		
59A-13.009	32/13		32/24	59A-31.006	32/29		
59A-13.010	32/13		32/24	59A-31.007	32/29		
59A-13.013	32/13		32/24	59A-31.008	32/29		
59A-13.014	32/13		32/24	59A-31.009	32/29		
59A-13.015	32/13		32/24	59A-31.010	32/29		
59A-13.020	32/13		32/24	59A-31.011	32/29		
59A-13.022	32/13		32/24	59A-31.012	32/29		
59A-18.002	32/6	32/18		59A-31.013	32/29		
		32/24		59A-31.014	32/29		
59A-18.004		26/42	32/31	59A-31.015	32/29		
	32/6	32/18	32/31	59A-33.001	32/2	32/23	
		32/24	32/31			32/25	
59A-18.005	32/6	32/18	32/31	59A-33.002	32/2	32/23	
59A-18.0081	32/6	32/18	32/31			32/25	
		32/24	32/31	59A-33.003	32/2	32/23	
59A-18.011	32/6		32/31			32/25	
59A-18.012	32/6		32/31	59A-33.004	32/2	32/23	
59A-18.017	32/6	32/18	32/31			32/25	
59A-18.018	32/6	32/18	32/31	59A-33.005	32/2	32/23	
59A-26.001	32/12					32/25	
59A-26.002	32/12			59A-33.006	32/2	32/23	
59A-26.003	32/12					32/25	
59A-26.004	32/12			59A-33.007	32/2	32/23	
59A-26.005	32/12					32/25	
59A-26.006	32/12			59A-33.008	32/2	32/23	
59A-26.007	32/12					32/25	
59A-26.0075	32/12			59A-33.009	32/2	32/23	
59A-26.008	32/12					32/25	
59A-26.009	32/12			59A-33.010	32/2	32/23	
59A-26.010	32/12					32/25	
59A-26.011	32/12			59A-33.011	32/2	32/23	
59A-26.012	32/12					32/25	
59A-26.013	32/12			59A-33.012	32/2	32/23	
59A-26.014	32/12					32/25	
59A-26.015	32/12			59A-33.013	32/2	32/23	
59A-26.016	32/12					32/25	
59A-26.017	32/12			59C-1.021	32/12	32/24	
59A-26.018	32/12					32/30	
59A-26.019	32/12			59C-1.038	31/6		
59A-26.020	32/12				31/6c		
59A-26.021	32/12			59G-4.001	32/16		32/26
59A-26.022	32/12			59G-4.002	32/27		
59A-26.023	32/12			59G-4.015	32/16		32/29
59A-30.002	32/27			59G-4.016	32/19		
59A-30.003	32/27			59G-4.020	32/13		32/26
59A-30.004	32/27			59G-4.060		27/19	32/26
59A-30.005	32/27				32/16		32/26
59A-30.006	32/27			59G-4.140	32/20		
59A-30.007	32/27			59G-4.165	32/19		32/26
59A-30.008	32/27			59G-4.199	31/50	32/10	32/24
59A-30.009	32/27					32/16	32/24

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59G-4.200	32/18		32/29	60H-1.017	31/22	31/41	
59G-4.230	31/6c 32/29			60H-1.022	31/22		
59G-4.330	32/16		32/29	60H-1.025	31/22		
59G-6.010	32/17	32/18	32/25	60H-1.026	31/22		
59G-6.020	32/31			60H-1.027	31/22		
59G-6.030	32/31			60H-1.028	31/22		
59H-1.00352	26/3	26/17		60H-1.030	31/22		
59T-11.013	23/22	23/35		60L-34.0071	32/28		
59T-14.004	23/22	23/35		60Q-6.101	32/29		
59T-15.002	23/22	23/35		60Q-6.102	32/29		
59T-16.001	23/22	23/35		60Q-6.103	32/29		
59T-16.002	23/22	23/35		60Q-6.104	32/29		
59U-11.019	20/51	21/7		60Q-6.105	32/29		
59U-14.002	23/24	23/35		60Q-6.106	32/29		
59V-3.007	20/34	20/48		60Q-6.107	32/29		
MANAGEMENT SERVICES				60Q-6.108	32/29		
60A-1.002	32/22			60Q-6.110	32/29		
60A-1.006	32/22			60Q-6.111	32/29		
60A-1.016	32/22			60Q-6.113	32/29		
60A-1.033	32/22			60Q-6.114	32/29		
60A-1.044	32/22			60Q-6.115	32/29		
60BB-2.022	32/17		32/28	60Q-6.116	32/29		
60BB-2.023	32/17		32/28	60Q-6.117	32/29		
60BB-2.024	32/17		32/28	60Q-6.118	32/29		
60BB-2.025	32/17	32/22	32/28	60Q-6.119	32/29		
60BB-2.0255	32/17		32/28	60Q-6.120	32/29		
60BB-2.026	32/17		32/28	60Q-6.121	32/29		
60BB-2.027	32/17		32/28	60Q-6.122	32/29		
60BB-2.028	32/17		32/28	60Q-6.123	32/29		
60BB-2.029	32/17		32/28	60Q-6.124	32/29		
60BB-2.031	32/20		32/28	60Q-6.125	32/29		
60BB-2.032	32/17		32/28	60Q-6.127	32/29		
60BB-2.035	32/17		32/28	60Q-6.128	32/29		
60BB-2.036	32/17		32/28	60S-1.005	32/18		
60BB-2.037	32/17	32/22	32/28	60Y-1	31/14c		
60BB-8.203	32/7		32/26w		31/16c		
60BB-8.204	32/7	32/26			31/16c		
60BB-8.301	32/7	32/26			31/21c		
60BB-8.400	32/7	32/26			31/21c		
60DD-1.003	32/18		32/28		31/25c		
60E-1.001	31/49				31/38c		
60E-1.003	31/49				31/38c		
60E-1.004	31/49				31/39c		
60E-1.005	31/49				32/2c		
60H-1.001	31/22	31/41			32/2c		
60H-1.002	31/22	31/41			32/2c		
60H-1.003	31/22	31/41		60Y-2.0010	32/11		32/26
60H-1.004	31/22			BUSINESS AND PROFESSIONAL REGULATION			
60H-1.006	31/22	31/41		61-5.005	32/23		
60H-1.007	31/22	31/41		61-6.022	32/3		32/24w
60H-1.009	31/22			61-6.023	32/3		
60H-1.013	31/22			61-20.504	32/17		32/25
60H-1.015	31/22	31/41		61A-2.019	31/50		

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61A-4.030	31/21			61D-8.005	31/51		
61A-5.7475(1)	31/5c			61D-10.001	31/51		
61A-7.006	29/41			61D-11.009	31/51		
61A-7.007	29/41			61D-11.017	31/51		
61A-7.008	29/41			61D-11.027	31/49		32/24
61A-10.001	32/3			61D-12.001	31/51		
61A-10.002	32/3			61D-14.001	32/17		32/25
61A-10.0021	32/3			61D-14.002	32/17		32/25
61A-10.0022	32/3			61D-14.003	32/17	32/24	32/30
61A-10.005	32/3			61D-14.004	32/17		32/25
61A-10.006	32/3			61D-14.005	32/17		32/25
61A-10.007	32/3			61D-14.006	32/17	32/24	32/30
61A-10.008	32/3			61D-14.007	32/17		32/25
61A-10.009	32/3			61D-14.008	32/17		32/25
61A-10.0091	32/3			61D-14.009	32/17		32/25
61A-10.010	32/3			61D-14.010	32/17		32/25
61A-10.011	32/3			61D-14.011	32/17		32/25
61A-10.0111	32/3			61D-14.012	32/17		32/25
61A-10.0112	32/3			61D-14.013	32/17	32/24	32/30
61A-10.012	32/3			61D-14.014	32/17		32/25
61A-10.013	32/3			61D-14.015	32/17		32/25
61A-10.014	32/3			61D-14.016	32/17	32/24	32/30
61A-10.015	32/3			61D-14.017	32/17		32/25
61A-10.016	32/3			61D-14.018	32/17		32/25
61A-10.017	32/3			61D-14.019	32/17	32/24	32/30
61A-10.018	32/3			61D-14.020	32/17		32/25
61A-10.020	32/3			61D-14.021	32/17		
61A-10.021	32/3			61D-14.022	32/17	32/24	32/30
61A-10.026	32/3			61D-14.023	32/17		32/25
61A-10.027	32/3			61D-14.024	32/17	32/24	32/30
61A-10.031	32/3			61D-14.025	32/17		32/25
61A-10.050	32/3			61D-14.026	32/17		32/25
61A-10.051	32/3			61D-14.028	32/17		32/25
61A-10.052	32/3			61D-14.029	32/17		32/25
61A-10.053	32/3			61D-14.030	32/17		32/25
61A-10.054	32/3			61D-14.031	32/17		32/25
61A-10.055	32/3			61D-14.037	32/17		32/25
61A-10.080	32/3			61D-14.038	32/17		32/25
61A-10.081	32/3			61D-14.039	32/17		32/26
61A-10.082	32/3			61D-14.040	32/17	32/24	32/30
61A-10.083	32/3			61D-14.041	32/17		32/26
61A-10.084	32/3			61D-14.042	32/17	32/24	32/30
61A-10.085	32/3			61D-14.043	32/17		32/25
61B-23.0021	32/18	32/26		61D-14.044	32/17	32/26	
61B-23.0029	32/20		32/29	61D-14.046	32/17		32/25
61B-75.004	32/16	32/23	32/30	61D-14.047	32/17	32/26	
61B-82.005	30/40			61D-14.048	32/17		32/25
61C-5.007	32/21			61D-14.050	32/17		32/25
61C-5.008	32/27			61D-14.051	32/17		32/25
61C-5.0085	32/27			61D-14.052	32/17		32/25
61D-4.002	31/51			61D-14.053	32/17		32/25
61D-4.004	31/51			61D-14.054	32/17		32/25
61D-6.008		22/35	32/26	61D-14.055	32/17		32/25
	31/20	32/20	32/26	61D-14.056	32/17	32/24	32/30
61D-6.011	31/51			61D-14.058	32/17		32/25
61D-8.002	31/51			61D-14.059	32/17		32/25

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
61D-14.060	32/17	32/25	32/31	61G17-6.0031	32/16		32/24
61D-14.061	32/17	32/24	32/30	61G17-6.004	32/24		
61D-14.063	32/17		32/25	61G17-6.005	32/16		32/24
61D-14.065	32/17		32/25	61G17-6.0051	32/16		32/24
61D-14.067	32/17		32/25	61G17-6.0052	32/16		32/24
61D-14.069	32/17		32/25	61G17-6.006	32/16		32/24
61D-14.072	32/17	32/24	32/30	61G17-6.007	32/16		32/24
61D-14.073	32/17	32/24	32/30	61G17-8.0011	32/17		32/24
61D-14.074	32/17	32/26		61G17-9.004	32/31		
61D-14.075	32/17		32/25	61G17-9.007		30/53	32/24
61D-14.080	32/17		32/25		32/17		32/24
61D-14.081	32/17	32/24	32/30	61G17-10.001	32/17		32/24
61D-14.082	32/17		32/25	61G18-30.001	32/18		32/30
61D-14.083	32/17		32/25	61G19-19.001	31/46		
61D-14.085	32/17		32/25	61H1-20.001	32/24		
61D-14.086	32/17		32/25	61H1-20.0053	32/27		
61D-14.087	32/17		32/25	61H1-26.004	32/27		
61D-14.090	32/17		32/25	61H1-26.005	32/3	32/23	32/29
61D-15.001	32/17		32/26	61H1-27.001	32/23		
61G1-23.010	32/13		32/29w	61H1-29.002	32/27		
61G1-23.015	31/35		32/29w	61H1-29.0025	32/27		
61G3-19.011	32/13	32/26		61H1-31.001	32/27		
61G4-12.006	31/47			61H1-33.003	32/10	32/23	32/29
61G4-12.009	31/47			61H1-33.006	32/13	32/23	32/29
61G4-15.0021	32/27			61H1-36.005	32/21		32/29
61G4-16.0031	32/18			61H1-36.0055	32/21		32/29
61G4-17.001	32/23			61H1-36.006	32/21		32/29
61G4-18.001	32/27			61J1-2.001	32/30		
61G5-20.002	32/26			61J1-2.004	32/30		
61G5-24.020	32/21		32/28	61J1-2.0045	32/30		
61G6-5.001	32/23			61J1-3.001	28/41	28/43	
61G6-5.006	32/23				32/31		
61G6-8.002	32/17		32/25	61J1-3.002	28/41	28/43	
61G6-9.004	32/23					28/46	
61G6-10.002	32/13	32/25		61J1-4.005	28/41	28/43	
61G7-10.0014	32/21			61J1-4.007	32/27		
61G7-33.0065	30/16			61J1-7.004	28/41	28/43	
61G9-9.001	31/6					28/46	
61G14-12.0015	32/21	32/31		61J1-7.005	28/41	28/43	
61G15-1	31/21c					28/46	
61G15-20.0015(3)	31/34c			61J1-9.001	32/27		
61G15-20.006	32/30			61J2-3.009		29/45	32/27
61G15-21.009	31/34c				32/19		32/27
(1)(b),(3)				61J2-3.010	32/14		
61G15-22.0105	32/31			61J2-5.014	32/14		
61G15-24.001	31/21			61J2-10.025	32/14		32/26
61G16-3.001	32/23		32/24w	61J2-14.008	32/14		32/26
61G17-2.001	32/29			61J2-17.012	28/3	28/17	
61G17-2.0015	32/29			61J2-24.003	32/15		32/26
61G17-5.001	32/17		32/24	61J2-24.006	32/19		32/27
61G17-5.0031		19/29	32/24				
		19/52	32/24				
	32/17		32/24				
61G17-5.0051	32/17		32/24	62-1	31/16c		
61G17-6.003	32/24			62-40	29/9c		

ENVIRONMENTAL PROTECTION

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
62-204.800	32/20		32/28	62-672.780	32/31	32/20	32/28
	32/21	32/29		62-672.870	32/31	32/20	32/28
62-296.470	32/21	32/29		62-673.200	32/31		32/28
62-296.480	32/21	32/29		62-730	32/23c		
62-302.300	32/30			JUVENILE JUSTICE			
62-302.400	32/30			63EER06-17			32/26
62-302.500	32/30			63EER06-18			32/26
62-302.530	32/30			63EER06-19			32/26
62-302.540	27/52			63EER06-20			32/26
62-302.700	32/30			63EER06-21			32/26
62-302.800	32/17		32/25	63EER06-22			32/26
	32/30			63EER06-23			32/26
62-303.100	32/31			63EER06-24			32/26
62-303.200	32/31			63EER06-25			32/26
62-303.300	32/31			63EER06-26			32/26
62-303.310	32/31			63EER06-27			32/26
62-303.320	32/31			63E-6.001	32/30		
62-303.330	32/31			63E-6.002	32/30		
62-303.340	32/31			63E-6.003	32/30		
62-303.350	32/31			63E-6.004	32/30		
62-303.352	32/31			63E-6.005	32/30		
62-303.353	32/31			63E-6.006	32/30		
62-303.360	32/31			63E-6.007	32/30		
62-303.370	32/31			63E-6.008	32/30		
62-303.380	32/31			63E-6.009	32/30		
62-303.400	32/31			63E-6.010	32/30		
62-303.420	32/31			63E-6.011	32/30		
62-303.430	32/31			63G-1.001	32/7		32/28
62-303.440	32/31			63G-1.002	32/7	32/22	32/28
62-303.450	32/31			63G-1.003	32/7		32/28
62-303.460	32/31			63G-1.004	32/7		32/28
62-303.470	32/31			63G-1.005	32/7		32/28
62-303.480	32/31			63G-1.006	32/7		32/28
62-303.500	32/31			63G-1.007	32/7		32/28
62-303.700	32/31			63G-1.008	32/7	32/22	32/28
62-303.710	32/31			63G-1.009	32/7	32/14	32/28
62-303.720	32/31					32/22	32/28
62-304.325	32/16		32/30	63G-2.001	32/8		
62-304.505	32/16		32/30	63G-2.002	32/8	32/27	
62-304.510	29/25			63G-2.003	32/8	32/27	
	32/16		32/30	63G-2.004	32/8	32/27	
62-304.600	31/27c			63G-2.005	32/8	32/27	
	31/28c			63G-2.006	32/8	32/27	
	31/28c			63G-2.007	32/8	32/27	
62-304.800	32/16		32/30	63G-2.008	32/8	32/27	
62-330.200	32/25		32/30	63G-2.009	32/8	32/27	
	32/25		32/30	63G-2.010	32/8		
62-620.100	32/8		32/27	63G-2.011	32/8	32/27	
	32/19		32/27	63G-2.012	32/8	32/27	
62-620.200	32/8		32/27	63HER06-1			32/26
62-620.625	32/8		32/27	63HER06-2			32/26
62-620.910	32/8		32/27	63HER06-3			32/26
62-672.200	32/31	32/20	32/28	63HER06-4			32/26
62-672.600	32/31	32/20	32/28	63HER06-5			32/26
62-672.620	32/31	32/20	32/28				
62-672.750	32/31	32/20	32/28				

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
63HER06-6			32/26	64B4-3.008	32/29		
63HER06-7			32/26	64B4-4.018	25/32		
63HER06-8			32/26	64B4-5.009	32/23		
63HER06-9			32/26	64B4-6.001	31/47	32/22	32/28
63HER06-10			32/26	64B4-6.0045	25/32		
63HER06-11			32/26	64B4-7.008	32/23		32/30
63HER06-12			32/26	64B4-11.007	32/17	32/22	32/28
63HER06-13			32/26	64B4-21.007	32/17	32/22	32/28
63HER06-14			32/26	64B4-31.007	32/17	32/22	32/28
63HER06-15			32/26	64B5-2.0144	31/9		
63H-1.001	32/30			64B5-7.005	32/17	32/28	
63H-1.002	32/30			64B5-12.016	32/19		32/26
63H-1.003	32/30			64B5-13.0046	32/31		
63H-1.004	32/30			64B5-14.001	32/18		32/26
63H-1.005	32/30			64B5-15.010	27/30		
63H-1.006	32/30			64B5-17.006	32/31		
63H-1.007	32/30			64B6-1.016	28/52		
63H-1.008	32/30			64B6-3.041	32/27		
63H-1.009	32/30			64B6-7.006	32/27		
63H-1.010	32/30			64B6-8.003	32/27		
63H-1.011	32/30			64B6-55.004	27/41		
63H-1.012	32/30			64B7-27.012	24/12		
63H-1.013	32/30			64B7-28.010	32/13	32/20	32/26
63H-1.014	32/30			64B7-32.001	26/6		
63H-1.015	32/30			64B8-1.007		28/26	32/25
63H-1.016	32/30				32/7	32/18	32/25
63M-1.001	32/12		32/27w	64B8-8.001	32/17	32/22	
63M-1.002	32/12		32/27w		32/24		
				64B8-8.0011	32/9	32/19	32/30
						32/24	32/30
				64B8-8.0012	32/9	32/19	32/30
						32/24	32/30
				64B8-8.0017	32/17		32/26
				64B8-9.003	32/28		
				64B8-9.009	32/25		
				64B8-9.0091	32/25		
				64B8-9.0092	31/9c		
				64B8-9.015	32/24		
				64B8-13.0045	27/48	28/16	
				64B8-30.012	29/23c		
				64B8-30.013	32/23		32/30
				64B8-30.014	32/23		32/30
				64B8-31.007	30/52	31/22	32/25
						31/35	32/25
						32/18	32/25
				64B8-52.004	32/13		32/26
				64B8-53.001	31/28		
				64B8-54.0022	32/18		
				64B8-54.004	27/41		
				64B8-55.001	32/18		32/28
				64B8-56.002		26/51	32/29
						27/16	32/29
						27/24	32/29
					32/18		32/29
				64B8-304.700	29/43c		

HEALTH

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
64B9-2.001	32/19			64B16-27.100	30/50	31/20	
64B9-2.002	32/19			64B16-27.1001	30/50		
64B9-2.008	32/19			64B16-27.1003	30/50	31/20	
64B9-2.011	32/19			64B16-27.103	30/50		
64B9-2.013	32/19			64B16-27.104	30/50	31/20	
64B9-2.015	32/19			64B16-27.105	27/4	27/21	
64B9-3.007	25/9			64B16-27.210	30/50	31/20	
64B9-6.004	32/28			64B16-27.211	30/50		
64B9-7.001	32/28			64B16-27.220	30/50	31/2	
64B9-8.003	32/19		32/26	64B16-27.300	30/50		
64B9-8.005	32/19		32/26	64B16-27.410	30/50		
64B9-8.006	32/19		32/26	64B16-27.530	30/50		
64B9-8.009	32/23			64B16-27.615	30/50		
64B9-15.001	31/44			64B16-27.700	30/50		
64B9-15.002	31/44			64B16-27.830	31/17		
64B9-15.003	31/44			64B16-27.831	30/50		
64B9-15.004	31/44			64B16-28.120	31/13		
64B9-15.009	32/20			64B16-28.140	24/38		
64B9-17.001	31/11	31/44		64B16-28.301	31/13		
		32/15		64B16-28.303	31/13		
64B9-17.002	31/11	31/44		64B16-28.404	31/3		
		32/15		64B16-28.405	31/3		
64B9-17.003	31/11	31/44		64B16-28.605	31/4		
		32/15		64B16-28.607	31/4		
		32/22		64B16-28.900	31/23	31/30	
64B10-12.005	32/20		32/29	64B16-28.902	31/23	31/30	
64B10-14.004		23/40	32/29	64B17-3.001	32/30		
	32/20		32/29	64B17-3.002	32/18		
64B10-16.001	31/20	31/44	32/27w	64B17-4.001	32/30		
64B10-16.002	31/20	31/44	32/27w	64B17-5.001	32/4	32/22	32/28
64B10-16.0021	31/42		32/26	64B18-12.011	32/30		
64B10-16.007	32/24			64B18-14.002	32/30		
64B11-5.001	32/26			64B18-14.010	32/30		
64B12-8.021	32/15	32/18	32/25	64B18-17.005	32/30		
64B12-12.010	32/11	32/19	32/25	64B19-12.013	32/21		32/28
64B12-16.003	32/21			64B19-14.001	32/10	32/21	32/28
64B12-19.002	27/11			64B19-14.003	32/10	32/21	
64B13-3.006	32/15					32/26	
64B13-3.009	32/15			64B19-18.001	32/2	32/26	
64B14-3.001	31/35			64B20-2.002	25/45	26/30	
64B14-4.001	32/25			64B20-9.006	32/30		
64B14-4.003	32/25			64B21-503.004	32/21		32/29
64B14-4.110	32/25			64B21-504.001	32/16		32/26
64B14-7.003		26/29	32/26	64B24-5.004	32/30		
	32/19		32/26	64B24-7.007	32/28		
64B15-6.0105	32/23		32/30	64B24-8.002	32/31		
64B15-6.01051	32/23		32/30	64B27-1.001	32/21		32/31
64B15-7.007	30/52	31/22	32/25	64B32-4.002	32/30		
		31/35	32/25	64B32-5.001	28/3	28/5	
64B15-10.0032	32/21		32/28	64B32-6.004	32/26		32/29w
64B15-10.0033	32/21		32/28	64C-1.003	30/36c		
64B15-14.011	32/30			64C-13.018	24/22		
64B16-26.2032	30/52			64C-23.002	27/17		
64B16-26.402	30/52			64C-27.001	27/17		
64B16-26.601	30/52			64C-27.002	27/17		
64B16-26.6011	30/52			64D-3.001	32/24		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
64D-3.002	32/24			64E-2.002	32/21		
64D-3.003	32/24			64E-2.003	32/21		
64D-3.0031	32/24			64E-2.004	32/21		
64D-3.004	32/24			64E-2.005	32/21		
64D-3.005	32/24			64E-2.006	32/21		
64D-3.006	32/24			64E-2.007	32/21		
64D-3.007	32/24			64E-2.012	32/21		
64D-3.0071	32/24			64E-2.034	32/21		
64D-3.008	32/24			64E-2.036	32/21		
64D-3.009	32/24			64E-5.101	32/31		
64D-3.010	32/24			64E-5.204	32/31		
64D-3.011	32/24			64E-5.206	32/31		
64D-3.012	32/24			64E-5.210	32/31		
64D-3.013	32/24			64E-5.213	32/31		
64D-3.014	32/24			64E-5.304	32/31		
64D-3.015	32/24			64E-5.318	32/31		
64D-3.016	32/24			64E-5.319	32/31		
64D-3.017	32/24			64E-5.427	32/31		
64D-3.018	32/24			64E-5.429	32/31		
64D-3.019	32/24			64E-5.434	32/31		
64D-3.020	32/24			64E-5.440	32/31		
64D-3.021	32/24			64E-5.441	32/31		
64D-3.022	32/24			64E-5.1104	32/31		
64D-3.023	32/24			64E-5.1107	32/31		
64D-3.024	32/24			64E-5.11071	32/31		
64D-3.025	32/24			64E-5.11072	32/31		
64D-3.026	32/24			64E-5.11073	32/31		
64D-3.027	32/24			64E-5.1112	32/31		
64D-3.028	32/24			64E-5.1119	32/31		
64D-3.029	32/24			64E-5.1311	32/31		
64D-3.030	32/24			64E-5.1502	32/31		
64D-3.031	32/24			64E-6.007	25/48		
64D-3.032	32/24			64F-12.001	32/16	32/22	32/31
64D-3.033	32/24			64F-12.012		30/16	32/31
64D-3.034	32/24				32/16	32/22	32/31
64D-3.035	32/24			64F-12.015	32/16		32/30w
64D-3.036	32/24			64F-12.025	32/16	32/22	32/31
64D-3.037	32/24			64V-1.018	30/2		
64D-3.038	32/24						
64D-3.039	32/24						
64D-3.040	32/24						
64D-3.041	32/24			65-1	30/6c		
64D-3.042	32/24				30/9c		
64D-3.043	32/24				30/15c		
64D-3.044	32/24				32/2c		
64D-3.045	32/24				32/2c		
64D-3.046	32/24			65A-1.203	31/20	32/7	32/29
64D-3.047	32/24					32/20	32/29
64D-3.048	32/24				31/27c		
64D-4.001	31/15	32/30		65A-1.400	31/20	32/7	32/29
64D-4.002	31/15	32/30				32/20	32/29
64D-4.003	31/15	32/30			31/27c		
64D-4.004	31/15	32/30		65A-1.601	28/11	28/23	
64D-4.005	31/15	32/30				28/31	
64D-4.006	31/15	32/30				28/41	
				65A-1.701	32/21		32/31

CHILDREN AND FAMILY SERVICES

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
65A-1.702	32/21		32/31	65C-12.012	32/30		
65A-1.710		29/5	32/31	65C-16.008	32/4		
	32/20		32/31		32/30		
	32/21		32/31	65C-20.008	32/30		
65A-1.711				65C-20.009	32/30		
	32/20		32/31	65C-20.010	32/30		
	32/21		32/31	65C-20.011	32/30		
65A-1.712				65C-20.013	32/30		
	32/20		32/31	65C-21.001	23/20		
	32/20		32/31	65C-22.001	32/30		
	32/21		32/31	65C-22.002	32/30		
65A-1.713				65C-22.003	32/30		
	32/20		32/31	65C-22.004	32/30		
65A-1.716	32/20		32/31	65C-22.005	32/30		
65A-4.201	32/30			65C-22.006	32/30		
65A-4.208	32/9	32/17	32/25	65C-22.007	29/9		
65A-4.2081	32/19				32/30		
65A-4.2082	32/13		32/28w	65C-22.008	32/30		
65A-4.213	25/32			65C-31.001	31/43	32/2	32/29
65A-4.216	25/32					32/20	32/29
65A-15.005	32/9				32/2c		
65A-15.0095	26/4				32/2c		
65A-15.062	32/9			65C-31.002	31/43	32/2	32/29
65B-27.017	32/9					32/20	32/29
65C-5.001	32/29				32/2c		
65C-5.002	32/29				32/2c		
65C-5.003	32/29			65C-31.003	31/43	32/2	32/29
65C-5.004	32/29					32/20	32/29
65C-5.005	32/29				32/2c		
65C-5.006	32/29				32/2c		
65C-5.007	32/29			65C-31.004	31/43	32/2	32/29
65C-5.008	32/29					32/20	32/29
65C-5.009	32/29				32/2c		
65C-5.010	32/29				32/2c		
65C-5.011	32/29			65C-31.005	31/43	32/2	32/29
65C-10.001	32/30					32/20	32/29
65C-10.002	32/30				32/2c		
65C-10.003	32/30				32/2c		
65C-10.004	32/30			65C-31.006	31/43	32/2	32/29
65C-10.005	32/30					32/20	32/29
65C-10.006	32/30				32/2c		
65C-11.001	32/30				32/2c		
65C-11.002	32/30			65C-31.007	31/43	32/2	32/29
65C-11.003	32/30					32/20	32/29
65C-11.004	32/30				32/2c		
65C-11.005	32/30				32/2c		
65C-12.001	32/30			65C-31.008	31/43	32/2	32/29
65C-12.002	32/30					32/20	32/29
65C-12.003	32/30				32/2c		
65C-12.004	32/30				32/2c		
65C-12.005	32/30			65C-31.009	31/43	32/2	32/29
65C-12.006	32/30					32/20	32/29
65C-12.007	32/30				32/2c		
65C-12.008	32/30				32/2c		
65C-12.009	32/30			65C-31.010		32/20	32/29
65C-12.010	32/30			65C-31.011		32/20	32/29
65C-12.011	32/30						

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65E-2.003	26/20	26/28		67ER06-40			32/28
65E-9.001	32/14		32/29	67ER06-41			32/28
65E-9.002	32/14		32/29	67ER06-42			32/27
65E-9.003	32/14		32/29	67ER06-43			32/27
65E-9.004	32/14		32/29	67ER06-44			32/27
65E-9.005	32/14		32/29	67ER06-45			32/27
65E-9.006	32/14		32/29	67ER06-46			32/27
65E-9.007	32/14		32/29	67ER06-47			32/27
65E-9.008	32/14		32/29	67ER06-48			32/27
65E-9.009	32/14		32/29	67-4.032	29/9	29/45	
65E-9.010	32/14		32/29	67-18.005	28/42		
65E-9.011	32/14		32/29	67-21.019	24/46	24/46	
65E-9.012	32/14		32/29	67-32.009	24/28		
65E-9.013	32/14		32/29	67-37.002	32/29		
65E-9.014	32/14		32/29	67-37.005	32/29		
NAVIGATION DISTRICTS				67-37.007	32/29		
66B-1.001	31/50			67-37.008	32/29		
FLORIDA HOUSING FINANCE CORPORATION				67-48.002	30/39		
67ER05-26			32/1	67-51.001	32/15		32/27
67ER05-27			32/1	67-51.002	32/15		32/27
67ER05-28			32/1	67-51.003	32/15		32/27
67ER05-29			32/1	67-51.004	32/15		32/27
67ER05-30			32/1	67-51.005	32/15		32/27
67ER05-31			32/1	67-51.006	32/15		32/27
67ER05-32			32/1	67-51.007	32/15		32/27
67ER06-13			32/28	67-57.001	32/12		32/25
67ER06-14			32/28	67-57.005	32/12	32/18	32/25
67ER06-15			32/28	67-57.010	32/12	32/18	32/25
67ER06-16			32/28	67-57.020	32/12		32/25
67ER06-17			32/28	67-57.030	32/12	32/18	32/25
67ER06-18			32/28	67-57.040	32/12	32/18	32/25
67ER06-19			32/28	67-57.050	32/12	32/18	32/25
67ER06-20			32/28	67-57.060	32/12	32/18	32/25
67ER06-21			32/28	67-57.070	32/12	32/18	32/25
67ER06-22			32/28	67-57.080	32/12	32/18	32/25
67ER06-23			32/28	FISH AND WILDLIFE CONSERVATION COMMISSION			
67ER06-24			32/28	68-1.001	32/18		32/28
67ER06-25			32/28	68-1.004	32/18		32/28
67ER06-26			32/28	68A-2.004	32/18		32/28
67ER06-27			32/28	68A-2.005	32/18		32/28
67ER06-28			32/28	68A-2.009	32/18		32/28
67ER06-29			32/28	68A-2.013	32/18		32/28
67ER06-30			32/28	68A-9.007	32/18		
67ER06-31			32/28	68A-12.009	31/52		32/26
67ER06-32			32/28	68A-15.065	32/18		
67ER06-33			32/28	68A-23.005	30/1		
67ER06-34			32/28	68A-24.003	28/17		
67ER06-35			32/28	68A-24.004	28/17		
67ER06-36			32/28	68A-24.0055	30/1		
67ER06-37			32/28	68A-24.006	28/17		
67ER06-38			32/28		30/1		
67ER06-39			32/28	68A-24.009	30/1		
				68BER06-1			32/25
				68B-1.001	32/18		32/28

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68B-1.002	32/18		32/28	69A-58.005	32/4		
68B-1.003	32/18		32/28	69A-58.006	32/4		
68B-1.004	32/18		32/28	69A-58.007	32/4		
68B-1.005	32/18		32/28	69A-58.008	32/4		
68B-1.006	32/18		32/28	69A-58.0081	32/4		
68B-1.007	32/18		32/28	69A-58.0082	32/4		
68B-1.008	32/18		32/29	69A-58.0083	32/4		
68B-1.009	32/18		32/28	69A-58.0084	32/4		
68B-13.008	27/31	26/13		69A-58.009	32/4		
68B-21.005	32/18	32/25	32/28	69A-60.004	32/12		32/27
68B-23.101	32/18			69A-60.011	32/7		
68B-23.103	32/18			69A-62.001	29/44	29/46	
68B-23.104	32/18			69A-62.002	29/44	29/46	
68B-23.106	32/18			69A-62.021	32/3		
68B-23.107	32/18			69A-64.005	32/21		32/30
68B-23.108	32/18			69B-220.001	32/7	32/20	32/24w
68B-23.109	32/18				32/25		
68B-23.110	32/18			69B-220.051	32/7		32/24w
68B-23.112	32/18				32/25		
68B-45.004	32/28			69B-220.201	32/7	32/20	32/24w
68B-45.007	32/28				32/25		
68C-22.015	32/6		32/29	69B-231.010	32/24		
68C-22.027	32/31			69B-231.020	32/24		
68D-23.101	32/18	32/29		69B-231.030	32/24		
68D-23.103	32/18			69B-231.040	32/24		
68D-23.104	32/18			69B-231.070	32/24		
68D-23.106	32/18			69B-231.080	32/24		
68D-23.107	32/18			69B-231.090	32/24		
68D-23.108	32/18			69B-231.100	32/24		
68D-23.109	32/18			69B-231.110	32/24		
68D-23.110	32/18			69B-231.120	32/24		
68D-23.112	32/18			69B-231.130	32/24		
				69B-231.140	32/24		
				69B-231.150	32/24		
				69B-231.160	32/24		
				69C-6.003	32/17		32/27
				69D-2.001	32/16	32/31	
				69D-2.002	32/16	32/31	
				69D-2.003	32/16	32/31	
				69D-2.004	32/16	32/31	
				69D-2.005	32/16	32/31	
				69H-1.003	32/19		32/29
				69H-2.003	32/19		
				69H-2.004		31/10	32/29
					32/19		32/29
				69I-21.003	32/14		
				69J-2.001	32/22		32/29
				69J-2.002	32/12	32/19	32/25
				69J-2.003	32/22		32/29
				69K-12.003	32/25		
				69K-12.004	32/25		
				69K-12.005	32/25		
				69K-17.0030	32/19		32/26
				69K-17.0034	32/19		32/26
				69K-22.003	32/19		32/26
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69-1	30/42c						
69A-37.401	31/44	32/31					
69A-37.402	31/44	32/31					
69A-37.403	31/44	32/31					
69A-37.404	31/44	32/31					
69A-37.405	31/44	32/31					
69A-37.406	31/44	32/31					
69A-37.407	31/44	32/31					
69A-37.408	31/44	32/31					
69A-37.409	31/44	32/31					
69A-53.005	32/15						
69A-53.0051	32/15						
69A-53.0052	32/15						
69A-53.0053	32/15						
69A-53.0054	32/15						
69A-58.001	32/4						
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69A-58.003	32/4						
69A-58.0031	32/4						
69A-58.004	32/4						

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69L-5.101(4)	31/14c 32/23c			69O-170.013	30/14 30/46	31/7 31/2	
69L-5.102	31/49				30/46	31/15	
69L-5.102(2)(b)	32/23c				31/2c		
69L-5.102(2)(b),(3)	31/14c				31/26	32/6	
69L-5.102(3)	32/23c				31/32c		
69L-5.103(3)(a)	31/14c 32/23c			69O-170.0135	30/46 30/46	31/2 31/15	
69L-6.023	31/33 32/2c				31/2c		
69L-6.028	32/24				31/26		
69L-6.031	31/49	32/6		69O-170.014	30/46	31/15	
69L-7.501	31/25c				31/2c		
69L-7.602	31/23				31/26		
		31/35	32/25	69O-170.0141	30/46	31/15	
	32/15	32/22	32/25		31/2c		
69L-56.530	31/3				31/26		
69M-1	29/52c				31/32c		
69N-121.066	32/7		32/30w	69O-170.0142	30/46	31/2	
	32/23c				30/46	31/15	
69O-1	31/37c 31/37c				31/2c		
69O-125.003	31/47	32/8	32/26		31/26		
69O-125.005	31/6 31/14c 31/26 31/34c			69O-170.0143	30/46	31/2	
		32/7			31/26		
69O-136.019	32/10			69O-170.0155	30/46	31/15	
69O-137.013	32/26				31/2c		
69O-141.020	31/52	32/25			31/26		
69O-141.021	32/25				31/32c		
69O-144.002	32/16			69O-170.020	32/5	32/12	
69O-144.005	32/16			69O-171.003	32/8		
69O-149.005	32/17	32/28			32/23c		
69O-149.006	32/17	32/28		69O-171.009	32/8		
69O-149.007	32/17	32/28			32/23c		
69O-149.037	32/3	32/9	32/26	69O-175.001	31/2c		
		32/15	32/26	69O-175.003	30/46	31/2	
69O-149.038	32/3	32/9	32/26		30/46	31/15	
69O-149.041	30/51				31/2c		
69O-154.203	32/25				31/26		
69O-154.204	32/25				31/32c		
69O-170.005	30/46	31/2		69O-186.003	31/22		
	30/46	31/15		69O-186.003(1)(c)	31/32c		
	31/2c			69O-186.005	31/24		
	31/26			69O-191.051	31/49		32/29w
	31/32c			69O-191.054	31/49		32/29w
69O-170.006	30/46			69O-203.042	31/49		32/29w
	31/2c			69O-203.045	31/49		32/29w
	31/26			69O-204.201	32/10	32/18	32/26
	31/32c			69V-560.303	32/20		
69O-170.007	30/46	31/2		69W-600.013	32/8		
	30/46	31/15		69W-600.0131	32/8		
	31/2c			69W-600.0132	32/8		
	31/26			69W-600.014	32/8		
	31/32c						